

# Resurgence Tested at Showdown: U.S. Congress and the Final Evacuation from Saigon 1975

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## Abstract

Throughout the years of “America’s longest war” in Vietnam, executive and legislative branches of the United States struggled over powers to initiate, conduct and terminate military actions. Being subdued by executive, above all presidential, primacy under which Congress substantially had no chance to let its voice heard, it pursued more active roles in decision making on war-and-peace policies and accomplished War Powers Resolution in 1973. Such a congressional campaign, often referred as “congressional resurgence,” continued and reached an apex in spring 1975 when Congress proposed a bill on humanitarian assistance to South Vietnam and the final evacuation from Saigon. However, since the communists dominated entire South Vietnam with far more rapid pace than anticipated, Congress became reluctant as well as unwilling to resurge and, as a result, the House of Representatives finally killed the bill on May 1.

**Keywords:** U.S. Congress, Foreign Policy, Vietnam War

## 1

The purpose of this essay is to examine congressional response to the final evacuation from Saigon with a special focus upon Vietnam Humanitarian Assistance and Evacuation Act of 1975. My final goal, in particular, is to explain the House of Representatives actions which resulted in rejecting its own bill on May 1, 1975, as it “fell victim to the rapid pace of events in South Vietnam during the week”.<sup>1)</sup>

Executive-legislative conflict over war-making was one of the main issues in American foreign policy. The conflict deteriorated since Congress passed so called “Tonkin Gulf Resolution” in 1964 in which it agreed to grant *carte blanche* to the President in conducting war without prior legislative approval. As the U.S. involvement in Vietnam developed, however, Congress gradually became anxious for more active roles in restricting war-making by the President. This legislative move was often called “congressional resurgence.” The War Powers Resolution of 1973 marked an important paramount for Congress because of its strict requirement that the President should consult with, and re-

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port to Congress on the use of armed forces in the hostilities abroad. In addition, it also required the President to terminate the hostilities in sixty or, at the longest, ninety days if Congress passed appropriate resolution to approve them. Since then, history showed many examples in which the Resolution had been tested to prove whether or not it worked as an effective mechanism for limiting or stopping the presidential wars. The case I chose for this essay was one of them. Because this is a study of floor actions, I have drawn as much as possible congressional primary sources. The bound edition of Congressional Record as well as published documents by the Committees on Foreign Relations and Foreign Affairs of both chambers were, with no doubt, quite useful references to prepare this essay.

## 2

Did Congress pursue more active roles to end the war in Vietnam when it attempted to enact the Vietnam Humanitarian Assistance and Evacuation Act (hereafter Senate bill cited as S94-88, meanwhile House bill as H94-155)? Or did it only reflect the usual pattern of response to Vietnamese policies by White House and the executive branch?

Congress proposed the bills because of the creeping danger in Saigon and, as a result, the necessity to evacuate American and some foreign nationals. Because it “certainly involved decisions with hostilities implications”<sup>2)</sup>, the final evacuation was the issue over competing authority between legislative and executive branches. While the President cited his constitutional authority as Commander-in-Chief, Congress attributed the evacuation to its authorities in the War Power Resolution. It intended to show appropriate guideline to the President for final evacuation within the framework of the Resolution. S94-88 stated that:

this bill...is designed to provide a legal framework within which the President can...employ the armed forces...to withdraw the remaining Americans from South Vietnam and to allow foreign nationals to be brought out with the Americans<sup>3)</sup>.

H94-155 also indicated the same objectives in slightly different languages as follows:

It modifies five specific provisions of law barring the use of funds for reintroduction of U.S. Armed Forces into Indochina hostilities in order to permit the use of such forces under clearly limited and specified conditions<sup>4)</sup>. Congress shared a belief that the War Powers Resolution effectively restrained the presidential authorities. Senate Conference Report of the bill, S-1484, strengthened this belief when it stated that it was not a broad grant of authority but attempt to spell out the limits to the authority which the President exercised in the withdrawal of the American community<sup>5)</sup>.

The congressional debates over the bill focused upon two major issues in the executive-legislative relations. The first issue was the use of armed forces in the final evacuation. Dissenters felt that the legislation would only duplicate presidential authority which the Constitution had already guaranteed. Because of their strong belief that the Constitution authorized the President to use the U.S.

armed forces for evacuation, the dissenting legislators feared that newly-enacting law led to expanded presidential war powers.

