

2 Senate Units Act to Bar Funds to Bomb Cambodia

CONGRESS MAY 15 1973

NYTimes

By JOHN W. FINNEY

Special to The New York Times

WASHINGTON, May 14—The Nixon Administration, rebuffed on its Indochina policies by the House last week, was rebuffed further today in the Senate by two moves aimed at cutting off funds for bombing in Cambodia.

In one, a Senate Appropriations subcommittee voted to deny a Defense Department request that it be allowed to pay for continued bombing by the transfer of funds previously provided for other than operational purposes such as the procurement of weapons. If enacted into law, this denial would mean that, with operating funds running short, the department would have to resort to operational cutbacks elsewhere to find the money for bombing.

The Senate Foreign Relations Committee, however, went further. It approved an amendment that would cut off the use of any funds for military actions in Indochina that Congress had not specifically authorized. The amendment, sponsored by Senator Clifford P. Case, Republican of New Jersey, and Frank Church, Demo-

crat of Idaho, was added to a State Department budget-authorization bill by a vote of 13 to 3.

In the face of these moves, the Administration's emerging counterstrategy is to play for time by trying to stall Congressional action on the end-the-war amendments until a cease-fire is achieved in Cambodia or until the Administration decides that the bombing is no longer needed.

In the face of these moves, the Administration's emerging counterstrategy appears to be to play for time by trying to stall Congressional action on the end-the-war amendments until a cease-fire is achieved in Cambodia or until the Administration decides that the bombing is no longer needed.

Last Thursday, the House of Representatives, before passing and sending to the Senate a bill that would provide \$2.85-billion in supplemental appropriations, noted to delete from it authority for the transfer of \$430-million in military funds.

The Defense Department had said that it needed only \$25-

Continued on Page 3, Column 1

Continued From Page 1, Col. 4

million of that sum for the bombing in Cambodia for the rest of the fiscal year which ends June 30, to pay for such costs as fuel, since other costs had already been met.

In considering the bill, the Senate appropriations subcommittee voted to restore \$170-million in transfer authority for the Defense Department to meet unexpected costs caused by the devaluation of the dollar and increase in food prices. But the subcommittee added a specific prohibition that none of the transfer authority could be used to support, directly or indirectly, combat activities in Cambodia and Laos.

Defense Department Position

Of the two legislative moves to use Congressional control over the purse to end the Cambodian bombing, the Case-Church amendment to cut off funds for any military action in Indochina not specifically authorized by Congress would have a more binding effect in the executive branch.

But even without the transfer authority, the Defense Department has maintained that by cutting down on military operations elsewhere of the world, it could find the \$25-million that it says it needs for bombing Cambodia this month and next.

The Case-Church amendment, if enacted, would impose a Congressional mandate that no appropriations, past or future, could be used "to finance the involvement of United military forces in or over, or from off the shores of North Vietnam, South Vietnam, Laos or Cambodia, unless specifically authorized hereafter by the Congress."

The effect would be that the Defense Department could use none of its funds for bombing in Cambodia unless the executive branch went to Congress and obtained specific approval for military actions in Cambodia.

Richardson's Testimony

In another development, testifying today before the Senate Judiciary Committee on his nomination as attorney general, Secretary of Defense Elliott L. Richardson acknowledged that Congress could pass a law stopping the bombing and said that if the Case-Church amendment was enacted he would advise President Nixon that the bombing should cease.

As now planned by the Senate Democratic leadership, the two bills are to be considered in rapid succession in the next two weeks.

The supplemental appropriations bill is due to be considered late this week, probably Thursday, on the floor of the Senate, which is expected to approve overwhelmingly the Appropriations Committee amendment providing that none of the transfer authority can be used for military actions in Cambodia or Laos.

The State Department bud-

get-authorization bill is scheduled to be considered by the Senate next week, and the outlook appears to be that a sizable majority will approve the Case-Church amendment.

In view of last week's vote in the House—the first time that it has approved an end-the-war amendment—there now appears, in Congressional leaders' judgment, a good possibility that the House will accept the Case-Church amendment if approved by the Senate. At this time the amendment's sponsors count on at least 50 "sure votes," and Republican strategists concede that the Administration is now unable to stop Senate adoption of the amendment.

The challenge to the President's authority to continue bombing comes at an awkward time for him. Henry A. Kissinger, Mr. Nixon's national security adviser, is due to resume talks in Paris on Thursday with Le Duc Tho, North Vietnam's chief negotiator, on ways of carrying out the cease-fire agreement of Jan. 27. The Administration is arguing that the bombing must continue to force the Communists to accept a truce in Cambodia.

In view of this, White House representatives vainly sought today to have the Appropriations Committee defer action at least until after the Kissinger-Tho talks were completed.