

In The Nation: One-Two Punch in the Senate

By TOM WICKER

WASHINGTON, July 1—Seldom if ever has a President suffered the sort of one-two punch with which the Senate smote Mr. Nixon on Tuesday—passing the Cooper-Church amendment on Cambodia and overriding the President's veto of the health aid bill, 76 to 19.

(To be fair, the Senate on the same busy day also gave Mr. Nixon postal reform, which was a good piece of work, but by no means good enough to balance the President's score against the other two votes.)

Damaging Impact

In the first place, defeat has its own kind of damaging impact, aside from the substance of the issue. In vetoing hospital construction money, Mr. Nixon almost surely miscalculated, for instance, the temper of Congress; or, if he didn't he recklessly diminished the political power of his veto by expending it in a hopeless cause. Either way, the defeat is bound to have lessened the wary political respect in which a Congress, for best results all around, ought to hold a President; and in Mr. Nixon's case, there was already far too little such respect going for him on Capitol Hill.

The Cooper-Church amend-

ment was an even more serious blow, struck as it was in the foreign policy area, where every President since World War II has been able to operate with almost unchallenged authority. Again, aside from the substance of the amendment, the fact of defeat is damaging; despite his sustained opposition to the amendment, during which he even invoked the almost mystical notion of "the powers of the Presidency," Mr. Nixon was unable to prevail. And in this case, the ineptitude of White House opposition made things worse.

Despite the lesson of the first amendment of Senator Robert Byrd, for instance, the Nixon forces repeated the mistake of backing a loser. The Byrd amendment, watering down the Cooper-Church proposal, had tacit White House approval, if not outright endorsement, but still was defeated days ago. Then, in the last stages of the battle, Senator Robert Griffin produced another watering-down amendment, this one to permit the Administration to pay for Thai or other foreign troops fighting in Cambodia. The minority leader, Hugh Scott of Pennsylvania, said on the Senate floor that its adoption would go far toward removing Mr. Nixon's objections to the whole Cooper-Church rider. The

Senate nevertheless voted down down the Griffin amendment, too.

Mr. Scott's statement in support of the Griffin amendment strongly suggests that Mr. Nixon also has been hurt by the substance of the Senate's action. If authority to pay for foreign troops fighting in Cambodia would have substantially removed the Administration's objection to the Cooper-Church rider, then it is plain that providing a proxy army—probably Thai—to support the Lon Nol Government is under active consideration.

Under current authorizing and appropriating acts, Mr. Nixon has authority to pay for equipment and to provide allowances for Vietnamese and "other free world forces" in Vietnam; this covers, for instance, the Korean and Thai contingents. The President can also provide equipment and allowances for "local forces" in Laos and Thailand. But he has no specified authority to make such expenditures for foreign troops operating in Cambodia.

Three Options Open

Passage of the Cooper-Church amendment leaves Mr. Nixon three options, if he persists in trying to obtain Thai forces for duty in Cambodia. He could let

the Thais, out of their own deep commitment to the free world and to Cambodian integrity, pay their own expenses; but they have already made clear that this is no deal.

An Alternative Risk

Or the President could risk the wrath of the Senate and his Presidential credibility by clandestine transfers of other funds, even if he had no specific authority to hire a mercenary army to fight in Cambodia. This would go farther in secret dealings and arbitrary policy even than President Johnson went in his under-the-table financing of the Philippine contingent in Vietnam; Mr. Johnson at least had legislative authority to pay "free world forces in Vietnam," even though he did not tell Congress that he was doing so.

Finally—as backers of the Cooper-Church amendment hope—the President could go to Congress with a straight-forward proposal for financing the Thais, together with whatever facts he had to support the request. What the amendment means is that one house of Congress will not vote funds after the fact for a war extended to Cambodia by Presidential fiat; and it still takes two houses of Congress to make an appropriation.