

THE WHITE HOUSE  
WASHINGTON

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ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR:

THE FILE ✓

FROM:

WILLIAM E. TIMMONS *BT*

SUBJECT:

1st Session, 92nd Congress

Attached is a summary of Congressional activity for the 1971 session of Congress. It may be helpful to review the score at halftime as well as some of the statistics as a guide to the 2nd session which starts January 18th.

This information is not prepared for public or wide internal circulation and I request that you treat the report administratively confidential.

ADMINISTRATIVELY CONFIDENTIAL

THE 92nd CONGRESS  
1st SESSION

The elections of 1970 produced little change in the party line ups facing the President in his third year of office. The Senate ratio was 45-55 (listing Conservative Buckley as a GOP and Independent Byrd as a Democrat). Karl Mundt's continued illness reduced the Republican minority by an additional vote. In the House the session started with an opposition ratio of 254 to 179 with two vacancies (Mendel Rivers and Rogers Morton). Deaths and resignations further eroded Republican strength so that at year's end the party split was 255-177 with three Republican vacancies (Charlotte Reid, Bob Stafford and Jim Fulton).

Significant was Edward Kennedy's defeat for re-election as Senate Majority Whip. His successor Bob Byrd has been more cooperative with the Administration. Perhaps the biggest disappointment for vote counters was the failure of the Senate's "philosophical majority" to materialize from among newly elected Democratic southerners in the Senate.

In the House, younger members expanded their role through being given subcommittee chairmanships as a result of caucus decision permitting a Member to serve as chairman of only one committee. The new record teller vote system in the House probably worked against the Administration since every meaningful vote was open to public scrutiny.

The 1st session was dominated by foreign policy debates with little movement on the President's "New American Revolution."

The isolationist mood of Congress, evident in 1970, was accentuated in 1971 by U.S. balance of payment problems, the domestic economic situation and the expulsion of Nationalist China from the United Nations. Partisan Democrats repeatedly attempted to pass legislation, or amendments, designed to restrict and embarrass the Republican President. Funds for defense programs and foreign operations were reduced in favor of increased appropriations for domestic social activities.

President Nixon's first two legislative years were built around "reform" of old proposals; the third year he submitted to Congress "revolutionary" measures designed to restructure federal institutions and redirect policy toward new concepts of government in order to achieve a true partnership with state and local authorities.

Fortunately, the President's bold initiatives in establishing a Sino-U.S. dialogue; his scheduling of Summit meetings associated with it; and his swift development of measures to restore the dynamism of the domestic economy captured public attention and seized the key issues of peace and prosperity. These measures, coupled with Democratic leadership failures in Congress, frustrated the opposition. Also the President adroitly split House and Senate Democrats on a number of important issues denying his partisan opponents a unified position. The Senate was a staging area for some ten Democratic aspirants for the Presidency -- a fact which undercut a consistent counter strategy and also caused substantial absenteeism.

Unfortunately, there was little positive action on the President's great goals of revenue sharing, reorganization, welfare reform, health and environment. Nevertheless, while no wars were won, a number of significant defensive battles ended in victory for the President. The Administration won virtually all the critical and narrow votes that came to the Senate and House floors. Great difficulty, however, was encountered in getting the President's proposals through the committee system to the chambers for up-or-down votes.

ACCOMPLISHMENTS OF 92nd CONGRESS

The following list of major legislative actions were responsive in whole or part to the President's recommendations:

1. Tax Relief - Phase I
2. Economic Stabilization Act - Phase II
3. Alaskan Native Claims
4. Conquest of Cancer
5. Draft Extension - Volunteer Army
6. Military Procurement (ABM, B-1, etc)
7. Lockheed loans
8. Emergency Public Service Employment
9. Export-Import transactions removed from federal budget
10. Butz confirmed
11. Rehnquist confirmed
12. Powell confirmed
13. Debt ceiling increased
14. Reorganization creating "Action" agency
15. D.C. subways
16. Rural telephone banks
17. Health Manpower & Nurse training act
18. Extension of Sugar Act
19. Repeal of Detention camps
20. Youth Vote Constitutional Amendment
21. Reorganization Authority extended
22. Okinawa Treaty ratified
23. Interest Equalization Tax extended
24. 24 Stockpile disposals authorized

NEGATIVE SUCCESSES OF 92nd CONGRESS

No compilation of legislative victories is complete without mention of the President's efforts to defeat pernicious and restricting measures from being enacted by the opposition Congress.

