

President, After 3 Years, Is Still Balked by Congress

He Holds Sway on Foreign Affairs but Has Been Frustrated by Legislators in Hopes for Domestic Program

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WASHINGTON, Nov. 27—President Nixon and Congress are approaching the end of the third year of their troubled and occasionally turbulent relationship in much the same way they began it—with the President in command of foreign policy, the field that most engages his energies, but frustrated and on the defensive in domestic matters.

In recent days, for example, Mr. Nixon has temporarily salvaged the foreign aid program and has fended off renewed Congressional efforts to reduce the number of American troops in Europe and to withdraw American forces from Vietnam by a "date certain." Thus he has kept intact the flexibility he regards as essential to his own conduct of diplomacy.

On the domestic scene, however, Congress has not only treated with indifference the "six great goals" enunciated in Mr. Nixon's State of the Union Message last winter, but has also approved a variety of proposals he does not want and did not ask for.

The two most unwelcome gifts from the Democratic-controlled Congress, from the President's point of view, came this week. One was an amendment to Mr. Nixon's own tax bill that would allow any citizen to earmark \$1 of his tax pay-

ments for a political contribution, a move that has been condemned by Republicans as a means of refinancing a debt-ridden Democratic party. The second was a provision, in a bill extending the antipoverty program, that would provide for a multibillion-dollar system of day-care centers, a move that budget-conscious Republicans have described as too costly.

As things now stand, the President may be forced to veto both bills, unless the unwelcome provisions can be removed by parliamentary maneuvering

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before the measures reach his desk.

To students here of the relationship between the President and Congress, this peculiar pattern of Presidential control of foreign policy and frequent Presidential defeat in the domestic arena, telescoped and dramatized by the event of this week, has been symptomatic of the entire Nixon Presidency. The question is: Why?

Some observers believe they have found the root of Mr. Nixon's problems in what they regard as his "amateurish" Congressional relations, broadly defined as the business of caring and feeding Congressional foes and allies, consulting them, catering to their egos, and remaining ever alert to their patronage requirements.

The trouble with this explanation is that Congressional relations are generally believed to have improved under the guidance of Clark MacGregor, the former Minnesota Representative, who became Mr. Nixon's Congressional adviser slightly less than a year ago. The same cycle of victory and defeat that existed before his advent has continued, suggesting that the causes of the cycle lie elsewhere.

Where they seem to lie is in the arithmetic of Congress and in the attitudes of the President himself. Since Inauguration Day in 1969, Mr. Nixon has been confronted with heavy Democratic majorities—at this time, 55-45 in the Senate; 254-177, with 4 vacancies, in the House. But, while these majorities have proved manageable on foreign policy issues, although just barely manageable in some instances, they have proved consistently troublesome on domestic issues.

Overcomes Challenge

According to many students of the President—and the record would seem to bear them out—Mr. Nixon's heart is in foreign policy and diplomacy and, when he has combined his own best energies with the

residual willingness of many Congressmen to rally round the President on foreign policy, he has been able to overcome the numerical challenge of dovish Democrats and Republicans who have opposed him.

Conversely, his relatively lower rate of success in domestic matters arises, under this theory, from the fact that domestic legislation commands a smaller share of his interest. Moreover, there is little or no tradition of "bipartisanship" in domestic policy, as there is in foreign policy.

Indeed, it is in this arena that many prospective Democratic challengers have tried and are still trying to make their mark by outdoing Mr. Nixon with initiatives of their own.

'Gave Up on Congress'

One member of the White House staff put the matter this way in an interview not long ago:

"The President has never said this to me in so many words, but I think he simply gave up on Congress fairly early in the game, when he saw he simply didn't have the horses to create and bring into being a major domestic agenda that he could call his own.

"But the challenge to his power to run the war and foreign policy was something else. The question in his mind has always been whether you're going to have unified leadership in foreign policy, or whether your foreign policy is going to be dominated by a loosely organized group of individuals with different constituencies, which is the way he regards the Senate.

Safeguard Fight Recalled

"If you look at the last three years, you will find that the Administration has pulled out all the stops only on those issues—and most of them are foreign policy issues—that affect the President's image of what he thinks a President ought to be and do. It is a subject on which he has not made compromises."

As illustrations, the aide recalled the fight over the Safe-

guard antimissile system in 1969, which the President narrowly won after insisting that the system would be a crucial "bargaining chip" in his negotiations with Moscow; the effort to narrow the scope of the Cooper-Church amendment in 1970, which prohibited the re-introduction of ground forces into Cambodia; and the successful effort earlier this year to defeat an amendment offered by the Senate majority leader, Mike Mansfield, calling for a unilateral reduction of American forces in Europe.

