

Aide Hints a Veto by Nixon If War Curb Is Too Severe

By JOHN W. FINNEY MAY 28 1970
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WASHINGTON, May 27—An official of the Nixon Administration raised the threat today that the President would veto any measure on Cambodia enacted by Congress that restricted his constitutional powers as Commander in Chief.

Whether the threat applies to the Cooper-Church amendment now before the Senate was left somewhat unclear by the official, who spoke from a position of authority in the Administration but on the condition that he not be identified.

The comment was an indication of how the White House was seeking behind the scenes to defeat the amendment, sponsored by Senator John Sherman Cooper, Republican of Kentucky, and Senator Frank Church, Democrat of Idaho.

The amendment, attached to

a bill on foreign military sales that is before the Senate, would prohibit the President from spending funds after July 1 for "retaining" United States forces in Cambodia or for supplying military advisers, mercenaries or combat air support to the Cambodian Government without the consent of Congress.

The Administration official, talking with a small group of reporters over the breakfast table, left no doubt that the White House finds the Cooper-Church amendment unacceptable in its present form on the ground that it would encroach on the President's powers as Commander in Chief. As interpreted by the official, the amendment would prohibit the President from taking action for example, to rescue Americans who might be in a prison

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camp just inside the Cambodian border.

Such an interpretation has been repeatedly denied by the sponsors, who have emphasized that the amendment did not and could not circumscribe the powers of the President to take steps to protect the safety of American troops. The main purpose, they have contended, is to make clear that he cannot involve the nation in a new war in Cambodia without obtaining the approval of Congress.

The White House was said to have decided that there was no possibility of reaching an accommodation with the sponsors through changes in the amendment's language. The reason offered by the Administration official, who was involved in the negotiations with Senator Cooper, was their refusal to include a reference to the authority of the Commander in Chief.

The sponsors are confident that they command a majority in the Senate—an appraisal that seemed to be shared by the Administration official. With a vote not expected until mid-June, however, the White House believes, according to the official, that there will be a shift of opinion behind the President that may help defeat the amendment.

House Rejection Expected

Even if it is passed by the Senate, the White House was said to be confident that it will be rejected by the House of Representatives.

The issue will not go directly to the House but to a Senate-House conference committee, where the Senate conferees, drawn from the Foreign Relations Committee, may let the foreign military sales bill die rather than retreat on the amendment. The bill, requested by the Administration, authorizes credit sales of weapons to other nations.

Mike Mansfield, the Senate majority leader, accused some Republicans of engaging in a "stalling operation" to delay a vote on the amendment. The allegation was denied by Senator Robert P. Griffin, the assistant Republican leader, who replied that a matter of such controversy should be fully debated by the Senate.

The Administration official's use of the prisoner-of-war example may provide an indication of another Republican tactic against the amendment.

Senator Robert Dole of Kansas reintroduced an amendment specifying that the prohibition against retaining American forces in Cambodia would not apply if "the President determines that citizens or nationals of the United States are held as prisoners of war in Cambodia."

In the first vote on the issue yesterday, the Senate, 82 to 11, supported a revised preamble that endorsed the President's plan to withdraw American forces from Cambodia by June 30. Many who supported the preamble are opposed to the amendment.