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Calendar No. 1188

93^d CONGRESS }
2d Session }

SENATE

.. REPORT
No. 93-1255

SUPPLEMENTAL APPROPRIATIONS BILL, 1975

OCTOBER 9, 1974.—Ordered to be printed

Mr. McCLELLAN, from the Committee on Appropriations, submitted
the following

REPORT

[To accompany H.R. 16900]

The Committee on Appropriations, to which was referred the bill (H.R. 16900) making supplemental appropriations for the fiscal year ending June 30, 1975, and for other purposes, reports the same to the Senate with various amendments and presents herewith information relative to the changes recommended.

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coordinating the foregoing data most efficiently. The Commission is authorized to establish advisory committees to assist it in developing a policy-making process relating to the total problem of balanced national growth and development. In view of the shortness of time that the Commission has to prepare its report, the Committee has included the following language to allow the Commission flexibility in the appointment of staff:

* * * including personal services without regard to the provisions of law regulating the employment and compensation of persons in the Government service; * * *

GENERAL SERVICES ADMINISTRATION

EXPENSES, PRESIDENTIAL TRANSITION

1975 Appropriation.....	
1975 Supplemental estimate (H. Doc. 93-344).....	\$450,000
House allowance.....	100,000
Committee recommendation.....	100,000

The Committee recommends an appropriation of \$100,000, a reduction of \$350,000 below the budget estimate and is the same amount allowed by the House. These funds were requested under the authority of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) to cover the transition of former President Richard M. Nixon to private life.

In tandem with this request was the following request of an additional \$400,000 in benefits under the Former Presidents Act for a total of \$850,000 in allowances and services for former President Nixon. The Committee held two days of extensive hearings on the total request, taking testimony from the General Services Administration, the Office of Management and Budget, and the U.S. Secret Service.

As authorized by the Presidential Transition Act of 1963, these funds are to assist a former President in making the transition to private life. The Committee had only the experience of former President Lyndon B. Johnson to use as a guide. According to exhibits that the General Services Administration provided at the hearing, a total of \$541,298 was expended on behalf of former President Johnson for the first 17½ months following the expiration of his term of office as President (January 20, 1969 through June 30, 1970). On the other hand, \$850,000 was requested for former President Nixon to cover 10½ months (August 9, 1974 through June 30, 1975). On a per month basis, the actual recorded expenditures for former President Johnson were \$31,266 as opposed to the \$79,685 per month rate requested for former President Nixon. Even with the addition of a 25% inflation factor, as suggested by GSA, the proposed monthly rate of expenditure for President Nixon would still be twice as much as the monthly rate actually expended on behalf of President Johnson.

SUMMARY OF HEARINGS

The Committee delved deeply into this request in the hearings, as the justification materials provided no details as to the nature and need of the planned expenditures. Among the more important facts developed during the Committee's hearings were:

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(1) As of September 20, 1974 there were assigned to former President Nixon on a non-reimbursable basis a total of 22 Federal employees with annual salary rates ranging from \$42,500 per annum, in the case of Mr. Nixon's former press secretary, to \$8,000 per annum for a maid. In all, the annual salary rates of the detailed personnel total \$442,695. In addition to the maid, the list included a butler at \$12,000, a military aide, and three military drivers.

On the very morning of the Committee's action on this item, the White House supplied information that 64 persons at annual salary rates aggregating \$827,604 were assigned to the former President. The 64 persons were detailed from the following agencies: White House Office, 9; Department of Defense, 23, including 14 with the White House Communications Agency; Department of the Interior, 2; Department of Transportation (Coast Guard), 12; General Services Administration, 18, including 8 from the Public Buildings Service and 10 from the National Archives and Records Service. The Committee is pleased by this new attitude of candor but notes that this information was not made available until one week after the Subcommittee on Treasury, Postal Service, and General Accounting Appropriations had publicly announced their findings and recommendations.

(2) The budget estimate of \$450,000 for the former President's transition was developed on an 11-month basis instead of the 6 months period provided by the Presidential Transition Act. The estimate envisioned the former President being supplied with unlimited free details until December 9, 1974, four months after he left office, at which time it was planned to add a staff of 14 to assist with the transition.

(3) In response to the Committee's inquiry, GSA disclosed that their equipment inventory at San Clemente as of September, 1974, amounted to \$218,823, of which \$56,304 was to be utilized by former President Nixon with the remainder for GSA and Secret Service to use at San Clemente or at the nearby Laguna Niguel Federal Building that will house the former President's papers. Among the equipment to be assigned to the former President was \$28,874 in office furniture that included 186 chairs, 21 davenports, 44 desks, and 42 tables. GSA also testified that the total amount of office space, for which the Administrator made his first waiver of the new Standard Level User Charge, to be assigned to former President Nixon at San Clemente and Laguna Niguel totaled 7,484 square feet. Included in the square footage is the 200 square foot den within his residence at San Clemente that the taxpayers have furnished at a cost of \$4,834.50. In addition to all of this equipment already on hand, GSA proposed to use \$105,000 of the \$850,000 requested to purchase additional equipment on behalf of the former President, including 20 additional typewriters, when there were 57 units already in the inventory in San Clemente.

(4) The Committee found that GSA is maintaining a staff of 8 permanent positions at San Clemente, whose annual salary rates amounted to \$91,387 as of September 24, 1974. In addition, GSA had 4 permanent positions, including a gardener, assigned to the former President's complex at Key Biscayne, Florida, at annual salary rates amounting to \$53,566. Also at Key Biscayne, the Secret Service is still maintaining its protective force that costs \$430,000 on an annual basis. (The Committee was also informed by the Secret Service that the authorized protection of former President and Mrs. Nixon is

expected to cost \$622,000 per year.) Assurance was given at the hearing that Government operations at Key Biscayne are being phased out and the Committee expects this to be accomplished promptly and with maximum recovery of Government installed equipment.