In the Senate debate on April 23, for instance, they attacked S94–88 as having potential of beckoning the United States back into Vietnam and as an additional grant to use troops in South Vietnam<sup>6)</sup>. They particularly targeted their attack on Section 3, which authorized the President to use U.S. armed forces to evacuate Americans “in a number and manner essential to and directly connected with the protection of those U.S. citizens and their dependents”<sup>7)</sup>. According to the bill, it was president’ judgment whether to send troops, but the record showed that President had many times ignored, deceived, or outwitted legislative branch in the making of policies on war and peace.

First reason for congressional dissent to further military involvement was the secret “guarantees” in the Paris Peace Accord of 1973. On April 9, 1975, the White House made an official announcement which acknowledged President Richard Nixon had assured then South Vietnamese President Nguyen Van Thieu in his private correspondence that the United States would “react vigorously to major violations” of the Paris Accord<sup>8)</sup>. More official evidences from South Vietnam confirmed Nixon’s guarantee of not only military and economic assistances, but also “direct military intervention” in case of the violation of the Accord<sup>9)</sup>.

Because Nixon made “guarantees” without consulting Congress, legislators became more than before skeptical of the presidential powers to send troops in hostilities abroad. This skeptical attitude applied to the final evacuation from Saigon and, in a due course, forged the anxiety that “Congress would be accused of violating commitments and obligations it never heard of.”<sup>10)</sup>

Second reason was the optimistic view that the Vietnamese situations could be diplomatically settled. Many senators and congressmen expected to carry out operations to evacuate Americans by negotiations with South Vietnamese Government, which proved to be far from being realistic. The fact was that, lacking in reliable information, Congress was unable to correctly understand the crucial situation in South Vietnam. We can see such optimism as was reflected in the evacuation bills. The House bill, for example, defined evacuation as the one “carried out without the use of military force, as far as possible.”<sup>11)</sup> The bill stipulated the military forces as a “last resort and to a minimum necessary to effect the withdrawal.”<sup>12)</sup>

Conference Reports of both houses (S–1484 and HR–6096) contained provisions which stated the diplomatic channels to be used to ease the threat to the persons who would need to be evacuated. Section 5(3)(A) stated that every effort had been made to terminate the threat to such persons by the use of diplomatic and any other means available other than the use of armed forces.<sup>13)</sup> For instance, Senator Joseph Biden (D-Delaware), one of the leading dissenters in the Senate, strongly urged the evacuation to be made urgently, but by negotiations.<sup>14)</sup> In the House of Representatives, Congressman Stephen Solarz (D-New York) championed the final evacuation by non-military means. He showed his great concern about the possibility of evacuating those who wished to leave without using American military forces in the process.<sup>15)</sup> Additionally, he cited his private discussion with Pham Van Ba, head of Permanent Mission in France of Provincial Revolutionary Government, and argued that non-military evacuation was feasible as said:

“Mr. Ba indicated to me that the PRG would be willing to permit Americans and those Vietnamese who wish to leave Vietnam without fear of military intervention.”<sup>16)</sup>

In short, Solarz urged the Ford administration to promptly pursue non-military possibilities before sending any armed forces to Vietnam.<sup>17)</sup> Other congressmen like Donald Riegel (D-Michigan) supported Solarz when he insisted that the use of military forces would endanger those who to be evacuated as well as disorder the final evacuation processes.<sup>18)</sup>

In retrospect, however, the actual situation in South Vietnam was too desperate to give any opportunities to negotiated evacuation. Generally, members of Congress tended to swallow, with no doubt, incorrect information or observations on the military situations in South Vietnam. Their inspection tours to South Vietnam discreetly avoided such Northern cities as Danang, Hue, and Ban Me Thout where communists had already prevailed. Consequently, the inspection reports proved to be so optimistic, unrealistic, or sometimes misleading as to conclude, as one report said, that the only useful options to reverse the tide of war was B-52 bombings.<sup>19)</sup> Under these circumstances, Congress easily expected to optimize the chances for negotiated evacuation, meanwhile it rejected reintroducing military forces.

