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**M'GOVERN WARNS
 OF ONE-MAN RULE;
 EXHORTS LIBERALS**

**Says Congress Must Take
 the Initiative to Place
 Limits on Presidency**

BATTLE IS TAKING SHAPE

**Oxford Speech Follows Move
 in Senate Against Nixon's
 Withholding of Funds**

By **JAMES M. NAUGHTON**

Special to The New York Times

WASHINGTON, Jan. 21—
 Senator George McGovern said today that liberals must help to resurrect Congress if the United States is to escape "one-man rule."

Eleven weeks after his own Presidential candidacy was buried in a political landslide and one day after the inauguration of President Nixon for a second term, the Democratic Senator said, "Now is the time for a determined effort to change not the person in the White House, but the powers of the Presidency."

Mr. McGovern thus gave another signal of the determination within Congress to reassert its constitutional authority.

Battle lines were drawn last week over the President's refusal to spend more the \$12-billion appropriated by Congress.

Ervin vs. Weinberger

"The power of the purse belongs to Congress, and Congress alone," asserted Senator Sam J. Ervin Jr., Democrat of North Carolina, as he and 40 others introduced a bill to restore the power to Congress.

Caspar W. Weinberger, the White House Director of Management and Budget, in effect accepted the challenge. The authority to withhold funds whether or not Congress approves "is an absolutely essential right for every President to have," he said in an interview.

Mr. McGovern issued his challenge to fellow liberals in a lecture at Oxford University in Oxford, England. The text of

his address was made available in Washington.

Backs Seniority Curb

It marked the first time since Mr. McGovern's defeat that he had sought to prescribe a course of action either for the divided Democratic party or for the liberals whose views he emphasized in the 1972 campaign.

"The next election is four years away," he said. "For the immediate future, the key is the Congress. It must take the initiative and provide the inspiration. It must cure the paralysis and procrastination that

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have earned it the doubt, the disrespect and the cynicism of the American people."

The South Dakota Democrat endorsed proposals to curb the President's authority to involve the United States in undeclared wars, to regain Congressional autonomy over the Federal budget and to "adjust" the seniority system that gives the key positions to the oldest members of Congress.

He called on Congress to use its appropriation powers to halt Administration secrecy by withholding funds from departments whose Cabinet officers are not responsive to Senate or House committees. He urged that in renewing Administration authority to apply wage and price controls, Congress should insist on safeguards that "profits, dividends and interest rates are never again permitted a special break."

But his most urgent appeal appeared to be directed at liberals who, in Mr. McGovern's view, have become infected with an exhaustion of spirit.

"They seem to draw a curious personal consolation from the evidence that my appeals to the idealism and morality of America were rejected by the majority of Americans" the Senator told the Oxford audience.

"Indeed," he continued, "these so-called liberals now tell us that we should not try to save our cities, cure the causes of crime or eradicate poverty. They say that if we are part of the solution, then we are also part of the problem."

Mr. McGovern said that liberals who still conceived of the Presidency in terms of New Deal innovations must "reverse the 40-year trend toward a stronger President and return to the 200-year-old tradition of shared 'power' by shoring up Congress."

But his own assessment of the state of the nation was one of gloom. "The battle is on and the Congress is losing," he said.

Widespread Timidity Seen
 The Senator complained that

"only the Presidency is activist and strong" while other basic institutions — Congress, courts and the press — had become "timid and depleted."

He said that it remained "something of a mystery" why President Nixon's margin of victory last November had been so wide, but he added:

"I now think that no one could have defeated him in 1972. And I am not certain that the Democratic Congress will hold him in check for the next four years. I am convinced that the United States is closer to one-man rule than at any time in our history."

Mr. McGovern said that after Congress had acquiesced for a decade in paying for the Vietnam war, it was a natural next step for President Nixon to attempt to assume Congressional appropriation power. He said that the Republican party, "reduced to utter vassalage by the White House," offered no more than "the politics of efficiency."

And the opposition Democrats, he said, are in danger of becoming like 19th-century Whigs — "a party with no principles, no programs, living only from day to day, caring only for the perquisites of office, doing nothing and, worse not caring that nothing is done."

Thus, he said, it is important for Congress to spark an institutional revival by reviving itself and to aspire to liberal goals.

"To those who charge that liberalism has been tried and found wanting, I answer that the failure is not in the idea, but in the course of recent history," Mr. McGovern said. "The New Deal was ended by World War II. The New Frontier was closed by Berlin and Cuba almost before it was opened. And the Great Society lost its greatness in the jungles of Indochina."

Mr. McGovern's text did not point out that all three of those liberal reform programs were conceived by Presidents.

The constitutional clash over the Presidential practice of refusing to spend funds appropriated by Congress has been taking shape for nearly two centuries.

Thomas Jefferson refused to spend \$50,000 for Mississippi River gunboats at the turn of the 19th century, and every President in at least the last three decades has hoarded as much as 8 per cent of his annual budget without a Congressional outcry.

But as one Capitol expert on appropriations put it the other day, "In every Congress there is an idea whose time has come. This time it's Congressional reassertion of authority."

Deadline Set by Congress

The precise amount of money the Nixon Administration is currently impounding — refusing, at least for the moment, to spend — will not be known until Feb. 10, a deadline that the Senate and House set last week

for a report from the White House on the extent of the withheld funds.

Mr. Weinberger refused to discuss the subject when he appeared on Wednesday before the Senate Labor and Public Welfare Committee to be examined on his nomination to be Secretary of Health, Education and Welfare.

