NYTimes JAN 2 6 1976 The Treaty With Spain

In unaccountable haste as Generalissimo Franco hovered near death last October, the Ford Administration rushed through an agreement "in principle" with Madrid, providing for continued American use of naval and air bases in Spain in return for about \$600 million in American military aid. With scarcely less haste, the Administration has now concluded and signed a revision of that October pact with the Government of King Juan Carlos that will cost the United States \$1.2 billion,

This country's NATO allies are wisely marking time before clearing the road for Spain's long-coveted membership in the European Community, to see whether the post-Franco era will bring the promised progress toward political freedom and parliamentary democracy. But Washington, long NATO's odd-man-out in its fawning on General Franco, has moved with alacrity to give a dramatic vote of confidence to the Madrid regime despite abundant evidence of its continuing repression.

One clause of the pact may cause serious trouble with allied governments because it notes Spain's "contribution" to NATO defenses—exactly what President Ford tried in vain to get the NATO summit meeting in Brussels to acknowledge last spring. As for the "security link" between Spain and NATO, for which the two signatories promise to strive, any formal tie will be out of the question until the other allies are satisfied that Spain is actually moving toward democracy and freedom.

At a time of uncertainty and instability in the Mediterranean—from Turkey and Greece to Italy and Portugal—it is understandable that the Administration should wish to secure the continued use of the Spanish facilities. But that use will obviously be limited. The United States has agreed to remove all submarines carrying nuclear arms from the Rota naval base before expiration of the new four-year agreement; Franco's Government refused to allow use of the airfields to supply Israel in the 1973 Middle East war.

Fortunately, the new pact is to be a full-fledged treaty, rather than another executive agreement not subject to Congressional sanction. Spain insisted on the treaty as a matter of prestige; but this form has long been demanded on Capitol Hill and the Administration was well advised to accept it.

The Senate will thus have opportunity, before agreeing to ratification, to question Secretary Kissinger and Pentagon officials at length on the strategic considerations, the cost, but most of all on the wisdom—from the standpoint of this country's relations with its allies and with the struggling democratic forces in Spain—of rushing into such an agreement with a regime whose actions to date have left most of Western Europe wholly unconvinced.