Throughout the course of these extensive hearings, the Committee was not able to obtain from the Administration's witnesses any details on how the \$450,000 was to be spent. The Committee was furnished with a document, entitled "Proposed Transition Budget", containing 9 amounts that total \$450,000. This document was not part of the justifications furnished the Committee and was not made available until virtually demanded at the hearings. In the second hearing on the matter, GSA furnished a similarly titled document which spread the 9 amounts in the first document on a monthly basis, but at no time was the Committee able to obtain an estimate of the man-years required to complete the numerous tasks ascribed to the transition work force.

NON-REIMBURSABLE DETAILS

As indicated in the above, the Committee went extensively into the authority for and the number of non-reimbursable details being furnished former President Nixon. The Committee also referred this matter to the General Accounting Office. By letter of September 20, 1974, the Comptroller General advised that the Presidential Transition Act of 1963 would allow such details to be made to a former President and that there was no monetary limitation on the extent of such details. The Committee has concluded that such a limitation is essential and has added the following proviso to the language in the bill:

Provided, That the aggregate salaries of all employees detailed on a nonreimbursable basis under the authority of the Presidential Transition Act of 1963, during the period beginning August 9, 1974, and ending February 9, 1975, shall not exceed \$220,000.

The limitation recommended by the Committee is to apply to all Federal personnel detailed to the former President on a non-reimbursable basis to assist him in transition activities. This limitation does not apply to personnel assigned for the performance of duties directly and necessarily connected to the protection of the former President.

While the Presidential Transition Act does permit these non-reimbursable details, the Comptroller General pointed out in his letter that the services and facilities authorized to a former President are those necessary "for use in connection with winding up the affairs of his office * * *."

It was not apparent to the Comptroller General and the Committee how the "butler," "maid," and 3 "military drivers" would be used by the former President in connection with winding up the affairs of his office. Nor has the Committee been given any reason for the assignment of the military aide and medical corpsman.

This matter was put to GSA Administrator Sampson and OMB Director Ash at the Committee's hearing, and the testimony was that if such personnel were doing tasks for the former President that he would otherwise have to do, that would free more time for him to

spend on transition. This testimony and the former President's affairs of his former the assignment of the household and yard the Presidential Transition immediately.

The Committee is assigned to the former House. Earlier this House request for an In view of the early House personnel, similar requests if overstaffed.

ALLOWANCES AND

1975 Appropriation.....
1975 Supplemental estimate
House allowance.....
Committee recommendation

The Committee reduction of \$300,000 amount allowed by were requested under of 1958, as amended pension of former of this fiscal year, February 9 through

The Committee for construction of that the circumstance this time, been sufficient by way of providing Prosecutor and the interest in the tapes progress could at that time In the intervening tapes should be majority as may be appropriate general provision (S that prevents the terminated their own

The Committee's pension of \$55,000, limitation of \$96,000 other authorized expenditures

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ampson and OMB testimony was that e President that he re time for him to

spend on transition matters. The Committee was not persuaded by this testimony and directs that all of the personnel assigned to the former President be used to *directly* assist in the winding up the affairs of his former office. It is patently clear to this Committee that the assignment of the butler and maid and other personnel to perform household and yard chores in San Clemente is not within the intent of the Presidential Transition Act, and this practice should be stopped immediately.

The Committee is also concerned that of the 22 positions freely assigned to the former President, 13 are on the rolls of the White House. Earlier this year, the Committee responded to the White House request for additional positions by meeting the request in full. In view of the earlier testimony on the need for additional White House personnel, the Committee will be reluctant to fulfill future similar requests if the White House continues to demonstrate that it is overstaffed.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

1975 Appropriation.....	\$60,000
1975 Supplemental estimate (H. Doc. 93-344).....	400,000
House allowance.....	100,000
Committee recommendation.....	100,000

The Committee recommends an appropriation of \$100,000, a reduction of \$300,000 below the \$400,000 requested and the same amount allowed by the House of Representatives. These funds were requested under the authority of the Former Presidents Act of 1958, as amended (3 U.S.C. 102), and included \$55,000 for the pension of former President Nixon for the 11 applicable months of this fiscal year, and \$345,000 for office expenses for the period February 9 through June 30, 1975.

The Committee disallowed in its entirety the \$110,000 requested for construction of a vault and related security. The Committee felt that the circumstances surrounding the papers and tapes have not, at this time, been sufficiently clarified to determine what should be done by way of providing permanent storage and security. When the Special Prosecutor and the courts have concluded their requirements for and interest in the tapes and papers of former President Nixon, the Congress could at that time determine the question of storage and security. In the intervening period, the Committee feels that the papers and tapes should be maintained at their present locations with such security as may be appropriate. The Committee has also approved the general provision (Sec. 203) inserted by the House of Representatives that prevents the movement of these papers until Congress has determined their ownership.

The Committee's recommendations for this item consists of the pension of \$55,000, plus \$40,000 to cover $\frac{5}{12}$ ths of the annual salary limitation of \$96,000 in the Former Presidents Act, and \$5,000 for other authorized expenses.

AUDIT AND LEGISLATION

In view of the serious problems uncovered by the Committee in examining the total budget request for this unprecedented transition,

the Committee requests that the General Accounting Office provide the Congress with a comprehensive audit on the expenditure of these funds. The Committee also suggests that the GAO up-date their report of November 16, 1970 entitled Federal Assistance for Presidential Transitions covering the 1968-1969 transition.

The Committee also believes that new legislation is required in this area. Certainly the resignation of a President was beyond the imagination of the framers of the Presidential Transition and Former Presidents Acts. The Committee in dealing with this instant request found many areas where the present legislation was not adequate to the current situation. The Committee recommends that legislation be developed that merges the transition activities of a former President with the benefits of the Former Presidents Act with particular attention to the kind of transition now being experienced. This legislation should include specific authorization of the transition services and facilities to be provided a former President, including a practical limitation on non-reimbursable details.

