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NEWS CONFERENCE

#414

AT THE WHITE HOUSE

WITH RON NESSEN

AT 11:30 A.M. EST

JANUARY 13, 1976

TUESDAY

MR. NESSEN: You know that there is an NSC meeting going on. As usual, we don't tell what the topic is.

The President had staff meetings all morning, until it was time for the NSC. In the afternoon, he will spend all his time on the State of the Union, which he will be doing every afternoon this week. Basically, all afternoon every afternoon this week will be devoted to the State of the Union. It is fair to say the State of the Union is in the drafting process now.

The budget will go to the printer tonight. It will go to Congress a week from tomorrow, on the 21st.

Q Ron, when is the briefing going to be?

MR. NESSEN: The day before, on Tuesday, the 20th. That will be the central briefing, and then throughout the rest of the day there will be departmental briefings for specialists in each area, so basically the 20th is set aside for budget briefings.

Q Have you announced the time of the State of the Union?

MR. NESSEN: I have not. Properly, that should come out of the Speaker's office. I guess everybody in town knows it is nine o'clock.

I think you have all seen the Executive Order which sets up the Sinai support mission. It is pretty self-explanatory and gives the details. A director for that mission has not been selected yet, although I think I will have the name for you soon.

MORE

#414

Eleanor Green, who most of you know, and I think respect, is ready to answer additional questions on the Sinai support mission, rather than Mr. McNanaway, as I think some of you were told earlier. Eleanor Green's phone number is 632-2566, and she is very good, as you know, and has the information on this.

You are probably interested in the reaction to the conclusion of the OAU summit meeting. I am not sure that there is much more that we can say at this stage, except that the President still feels that the best solution is the series of goals that he has set, which is for a cease-fire, an end of all foreign intervention and a withdrawal of all foreign elements, a Government of national unity, and in the pursuit of this set of goals, following the OAU, the President will continue to work through diplomatic channels and also will give limited amounts of assistance to countries which share that set of goals.

He also, when Congress returns, will continue his efforts to persuade Congress and obtain from Congress the support for that set of goals.

Q You mean he is going to ask Congress for money for this?

MR. NESSEN: For continued limited assistance to countries which share those goals.

Q What do you mean "continued limited assistance"?

MR. NESSEN: I mean continuation of the limited assistance now being given.

Q Military aid to Zaire?

MR. NESSEN: I think I will not go into the details of the assistance, but obviously the appropriate Members of Congress will be informed of what the President has in mind.

Q Is he going to drop the idea of trying to get the CIA's Angola budget restored, Ron?

MR. NESSEN: I don't think we ever talked about a CIA budget here, Bob.

Q I know, but it has been talked about everywhere else in town. I think it is a legitimate question. The CIA has admitted it has a budget.

MR. NESSEN: All I can say is one of the ways he will pursue those goals is to continue to give limited amounts of assistance to countries which share those goals and to obtain the support of Congress for that policy.

Q You did issue a statement here when the Senate cut off the funds and, at that time, you said he was going to the House and ask the House to reverse the stand. The question is, is he going to continue to do that?

MR. NESSEN: Yes, that is what I am saying.

Q He cannot continue this if he does not get Congressional support, can he?

MR. NESSEN: Whatever money that has been previously approved, of course, is what is being used now.

Q Does that mean channeling arms and weapons to other countries?

MR. NESSEN: I think as far as I can go is to say limited assistance.

We have one of the personnel announcements you have all been waiting for.

The President is announcing today the appointment of Rogers C. B. Morton of Easton, Maryland, as a Counsellor to the President with Cabinet rank. Rog has been the Secretary of Commerce since May 1. His duties here at the White House will include several areas of economic and domestic policy. He will continue his membership on the Economic Policy Board, the Energy Resources Council --

Q Will you start those boards over?

MR. NESSEN: It is all written down on the paper there. I will run through it quickly, but it is all in writing.

As I say, he will continue his membership on the Economic Policy Board, the Energy Resources Council and the Domestic Council. He also will be in charge of liaison with the Republican National Committee and the President Ford Committee and any other specific assignments that the President may direct him to take.

