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Ford Follows Carter's Lead On No. 2 Spot

By Jules Witcover
Washington Post Staff Writer

KANSAS CITY, Aug. 10 — While pressure continues on President Ford to follow Ronald Reagan's example of selecting a running mate before the Republican National Convention, the President, without saying so, is emulating Jimmy Carter's approach instead.

Mr. Ford has contacted at least 16 Republicans in a semipublic way to check on their availability and backgrounds, just as Democratic presidential nominee Carter did with seven "finalists" before choosing Sen. Walter F. Mondale of Minnesota the day after his own nomination.

The White House has said the President will wait to announce his choice until after his party's convention makes its presidential nomination next Wednesday night, despite pressures from the Reagan camp for disclosure in advance.

Of the 16, two — Sen. Bill Brock of Tennessee and Edward W. Brooke of Massachusetts—have asked not to be considered. The remaining 14 who have acknowledged they have been contacted include seven senators, two governors, two Cabinet members, two ambassadors and one former governor who also was a Cabinet officer.

They are Sens. Howard H. Baker Jr. (Tenn.), Bob Dole (Kan.), Charles H. Percy (Ill.), Lowell P. Weicker Jr. (Conn.), Pete V. Domenici (N.M.), James L. Buckley (N.Y.), Mark O. Hatfield (Ore.); Govs. Robert D. Ray (Iowa) and Christopher Bond (Mo.); Secretary of the Treasury William E. Simon and Secretary of Commerce Elliot L. Richardson; Ambassador to Great Britain Anne Armstrong and U.N. Ambassador William W. Scranton, and John B. Connally, former governor of Texas and Secretary of the Treasury.

[Weicker said Tuesday he has no idea why Mr. Ford is considering him since he has "absolutely no interest" in being Vice President, United Press International said.

[UPI quoted Weicker as saying he was "highly honored" to be on Mr. Ford's list but has "not changed my position that I am running for the Senate."

[Weicker said he will comply with a White House request made of prospective running mates for personal and financial data but hinted his answer would be no if asked to round out the GOP ticket, UPI said. "I'm not even going to the convention. I will be campaigning in Connecticut," he was quoted as saying.]

A 17th Republican, former Deputy Attorney General William D. Ruckelshaus, was said by party sources to be on the list. But Ruckelshaus, contacted in Seattle where he is a lumber company executive, declined to confirm it. Two weeks ago, Ruckelshaus reported he had received what he considered a hard offer to be Reagan's running mate, but later was told Reagan had decided on Sen. Richard S. Schweiker of Pennsylvania to gain delegate strength in the Northeast.

Also, according to President Ford Committee sources, Vice President Rockefeller and Reagan are on Mr. Ford's list though both have said they are not interested and have not been asked to supply data on their health, financial status and other personnel matters, as those on the list have been. Finally, Secretary of Defense Donald Rumsfeld is said by campaign sources to be on the list, but it is not known whether he has been asked to supply background data.

White House aides have referred to Mr. Ford's selection process as "traditional" but it is hardly that. In the past, most presidential candidates, except incumbents, have given no public indication of their prospective running mates until their own nominations were in hand.

What usually has been done, of course, has been to privately hint to a number of hopefuls—usually those in control of needed delegates—that each is under consideration.

The President clearly has been playing somewhat the same game. He has said publicly he will not pick someone from either extreme of the party, but will select someone compatible with him, and then has asked individuals from both conservative (Connally, Buckley) and liberal (Richardson, Weicker) wings, and from the middle, if they want to run with him.

Also, Mr. Ford's request to all 2,259 GOP delegates and other Republican leaders to submit their vice presidential recommendations is widely re-



Associated Press

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SURVEY, From A1

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The Post's survey cannot determine whether these shifts were due to feelings about Schweiker or whether other factors were more responsible. But the results of the survey do underscore the coolness with which Schweiker's selection has been greeted by delegates destined to make the final decision next week.

On the other hand, none of the Republicans frequently mentioned as a possible choice aroused much enthusiasm, showing clearly that none would be a runaway candidate if the choice were left to the convention.

Support for the major vice presidential contenders was widely scattered and 23 per cent said that they did not know whom they preferred, that they preferred none of the named candidates, or that the choice made no difference to them.

Those interviewed were asked: "If the selection of a vice presidential nominee were left for the delegates to decide, who would be your first choice?"

No one mustered support from even a sizable minority. Only two were the first choice of more than 10 per cent of the delegates, John B. Connally of Texas led the field with the votes of 15.2 per cent of the delegates and Sen. Howard H. Baker Jr. of Tennessee was second with 11.3 per cent.

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Schweiker finished ninth, behind Rockefeller. The three men viewed most favorably were, in order, Mr. Ford, Reagan, and Goldwater. Connally ranked in the middle of the field.

More than other figures, though, Connally attracted responses that were often extremely favorable or extremely unfavorable, and fewer in-between ratings. Connally's weakest showing was in the North, where more delegates rated him unfavorably than favorably.

One of the most striking single findings was the apparent widespread unpopularity of Rockefeller among the

delegates. The Vice President asked Mr. Ford last year to drop him from consideration as a part of the ticket to placate known opponents in the party.

Nevertheless, when asked whom they least desired for a vice presidential candidate, Rockefeller was far ahead of all others, with 21 per cent volunteering his name. Anti-Rockefeller sentiment was strongest in the West, where four delegates in 10 said they least wanted him as the vice presidential nominee.

Other regional breakdowns in the poll show that delegates from the Northern states are having a hard time making up their minds about a vice presidential nominee. None of the potential candidates scored well among them. Only Rockefeller and Richardson are the first choice among as many as 10 per cent of the delegates from the North.

Whom Delegates Favor

The Washington Post survey asked a representative sample of Republican National Convention delegates this question: "If the selection of a vice presidential nominee were left for the delegates to decide, who would be your first choice?" The following table shows the percentage of delegates who favored each of the 10 most-mentioned possible candidates.

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Also, Mr. Ford's request to all 2,259 GOP delegates and other Republican leaders to submit their vice presidential recommendations is widely regarded as another bit of gamesmanship, designed more to make the recipients feel they are being involved than to provide serious counsel.

It is reminiscent of Richard Nixon's letter to party leaders in advance of the 1968 convention asking their vice presidential choices, and three meetings Nixon held immediately after his nomination. According to participants, Spiro T. Agnew was not recommended by anyone at any of the meetings, but Nixon picked him anyway.

While stopping short of Reagan's innovative prenomination disclosure of Schweiker as his ticket partner, Mr. Ford (by failing to impose secrecy on those contacted) has, like Carter, permitted a prenomination airing of the prospects.

That procedure in itself undercuts to some degree the argument by John P. Sears, Reagan's campaign manager, that prenomination selection is necessary to enable the convention to make a judgment on the running mate. By floating all the names, they are coming under at least a modicum of scrutiny in advance of the presidential roll-call vote.

What the mass floating does not do, however, is permit a zeroing-in on any single prospect of the sort that Sears has said would get Mr. Ford in hot water with some segment of the party—just as Reagan's choice of Schweiker brought conservative wrath down on him.

