

NIXON DECLARES CONGRESS PERILS U.S. TRUCE EFFORT

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Says Acts to Halt Bombing
Could 'Undermine' Talks
at a Critical Time

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WASHINGTON, May 16—

President Nixon accused Congress today of "action that could severely undermine" the chances of restoring peace to Cambodia and all of Indochina.

In a statement read this morning by his press secretary, Ronald L. Ziegler, the President argued that recent steps in the Senate and the House of Representatives to stop the American bombing in Cambodia were especially damaging because they came "on the very eve of negotiations to achieve compliance" with the Paris agreement.

Henry A. Kissinger, Mr. Nixon's national security adviser, is scheduled to open talks with the chief North Vietnamese negotiator, Le Duc Tho, in Paris tomorrow morning. He flew from Washington to Paris today.

At almost the same time that Mr. Ziegler was reading the statement to reporters at the White House, the Senate delayed a showdown with the President on the bombing question until it returns from a Memorial Day holiday on May 29.

Scott Counsels Delay

Using a series of technical delaying measures, including the assertion of their right to prepare a minority report, Senate Republican leaders managed to force Senator Mike Mansfield of Montana, the majority leader, to hold up action for a week on a total cut-off of funds for the bombing.

Mr. Mansfield said that he had no choice. The minority leader, Senator Hugh Scott of Pennsylvania, said he felt that "an opportunity should be given for the Kissinger-Tho talks to proceed so that Senate action would not endanger these negotiations."

The Senate Appropriations Committee yesterday voted 24 to 0 — with many erstwhile hawks, including a number of Republicans, turning against the President—to include in a \$3.2-billion supplemental appropriations bill language to deny funds for any military action in Laos or Cambodia.

Ziegler Mentions Liaison

Senator William B. Saxbe, an Ohio Republican, said that he would probably vote for the fund cut-off and asserted that the American bombing of Cambodia "shows a callousness for civilians that we can not tolerate in this country."

"I think it will pass," he said. "It demonstrates that the people are fed up."

Senator Edward J. Gurney of Florida, also a Republican, said at a news conference that further bombing "will only result in more downed planes and more prisoners of war." If the bombing continues, he added, "we will find ourselves in the same situation we were in seven years ago."

Mr. Ziegler said at the regular press briefing that the White House Congressional liaison

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son staff had talked about the problem with Republican leaders on Capitol Hill, but he did not say specifically that the White House had asked for the delay that Senator Scott succeeded in forcing.

Pressed to state whether Mr. Nixon considered the survival of the present Cambodian Government in the vital national interest, and to specify what the President would do if all funds were cut off, Mr. Ziegler avoided answering directly.

But he recalled a statement last weekend by Mr. Kissinger, in which the Presidential adviser said that often it was impossible to win adherence to an international agreement unless both sanctions and incentives were provided.

A constitutional crisis has been widely predicted if Mr. Nixon attempts to continue the bombing in the face of an absolute Congressional cut-off of

funds. But secret testimony by Defense Secretary Elliot L. Richardson, now Attorney General-designate, before the Senate Appropriations Committee on May 7, excerpts from which have been obtained by The Times, suggest that the President would back off from such a collision.

"I am sure," Mr. Richardson said, "that the Administration would not proceed in defiance of any clear-cut Congressional action intended to terminate the authority to use funds for continued operations in Cambodia."

The Richardson testimony also contains a second reason, in addition to the Kissinger mission, that a delay in any Congressional action was so important to the White House.

"If we can go ahead at the present rate during these weeks while Dr. Kissinger is in Moscow and in Paris," the Secretary said, referring to the bombing, "and until the rainy season, we should have a relatively stable situation through the summer, and the whole situation should be reassessed then."

The monsoon season in Cam-

bodia, which is expected to restrict Communist operations more than those of American bombers, is due to begin in earnest in the first weeks of June.

In another development in the bombing controversy, the House Democratic caucus voted 125 to 10 for a resolution urging legislation to prohibit the conduct of warfare in Southeast Asia without the specific permission of the Congress.

House Speaker Carl Albert, an Oklahoma Democrat, said that he considered the action a strong directive to the Democrats on the House Foreign Affairs Committee. But other party members said that they considered the vote substantially less important and less binding than action to cut off funds.

In yesterday's action, the Senate Appropriation Committee first endorsed moves made by the House last Thursday and a Senate subcommittee on Monday to deny the Defense

Department the authority it had requested to pay for Cambodian bombing by using funds it had received for such purposes as weapons procurement. But the committee then went further.

It moved to close the loophole that the Administration had made clear it would use if denied the authority to transfer funds. This would be to economize on military operations elsewhere in the world and use those operational funds for the bombing.

The Presidential statement read by Mr. Ziegler said: "The President is very concerned that having persevered to success these long years, the Congress has, on the very eve of negotiations to achieve compliance with that settlement, taken action that could severely undermine prospects for success."

It added: It is the President's hope that as the legislative process unfolds, consideration of these matters will take place in the broader perspective of continuing negotiations."