

SENATE ASKS CURB ON SECRET PACTS

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Bill, Passed 81-0, Requires
All Foreign Agreements to
Be Submitted to Congress
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WASHINGTON, Feb. 16—

The Senate, in a step aimed at restricting secrecy by the executive branch on foreign commitments, unanimously approved legislation today that would require all international agreements to be submitted to Congress for its information.

The legislation, opposed by the State Department and adopted by the Senate by an 81-to-0 vote with no controversy, was put forward by the Senate Foreign Relations Committee as "a significant step toward redressing the imbalance between Congress and the executive branch in making of foreign policy."

A similar measure was passed unanimously by the Senate in 1956, but it died in the House of Representatives. The current legislation was introduced by Senator Clifford P. Case, Republican of New Jersey, in February, 1970, following the discovery of previously secret executive agreements signed in the nineteen sixties with Ethiopia, Laos, Thailand, South Korea and Spain.

Bipartisan Call-Up

The Case bill, which was reported out of the Senate Foreign Relations Committee last month, was called up today by the Democratic and Republican leadership of the Senate as noncontroversial legislation that could fill a gap in the legislative schedule. As such, it was said, it was only coincidental that action was taken on the eve of President Nixon's de-

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parture for China.

In the House, where a similar bill has been introduced by Representative T. Bradford Morse, Republican of Massachusetts, Representative Thomas E. Morgan of Pennsylvania, chairman of the Foreign Affairs Committee, said the legislation would be given "prior consideration."

It appeared from today's 81-to-0 Senate vote that the Nixon Administration had made no concerted effort to block the Case bill on the Senate floor. One possibility was that the Administration was expecting the bill to die in the House, just as the 1956 legislation did.

At the White House, a spokesman said there would be no immediate comment on the Senate action.

Under the legislation approved today, the Secretary of State would be required to transmit to Congress the text of any international agreement—other than a treaty—within 60 days after it is signed, with the provision that any secret agreement be submitted to the Senate Foreign Relations Committee and the House Foreign Affairs Committee.

The legislation is particularly aimed at the practice of the executive branch of entering into executive agreements about which Congress sometimes is not informed.

Under existing law, the State Department periodically publishes all nonsecret international agreements, but on occasions the executive branch has withheld from Congress secret agreements that it regarded as diplomatically or militarily sensitive.

The Senate bill makes it clear that under its provisions secret agreements affecting national security would be given to the two committees in secret and under conditions designed to protect the security.

The agreements that the State Department would be requested to transmit are primarily executive agreements, which do not require the Senators' approval, as treaties do. They thus would be submitted largely for the information of Congress and its committees.

The argument of the Foreign Relations Committee was that only by requiring the submission of such agreements could Congress begin to break down the secrecy of the executive branch and impose an obligation on the executive to report its foreign commitments to Congress.

While Congress under the legislation could not disapprove or negate the agreements, the Foreign Relations Committee contended that at least Congress would be kept informed of foreign commitments and be in a position to challenge them at the time they were made.