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[Apr. 1975?]

THE WHITE HOUSE
WASHINGTON

From Jon Hoornstra

FYI

'Pensions' case on fairness takes new twist

Attorneys differ on significance of turnaround in appellate orders

The NBC *Pensions* case, which has produced more than one surprise while shuttling between the FCC and the courts over the last three years, last week produced another. There is confusion about the precise meaning of this one.

The U.S. Court of Appeals, with eight judges participating, vacated its own order granting rehearing and returned the case to the three-judge panel that had originally considered it. The panel was told to determine whether the issue had become moot.

The order, issued two weeks before the full bench was to have heard arguments in the case, on April 2, also reinstated the decision of the panel, which in September had overruled the commission to hold that NBC had not violated the fairness doctrine in connection with the documentary, *Pensions: The Broken Promise*.

NBC reacted with a statement expressing gratification that the court had reinstated the earlier opinion. The action of the full bench, an NBC spokesman said, reaffirms the panel's recognition "of the broadcast journalist's particular ability to increase public awareness on matters of public concern" and "further strengthens the public's right to know."

But at the FCC, which had filed the suggestion of mootness on which the court acted, the court's order was not read as a clear-cut victory for any side.

Attorneys said that if the panel determines the case is moot, it would, in effect become a noncase—the panel's opinion as well as the commission's would be wiped out, and everyone would be back at square one. But if the panel decides the case is not moot—and it reached that conclusion in the original opinion—the full court could either reissue its order for rehearing or it could change its mind and deny the request for rehearing, in which event the case could be appealed to the Supreme Court.

However, the attorneys made it clear the order had them puzzled. "We'll have to wait and see what the panel does," said FCC General Counsel Ashton Hardy.

The case had originated in a complaint by Accuracy in Media, a conservatively oriented media watchdog, which held that the *Pensions* program had expressed a negative point of view regarding private pensions plans and had argued in favor of legislation providing for their control.

The complaint was upheld by the FCC, despite NBC's argument that the program dealt with some problems in some pension plans and did not raise a fairness issue. The appeals court, in a 2-to-1 decision, held that the commission erred

in substituting its judgment for NBC's as to the main thrust of the program rather than applying the test of reasonableness.

The commission, which did not feel that the opinion weakened the fairness doctrine, did not seek review by the full court. But AIM did—and to the surprise of the commission and most observers, its petition for rehearing was granted.

The commission filed a brief with the full court urging suggestion of it to overturn the panel's decision. But later it filed its mootness, contending that since pensions legislation had been enacted in September, the issues raised by AIM were no longer controversial.

Participating in the order reinstating the panel's opinion and remanding the question of mootness were seven members of the nine-member bench plus senior Judge William Fahy, who was a member of the original panel. Judge Harold Leventhal, who had written the opinion in the case, and Chief Judge David Bazelon were absent.

Predecessors haunt Nessen after six months

Ex-NBC newsmen and press secretary to Ford fights credibility war, outlines the battle at SDX talk; reporters criticize his abilities

After six months as President Ford's press secretary, ex-NBC correspondent Ronald Nessen often finds himself the subject of news stories dealing with reporters' complaints about his White House news operation—its lack of competence and even credibility, and his bursts of temper. Indeed, his six-month anniversary was greeted last Wednesday by the CBS-TV and ABC-TV morning news shows with critical but generally balanced pieces on his performance.

But on the night before, Mr. Nessen had gone public with his own defense, in a low-key appearance before the Washington chapter of the Society of Professional Journalists, Sigma Delta Chi. For the most part, the speech contained a catalogue of procedural changes in the White House news operation that are designed to open the tap on news.

But he also argued that the "biggest problem" he has had to overcome is "the atmosphere of suspicion and hostility" affecting relations between the White House and the news media "that was built up over the years of Watergate and Vietnam."

White House reporters generally agree that this is a problem; they also agree with Mr. Nessen's assessment that not only reporters, but also their news audiences "don't believe what the White House says."

To restore "believability in the White House," Mr. Nessen has, he said, kept the promise he made on taking the news secretary's job—"never to lie or mislead."

But his concern has also been not only

with the quality but the quantity of news flowing from the White House.

"Under President Ford," he said, "the policy is to make as much information available as possible, not as little as we get away with." In support of that assertion, Mr. Nessen made these points: President Ford has held 11 news conferences in the last six months and given exclusive interviews to NBC and ABC, the wire services, several newspapers and news magazines; follow-up questions are now permitted at presidential news conferences ("a historic improvement in the institution of presidential news conferences"); reporters are free to go directly to White House officials without checking with the press office ("I don't want to be a booking agent or censor"); the President invites a half-dozen White House reporters to White House social functions as his personal guests ("reporters used to be regarded as unwelcome or as 'enemies'; that's not true any more"); the size of the press pool flying with the President has been increased and a network television film crew is now a permanent part of the pool; and Mr. Nessen attends private presidential meetings with cabinet officers and others in the guise of "a press pool of one" and reports the substance of the conversation, complete with quotes, to the White House press corps.

The question of competence that has been raised in connection with Mr. Nessen deals not only with the mechanics of his job but with how accurately he re-

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fects the President's views. Here, too, he sought to give assurances. "I spend enough time with the President, know him well enough and have enough sensitivity to report him accurately."

The goal Mr. Nessen has set for himself in his job is to revive the kind of informal, friendly atmosphere in the White House press office that he recalls from 1963 and 1964, when he covered the White House for NBC and dealt with Pierre Salinger and Bill Moyers. That day is still some time off, he conceded, although progress toward it is being made.

But, he said, "the best remedy for the hangover of suspicion is honesty. If you and I do our jobs," he told the SDX members, "we'll change the mood, and the beneficiaries will be the people."

The kind of criticism reporters have been expressing about Mr. Nessen's performance was aired in the two network pieces on Mr. Nessen. Tom DeFrank of *Newsweek*, in the ABC segment done by Steve Bell, said, "Ron's personality reminds you of the other Ron," meaning former Nixon press secretary Ron Ziegler. In the same segment, Jim Deakin, of the *St. Louis Post-Dispatch*, complained about the "constant repetition of the administration line." And in Robert Pierpoint's piece for CBS, Sarah McLendon, who represents a number of radio and television stations and newspapers in the Southwest, and whose tough questioning has enlivened many presidential news conferences, said of Mr. Nessen's performance: "Rotten. Absolutely stinks."

But it was generally agreed Mr. Nessen has the confidence of the President and access to him—observations ABC underlined with film of Mr. Nessen conferring with the President. And even Mr. Deakin gave him "high marks" as an "innovator" in operating White House press office.

For his part, Mr. Pierpoint suggested that the "hangover" from Watergate and Vietnam may not be Mr. Nessen's only problem. President Ford's sunny and congenial nature—which makes it easy for Mr. Nessen to deal with the President—may be another. "Most reporters," Mr. Pierpoint said, "find it much easier to criticize Ron Nessen than Gerald Ford."

