

Harlow Bars Action Involving Old Firm

7/9/73

By Morton Mintz
Washington Post Staff Writer

Counselor to the President Bryce N. Harlow says he will disqualify himself in any matter involving Procter & Gamble.

"I wholeheartedly agree it is imperative that I avoid any action which would possibly create even the appearance" of a conflict of interest, Harlow said in a letter Friday to Sen. Warren G. Magnuson (D-Wash.), chairman of the Senate Commerce Committee.

Harlow, who has been a registered lobbyist for the soap and detergents company, took a leave of absence when he recently returned to the White House.

Magnuson wrote Harlow on June 25 to say there is concern over a potential conflict of interest in the role he may play in regard to the White House stance on consumer legislation and on appointments to vacancies on the Federal Trade Commission and the Consumer Product Safety Commission.

Magnuson, saying Harlow should be spared a "needless additional burden of unfounded criticism," emphasized his "enormous respect for your great skills and judgment and integrity, qualities which the President is surely entitled to have access to."

Harlow replied that he "will not become involved in any Executive Branch activity concerning any consumer legislation which could impinge in any way on the company, notably including" a bill to create an independent consumer advocate empowered to intervene in administrative and

court proceedings in the public's behalf.

"Neither will I take part in the selection of candidates for appointment to any agency which exercises regulatory control over activities of the corporation, and, of course, I will have no dealings with any such agency," Harlow said. He said he had "rigorously observed these same restraints during my last period of service here in 1969 and 1970."

Legislators other than Magnuson have suggested that Harlow, to negate any appearance of a possible conflict of interest, should put all of his Procter & Gamble stock into a blind trust and sever his relationship with the firm.

However, Harlow cited statutes and rulings that militate against such actions for temporary government employees and support the steps he took.

In any case, Harlow said, "I feel rather keenly that taking cosmetic steps contrived to conceal or obviate a continuing interest would be hypocritical and very properly subject to challenge.

"Rather, I feel it is preferable to openly acknowledge the problem I confront in being recalled to public service and delineate the steps I will take to avoid any possible conflict of interest," Harlow told the senator. "Only in this way can the fidelity with which I perform in my position of public trust be fairly judged."

Procter & Gamble has "flatly ordered all its people to avoid any contact of any kind with me on any governmental matter while I am in this position, and, of course, I will not contact any of them," Harlow added.