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Nixon Vetoes

War Powers

Limitation

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President Nixon yesterday vetoed a congressional resolution to limit his war-making powers, calling the measure "both unconstitutional and dangerous to the best interests of our nation."

The House is expected to sustain the President's veto, his ninth this year. None has yet been overridden.

In a veto message, Mr. Nixon said that the measure "would seriously undermine the nation's ability to act decisively and convincingly in times of international crisis."

"Our recent actions to bring about a peaceful settlement of the hostilities in the Middle East would have been seriously impaired if this resolution had been in force," he said without elaboration.

The measure would have set a 60-day limit on the President's power to commit troops overseas unless Congress declared war.

By concurrent resolution,

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which does not allow a presidential veto, Congress could have ended a commitment of troops at any time. The measure also established reporting procedures, requiring the President to report in writing to Congress within 48 hours on the deployment of troops abroad.

Congress has debated for several years proposals to limit the President's war powers, and Mr. Nixon has made it clear he does not like any of them.

Senator Jacob Javits (Rep-N.Y.), and Representative Clement J. Zablocki (Dem-Wis.) were the principal proponents.

The measure passed the House by a vote of 233 to 123 — three short of the two-thirds necessary to override. The Senate vote was 75 to

20, well over two thirds. Zablocki has acknowledged that he has little hope the President's veto can be overridden in the house.

VETO

A number of administration loyalists in the House who voted for the curb are expected to support the President's veto, and some liberal Democrats may support it because they think the measure would expand, not curb, the President's powers.

The argument is that because only Congress can declare war the President does not have power to order troops into action overseas except in direct defense against attack. Yet the vetoed measure would have allowed him to send troops for 60 days, with a possible extension to 90 days.

MESSAGE

In his message, Mr. Nixon argued that the Constitution defined the war-making powers and that any change should be made only by constitutional amendment.

"The proper roles of the Congress and the executive in the conduct of foreign affairs have been debated since the founding of our country," the President wrote.

"Only recently, however, has there been a serious challenge to the wisdom of the Founding Fathers in choosing not to draw a precise and detailed line of demarcation between the foreign policy powers of the two branches."

The President argued that the framers of the Constitution recognized that foreign policy decisions must be made "through close cooperation between the two branches and not through rigidly codified procedures."

Asserting that the measure's 60-day rule was vague, the President said it

could lead to "extreme confusion and dangerous disagreements" and damage "our ability to respond to international crises."

Mr. Nixon claimed that cutting off the President's warmaking authority after 60 days unless it was extended by Congress could actually work to prolong or intensify a crisis.

Only after Congress acted would there be a strong incentive for an adversary to negotiate.

"The very existence of a deadline could lead to an escalation of hostilities (by an adversary) in order to achieve certain objectives before the 60 days expired," Mr. Nixon told Congress.

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