Postlude to search of KPFK

KPFK(FM) Los Angeles radio station and three news organizations have filed a challenge in the California Superior Court to a police search of the FM station last October. Police, armed with a warrant, had searched the station seeking the original of a statement from a terrorist group that took responsibility for a hotel bombing. Will Lewis, KPFK manager, had refused to hand over the material although he provided police and media with typed copies of the communicate. Joining the station and its parent, Pacifica Foundation Inc., in the suit, which seeks a ruling that the search for notes and tapes involving confidential news sources was unconstitutional as well as return of material taken by police, are Reporters Committee for Freedom of the Press, Washington; Los Angeles chapter of the Society for Professional Journalist—Sig-

ma Delta Chi and the Santa Barbara News Press Editorial Employees Association. The suit is directed at Los Angeles Police Chief Edward M. Davis, District Attorney Joseph P. Busch and Deputy District Attorney Stephen S. Trott.

Proxmire punches again on fairness

Using the Supreme Court's decision earlier this month in the WSB-TV Atlanta case as his inspiration and the *Congressional Record* as his platform, Senator William Proxmire (D-Wis.) last Tuesday made another pitch for abolishing the fairness doctrine.

In the WSB-TV case (BROADCASTING, March 10) the high court ruled that state may not impose sanctions on the accurate reporting of the name of a rape victim obtained from judicial records maintained in connection with a judicial prosecution and open to public inspection. At question had been a news report by Cox Broadcasting Corp.'s WSB-TV which, against a Georgia law, disclosed a rape victim's name.

Senator Proxmire said in his statement last Tuesday that although he understood the court's decision to deal primarily with the interrelationship between privacy, press freedom and state law, the opinion in this case "raises the hopes of those of us who want to see federal law changed to make clear that the First Amendment of the Constitution applies equally to print and broadcast journalism." Mr. Proxmire inserted BROADCASTING's news account of the decision and an accompanying editorial in the *Record* as part of his remarks.

He said that the court throughout its majority opinion speaks of "media," "print," "publication" and "broadcast" without making clear distinctions between these terms. "The court does equate broadcast and print journalism," the senator said, "but it does not do so explicitly."

Senator Proxmire wondered if the Supreme Court would in the near future have the opportunity to review and overturn its decision in the landmark Red Lion case, in which it upheld the constitutionality of the FCC's fairness doctrine. But given the court's traditional reluctance to tackle issues of constitutionality except where absolutely necessary, Mr. Proxmire concluded, "we should not count on that happening."

Instead he urged that Congress take action on his bill, S. 2, to eliminate the fairness doctrine and Section 315, the equal time provision of the Communications Act.

"It is time to do away with the fairness doctrine and other governmental controls on broadcasting; not because it will help broadcasters, but because it will create the climate for full and open coverage and discussion of controversial public issues for the benefit of the people of this country."

There is a duplicate of Senator Proxmire's bill in the House, introduced by Representative Robert Drinan (D-Mass.)

(H.R. 2189), and although it has no co-sponsors to date, one member of the House, Representative M. Caldwell Butler (R-Va.), last week said he would support it. Mr. Butler, a member of the House Judiciary Committee, said in a speech at the commemoration of the 10th anniversary of WANV(AM) Waynesboro, Va., that the fairness doctrine and equal time provision of the Communications Act "have in the long run had the effect of discouraging rather than encouraging a free exchange of ideas throughout the broadcast media in some cases." "Broadcasters," he said, "are entitled to full freedom of the press."

Picked for Peabodys

University of Georgia-administered awards go to 22; among them are Goodman, Graham, Stern and Baker, who receive special honors

Twenty-two winners of George Foster Peabody awards for "distinguished and meritorious public service" in broadcasting have been announced by Dean Warren K. Agee of the University of Georgia's School of Journalism, which administers the awards.

The honors include special awards to Julian Goodman, chairman of the board, NBC, for "his outstanding work in the area of First Amendment rights and privileges for broadcasters"; Carl Stern, NBC correspondent and lawyer, for "his exceptional journalistic enterprise" during the Watergate affair; Fred Graham, CBS legal reporter and attorney, for "his thoroughly professional and consistently penetrating reporting" during Watergate, and Marilyn Baker, now of KPIX(TV) San Francisco, for her investigative reporting of the Patty Hearst disappearance while Mrs. Baker was on the staff of non-commercial KOED(TV) San Francisco.

Radio Peabody winners are:

KTW(AM) Seattle, *The Hit and Run Players*; CBS Radio, *The CBS Radio Mystery Theater*; NBC Radio, *Second Sunday*; KFAC(AM) Los Angeles, *Through The Looking Glass*; WMAL(AM) Washington, *Battles Just Begun*; WNBC(AM) New York, *Pledge a Job*; WSB(AM) Atlanta, for "exceptional use of radio in approaching community problems," and the Johnson Foundation of Racine, Wis., for its *Conversations for Wingspread*.

Television Peabody winners are:

WCKT Miami for a series of investigative reports; NBC-TV for *The Execution of Private Slovik, The Law, IBM Presents Clarence Darrow, Go! and Tornado! 4:40 p.m., Xenia, Ohio*; CBS-TV, specials on the life of Benjamin Franklin; ABC-TV, *Free to Be . . . You and Me* and *Sadat: Action Biography*; Public Broadcasting Service, *Theater in America*; National Public Affairs Center for Television for "its outstanding over-all effort to bring meaningful public affairs to the nation"; noncommercial WGBH-TV Boston, *Nova*; KING-TV Seattle, *How Come?*; WCCO-TV Minneapolis-St. Paul, *From Belfast With Love*, and KPRC-TV Houston, *The Right Man*.

Formal presentation of the 35th an-

Backstairs at The White House

Two 'Rons' Don't Make A Right

By HELEN THOMAS

WASHINGTON (UPI) — When Press Secretary Ron Nessen opened up the other day at a news briefing and said, "I will tell you the truth," there was a loud guffaw. He laughed too.

But Nessen would probably admit himself that there has been some slippage in his credibility, a commodity that is hard to retrieve at the White House once it is gone.

When Nessen took over he said "I'm a Ron, not a Ziegler," but now the quip around the White House press room is that "Two Rons don't make a right."

SECRETARY OF STATE Henry A. Kissinger is having trouble finding a press officer. Kissinger, like the late President Lyndon Johnson, can hardly tolerate anyone speaking for him. The entire side of the State Department's press operation has been shaken in recent months, under Kissinger's wrath.

His own relationship with reporters has had its ups and downs, but overall he is still a magnet for the press on the Washington scene.

Kissinger seems to be slipping somewhat in his rating at the White House, too. President Ford gave a flat "no" when asked whether Kissinger had a hand in his "reconciliation" foreign policy address at Tulane University in New Orleans.

In fact, the White House went out of its way to stress the speech was written in a day or so and by the President's own men — not the National Security Council or State Department.

Ford has been looking at the public opinion barometer and it's quite clear that he has found that attacking Congress for the loss of Vietnam has boomeranged. Congress, it seems, is in tune with the people, if the polls are any reflection, on the question of how much should be done in beleaguered Vietnam.

The president got a lot of applause when he changed

tack and vowed no recriminations. Considering the reaction to the positive approach, he may stick with it.