A White House source declined today to say how many individuals had been asked if they want to run with Mr. Ford. "Obviously at some point the list will be winnowed down," the source said.

Staff writer Edward Walsh contributed to this article.

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On the other hand, the poll revealed a solid vein of discontent with Connally. Slightly more than 14 per cent selected him as the person they least wanted to see nominated for Vice President. In other words, there are as many delegates strongly disapproving of him as there are delegates wanting him nominated. More than any other potential candidate it appears that Connally would polarize the Republican convention.

There is a suggestion in the Post poll that Connally may be somewhat victimized by a Watergate backlash and that he is associated in some minds with the scandals of the Nixon administration, in which he served as Secretary of the Treasury. Connally is regarded most unfavorably by those delegates who disapproved of President Ford's pardon of former President Nixon.

Overall, there is no great concern among the Republican delegates for the pardon of Nixon. Seventy-nine per cent of them approved of the pardon and only 15 per cent disapproved.

But Connally seems to suffer from the association with the Nixon era scandals. (He was tried and acquitted of a charge of bribery in the milk-fund affair). Among those delegates who approve of the Nixon pardon, 50 per cent regard Connally in a favorable light. However, among those who disapprove the pardon, only 29 per cent view him favorably and 44 per cent say they regard him unfavorably.

The delegates were asked to register their feelings about nine prominent Republicans—Sen. Barry Goldwater, of Arizona, Vice President Rockefeller, Baker, Sen. Edward W. Brooke of Mass., Connally, Mr. Ford, Secretary



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DRAFT

MEMORANDUM FOR: DICK CHENEY
JACK MARSH

FROM: PHIL BUCHEN

SUBJECT: Authority for FBI to Investigate
Potential VP Nominees



I have reviewed the Department of Justice opinion (copy attached) on the above subject. Justice is unable to find any statute which authorizes the FBI to investigate possible Vice Presidential nominees. Although Justice is of the opinion that the President has inherent authority to direct investigations in the absence of a statute when they relate to the exercise of his constitutional or statutory functions, Justice is unable to identify any function which would clearly support such a directive in this instance. At best, it is questionable whether present law would permit such an investigation. Moreover, Justice notes that a statute to allow such investigations may be unconstitutional because it establishes consent to an investigation as a new qualification for Vice Presidential candidates.

The Attorney General is not anxious to provide FBI assistance for this purpose under the present law. Without new legislation, the only basis for proceeding in this manner would be for the Attorney

General first to consolidate with the leadership on the House and Senate Judiciary Committees and effectively obtain their approval for such investigations. However, the concept of a Federal police force investigating potential political candidates is an idea that the Attorney General does not favor.

Senator Brock has introduced legislation S. 3552 to provide for an FBI investigation "of the same nature, extent, and scope as an investigation conducted by the Federal Bureau of Investigation in connection with the granting of the Top Secret security clearance to any individual employed by the United States." The Brock Bill does not require consent from a prospective VP nominee to undertake investigation but only on determining to which persons the results of the investigation may be released. Furthermore, the Bill would apparently prohibit any evidence of criminality that may be discovered in the course of such an investigation from being used for any other purpose and would require that upon the nomination of a candidate for election to the Office of Vice President by the nominating convention on evidence of the resulting investigation must be destroyed. Finally, the Bill permits Presidential candidates to furnish statements of support from more than 10 percent of the delegates to the Convention to request the Attorney General to investigate not more than 10 individuals as potential Vice Presidential nominees and to review the investigations following selection of that person for nomination to the Presidency.

*File VP selection*Vice Presidential Process in Question

Choosing a vice president has traditionally been one of the last activities performed at the party conventions, but this year, at least in the opinion of many editorials and columnists, things may be different. The vice presidential choices of 1972 -- Spiro Agnew, who resigned to escape prosecution for accepting bribes, and Thomas Eagleton, who was forced off the Democratic ticket after revelations of past mental illness -- may force this year's presidential candidates to make their choices for the number two place on the ticket public before the convention. The media is giving increasing attention to this problem and is suggesting various ways to cope with it, from an FBI investigation, to selection boards, to making public a list of candidates for pre-delegate approval.

Of the approximately 25 editorials and columns appearing in the last several weeks in major metropolitan and regional newspapers throughout the country, almost all mentioned what they consider two good reasons for the vice presidential selection process to change this year: The Agnew and Eagleton situations of 1972 and the fact that 13 of the nation's vice presidents have become presidents, and that during 20 of those past 30 years, the presidents had previously served as vice presidents.

The Memphis Commercial Appeal summed up their opinion in favor of a change in the process: "Because the United States has had three vice presidents in the last four years, it probably was inevitable that someone would challenge the system."

Many of the opinions expressed by the press dealt with the overall questions of the vice presidential selection reform, but several mentioned President Ford, Ronald Reagan or Jimmy Carter by name, suggesting guidelines for them to follow.

Carter

The New York Times suggested Carter cannot regard the selection of his vice presidential running mate as his "sole prerogative" or one to "be sprung on a compliant convention at the last minute." Carter should share this decision with the delegates, the Times said.

Jimmy Carter has expressed interest in changing the system, the Detroit News commented, but has stopped short of an investigation or publishing a list of potential running mates. "He has managed on this question, as on so many others, to be a model of equivocation."

The Chicago Sun-Times wrote that Carter should not make statements that he and he alone will choose the running mate, calling it the "old style politics he should avoid."



Howard K. Smith held a view that differed from all the others. He said that Carter has the right to make his own decision and since he is a "very careful man" that he will probably make a good choice. "Given the high quality of all the people available to him -- Bayh, Stevenson, Mondale, Church and many others," Smith said, "Carter can't avoid naming somebody as well-equipped as, or possible better-equipped than he himself is."

The Baltimore Sun praised Carter for his decision to assemble a panel of distinguished Americans to screen vice presidential choices. "When the time comes for him to name his vice presidential running mate, he will be in a position to say he has been careful and deliberate in choosing a candidate who has been closely examined by respected persons in the party."

The Chicago Tribune, in a direct appeal to Carter, wrote: "We urge Mr. Carter to start a new tradition by letting his party and the public in on a decision that might be vital to us all."

GOP Race

On the Republican side, the media does not seem as anxious for the two candidates to reveal their potential choices. Many of the columnists recognize those involved have more at the moment to worry about than Jimmy Carter.

The Shreveport Journal wrote that President Ford's neck and neck battle for delegates with Ronald Reagan is keeping him too busy to give his possible running mate choices much thought.

Long Island's Newsday, however, said it believed the whole system would benefit if the front runners would simply make known their short list of those under consideration.

Perhaps President Ford and Ronald Reagan should follow Jimmy Carter's decision to set up a panel of "distinguished Americans" to screen potential vice presidents, the Baltimore Sun suggested.

Alternate Selection Systems

A majority of articles written mentioned the Harvard University Institute of Politics study released last month which advocated the need for a change in the vice presidential selection process.

