

## Improving the Communi- cations Gap

by Edwin D. Esbleman  
and  
Robert S. Walker

Watergate, impoundment, executive privilege and the battle of the budget; these issues are the feature attractions in the developing conflict between President Nixon and the 93rd Congress.

The obvious reason for the Legislative-Executive confrontation is the political reality of a Democratic Congress aligned against a Republican White House. But this obvious source of conflict may be blinding observers to another clash that is brewing among political allies. Republican congressmen, particularly those in leadership roles, are becoming increasingly disturbed with the legislative tactics employed by their Administration.

Some indications of the hard feelings between GOP legislators and the Nixon Administration boiled over during the Capitol Hill skirmishing about the Watergate incident. Sen. Lowell Weicker's accusations against Nixon intimates were headlined, in part, because a Republican was making them. The news media then found other Republicans who willingly spoke out against Watergate and the Administration's initial handling of the issue.

But Watergate had its own special political realities and the GOP unrest

over it was not necessarily symbolic of deep-seated hostility toward the Administration. Only when Watergate is seen as one of many issues disturbing Republican congressmen does the fury of some of the attacks become significant.

What upsets Republicans on Capitol Hill is that they have little or no input into the White House's legislative program and congressional strategy. Even those most loyal to the President and his program are finding themselves embarrassed and frustrated by the unwillingness of the Administration to allow them to share in drafting legislative initiatives or even to give enough advance notice of Nixon positions so that they can be used effectively in congressional maneuvering.

Many GOP representatives and senators are beginning to feel that the tactics used by the Administration are designed to make them second-class participants in the legislative process. Instead of being consulted, they are told. Instead of being informed, they are often ignored. No place is this more apparent than in the committee considerations so important to congressional development of legislation.

Our experience with those legislative tactics has been through the work of the Select Education Subcommittee in the U. S. House of Representatives. The dealings have been limited to the Department of Health, Education and Welfare, but that experience does not seem to be atypical.

Among the bills considered by the Select Education Subcommittee so far in this Congress are the Vocational Rehabilitation Amendments, the Older Americans Act, the Education of the Handicapped Act, and the Environmental Education Act. In the case of each of these bills, the ranking Republican on the subcommittee was not consulted in advance regarding the Administration's position nor was he given enough advance notice of that position to be able to use it effectively in the hearings. Normally, we have received only a few hours notice of what stand HEW proposed to take regarding a given piece of legislation.

At so late a date, the Administration's position and justification for that position is next to useless. By that time, legislative compromises have

been arrived at and binding commitments cannot be overturned with such a statement as, "Wait a minute fellows, the President just told me what to do."

The consideration of the Vocational Rehabilitation Amendments may serve to illustrate the point. On this bill, the only guidance available to Republicans throughout most of the hearings was that the Administration was unhappy with the funding level. The Democrats on the subcommittee were willing to compromise on the matter of the spending authorizations and the compromise resulted in a substantially lower funding level. At that point, Republicans agreed to support the bill based on the more reasonable spending commitments.

All of the above activity took place prior to the HEW presentation of its legislative package. Therefore, some Republicans found themselves locked into a position without having seen the Administration's views. But what else could be done? HEW had been asked to indicate its position weeks before the subcommittee acted and had done nothing. The subcommittee chairman, John Brademas of Indiana, wanted to move ahead on the Vocational Rehabilitation Amendments. A Republican response to his desire to get moving could not be, "We can't do anything until we hear from our leader."

But once the Administration had presented its case, it refused to consider anything else. Several Republicans found themselves in an embarrassing state of limbo — caught between their previous good faith commitments and the uncompromising stand of the Administration which was heralded publicly as the only responsible position. Thus, when the bill was sent to the House for action, Republicans were split between the committee's bill and the Administration's desires.

When the committee bill carried the day, it seemed certain there would be a presidential veto of Vocational Rehabilitation. That veto came quickly, and left some GOP legislators who had supported the vetoed bill feeling somewhat embittered. They had been snubbed by HEW's refusal to include them in development of the legislation. They had been frustrated by the failure of



the Administration to get its views to Capitol Hill in time to be considered by the committee. They had been forced by that failure to settle for a compromise they regarded as reasonable, and then put in the position of having to oppose the President by defending that compromise. Finally, they were publicly embarrassed when the President vetoed the bill calling it irresponsible.

It is the fact that the Vocational Rehabilitation story is not an isolated case which is causing a rift between Republican congressmen and the White House. The same pattern, almost to the commas in the script, developed in the consideration of the Older Americans Act. Very similar problems arose on the Education for the Handicapped and Environmental Education legislation.

The complaints are not confined to the House of Representatives. GOP senators have received the same kind of cavalier treatment.

Sen. J. Glenn Beall, Jr. of Maryland related his frustrations with the Older Americans Act in a newspaper

interview. Beall pointed out that he wrote the White House after last year's veto of the Older Americans bill. In that letter, he asked what type of legislation would meet with the Administration's approval. He made the request as ranking GOP member of the Senate subcommittee handling the bill.

"I got no answer, so when Congress came back this year I sent another inquiry," Beall said.

Once again Beall got no reply. Meanwhile, a new bill began moving in the Senate that looked more expensive than what the President would want.

"The day before the bill reached the Senate floor, they sent me 25 to 30 amendments they wanted offered," Beall recalled. "I told them to take their amendments and go back downtown with them."

The point irking Beall is that Republican legislators cannot be expected to advocate and defend Administration policies — something which in most cases they would be willing and happy to do — if those policies

are not made known to them until the last minute. As Beall put it, "In the absence of alternatives, you've got to go with what you have."

Sen. Peter Dominick of Colorado is another Republican who has publicly stated his disillusionment with the Administration's legislative tactics. He was particularly bitter that the GOP members of the Senate Education Subcommittee were not consulted during the drafting of the special revenue-sharing bill for education.

According to Dominick, he regards such treatment as "cavalier," and in a statement on the Senate floor he said he was introducing the revenue-sharing legislation only "as a matter of courtesy."

"I seize this opportunity," he continued, "to indicate my disinclination to being the passive and grateful recipient of OMB's set of priorities, devoid of any congressional input."

If it appears that all of the examples of criticism in this article stem from the Department of Health, Education and Welfare, the focus for blame is certainly deserved. HEW does not stand alone in this problem, but gets highlighted here primarily because it is most within the authors' realm of experience. Other departments and agencies are guilty, too, including the White House itself.

Significantly, most Republicans are not blaming the President personally for the problems. The discontent is with Administration underlings who appear to feel that Congress is no more than a bothersome necessity. GOP legislators are sure that the President, himself, does not feel this way and are willing to try to give him the support he needs. Basically, they agree with the Nixon programs, and want to see him exert the national leadership of which he is capable.

But these Republicans also know that the programs and leadership are doomed if they do not get the cooperation they need from the Administration to act as knowledgeable advocates of the Nixon policies on Capitol Hill. They want to be in the forefront of the changes that the President proposes for the nation. The only way this is possible is if the legislative tactics change, and the Administration accepts the Republicans in Congress as an integral part of the policy-making team. ■