Latin American diplomats are just about convinced that Kissinger will not be traveling south of the border. Five times he has had to postpone planned journeys to Latin America, the latest time just a few days ago. Reporters already had their passports ready and seats on his plane assigned by the President wanted Kissinger around for policy planning as the end came for United States involvement in Vietnam.

U.N. AMBASSADOR John Scali hit the ceiling when he read in the newspapers that he was being replaced as American representative to the world organization by Daniel P. Moynihan, former Nixon aide and ex-ambassador to India. Reading the news in the Sunday papers, Scali immediately telephoned Nessen and complained.

Scali had known that he was being replaced, but did not expect that it would leak before a formal announcement. According to friends, he feels that it gave the impression that he was fired.

Nessen insists the President has another job for Scali, but he refuses to say what that job will be.

White house aides are blaming the "Bureaucracy" for the snafu.

THERE APPEARS to be growing consternation inside the White House over so-called information "leaks." The atmosphere is growing reminiscent of the byzantine Nixon era and the times of LBJ, who felt there was no news until he announced it.

JULIE NIXON Eisenhower is telling friends that the fall of Vietnam shows her father was more adept at foreign policy than other presidents. According to friends, she also believes that if President Nixon had remained in the White House there would not have been a Vietnam debacle.

Julie and her husband, David Eisenhower, have just about decided to continue to make their home in Washington after he finishes up at George Washington University Law School here in September.



Ron Nessen

Boston Sun. Herald
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THE WHITE HOUSE
WASHINGTON

Ron --

This is a piece Al Sullivan did about the briefings.

The editors cut out a paragraph on Jerry's operation, and also the fact that Carlson, DeCair work here, and the secretarial staff have great patience with reporters.....





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THE DAILY BRIEFING -- GETTING THE WORD FROM THE WHITE HOUSE

By Alexander M. Sullivan
IPS White House Correspondent

SUMMARY: This article describes the role of the White House Press Secretary and the daily forum he conducts for newsmen, foreign and domestic. "No President wants publicity on every aspect of his deliberations or every element of the advice he receives on domestic and international matters. At the same time, it is the responsibility of the press in a free society to publish everything it can glean about the workings of government."

LENGTH: 1,700 words

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THE DAILY BRIEFING -- GETTING THE WORD FROM THE WHITE HOUSE

By Alexander M. Sullivan
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Picture a prize fighter, training for weeks to box for an hour, more or less; he may fight four or five times a year.

Picture a White House press secretary. He crams for hours, every day. Five times a week, or more, he enters the arena for an hour, more or less, of questioning by the press.

At the end of the bout, the prize fighter knows if he has won or lost.

At the end of a news briefing, a press secretary knows only that he has survived, to spar with reporters another day.

Almost by definition, the task of a White House press secretary is impossible.

His job is to act as chief spokesman for the President, but he must also serve as surrogate for newsmen in their dealings with the office of the President.

No President wants publicity on every aspect of his deliberations or every element of the advice he receives on domestic and international matters. At the same time, it is the responsibility of the press in a free society to publish everything it can glean about the workings of government.

The uneasy balance in this conflict is struck every day about noon in the White House news briefing. The briefing room is long and rectangular, with sofas, tables, and upholstered and wood chairs. Every flat surface, including the carpet and window niches, becomes a perch for newsmen each day at briefing time. The less lucky stand or lean against walls and doorways.

From its podium, White House Press Secretary Ronald Nessen announces those things the President wants known that day.

From various points of the room, newsmen pepper Mr. Nessen, a former wire service and television newsman himself, with questions designed to pull out more information than the President wants him to give.

On a "normal" day that means questions from any of the 30 or so "regulars," plus about as many more who make a practice of coming to White House briefings two or three times a week. When a specific news development is anticipated, or when a foreign visitor is in the White House, that number may grow to 120 or 180.

Even that represents only a small percentage of those assigned to get the news from the White House. Some 1,500 media personnel hold White House credentials -- including 185 from 30 foreign countries. They are reporters and photographers from the major American and foreign news wire services, newspaper and magazine journalists, radio and television newsmen, still and motion picture cameramen, and broadcast technicians.

The newsmen's questions at the briefings range from individual events to the grand designs of foreign policy to the philosophy behind the President's economic thinking, and on occasion can even focus on the troubles of a single federal employee.

Questions sometimes are clearly directed at presidential or White House activities; often they go to the responsibilities of government departments and agencies.

Mr. Nessen prepares to meet this verbal onslaught through careful reading of newspapers and wire service reports, to gauge which stories are likely to produce questions. He confers with the President, and top level presidential counselors to learn what he may say and -- sometimes more importantly -- what he must not talk about.

He will see the President several times during an "average" day; he may be getting general guidance from the President on a broad subject area, or chatting about the best response to an anticipated question.

Mr. Ford encourages his press secretary to sit in on his meetings with his cabinet and with his economic advisers so that Mr. Nessen can provide newsmen an accurate capsule of what was discussed.

While Mr. Nessen is making his preparations, the "regulars" who spend most of their working day at the White House begin arriving at the press room. Each writer has a small cubicle large enough to hold a typewriter, some files and a telephone. Broadcasters have soundproof booths to work from.

In a small room off their work area, teletype machines of the Associated Press, United Press International and Reuter tap out the breaking news stories of the day, furnishing grist for the question mill.

Even as Mr. Nessen is scanning these tapes, newsmen pore over them, and over the morning newspapers, especially such major papers as The Washington Post, The New York Times, The Christian Science Monitor, The Wall Street Journal and The Baltimore Sun. The news stories, the editorials and the opinion columns there may also be launching points for questions.

There are television sets scattered about the press room; they are frequently tuned to public hearings held by committees of the Senate or House of Representatives.

Newsmen by nature are a gregarious lot. Part of their preparation for the briefing is talking over ideas with other reporters, firming up impressions, exploring the implications of some presidential action, assessing the impact of some development, domestic or foreign. During the morning hours, the reporters also confer via telephone with news sources inside and outside the White House.

The briefing begins about midday. Mr. Nessen attempts to get his own announcements out of the way first, rattling off the list of items for which his

office has prepared and distributed news releases. These run from nominations of ambassadors, through proclamation of such things as United Nations Week, to presidential messages on the Chinese New Year or St. Patrick's Day.

He will be interrupted frequently with questions, even in this portion of the briefing, especially if he is announcing presidential travel plans; queries fly thick and fast as reporters plan what time they will have to be where to accompany Mr. Ford.

Sometimes the White House will be dealing with events of a technical nature, and Mr. Nessen will bring in experts from the cabinet or lower echelons of the executive branch of government to explain the intricacies of a new program or the impact of a presidential action.

When members of Congress confer with Mr. Ford, their leaders will often appear in the briefing room to summarize the session and to answer questions.

On a day-by-day basis, however, the news from the White House comes from the press secretary, and it is when Mr. Nessen turns the daily briefing over to reporters' questions that the battle begins in earnest.

The question-and-answer session may be short and to the point, or it may be long, involved and unenlightening. The atmosphere may be courteous, even light-hearted, or it may turn acrimonious. It may circle around one issue for a full hour, or it may touch on, and produce news on, a whole range of questions. It may produce major news or no news at all. (And even no news can be news. For example, the not uncommon story that begins, "The White House refused today to comment on the controversial issue of...")