The report points to the one-to-two chance that the vice president eventually will become president. The study cited the resignation of Spiro Agnew as evidence that the present system is inadequate and contains an inherent and unacceptable degree of risk. The report is based on four months of interviews with party officials, presidential candidates and staff and other top political and scholarly experts.



The report recommends: (1) "Presidential competence" should take precedent over "electoral balancing" in the selection of a vice presidential candidate.

(2) The schedule of the national conventions should be rearranged to provide more time for vice presidential selection and an advisory group should be formed from each party to review a list of potential candidates and provide background research to the presidential nominee.

(3) Presidential candidates should have their staffs begin work on vice presidential selection no later than the final round of primaries, in developing lists of potential candidates.

(4) The media should earmark substantial resources toward underscoring the foibles of the present system and investigating potential running mates with in-depth interviews before the convention.

All papers mentioning the Harvard study agreed with it and advocated its utilization this year.

Other suggestions were given, many of them in concurrence or in repetition of the Harvard Study. One totally differing view was that of former Gov. Endicott Peabody of Massachusetts, and was reported by the Philadelphia Bulletin and ABC's "Good Morn. America"

Peabody said he believed vice presidents should campaign for the nomination just as presidential candidates do. Peabody campaigned for the number two spot in 1972. The Bulletin doubted this approach would be effective, since "nobody paid much attention to his efforts."

Several other opinions were expressed on reforming the system. The Cleveland Plain Dealer suggested that anyone who wants to become vice president should say so immediately and subject himself to the scrutiny that a potential president of the country ought to undergo.

John Gardner, chairman of Common Cause, has produced a proposal which received attention from many of the articles mentioned. Gardner suggested that any presidential candidate submit to the convention chair, two weeks before the convention begins, a list of no more than eight persons from which the candidates would pledge to select a running mate.

Scrutiny by the press or potential vice presidential candidates was mentioned often in many of the articles. The New York Times wrote that Jimmy Carter, for example, "should settle upon a list of three, or perhaps five persons... The press would have some time to investigate and report the records of those recommended."

FBI Probe

One of the most controversial proposals mentioned is the use of the FBI to investigate potential vice presidential candidates. Most editorials and columnists were against the use of the agency. The Baltimore Sun and the Shreveport Journal, although not enthusiastic, were in favor of the proposal.

The Sun felt that although the investigation would be somewhat of an invasion of privacy, it would be worth the "minor hindrances" it would cause in the long run. The Journal believed such an investigation would have prevented the Agnew and Eagleton situations.

The Des Moines Register and Los Angeles Times were strongly against an FBI probe. The Times mentioned the "implications of police power." The Times praised Carter's decision not to use the agency. The Register mentioned the possibility that the FBI could blackball nominees it did not approve of.

The Vice President's Job

Perhaps the failure of many presidents to give their vice president a meaningful role in the Administration is one reason the selection process is now in question. This theory was brought up several times.

The Memphis Commercial Appeal summed up this idea, saying that vice presidents have often been wasted by being "pushed off onto some special commission or are sent off on some goodwill missions, coronations or state funerals... The vice president has as much prestige, power and patronage as the president allows him and no more. Somehow, the duties of a vice president ought to be better defined."

Newsday quoted former Vice President John Nance Gardner as once saying that office of the vice president wasn't worth a "pitcher of warm spit."

On the Lighter Side:Brown as Carter's Vice President?

Although the opinions of all the writers obviously seem to reflect the need for reform for various reasons, especially the underlying seriousness of the matter, William Shannon found a lighter note in all of this. He said Jimmy Carter would be helped in some respects by choosing Gov. Edmund Brown, an Irish Catholic. However, Shannon wrote, "If you were President, would you want a vice president who was constantly upstaging you? One can readily envisage this scene as President Carter at the White House is

announcing a new program to help the mentally retarded. But half of the reporters are with Vice President Brown as he announced that he is turning the renovated vice president's mansion into a home for retarded kids while he moves into a tent in the backyard."

-- by Melanie Berney



BARRY - Page 4 & forward May 28, 1976

INTERVIEW OF THE PRESIDENT
BY
NEWHOUSE NEWSPAPERS

THE OVAL OFFICE

2:13 P.M. EDT

send to: Connie Chung



THE PRESIDENT: It is delightful to have a chance to chat with you and if there are any questions, why don't we go ahead.

QUESTION: Mr. President, I will start, if I may. There has been some varying reports and varying interpretations on those varying reports as to what you actually told Attorney General Levi with regard to the amicus curiae appearance by the Government in what I assume will be the Mecklenburg or the Denver case.

THE PRESIDENT: I don't think you should assume any particular case, or are you referring to a case that would seek a clarification?

QUESTION: That is it, a clarification of those decisions.

THE PRESIDENT: I wouldn't want to pinpoint which particular case, but I have been discussing with the Attorney General and the Secretary of HEW since last November some methods by which we could get a clarification of court action, the remedies that certain lower courts use and, two, how we could proceed through HEW to handle whatever the problems were if there was inadequate protection of constitutional rights.

The Attorney General indicated to me that he was certain that there was a case or might be several cases where the Department of Justice might intervene. He is in the process now of deciding which case or which cases he might intervene. He has not told me his decision.

I have told him I want him to make the recommendation. In the meantime, the Secretary of HEW is continuing to work on some procedures or methods or proposals to try and make the court orders -- whatever they are -- more acceptable to the communities in which the orders have been placed.

QUESTION: That is not alternatives to busing but alternatives to the way they have accepted the orders?

THE PRESIDENT: That is basically the approach, although I haven't seen the final draft so I can't be completely free to tell you what they are because I haven't seen one in the last version.

QUESTION: You refer often, Mr. President, to quality education. What is your definition of quality education?



THE PRESIDENT: I think you have to have high teacher standards. I think you have to have a sound, proper teacher-pupil ratio. I think you have to have facilities that meet acceptable standards. I think the rights, constitutional rights have to be protected, which means, of course, that you cannot tolerate segregation.

All of those things put together I think, if properly implemented, result in quality education.

QUESTION: What if you have all that but you still have all balck and all white schools? You have all the quality teachers and training and so forth and you still have segregation? Do you think there is still reason to break that down?

THE PRESIDENT: When you get into the -- that is the question of the remedy that the court has to apply. If you take what is the listed proposals in what is the Equal Educational Opportunities Act, which includes the Esch amendment, it has, as I recall, seven listed things which are better remedies than the final line, which is busing. The Esch amendment includes busing, but it says that the court should follow as guidelines the seven steps, as I recall, the seventh one being busing -- cluster schools, neighborhood schools, they can't bus people or children beyond one school beyond their own neighborhood.

Busing is a last resort. If you can achieve the other things first, you don't have to go to busing. But these circumstances vary according to every community, and they will vary within a community. That is one of the basic problems about identifying a case. You can find in a school district a few schools that -- and it may be in elementary, it may be in secondary -- where you will have segregation.

The question arises, does that justify the Federal court taking over the whole school district and running it as a school board. In some instances that has been the case. Instead of the court trying to remedy the smaller part of the whole, the court has decided that it has jurisdiction as a remedy to take over the whole school system.

