

Nixon Issue Sets Tone on Hill in '74

Key Test Looms

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Whatever the 93d Congress does in the second session that opens today, it will be remembered for its handling of one major and historic issue — impeachment and the future of the President.

The subject will dominate Congress, and may even influence how it handles other major issues, such as the energy crisis, tax reform and election campaign reform.

As of this point, veteran observers say the votes are not there for impeachment in the House or conviction in the Senate.

To vote impeachment in the House requires a simple majority, but observers say not enough Republicans or Southern Democrats have defected from their support of the President.

And in the Senate, observers say a little more than half favor conviction, but it is absolutely certain the two-thirds necessary would not support it.

The first key test will occur in a couple of weeks when the House Judiciary Committee, headed by Rep. Peter Rodino (D-N.J.), goes to the floor to seek the subpoena power it feels it needs to obtain crucial evidence and documents. The debate and vote may be the first public indication of how the House feels on the impeachment question.

One major preoccupation will be a decision by the legislators on what is an im-

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peachable offense—whether it requires evidence of an indictable crime, or whether a more general offense, such as misconduct in office, would be sufficient to vote impeachment.

In any case, the President's standing with Congress and the power of the executive

versus the power of the Legislative Branch will continue to be a major issue as it was last session.

By the end of the session last year, the President's influence over Congress had waned dramatically.

Congressional Quarterly notes that President Nixon won only 50.6 per cent of the congressional votes on which

he took a position during the last year, fewer than any President had won in the 20 years since CQ began measuring presidential support in Congress.

One of the first problems facing Congress will be passing emergency energy legislation to give the President powers to implement rationing and fuel allocation programs.

Congress's last-minute attempts to clear the legislation before adjourning last year failed on the issue of limiting windfall profits for the oil industry.

A compromise conference report ran into a filibuster by oil-state senators who opposed limiting windfall profits for the oil industry. When the windfall profits section was stripped from the bill, it passed the Senate, but the House refused to accept it.

Without facing the wall of adjournment, the Senate could seek cloture against any filibuster that might develop.

Other energy legislation facing Congress includes:

- A bill to establish a Federal Energy Administration, pulling together all federal programs dealing with the fuel crisis, which the Senate passed after curtailing the powers Mr. Nixon requested for the agency. The House must now act on this bill.

- Legislation to provide for the deregulation of natural gas which President Nixon requested but which has yet to reach the floor of either house.

- Legislation authorizing \$72 million for production of oil from Elk Hills naval oil reserve as well as exploration of a reserve on the North Slope of Alaska awaits action by the House.

In a related area, Congress held off until early this year taking up a conference report providing \$800 million in operating subsidies for urban mass transit because it feared a presidential veto. The conferees said they thought it would be difficult for the President

to veto a bill that seeks to conserve energy by improving mass transit, but the administration has become only somewhat less adamant in its opposition to operating subsidies.

In economic matters, the simple extension of the wage-price controls voted by Congress last year, expires April 30, and rapid inflation is expected to renew the fight over strengthening controls and freezing prices.

The House Ways and Means Committee, having finished with trade reform, is expected to take up tax reform early this year.

The trade reform bill, granting broad presidential powers to negotiate trade agreements, passed the House, but with provisions forbidding the President to grant trade credits and preferred status to Soviet goods unless the Soviet Union drops its restrictive emigration policies against Soviet Jews. The Senate, with Sen. Henry M. Jackson (D-Wash.) leading the fight, is expected to demand the same restrictions.

The Elementary and Secondary Education Act, the primary vehicle for federal assistance to public schools, comes up before both houses with anti-busing amendments likely to be offered to both.

Pension reform to protect 35 million workers covered by private pension plans passed the Senate and is expected to come up early in the session in the House.

In the Senate, a filibuster successfully held up consideration of a legal services bill, which would create a new National Legal Services Corp. as a substitute for the Office of Economic Opportunity legal services program.

A land-use planning bill that passed the Senate has run into stiff opposition in the House Interior committee where a campaign by real estate and business interests to block the bill has taken hold. But action is still expected later in the session.

House and Senate committees are working on an omnibus housing bill that would make community development grants contingent on local housing programs for low-income families. Action on both bills is expected later in the year.

In response to Watergate, the Senate passed a campaign financing reform bill that placed limits on expenditures and contributions in federal campaigns, and created a new elections commission to enforce the law.

The House Administration Committee has been charged

with stalling in acting on the bill, but Chairman Wayne Hays (D-Ohio) has promised some action early this year. A proposal for public financing of campaigns passed the Senate, but was stalled by opposition in the House and a Senate filibuster preventing the bill from going to conference.