But whatever the results, the questions and answers have elicited what the President and his advisers are thinking -- or what they are willing to talk about -- that day. And for the newsman that is vital.

Important as it is, the White House press secretary also has other responsibilities beyond the briefing. In fact, he now has a staff of about 50 to handle the growing workload.

Not all newsworthy events and issues are dealt with in the daily briefing. Most queries answered by the press office are not posed in the briefing room, or even to Mr. Nessen directly. The Press Office provides releases, announcements, and written answers to questions throughout the day.

A routine day in the press office will bring a dozen or more written questions and an endless succession of telephoned queries.

Deputy Press Secretary John Hushen, also a former newspaperman, frequently meets informally with groups of reporters to provide an account of a presidential meeting, or to explain a point needing clarification.

Edward Savage, a career foreign service officer of the U.S. Information Agency, is detailed to the press office to work with foreign journalists, and to help answer queries on foreign policy questions from both American and foreign newsmen.

Assistant press secretaries William Roberts and Larry Speakes help newsmen with logistics and other problems, as well as finding answers for questions posed outside the regular briefings.

And the briefing is not by any means the final day's work of the White House newsmen, either. While they must build their day around the schedule of public briefings, most newsmen seek a set of personal relationships with White House officials who may quietly furnish information for stories. Often, these officials are able to point newsmen to the right source of information, if they lack it themselves.

Such contacts are most useful for newsmen seeking to ascertain the reasoning behind presidential decisions, or presidential attitudes toward suggested courses of action, and most newsmen would describe development of news sources as the major part of their assignment.

But the starting point and the central event of any day's routine for the White House reporter remains the daily briefing, where he gets the official word from one of the most important political spots in the world.

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RON NESSEN'S BRIEFINGS

the missing
questions
(and answers)

Writing about women

Jack Anderson
vs. his critics

Lawyers as
news censors

George Reedy
on William Safire



Nessen's briefings: missing

Ron Nessen is ready to answer more questions — but does he really have more answers?

by LOU CANNON

On January 28, United Press International sent its clients a story relating the exploits of one Glendon Bozman, a Secret Service agent who had the day before loaded "several cases" of beer aboard a government plane that was transporting Secretary of State Henry Kissinger's limousine from Palm Springs, California, to Andrews Air Force Base.

The wire story, which had originated in the *Riverside Press-Enterprise*, appeared on the front page of the *Washington Star-News* that afternoon and, on the following morning, on an inside page of *The Washington Post*. When White House Press Secretary Ron Nessen read it, he began to prepare for follow-up questions at the daily White House briefing. Nessen asked a staff member to obtain a response; he received a memorandum confirming the accuracy of the story, and more. The memorandum, sent by Maj. Gen. Richard L. Lawson, the military assistant to the president, to Secret Service Director H. Stuart Knight, also referred to "our recent trip to Japan when additional cargo was placed on aircraft at the request of Secret Service agents." In his memo, Lawson announced a step he had taken to prevent future such actions.

"I have issued instructions to the Department of Defense that only personal baggage can be placed aboard any aircraft without the specific approval of my office," Lawson wrote. "Personal bag-

gage will not include boxes, packages, or crates of any type."

Nessen did not release this information during his briefing. The subject never came up and Nessen, who believes that briefings should "basically reflect a question-and-answer format," did not volunteer the information. The copy of the memorandum remained in Nessen's voluminous briefing book until it was discarded in a cleanup some weeks later.

This incident, hardly world-shaking in its consequences, illustrates a complaint that Ron Nessen has made repeatedly since becoming press secretary. In interviews, background briefings, and private sessions with publishers and editors, Nessen has sug-

gested that reporters aren't asking enough detailed questions at the White House briefings.

□ Last October, Nessen says, he carried with him for several days a copy of a "presidential determination" that allowed U.S. military aid to Turkey to continue during the fighting on Cyprus. Reporters had expected this presidential action, and had previously questioned Nessen about it from time to time at White House briefings. But, to Nessen's surprise, by the time the action was taken, no one seemed interested in it anymore, and he says he was asked no questions about it.

□ On March 18, Nessen came to a briefing prepared to say that it was "highly probable" that the United

questions (and answers)

States would participate in a summit meeting on a prospective European security treaty. No one asked him, although the treaty had been in the news. The subject did not come up until two days later.

□ On March 19, the White House press secretary came to his briefing prepared to knock down a *Washington Post* story of that day, quoting a spokesman for the Watergate special prosecutor who said that Nixon tapes were being made available to the prosecutor under a "voluntary arrangement." Nessen would have said that only subpoenaed tapes were available to the special prosecutor. The subject was never raised, and Nessen kept his comment to himself.

Nessen believes that reporters should

do as he does: prepare each day by reading the newspapers and considering questions that logically might be expected to produce a White House response. "I take five-and-one-half hours every day trying to get answers to questions," he says. "I wonder how much the reporters prepare."

Nessen's own preparation is demonstrated by his briefing book, which runs to 200 pages and contains everything from the number of days off the Senate will take this year (eighty-seven) to the president's position on such rarely raised issues as the death penalty. (This position, in case anyone ever asks, is that "the president supports the death penalty in certain limited circumstances. He believes that capital punishment can be a deterrent to certain crimes.") Beyond such position papers, the briefing book contains a long list of prepared answers to anticipated questions partially derived from a daily "rehearsal" of the briefing in which members of Nessen's staff play the role of reporters. On any given day, a substantial number of questions to which answers are prepared do not come up at the briefings. This is particularly true for foreign-policy issues, partly because Nessen prepares for a great many foreign-policy questions and partly because many of these questions are raised each day by the specialists who cover the State Department or the Pentagon briefings. But it is worth examining Nessen's contention that these questions also should be asked at the White House.

On February 7, a day chosen at random, Nessen appeared at his daily briefing with one foreign-policy announcement — the joint statement issued by President Ford and Pakistan's Prime Minister Bhutto at the conclusion of their talks in Washington — and comments on seven other issues. He was questioned on two of these issues, both relating to criticism of Secretary Kissinger. The five that were not raised, but which Nessen was prepared to discuss, were:

□ A report in *The New York Times* that the president's request for Cambodian aid exceeded the actual needs of the

Cambodian government.

□ A UPI report that U.S. military teams were being shuttled in and out of Saigon in possible violation of the Vietnam peace accords.

□ A question about the allocations of foodstuffs to various countries under Public Law 480.

□ A suggestion by Israel's Prime Minister Rabin on ABC's *A.M. America* that his country would be willing to return strategic bases and oil fields to Egypt in return for an unconditional guarantee of nonbelligerency.