That results from a dictum in one of the cases -- and I can't remember which case it is -- and as a result some local district judges have followed the dictum and grabbed the whole school district just because in a part of the district there has been this segregation.

QUESTION: This whole issue came up as a result of a leak --

THE PRESIDENT: That is right.

QUESTION: Does that disturb you at all that it came up?

THE PRESIDENT: It does because we had been proceeding since November down the same path in a constructive way without any publicity. The leak didn't come from the White House.

QUESTION: Do you think now the issue has been raised it will be crucial to the fall campaign?

THE PRESIDENT: Not at all.



QUESTION: Mr. President, you said often you thought Hubert Humphrey would be your opponent and then you sort of switched your feeling a little bit toward Jimmy Carter.

THE PRESIDENT: I started to count up the delegates, Saul. I can still add up to -- what is it, 1500 somebody has to have -- and he was making a lot of headway.

QUESTION: In view of the opposition he has found all of a sudden, have you switched your sights back again?

THE PRESIDENT: Yes, it has been moderated because Church has won, what, two, Brown has won two, so I think the pendulum may be swinging back a bit.

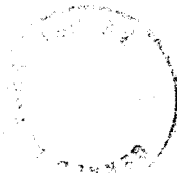
QUESTION: Because of the emergence of Governor Carter, plus the acceptance of Brown and the acceptance of Governor Reagan for that matter, do you feel that this year might be a year when issues won't be as important as personalities, especially since all these men are running against Washington in one way or another?

THE PRESIDENT: I would regret if the campaign would not be on issues. I think it is wholesome for the country to have a national election every four years based on issues.

QUESTION: Is that why you said consistently you thought it would be a good race between yourself and Senator Humphrey?

THE PRESIDENT: Yes, because we do have very specific, ideological differences and our records are clear. He has voted as many times as I have on various issues and I think a Humphrey-Ford contest would be ideologically a good contest for the American people.

QUESTION: Remembering what happened to the Democrats four years ago, would you be willing to make the facilities of the FBI available to the Democratic nominee to check out his Vice Presidential choice prior to the announcement? The incumbent always --



THE PRESIDENT: I hadn't thought of it.

QUESTION: Just to make certain the country isn't embarrassed as it was four years ago.

THE PRESIDENT: Let me think out loud so I can see how it sounds.

If the Democratic Presidential candidate asks me as President, with full approval of the prospective nominee, full approval in writing, I would see no objection to it. But it would have to be in writing from the Presidential nominee, it would have to be concurred in by the Vice Presidential prospective nominee. Under those circumstances, I would see no objection.

What do you think, Ron or Bob?

MR. NESSEN: If it is not a violation of any law.

THE PRESIDENT: If they put it in writing and ask me particularly, I wouldn't see any harm to it.

QUESTION: The time factor would be awkward, though.

THE PRESIDENT: Well, he didn't ask on the basis of the time factor.

QUESTION: All right, let's bring the time factor into it.

THE PRESIDENT: Well, there is a limit as to what can be done to get the thorough kind of a check I got. In my case 400 FBI agents took -- how long, Bob?

MR. HARTMANN: Three or four weeks.

THE PRESIDENT: Two, three or four weeks? I mean that is how long it took for them to make what they thought was a thorough check of my background. So you run into some logistic problems, that is what I guess we are saying.

QUESTION: But the fact that you would be willing to make them available --

THE PRESIDENT: But it would have to be in writing, requested and approved.

QUESTION: Mr. President, there are rumors around in various sections of the country that several Republicans, Mayor Wilson of San Diego, Governor Evans of Washington, Senator Schweiker of Pennsylvania, have been approached by people saying the President is interested in you, would you be available for Vice President.

THE PRESIDENT: I have authorized nobody.

QUESTION: You have authorized none of this?

THE PRESIDENT: I have not authorized anybody to make any inquiries to any prospective candidate.

QUESTION: Mr. President, you mentioned that a contest between you and Senator Humphrey would represent an ideological --

THE PRESIDENT: On domestic matters, I should have said.

QUESTION: That is on domestic matters. Can you characterize how you feel about a contest against Governor Carter?

THE PRESIDENT: I am like a lot of Americans, I am not sure where he stands on a number of the issues that a President has to deal with. And I have read a number of news articles which pointed out that he has been somewhat inconsistent on a few issues.

So I don't think a Ford-Carter contest would be nearly as clear cut as a Ford-Humphrey contest.



QUESTION: In terms of political strategy and particularly in selecting a Vice Presidential running mate, do you think you would be more apt to choose a Southerner as your running mate if Governor Carter were to be the nominee or would you, on the other hand, be inclined to ride out the South and appeal to some other part of the country geographically?

THE PRESIDENT: I don't think I should even make that kind of an evaluation at this stage of the Presidential contest. There could be so many other factors that would enter into it that to say categorically, if Carter were the nominee, yes, we are going to have a Southerner on the ticket. I think that would be very unwise at this juncture.

QUESTION: Mr. President, do you see any justification at this point for reopening the investigation into the assassination of President Kennedy?

THE PRESIDENT: Unless there is some new evidence, I would say there is no reason whatsoever. Just to reopen it, using the same evidence that the Warren Commission utilized, would not justify reopening it.

QUESTION: And as a member of the Warren Commission, are you convinced or were you at that time convinced that the FBI and the CIA gave you the best available evidence?

THE PRESIDENT: I believe that we got full cooperation for all Federal agencies at that time.

Bear in mind what we said, now, we came to two conclusions, two basic conclusions, one, Lee Harvey Oswald was the assassin and then number two, the Warren Commission found no evidence of a conspiracy, foreign or domestic. And I emphasize we found no evidence because the original draft of the text by the staff said the Commission finds no conspiracy, foreign or domestic. We had quite a debate on the Commission and with the staff and we compromised by saying the Commission had found no evidence of a conspiracy, foreign or domestic.



QUESTION: Sir, did you have any inkling at all about the plots against Castro at that time, during the Commission hearings?

THE PRESIDENT: The CIA?

QUESTION: Yes, if there were any plots at all. Were there any indications or hints off the record?

THE PRESIDENT: Not to my recollection.

QUESTION: Mr. President, can we talk politics about the California primary and particularly then we would like to get into the New Jersey and Ohio primaries since these gentlemen have come in from New Jersey and Ohio.

First, how does California look to you right now? How important do you think it is going to be, at least a choice between you and Governor Reagan?

THE PRESIDENT: I think we are an underdog. We had a good reception when we were out in California, good crowds, good enthusiasm. I think we made some headway. We are still an underdog but we have a fighting chance to win.

QUESTION: What is your understanding of the situation in New Jersey right now?

THE PRESIDENT: I think in both Ohio and New Jersey our prospects look very good.

QUESTION: Do you anticipate a sweep in New Jersey?

THE PRESIDENT: I don't like to talk in numbers and I don't like to, you know, outright predict victory. I just think our prospects look very optimistic.

