

Senators Threaten Filibuster On Fortas Nomination

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WASHINGTON (AP) — Abe Fortas's critics zeroed in on a \$15,000 lecture fee Wednesday as the Senate plunged into full-scale debate on his nomination to be chief justice of the United States.

Sen. Robert P. Griffin, R-Mich., a leader in the fight against confirmation of Fortas, did not contend there was anything illegal about the payment but he said it was "clearly wrong in principle."

propriety of the \$15,000 paid to Fortas for conducting a seminar at the American University law school here last summer.

Democratic Leader Mike Mansfield of Montana, who backed President Johnson's June 26 nomination of Associate Justice Fortas to succeed Earl Warren as chief justice, termed Fortas's acceptance of the fee unfortunate.

It was unfortunate, Mansfield said, because "it breaches the ex-

traordinary insulation which must exist between the Supreme Court and other branches of the government and private business."

Senate leaders pushed aside all other business including the \$71.9-billion defense appropriation bill and the nuclear nonproliferation treaty to meet the simmering Fortas appointment headon.

"Rather than keep the Senate in a state of suspense on the Fortas nomination," Mansfield

said, "I decided it was better to face up to it now."

Opponents immediately announced they will seek to hold the Senate floor indefinitely against Mansfield's motion to call up the nomination for formal approval.

An Associated Press survey showed the opposition has enough votes to keep a filibuster going.

Mansfield indicated he might move to invoke the debate-limit-

ing cloture rule early next week if he deems this necessary, but this would require a two-thirds majority of senators voting. If all 100 senators were present, 34 no votes would be enough to defeat a cloture petition.

This was brought home to the Senate by Sen. James O. Eastland, D-Miss., chairman of the Judiciary Committee, who said there are "a surplus of votes" to prevent debate from being cut

off. He declared Fortas's nomination is "doomed to defeat."

Eastland contended in a statement that Fortas's decisions as an associate justice "clearly demonstrate that his judicial philosophy disqualifies him for this high office."

Sen. Ernest F. Hollings, D-S. C. also based his opposition on what he termed the philosophy of the Warren court.

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