I will say that his liaison duties with the RNC and the PFC will be incidental to his substantive duties in economic policy and domestic policy. Rog does have a very broad background in Government, in Congress, the Interior Department and the Commerce Department, and it is upon that experience the President wants to draw.

You can see the rest of his biography printed there in front of you.

Q Does this mean Bob Hartmann will cease to be the President's political adviser?

MR. NESSEN: No, it doesn't. What it means is that Bob Hartmann and Dick Cheney, who have both had liaison duties with the RNC and the PFC, will concentrate now the majority of their time on their other White House duties.

Q So, Hartmann will be mainly a speechwriter and he will concentrate on that?

MR. NESSEN: And his other roles as Adviser to the President, Counsellor to the President. So, Cheney and Hartmann will be relieved of their day-to-day political liaison duties. However, they will give political advice to the President when he asks for it.

Q Ron, we were led to believe -- correct me if I am wrong -- that the President felt a full-time political contact man was needed at the White House.

MR. NESSEN: Where were you led to believe that?

Q I thought the President said that.

MR. NESSEN: No, I think Evans and Novak said that.

Q No, I don't quote from Evans and Novak. By diluting Morton's political work here, does that mean that the President does not feel he needs a full-time political man at the White House?

MR. NESSEN: No. The President Ford campaign is being run by Bo Callaway. Chosen by the President, he has the President's full confidence and support, and the President thinks he is doing a very good job.

The decision was made a long time ago that the campaign would not be run from the White House. It would be run by Bo. Bo himself has urged that he have one person in the White House, and he did express a preference for Rog, to whom he can go to get questions answered and decisions made and to pass information to.

So, that is one of the duties Rog will have, but this is a full job description of what Rog will be doing at the White House.

Q Is this to take the onus off the fact that he will be on the Government payroll and, therefore, it would be difficult to appoint strictly a political operative?

MR. NESSEN: No, it is an accurate description of what he will be doing here.

Q How much money will he get here?

MR. NESSEN: Rog will take a pay cut of \$18,400 from his Cabinet salary and instead will get a job of \$44,600 in his post here as Counsellor to the President.

Q Isn't it true if he didn't have these other jobs he would not be eligible for a Government job as liaison man to the Republican National Committee? He wouldn't be eligible for a Government salary?

MR. NESSEN: You know, I don't know how you ask a "what if" question. The fact is, these will be his duties at the White House. He has a wide range of experience in the Government in these various areas, and that is what the President wants him to do, and his liaison duty will be incidental to these other things.

Q How incidental? How often is he going to be engaged in that? How much of his time?

MR. NESSEN: He hasn't started yet, so I don't know how his day will break down.

Q How do you know it will be incidental?

MR. NESSEN: Because that is the way the job is planned.

Q When is he scheduled to start?

MR. NESSEN: The exact day is not set, but I would say if you speculated that it might be later this week, you probably would be all right.

Q Ron, do you expect that his economic and domestic demands on his talent might end about early November?

MR. NESSEN: No.

Q Is this a short-term appointment?

MR. NESSEN: I don't have any indication that it will. It is a job as Counsellor to the President with these wide-ranging duties.

Q Will he be able to work full-time?

MR. NESSEN: Yes, he will.

Q How is his health, since he said he wanted to step down from a full-time job previously?

MR. NESSEN: His health is fine, and he certainly wouldn't take this job if he felt otherwise.

Q Is this job replacing anyone; that is to say, is there a deficiency in your economic and domestic policy staff? Is somebody being replaced here?

MR. NESSEN: No.

Q Why is it necessary? Why does the President feel he needs yet another economic and domestic counsellor?

MR. NESSEN: Because Rog does have this wide range of experience in the Government and in these areas, and the President wants to benefit from it.

Q Will this be an easier job than his job in the Cabinet, his position in the Cabinet previously?

MR. NESSEN: None of them around here are too easy.

Q As I understand it, he was not healthy enough to continue his Cabinet post, and now he is taking on these duties.

