

Watergate Paralysis Argued

Weakened President Can Still Thwart Hill

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By William Greider

Washington Post Staff Writer

The FBI still chases crooks and the U.S. Mint is printing money. The Air Force is flying. Social Security checks are going out on time. And the mail still arrives late.

So obviously the federal government continues to function in the routine and essential ways which affect most citizens. Five million federal employees, from the bureaucrats to the Marines, take care of that, despite the deep trouble facing their leader, the President.

But is their leader still functioning as President? That's really the question at stake these days when politicians and federal executives argue among themselves over the supposed Watergate paralysis of the Nixon administration. It's the sort of debate where reality is more complicated than the rhetoric on either side, and probably less dramatic.

"This administration is dead in the water," Rep. Morris K. Udall (D-Ariz.) proclaimed on public television one night last week. "In terms of new domestic policy, Cabinet members are drifting around, major agencies are drifting around."

The following day, the supposedly moribund Nixon administration killed Congressman Udall's land-use bill on the House floor.

On the other hand, at a White House chit-chat session for news people, Interior Secretary Rogers C.B. Morton spoke glowingly of all the legislative initiatives moving ahead vigorously.

"I'm not belittling Watergate and its general effect on the political climate," Morton said, "but it is a misconception that it is paralyzing the government. That is not the case."

As it happens, the Nixon administration has proposed 18 pieces of energy legislation. Only two of limited consequence have been enacted.

These conflicting perceptions suggest what may be the central paradox of this impeachment summer. Crip-

pled by Watergate, President Nixon has been substantially weakened in his ability to lead and initiate, at least in domestic affairs, the primary role associated with the modern presidency. Yet the Nixon administration continues to function with enormous power and effectiveness when it wants to stymie or reject—the role Congress traditionally plays.

"Ninety-five per cent of the government is functioning," said one administration official. "The big problem is that it has become a life-and-death struggle where the name of the game is not to function, but to survive. The President is like the soldier in the fox-hole who responds to a whole different set of rules."

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Thus, with considerable anxiety, congressional liberals must still trim and prune their controversial legislation in the hope of escaping presidential veto. The conservative minority finds itself increasingly influential in those discussions because it is the bedrock insurance for Mr. Nixon's survival in office.

At the same time, on other fronts, the administration has softened substantially its hard-nosed posture of 18 months ago in the interest of advancing its proposals, compromising and conciliating on points which it once regarded as non-negotiable demands.

To some extent, this awkward reversal of roles has always existed for the Democratic majority in Congress and the Republican President who wants to dismantle or consolidate so many of the federal programs legislated in the 1960s. The current season seems to have deepened this conflict and added a new element to White House decision-mak-

ing, the uncertainties of what Congress will do with impeachment. Even without the Watergate scandal, President Nixon was bound to lose some of his political influence as time passed, an inevitable development in lameduck terms.

For example, the White House and Congress have been staring each other down for the last month over the new legal services legislation, each hoping the other will blink. The final measure was reported out by a House-Senate conference committee May 16, but it hasn't been taken to the floor for approval because of back-channel lobbying and bartering over a possible veto.

Congressional conservatives—Republican and Democratic—have been leaning hard on the White House, which has had mixed feelings about the legal services program anyway. Perhaps, White House aides suggested, the liberal sponsors should take the bill back to conference committee and water it down further, killing the controversial back-up centers which formulate class-action lawsuits for the poor. Well, the senators asked, would that make it veto-proof? Maybe, maybe not.

"The President's position was he would veto anything to the left of the House bill," said James Cavanaugh, associate director of the

White House Domestic Council. "If it comes down here in the form of the conference report, the President would veto it. Now it's in their court."

Senate sponsors haven't moved yet, but they suspect that yielding on the back-up centers still couldn't be enough to save the bill. Conservatives, rallied by former CEO Director Howard Phillips, want the legislation killed. It survived recommitment in the House by only seven votes, so it seems obvious that a veto could not be overridden.

"It demonstrates," said one former top adviser at the White House, "how a few people can take advantage of these issues and use minority power to an extent that wouldn't normally be possible, which is probably

unfortunate."

Welfare reform is another casualty of the syndrome. The administration was stoking its courage to propose a minimum-income plan, but conservatives warned it off. "It just got stopped in its tracks," a budget official said.

On another front, top White House aides are celebrating the progress on new housing legislation, citing it as proof that the President's "new federalism" is alive and well.

"I think it's kind of an unusual phenomenon of the American system of government, said Fred Malek, deputy director of the Office of Management and Budget, "that despite these political thunderbolts that keep coming down, we're moving ahead, we're making a lot of progress."

Viewed from Capitol Hill, however, the housing issue tells congressmen something quite different—that the Nixon administration, anxious for progress on some of its proposals, is now making concessions that it wouldn't consider when its political position was stronger.

Rep. Thomas L. Ashley (D-Ohio), whose Housing Subcommittee has approved a compromise bill, said, "This year, there have been very, very intense negotiations with our subcommittee and the top HUD people. Last year, discussions weren't even possible. They were extremely arrogant."

Ashley said the new measure provides the administration goals of consolidating HUD grant programs and providing local officials with greater control. It also maintains the low-and middle-income housing requirements demanded by congressional Democrats. The administration froze

housing funds in the hope that this would pressure Congress to accept the "new federalism" approach, but Ashley said the complaints from local governments have "passed my door and ended up at theirs."

"His political position is in such disrepair," the congressman said, "that HUD and the administration don't have the luxury of being able to play around with this legislation. It was just the reverse last year."