Among the more prominent negative successes were:

1. Forced change in campaign dollar "check-off" provision
2. Sustained OEO veto
3. Cleaned-up and delayed Campaign Spending Reform bill
4. Twice defeated NATO troop reduction amendments
5. Defeated Hughes' Military Pay increases
6. Defeated Hatfield-McGovern End-the-War Amendment
7. Defeated Proxmire's Defense ceiling Amendment
8. Sustained Accelerated Public Works veto
9. Won cloture on Draft bill
10. Beat back congressional vetoes of federal pay deferral
11. Defeated Cooper-Church type amendments
12. EEOC cease and desist orders
13. Passage of continuing resolutions
14. Thrice watered down and once eliminated from conference reports Mansfield Vietnam withdrawal amendments

KEY LEGISLATION NOT ENACTED  
BY THE 92ND CONGRESS

1. Welfare Reform (passed House)
2. General Revenue Sharing
3. Special Revenue Sharing - Education
4. Special Revenue Sharing - Manpower
5. Special Revenue Sharing - Transportation
6. Special Revenue Sharing - Law Enforcement
7. Special Revenue Sharing - Urban Community Development
8. Special Revenue Sharing - Rural Community Development
9. Government Reorganization - Human Resources
10. Government Reorganization - Community Development
11. Government Reorganization - Natural Resources
12. Government Reorganization - Economic Affairs
13. Health - National Insurance Partnership
14. Health - Manpower Assistance
15. Health - Maintenance Organization Assistance.
16. Environment - Water Quality (Senate passed excessive measure)
17. Environment - Pesticides Regulation (House passed)
18. Environment - Ocean Dumping (in conference)
19. Environment - Toxic Substances
20. Environment - National Land Use Policy
21. Emergency School Aid - Higher Education (in conference)
22. Special Drug Abuse Office (Senate passed)
23. Foreign Aid Authorization (Senate passed conference report)
24. Emergency transportation strikes
25. Consumer Product Safety Act
26. Campaign spending reform (Senate passed conference report)
27. Pensions-Employee Benefits Protection Act
28. Minimum Wage Increase
29. Equal Rights for Women Constitutional Amendment (House Passed)
30. Foreign Aid Reorganization
31. Transportation Regulations
32. Consumer Agency (House passed compromise bill)
33. EEOC court jurisdiction (House passed)
34. Amtrak additional funds
35. D. C. Home Rule (Senate passed)
36. Federal Executive Service Amendments
37. D. C. Stadium
38. National Land Use Policy
39. Land & Water Conservation
40. GSA Lease financing

41. National Foundation for Higher Education
42. National Institute of Education
43. Federal City Bicentennial
44. Wilderness Bills
45. Wagering tax amendments
46. Salacious advertising
47. Consumer fraud
48. Pretrial Detention
49. Bail Reform
50. Narcotic Rehabilitation
51. Coffee Agreement extension
52. Highway User Act
53. Ports & Waterway Safety
54. Power Plant Siting
55. Council on International Economic Policy
56. FPC Chairman clarification
57. Joint Funding Simplification
58. Grant Consolidation
59. Transportation Assistance
60. D. C. Development Bank
61. Small Business Taxation
62. Environmental Financing Authority
62. Lost Currency Write-Off
63. Vietnam Veterans Education allowance
64. Noise Control
65. SBA amendments and Minority Business

MAJOR DEFEATS IN 92nd CONGRESS

Only seven measures reached the President's desk that represented defeats for the Administration. Several were insignificant and two were vetoed and sustained.