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS
RECOMMENDED IN THE BILL**

H Doc. No.	Department or activity	Budget estimate	Recommended in House bill	Amount recommended by Senate committee	Increase (+) or decrease (-), Senate bill compared with--	
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	CHAPTER VII					

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**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS
RECOMMENDED IN THE BILL**

H Doc. No.	Department or activity	Budget estimate	Recommended in House bill	Amount recommended by Senate committee	Increase (+) or decrease (-), Senate bill compared with—	
					Budget estimate	House bill
	CHAPTER VII U.S. POSTAL SERVICE					
93-355	Payment to the Postal Service Fund.....	\$284,667,000	\$280,656,000	\$280,656,000	-\$4,011,000	
	EXECUTIVE OFFICE OF THE PRESIDENT OFFICE OF MANAGEMENT AND BUDGET OFFICE OF FEDERAL PROCUREMENT POLICY					
93-348	Salaries and expenses.....	660,000	660,000	660,000		
	COUNCIL ON WAGE AND PRICE STABILITY					
93-346	Salaries and expenses.....	1,000,000	1,000,000	1,000,000		
	INDEPENDENT AGENCIES CIVIL SERVICE COMMISSION					
93-349	Payment to Civil Service Retirement and Disability Fund.....	73,576,000	73,576,000	73,576,000		
	NATIONAL COMMISSION ON SUPPLIES AND SHORTAGES					
	Salaries and expenses.....			287,500	+287,500	+287,500
	GENERAL SERVICES ADMINISTRATION					
93-344	Expenses, Presidential Transition.....	450,000	100,000	100,000	-350,000	
93-344	Allowances and Office Staff for Former Presidents.....	400,000	100,000	100,000	-300,000	
	Total, GSA.....	850,000	200,000	200,000	-600,000	
	Total, Independent Agencies.....	74,426,000	73,776,000	74,063,500	-312,500	+287,500
	Total, Chapter VII: New budget (obligational) authority.....	360,753,000	350,092,000	358,379,500	-4,323,500	+287,500

JACK BROOKS, TEX., CHAIRMAN

ROBERT E. JONES, ALA.
JOHN C. CULVER, IOWA
HAROLD D. DONOHUE, MASS.
JAMES V. STANTON, OHIO
CARDISS COLLINS, ILL.

NINETY-THIRD CONGRESS

Congress of the United States
House of Representatives

GOVERNMENT ACTIVITIES SUBCOMMITTEE
OF THE
COMMITTEE ON GOVERNMENT OPERATIONS
RAYBURN HOUSE OFFICE BUILDING, ROOM B-350-B
WASHINGTON, D.C. 20515

JOHN H. BUCHANAN, JR., ALA.
ROBERT P. HANRAHAN, ILL.
STANFORD E. PARRIS, VA.
ANDREW J. HINSHAW, CALIF.

225-3252

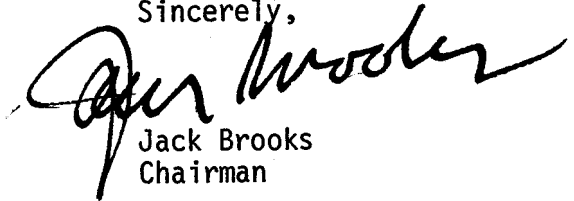
October 11, 1974

Dear John:

Enjoyed talking to you. Attached is a copy of the resolution we discussed. Have written a letter to President Ford requesting the information. Appreciate your keeping a check on it.

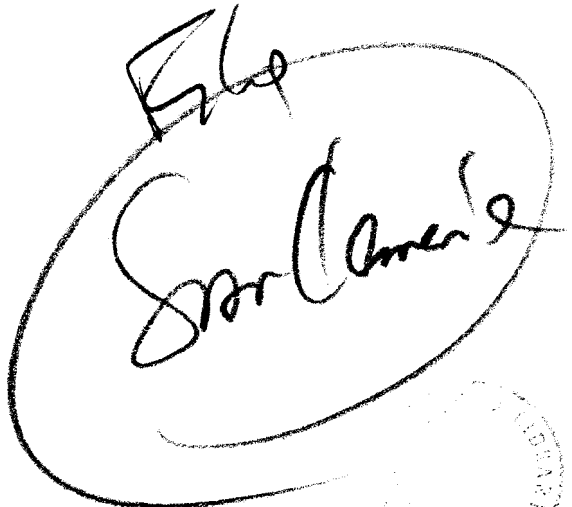
With best wishes, I am

Sincerely,


Jack Brooks
Chairman

The Honorable John C. Marsh, Jr.
Counselor to the President
The White House
Washington, D. C.

Enclosure





expenses relating to or resulting from the discharge of his official duties, for which expense allowance no accounting, other than for income tax purposes, shall be made by him. He shall be entitled also to the use of the furniture and other effects belonging to the United States and kept in the Executive Mansion. (June 25, 1948, ch. 644, 62 Stat. 678; Jan. 19, 1949, ch. 2, § 1 (a), 63 Stat. 4; Oct. 20, 1951, ch. 521, title VI, § 619 (a), 65 Stat. 569; Jan. 17, 1969, Pub. L. 91-1, § 1, 83 Stat. 3.)

AMENDMENTS

1969—Pub. L. 91-1 increased the aggregate amount of the compensation of the President from \$100,000 to \$200,000 a year.

1951—Act Oct. 20, 1951, made the President's expense allowance taxable.

1949—Act Jan. 19, 1949, increased the President's salary from \$75,000 per year to \$100,000 per year, and gave him a yearly expense account of \$50,000 for which he was to make no accounting and which was tax free.

EFFECTIVE DATE OF 1969 AMENDMENT

Section 2 of Pub. L. 91-1 provided that: "The amendment made by this Act [amending this section] shall take effect at noon on January 20, 1969."

EFFECTIVE DATE OF 1951 AMENDMENT

Section 619 (e) of act Oct. 20, 1951, provided in part that this amendment should become effective at noon on Jan. 20, 1953.

PRESIDENTIAL TRANSITION ACT OF 1963

Pub. L. 88-277, Mar. 7, 1964, 78 Stat. 153, provided:

"[SECTION 1. SHORT TITLE]. That this Act may be cited as the 'Presidential Transition Act of 1963.'