MR. NESSEN: And the question is?

Q Is this an easier job physically? Is it not going to take so much work on his part as his Cabinet post did?

MR. NESSEN: I don't have any idea what his day is going to be like, Phil, other than to fulfill these duties.

Q The second question I have, you have volunteered previously information on how much the President has worked during the week. I would like to put in a request now for a daily report on Mr. Morton's activities, how much time he spends on this other business and how much in liaison.

MR. NESSEN: I am sure his office can provide you with that, Phil.

Q We have gotten it previously from you, from the Press Office.

MR. NESSEN: On the President's activities, that is right.

Just to clear up the quotation of the President on why he was considering a person of stature, what the President was asked was, "Mr. President, Callaway says he has no points of contact here at the White House other than yourself. Are you thinking of putting in some political operative here at the White House to handle some of this liaison?"

The President goes on to praise Bo and says he has good contact with several top people, he has access to me, we meet, and so forth. "It is possible that we would have somebody of stature well-recognized who might be a contact for him as the 1976 year progresses."

As I say, that will be an incidental duty of his, to be a liaison man with the PFC and the RNC.

Q Ron, isn't that the principal reason why Rog Morton was prevailed upon to take the position in the White House?

MR. NESSEN: Jim, my understanding is he is coming here as Counsellor to the President, with these duties I have outlined, including the incidental duty of liaison with the PFC and the RNC.

Q Ron, may I ask you a question, please?

MR. NESSEN: Yes.

Q Isn't it true that his qualifications as the great smoother of the ruffles in the Republican Party is the major reason for him being chosen?

MR. NESSEN: I think that is the same question I have had about four times, and the answer is, for the fifth time, that he is being brought here as a Counsellor to the President whose main duties will be in the areas of economic and domestic policy, and incidentally he will be taking over duties that are now done by Cheney and Hartmann as liaison with the RNC and the PFC.

Q I am talking about the greater picture of the concern of the moderate Republicans and their unhappiness. Isn't it true that the President wants him for that job, also, to help smooth some of those problems?

MR. NESSEN: I have not heard that, no.

Q Ron, how can you justify paying a man at the White House to spend time being liaison with the campaign committee? How can you justify that to the taxpayers? Why shouldn't he deduct the time he spends with those people and then deduct that from his salary?

MR. NESSEN: Let me say this, Sarah. As I say, he will have duties as liaison with the PFC and the RNC. His main duties are as Counsellor to the President in the areas of domestic policy and economic policy.

Now, obviously Rog Morton, and everybody else at the White House, is going to follow both the letter and the spirit of the Federal Election Commission's rulings and regulations.

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Q Have they made a ruling on this?

MR. NESSEN: No, but I suspect if somebody raised the question they might. But they do have rulings that seem to me apply to some extent.

You know a number of people who are on the White House payroll are considered by the FEC to have political duties, including the Press Secretary, and, for instance, when the President travels in his capacity as candidate, the FEC has approved a formula in which certain travel expenses will be paid out of the campaign because people on the White House staff are considered to have political duties.

Q That is why I bring up the question. Why don't they pay him out of the campaign committee for the time he spends his liaison with them?

MR. NESSEN: I think you know -- speaking philosophically, how do you separate precisely what is political and what is Governmental in the White House? The President's own time, for instance, some of our other time, as well as other people, Members of Congress who run for re-election, I don't know how you separate their time out between their public duties and political duties. It is not a very nice, clean, sharp line.

Q There is another angle to this, Ron, if I may bring it up while we are talking. The other day somebody from the campaign committee, I believe, said they were going to have a man named soon in the White House, on the White House staff, who would advise other people in the White House about political angles during the campaign. Will that be Mr. Morton's duty, too?

MR. NESSEN: I don't know of any such person.

Q Will that be Mr. Morton's duty?

MR. NESSEN: It is not planned that that will be a duty of his.

Q Ron, what is the President's reaction to the vote in the UN Security Council on seating of the PLO?