QUESTION: Your wife was in New Jersey yesterday, did she tell you -- report back?



THE PRESIDENT: She called me last night, I was working in the office here. She felt the trip to New Jersey with Millicent Fenwick had been very worthwhile. She enjoyed it, thought it was productive.

QUESTION: Do you intend to visit New Jersey before June 8?

THE PRESIDENT: I haven't seen the final plans.

QUESTION: You do plan to be in Ohio, sir, right?

THE PRESIDENT: We hope to get to Ohio. There is one possibility that would be a non-political trip.

QUESTION: How can that be right before the primary?

THE PRESIDENT: Well, if -- are we talking about the same thing? You are from Cleveland? You work for Tom?

QUESTION: Yes. I work for Mr. Vale.

THE PRESIDENT: Well, all I know is that Tom Vail, who is heading up the Christian Jewish Dinner, invited me some months ago to be there on Sunday, June 6.

QUESTION: Right.

THE PRESIDENT: And if I accept, it will be on a strictly non-political basis.

QUESTION: Will that be your only appearance there, sir?

THE PRESIDENT: I think it will be because, if we do anything that is tied in politically, then the whole trip is political. So in my conversation with Tom it was clearly under it had to be limited to that one event.



QUESTION: I'll go to the ultimate then, Mr. President. Will you be able to go back to California and still stay under this ceiling?

THE PRESIDENT: We are looking at it, Saul.

QUESTION: The same question with the ceiling, taking the ceiling into account, would a similar type of invitation bring you to New Jersey then?

THE PRESIDENT: We run into the same problem.

QUESTION: A non-political invitation, I am talking about.

THE PRESIDENT: A completely non-political invitation protects us from violating the law. We certainly are not going to do that under any circumstances.

QUESTION: You would accept something like that?

THE PRESIDENT: We certainly would take an awful good look at it.

QUESTION: You talked about the problem, do you mean a problem of money now, you are approaching the limit?

THE PRESIDENT: We have enough money, it is a question of spending type money.

QUESTION: While we are on the subject of politics, could we back track a bit and mention Millicent Fenwick. There are rumors ripe in New Jersey that you tried to persuade her to run for the U.S. Senate, and possibly Dr. Cowan and maybe several other Republicans this year.

THE PRESIDENT: I don't have a recollection that I tried to talk Millicent into -- I think she is a tremendous public figure but I don't recall ever having a conversation with her about it.



QUESTION: The philosophy of this Administration has been to stimulate the private sector of the economy. Some people say this misses the old urban areas with their special pockets of need. For example, Jersey City, under the Community Development's Revenue Sharing Plan, gets \$6 million a year, replacing considerably more than it received on the model cities and under the Titles 235 and 236. What can the Federal Government do to zero in on the special pockets of need in these old urban decaying areas?

THE PRESIDENT: In the case of the Community Development Act, when the law was passed, it was specifically written into the law that every community that had had money under the seven categorical grant programs, including model cities, should be held harmless, I think for four years. It was either four or five years. So whatever Jersey City was getting under the seven categorical grant program, they would get at least as much under the Community Development Program. I can't give you the figure but they wouldn't lose a penny and most cities would probably get more.

Now turning to 235 and 236, I recommended 400,000 units, including public housing, for fiscal 1977.

In addition, I recommended several tax proposals which would give a tax incentive to a corporation to go into Jersey City or to Newark, wherever there was unemployment I think over 7.5 percent. The purpose being to accelerate the building of new plants, the expansion of old ones, the modernization of old plants.

Now, in addition, we have the traditional things that are aimed at taking care of a temporary problem, such as SETA, public service jobs, summer youth employment programs and the extended and broadened unemployment compensation legislation.

QUESTION: In that context, sir, why, then, did you veto the proposal to tie in the aid to unemployment ratio rather than to the per capital ratio?

THE PRESIDENT: In which legislation are you talking about?

QUESTION: Let me see, I have a note here somewhere.

THE PRESIDENT: We have had so many bills down here I can't recall that.

You may be thinking of the proposed change in the formula for general revenue sharing, is that right?

QUESTION: That's right, when Congress passed the bill to use unemployment as an index for distribution of Federal funds rather than per capita, that was vetoed.

THE PRESIDENT: Then it isn't general revenue sharing, it must have been the so-called counter-cyclical.

QUESTION: That is it.

THE PRESIDENT: The problem there was not the formula, it was the amount of money. As I recall, it was a \$6 billion proposal that was aimed at public works. Historically we know that massive new public works programs usually come and have an impact on employment about 18 months after the unemployment has peaked and started downward. So we didn't think that program would have any immediate impact on the current unemployment, which that was about four months ago, as I recall, maybe five months ago.

The benefits, if there would have been any, would have been well after the current unemployment problem was right on our doorstep. Besides it was a \$6 billion add-on to two fiscal years and we just didn't think it was justified.





QUESTION: I think we are typical of a lot of cities our size and our age. We have roads, sewers and schools that are over 80 years old. We have tremendous normal capital needs and our unemployment rate even during boom time is higher than the average. It may be true nationwide it takes 16 months or whatever for jobs to catch up with the unemployment, but that is not true in our area or in cities our age.

Can there be any program tailored to cities like that?

THE PRESIDENT: Let me just give you a couple of programs where there ought to be an impact -- and I would assume Jersey City or Newark would have the problem -- I recommended more money for water and sewer projects in fiscal 1977 than ever in the history, almost \$7 billion in just local water and sewer programs. I urged -- well, I recommended, I didn't just urge, and Congress came up with some more rapid utilization of highway money.

For example, some States -- and I don't recall whether New Jersey was one -- couldn't match Federal highway contributions. So, the Congress approved and I signed a bill for a period of nine months, as I recall, wiped out the need for State matching so that the Federal money could be used right away to build new highways and the States wouldn't be strapped to come up with their share.

I would assume New Jersey has some highway needs that could have been met,--at least Charlie Sandman always used to keep hitting me over the head that New Jersey needed some more highways built--and I am sure to a degree, whether Charlie is 100 percent right or not, I am sure there are some highways that had to be built in New Jersey.

In addition, the housing alternative, well, it is not the housing alternative but the public works alternative, after I vetoed that bill, that I recommended -- it is called the Griffin-Brown substitute -- it was about \$800 million, as I recall the figure.

It was a program that was an alternative to the \$6 billion program. If Congress would pass that, I think it would be far more effective than this long-range \$6 billion program. I think there is a good prospect that they will do it, but it has been a three- or four-month lapse in the meantime.

Of course, then you have general revenue sharing. The cities of the size of Jersey City and Newark get a substantial cut of money under what we call general revenue sharing.

QUESTION: Mr. President, one of the vital concerns in New Jersey deals with the military installations. There are constant reports, four or five of them now, that they will be transferred, or moved, and I wonder if your Administration can give any assurances to New Jersey as to your policies as far as this is concerned?

THE PRESIDENT: Are any of those you are thinking about listed in the announcements which were made about a month or six weeks ago? I don't recall that any of them were.

QUESTION: I don't think so.

