

WAR-POWER CURBS DEBATED IN SENATE

Bill Would Restrict the Use
of Forces by the President

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The Senate began debate today on a bill that its sponsors contend is necessary to check the war-making powers of the presidency. The Administration has protested that the measure is unconstitutional and unwise.

The legislation would authorize the president to use military forces in certain emergencies but for not more than 30 days without congressional approval.

The Administration's last-minute lobbying effort included a letter by Secretary of State William P. Rogers warning that the bill "would violate the Constitution and, far from preventing future military involvement, would increase the likelihood of such involvement."

The letter, written last Friday to Senator Gordon P. Allott, Republican of Colorado, was made public by the Senator and at the State Department as the debate began.

Senate Approval Expected

With the broad support behind the bill, however, it appeared unlikely that the Administration could defeat the measure in the Senate, although it might succeed blocking it in the House of Representatives.

According to Republican sources, the Administration has been able to line up only three Republicans, Senators Barry Goldwater of Arizona, Roman L. Hruska of Nebraska and Peter H. Dominick of Colorado, and one Democrat, Senator Gale W. McGee of Wyoming, to speak against the bill.

Opening the debate today, Senator Jacob K. Javits, Republican of New York, the principal architect of the bill along with Senator John Stennis, Democrat of Mississippi, described it as "one of the most important pieces of legislation in the national security field that has come before the Senate in this century."

All voting has been put off until next week, largely to accommodate Senator Goldwater, who has gone to California to attend his son's wedding tomorrow.

The legislation, cosponsored by 24 Senators, would authorize the President, in the absence of a declaration of war, to use the armed forces to repel an attack on the United

States or to forestall "the direct and imminent threat of such an attack," to repel or

forestall an attack upon United States forces abroad, or to protect American citizens being evacuated from a foreign country.

The President would be required to report promptly to Congress and could not continue hostilities for more than 30 days without receiving "specific statutory authorization" from Congress.

Contending that the Constitution intended that the war-making power should be shared by Congress and the President, Senator Javits and his colleagues argued that a dangerous constitutional imbalance had developed as presidents have assumed what they described as a power to commit the nation to undeclared wars

without the specific consent of Congress.

The Administration's basic argument has been that no legislative restraints should be placed upon the President's powers as commander in chief and that the division of the war-making powers should continue to depend upon a political process of cooperation between Congress and the President.

Referring in particular to the Vietnam war, Senator Javits said "it is the failure of this approach which necessitates a war-powers bill."

In his letter, Mr. Rogers said that the present allocation of war powers "has survived the test of time for nearly two centuries, is basic to our system, and should be changed, if at all, only by Constitutional amendment."