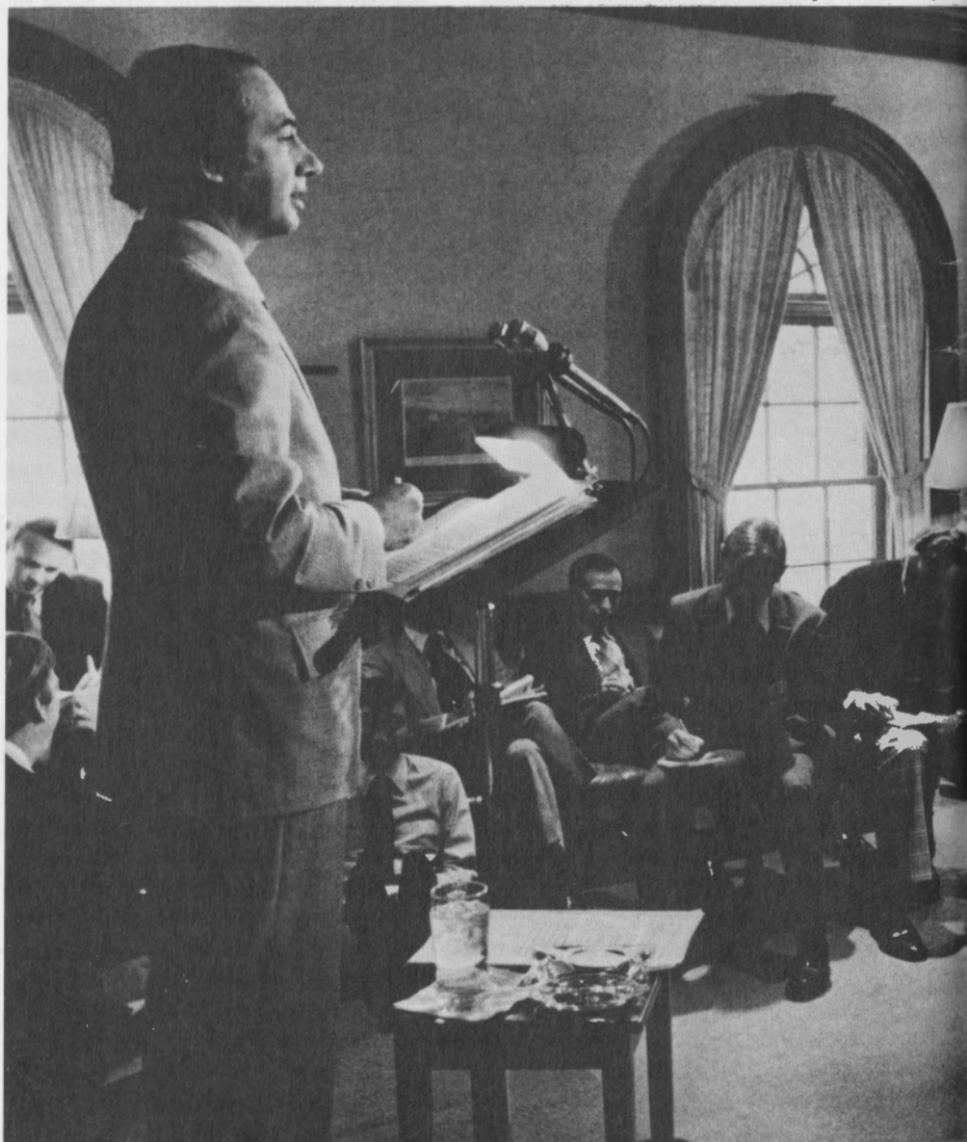
□ A charge in Peruvian newspapers that the Central Intelligence Agency had fomented recent unrest in Lima.

The responses that Nessen was prepared to deliver were based upon a memorandum furnished him by Les Janka, the National Security Council aide who served as liaison with the White House press office. Janka, who has since been replaced in this job by Margaret Vanderhuy, was not well known to the public, but he was a key link in the transmission of information originating with Kissinger, who in his dual role as national security chief and secretary of state is the ultimate source of almost every foreign-policy statement put out by the administration. Kissinger's penchant for dealing with selected reporters himself, usually on a background basis, is well known. He therefore preferred that Janka's memos be prepared for Nessen's information and used only in response to questions.

Though Nessen is not eager to talk about it, this long-held Kissinger view that the press secretary should speak only when spoken to was strongly impressed on him soon after he took over the press secretary's job when Jerald F. terHorst resigned last September. "I understand the point," says Nessen, without confiding who gave him the understanding. "If you make a mistake on a domestic-policy issue, you might cause a flap. If you make a mistake on foreign-policy issues, you could start a war."

But it is not Kissinger and his National Security Council apparatus alone

Ron Nessen meets the press: a daily



ritual in the White House press briefing room



Lou Cannon covers politics and the White House as a member of the national staff of *The Washington Post*.

that makes Nessen reluctant to volunteer information. Even on domestic issues, an area in which the White House press secretary is more knowledgeable and far freer to respond, Nessen would rather give information only in answer to a question. This is partly because he doesn't want to appear as "a super salesman" for the administration and partly because the wire services tend to say that Nessen "volunteered" information when he makes an announcement about something. Nessen's argument that the wire services distinguish between volunteered information and an answer to a question "doesn't wash," in the opinion of Frank Cormier of the Associated Press, dean of the wire-service correspondents who cover the White House. Cormier, who has a generally high opinion of Nessen as a press secretary, says that wire-service stories use the word "volunteer" only because Nessen rarely gives out information in this way. "If he did it all the time, it would be standard operating procedure and it wouldn't be newsworthy," Cormier adds. To his credit, Nessen takes criticisms like these seriously, and he is volunteering a bit more information.

Nessen had a high opinion of the White House press corps when he was a member of it as a network television correspondent. "I used to think, boy, we're in here every day asking these tough questions and really giving it to them. Now I'm not so sure we were doing all that well." Nessen's present view was shaped by his difficult first month in the White House, a period he now describes as "almost completely a blur." In his first briefing Nessen promised to be "a Ron, not a Ziegler," a typical wisecrack that many of his former colleagues considered gratuitous. But in the next few weeks Nessen got something of a taste of what it must have been like for Ziegler in those last months when the carefully constructed White House public-relations defense of Watergate was falling apart. An informal tabulation early in October of the first 1,074 questions put to Nessen showed that 477 of them dealt with Nixon-related questions, many of them about Nixon administration holdovers in the White House. At one point, *New Republic* correspondent John Osborne wrote in protest against this one-issue



Nessen watches as the president talks to reporters aboard Air Force One.

emphasis, noting that some reporters had developed "a taste for blood" in the Ziegler era and apparently liked it. Gradually, this Nixon hangover has faded, but not before making a deep and negative impression upon Nessen. Ironically, the unasked questions for which Nessen prepares sometimes include questions about the former president. On February 7, for instance, Nessen had assembled a detailed report on the Nixon transition act, which expired the following day. No one asked any questions about it.

Nessen began his preparation for the briefing that day in a typical manner, reading *The Washington Post*, *The New York Times* and the White House news summary on his chauffeured ride from his home to the White House. He arrived at 7:30 A.M. and made some notes on issues in the news, then attended the senior staff meeting presided over by chief of staff Donald Rumsfeld at 8:00. Arriving back at his office shortly after 8:30, he convened the press-office staff and rehearsed some questions and answers. Then he met briefly with the president and Rumsfeld. Most of Nessen's morning was spent attending a meeting of Ford and his chief economic advisers, one of the several periodic important domestic-policy meetings that the press secretary attends. Only a couple of days

before, Nessen recalled, Ford had mildly chewed him out for failing to attend one such policy meeting and for having to report about it to the press secondhand. This morning Nessen remained in the economic meeting, delaying the scheduled 11:30 A.M. briefing first one hour and then two hours. Nessen finally arrived at 1:40 P.M. to face a hostile and complaining press corps.

