

NYTimes JAN 2 1974
**Nixon Named Wife
To a Job Illegally**

By The Associated Press

SAN CLEMENTE, Calif., Jan. 1—President Nixon's appointment of his wife to serve on a national advisory council was illegal, the White House said today.

A Presidential spokesman said that the law prohibited the President from appointing his wife to a Government position, and therefore Mrs. Nixon could not serve on the new 25-member National Voluntary Service Advisory Council.

In announcing the appointment Sunday, the White House said Mrs. Nixon had been designated by Mr. Nixon as temporary chairman of the council. She was to have been eligible

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for a regular Government consultant fee of \$138.48 for each day worked at council duties.

The White House statement released today did not explain how the mistake was made or how it was discovered.

The council was established under the Domestic Volunteer Service Act passed last October. Its purpose is to advise the director of Action, the umbrella agency for Federal volunteer organizations.

The council's job includes

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reviewing the effectiveness of the Peace Corps and domestic voluntary service programs.

With Mrs. Nixon ineligible, the President designated Frank D. Stella of Detroit to serve as temporary chairman until the council elects a permanent chairman. Mr. Stella was one of the members appointed Sunday.

To fill the vacancy created by the error, Mr. Nixon appointed Henry J. Osinski of Buffalo, to the council.

The Action Director, Michael P. Balzano, who originally recommended Mrs. Nixon, will ask the council to elect her honorary chairman, the White House said.

President Nixon spent time

today watching New Year's Day football bowl games after spending a quiet evening with his family.

Aides said Mr. Nixon's friend, Charles G. Rebozo, was flying to California by commercial jet—an indication that Mr. Nixon's working vacation here would last the rest of the week.

The President has before him 13 pieces of legislation passed by Congress before it adjourned.

Before watching football, Mr. Nixon talked by telephone with Senator John G. Tower, Republican of Texas. He talked yesterday with Senator Hugh Scott of Pennsylvania and Robert P. Griffin of Michigan and Representative John J. Rhodes of Arizona, all Republicans.