"SEC. 2 [PURPOSE OF THIS ACT]. The Congress declares it to be the purpose of this Act to promote the orderly transfer of the executive power in connection with the expiration of the term of office of a President and the inauguration of a new President. The national interest requires that such transitions in the office of President be accomplished so as to assure continuity in the faithful execution of the laws and in the conduct of the affairs of the Federal Government, both domestic and foreign. Any disruption occasioned by the transfer of the executive power could produce results detrimental to the safety and well-being of the United States and its people. Accordingly, it is the intent of the Congress that appropriate actions be authorized and taken to avoid or minimize any disruption. In addition to the specific provisions contained in this Act directed toward that purpose, it is the intent of the Congress that all officers of the Government so conduct the affairs of the Government for which they exercise responsibility and authority as (1) to be mindful of problems occasioned by transitions in the office of President, (2) to take appropriate lawful steps to avoid or minimize disruptions that might be occasioned by the transfer of the executive power, and (3) otherwise to promote orderly transitions in the office of President.

"SEC. 3 [SERVICES AND FACILITIES AUTHORIZED TO BE PROVIDED TO PRESIDENTS-ELECT AND VICE-PRESIDENTS-ELECT]. (a) The Administrator of General Services, referred to hereafter in this Act as 'the Administrator,' is authorized to provide, upon request, to each President-elect and each Vice-President-elect, for use in connection with his preparations for the assumption of official duties as President or Vice President necessary services and facilities, including—

"(1) Suitable office space appropriately equipped with furniture, furnishings, office machines and equipment, and office supplies, as determined by the Administrator, after consultation with the President-elect, the Vice-President-elect, or their designee provided for in subsection (e) of this section, at such place or places within the United States as the President-elect or Vice-President-elect shall designate;

"(2) Payment of the compensation of members of office staffs designated by the President-elect or Vice-President-elect at rates determined by them not to exceed the rate provided by the Classification Act of

1949, as amended [chapter 51 and subchapter III of chapter 53 of Title 5], for grade GS-18: *Provided*, That any employee of any agency of any branch of the Government may be detailed to such staffs on a reimbursable or nonreimbursable basis with the consent of the head of the agency; and while so detailed such employee shall be responsible only to the President-elect or Vice-President-elect for the performance of his duties: *Provided further*, That any employee so detailed shall continue to receive the compensation provided pursuant to law for his regular employment, and shall retain the rights and privileges of such employment without interruption. Notwithstanding any other law, persons receiving compensation as members of office staffs under this subsection, other than those detailed from agencies, shall not be held or considered to be employees of the Federal Government except for purposes of the Civil Service Retirement Act [section 8301 et seq. of Title 5], the Federal Employees' Compensation Act [section 8501 et seq. of Title 5], the Federal Employees' Group Life Insurance Act of 1954 [section 8701 et seq. of Title 5], and the Federal Employees Health Benefits Act of 1959 [section 8901 et seq. of Title 5];

"(3) Payment of expenses for the procurement of services of experts or consultants or organizations thereof for the President-elect or Vice-President-elect, as authorized for the head of any department by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a) [section 3109 of Title 5], at rates not to exceed \$100 per diem for individuals;

"(4) Payment of travel expenses and subsistence allowances, including rental of Government or hired motor vehicles, found necessary by the President-elect or Vice-President-elect, as authorized for persons employed intermittently or for persons serving without compensation by section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 735-2) [section 5703 of Title 5], as may be appropriate;

"(5) Communications services found necessary by the President-elect or Vice-President-elect;

"(6) Payment of expenses for necessary printing and binding, notwithstanding the Act of January 12, 1895, and the Act of March 1, 1919, as amended (44 U.S.C. 111) [section 501 of Title 44];

"(7) Reimbursement to the postal revenues in amounts equivalent to the postage that would otherwise be payable on mail matter referred to in subsection (d) of this section.

"(b) The Administrator shall expend no funds for the provision of services and facilities under this Act in connection with any obligations incurred by the President-elect or Vice-President-elect before the day following the date of the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2, or after the inauguration of the President-elect as President and the inauguration of the Vice-President-elect as Vice President.

"(c) The terms 'President-elect' and 'Vice-President-elect' as used in this Act shall mean such persons as are the apparent successful candidates for the office of President and Vice President, respectively, as ascertained by the Administrator following the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2.

"(d) Each President-elect shall be entitled to conveyance within the United States and its territories and possessions of all mail matter, including airmail, sent by him in connection with his preparations for the assumption of official duties as President, and such mail matter shall be transmitted as penalty mail as provided in title 39, United States Code, section 4152. Each Vice-President-elect shall be entitled to conveyance within the United States and its territories and possessions of all mail matter, including airmail, sent by him under his written autograph signature in connection with his preparations for the assumption of official duties as Vice President.

"(e) Each President-elect and Vice-President-elect may designate to the Administrator an assistant authorized to make on his behalf such designations or findings of

necessity as may be required in connection with the services and facilities to be provided under this Act. Not more than 10 per centum of the total expenditures under this Act for any President-elect or Vice-President-elect may be made upon the basis of a certificate by him or the assistant designated by him pursuant to this section that such expenditures are classified and are essential to the national security, and that they accord with the provisions of subsections (a), (b), and (d) of this section.

"(f) In the case where the President-elect is the incumbent President or in the case where the Vice-President-elect is the incumbent Vice President, there shall be no expenditures of funds for the provision of services and facilities to such incumbent under this Act, and any funds appropriated for such purposes shall be returned to the general funds of the Treasury.

"Sec. 4 [SERVICES AND FACILITIES AUTHORIZED TO BE PROVIDED TO FORMER PRESIDENTS AND FORMER VICE PRESIDENTS]. The Administrator is authorized to provide, upon request, to each former President and each former Vice President, for a period not to exceed six months from the date of the expiration of his term of office as President or Vice President, for use in connection with winding up the affairs of his office, necessary services and facilities of the same general character as authorized by this Act to be provided to Presidents-elect and Vice-Presidents-elect. Any person appointed or detailed to serve a former President or former Vice President under authority of this section shall be appointed or detailed in accordance with, and shall be subject to, all of the provisions of section 3 of this Act applicable to persons appointed or detailed under authority of that section. The provisions of the Act of August 25, 1958 (72 Stat. 838; 3 U.S.C. 102, note), other than subsections (a) and (e) shall not become effective with respect to a former President until six months after the expiration of his term of office as President.

