

SENATORS CONCUR ON WAR CURBS BILL

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Accord to Limit President
Set by Key Conservative
and Liberal Members

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WASHINGTON, Nov. 29—Key conservative and liberal Senators have reached agreement on compromise legislation to curb the war-making powers of the Presidency.

Basically the proposed legislation would provide that the President could engage the nation in hostilities in certain emergency situations but could not continue a military action for more than 30 days without obtaining Congressional approval.

Details of the legislation, designed to check the power of the President to commit the United States to undeclared wars, such as that in Vietnam, were worked out in recent days between Senator Jacob K. Javits, Republican of New York, and Senator Thomas F. Eagleton, Democrat of Missouri, and Senator John Stennis, Democrat, of Mississippi, chairman of the Senate Armed Services Committee.

With the unified support of

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such liberal and conservative Senators, it now seems likely that the legislation, in the form of a separate bill, will be approved in the near future by the Senate Foreign Relations Committee, clearing the way for its passage by the Senate early next year.

In a recent letter to Senator Javits, the original sponsor of war powers legislation, Senator Stennis praised the principles

of the compromise bill as "clear" and "sound" and expressed hope that some version of the bill would be enacted into law "in the near future."

Such an endorsement by the chairman of the Senate Armed Services Committee is virtually certain to result in wide-spread conservative support for the legislation. Senators Javits and Eagleton, meanwhile, can be expected to rally liberal and moderate support for the measure.

The hope of the sponsors is that the legislation can be approved by the Senate early next year before it could become involved in the Presidential politics of an election year, with the suggestion that the

bill in some ways might be aimed at President Nixon.

There would remain the problem of obtaining the approval of the House of Representatives, which has taken a less assertive attitude on the issue of the relative war powers of Congress and the Presidency. But the hope is that Senator Stennis' sponsorship will result in a more sympathetic approach on the part of the House leadership.

Quick Approval Sought

For some members of the Senate Foreign Relations Committee, quick committee approval of the bill has assumed some urgency in view of the Senate's recent retreat from its

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attempt to impose a Vietnam troop withdrawal policy upon the President. With the war powers legislation, the committee would have an opportunity to reassert the principle, at least in future cases, of the equality of the Senate and the executive branch in determining foreign policy.

On another front, the committee will make a last-ditch attempt to establish that principle in the foreign aid legislation when it goes into conference tomorrow with members of the House Foreign Affairs Committee. As passed by the Senate this month, the foreign aid legislation contains several legislative restrictions on the for-

ign policy powers of the President.

The proposed new compromise legislation to curb the President's war-making powers represents a convergence of views of conservatives and liberals in the Senate, largely as a reaction to the use of Presidential powers in the Vietnam war.

Curbs Opposed by White House

The bill represents the first serious legislative attempt in recent years to impose restrictions on the war-making powers of the Presidency and to reassert the constitutional power of Congress to declare war. It has been opposed by the Nixon Administration which, following a

pattern that has developed in the last half-century, has argued that the President, as Commander in Chief, must have certain flexibility in determining when to commit the armed forces to combat.

In essence, the legislation attempts to strike a compromise between giving the President flexibility to meet emergency situations and protecting the constitutional prerogative of Congress to pass on hostilities.

On one hand, the bill would authorize the President to use the armed forces to repel an attack on United States forces stationed abroad, and to protect American citizens.

However, it would provide

that the President could not continue such emergency use of the forces for more than 30 days without congressional consent.