MR. NESSEN: I think Ambassador Moynihan made pretty clear what the American position was.

Q The President has made no special comments on that?

MR. NESSEN: Pat is the President's representative at the UN and certainly spoke for the American position.

Q Ron, how does the hiring of or the addition of Mr. Morton fit in with the President's program of cutting down the White House staff?

MR. NESSEN: The President was notified the other day that the number of White House employees has now reached his goal of 485 and his reaction to that was, "Can we go any lower?"

Now Rog will be coming aboard and he will be bringing one assistant with him -- namely, Roy Hughes -- and I suppose a secretary or two.

Q Who is Roy Hughes?

MR. NESSEN: Roy Hughes was his legislative assistant when he was in Congress and then was Assistant Secretary of Interior for Program Planning and Budget. Now whether that raises it to 489, if you count two secretaries, or whether there will be four other people, four other positions reduced -- but the goal of the President is 485 or less. It is at 485 now.

Q What is that down from, Ron?

MR. NESSEN: I forget where we started. I believe 540 was the start.

Q When was it 540?

MR. NESSEN: The day we arrived, as far as I know.

Q Ron, when Morton comes --

MR. NESSEN: The day the President arrived. I didn't arrive at the same time.

Q -- will Morton be superseding some other domestic or economic advisers or taking their place?

MR. NESSEN: No. He will be a Counsellor to the President. As you know, the Counsellors to the President are Hartmann, Marsh and Buchen. They have specific areas of responsibility but the Counsellor title means that they advise the President on a range of issues, on the whole range of issues outside of their own specific area.

Q Where will his office be, Ron?

MR. NESSEN: His office will be in the Executive Office Building.

Q Do you know where Mr. Morton is now?

MR. NESSEN: He was in here this morning but I don't know if he still is.

Q Can you explain one thing, Ron? Let me see if I have this right. What you are saying is that -- you didn't say this but -- although it is true that other Presidential candidates do not have the advantage of having the Government pay for the salaries of people who serve only incidentally as political advisers to the President, what you are saying is there is really no way the White House could divide up the salary between the Ford Election Committee and the Federal payroll? You are saying it is a gray area; it would be too messy to divide up the hours spent on one duty and the hours spent politically and non-politically?

MR. NESSEN: I didn't say anything like that, John. Why don't you say it. (Laughter)

What I did say is in the real world it is difficult to separate out what activities of a President, or United States Senator, or a Member of Congress, or a Governor -- how many hours a day they spend being a public official and how many hours they spend in something that is strictly political, and where is the line between public service and strictly political, and what members of a United States Senator's staff do political functions for him, what members of a House Member's staff do political functions for him -- it is difficult to draw those lines.

Q Let me follow this up. Take Mr. Reagan. He has none of those. He is not a Congressman. Would you say it is a unique advantage that the President has and one which was forced upon him by being the incumbent?

MR. NESSEN: No. I think you better say that, John.

Q Don't you have a responsibility here? Granted, Buchen and Hartmann and those fellows have known the President for a considerable period of time, but here you are bringing on a political fixture, if you don't mind that expression too much.

MR. NESSEN: I do.

Q Right in the middle of the primary campaigns and right before you get into an election and you ask us how we would solve it, it is not our responsibility. Under these very special circumstances to bring in a guy like Rog Morton in in an election year, isn't it your responsibility to see that that line is not crossed?

MR. NESSEN: It has not been.

Q And will not be?

MR. NESSEN: And will not be.

Q Ron, I want to get back to something -- an answer you gave to Sarah -- and make sure I understand what you are saying. You are saying Rog Morton has been brought on as a domestic and economic adviser --

MR. NESSEN: As a Counsellor to the President.

Q -- with incidental duties as liaison --

MR. NESSEN: Right. In the same way, Ted, if I may interrupt at that point, in the same way Bob Hartmann was head of the President's speechwriting department, as one of his responsibilities as Counsellor to the President with a wider range of advisory duties and incidentally as the liaison with the RNC: as Dick Cheney is the coordinator for the White House, I suppose referred to as Chief of Staff and incidentally with duties as liaison with the PFC up until now.