### 3

The second concern was the evacuation of foreign nationals, to be more specific, the South Vietnamese. Question here was whether or not the President, as Commander-in-Chief of the United States, had constitutional authority to send American armed forces to withdraw non-American citizens. There were two crucial problems in undertaking evacuation. First, evacuating foreign nationals would complicate or even endanger the essential evacuation of Americans. Such an evacuation, as Senator Biden argued, extended beyond the primary objective to “endangered foreign nationals unspecified as numbers and identity.”<sup>20)</sup> In fact, to evacuate all remaining South Vietnamese fell far outside the control and capability of the U.S. Government and military. If extended, any evacuation operations needed to limit the foreign nationals to those who were strictly qualified to be evacuated. Section 5(2) and (3) of Conference Report outlined this qualifications in detail and stated that only those South Vietnamese who had their family relationship to the American citizens should be evacuated.<sup>21)</sup> In short, Conference Report concluded that the President “may have” the authority to evacuate non-American citizens, but only in a selective manner.

Given the crucial situation in Vietnam, however, such a selective evacuation was difficult to operate. Some members of Congress agreed with the prompt evacuation as the urgent necessity for the Ford administration.<sup>22)</sup> But prompt evacuation was logically inconsistent with selective evacuation because, no matter how direct and imminent the threat the President might recognize to the lives of foreign nationals, selecting process regarding their family relationship required much more time than normal evacuation.<sup>23)</sup> Later, Martin R. Hoffmann, a legal adviser at Pentagon who was in charge of entire evacuation operation, suggested that nationality segregation could have triggered severe disorder.<sup>24)</sup>

Moreover, the advocated of Vietnamese evacuation emphasized the moral obligations of the United States. Senator Jacob Javits (R-New York), for example, pointed out in Senate session the U.S. obligations to those whose lives “are really in jeopardy though our first solicitude has to be for our own citizens.”<sup>25)</sup> Here, by “obligations”, Javits meant humanitarian assistance to the refugees as well as the unconditional acceptance of Vietnamese evacuees to the United States.

Second, the foreign evacuation could broaden the presidential authorities under constitution. Many oppositions rose to the unconstitutionality of evacuation non-Americans by the President. Throughout the whole debates, a memorandum from Legislative Counsel Office to Senate Committee on Foreign Relations provided legal basis for dissenting views. The memorandum, issued on April 15, 1975, disclosed skepticism to the foreign evacuation. Although it agreed with limited use of armed forces to evacuate American citizens to be constitutional, it definitely denied the presidential authority to evacuate foreign nationals, specifically as follows:

Absent a declaration of war or specific statutory authorization, the President may not constitutionally use the armed forces of the United States to evacuate citizens of South Vietnam from South Vietnam.<sup>26)</sup>

This suggestion outlined the Senate provisions on the President’s authority to evacuate. Section 3 of S94–88 stated that:

there is no question that the President lacks authority to use armed forces to engage in the large scale of evacuation of foreign nationals under hostile conditions or situation where hostilities are likely.<sup>27)</sup>

Such a senatorial view, on the one hand, amounted to a claim that Congress should more active roles in final evacuation. Senator Richard Clark (D-Iowa), one of three dissenters to S94–88 in the Committee on Foreign Relations, insisted that any specific plan and the scale of evacuation “should be outlined for Congress.” The need to specifically determine evacuation plan, he urged, was urgent task that the administration must do for Congress. He was fully aware of the necessity for legislation “as a part of congressional oversight responsibility.”<sup>28)</sup> Clark’s argument assumed the existence of vacuum of executive leadership to be filled by Congress.

On the other hand, several senators consistently expressed their fear of military reintroduction. The legislation of the bill would expand the presidential authority, which was deemed as being far more unconstitutional. Congressional distrust ran so deep that any grant of further authority regarding the use of military forces could reopen the door to Indochina quagmire.