"Sec. 5 [AUTHORIZATION OF APPROPRIATIONS]. There are hereby authorized to be appropriated to the Administrator such funds as may be necessary for carrying out the purposes of this Act but not to exceed \$900,000 for any one Presidential transition, to remain available during the fiscal year in which the transition occurs and the next succeeding fiscal year. The President shall include in the budget transmitted to the Congress, for each fiscal year in which his regular term of office will expire, a proposed appropriation for carrying out the purposes of this Act."

FORMER PRESIDENTS; ALLOWANCE; SELECTION, COMPENSATION, AND STATUS OF OFFICE STAFF; OFFICE SPACE; WIDOW'S ALLOWANCE, TERMINATION; "FORMER PRESIDENT" DEFINED

Pub. L. 85-745, Aug. 25, 1958, 72 Stat. 838, as amended by Pub. L. 86-682, § 12(c), Sept. 2, 1960, 74 Stat. 730; Pub. L. 88-426, title I, § 124, Aug. 14, 1964, 78 Stat. 412; Pub. L. 89-554, § 8(a), Sept. 8, 1966, 80 Stat. 660; Pub. L. 90-206, title II, § 224(c), Dec. 16, 1967, 81 Stat. 642; Pub. L. 91-231, § 7, Apr. 15, 1970, 84 Stat. 198; Pub. L. 91-658, § 6, Jan. 8, 1971, 84 Stat. 1963, provided that:

"(a) Each former President shall be entitled for the remainder of his life to receive from the United States a monetary allowance at a rate per annum, payable monthly by the Secretary of the Treasury, which is equal to the annual rate of basic pay, as in effect from time to time, of the head of an executive department, as defined in section 101 of title 5, United States Code. However, such allowance shall not be paid for any period during which such former President holds an appointive or elective office or position in or under the Federal Government or the government of the District of Columbia to which is attached a rate of pay other than a nominal rate.

"(b) The Administrator of General Services shall, without regard to the civil-service and classification laws, provide for each former President an office staff. Persons employed under this subsection shall be selected by the former President and shall be responsible only to him for the performance of their duties. Each former President shall fix basic rates of compensation for persons employed for him under this paragraph which in the aggregate shall not exceed \$96,000 per annum. The annual rate of compensation payable to any such person shall not exceed the highest annual rate of basic pay now or hereafter provided by law for positions at level II of the Execu-

tive Schedule under section 5313 of title 5, United States Code.

"(c) The Administrator of General Services shall furnish for each former President suitable office space appropriately furnished and equipped, as determined by the Administrator, at such place within the United States as the former President shall specify.

"(d) [Repealed. Pub. L. 86-682, § 12(c), Sept. 2, 1960, 74 Stat. 730. See sections 4165 and 4167 of Title 39.]

"(e) The widow of each former President shall be entitled to receive from the United States a monetary allowance at a rate of \$20,000 per annum, payable monthly by the Secretary of the Treasury, if such widow shall waive the right to each other annuity or pension to which she is entitled under any other Act of Congress. The monetary allowance of such widow—

"(1) commences on the day after the former President dies;

"(2) terminates on the last day of the month before such widow—

"(A) dies; or

"(B) remarries before becoming 60 years of age; and

"(3) is not payable for any period during which such widow holds an appointive or elective office or position in or under the Federal Government or the government of the District of Columbia to which is attached a rate of pay other than a nominal rate.

"(f) As used in this section, the term 'former President' means a person—

"(1) who shall have held the office of President of the United States of America;

"(2) whose service in such office shall have terminated other than by removal pursuant to section 4 of article II of the Constitution of the United States of America; and

"(3) who does not then currently hold such office."

FORMER PRESIDENT EISENHOWER; ALLOWANCE; COMPENSATION OF OFFICE STAFF; WIDOW'S PENSION

Allowance to former President Eisenhower as precluding entitlement to pay of General of the Army, compensation of office staff to former President to be reduced by pay of military assistants to the General of the Army, and benefits of widow of former President unaffected by restoration of military status, see Appointment of General of the Army note under former sections 1691—1697 of Title 50, Appendix.

OFFICIAL RECEPTION AND REPRESENTATION EXPENSES

Section 301 of Pub. L. 91-422, title III, Sept. 26, 1970, 84 Stat. 877, provided in part: "That not to exceed \$10,000 shall be available for allocation within the Executive Office of the President for official reception and representation expenses."

Similar provisions were contained in the following prior Appropriation Acts:

1969—Pub. L. 91-74, title III, § 301, Sept. 29, 1969, 83 Stat. 121.

1968—Pub. L. 90-350, title III, § 301, June 19, 1968, 82 Stat. 195.

1967—Pub. L. 90-47, title III, § 301, July 7, 1967, 81 Stat. 117.

1966—Pub. L. 89-474, title III, § 301, June 29, 1966, 80 Stat. 227.

1965—Pub. L. 89-57, title III, § 301, June 30, 1965, 79 Stat. 202.

1964—Pub. L. 88-392, title III, § 301, Aug. 1, 1964, 78 Stat. 373.

1963—Pub. L. 88-39, title III, § 301, June 13, 1963, 77 Stat. 64.

1962—Pub. L. 87-575, title III, § 301, Aug. 6, 1962, 76 Stat. 315.

§ 103. Traveling expenses.