THE PRESIDENT: If they were not listed at that time, there is no prospect of any such action.

QUESTION: One has a 1979 remove date.

THE PRESIDENT: Fort Dix is the one I think most people were worried about and as I recollect Dix was not on that list.

QUESTION: At Fort Monmouth now there is a radio installation there.

THE PRESIDENT: As I recall, that was relatively small.

QUESTION: Four hundred people, and it represents something like 25 percent of the counties when they calculate the ripple effect.

THE PRESIDENT: If that was on the list, it is in the process where the Defense Department has to conduct an environmental economic impact statement in every case where there is a realignment or where there is a closure. Until those two impact statements are finalized, no decision, no final decision is made.



But let me just present to you what the problem is in a broad context because everyplace I go where there is a base closure or a realignment, including my own State of Michigan, where they are closing a SAC base up in the Northern Peninsula where the county has 20 percent or more unemployment and they are going to close -- they are going through this closing process, and it will lose them about 2,500 jobs, civilian jobs, and take away about 3,000 or 4,000 military jobs.

They have unemployment of 20 percent or more, and you can imagine the impact if they close that base. It is a pretty emotional issue up there, as well as substantive.

Just take a look at the set of facts. Five years ago, four or five years ago, we had 3,500,000 men on active duty in the Army, Navy, Air Force and Marines. Today we have 2,100,000. You can't justify having the same base structure for 2,100,000 when you had at one time 3,500,000. Nobody can justify all of the bases that we had for 3,500,000 when you reduce your military manpower by 1,400,000.

Plus, in the last ten years Congress has cut President Johnson's budget, President Nixon's budget and my budget of the Defense Department by over \$45 billion, including a \$7 billion cut last summer.

The cut they imposed on me last summer was 9 percent across -- that is what it averaged out. So, here we are with 1,400,000 fewer people and \$45 billion less money to spend, including a 9 percent cut imposed by the Congress last year. Now, something has to give, unless they can give me a better answer. You couldn't run your papers that way and I can't run, or Rumsfeld can't run the Defense Department that way.

They got your appropriation bill. We have 1,400,000. That is more than a one-third reduction. It is about a 40 percent reduction in personnel. You just can't keep all these bases open.

QUESTION: Mr. President, the concern out in New Jersey is not the same right now as concern in Ohio, which is Wayne Hays (Laughter) and without getting into that case in particular --

QUESTION: You can get into it, if you like, though, sir.

THE PRESIDENT: That is one I am delighted to stay out of. (Laughter)

QUESTION: Do you think this kind of thing and other instances, similar instances which tend to bring down the Congress in the eyes of the public, would tend also to hurt you in the era of the anti-Washington campaign?

THE PRESIDENT: I don't see how an incident that is related exclusively to the Congress should have any impact on this Administration. I guess we all live in Washington, but it is so clearly identified with Congress and has no relationship to the White House that I doubt that it will have any impact at all as far as I am concerned.

QUESTION: How then do you evaluate the Brown phenomena? Do you see that as part of the anti-Washington movement? I mean, he came out to Maryland and did very well in less than a month.

THE PRESIDENT: I can't explain it.

QUESTION: I can't either. I was hoping you might be able to.

THE PRESIDENT: I can't explain it completely.

QUESTION: Is it part of the search for Camelot, do you think, you know, going back to Kennedy, he is new, he is young?

THE PRESIDENT: It certainly very easily could have that impact, but whether I agreed with Jack Kennedy or not, he had had some exposure and some experience to some of the problems involving the Federal Government, and to my knowledge Governor Brown has had none.

QUESTION: Wouldn't that be the case with Governor Carter as well, Mr. President?

THE PRESIDENT: Well, he got educated by the Federal Government. (Laughter)



QUESTION: That is true, and he worked for a pretty smart teacher out in the Navy Department. But aren't you then closing the door on Governors and opening it to men like Senators and Cabinet members, or Congressmen, for that matter?

THE PRESIDENT: The facts are that people who have been in Washington know more about the Federal problems that involve defense, the foreign policy and related matters. Nobody can deny that, Saul.

I am not saying people can't learn, but believe me, you see that pile of red things up there? That is a couple of months' collection of very complicated matters involving SALT II and you just don't sit down and read a book and become an expert on SALT II, I can assure you of that.

So, I think a person who has had some exposure to that does have an advantage.

QUESTION: You won't get an argument from Hubert on that. (Laughter)

QUESTION: Quite obviously, then, this would indicate that when you look around for a runningmate, you will look first in Washington. Are we to presume that?

THE PRESIDENT: Not necessarily, no. I think the job of being Vice President is different than being President. It is my feeling that a person can serve for a period of time as Vice President and have an exposure to many of these issues that a President has to deal with. So, I would feel more comfortable with somebody who works on the kind of problems we have in the office of the President, but I would not have any concern as far as the Vice President is concerned.

QUESTION: What is your timetable as to an announcement of a running mate?

THE PRESIDENT: Probably at the Convention, maybe shortly before.

QUESTION: Mr. President, do you believe that all potential Vice Presidential candidates should undergo similar scrutiny to the kind you were subjected to? They were a little rough on you, of course.



THE PRESIDENT: It would be helpful, but I am not sure of the time factors, Saul.

QUESTION: You have the same problems as the Democrats do?

THE PRESIDENT: Absolutely, sure.

QUESTION: When would you expect to begin making up your mind, assuming you are nominated?

THE PRESIDENT: I am sure after the primaries are all over and the convention and State nominations have been pretty well firmed up, which comes the middle or the third week in July, for us, anyhow -- no, June, I am sorry -- we will start winnowing down and making some choices.

But, I wouldn't expect any announcement until at or perhaps just before the convention.

QUESTION: Mr. President, the Government is about to begin leasing off-shore oil sites off New Jersey. I understand your Administration opposes a Congressional proposal which would compensate for on-shore impact for spillage and so forth.

THE PRESIDENT: That isn't quite accurate. I have seen memos from various departments which would indicate an objection to the bill that is currently going through the Congress. But that doesn't mean we are opposed to aid and assistance for shore communities or shore States. Our approach is a different one from what appears to be the approach that is -- I guess the Senate has passed its bill. The House is in the process of passing it. But, the trouble is they have loaded that bill up with a lot of other things that don't relate just to this particular problem.

QUESTION: What would be your ideal type of legislation as far as compensation?

THE PRESIDENT: We sent up a proposal -- I have forgotten, it must have been the latter part of last year, didn't we -- which would have given direct funds from the Federal Treasury to the shore areas which have the specific impact from off-shore oil leasing.

I can't remember the formula part of it, but it would have been a substantial program.

QUESTION: Mr. President, Ron Nessen -- and I have to live with him -- has given me the signal.

THE PRESIDENT: Why don't you ask one or two more?

QUESTION: Mr. President, could you give me some ideas as to the considerations that will go into your thinking when you start selecting a Vice President? Vice President Rockefeller said yesterday that he is in his own mind convinced, for example, you would not pick Governor Reagan because a man, as he said--this is paraphrasing, not quoting--because a man who is drawn to the right of center in a campaign certainly couldn't go even further right in his choice of a running mate.