Q Ron, you have not answered my question. The question is: Are you saying -- I believe your answer was that in advising the President on political matters, it is not planned that those will be his duties. Are you saying he will not be a political adviser to the President as well as an adviser on domestic and economic matters?

MR. NESSEN: Certainly not. I said that both Cheney and Hartmann, when asked, will give political advice. I suppose Rog will and I suppose anybody else in the building will.

Q So he will be adviser on domestic and economic and political matters?

MR. NESSEN: And incidentally he will have liaison duties with the PRC and RNC and, if asked, will certainly give the President political advice as anybody in the building does.

Q Ron, has the President ever deplored the fact that as competitors all these Senators, especially those running on the Democratic side, are using their Senatorial offices and facilities at the Capitol almost every day to put out their campaign statements? Does he complain about that?

MR. NESSEN: No.

Q Ron, can you explain to me why after 16 to 18 months the President now needs an expert adviser on economic and domestic policies that he did not need before?

MR. NESSEN: As I say, he is a Counsellor to the President, Fran, and in the organization here the three Counsellors, now four Counsellors to the President, advise the President on a broad range of subjects. Rog does have an expertise in this area and the President wanted his counsel.

Q Does he have a particular need for that now going into the campaign or does he feel a lack of advice in these areas?

MR. NESSEN: I don't know that I would say he has had a lack of advice in these areas. He feels that he wants to bring Rog's expertise into the White House.

Q Ron, will Morton sit on the council of the President Ford Committee as well as in the White House committees?

MR. NESSEN: What do you mean sit in the council?

Q Whatever they do. Do they have a back room committee that decides things?

MR. NESSEN: I don't know whether liaison -- I assume liaison means some face-to-face meetings as well as telephone calls and written memos and so forth.

Q Will he take part in the President Ford Committee planning for the campaign?

MR. NESSEN: I think you will have to ask him because I don't know precisely what the liaison portion of his duties will entail.

Q Ron, when you came out here to make this announcement, did you anticipate a certain measure of disbelief? (Laughter)

MR. NESSEN: No. I thought everybody would nod and go on to another subject, Peter. I didn't anticipate any of this.

Q Ron, I have a related subject. Yesterday you referred to the Common Cause code of campaigning --

MR. NESSEN: Have we finished with the disbelief?

Q I haven't finished my question.

MR. NESSEN: Has all the disbelief been expressed or is there more?

Q If Rogers Morton is in the building, why isn't he out here?

MR. NESSEN: He was earlier this morning. I don't know if he is still here.

Q Did he see the President?

MR. NESSEN: As far as I know he didn't see the President today.

Seriously, Rog has not come aboard here yet but I am sure after he does he will -- like the other Counsellors to the President -- certainly be available to the reporters.

Q Does that mean for a while, until Richardson can be confirmed, the post of Secretary of Commerce is vacant?

MR. NESSEN: There will be the Deputy or Under Secretary, whichever they have there will run the department during the -- I guess it might amount to two weeks or so before Elliot takes over there.

Let's get all the disbelief out of the way.

Q Will the office in the EOB be the one Mr. Nixon used to use over there?

MR. NESSEN: He is going to have an office in the EOB but I am not precisely sure where the office is going to be.

Q One more question on his duties. Will he be going out across the country making speeches advocating the President's nomination and election?

MR. NESSEN: I don't know, Ted, but if he does it will certainly be done under the rules and regulations and the spirit and the letter of the FEC.

Q Ron, you obviously have been familiarizing yourself with some of the laws involved in this case because you mentioned some of them. If you had come out and announced that he was simply going to be the political adviser to the President and liaison with the President's political committees, would there be a legal problem of some kind?

MR. NESSEN: No.

Q Who would have paid him under those circumstances? In other words, could he be a Counsellor to the President whose primary function would be to be a liaison with the PFC and the RNC and still draw a taxpayer's salary as opposed to a PFC salary?

MR. NESSEN: You know, that didn't happen, Walt.