There may be expended for or on account of the traveling expenses of the President of the United States such sum as Congress may from time to time appropriate, not exceeding \$40,000 per annum, such sum when appropriated to be expended in the dis-



It is the intention of the Committee of Conference that the \$220,000 limitation concerning personnel detailed to former President Nixon apply solely to those persons who have been detailed to the former President pursuant to the provisions of the Presidential Transition Act of 1963 and are responsible solely to him for the performance of their duties pursuant to that Act. The Committee of Conference is agreed that the limitation not apply to Secret Service personnel performing their protective assignment nor to personnel of other agencies in support of the Secret Service. In addition, the Committee of Conference is agreed that the limitation not apply to personnel of other government agencies who are performing duties of their respective agencies in connection with identifying, protecting, and reclaiming government-owned property and who remain responsible to their respective agencies solely for the performance of their duties.

Attendees at Meetings over Weekend of 11/16-17/74
re: Nixon Transition Funds

Mr. Jack Marsh	WH
Mr. Howard Kerr	WH
Mr. Robert Linder	WH
Mr. David Hoopes	WH
Mr. Berry Roth	WH
Mr. Walter Scott	OMB
Mr. Earl Armbrust	OMB
Mr. Jack Galwardi	GSA
Mr. G.C. Gardner	GSA
Mr. Raymond Fountaine	GSA
Mr. William Heffelfinger	Transportation
Mr. O. T. Berkman	Justice
Colonel Peter Kemp	Defense
Mr. Thomas K. Latimer	Defense
Mr. Frances A. Long	Treasury
Mr. Edward Widmayer	Treasury
Royston Hughes	Interior
Elmer Atkins	Interior
Chris Jones	State

M

File
w/ OMB
Att to
Brooks

Commit

THE WHITE HOUSE
WASHINGTON

November 15, 1974

5:00 Meeting - Roosevelt

White House

Mr. Jack Marsh
Mr. Howard Kerr
Mr. Robert Linder

White House/OMB

Roy Ash
Wally Scott

GSA

Mr. Jack Galvandi
Mr. G. C. Gardner

Transporation

Mr. William Heffelfinger
Mr. Don Young

Justice

Mr. O. T. Berkman

Defense

Colonel Peter Kemps
Mr. Thomas K. Latimer

Treasury

Mrs. Frances A. Long
Mr. Edward Widmayer

Rev: 17 Nov 1974
9:00 a.m.

THE WHITE HOUSE
WASHINGTON

November 17, 1974

*Pl.
San Clemente*

MEMORANDUM FOR

ROY ASH

FROM

MILITARY ASSISTANT TO THE
PRESIDENT

The following information is provided on Department of Defense personnel, communications and aircraft support provided to the Nixon family and his personal staff from the period 9 August 1974 to 9 November 1974. Operations costs is estimated since all bills have not been received at this time. Aircraft costs, where shown, are accurate to the dollar.

SAN CLEMENTE

The personnel listed below have been at San Clemente since 9 August 1974 to 9 November 1974, with the exceptions where indicated. The three drivers and one medical corpsman are on reduced per diem, since they are permanently assigned to Camp Pendleton.

<u>Name</u>	<u>Rank</u>	<u>Position</u>	<u>Salary</u>	<u>Per Diem</u>
John V. Brennan	LtCol	Military Aide	\$5,400	\$2,250
*Christopher Alberts	Lt	Mail & Correspondence Dir.	\$2,850	\$1,125
Robert Dunn	HMCS	Medical Corps.	\$3,750	\$990.00
Eva Brantley	GS-10	Secretary	\$3,529	\$2,250
Edward Chevalier	GySgt	Driver	\$3,407	\$990.00
Robert Wagoner	GySgt	Driver	\$3,300	\$990.00
Gilbert Gibson	Cpl	Driver	\$1,787	\$990.00
Victorio M. DelaCruz	SDCM	Steward	\$3,750	\$2,250
**Vincent G. Villaranda	SD1	Steward	\$1,384	\$1,500
Larry Miller	SP4	SWBD Operator	\$1,958	\$2,250
Hollis E. Adams, II	SP4	SWBD Operator	\$1,958	\$2,250
**Thomas L. Payne	Sgt	SWBD Operator	\$1,958	\$1,500
**Larry D. Nowels	Sgt	SWBD Operator	\$1,958	\$1,500

*Arrived San Clemente on 23 September 1974.

**Departed San Clemente on 10 October 1974.

There are ten (10) White House Communications Agency personnel in support of Secret Service at San Clemente. The estimated cost for operations is \$7,150 for the 90 day period covered. Salaries for this period is \$25,790. There is no per diem paid since these personnel are permanently assigned to this station.

Automobile operations cost at San Clemente consists of payment for gasoline only -- the actual cost is unknown since all of the bills have not been received. It is estimated that it would be less than \$2,000 for the 90 day period covered.

Aircraft support has consisted of 3 hours and 20 minutes in Air Force One on 9 August 1974. On that date, Mr. Nixon was enroute to San Clemente when, at 12:00 noon, Mr. Ford became President. At that time, the aircraft was directly over Jefferson City, Missouri, and the cost of the remaining flight to San Clemente was \$8,440. There were three courier flights from Washington, D. C. to San Clemente, California and return -- at a total cost of \$19,500. A total of six Nixon staff members and on one occasion, a family member, were passengers on the courier flights. The other passengers were members of the Military Office at the White House and White House Communications Agency personnel required in San Clemente for the phasedown of that station. Also, some personal belongings of the Nixon family, delivered to Andrews Air Force Base by General Services Administration, were placed on an aircraft transporting Secret Service cars. These belongings were off-loaded with the cars at El Toro Marine Corps Air Station, California. The total cost of the aircraft was \$7,985, however I know of no method of computing what portion of this would be charged to Mr. Nixon since his property took a very small portion of the space on the aircraft.

KEY BISCAAYNE

All Department of Defense operations at Key Biscayne ceased on 1 November 1974 and all personnel were returned to Washington, D. C. on 4 November 1974. The operational cost from 9 August 1974 to 1 November 1974 was \$6,000. The salaries of the six (6) personnel assigned was \$17,816 and there was no per diem paid since these personnel were permanently assigned to this station.

