

Washington Farewell Echoes in Congress

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WASHINGTON, Feb. 18—A Presidential message warning of 'real despotism' if one branch of the Federal Government assumes the powers of another, cautioning against an 'overgrown' military establishment and recommending a 'stop' to alliances with other nations will be read to Congress tomorrow.

The message is not from President Nixon. It was written in 1796 by George Washington as his farewell address to the nation. But Congress, which traditionally reads the address to celebrate the first Presidents birthday, is likely to make more than mere ceremony of it this year.

As they returned from a Lincoln's Day recess, members of the Senate and the House of Representatives were preparing to resume a concerted effort to halt what they contend is encroachment by the executive branch on their constitutional power of the purse and authority to declare war.

In his farewell address, President Washington declared "the necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments ancient and modern."

Washington's address is to be read to the Senate by Senator Charles McC. Mathias, Republican of Maryland, and to the House by Representative W. C. Daniel, Democrat of Virginia.

Growing Challenge

The Congressional Democratic majority, after years of acquiescence in the accumulation of power at the White House, has suddenly begun to challenge the Republican President in 1973. It is attempting to force Mr. Nixon to spend \$8-billion that Congress appropriated but the President has declined to release. It is moving to write into law restrictions on the President's ability to commit United States troops abroad. It is questioning in advance Mr. Nixon's plan to help in the reconstruction of North Vietnam with United States funds.

But Congress, with 535 members and an equal number of personal viewpoints, seems to move doggedly at best. "I wish that we could have made a better record in this first month of the session," Mike Mansfield of Montana, the Senate Democratic leader, told his colleagues as they left Feb. 8 on their first holiday of the year.

Thus the founding President's Farewell Address, which he described as "disinterested warnings from a parting friend," could serve to spur Congress in its confrontation with the 37th President over the coming weeks. In at least three key areas of the current clash, the 177-year-old document appears to describe the position being taken by Senators and Representatives.

"It is important . . . that the habits of thinking in a free country should inspire caution in those entrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism."

—George Washington

President Nixon has refused to carry out fully Congressional spending acts, impounding at least \$3.7-billion that Congress appropriated for housing, highways, the environment, health and other programs. He cited inherent constitutional authority to refuse to release the funds, in the interest of the nation's economy.

At the same time, in his budget for the fiscal year that will begin July 1, the President proposed dismantling several score domestic and social programs created by Congress. He cautioned the Senate and House, which he described as "irresponsible" with money, to stick to a \$268.7-billion budget ceiling and threatened to veto spending bills in excess of that amount.

The Administration's attitude toward the Congressional power of the purse was described as "divine right" by Senator Lawton Chiles, Democrat of Florida, and as "a royal view of Presidential prerogatives" by Senator Edward M. Kennedy, Democrat of Massachusetts. They have joined, alone with a majority of the Senate, in sponsoring a bill that would compel the President to spend all appropriated funds unless Congress consented to withhold the money.

New Resolve Shown

Mr. Nixon is not the first President to be accused of acting like a potentate on spending, while Congress long has acted like an impotentate in enforcing its fiscal will. But Congressional resolve is being illustrated now in a variety of ways.

Senator J. W. Fulbright, Democrat of Arkansas, has introduced an amendment to halt the foreign aid program until the President releases impounded domestic funds.

To meet White House criticism of the system under which

Congress appropriates funds for different programs one at a time, with little thought to the total amount, several bills are under study to create a new Congressional mechanism that would require spending committees to operate within an annual budget ceiling. In the meantime, Senator John L. McClellan, the Arkansas Democrat who is chairman of the Appropriations Committee, has asked subcommittees to follow the same procedure informally.

First Would Be Last

A more novel approach was taken by Senator Russell B. Long, the Louisiana Democrat who is chairman of the Finance Committee. He suggested in a recent television interview that Congress act last on such "pet Presidential programs as defense and space and then, if the spending ceiling has been exceeded, challenge the President to veto funding for 'items you like the most.'"

" . . . avoid the necessity of those overgrown military establishments which, under any form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty."

—George Washington

Despite the end of direct United States involvement in Vietnam, President Nixon's budget for the fiscal year 1974 calls for a \$5.7-billion increase in Pentagon spending. That increase, combined with cuts in spending for domestic projects and the proposed dismemberment of the Office of Economic Opportunity, has stirred widespread opposition in Congress to Mr. Nixon's spending priorities.

'Go After Defense Spending'

"A lot of people who got their budgets cut might get together and go after defense spending as a means of re-ordering priorities," Representative Les Aspin, Democrat of Wisconsin, declared.

Senator William Proxmire, another Wisconsin Democrat, has already called for trimming \$5-billion from the military budget. Even such staunch supporters of the military as Representative F. Edward Hebert of Louisiana, the chairman of the House Armed Services Committee, and Senator McClellan have cited a number of areas where they hope to cut the Pentagon budget.

"The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements let them be fulfilled with perfect good faith. Here let us stop." —George Washington

Even before President Nixon spells out the method by which he intends to help rebuild North Vietnam, storm warnings are flying on Capitol Hill. The Administration has not budgeted for such assistance in the coming fiscal year and has suggested that additional cuts in domestic programs might be necessary to provide the money for reconstruction in Indochina.

Senator Alan Cranston, Democrat of California, said that he would oppose any spending on foreign projects, particularly for Vietnam, "while we are scrimping and cutting back on vital domestic programs." He and a number of other members of Congress, including Republican conservatives and liberals, have made clear in the last few days that they are unlikely to accept any economic attachments to North Vietnam unless they are part of a multi-nation program. Senator Strom Thurmond, Republican of South Carolina, said that United States aid should be contingent on aid from China and the Soviet Union to help rebuild South Vietnam.

Congress Seeks Role

The White House has pledged to consult with Congress on the Indochina aid program, but Congress is likely to expect more than that.

More than half the Senate has joined in support of the latest attempt to enact a war powers law designed to prevent involvement in future Vietnams without Congressional consent. It would require Congressional approval within 30 days of any Presidential order committing American troops overseas. But the President, contending that such a restriction would infringe on his responsibilities as Commander in Chief, has opposed the measure before and is expected to again.

"If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed."

—George Washington