

New Anti-War Move

Dellums, Stark Sue on Bombing

Two East Bay congressmen asked the U.S. District Court here yesterday to order an end to the U.S. bombing of Cambodia.

In separate but similar suits, Democrats Fortney H. Stark of Oakland and Ronald V. Dellums of Berkeley charged that they have been deprived of their constitutional rights as congressmen to participate in war-making decisions.

They asked the court to declare the bombing unconstitutional and to issue injunctions ordering an end to it.

Named as defendants were Secretary of Defense Elliot Richardson, Secretary of the Air Force Robert C. Seamans Jr., and Secretary of the Navy John W. Warner.

The suit said the bombing was being carried on without congressional authorization, despite the fact that the U.S. Constitution reserves to Congress "the power to declare war."

The suits said the congressmen had been personally damaged because the administration's unauthorized war-making had pre-

vented them from carrying out their constitutional duties to take part in decisions on making war.

That is a key point, attorneys for the congressmen said, because other suits filed by various groups and individuals have been dismissed on grounds that the plaintiffs had no legal standing because they could show no personal damages.

A number of congressmen on the East Coast recently have filed suits on similar grounds aimed at ending the bombing.

Yesterday's suits were

filed by Charles Marson of the American Civil Liberties Union, representing Stark, and professor Peter Donnici of the University of San Francisco Law School, representing Dellums.