Q We like these incidental, hypothetical questions, so would you tell us what --

MR. NESSEN: I think you all know there are people in the White House who are exempt from the Hatch Act, if that is what you are asking.

Q That is not what I was asking.

MR. NESSEN: The Hatch Act prohibits campaign activities by Federal officials, and there are a number of White House officials who are exempt from the Hatch Act.

Q It is a simple question. Who would have paid him?

MR. NESSEN: Look, Jim, it didn't happen. The guy is here as a Counsellor to the President. How can I say what if he had not done it this way?

Q Ron, as I recall, this is the fourth job that the President has named Morton to, is that right?

MR. NESSEN: I can think of only two.

Q He named him as Secretary of Interior. Then he named him to head the energy czar --

MR. NESSEN: Resources Council, yes.

Q Then Commerce and here.

MR. NESSEN: Right. The ERC was coincidental with his other post, yes.

Q What is the old history of their relationship in Congress? Did they serve on committees together? Were their offices side by side or what?

MR. NESSEN: I don't know, but I know the President and other people throughout the Government and out of the Government respect Rog's --

Q But there seems to be a close affection between those two. When they meet there always is.

MR. NESSEN: I wouldn't quarrel with that, Sarah.

Q Ron, can you check -- other members of your staff seem to know -- is Morton going to use the old Nixon office in the EOB? Can you check that for us?

MR. NESSEN: My understanding is that the office number is Room 175. Now, whether that is what you refer to as the old Nixon office, I don't know. I don't understand exactly what --

Q Why did you tell us you didn't know which office he was going to use?

MR. NESSEN: I said I didn't know whether that was the old Nixon office, and I still don't. It is Room 175.

Q Is it the one you go up the steps to, across the way?

MR. NESSEN: I don't know.

Q Will you ask one of your staff members?

MR. NESSEN: I don't know what difference it makes, but we certainly will.

Q I think the dictaphone there is very interesting. (Laughter)

Q Ron, does Morton's appointment mean that the President felt that Cheney and Hartmann had too much to do, or he was dissatisfied with the quality of the political advice he was getting?

MR. NESSEN: No, I don't think he was dissatisfied with the quality of the political advice he was getting. I think Bo has expressed his feeling that he would like one person to go to, both to ask questions and get decisions and to get information back.

He, in fact, recommended Bo for the job, and that is what he is going to do. It is a centralizing process more than any dissatisfaction with who is doing it now.

Q Doesn't this mean, then, Morton is going to run the campaign?

MR. NESSEN: Absolutely not. You know, I don't know how many times the President has to repeat it. You know I respond to questions about it. The President appointed Bo to run the campaign. Bo is running it and will continue to run it with the President's support and confidence.

The President thinks Bo is doing a good job. The results will show that. At the urging of Bo, Rog will have duties as liaison between the campaign run by Bo and the White House, and he is not going to run the campaign.

Q Ron, if I understand, Bo Callaway --

MR. NESSEN: The big news of the day, Fran. Room 175 is the former President Nixon office.

Q Ron, if I understand what Bo Callaway said last week, his objection was it was not that there were several people involved but that the attention to the campaign was incidental.--

MR. NESSEN: I don't know what you mean by --

Q -- that there wasn't enough attention being paid for a sufficiently long duration of any given day to the campaign to enable him to run it with White House liaison.

MR. NESSEN: I don't know what the question is.

Q How does this resolve his problem?

MR. NESSEN: He has a guy who is going to be his one point of contact to get answers to the questions he asks.

Just to clear up an earlier question of what was the previous size of the White House payroll before it shrank to 485, as of September 30, 1974 -- which was, I guess, roughly a month and a half after President Ford took over -- it was 547, and I think that was probably the peak.

Q What was it when he took over, Ron?

MR. NESSEN: Roughly the same. This was the first accurate count made after --

Q Wasn't there a duplication of staff people at that time for the first month or two when Ford people came in and Nixon people were still on the payroll? So, 547 is really an artificial figure. I would like to know what it was on or about August 9 or August 1.

