

Fulbright Unit Says Nixon Usurps Power

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The Senate Foreign Relations Committee complained today that the Nixon Administration, by sending American troops into Cambodia "without the consent or knowledge of Congress," was usurping the war-making powers of Congress.

The committee, which is headed by Senator J. W. Fulbright, also charged that over the years the Executive branch had been "conducting a constitutionally unauthorized, Presidential war in Indochina." The charge was promptly rejected by the White House, which contended that President Nixon was relying upon his constitutional powers as Commander in Chief.

"The action which the

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President has called for in Cambodia is in relation to territory occupied by North Vietnamese and Vietcong groups and the action we are taking is in relation to this force, which is jeopardizing the security of U.S. forces in Vietnam," the White House press secretary, Ronald L. Ziegler, said. "He has taken this action as Commander in Chief."

The Senate committee reluctantly agreed today to attend a White House briefing on Cambodia tomorrow along with the larger House Foreign Affairs Committee, but the members still were seeking a separate meeting with President Nixon.

The Senate committee's complaint, combined with the difficulties encountered in working out arrangements for a White House meeting, reflected the seriousness of the constitutional controversy developing between the committee and the White House as a result of the military operations in Cambodia.

The committee's complaint was contained in a report urging the repeal of the Gulf of Tonkin Resolution, which was approved by Congress in August, 1964, after a naval encounter with North Vietnamese vessels in the Tonkin Gulf. The resolution gave the President authorization to take "all necessary steps" to repel aggression in Southeast Asia and was used by the Johnson Administration as the legal basis for the military build-up in Vietnam.

Last Friday, the Senate committee requested a private meeting with the President to discuss developments in Southeast Asia. The President acceded to the request, but also invited the House Foreign Affairs Committee to attend the meeting, set for tomorrow afternoon. He also arranged for a separate meeting in the morning with the House and Senate Armed Services Committees.

The 15-member Senate committee today reluctantly but unanimously accepted the President's terms for the meeting. But Senator Fulbright, Democrat of Arkansas, made clear that the meeting, which he described as a "briefing" rather than a "consultative exchange of views," was not regarded by the committee as a substitute for the separate conference it had requested.

Representative Thomas E. Morgan, chairman of the House committee, welcomed the President's invitation, asserting that "the House and Senate share an equal responsibility in this vital matter and my only regret is that the invitation was not extended even sooner."

"As reflected in the statement by Mr. Morgan, a Pennsylvania Democrat, some of the leading members of the House committee were reported to have been annoyed at what they regarded as the presumptuousness of the Senate group in requesting a private meeting with the President and to have conveyed

their feelings to the White House.

By including the 38-member House committee, which has been far more pro-Administration than its Senate counterpart, the White House also succeeded in assuring a more sympathetic audience for the President in his Cambodian decision.

"The decision was a Presidential one, and in making his decision, the President had to consider the calculated risks of action and the calculated risks of inaction," the Speaker said. "The decision having been

made and now being carried out, we should all hope the results will be favorable and contribute toward an early, honorable peace."

By declining, at least for the moment, to meet separately with the Senate committee, President Nixon, in the opinion of some leading Republicans on the committee, has exacerbated his relations with a group that is increasingly intent on circumscribing his power to carry out military activities in Southeast Asia.