S94–88 was, as Senator Hubert Humphery (D-Minnesota) explained, designed to be a “legislative restraint upon the powers of the President relating to bringing out South Vietnamese nationals in any evacuation program.”<sup>29)</sup> Both bills, S94–88 and H94–155, contained any provisions which would, under no conditions, grant further authority to the President. On the contrary, they firmly shared the same notion that any evacuation should be subject to the provisions of the War Powers Resolution.<sup>30)</sup>

In spite of the final evacuation to be limited in scope, Congress attempted more not to avoid broadening the presidential authority to send troops abroad. Senate, in particular, proposed four major amendments, three of which would more narrowly define the presidential powers as Commander-in-Chief.<sup>31)</sup> Resulting from their anxiety over military reintroduction, one major tool to ease such an anxiety was to define with too much precision the President's authority to use armed forces.<sup>32)</sup> Thus, Senate finally moved in that direction, and passed the bill (S-1484) by 75-17 on April 25.

#### 4

On April 28, 1975, President Gerald Ford ordered the final evacuation from Saigon. Being conducted pursuant to his authority as Commander-in-Chief, the operation completed in two days. The last elements of ground forces departed Saigon at 7:40 am (EST) on April 29.<sup>33)</sup> Shortly after that, the South Vietnamese Government collapsed.

It was in the midst of confusion when the House of Representatives held the last session to discuss HR-6096 on May 1. In a letter dated April 30, calling on the House members to approve HR-6096, President Ford emphasized further necessity to pursue humanitarian assistance to South Vietnam and urged them to prompt enactment.<sup>34)</sup> Despite a strong appeal from Ford and his guarantee not to send any troops, the House rejected HR-6096 by 162-246. Because the situation no longer existed to which the bill referred, most of the House members felt reluctant or even hesitated to support it. 24 Republicans and 50 Democrats switched from support to opposition to the bill.<sup>35)</sup>

In the final House debate, however, many members still sought the long-term significance of the bill as restraints on presidential authority. Indeed, some congressmen firmly believed that HR-6096 had effectively curbed the President's authority in the final evacuation. They obviously shared opinion that President Ford was as well aware of the restraints which Congress wished to impose<sup>36)</sup>, because he fully complied with the provisions requiring him to report to Congress on evacuation in forty-eight hours as well as to withdraw troops as soon as the operation completed. Other members also argued that a fear of military reinvolvement proved to be groundless. For them, the President showed a good example of evacuation with no intention to reinvolve in full-scale war. Therefore, they formed a consensus that Ford carried out the final evacuation within the limitations set down by HR-6096.<sup>37)</sup>

Those who advocated HR-6096 from this standpoint included Thomas E. Morgan (D-Pennsylvania) and Clement Zablocki (R-Wisconsin). Morgan stressed congressional "right" to participate in the decision over the use of armed forces.<sup>38)</sup> Zablocki, a respected long-time senior member, appealed for a strong sense of congressional responsibility when he told passing HR-6096 "could have made another step toward the balance of authority between the legislative and executive branches."<sup>39)</sup> Their views represented the general attitude to the bill as the final House session progressed.

On the other hand, however, there existed many congressmen who completely denied the long-term significance of HR-6096. Above all, they acknowledged no future utility of the provisions relating to the use of armed forces. As Thomas P. O'Neill (D-Massachusetts), one of the leading dissenters to the bill, asserted, the President completed the evacuation without use of any legislation passed by the House. In confrontation with this reality, he even went further to say that HR-6096 "did set a bad

precedent for the future”<sup>40)</sup>, because it referred to the situation which no longer existed. The change in South Vietnamese situation weakened the House of Representatives’ unity to enact HR-6096.

After the fall of Saigon, the House wished to avoid too close association not only with South Vietnam, but also with any further presidential decisions on the use of armed forces.<sup>41)</sup> For instance, Cardiss Collins (D-Illinois), one of the Democrats who switched from support to opposition, made this point clearly when she stated that HR-6096 was “the wrong means at the wrong time to try to reassert our authority.”<sup>42)</sup> J. Edward Rousch (D-Indiana), another convert, urged dealing with the issue “with greatest deliberation and on the basis of facts.”<sup>43)</sup> Since the emergency disappeared, he suggested that the House should be in no hurry on the bill. In fact, the bill reminded some congressmen of notorious Tonkin Gulf Resolution of 1964.<sup>44)</sup>

