

# Morton's New Job May Not Be Legal

Washington

Rogers Morton's new, partly political job in the White House is a "possible violation" of the national election law, Federal Elections Commission Chairman Thomas Curtis said yesterday.

"I want to alert Morton that they are running into very dangerous waters," Curtis warned in an interview.

Curtis said that, in his opinion, it is wrong for officeholders to use staff members paid with public money for purely political purposes and asserted that congressmen and senators, as well as presidents, should be prevented from doing that.

The commission, he said, will consider whether Morton's role is a violation because money spent for his political activities would not be included in President Ford's reported campaign expenditures.

The portion of Morton's salary and travel expenses devoted to political work, Curtis said, should be included as part of the \$10 million ceiling President Ford is entitled to spend in the primaries under the new law.

Morton, the outgoing secretary of Commerce, was appointed a White House counselor on Tuesday. He will be both Mr. Ford's political liaison with his election committee and a general adviser on domestic and economic matters. His salary will be \$44,600 a year.

When reporters asked Morton Tuesday how he justified a public

salary for a political aide, he said, "You can't separate government from politics," and observed that senators and congressmen routinely use staff for political chores.

Curtis took issue with that view. "When Morton says that everyone does it, I have news for him," he said. "When I was a congressman, I always directed my staff to stay out of it (a political campaign). Some don't, but I believe a majority of them (congressmen) do."

"This is taxpayers' money and a (congressman's) staff is supposed to work for all his constituents, not just to get you re-elected," Curtis was a Republican congressman from Missouri.

Curtis acknowledged it would be a new departure for the commission to try to compel incumbents to keep staff aides out of campaign work.

"Yes," he said, "it is going to be difficult, but to the extent that they can be separated it's valuable to do it. I think that now we need to lean on the other side of the coin because we've just had Watergate."

Morton could not be reached for comment yesterday, but an aide observed that White House Press Secretary Ron Nessen had promised that the White House would abide by the "letter and spirit" of the election law if a question is raised about Morton.

Aides of presidents, congressmen and senators have been used routinely in the past for political chores in election years. A federal criminal statute prohibits spending public funds for political activities but it is rarely, if ever, enforced.

The "possible violation" mentioned by Curtis comes under the new election law that sets limits on how much each candidate can spend in the primaries.

Curtis contended that the portion of Morton's salary and travel expenses devoted to political work in Mr. Ford's behalf must be reported as campaign expenses and added into the total being spent for his election.

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