

Pentagon Aide Says Haig's Job Is Legal

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The Pentagon's top lawyer yesterday defended the legality of Gen. Alexander M. Haig's assignment as chief White House staff officer while still on active duty with the Army.

Leonard Niederlehner, acting general counsel of the Defense Department, took his position in a letter to Ralph Nader's Public Citizen, Inc., which has said that Haig's appointment by President Nixon to the White House staff post appears to violate the law.

"Gen. Haig is but the latest of the senior Army and Navy officers who have, over the years, been detailed by the President to perform a wide range of duties in the office of the President," Niederlehner said in a brief letter to Alan B. Morrison, director of litigation for the Nader organization.

"The officers so detailed

function as military officers performing duties assigned by the President under his constitutional authority as commander in chief."

Niederlehner contended that the section of the law cited by Public Citizen, Inc., does not apply.