

# White House Backing Off Impounding

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One year ago the Nixon administration was edging close to a major confrontation with Congress by refusing to spend funds allocated for health, housing, transportation, pollution and other domestic concerns.

Six months ago, when the House Judiciary Committee began its hearings, presidential impoundment of funds was being touted as a possible article of impeachment.

But in recent months, the administration has quietly backed down from its previous stonewall stand, relaxing its hold on some of the unspent money, often in the face or wake of court rulings ordering it to release the funds.

And this weekend in Atlanta, the president's chief fiscal officer, Roy L. Ash, stated that the White House would fully abandon the impoundment tactic.

The announcement came shortly before President Nixon is expected to sign a budget that should make the commitment to a spend-what's-allocated policy stick. The new fiscal bill provides for congressional review of presidential impoundments designed to return the power of the purse to Capitol Hill.

Part of the reason behind

the administrations' switch stems from the perceived need this year, expressed by officials when the budget was presented in February, to spend what is necessary to avoid a recession.

But Ash, director of the Office of Management and Budget, told a regional meeting of the Council on International and Public Affairs Friday that the decision to stop impounding funds was not necessarily a voluntary one—it was dictated by the courts, he said.

A number of judges have ruled presidential impoundment to be illegal, thus freeing billions of dollars for health and education programs, water pollution control projects, and housing and urban renewal plans.

Last week a U.S. District Court ordered the administration to release \$497 million for construction of sewage treatment plants in Ohio. Other cases are pending. A budget office spokesman said there has been "a general relation" in the White House' a efforts to withhold money.

"They're legally close to the end of the ropes," said Don Slater, a director of the Conference of Mayors, which at its annual meeting last week presented a resolution critical of presidential impoundment. "I'm not sure how much room they had left."

Slater added that much of the impounded money had been released, but some housing funds remain outstanding.

The budget office spokesman stressed that the administration was "not abandoning the responsibility of cutting the budget." He said the White House would still attempt to do its share in keeping the budget in line, but he added that Congress will have to do its share in setting spending ceilings and ensuring that the budget is balanced.