Since the final evacuation completed, HR-6096 had only one objective: humanitarian assistance to South Vietnam. In sections 2 and 3, it authorized \$150 million for FY 1975 for humanitarian assistance and additional \$177 million for Indochina reconstruction. In other words, the bill contained provisions for two competing situations: the one which had ceased to exist (evacuation) and the one which was to emerge (humanitarian assistance). This fact determined a pattern of voting by some House members. While they opposed sections 4 through 9 regarding evacuation, they expressed their support to humanitarian assistance. Among them, O’Neill and other leading members even proposed a compromise to, in the first place, oppose to the enactment of HR-6096 and, for the second, to introduce a new bill for humanitarian assistance only. They intended “to bring in “a clean bill, to have it on the floor again, and to start from scratch on it.”<sup>45)</sup> It was uncertain whether or not a new bill would serve a purpose of “the most expeditious method of obtaining funds for refugees,” as President Ford stated, but they reached an agreement on one point that such a measure be more preferable to HR-6096.

The final House debate revealed that two objectives in HR-6096 became difficult to meet by a single legislation, once situation suddenly and unexpectedly changed in South Vietnam. This proved to be a structural weakness of the bill. Moreover, it is also important to note that no good alternative was available to HR-6096. The only remaining option was to “start all over” by a new and clean bill. Although several congressmen voted for the bill only because they advocated humanitarian assistance, many of the House members chose to avoid their support on the ground that enacting the bill would automatically grant further authority to the President to use military forces. Consequently, all those factors combined buried HR-6096 at the last phase of congressional debate.

## 5

HR-6096 reflected congressional attempt to act based upon the authorities in the War Powers Resolution. Members of both houses proposed the bills at the last stage of Vietnam War in order to control both initiation and termination of the final evacuation from Saigon. As whole evacuation process showed, however, Congress failed to meet these objectives. It meant that President Ford ordered and conducted the evacuation not in compliance with the outlines in HR-6096, but in pursuant to his Commander-in-Chief authority.<sup>46)</sup> Finally, the bill resulted in “regrettable anomalies.”<sup>47)</sup>

In retrospect, the legislative branch differed from the executive branch in many issues on evacuation. Among other things, Congress was more anxious than the President to evacuate American citizens.<sup>48)</sup> As the end drew closer in South Vietnam, the President encountered strong contradiction from Congress on the use of American military forces to evacuate foreign nationals. Also, the bill reflected a strong concern over aggressive introduction of armed forces abroad, which was a product of long-time congressional experience throughout the period of Vietnam War. In these senses, HR-6096 represented a typical pattern of congressional dissent over the use of armed forces. As long as such dissent existed, the President was not able to act with speed or secrecy.

HR-6096 precisely provided a limited scope of the use of armed forces in the final evacuation. By enacting the bill, Congress presumably sought to further restrain presidential authority as Commander-in-Chief. It never meant that Congress sought to ban any military actions by the President. Although opposition to military reintroduction prevailed throughout the debate, both S-1484 and HR-6096 only stipulated that the use of armed forces must be operated and accomplished in a number and manner essential to and directly connected with the protection of U.S. citizens and foreign nationals.

But the bill specified neither ceiling on the numbers of military personnel to be committed, nor the scope of entire operation. Although it would permit Congress to assume responsibility for controlling evacuation, or at least, direct that it go forward subject to specified ground rules,<sup>49)</sup> the final judgment in this regard belonged to the President. In fact, on April 28 President Ford unilaterally initiated the action together with the armed forces before the bill came to the final floor. A direct and imminent threat to the Americans in Saigon encouraged hasty actions. Monroe Leigh, a legal adviser to the State Department, later testified that the final evacuation, composed of three phases with the mobilization of 70 helicopters and 865 Marine, withdrew 1,373 Americans and 5,595 Vietnamese in total amount.<sup>50)</sup> Notwithstanding the provisions in HR-6096, it resulted in a large-scale military operation.