Last week, when the Mansfield proposal came up again as an amendment to the annual defense spending bill, Mr. Nixon again used all available resources—even instructing his press secretary to interrupt his

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regular morning briefing to allow newsmen to file bulletins on a letter Mr. Nixon had written condemning the amendment, thus insuring that the substance of the letter would be flashed to Senators before they voted that afternoon.

The White House greeted the subsequent defeat of the amendment, plus the Senate's decision to abandon yet another Mansfield proposal calling for the withdrawal of United States forces from Vietnam, with undisguised joy.

"We have turned the corner on the President's handling of foreign policy," Mr. MacGregor said in a telephone interview: "Our opponents have reached their high-water mark."

The same, however, cannot be claimed for Mr. Nixon's domestic efforts. Here, the power of the Democrats, political jealousies and philosophical differences, and (Mr. Nixon's critics contend) a lack of Presidential resolve and follow-through have combined to stalemata some proposals and confuse others.

One benchmark for the President's success is to compare present performance with the promise implicit in his State of the Union Message last winter, when he set forth his "six great goals"—economic revival, welfare reform, revenue sharing, Government reorganization, health care and an improved environment.

Progress on 2 Goals

Mr. Nixon still has a year to make progress on all six, but his difficulties so far suggest the nature of some of his problems with Congress.

Not surprisingly, the two "great goals" toward which he has made real legislative progress—economic revival and welfare reform—are also subjects in which he and Congress share a mutual interest. Although Mr. Nixon's program of economic stimulus is not quite what he had in mind when he delivered his State of the Union Message last winter, his tax bill has been passed by both houses and will be signed if some way can be found to remove the provision to finance political campaigns.

As for the President's two-year-old proposal to set minimum welfare payments to the poor and establish work requirements for recipients, the bill has passed the House and awaits Senate action next year. Although Mr. Nixon seems uncertain how to promote the bill, having stressed income maintenance in 1969 and work requirements in 1970, he has at least spoken often on the subject, and there is some official optimism about the bill's eventual success.

Government reorganization, by contrast, has aroused no visible Congressional interest

—hearings have started on only one of several related proposals — and is clearly on the back burner at the White House as well.

Meanwhile, Mr. Nixon's elaborate proposals for redistributing Federal revenues to the states, which make up the centerpiece of his "New American Revolution" to turn power "back to the people," depend almost entirely on the sympathies of Representative Wilbur D. Mills of Arkansas, who, by himself, fully illuminates the problems a Republican President can encounter when powerful Democrats control the legislative process. No revenue-sharing bills have yet emerged from Mr. Mills's Ways and Means Committee.

Mr. Nixon's problems with the two remaining "great

goals," improved health care and an improved environment, may be traced to a combination of nearly every one of the factors that have made his relationships with Congress so delicate: economic constraints on the President, making costly legislation unwelcome at the White House; the ability of the Democrats to control the pace and influence the substance of legislation; and considerable evidence of tactical confusion within the Administration itself.

In 1970, Mr. Nixon signed a bill to control air pollution for which he could claim considerable credit, but this year liberals in both parties converted his water pollution measures into a \$16-billion program for waste treatment plants and other abatement measures, which is almost twice what the President had asked for and is considerably tougher in some of its requirements.

Meanwhile, Mr. Nixon has not made much publicly of the environmental issue this year, as he has of foreign policy, the economy, or even welfare re-

form, and when his lieutenants have spoken they have often done so with more than one voice.

William D. Ruckelshaus, administrator of the Environmental Protection Agency, has seemed a friend of the Senate bill and also of the principle of strict Federal enforcement. Some aides however, seem more hospitable to industry, while others are worried about the economic consequences of massive expenditures.

The net result of Senator Edmund S. Muskie's aggressiveness on the bill, combined with Mr. Nixon's silence on the issue and confusion among his aides, has been to place the President on the defensive among environmentalists. The fact that he has ordered a counterattack against the Senate bill on the House floor has not helped, however strong his reasons may be.

"I'm not sure," said one Republican who joined the Senate when it unanimously approved the Muskie bill, 86 to 0, "that his heart is in it."

As for health legislation, Mr.

Nixon's proposals for a new assault on cancer have passed the Senate (a different version has passed the House), but his plan for a joint private-Federal system of health insurance remains squeezed between conservatives who want to do less and liberals who are threatening to do more.

Mr. MacGregor is hopeful that some of these proposals will bear fruit next year. But other aides concede that the tensions that have marked relations between the President and Congress are likely to grow worse in an election year and that Mr. Nixon might therefore wind up with little new legislation.

If this should happen, it would mean that among Mr. Nixon's proudest tangible claims would be his preservation of the President's power to conduct diplomacy. If Mr. Nixon's efforts to wind down the war and break new ground with the Soviet Union and China are proved successful by Election Day, few voters would seem likely to begrudge him his victory.