

# Byrd Won't Waive Rules on Flanigan

Associated Press

Senate majority Whip Robert C. Byrd (D-W. Va.) said yesterday he will not let Peter Flanigan's nomination to be ambassador to Spain carry over until the post-election session of Congress.

President Ford has reaffirmed his support of Flanigan's nomination in the face of opposition from Byrd and Sen. Thomas F. Eagleton (D-Mo.). Flanigan was on aide to former President Nixon on international economic affairs.

A Senate rule provides that nominations not acted on before the Senate recesses or adjourns for more than 30 days shall be returned to the President and not considered further unless resubmitted by the President.

With Congress planning to recess from Oct. 11 to Nov. 13, Byrd told the Senate he will object to any unanimous consent request to waive this rule with respect to Flanigan's nomination.

The Senate is not expected to act on it before its election recess. The effect of Byrd's action would be to force Mr. Ford to resubmit the nomination after Congress returns.