The only remaining service at Key Biscayne is the commercial telephone service provided to Secret Service and paid for by the White House Communications Agency.

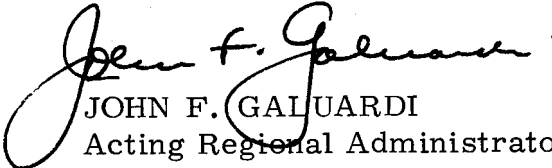
The Hydrafoil boat presented to Mr. Nixon by the Soviet Union is in the custody of the Coast Guard at Miami, Florida. We are currently awaiting instructions for disposition from the Department of State.



GENERAL SERVICES ADMINISTRATION
MEMORANDUM

TO: John Marsh

At the request of Bill Gulley, attached hereto is a status report of the deactivation by the General Services Administration of the Key Biscayne, Florida compound.


JOHN F. GALUARDI
Acting Regional Administrator

Enclosure

Status of Key Biscayne Deactivation

The status of deactivation of Key Biscayne by the General Services Administration is as follows:

- (1) Economic studies on what General Services Administration installations should be removed has been completed.
- (2) The leases on two Government-leased buildings at 468 Bay Lane and 478 Bay Lane will be terminated on December 31, 1974. Communication equipment has been removed, and damages caused by Government installations are being repaired prior to release of buildings to owners as required by the leases.
- (3) General Services Administration is currently negotiating with former President Nixon's representatives on the removal of Government installations from the rest of the privately-owned properties.
- (4) It is expected that the Command Post Building will be disposed of to Florida's Dade County. Negotiations are underway with the County which expects to remove the building to a nearby County Park. The cost of removal of the building will be at the County's expense.
- (5) All major actions to deactivate the Key Biscayne compound will be completed or underway by December 31, 1974.
- (6) General Services Administration employees assigned to the compound have been engaged in removal of the Government installed items (both GSA and Secret Service items) and most of the personnel will be reassigned to other positions elsewhere in Florida. Some of the personnel may be required to supervise the deactivation beyond December 31, but they will be reassigned as soon as possible.
- (7) GSA is waiting for the helicopter pad to be declared excess to the needs of the Department of Defense. When it is declared excess, GSA will dispose of the pad through the normal Government procedures for disposal of excess real property.

General Services Administration
Region 3
December 2, 1974

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General Services Administration
Region 3
December 2, 1974



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

Date: 10/18

TO: Dave Hoopes

FROM: General Counsel

(Handwritten initials in a circle)
Mr. Hoopes

*Per your
Secretary's request.*

Alan



August 29, 1974

Distribution of Supplemental Appropriation for Former President Nixon

\$850,000

Total

\$450,000

Interim transition expenses appropriated to General Services Administration under the Presidential Transition Act of 1963 (Building offices, etc.) (2/9/75-6/30/75) (Six months after resign

\$400,000

Former Presidents Act of 1958, as follows:

Pension	\$ 55,000
Staff salaries	96,000
Travel	40,000
Staff personnel benefits	8,000*
Office supplies	5,000
Furnishings & equipment	65,000
Communications	21,000
Printing	10,000
Miscellaneous contingencies	<u>100,000</u>

\$400,000

*Retirement, etc.

(Most figures are based on LBJ's experience.)

Jake Gardner, Administrative Officer, GSA, 183-5177 gave the breakdown on the \$400,000. Also, Ray Fontaine at GSA provided information--343-4036



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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

F/ls
Sam DeMando

October 21, 1974

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Personnel Detailed to Former President Nixon
Pursuant to the Presidential Transition Act of
1963

During recent Congressional hearings on supplemental fund requests to support Presidential transition activities there has been some concern expressed over the use of detailed personnel to support the transition of the former President.

Under the Presidential Transition Act of 1963 (P.L. 88-277), "any employee of any agency of any branch of the government may be detailed" to a former President "with the consent of the head of the agency." This authority, which is not limited as to dollars or numbers by the statute, is available for a six-month period after the transition date; in this case, from August 9, 1974 to February 9, 1975.

Because of the expressed Congressional concern and the need to exercise reasonable control of federal expenditures within present budgetary constraints, agency heads should not approve further details under the Presidential Transition Act without prior approval of the proposed details by the Director of the Office of Management and Budget.

Roy L. Ash

ROY L. ASH
DIRECTOR



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

OCT 25 1974

Honorable Louis Frey, Jr.
House of Representatives
Washington, D. C. 20515

Dear Congressman Frey:

This is in further response to your inquiry on behalf of Mr. C. J. Cullom of Orlando, which as you know was referred to the White House by the General Services Administration. Mr. Cullom was inquiring into the status of Ronald Ziegler who is presently serving with the Presidential Transition Office at San Clemente, California.

Under the authority of the Presidential Transition Act of 1963, former President Nixon requested Mr. Ziegler's services as a member of his transition staff. Mr. Ziegler, who had been serving as Assistant to the President and Press Secretary, was thereupon detailed to assist the former President for the six-month period of the transition (August 9, 1974 - February 9, 1975). During this period he will remain, as does any other person in Government on detail from one agency to another, salaried by his parent organization at the same level he received prior to the detail. In Mr. Ziegler's case, this is \$42,500 per year.

Our General Counsel informs me that the former President can at present receive only the transition staff support to which he is entitled under law through details of personnel, since no funds have yet been appropriated by Congress to hire staff for this purpose. As to Mr. Ziegler's duties, we understand that he is performing counselling and advisory functions similar to those he performed while Mr. Nixon held office.

Best regards,

Sincerely,

{signed}

Kenneth C. O. Hagerty
Congressional Relations

COPY FOR CDR. HOWARD KERR, WHITE HOUSE ✓

210/8

THE WHITE HOUSE
WASHINGTON

October 4, 1974

STAN EBNER:

You probably ought to reply to this letter as General Counsel of OMB. You can cite the law and suggest that Mr. Ziegler is detailed there to perform certain functions for the 6-month transition period.

Thanks.