"Since I have grown so pudgy, I decided that one way to lose weight was to have my briefing during the lunch hour since I couldn't eat," Nessen said in an attempt to ward off complaints about the briefing's delay. Before he could say anything further, Carroll Kilpatrick of *The Washington Post* made a statement. Kilpatrick is a quiet and gentlemanly reporter who rarely asks an antagonistic question, but he was furious with Nessen on this day.

"What you have done is, you have really immobilized us for several hours," Kilpatrick said. "Wouldn't it be possible if you could come out at 11:30, whether you were complete or not, and if you were not ready to brief then — maybe to come back at 2:30 or 3:00 because we have other appointments around town. We have other things to do. I realize this is bad, but there have been other days nearly as bad as this."

"Today I couldn't even do that," Nessen said apologetically.



Nessen: Harassed

Frustrated

Ex-Newsman Nessen Finds Watergate Backlash Rough

By PATRICIA O'BRIEN

Chicago Sun-Times

WASHINGTON, In White House press secretary Ron Nessen's office, just over a comfortable overstuffed sofa, there hangs a dour message: "Watergate is harder to wash away than the spray of a skunk." It's one way of capsulizing his frustrations with the working press — particularly television and radio.

Nessen's been on both sides now. He's been out scrambling for stories as a correspondent for NBC, and how he flacks for the President of the United States. He feels misunderstood and harassed, and he stops at saying he likes his job — acknowledging only that it is interesting. "It's a bad time to

be a press secretary," says Nessen. "There's just too much suspicion after Watergate."

Nessen has his troubles with the press. And although he's considered a nice guy off the job, he's also considered thinskin. He believes the White House press briefings have become less "useful," and he maintains there's a new twist to the classic adversary relationship between press and government:

"It's supposed to be that the press wants the news and the White House wants to withhold the news. But the real problem is that the press always wants something new."

And the biggest problems, according to Nessen, are television and radio.

"It's the time crunch," he says. "A tele-

vision reporter has got to get something on the news that sounds good and can be said fast. Everything gets simplified. Everybody follows the pack, and 40 per cent of the questions I get asked are argumentative — they're not to elicit information for stories."

One result of Nessen's frustrations is that television is kept at arm's length by the Ford administration. The TV cameras probably will stay turned off in the briefing room because, Nessen says, "Some people here think it would all turn into a circus."

Another angle of the White House resistance is the fear that television will change the news.

"I had a request from a network that wanted to follow the President for a couple

of days, so they could show the work John Hersey did in print when he went around with the President," Nessen says.

"We wrestled with it. We really did. But we have to ask the questions of what having a television camera at a Cabinet meeting, in the President's office, would do. Would it change what happens?"

"I think so. The President wouldn't say things in the same way. Cabinet officials would advise him differently. And what we'd end up with would be a false picture, not the truth. Now Hersey — he could blend into the woodwork. Sure, it's unfair. But it's an insoluble problem, and I don't have the answer."

TV GUIDE

Local Programs May 31-June 6
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Behind the Scenes: What Happens Before The President Goes on TV

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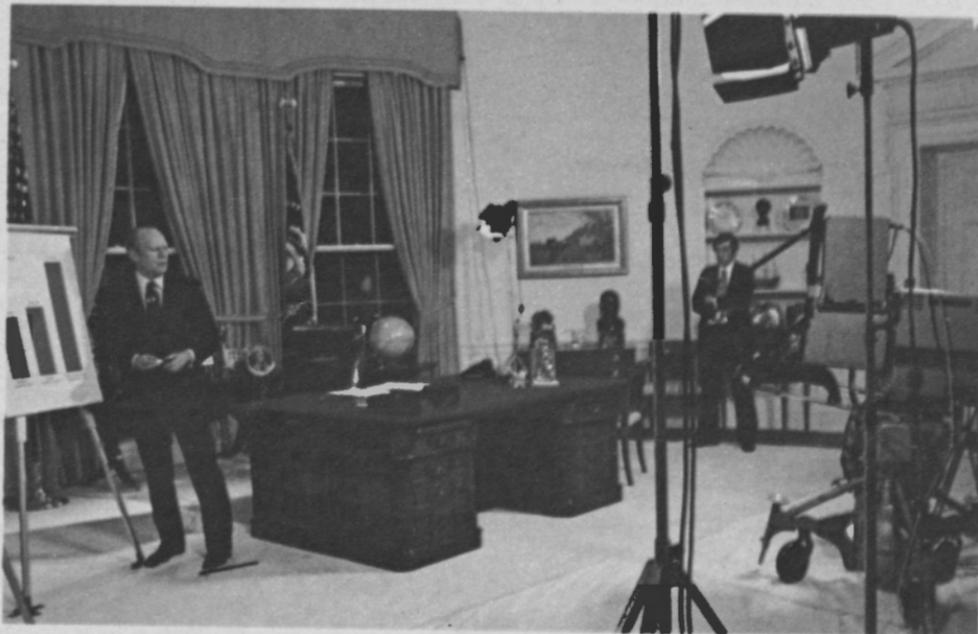


The Cast of 'The Bob Newhart Show'

'He Always Hits His Marks'



President Ford has become an accomplished television performer, with the help of an expert tutor



Bob Mead observes President Ford during March 29 TV speech.

By John Weisman

Shortly before President Gerald Ford's speech March 29 about the tax-rebate bill, Donald Rumsfeld, Mr. Ford's chief domestic adviser, stops the Presidential TV adviser, Bob Mead, in a White House hallway. "If everything doesn't go absolutely perfectly tonight," Rumsfeld jokes, "you're going to be leaving Air Force One somewhere over Kansas."

Mead laughs and continues down the carpeted, antique-lined passage, heading for the Oval Office, where a crew of NBC technicians in shirt-sleeves is

preparing for the telecast that will carry the President's economic message to a national audience of 57 million people. In the eight months since he left his high-priced job as the Emmy-winning White House producer for CBS News, the tall, lanky, 40-year-old Mead has taken a pay cut (to \$34,800) and a hefty increase in working hours—all so that he can try to make President Gerald Ford look his best on television.

Mead was largely responsible, for example, for the President's Jan. 13 →

continued

"fireside chat." In that broadcast, aired live from the White House library, Mr. Ford used a teleprompting device and moved freely around the room, while in the fireplace a compressed-sawdust log blazed away merrily and noiselessly.

For the week preceding the library speech, Mead had hired a 12-man CBS production unit to work with the President. And from Q-TV in New York, he brought in Al Eisenberg and his VPS-100 prompting system—the same kind

desk," Mead says. "And to me, it proved President Ford's willingness to experiment with new techniques."