But Representative Joe L. Evins, Democrat of Tennessee, compiled a list from 12 Government agencies showing he said, that \$12,202,770,511 was being "withheld, frozen and impounded" by the Office of Management and Budget.

The list includes \$6-billion that the Environmental Protection Agency had announced would not be spent over a two year period under the Clean Water Act of 1972, despite the fact that Congress overwhelmingly overrode a Presidential veto of the bill.

It also contains \$2-billion

from the Federal Highway Trust Fund that the Administration has withheld in the face of a Federal court suit in Missouri seeking to compel the Government to release the money. Senator Ervin and the Democratic chairmen of every major Senate committee has joined in the legal challenge.

Republicans Disturbed

Furthermore, the list includes a total of \$676-million that the White House has refused to spend on three pet projects of farm interests—rural power systems, soil conservation and wetlands protection. As its first act of business, the Republican-dominated Iowa House of Representatives passed a resolution last week imploring Mr. Nixon to restore the money.

If the Evins list is accurate—a question the White House raises but contends it cannot yet answer—there are some 60 additional programs and projects being halted or curtailed by the Administration. They include the following:

DEPARTMENT OF AGRICULTURE—\$9.7-million for Agriculture Research Service; \$120-million for rural water and waste disposal grants; \$3.1-million for farm labor housing programs; \$367-million in insured or direct loans to repair "very-low-income" rural housing; \$29-million for a variety of Soil Conservation Service programs, and \$52-million for managing, acquiring and improving national forests.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—\$25-million in rental assistance for low-income families; \$1-million, the total appropriation, for assistance to nonprofit sponsors of low- and moderate-income housing; \$7.5-million for public facilities in new communities; \$86-million for a Federal loan program for rehabilitation of urban housing; and \$433-million for grants for water and sewer facilities in community development areas.

DEPARTMENT OF COMMERCE—\$109-million, more than half the budgeted total,

for Economic Development Administration grants for public services in communities with lagging economic growth; \$55-million for the Maritime Administration, and \$48-million that the department told Mr. Evans was "miscellaneous."

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE—\$44.8-million in construction grants withheld until plans and specifications are approved; \$10-million for test projects in post-secondary education, and \$1.9-million for higher education insured loans.

DEPARTMENT OF THE TREASURY — \$21-million to construct the Federal Law Enforcement Training Center in

Beltsville, Md., and \$2.5-million for development costs of a new mint in Denver.

VETERANS ADMINISTRATION — \$65-million for construction programs at a variety of Veterans Administration hospital facilities; \$44-million withheld from quarterly funds for medical care, and \$2.4-million for research on such medical aids as artificial limbs.

Among other items, Mr. Evin's list shows \$55-million frozen for Small Business Administration loans; \$65-million for development of highways and airports under the Appalachian Regional Commission, and \$5.6-million for loan and construction programs to develop power or irrigate lands under the Bureau of Reclamation in the Department of the Interior.

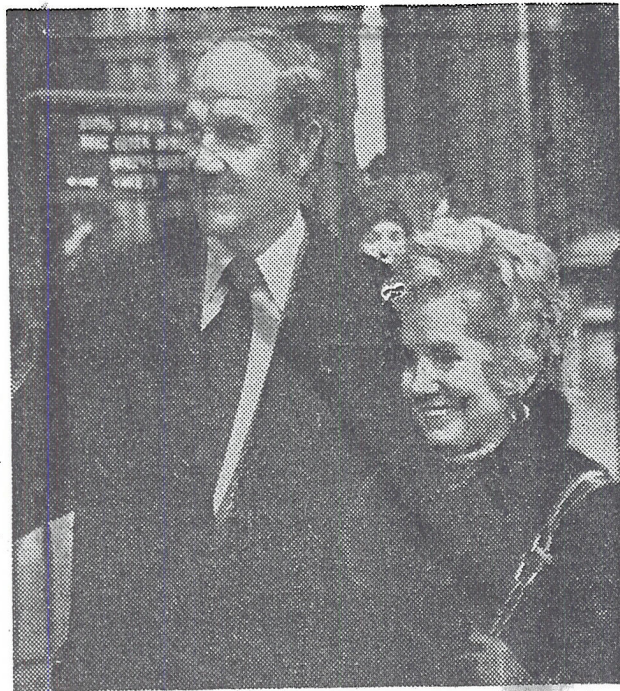
Mr. Weinberger said that he did not know if the list was accurate because O.M.B. had yet to compile a comparable list. He added that he failed to see "what purpose is served by estimates based on unauthorized conversations" between Mr. Evin's staff and officials in the departments.

Pressure Buildup Sought

From the Congressional viewpoint, the purpose appeared to be to alert interest groups that might be affected by the cuts and thus add their voices to a growing chorus professing outrage.

Rufus L. Edmisten, the staff director of Senator Ervin's Judiciary subcommittee on separation of powers, said that Congress had not objected to impoundments in the past because they had never been as massive, as selective and without any consultation with members of Congress.

The subcommittee, joined by members of the Senate's Government Operations Committee, which Mr. Ervin also heads, will begin hearings on the impound-



Associated Press

Senator and Mrs. George McGovern visiting the Law Courts in London Friday. They have been on a visit to Britain since last Wednesday.

ments on Jan. 24. The first witness will be Ralph Nader, the consumer activist. Mr. Edmisten said that the committee intended to "lean on" the Administration to present witnesses, including Agriculture Secretary Earl L. Butz and the Administrator of the Environmental Protection Agency, William D. Ruckelshaus.

"This Administration has been brazen," Mr. Edmisten said. "People like John Ehrlichman [the assistant to the President for domestic affairs] are determining what national priorities should be when we've got 535 members of Congress to decide that."