

# Nixon Holds Firm on Impounding of Funds

## Washington

President Nixon declared yesterday that Congress has acted irresponsibly on money matters and said he intends to continue impounding funds if necessary to avoid a tax increase.

The President said he has a constitutional right to refuse to spend money appropriated by Congress and cited President Truman's refusal to increase the size of the Air Force despite a congressional appropriation and an override of a Truman veto.

"The constitutional right for the President of the United States to impound funds, and that is not to spend money, when the spending of money would mean either increasing prices or increasing taxes for all the people . . . is absolutely clear," Mr. Nixon said.

### RESPONSIBILITY

The President said congressmen, none of whom had "campaignied on the platform of raising taxes in order that we could spend more," wanted to share responsibility with the executive branch.

"But if you are going to

have responsibility, you have to be responsible, and this Congress . . . has not been responsible on money," Mr. Nixon said.

While the President was in effect defying Congress on the impoundment issue, he sounded a conciliatory note on the question of "executive privilege."

Various congressmen have complained that presidential appointees have restricted their testimony — or chosen not to appear — on grounds that they could not disclose conversations with the President.

### REFUSAL

The issue arose again Monday at a Civil Service Commission public hearing when Air Force Secretary Robert C. Seamans Jr. invoked "executive privilege" in refusing to explain the White House role in the firing of A. Ernest Fitzgerald, the former Pentagon executive who told Congress about the C-5A aircraft costs, which has far exceeded the estimate.

It was Seamans' refusal to testify that prompted the executive privilege questions at Mr. Nixon's news conference yesterday.

The President said he had personally made the decision to fire Fitzgerald and that Seamans' use of executive privilege related to a presidential conversation which had been repeated to the Secretary of the Air Force.

### HEAT

Mr. Nixon added that it was not his intention to broaden the use of executive privilege or to allow it to become a protection for administration officials who are "under heat from a congressional committee."

"I will simply say the general attitude I have is to be as liberal as possible in terms of making people available to testify before Congress, and we are not going to use executive privilege as a shield for conversations that might be just embarrassing to us, but that really don't deserve executive privilege," the President said.

Mr. Nixon also promised that he would issue "a precise statement" detailing the uses and limits of executive privilege in his administration.

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