

71 to 18 Vote

Senate OKs President's War Powers Limit

Washington

The Senate, moving toward a major struggle with President Nixon over his constitutional powers, approved legislation yesterday forbidding any President to wage undeclared war for more than 30 days

without the express consent of Congress. The vote was 71 to 18.

President Nixon has warned that he will veto the bill as an incursion on his powers as commander-in-chief—a warning repeated yesterday on the Senate floor by Republican Whip Robert P. Griffin of Michigan.

The Senate brushed aside the threat and passed the bill by an overwhelming margin. The House passed a similar bill, but with a 120-day cutoff by a 244 to 170 vote Wednesday.

APPROVAL

Both measures are designed to prevent the nation from slipping into new wars like those in Korea or Vietnam without advance approval of Congress.

Senate sponsors including Jacob K. Javits (Rep-N.Y.), Thomas F. Eagleton (Dem-Mo.), Edmund S. Muskie (Dem-Maine) and the absent John Stennis (Dem-Miss.) have argued that the Constitution expressly grants to Congress the power to declare war, but successive Presidents have ignored this and drawn the nation into undeclared wars that have lasted for years.

ATTACK

Under the Senate bill, the President would be free to take emergency actions to defend the nation against sudden attack without advance congressional approval, but would have to come to Congress and ask for approval of both chambers to continue the action beyond 30 days.

Under the House bill, approval by both chambers would also be needed but the time span is 120 days.

Javits said the Senate

Back Page Col. 1

From Page 1

mechanism recognizes the right of the President to take emergency actions to defend the nation in a crisis, but preserves the right of Congress to decide whether the hostilities will be continued beyond 30 days.

The Senate bill specifies emergency situations in which the President — subject to the 30-day limit — can act without first consulting Congress. These include: attack on the United States, its territories, possessions or armed forces; imminent threat of such an attack; or danger to U.S. citizens abroad or on the high seas.

Sponsors said this is intended to make clear that even during the 30-day period, the President can't simply send the armed forces into combat for any reason he pleases, but only to meet a genuine national security emergency.

Although Sam J. Ervin Jr. (Dem-N.C.), Strom Thurmond (Rep-S.C.) and several others attacked the bill as imposing excessive and unconstitutional shackles on the President, it enjoys widespread support. For example, Minority Leader Hugh Scott (Rep-Pa.) declared, "I think the President would be wrong if he doesn't sign it and I would be compelled to vote to override."

After passing the bill, the Senate sent it back to the House. House chief sponsor Clement J. Zablocki (Dem-Wis.) said he will confer with Speaker Carl Albert (Dem-Okla.) and Foreign Affairs chairman Thomas Morgan (Dem-Pa.) on procedures to send the measure to conference, "and we hope before the end of the month the conferees will be meeting."

Washington Post

Rollcall Vote on War Powers

Washington

Here is the 71 to 18 rollcall vote by which the Senate passed a bill yesterday to limit the President's war powers.

FOR PASSAGE — 71

Democrats: Allen, Ala.; Bayh, Ind.; Bentsen, Texas; Bible, Nev.; Eiden, Del.; Burdick, N.D.; Byrd, Va.; Byrd, W. Va.; Cannon, Nev.; Chiles, Fla.; Church, Idaho; Clark, Iowa; Cranston, Calif.; Eagleton, Mo.; Fulbright, Ark.; Hart, Mich.; Hartke, Ind.; Haskell, Colo.; Hathaway, Maine; Hollins, S.C.; Huddleston, Ky.; Hughes, Iowa; Humphrey, Minn.; Inouye, Hawaii; Jackson, Wash.;

Johnston, La.; Kennedy, Mass.; Long, La.; Magnuson, Wash.; Mansfield, Mont.; McGee, Wyo.; McIntyre, N.H.; Metcalf, Mont.; Mondale, Minn.; Montoya, N.M.; Moss, Utah; Muskie, Maine; Nelson, Wis.; Nunn, Ga.; Pastore, R.I.; Bell, R.I.; Broxmire, Wis.; Randolph, W. Va.; Ribicoff, Conn.; Sparkman, Ala.; Symington, Mo.; Talmadge, Ga.; Tunney, Calif.; Williams, N.J.

Republicans: Aiken, Vt.; Beall, Md.; Brock, Tenn.; Brooke, Mass.; Case, N.J.; Cook, Ky.; Dole, Kan.; Domenici, N.M.; Fong, Hawaii; Hatfield, Ore.; Javits, N.Y.; Mathias, Md.; Packwood, Ore.; Pearson, Kan.; Roth, Del.; Saxbe, Ohio; Schweiker, Pa.; Scott, Pa.; Stafford, Vt.; Taft, Ohio; Weicker, Conn.; Young, N.D.

AGAINST PASSAGE — 18

Democrats: Abourezk, S.D.; Eastland, Miss.; Ervin, N.C.; Gravel, Alaska.

Republicans: Baker, Tenn.; Bartlett, Okla.; Bellmon, Okla.; Bennett, Utah; Curtis, Neb.; Fannin, Ariz.; Goldwater, Ariz.; Gurney, Fla.; Hanson, Wyo.; Helms, N.C.; Hruska, Neb.; McClure, Idaho; Thurmond, S.C.; Tower, Texas.