

Congress Beats War Powers Veto

Washington

The House and Senate, dealing President Nixon his worst legislative setback of the year, overrode his veto yesterday and enacted into law a bill aimed at limiting the President's power to commit the armed forces to foreign hostilities without congressional approval.

The House voted first, 284 to 135, only four votes more than the two-thirds required, and the Senate followed nearly four hours later by a vote of 75 to 18, or 13 more than the required two-thirds.

It was the first time in nine attempts this year that both houses had overridden a veto and the first time since Congress overrode a Nixon veto of a water pollution control measure in October, 1972, that a bill has become law over the President's veto.

The votes marked a further erosion in Mr. Nixon's strength in the Democratic-controlled Congress, particularly in the House, which has tended to support the Republican President more than the Senate.

Several Republicans insisted, however, that they were not striking back at Mr. Nixon because of the Watergate scandal, but that up to now he had managed to rally enough Republican strength in Congress to sustain his vetoes.

The votes also represented what supporters of the war powers bill contended was a historic effort by Congress in the aftermath of the Indochina war to reassert its role in deciding when and under what circumstances the nation went to war.

VOTING

Earlier this year Congress forced a halt to the U.S. bombing in Cambodia as of August 15, but until yesterday both houses had never been able to muster a two-thirds vote to override Mr. Nixon's vetoes of measures dealing with the nation's involvement in foreign combat.

In the House, 86 Republicans and 198 Democrats voted to override, with 103 Republicans and 32 Democrats supporting the President. Fifty Democrats and 25 Republicans joined in the Senate override majority, with

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15 Republicans and 3 Democrats opposed.

California's Democratic Senators, Alan Cranston and John Tinney, both voted to override.

'UNDERMINES'

The White House said in a statement that Mr. Nixon felt the congressional action "seriously undermines this nation's ability to act decisively and convincingly in times of international crisis." It declined, however, to say that the President planned to do as a result of the overriding of his veto.

Supporters of the bill, who have waged a three-year effort to enact the measure, said it was the first time in history that Congress had sought to spell out the war-making powers of Congress and the President.

PROVISIONS

With the veto overridden, the measure takes effect immediately and contains the following provisions:

- The President would be required to report to Congress in writing within 48 hours after the commitment of the armed forces to foreign hostilities.

- The action would have to terminate in 60 days unless Congress authorized the commitment, but this deadline could be extended for an additional 30 days if the President certified that continued action was necessary for the safe withdrawal of the forces.

- Within that 60-or 90-day period Congress could order

an immediate removal of the forces by passing a concurrent resolution, which is not subject to a Presidential veto.

GROUNDS

Mr. Nixon vetoed the bill October 24 on the ground that it was "clearly unconstitutional."

The House overrode the veto despite a strong appeal by Representative Gerald R. Ford of Michigan, the minority leader and vice president-designate.

Representatives who had been chatting on the House floor during the debate hushed as Ford went to the well of the House to say that the bill "has the potential for disaster" by taking away the President's flexibility to

deal with foreign crisis.

Ford said that Mr. Nixon had been able to help bring about a cease-fire in the Middle East "without this legislation," he added:

"We're not out of the woods yet. We may be a long way from being out of the woods... I am very, very concerned that approval of this legislation over the President's veto could affect the capability to move further and achieve more."

In the Senate, Thomas F. Eagleton (Dem-Mo.) took another tack, arguing that the bill was "a horrible mistake" because it gave the President "unilateral authority to commit troops anywhere in the world for 60 to 90 days."

He said that under the bill Mr. Nixon could order the armed forces deployed in the Middle East immediately and only be required to inform the congressional leaders. He shouted to a partially-empty Senate chamber:

"How short can memories be? My God, we just got out of a nightmare."

Senator John Tower (Rep-Tex.) and an opponent of the bill, said it was a "most dangerous piece of legislation." Immediately after the Senate vote Tower said he hoped that the constitutionality of the measure would be tested in the courts "at the very earliest opportunity." He did not say how such a test might be initiated.

