

# Nixon to Appeal Impound Decisions

## Washington

The administration will appeal all federal court rulings against the withholding of appropriated health funds and will refuse to spend the money until the appeals are exhausted, Welfare Secretary Caspar W. Weinberger said yesterday.

Weinberger disclosed the plans during a sharp debate with representative Paul G. Rogers (Dem-Fla.), chairman of a House health subcommittee. The two clashed repeatedly over administration health policies during an unusual meeting on a local news and television personality show.

At one point, Rogers charged that the administration had built a cancer clinic on the suburban campus of the National Institutes of Health but not allowed the National Cancer Institute to hire 27 nurses necessary to staff the clinic.

## MONEY

"There is a facility built with taxpayer money, and people ready to do the work, but they can't open the ward because they can't get the 27 nurses," Rogers said.

Weinberger repeatedly insisted that the cancer clinic was not opened because the Cancer Institute "had higher priorities" and didn't want to spend its money on nurses.

When Rogers said it was "ludicrous for people to have to go to court" to force the administration to spend congressionally appropriated funds for such health activities as cancer, heart disease and hospital construction, Weinberger replied that the court decisions have all been by lower federal courts.

## APPEAL

"They are all going to be appealed because we think they state the law incorrectly," said Weinberger. "We have every right to appeal and not to carry it out while

the case is under appeal."

The most recent ruling against the administration came last Friday from U.S. District Judge Gerhard A. Gesell, who ordered HEW to release nearly \$52 million in funds for community mental health centers. Weinberger said such decisions would be appealed to the Supreme Court if necessary.

The administration has withheld certain health and other social funds as an anti-inflation device or because it believes the programs involved should not be continued.

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