MR. NESSEN: Some of that duplication, Bill tells me, was taken care of by not transferring people from the Vice President's payroll to the White House payroll. For instance, Bill Roberts himself at that time was on the Vice President's payroll, and was for several weeks. So, this is really the most accurate figure we can obtain for the size at that time.

Q Whether or not it is the most accurate, I would like to know what your records show as the level of White House staff employment at the time that President Ford took office?

MR. NESSEN: I think this is going to be the most accurate figure we can get, Ted, but we will check into it.

Q How do you differentiate between the people on the White House staff when it is clear there are many hundreds more than this who work in the Executive Office Building?

MR. NESSEN: I don't know that there are clearly hundreds that work in the Executive Office Building that are not counted in this 547. I think we went through this one time with some charts Jim Connors prepared. The NSC is set up statutorily by Congress, the Council of Economic Advisers is, a couple of other groups. I mean obviously the size of those payrolls is available.

Q The Domestic Council is statutorial, isn't it?

MR. NESSEN: Yes, they are.

Q It is not included in this number.

MR. NESSEN: But those figures are all available. I can get those Jim Connors' charts updated for you, if you would like.

Q Ron, yesterday you were going to check into that thing in the Star about that unnamed official.

MR. NESSEN: Yes.

Q Did you find out who that is?

MR. NESSEN: I think the Star has named who they believe -- they didn't? I think we know who they are referring to.

Q Who?

MR. NESSEN: Sarah, I don't mean to give you a civics lecture, but let me say this: The White House is aware of a Justice Department investigation, and if the Justice Department finds any reason to recommend a personnel action involving anybody working at the White House, they will notify the President.

As I think you detected yesterday, the President strongly believes in the principle that a man is innocent unless he has been proven guilty of something. The fact of the matter is that this investigation is in the investigation stage at a lower level of the Justice Department, and has not even reached the Deputy Attorney General or the Attorney General.

The White House has taken the position on this, and all other investigations by the Justice Department, that we do not ask about the progress of investigations. The White House is not interfering in any way in the investigations and is, in fact, not being kept advised.

I mean, we have come through a period, it seems to me -- just to offer a little side personal comment -- where there was a good deal of criticism of alleged interference from the White House in investigations by the Justice Department, and this particular President has taken this position, that he doesn't want to get involved or know about or interfere with or ask about investigations.

That is the status of this one.

Q It seems to me this gets into the public domain very much if the taxpayers are going to have to pay for the fee for Edward Bennett Williams to defend a United States Ambassador in a misdemeanor case, or if there is going to be another co-defendant in there and if the White House people are going to have to be defending this man, it seems to me the public has a right to know.

We didn't say he was guilty or innocent. We just have a right to know who is involved.

MR. NESSEN: Sarah, I will tell you, the President feels strongly about this, and I do, and I expect that you do. A man is innocent unless he has been proven guilty. Nobody has been charged with anything. No grand jury has been even convened. I just think it is improper -- and the President does, too -- to drag people's names around unless and until they are charged with something.

Q But you are confirming for us today that some member of the White House staff is under investigation?

MR. NESSEN: I certainly am not.

Q You just got through saying the White House is aware of a Justice Department investigation.

MR. NESSEN: Correct.

Q Now, all he is asking you is for you to confirm there is a Justice Department investigation. What is the difference?

MR. NESSEN: I am confirming that there is a Justice Department investigation of this matter of a break-in at a photo store in Fairfax County.

Q Does the President know who it is? When we asked you if you knew who the official was, you said, "I think we know." You first thought it was in the Washington Star and then said, "I think we know."

MR. NESSEN: I just don't think I can go on into any more depth on this, Bob, and still have the rights of innocent people not violated.

MORE

Q How is the White House aware? Through the newspapers? You just said there has been no contact, no questions from the White House to the Justice Department.

MR. NESSEN: The White House has been told by the Justice Department. In fact, I think the Justice Department testified on the Hill, or notified the Hill there was an investigation of this particular incident.