1. Rejection of SST funds
2. Passage of OEO bill with child care provision
3. 10% Social Security increase
4. Expansion of school lunch program
5. Airport & Airways Trust Fund clarification
6. Passage of Accelerated Public Works bill
7. Inclusion of federal pay, retroactivity and other malamenments to Economic Stabilization Act.

However, a number of other bills or amendments were passed by the Senate but "cleaned-up" by the House or Conference Committee.

Among the more prominent one-house defeats were:

1. Mansfield's three Vietnam withdrawal amendments
2. Pastore's dollar "check-off" amendment
3. Allott's military pay increases
4. Muskie's excessive water pollution bill

APPROPRIATIONS

At year's end all FY '72 appropriations had been enacted except Foreign Assistance, which is being maintained by a continuing resolution until February 22, 1972.

Overall, Congress reduced the Administration's appropriation requests by about \$2 billion. For FY 1970, Congress cut appropriations by \$5.4 billion, and for FY 1971 reduced requests by \$2.6 billion.

In FY 1972 six money bills were increased: Agriculture, Independent Offices - HUD, Interior, Labor - HEW, Public Works - AEC, and Transportation.

Eight appropriation requests were cut by Congress; the most significant were Defense (-\$3) and the Foreign Assistance Continuing Resolution (-\$1.6).

SUPPORT

According to the research publication Congressional Quarterly, the Democratic 1st Session of the 92nd Congress supported the President 75% of the time on key votes.

This figure compares favorably with the President's support index of 76% during the 91st Congress. Eisenhower received only a 68% average support score from Democratic Congresses (1955-61). It is interesting to note that Lyndon Johnson won a 75% support record from the legislature in his last year of office.

HOUSE

This office listed 23 key, tough Floor votes to measure support in the House of Representatives. The President won 20 -- for a success index of 87%.

In the House, 54 Republicans had support scores of 90% or better and 26 Democrats batted 80.0% or better. Representatives with the highest support percentages on key votes were:

<u>Republicans</u>	<u>%</u>	<u>Democrats</u>	<u>%</u>
1. Gubser	100	1. Hebert (La)	94.4
2. Mailliard	100	2. Waggoner (La)	90.9
3. Teague	100	3. Abernethy (SC)	90.5
4. Wiggins	100	4. Roberts (Tex)	89.5
5. Erlenborn	100	5. Abbitt (Va)	89.5
6. Keith	100	6. Lennon (NC)	87.0
7. Betts	100	7. Fisher (Tex)	87.0
8. Pelly	100	8. Daniel (Va)	87.0
9. Cederberg	95.7	9. Satterfield (Va)	87.0
10. Chamberlain	95.7	10. Passman (La)	86.4
11. Ford	95.7	11. Burluson (Tex)	86.4
12. Buchanan	95.5	12. Flowers (Ala)	85.7
13. Edwards	95.5	13. Colmer (Miss)	85.7
14. Pettis	95.5	14. Montgomery (Miss)	85.0
15. Anderson	95.5	15. Davis (Ga)	83.3

SUPPORT (continued)