Now, in the Oval Office, Mead instructs a technician to remove some of the backlight where Mr. Ford's head will be. He sits in the President's massive blue-leather judge's chair to check the light level. Too much will cause the President's forehead to shine. He looks at the position where the easel for Ford's economic chart will go, calculating the

position of a tape mark that will show the President where to stand. Then Mead glances at the desk phones, making sure that there is opaque tape over the numbered push buttons. "No sense in letting people know which is which," he says.

He's on his feet again as the President, in a gray plaid suit, threads his way through the Oval Office spaghetti jumble of black and yellow electrical cables, on his way to change clothes. Mr. Ford nods at Mead, who smiles back reassuringly. He does not mention to the President that, with the speech less than two hours away, the prompter

Mr. Ford is planning to

use is still in New York City. Mead races to a phone to track its progress.

"The problems you face in this job," he says, "are really the same ones any producer faces—logistics, impossible schedules, insufficient equipment—and an unpredictable star. What I try to do is create an environment in which the President looks as good as possible. I can't create a new image for him—he's had 61 years to create the old one."

The old one was a problem. "Dullsville" is the way one observer puts it. Now, however, modishly dressed and coached (the President once laid out



Mead adjusts the President's mike before the telecast.

of unit Walter Cronkite uses—so that Mr. Ford could talk while moving around the room, and face directly into the camera. The prompting unit also magnified the script, compensating for the President's nearsightedness, and gave Mr. Ford such stage directions as STAND UP, CROSS TO CHAIR, and SIT. Mead's bill for the Jan. 13 talk was \$25,683—less than some Congressional junkets. And he considers the money well spent, with 81.4 million viewers in the audience that night. "It proved that a President doesn't have to always be seen sitting behind a

"all of his ties so that Mead could select the proper one for him), Mr. Ford is familiar, if not totally comfortable, with multiple cameras, prompters and the chaos of live broadcasting. The President's video image, Mead feels, is positive and emphatic. Others agree. One of CBS's White House correspondents, Phil Jones, says: "Gerald Ford doesn't understand all the technicalities of TV, but he respects it, and wants to do what's right. He's a great listener."

Despite long hours, Mead's job has its assets. Such as the framed commission that sits in his Virginia home. And the White House staff car that picks him up at the airport. And the white-enamel and gold Presidential cuff links that flash whenever he shoots the cuffs of his white-on-white shirts. And his White House identity card, with which other Presidential advisers have been known to hold planes—only when necessary, of course. "He loves that kind of stuff," says a White House observer. "Mead is attracted to the pageantry and showmanship of the whole thing."

Indeed, showmanship is something that Ohio-born Bob Mead has always been involved with. His father once played drums with Ted Weems' orchestra before he went to work for the Department of Labor. Mead majored in drama at the Jordan College of Music in Indianapolis, where he minored in radio-TV. After school, he worked for small Midwest radio stations as a late-night DJ. Then Mead went South. "I worked for 13 weeks as an announcer for Gabby Hayes in Florida," he says. "I wanted to act. Hayes told me how bad all those Hollywood actors were; told me I was gonna be dynamite. So I went to Hollywood. I worked at a gas station on the corner of Fairfax and Sunset—that's what I did in Hollywood."

Broke, Mead went back to Indianapolis, where he began working in radio and TV news rooms. In 1964, he went to Washington. "I was out of work, and my family was there. At least I'd have a

place to sleep."

He paid a call on CBS's TV-news bureau. "I didn't have an appointment and the receptionist threw me out. She's still there—we joke about it." He worked as a night clerk at a hotel, and called CBS "12 or 13 times a day." Finally, he badgered his way into a job on the assignment desk.

In 1969, boy producer made good: he was assigned to the White House and teamed up with Dan Rather. "It was magic," says Mead. "He wrote to the film while I edited. We stole planes and helicopters from other producers to get our stories in first. Our whole attitude was that we were there to win. We won."

It's an attitude that Mead has carried over to his present job. "I was called the night President Nixon resigned," he says. "I was asked if I wanted this job. I guess one of the reasons I took it was that I was flattered. Also, it's hard to say no to the President."

In the Oval Office, press secretary and NBC alumnus Ron Nessen looks around the room. "How will he know which camera to look at?" he asks Mead. The two men confer, and decide that the stage manager will cue the President, so that Mr. Ford won't have to search out the red light on the operational camera. In a corner, three technicians feverishly assemble the teleprompting system, while a distraught Secret Service agent looks at their unexamined crates and asks a guard, "You mean you let them come in here like *this*?" The agent takes a hurried look through the crates.

Last-minute preparations are mounting to a fever pitch. The President, in a dark suit, picks his way through the cables. Mead goes over the blue-felt-boxed script with him, showing Mr. Ford when to stand up, when to pause, when to gesture. The President plans to use a chart in his speech, and Mead explains about "cheating"—turning a bit toward the cameras so he →

continued

won't stand in profile, which would be a bad shot. He has a strip of thick brown tape put on the white-and-yellow rug so Mr. Ford will know where to move. "Just like Hollywood. He always hits his marks," says Mead.

The prompting device is finally ready. The technicians refocus lights, while NBC's pool director, Charles Jones, looks through the cameras before moving down to the production van, which is parked on the south-lawn driveway.

In the center of the vortex, Gerald Ford sits in his blue-leather chair, puffing on his pipe and rereading the underlined, cued speech. He is the only calm man in the room. Mead chain-smokes. Nessen lays another magic marker on the edge of the desk. "We have a marker—and a backup marker," he says proudly.

Thirty-five minutes before the telecast, President Ford runs through the speech for the cameras. It takes 11

minutes and 40 seconds. He is stiff as he reacts to the STAND UP direction, and awkward when he moves to the chart at the side of his desk. Mead frowns, lights another cigarette. The stage manager is perspiring heavily in the cool room.

Nessen comes in with some new information. The NCAA basketball semi-final game is tied up. If it goes into overtime, NBC has called him to say it will not broadcast the President live, but will tape the speech for telecast as soon as the game is over. Mead isn't upset. "Better for the Old Man that way," he says. "Nobody wants to trade the end of an exciting game like that for a President's speech."

With three minutes until air time, Mead and Nessen surround Mr. Ford like trainers with a boxer. They remind him again about "cheating out" for the camera, and Nessen suggests, "You can perch on the edge of the desk if

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you want—it'll make things look more relaxed."

Mead checks Mr. Ford's microphone tie-bar, then, after the President is settled in his chair, makes sure the mike wires won't snag on the desk leg.

"Thirty seconds," calls the stage manager.

"Don't forget to pull the cap off the magic marker," calls Mead.

The President smiles. "It won't work without that, will it Bob?"

The live performance goes well, despite what Mr. Ford refers to as a couple of Presidential "boo-boos." But Mead is annoyed by NBC's Tom Brokaw, who calls it "a rehearsed TV speech, complete with props," in his analysis moments later.

"What would he like," Mead grumbles, slouching on a sofa in Nessen's office and popping the top on a beer can, "an unrehearsed speech? What do they think this is, amateur night?"

Mead takes a pull of his beer. "That kind of thing is a cheap shot. I know all those guys—I competed against 'em for five and a half years. I did cheap shots too. They're part of the job."