Yet, in still another area, OMB seems to be making new enemies for the Nixon White House. Malek and his boss, OMB Director Roy L. Ash, are moving into the power vacuum as White House control diminishes. In the process they have managed to provoke considerable anger among members of the House Appropriations Committee. Some are talking about an amendment to cut OMB's own appropriation as an object lesson in who has power.

"Everything almost daily is a confrontation," one influential committee member complained. "It comes through in loud, clear tones downtown—projects all over the country, public works, appropriations, the question of vetoes. Ever since Watergate got under way, you could see the wheels slow down and the blocks form for confrontation."

On Capitol Hill, nobody can see any clear pattern to the OMB behavior of rewarding or punishing con-

gressmen which would suggest "impeachment politics." On the contrary, the Ash-Malek front is rankling some of those conservative Democrats the President needs for survival. Some congressmen think it is merely another expression of a foxhole mentality — them versus us—in the Executive Branch.

How much of an active role does the President himself play in all this? How much of it reflects decision-making by his surrogates? The answer is obscured by White House insularity.

Presidential aides insist that, while Mr. Nixon must spend a certain amount of time on his defense case, he still has plenty of time for Cabinet officers and key advisers who need up-or-down answers to policy questions.

"I don't have any problems getting decisions from the President," said Kenneth R. Cole, director of the Domestic Council. "I see him when I need to."

In most important areas, Mr. Nixon's goals are clearly established so Cabinet officers and legislative lobbyists don't need to ask what he wants.

"The policies are known," said Cavanaugh. "We've been talking about them for four years, so they don't have to come back here with the kind of frequency of raising questions that they did in the past. They know what the policy is."

But it is also clear that the White House is holding a much lighter rein on departments and agencies with Alexander M. Haig as chief-of-staff than when H. R. (Bob) Haldeman and John

D. Ehrlichman were in charge. Access is easier and control is looser. The White House staff numbers 544, down from a high of 607 in November, 1972. The White House says this is intentional decentralization. To some outsiders, it looks like Watergate preoccupation.

Interior Secretary Morton finds it much easier now dealing with Ash and Cole than it was trying to get an answer from Haldeman.

"They seem to have more time for me now," he said. "When I call these people, they call right back. Haldeman called back two days later and I had to be very quick in saying what I wanted to say to him."

Recently, White House Communications Director Ken Clawson drew up a summary of Mr. Nixon's non-Watergate activities in the month of May to demonstrate that the President is busy, busy, busy with the affairs of state — four public speeches, three radio addresses, 10 meetings with Cabinet officers and top advisers, eight sessions on legislation, six meetings with foreign diplomats and a variety of other Oval Office events.



PAUL H. NITZE
... reality "depressing"



DONALD SANTARELLI
"liked" the President

But while the White House labors to convince the public that the President is on top of things, his public actions sometimes convey a pattern of drift-and-frenzy to some government officials familiar with the problems.

"Economic policy is basically hyperactive," said one OMB expert. "The President rushes out to show he's doing something — then he does something silly. If his credibility was less suspect, he wouldn't feel the need so strongly to demonstrate that he's being a President."

A few weeks ago, the President responded to the slump in housing by announcing that \$10 billion would be pumped into the mortgage market. The White House claimed it would yield 300,000 new housing starts, but OMB officials said other economic analysis indicates the net increase will be one-tenth of that.

When controversy over veterans' benefits rose to a noisy clamor several months ago, President Nixon went on radio to announce that Veterans Administrator Donald Johnson would get to the bottom of the problems. The next day, congressional critics complained that Johnson was one of the problems. Two weeks later, Johnson was abruptly canned. Now, two months later, the White House is still looking for a successor.

Energy policy is another area where some key officials privately shudder at

presidential pronouncements and see a dangerous drift in administration decision-making. They think he was off-base twice — first, in proclaiming the "energy crisis" over, then in announcing Project Independence, energy self-sufficiency by 1980, an unreal goal which they think is a Watergate-induced diversion.

"Resignation is the only answer," said one prominent energy official of his leader, the President. "Because the way things are now, what needs to be done is not being done. There is no planning. Project Independence is going every which way, for example. We have not got any real plan for energy."

On Friday, Pentagon negotiator Paul H. Nitze resigned with a similar statement of frustration. The United States, he fears, is not likely to accomplish a desirable arms-limitation agreement with the Russians as long as the presidency is weakened by "the depressing reality of the traumatic events now unfolding in our nation's capital."

Donald Santarelli, head of the Law Enforcement Assistance Administration, resigned in embarrassment after his overly candid remarks on the Nixon White House appeared in print.

"Do you like the President?" an interviewer from the Philadelphia Inquirer asked.

Pause, "I liked the President."

A week later, Santarelli was an ex-official of the Nixon Administration.

According to the conventional wisdom around Washington, the administration is also having trouble filling key jobs because of Watergate. Some positions have been open for many months, like the new alcohol, drug abuse and mental health administrator post in HEW, turned down by several men.

But White House statistics on job vacancies appear to refute the gossip. At the moment, according to the White House, there are only 36 empty positions among the 540 executive-level jobs which run from the Cabinet down to assistant secretaries and assistant agency administrators. That seems to be no worse than normal.

What the statistics do not measure is the sagging morale of the people who are still at work. It is not something which necessarily affects the functioning of government, but clearly a number of Nixon administration officials are losing their zest for the game.

"Nobody wants to be associated with scandal," a key official at the Department of Labor explained. "We're concerned with the presidency. It starts with concern as plain citizens. Then our office appointments all say 'Richard M. Nixon' on them. It hurts. You go places and see people and they make jokes. 'I haven't seen you indicted yet.' It hurts. But what can you do?"