JERRY JONES

*Call if you have
any questions -*

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION
WASHINGTON, DC 20405



October 1, 1974

Honorable Jerry Jones
Special Assistant to the President
The White House
Washington, D.C. 20500

Dear Mr. Jones:

Please find attached correspondence from Congressman Louis Frye on behalf of C.J. Cullom regarding Mr. Ronald Ziegler's qualifications and his duties at San Clemente, California.

Since this matter falls within your purview, we are forwarding this to your office for direct reply.

A copy of this letter has been sent to Congressman Frye informing him of our action.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Fanske", with a long horizontal flourish extending to the right.

Richard L. Fanske
Special Assistant to the
Administrator

Enclosure

Reply to be prepared by:	<i>A. Lunde</i>	
Coordinate Reply with:		
For Action	For Information	
Prepared for Signature		
Furnish Reply to:	Congress of the United States	
Copy also to:	House of Representatives	
	Washington, D.C.	
REPLY DUE:		

September 17, 19 74

Congressional Relations
General Services Administration

Sir:

The attached communication is sent for your consideration. Please investigate the statements contained therein and forward me the necessary information for reply, returning the enclosed correspondence with your answer.

Yours truly,

[Signature]
Lou Frey, Jr. M. C.

ks

CULLOM & CULLOM

ATTORNEYS AT LAW

26 WALL STREET

ORLANDO, FLORIDA 32801

TELEPHONE (305) 425-3535

September 13, 1974

The Honorable Louis Frye
The House of Representatives
House Office Building
Washington, D. C.

Dear Sir:

This morning's Orlando paper carried the information that Ronald Ziegler was an employee of the United States Government at \$42,500.00 per year in San Clemente, California.

Could you please have some knowledgeable official of the Government inform a poor tax payer the qualifications and duties of Mr. Ziegler to make him worth this amount of our taxes.

Respectfully yours,

CULLOM & CULLOM



C. J. Cullom

CJC/jb

THE WHITE HOUSE
WASHINGTON

Date 10/30/74

TO: JACK MARSH

FROM: JERRY H. JONES

FYI

File

Sam Adams

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

007 15 1974

Honorable Louis Frey, Jr.
House of Representatives
Washington, D. C. 20515

Dear Congressman Frey:

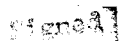
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COPY FOR MR. JERRY JONES, WHITE HOUSE ✓

L10/2

THE WHITE HOUSE
WASHINGTON

October 4, 1974

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September 17, 1974

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General Services Administration

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Respectfully yours,

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C. J. Cullom

CJC/jb

THE WHITE HOUSE
WASHINGTON

October 9, 1974

MEMORANDUM FOR: CMDR HOWARD KERR

FROM: DAVID C. HOOPES *dh*

SUBJECT: Costs for Personnel in San Clemente and Washington, D.C. in Support of Former President Richard Nixon for the Six Month Period August 9, 1974 to February 9, 1975

As you will note in the attached, the revised costs for the six month period for the 35 people listed previously would be \$258,492 if present spending levels continue. This does not include the 8.5% benefit addition, but it does include the 5.52% salary increase for all those listed, except Ziegler, Woods and Price. Also included are the costs for Mr. and Mrs. Sanchez for the period August 9, 1974 to October 5, 1974.

Thank you.

Attachment

COSTS FOR PERSONNEL IN SAN CLEMENTE AND WASHINGTON, D.C.
 IN SUPPORT OF FORMER PRESIDENT RICHARD NIXON FOR SIX
 MONTH PERIOD AUGUST 9, 1974 TO FEBRUARY 9, 1975

<u>Name and Title</u>	<u>Cost for 6 Month Period</u>
Rose Mary Woods (Washington) Executive Assistant and Personal Secretary to the Former President	18,000
Marjorie P. Acker (Washington) Staff Assistant (Miss Woods)	11,500
One Chief Archivist (Washington)	11,372
One Archivist (Washington)	9,040
One Archivist Trainee (Washington)	7,336
One Secretary (Washington)	4,162
One Research Specialist (Washington)	6,287
One Clerk Typist (Washington)	1,440
One WHCA SSG (San Clemente)	4,790
One WHCA SSG (San Clemente)	4,664
One WHCA SGT (San Clemente)	4,090
One WHCA CT2 (San Clemente)	4,403
One GSA/PBS Receptionist/Guide (San Clemente)	5,515
One GSA/PBS Electrician (San Clemente)	1,565
One GSA/PBS Painter (San Clemente)	1,282
One GSA/PBS Custodial Laborer (San Clemente)	1,040
One GSA/PBS Custodial Laborer (San Clemente)	1,001
Ronald L. Ziegler (San Clemente) Assistant to the Former President and Press Secretary	21,250
Raymond K. Price, Jr. (San Clemente) Special Consultant to the Former President	20,000
Franklin R. Gannon (San Clemente) Special Assistant to the Former President	17,650
Stephen B. Bull (San Clemente) Special Assistant to the Former President	17,000

<u>Name and Title</u>	<u>Cost for 6 Month Period</u>
Evie Brauntley (San Clemente) Secretary	7,850
Dianne Sawyer (San Clemente) Assistant to the Former Press Secretary	10,500
Nora Vandersommen (San Clemente) Secretary	6,287
Jack Brennan (San Clemente) Secretary	12,500
Anne Brier (San Clemente) Secretary	6,490
Robert Dunn (San Clemente) Medical Corpsman	6,000
Two Drivers (San Clemente) SGT's	9,389
One Driver (San Clemente) Cpl.	2,839
Two Stewards (San Clemente) SDCM & SDI	11,280
One Mail Clerk (San Clemente)	6,000
Manuel G. Sanchez Valet	2,308*
Josefa F. Sanchez Housekeeper	1,339*
Total Cost for 6 Month Period	<u>248,069</u>
Add 5.52% Salary Adjustment (on 188,819) effective 10/1/74 for those earning less than \$36,000 (excludes Ziegler, Price, and Woods:	10,423
Total Cost for 6 Month Period	<u>258,492</u>

*Represents cost for the period August 9, 1974
through October 5, 1974