In the termination of evacuation, Congress logically had a free hand to achieve it by majority vote of both houses without the possibility of executive veto.<sup>51)</sup> The most effective tool for Congress was concurrent resolution to terminate ongoing military action. HR-6096, in this regard, obviously provided the legislative instrument to take a control of war-making decision. Section 6 stipulated that the authority contained in the bill "shall not be considered specific statutory authorization for the purpose of section 5(b) and (c) of the War Powers Resolution." The bill also made provisions that limited troops presence to sixty days unless extended by Congress and provided Congress could order their withdrawal by concurrent resolution at any time. In short, HR-6096 bore more responsibilities in termination than in initiation of the final evacuation. The bill at the same time authorized Congress to extend the U.S. military presence by legislative process in order to permit continuity of the U.S. war policy as well as to ensure the proportional ability of the United States to move toward war. The period, to be specific, shall be extended "for not more than additional thirty days."<sup>52)</sup> In other words, under this provision, Congress allowed the President to commit military actions at least sixty or, at the longest, ninety days. Because it required the capability to make decisions in the rational manner with speed, secrecy and efficiency, the President enjoyed primacy in terminating military actions. Even Congress, in general, frequently greeted the presidential initiatives to achieve this objective. HR-6096 never af-

fect to change this fundamental pattern of executive-legislative relations.

## 6

In both initiation and termination, Congress sought authorities which went far beyond its capability. The legislative action for HR-6096 explicitly pursued further authority for Congress, which resulted in imbalance of war powers. Due to the dramatic change in Vietnamese situation, the negative opinions prevailed on the need for enactment of HR-6096. Denying the long-term significance of the bill, dissenters centered its criticism around sections 4 through 9. The situation to which HR-6096 referred ceased to exist, which allowed them to retreat from claiming strong voice on war and peace decisions. No sooner had the emergency disappeared than the position for its “resurgence” collapsed. The rejection of HR-6096 diluted congressional interest in effort to reassert more responsible roles to end war in Vietnam.

To sum up, therefore, I conclude this essay with rather negative assessment on congressional resurgence in war making. If, as congressman Zablocki argued, the basic philosophy underlying war powers had been a reassertion of congressional authority, it would have been found alive in a way Congress handled evacuation in collaboration with the executive branch.<sup>53)</sup> But, in fact, the President unilaterally ordered evacuation before Congress provided legislative outline of the operation.

On the other hand, if congressional resurgence had indeed end toward demonstrating congressional will and capacity to resolve complicated issued in this realm, HR-6096 would have been given long-term significance as “another significant step toward the balance of authority”.<sup>54)</sup> The influence of legislative branch, to a considerable degree, depended upon its own posture to increasing assertiveness as well. Obviously, as this essay explained, congressional resurgence resulted in “a legislative anomaly” as the end approached to the war in Vietnam. Congress conceded not only the necessity for presidential freedom to act, but also its inability to manipulate war and peace issues pursuant to the authority in the War Powers Resolution.<sup>55)</sup>

In the light of foregoing facts, it is evident that Congress retreated or even turned away from the position reasserting its resurgence when the House buried HR-6096 at the last House session. Pat M. Holt argues that whether the War Powers Resolution accomplishes its purpose still depends more on legislative ability to use the procedures and power available to it.<sup>56)</sup> Undoubtedly, Congress failed in the crucial test to resurge.

### Notes

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- 2) W. Taylor Reveley, III., *War Powers of the President and Congress: Who Holds the Arrow and Olive Branch?* University Press of Virginia, Charlottesville, 1981, p.250.
- 3) U.S. Congress, Senate, *Vietnam Contingency Act of 1975: Report*, S Rept.94-88, (hereafter cited as S94-88), 94th Congress, 1st Session, 1975, p.5.
- 4) U.S. Congress, House of Representatives, *Vietnam Humanitarian Assistance and Evacuation Act of 1975: Re-*