Is there a basis in fact for that sort of a thought?

THE PRESIDENT: At this point, Saul, I don't think it is appropriate for me to identify any individual. I don't think I should exclude anybody. Now, Governor Reagan has himself indicated he wouldn't be interested but that doesn't prevent me from still keeping him in mind.

Now, Governor Rockefeller has done the same thing, except he put it in writing in a letter to me. But to winnow it down at this stage, I think it is just premature for a number of reasons.

QUESTION: Do you feel, though, Mr. President, that a man who is to be considered as Vice President should have geographical balance or a nice fat load of electoral votes or he can bring with him?

THE PRESIDENT: Those are two things that we certainly consider. But the one thing that I think I want -- because after all you have to, in effect, live with him for four years -- is some personal compatibility, a comfortable relationship.

Now, that doesn't indicate I am thinking of anybody or excluding anybody, but I think you have to have a personal compatibility or it would just be an unwholesome situation.



QUESTION: A lot of people would be wondering about their compatibility if they ever read this.

THE PRESIDENT: Yes, but I was very careful to say it was not related to any individual or several individuals. But, I think, you know, that is a working relationship.



QUESTION: I had a staff delegation ask me to ask you what can the Federal Government do about the Postal Service. I know immediately you can't but there must come a time when the postal rates go so high and the service gets so bad, is there any point in time where you can see you might have to step in and do something?

THE PRESIDENT: We are negotiating with the Congress right now because the deficit of the Post Office Department has increased, and the Post Office, or the Postal Service, wants us to recommend. I think it is a \$500 million add-on to the money we have already recommended for them as a deficit. I am reluctant to do that. Congress would like to but they don't want to do it unless we will join with them.

Now on the other hand the Postal Service has the authority to borrow -- I think they have additional borrowing authority up to about \$4 billion. They don't want to do that because that makes their operation look a little less efficient and economical.

So what we are doing is sitting down with the people up on the Hill to possibly have a high level, very knowledgeable panel that would analyze the Postal Service and see from an independent point of view what their problems have been, what can be done to remedy it.

Now we are not going to have a 12 to 18 month study because I don't think it takes that. There are enough knowledgeable people around who can look at the facts and see just what the difficulty is.

If that was done, I would want that study available by early spring at the latest. I think that is enough time for them, if not before.

They have increased their efficiency, they have cut out about 60,000 jobs and they are delivering X number more pieces of mail. So they have improved their ratio between jobs and pieces of mail delivered.



On the other hand, their costs have gone up. Their employee costs have gone up. They have had two wage negotiations and some people allege that they were too generous in their settlements with the Union. I have no way of judging that, that is what they settled on.

They say, the Post Office Department says that independent auditors coming in have found that their delivery system of articles of mail has improved. I have no way of judging it. They showed me the figures and these figures indicate that a higher percentage of mail from A to B gets there more quickly than it used to. But I think we have to bring in some outside people to take a look and see whether they are managing it well, what can be done to try to improve it. I know we get a lot of complaints and they have been trying to close these uneconomical post offices and they have a lot of them. I don't know how many in New Jersey, I am sure they have a few. But they have been trying to not irritate people. They wait until a Postmaster dies before they close the Post Office and their longevity is very extended.

It is a tough problem but there is so much controversy, so many mixed views I think you have to have some outside people come in and look at it.

QUESTION: Mr. President, one last question on military installations, will you review any proposed transfers, or is that strictly a Defense Department decision?

THE PRESIDENT: I will say it is 99 percent the Defense Department's decision. I will get the information.

QUESTION: That one percent would consist of --

THE PRESIDENT: I get the information, but I think the prime responsibility falls on the shoulders of the Defense Department. That is why we have 2 million 100 thousand people over there, including Secretaries of Defense, Army, Navy, Air Force and Marines.





QUESTION: One last question, Mr. President. We haven't mentioned Henry Kissinger here and that has distinguished this meeting. (Laughter)

How comfortable are you with our relations abroad? I know we are at peace and all that. What are our prospects in the Middle East?

THE PRESIDENT: I think we have had some good news lately. The Syrians have agreed to extend UNDOF without any conditions. Despite a news story in a prominent newspaper yesterday morning, the Israeli Government was not unhappy with the way Bill Scranton handled the settlement issue there. I don't know how that newspaper got off on the wrong foot but Ambassador Herzog of Israel straightened out the record.

So I think we are slowly but surely making progress. The Sinai Agreement has gone excellently. A real problem -- and this is a tragedy -- is Lebanon. It is the most mixed up situation I have ever seen. You have elements that ought to be together on opposite sides -- Christians and the Syrians working together, the radical Palestinians working with the Egyptians, you have Israel trying to protect its interests as best it can. There are lots of people who think that if the Syrians went in there and restored order, that would be the best answer. That is what some people say. But the minute Syria goes in, then Israel is going to go in. Then you have a battle between Syria on the one hand and Israel on the other.

Those are just about half of the contradictions that are going on there.

QUESTION: It sounds like New Jersey Democratic politics. (Laughter)

THE PRESIDENT: Then you get Jumblatt's sister assassinated yesterday. It just makes no sense, absolutely. You have Franchi, who has agreed to resign as President and he won't turn over the papers until -- and they have picked a new President but they can't negotiate that transfer of power. You know, it is just unbelievable.

THE PRESS: Mr. President, thank you very much.

END

(AT 3:09 P.M. EDT)

THE WHITE HOUSE

WASHINGTON

June 1, 1976



MEMORANDUM FOR: PHIL BUCHEN

FROM: BARRY ROTH

Attached is a copy of the portion of the transcript from the interview of the President by Newhouse Newspapers that deals with the use of the FBI to investigate a prospective Democratic Vice Presidential nominee at the request of the Presidential nominee. The President did not refer to the Eagleton matter, although the reporter asking the question did elude to the experience of the Democrats in 1972. In addition, the President stated he was only thinking out loud and Ron Nessen conditioned the response by adding that as long as to do so was not a violation of law.

The FBI's authority to conduct personnel investigations stems from regulations promulgated by the Attorney General (28 CFR, Subpart P.). These regulations provide that, subject to the general supervision of the Attorney General and under the direction of the Deputy Attorney General, the Director of the FBI shall "conduct personnel investigations requisite to the work of the Department of Justice and whenever required by statute or otherwise." Initial reaction from the Deputy Attorney General's office is that such investigations could be conducted, but that they might first require the approval of the Attorney General. They have asked OLC to examine this question further and to report back in the next several days.

Regardless of the philosophical considerations that are involved, there are numerous practical problems that would have to be considered. First, as the President pointed out, his own investigation required the use of some 400 FBI agents and took 3-4 weeks to complete. Even if the major Democratic nominees were to select several Vice Presidential candidates who then consented to such an investigation, it would be difficult for the FBI to conduct detailed investigations of more than several candidates in an equivalent amount of time.