	<u>Republicans</u>	<u>%</u>		<u>Democrats</u>	<u>%</u>
16.	Arends	95.5	16.	Jarman (Okla)	83.3
17.	Hillis	95.5	17.	Nichols (Ala)	82.6
18.	Bow	95.5	18.	Purcell (Tex)	82.4
19.	Brown, Bud	95.5	19.	Hagan (Ga)	81.8
20.	Ware	95.5	20.	Griffin (Miss)	81.8
21.	Veysey	95.2	21.	Fountain (NC)	81.8
22.	Lloyd	95.2	22.	Dorn (SC)	81.8
23.	Pirnie	95.2	23.	Cabell (Tex)	81.8
24.	Wilson	94.7	24.	Downing (Va)	81.0
25.	Kuykendall	94.7	25.	McMillan (SC)	80.0
26.	Belcher	94.4	26.	Teague (Tex)	80.0
27.	Whalley	94.4			
28.	Rhodes	91.3			
29.	Conable	91.3			
30.	Kemp	91.3			
31.	Mizell	91.3			
32.	Williams	91.3			
33.	Robinson	91.3			
34.	Collier	90.9			
35.	Bray	90.9			
36.	Jonas	90.9			
37.	Quillen	90.9			
38.	Price	90.9			
39.	Poff	90.9			
40.	Bell	90.5			
41.	Hosmer	90.5			
42.	Zion	90.5			
43.	Mayne	90.5			
44.	Winn	90.5			
45.	Nelsen	90.5			
46.	Frelinghuysen	90.5			
47.	Smith, H.	90.5			
48.	Frey	90.0			
49.	Hansen	90.0			
50.	McClory	90.0			
51.	Springer	90.0			
52.	Wyman	90.0			
53.	Johnson, A.	90.0			
54.	Baker	90.0			

SUPPORT (continued)

Only seven House Republicans voted with the President less than 50% of the time. They were:

1.	McCloskey	40.0%
2.	Gude	40.9%
3.	Heckler	42.8%
4.	Riegle	31.6%
5.	Halpern	36.8%
6.	Reid, Ogden	36.3%
7.	Biester	47.8%

SENATE

We analyzed 21 high visibility, tight issues in the Senate to weigh individual performance. The President won 15 -- for a success index of 71%.

In the Senate, 18 Republicans had support scores of 90% or better and 5 Democrats rated 80.0% or better. Senators with the highest support percentages on key votes were:

<u>Republicans</u>	<u>%</u>	<u>Democrats</u>	<u>%</u>
1. Bennett	100	1. Byrd (Va)	85.7
2. Dole	100	2. Eastland (Miss)	85.7
3. Fannin	100	3. Stennis (Miss)	85.7
4. Hruska	100	4. Ervin (NC)	81.0
5. Scott	100	5. Long (La)	81.0
6. Thurmond	100		
7. Allott	95.2		
8. Boggs	95.2		
9. Cotton	95.2		
10. Curtis	95.2		
11. Hansen	95.2		
12. Roth	95.2		
13. Tower	95.2		
14. Baker	90.5		
15. Dominick	90.5		
16. Fong	90.5		
17. Griffin	90.5		
18. Gurney	90.5		

SUPPORT (continued)

There were six GOP Senators who voted with the President less than 50% of the time. They were:

1.	Brooke	38.1%
2.	Case	14.3
3.	Hatfield	28.6
4.	Javits	47.6
5.	Mathias	42.8
6.	Schweicker	38.1

TOTALS FOR CONGRESSIONAL ACTIVITY

Statistics for the 1st Session are compared with the President's first two years. Virtually every record was set in 1970. The most significant exception is in the category for yea and nay votes (including record tellers in the House). It appears the 1971 recorded votes represent a new high for both congressional bodies.

	<u>1969</u>		<u>1970</u>		<u>1971</u>	
	<u>Senate</u>	<u>House</u>	<u>Senate</u>	<u>House</u>	<u>Senate</u>	<u>House</u>
Days in Session	176	186	208	164	186	163
Public bills enacted	74	116	160	345	75	123
Measures passed	684	720	991	922	604	716
Measures reported	745	706	963	836	585	686
Measures introduced	3826	17728	1640	5847	3493	14653
Yea-and-Nay Votes	245	177	422	266	423	212
Record Teller Votes	--	--	--	--	--	108
Bills vetoed	--	--	5	6	2	1
Vetoed Overridden	--	--	--	2	--	--
Civilian nominations other than postmasters confirmed	3961	--	3292	--	3250	--

PRESIDENTIAL CONTACTS WITH CONGRESSMEN  
DURING 92nd CONGRESS, 1st SESSION

The President had 25% fewer personal contacts with Members of Congress through less frequent events in 1971 than in either 1969 or 1970. For the 1st session of the 92nd the Chief Executive made contact with 1,825 Representatives and Senators compared to an average of 2,484 for each of the previous two years of his Administration.

