

appointment in which we make inquiries regarding a person's character, loyalty, general standing, and ability.

The incomplete investigation of Mr. Schorr was entirely favorable concerning him and the results were furnished to the White House.

Sincerely yours,

J. EDGAR HOOVER.

THE WHITE HOUSE,  
Washington, D.C.

HON. SAM J. ERVIN, Jr.,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR ERVIN: This is in response to your letters of December 3, 1971 to the President, Mr. Frederick V. Malek and Mr. Charles W. Colson concerning the investigation of Mr. Daniel Schorr.

You have indicated in your letter to the President that your inquiry is prompted by concerns and suspicions which have arisen in connection with this matter and the need to put them to rest. We fully agree that any concerns and suspicions which have arisen must be eliminated and we have moved to do just that by publicly stating the precise reason the investigation of Mr. Schorr was conducted. Also, upon reviewing this matter, the President has made it the policy of this Administration that such preliminary job clearance investigations will not be initiated without prior notification to the person being investigated.

Despite some inaccurate conjecture to the contrary, the facts in this situation are quite simple. Mr. Schorr was being considered for a post that is presently filled and a routine job investigation was commenced without notifying Mr. Schorr. Mr. Malek's office was performing in its general area of talent searching in this matter. Mr. Colson's office was not involved in the matter at all. Given these facts, there is nothing more we believe can be added to clarify the situation.

With respect to your request for the appearance of Mr. Malek and Mr. Colson before your Subcommittee, it has been a matter of long-established principle and precedent that members of the President's immediate staff do not appear before Congressional committees to testify in regard to the performance of their duties as members of the President's staff. This practice is, indeed, fundamental to the operation of our system of government.

Therefore, I wish to advise you that Mr. Malek and Mr. Colson respectfully decline the invitation to testify.

Sincerely,

JOHN W. DEAN III,  
Counsel to the President.

[From the Washington Post, Feb. 1, 1972]

#### WHITE HOUSE WEIGHED JOB FOR SCHORR

(By Carroll Kilpatrick)

A White House official said yesterday that CBS correspondent Daniel Schorr was under consideration last year to be assistant to the chairman of the Council on Environmental Quality.

The official told The Washington Post that Schorr's name was considered for the position by Frederic V. Malek, chief White House recruiter, and that his discussion of Schorr's name with aides triggered the FBI investigation of the correspondent.

Schorr is scheduled to testify today at the opening of hearings called by Sen. Sam J. Ervin (D-N.C.) on press freedoms. Ervin is chairman of a Senate constitutional rights subcommittee.

Ervin charged last night that the White House has refused to permit any of its officials to testify at the hearings.

He said he had requested Malek, Special Counsel Charles Colson and Communications Director Herbert G. Klein to testify to set the record straight, but all declined.

Ervin said the only response was a letter from John W. Dean III, counsel to the President, who wrote, "This matter has been fully and carefully reviewed.