Q So the White House is interested in whether any of its own people are involved?

MR. NESSEN: I say the White House knows there is an investigation.

Q Without identifying anyone, is the White House aware someone working in the White House is under investigation?

MR. NESSEN: Jim, I am not going to answer that.

Q Ron, yesterday you referred to --

MR. NESSEN: Is that all of the questions on this area?

Q Ron, look, I have been asking all morning.

Q I have a question. You will recall President Nixon accepted the resignations of Haldeman, Mr. Ehrlichman and Mr. Dean at a time when they had not been indicted by anybody for anything but they nevertheless resigned. Has there been any discussion with this employee about his resignation? Has he, himself, the employee, with his immediate superior, raised the possibility or question of whether he should resign or has anyone raised it with him?

MR. NESSEN: I am not going to confirm that there is a White House employee involved in the investigation.

Q Is Rog Morton taking on his duties? (Laughter)

Q You have confirmed this, Ron.

MR. NESSEN: I have not, Helen. I want to make that clear. I have not confirmed, and won't, who is involved in this investigation and neither has the Justice Department, and won't.

Q Ron, Number 7 in the Common Cause campaign code --

MR. NESSEN: Wait. I think Fran has a question.

Q Ron, I have been asking 10 times now. I really would appreciate your courtesy. You referred to the Common Cause campaign code and said you would have to check into it. Here is a copy of it. It says "...engages in unrehearsed communication with voters, including participation in open hearings and forums with other candidates on the same platform."

When will the President appear on the same platform as Governor Reagan or was Common Cause wrong in announcing that the President agreed with its campaign standards?

MR. NESSEN: None of the above. (Laughter)

Q That is amusing. I do appreciate your humor, Ron. (Laughter)

MR. NESSEN: Nobody else does.

Q Can we get to it? There seems to be a contradiction. You referred, or certainly said that the President agrees to these standards and yet every time I mention the idea of the President appearing on the same platform with Reagan you treat it like smallpox. There seems to be a contradiction here. Am I wrong? Is there a contradiction? Is he going to subscribe to this, Ron, if invited?

MR. NESSEN: I said yesterday that I don't have any plans to announce for such appearances today.

Q Let me rephrase it. Will he, if invited, automatically not appear with Reagan? What is the story? Is he going to subscribe to this or is he not, Ron, if invited?

MR. NESSEN: I am told the President has subscribed to it. I will have to check that.

Q To appear with other candidates? When?

MR. NESSEN: To the Common Cause standards, Les.

Q I know, but one of the standards is appearing with other candidates. Has he agreed to appear with any other candidates or not?

MR. NESSEN: The only campaign appearance by the President that has been decided upon so far is the one trip to New Hampshire on the 7th and 8th of February.

Q With no other candidate?

Q And the Republican National Convention.
(Laughter)

Q What does the President think of Reagan saying the \$90 billion was a mistake?

MR. NESSEN: I am not going to comment every day -- pardon?

Q Is there a Press Association reporter in the room capable of ending this affair? (Laughter)

Q Ron, there are other reporters in the room who still have questions.

Q Do you have any other announcements, Ron?

MR. NESSEN: No, I don't.

Let me answer Helen's question. I am not and the President has indicated he won't be day-in and day-out responding to each and every little comment here and there in the campaign.

Q Ron, do you have further announcements?

MR. NESSEN: No, let me just catch Sarah.

Q Going back to Angola, when we appropriated that money they announced spending on a limited basis, it wasn't appropriated specifically for Angola. It may have been appropriated specifically for the State Department. But in view of Congress' actions and vote on Angola, and the President who is sworn to uphold the law, isn't he going against the law by allowing any of that money to be used for Angola operations?

MR. NESSEN: I am not confirming any of that money is being used for Angola operations, but I am saying that the President has not violated the law.

Q Ron, was Morton given the additional assignments of domestic and economic responsibilities so that he could be paid for out of the White House budget as opposed to a political budget?

MR. NESSEN: No.

THE PRESS: Thank you.

END (AT 12:15 P.M. EST)

#414