<u>Type of Event</u>	<u>Number of Events</u>		
	<u>1969</u>	<u>1970</u>	<u>1971</u>
GOP Leadership	24	16	13
Bipartisan Leadership	10	4	9
Cong. 1/2 Hours	15	39	9
Bill Signings	8	14	6
Other meetings*	87/125	115/121	69/94
Telephone conversations	204	140	180
Meals	26	20	22
State Dinners	11	8	9
Receptions	8	6	10
Worship Services	12	7	8
Evenings at White House	0	3	1
Flights	26	20	27

\*This first figure represents meetings with House Members; the second Senate. Since many Presidential sessions were with Members of both bodies it would be inaccurate to add both figures for a yearly total.

PRESS ANALYSES

The press corps gave mixed marks to the President for progress on his legislative program and relations with Congress.

There follows some pro and con excerpts from news stories summing up the 1st session:

PRO

"Congress has made no headway in reasserting its power; Nixon has finessed the Hill at every turn."

Peter Lisagor, Press Symposium

"This has been a very productive session and will be even more fruitful in '72."

Sam Shaffer, Press Symposium

"...a new 'eptness' by the White House in dealing with the Hill."

David Secrest, Press Symposium

"The array of victories President Nixon scored in the session's closing days is staggering."

Norman Miller, Wall Street Journal

"The victories of President Nixon over the Democratic majorities in the first session of the 92nd Congress."

J. W. Roberts

"They (White House Congressional staff) are skilled in the ways of Congress and, judged on the total Nixon record, more effective than the harassment and opposition to be expected from the majority Democrats may indicate."

John Osborne, New Republic

"Its (Democratic Congress) running and passing game had been thwarted and its opponent, that Republican squad down at the White House, was tearing gaping holes in its line."

John Finney, New York Times

PRO (continued)

"The White House has thwarted or outsmarted its opposition at almost every turn . . . . Congress goes home for Christmas with its tail between its legs."

John Jessup, CBS Radio

"Some observers have compared the Democratic-controlled Congress at this juncture with a dis-spirited football team at half-time."

Dallas Townsend, WTOP

"The first half of the two-part match between President Nixon and the Democratic controlled 92nd Congress is over, with Nixon the clear victor."

Robert Hauvel, Cleveland Plain Dealer

CON

"His six great goals, except for the economy, are all stalled . . . . Indeed, one of the continuing surprises of Nixon's presidency is that Nixon, regarded as a master politician, is not very good at dealing with the politicians in Congress, even those of his own party."

TIME, 1/3/72

"Much of the ballyhooed domestic program made virtually no progress."

Spencer Rich, Washington Post

"President Nixon's successes were mainly negative in preventing the Democratic majorities from doing things he disliked. Until this month's economic legislation, he failed to get any major bills passed except for the draft extension."

Adam Clymer, Baltimore Sun

"The impression that the Administration seeks to give, that these accomplishments constitute a great personal achievement, emphasizing the President's ability to outmaneuver his partisan political enemies, is a lot of poppycock."

Ted Lewis, NY Daily News

"By the end of the year, none of the first five Nixon goals had been enacted. . . . Mr. Nixon had difficulties with Congress on other issues as well. . . ."

Congressional Quarterly

CON (continued)

"The 92nd Congress wound up its first session December 17th with most of President Nixon's programs left hanging...."

U.S. News & World Report

"Adjournment pressures last week only heightened the ill feeling between Hill and White House that has hampered the legislative machinery all year. Between them, the Administration and the 92nd Congress have made no significant progress in increasing public confidence in Government, limiting runaway budget deficits, or cutting down the unemployment rate .... all Nixon goals announced in his State of the Union address remain in varying stages of partisan limbo."

Time, 12/20/71