New York Times

Senate, House Voting

Washington

Here is the 75 to 18 vote by which the Senate overrode President Nixon's veto of the war powers bill. The vote was 13 over the required two-thirds:

FOR OVERRIDE—75
Democrats for: Allen, Ala.; Bentsen, Tex.; Bible, Nev.; Biden, Del.; Burdick, N.D.; Byrd, Va.; Byrd, W.Va.; Cannon, Nev.; Chiles, Fla.; Church, Idaho; Clark, Iowa; Cranston, Calif.; Eastland, Miss.; Fulbright, Ark.; Gravel, Alaska; Hart, Mich.; Haskell, Colo.; Hathaway, Maine; Hollings, S.C.; Huddleston, Ky.; Hughes, Iowa; Humphrey, Minn.; Inouye, Hawaii; Jackson, Wash.; Johnston, La.; Kennedy, Mass.; Long, La.; Magnuson, Wash.; Mansfield, Mont.; McClellan, Ark.; McGee, Wyo.; McGovern, S.D.; McIntyre, N.H.; Metcalf, Mont.; Mondale, Minn.; Montoya, N.M.; Moss, Utah; Muskie, Maine; Nelson, Wis.; Nunn, Ga.; Pastore, R.I.; Pell, R.I.; Proxmire, Wis.; Randolph, W.Va.; Ribicoff, Conn.; Sparkman, Ala.; Stennis, Miss.; Stevenson, Ill.; Symington, Mo.; Tunney, Calif.—50.
Republicans for — Aiken, Vt.; Baker, Tenn.; Bartlett, Okla.; Beall, Md.; Brock, Tenn.; Brooke, Mass.; Case, N.J.; Cook, Ky.; Dole, Kan.; Domenici, N.M.; Fong, Hawaii; Hatfield, Ore.; Javits, N.Y.; Mathias, Md.; McClure, Idaho; Packwood, Ore.; Pearson, Kan.; Percy, Ill.; Roth, Del.; Schweiker, Pa.; Scott, Va.; Stafford, Vt.; Taft, Ohio; Weicker, Conn.; Young, N.D.—25.

AGAINST OVERRIDE—18
Democrats against — Abourezk, S.D.; Eagleton, Mo.; Ervin, N.C.—3.
Republicans against — Bellmon, Okla.; Bennett, Utah; Buckley, N.Y.; Curtis, Neb.; Dominick, Colo.; Fannin, Ariz.; Griffin, Mich.; Gurney, Fla.; Hansen, Wyo.; Helms, N.C.; Hruska, Neb.; Saxbe, Ohio; Stevens, Alaska; Thurmond, S.C.; Tower, Tex.—15.
 Not voting but announced as paired on the vote. Pairs are used to denote opposing positions of Senators when one or more are absent: Scott, R-Pa., and Williams, D-N.H., for overriding; Goldwater, R-Ariz., against.
 Not voting nor paired but announced as for overriding: Bayh, D-Ind., and Talmadge, D-Ga.

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Here is how the 23 Democrats and 20 Republicans in the California delegation in the House voted to override President Nixon's veto:

Democrats for: Anderson, Brown, Burton, Corman, Danielson, Edwards, Hanna, Hawkins, Hoffield, Johnson, Leggett, McFall, Rees, Ryan, Sisk, Stark, Van Deerlin, Waldie, Charles Wilson.

Democrats against: Dellums, Roybal.

Democrats not voting: Burke, Moss.

Republicans for: Don Clausen, McCloskey, Mathias, Pettis, Rousset, Teague, Veysey.

Republicans against: Burgener, Del. Clawson, Goldwater, Gubser, Hinshaw, Hosmer, Ketchum, Mailhard, Moorhead, Taicott, Wiggins, Bob Wilson.

Republicans not voting: Bell.

A.P. & U.P.