Mead's assistant, Helen Collins, comes in to say that the staff bus is ready to go to Andrews Air Force Base, from which the President is leaving for his Palm Springs Easter vacation. There, Mead will set up three Presidential speeches and one nationally televised news conference.

"You know," says Mead, grabbing an attache case, "I have no vested interest in this. I'm working here because I really dig the guy. When I leave, I'll probably go back to broadcasting—a big job." He laughs and brushes his hand through his hair. "Of course, we all know how unpredictable TV really is—so I could end up as a DJ again—or pumping gas on Sunset and Fairfax. TV's sort of like politics, isn't it?" (END)

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Ron Fights Back

In the poisoned atmosphere at White House press briefings, our sympathies are with the President's man, Ron Nessen.

We were glad to see him turn on the press a couple of times lately, and hope he will again.

Healthy skepticism is absolutely essential in a good journalist. So is aggressiveness.

But the leaders of our country deserve the advantage of the doubts, until it is proved that they don't — as with Agnew and Nixon — and the news reports communicated to the nation should reflect this.

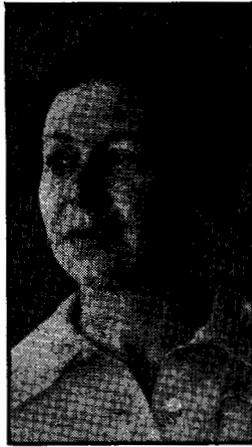
A few of the White House correspondents seem to have turned into bullies, building themselves up by challenging the President's spokesmen in dozens of ways. Most recently the effort appears to have been to drive a wedge between the President and Vice-President over Ford's politically-sensible decision to run his own campaign for the 1976 nomination instead of a joint Ford-Rockefeller campaign.

Hang in there, Ron, and sound off when you think it's in order.

Honolulu Star-Bulletin

12 JUL 1975

Shotgun Marriage



It was late in July of 1965—another escalation-of-the-war day. Lyndon Johnson had decided to double the monthly draft call and to raise our fighting strength in Vietnam to 125,000 troops, and now he had summoned a group of reporters to a sunny room in the White House family quarters to elaborate on his decision. I was sitting next to Ron Nessen, then of NBC News, who, in the course of the briefing, asked a normal, predictable question. How long, he inquired, did the President expect it would take this enlarged force to accomplish its mission?

Lyndon Johnson, who had been pacing restlessly among the seated reporters, didn't say anything. Instead, he advanced on Nessen and me until he stood directly above us, peering down intently into Nessen's reddening face. Finally he spoke. "When you gonna die?" he asked in his lowest, meanest voice. And then, getting no answer, "Tell me, Nessen, *how long you gonna live?*" The point (it eventually turned out) was that there were some things beyond predicting; but the President of the United States, looming there, did not see fit to make it until he had produced the requisite anxiety and humiliation.

I thought about this episode the other day when Nessen, now White House press secretary, blew his stack at the White House press. No one can say that he was not present at the creation of the ten-year era of mounting incivility and bad feeling between the White House and its attendant press, which was fueled by Vietnam and Watergate. And although former reporters have held the job before, except for Jerald terHorst, who didn't stay long, Nessen is the first White House press secretary to have experienced the current strain from both sides of the briefing podium.

FAILURE

Nessen came to the job understanding his former colleagues' suspicions and frustrations, and he was determined to undo the particular damage Ron Ziegler left behind. So his apparent failure to restore much ease or mutual respect to White House-press relations is being regarded here as proof of one of two theories. The first is that Nessen isn't up to the job. The second is that the White House press is incorrigible, unappeasable and constitutionally bad-mannered.

I think both are right. But I have in mind something other than Nessen's presumed deficiencies, which strike me

as being relatively minor, or the press corps's periodic excesses, which are admittedly pretty awful to behold. The White House press, having missed some of the major stories of the decade that were taking place under its collective nose, is understandably more prosecutorial in tone these days. But sooner or later it will stop seeing "liars" and "cover-ups" everywhere. And sooner or later some successor to Nessen with a set of imperfections of his own will displace Nessen in its disaffection. The central problem, however, will remain: an institutionalized relationship between White House press and White House press spokesman that is based on mutual necessity, mutual dependence and mutual dissatisfaction.

GENERALISTS

Among Washington journalists the White House press is regarded as something special, even odd. It functions at the center of events and yet on the periphery of many issues. You don't hear of White House correspondents "going native," as they say of people who cover other buildings—Supreme Court reporters, for instance, who may begin to write stories that read like *amicus* briefs, or State Department correspondents who may become bemused by diplomatic niceties. White House correspondents, by definition, must be generalists. One minute they are weighing the President's performance before the NAACP, the next his relationship with the President of Indonesia; tomorrow it may be Ronald Reagan, oil imports and a session with the National Baby of the Year.

All this of course is a reflection of the building itself: as much as anything, the White House is a place where issues come to be settled, and the press office is a place where the "happy result" is announced. It is true that enterprising White House reporters regularly go beyond and around the official White House briefers to get at stories. But relative to most other buildings in Washington, access is limited, as is the time for probing the multiplicity of subjects that come up. The main event is the press secretary's 11:30 a.m. briefing. And there is no one in the room, the press secretary included, who does not understand that this is the crucial, principal government image-making session of the day.

It is terribly important to Nessen, therefore, what goes out on the wires from those sessions—and under him, as under all of his predecessors that I can remem-

ber, the announcements often seem to combine the distinctive literary styles of the Buckingham Palace court circular and Albanian propaganda. But it is equally important to the reporters that they not be used as conveyor belts for the "official line"—which in fact is what they are since the briefing is essentially a "handout" session and no amount of hollering can turn it into an exercise in investigative reporting. Thus, given the impossible range of material covered and the White House's determination to put the best face on it, it is not surprising that these encounters so often degenerate into ugly and imprecise inquiries.

I suppose that one day Nessen or some successor may come into the press room and announce: "The President feels lousy today. He has a headache and he was mad as hell to hear we'd scheduled a photo session with the National Baby of the Year. He says he's getting tired of the mayors' whining and he doesn't know what to do about Turkey." But I wouldn't count on it. I think it's both unreasonable and unrealistic to expect that the White House, speaking for the President, will ever put anything but the most reassuring and upbeat construction on the news it is handing out.

CONTINUING DILEMMA

Nessen has his particular problems, to be sure. He is said to be a weak briefer on foreign affairs largely owing to Henry Kissinger's tight control of the subject matter. He has a temper. And he has the present legacy of Watergate. One day last fall Nessen told me that one of his continuing dilemmas was what to do about news *no one asked* about. If he volunteered too much information, he'd be accused of "news management" and related crimes. If he sat on it he was in a way to invite charges of "cover-up."

Some of this is bound to calm down, but it's not going to go away. The White House wants stories from the reporters it's not ever going to get on a consistent basis. They want information from the press secretary that they're not going to get either. A curious kind of camaraderie and intimacy and even good humor tends to float over all this much of the time. But it is profoundly, institutionally a no-win situation, a bad shotgun marriage. And that is why, at least periodically, there is going to be bitterness and noise.