Additionally, this could subject the FBI and the President to political attacks concerning either the failure to discover or disclose possible derogatory information or the leaking of such information. Merely utilizing the FBI for a last minute name check of a prospective Vice Presidential nominee would probably be too cursory to have any meaning.

Should we receive additional inquiries in this regard, a suggested response should indicate that the President's comments were based on his own confirmation experiences and the FBI investigation that was then conducted. While the President does not object to the concept of such investigations with the written consent of the prospective nominee, there are numerous practical problems, such as the length of time necessary for an investigation, that must be considered. Justice has no objection to this response.



INVESTIGATION OF A PROSPECTIVE
DEMOCRATIC VICE PRESIDENTIAL NOMINEE

Question

Mr. President, you recently stated that you would make available the facilities of the FBI at the request of the Democratic Presidential nominee to investigate a prospective Vice Presidential nominee prior to the decision. What is your position?

Answer

The idea of such an investigation was recently raised in a question by a reporter, at which time I stated that I saw no objection to an investigation, as long as it was requested in writing by the Presidential nominee with the written concurrence of the prospective Vice Presidential nominee. On the basis of my experience during the Vice Presidential confirmation process, I am not troubled by the thought of such an investigation.

If the Democratic nominee requests the assistance of the FBI for this purpose, to the extent permitted by law, I would comply with that request.

However, as I raised with the reporter, there are practical problems that must be considered, for example, the length of time an investigation of this magnitude takes to complete. In my case, it took approximately 400 FBI agents 3-4 weeks to complete their work. Unless the current selection procedures are substantially modified, this could not be done.



PWB/BNR
6/2/76

94TH CONGRESS
2D SESSION

S. 3552



IN THE SENATE OF THE UNITED STATES

JUNE 10 (legislative day, JUNE 3), 1976

Mr. BROCK introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To provide for an investigation of the character and past activities of potential Vice-Presidential nominees by the Federal Bureau of Investigation.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, for purposes of this Act, the term—

4 (1) "Presidential primary" means any election held
5 for the expression of a preference by the voters of a
6 State for the nomination of a candidate for election to
7 the office of President;

8 (2) "political party" means any political party
9 whose candidate for election to the office of President in
10 the most recently conducted Presidential election re-

ceived more than 10 per centum of the total number of votes cast throughout the United States for all such candidates, treating votes cast for the election of Presidential and Vice-Presidential electors who are affiliated with a political party as votes cast for the Presidential candidate of that party;

(3) "national nominating convention" means a convention held by a political party for the purpose of nominating the candidate of that party for the office of President; and

(4) "Presidential candidate" means an individual who—

(A) is qualified under the Constitution to serve as President if elected to that office; and

(B) files with the Attorney General, not later than thirty days before the date on which the national nominating convention of a political party is scheduled to begin—

(i) a statement in writing personally signed by him stating that he is a candidate for nomination of that party for election to the office of President, and

(ii) a substantial number of statements in writing each of which is personally signed by a delegate entitled to vote in such conven-

tion for the selection of the candidate of that party for election to the office of President stating that such delegate intends to vote for the nomination of that individual as the candidate of that party for election to the office of President when the convention is held.

For purposes of clause (ii), an individual shall be considered to have furnished a substantial number of statements from delegates to the national nominating convention of a political party if he has furnished the greatest, next greatest, or third greatest number of statements from such delegates in comparison to the number of statements furnished by all other such individuals, or if he has furnished statements from 10 per centum of such delegates.

SEC. 2. (a) (1) Whenever there is a vacancy in the office of the Vice President, the President may, in writing, request that the Attorney General investigate not more than ten individuals listed in such request by the President as potential Vice-Presidential nominees.

(2) A Presidential candidate may, in writing, request the Attorney General to investigate not more than ten individuals listed in such request by the Presidential candidate as potential Vice-Presidential nominees.

(3) The Attorney General, upon receiving a written re-

1 quest from the President under paragraph (1) or from a
 2 Presidential candidate under paragraph (2), shall direct the
 3 Federal Bureau of Investigation to conduct an investigation
 4 of the individuals listed in such request. The investigation
 5 shall be of the same nature, extent, and scope as an investi-
 6 gation conducted by the Federal Bureau of Investigation in
 7 connection with the granting of a top secret security clear-
 8 ance to any individual employed by the United States.

9 (b) The Attorney General shall notify each individual
 10 who is the subject of an investigation conducted under this
 11 Act when such investigation is completed and shall give such
 12 individual an opportunity to review the evidence and infor-
 13 mation obtained through such investigation. No evidence or
 14 information obtained by an investigation conducted under
 15 subsection (a) shall be released to any person without the
 16 written consent of the individual who is the subject of the
 17 investigation.

18 (c) If an individual investigated under subsection (a)
 19 consents in writing, as provided under subsection (b), to
 20 the disclosure of the evidence and information obtained in
 21 that investigation, the Attorney General shall permit inspec-
 22 tion of such evidence and information by the President who
 23 requested the investigation and by one other person desig-
 24 nated by the President, or by the Presidential candidate who

1 requested the investigation and by one other person desig-
 2 nated by such candidate, but only if such candidate has been
 3 nominated by the national nominating convention of the
 4 political party with which he is affiliated. Any such inspec-
 5 tion shall be carried out on premises designated by the At-
 6 torney General and in the presence of an employee of the
 7 Federal Bureau of Investigation who shall be the custodian
 8 of such evidence and information. No copy, record, or memo-
 9 randum of any matter contained in such evidence and infor-
 10 mation shall be made by the candidate or the person desig-
 11 nated by the candidate to inspect the evidence and informa-
 12 tion, and no part of such evidence or information shall be
 13 removed from the custody of the Federal Bureau of
 14 Investigation.

15 SEC. 3. (a) Upon the nomination of a candidate for
 16 the office of Vice President by the President acting under
 17 the twenty-fifth article of amendment to the Constitution
 18 of the United States, all evidence and information relat-
 19 ing to such candidate obtained from an investigation au-
 20 thorized in section 2 shall be forwarded to the appropriate
 21 committees of the Congress. Upon the confirmation of such
 22 candidate by and with the advice and consent of the Senate,
 23 all evidence and information relating to other potential Vice-
 24 Presidential nominees obtained from an investigation au-

1 thorized in section 2 shall be destroyed, and no memoran-
2 dum, copy, or other record of such evidence or information
3 shall be retained.

4 (b) Upon the nomination of a candidate for election to
5 the office of Vice President by the national nominating con-
6 vention of a political party, all evidence and information
7 relating to potential Vice-Presidential nominees of that party
8 obtained from an investigation authorized in section 2 shall
9 be destroyed, and no memorandum, copy, or other record
10 of such evidence or information shall be retained.

11 SEC. 4. No evidence or information obtained under or in
12 connection with an investigation carried out under this Act
13 shall be admissible in any proceeding before any court of the
14 United States or of any State.

15 SEC. 5. The disclosure, release, or retention of evidence
16 or information in violation of the provisions of this Act shall
17 be punishable by a fine not to exceed \$50,000, imprison-
18 ment for not to exceed five years, or both.

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