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- 5) S94-88, p.5.
  - 6) *Congressional Record* (hereafter cited as *CR*), 94th Congress, 1st Session, Volume 121, Part 9, Senate, April 23, 1975, p.11465.
  - 7) S94-88, p.7.
  - 8) *CQ Almanac 1975*, Volume XXXI, p.299.
  - 9) *Facts on File*, 1975, April 26, Facts on File Publishers, New York, p.269.
  - 10) *CQ Almanac 1975*, Volume XXXI, p.299.
  - 11) H94-155, p.7.
  - 12) *Ibid.*, p.6.
  - 13) U.S. Congress, Senate, *Vietnam Humanitarian Assistance and Evacuation Act of 1975: Conference Report*, S Rept. 94-97 (hereafter cited as S-1484), 94th Congress, 1st Session, 1975, p.3; U.S. Congress, House of Representatives, *Vietnam Humanitarian Assistance and Evacuation Act of 1975: Conference Report*, H Rept. 94-176 (hereafter cited as HR-6096), 94th Congress, 1st Session, 1975, p.3.
  - 14) *CR*, Senate, April 23, 1975, p.11466.
  - 15) HR-6096, p.19.
  - 16) *Ibid.*
  - 17) *Ibid.*
  - 18) *Ibid.*, p.17.
  - 19) *CR*, Senate, April 29, 1975, pp.12254-12260.
  - 20) *Ibid.*, pp.11465-11466.
  - 21) S-1484 and HR-6096, p.3.
  - 22) *CR*, Senate, April 23, 1975, p.11465.
  - 23) S94-88 and S-1484, p.8.
  - 24) U.S. Congress, House of Representatives, Committee on International Relations, *War Powers: A Test of Compliance Relative to the Danang Sealift, the Evacuation of Phnon Pehn, the Evacuation of Saigon, and the Mayaguez Incident: Hearings*, before the Subcommittee on International Security and Scientific Affairs, 94th Congress, 1st Session, 1975, p.22.
  - 25) *CR*, Senate, April 23, 1975, p.11458.
  - 26) Appendix in S94-88, p.15.
  - 27) S94-88, p.4.
  - 28) *CR*, Senate, April 23, 1975, pp.11435-11436.
  - 29) *Ibid.*, p.11444.
  - 30) H94-155, p.7.
  - 31) Amendments proposed by Alan Cranston (D-California), Floyd K. Haskell (D-Colorado), William Lloyd Scott (R-Virginia), and Richard Clark (D-Iowa).
  - 32) Pat M. Holt, *The War Powers Resolution: The Role of Congress in U.S. Armed Intervention*, American Enterprise Institute, Washington, D.C., 1978, p.38.
  - 33) U.S. Congress, House of Representatives, Committee on Foreign Affairs, Subcommittee on International Security and Scientific Affairs, *The War Powers Resolution: Relevant Documents, Correspondence, and Report*, June

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- 34) *Public Papers of the President: Gerald R. Ford*, 1975, Volume 2, U.S. Government Printing Office, Washington, D.C., p.609.
  - 35) *CQ Almanac 1975*, Volume XXXI, p.315.
  - 36) *CR*, House of Representatives, May 1, 1975, p.12759.
  - 37) *Ibid.*
  - 38) *Ibid.*, p.12754.
  - 39) *Ibid.*, p.12759.
  - 40) *Ibid.*, p.12758.
  - 41) Reveley, *War Powers*, p.251.
  - 42) *CR*, House of Representatives, May 1, 1975, p.12761.
  - 43) *Ibid.*, p.12762.
  - 44) These congressmen are Bella Abzug (N-New York), John Anderson (R-Illinois), and Philip Burton (D-California), just to mention a few.
  - 45) *CR*, House of Representatives, May 1, 1975, p.12758.
  - 46) U.S. Congress, House, Committee on Foreign Affairs, *The War Powers Resolution*, p.44.
  - 47) U.S. Congress, House, Committee on Foreign Affairs, *War Powers: A Test of Compliance*, p.70.
  - 48) Holt, *The War Powers Resolution*, p.15.
  - 49) Reveley, *War Powers*, p.195.
  - 50) U.S. Congress, House, Committee on Foreign Affairs, *War Powers: A Test of Compliance*, p.6.
  - 51) W. Taylor Reveley, III, "The Power to Make War," Richard A. Frank and Francis O. Wilcox, eds., *The Constitution and the Conduct of Foreign Policy*, Praeger, New York, 1976, pp.96, 108.
  - 52) Section 5(b), Public Law 93-148.
  - 53) U.S. Congress, House, Committee on Foreign Affairs, *War Powers: A Test of Compliance*, pp.93-94.
  - 54) Alton Frye and Jack Sullivan, "Congress and Vietnam: The Fruit of Anguish," Anthony Lake, ed., *The Legacy of Vietnam*, New York University Press, New York, 1976, p.195.
  - 55) James Sundquist, *The Decline and the Resurgence of Congress*, The Brookings Institution, Washington, D.C., 1981, p.306.
  - 56) Holt, *The War Powers Resolution*, p.40.