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THE WHITE HOUSE

Office of the Press Secretary  
(Biloxi, Mississippi)

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PRESS BRIEFING  
BY  
LARRY SPEAKES

October 1, 1984

The Crown Room  
Broadwater Beach Hotel  
Biloxi, Mississippi

8:30 P.M. CDT

MR. SPEAKES: Secretary Donovan has made a statement in Washington, which I presume you've been informed of.

Q No.

MR. SPEAKES: The Secretary has asked the President to accept his request for a leave of absence without pay. The President has agreed. That's the end of my statement. I'll be glad to give you how he came about being informed of this this afternoon, those of you who are interested in those type details.

About 2:30 p.m. this afternoon, the White House Press Office in Detroit was informed by the Labor Public Affairs Office that they had, based on press inquiries made, made an inquiry of Donovan's attorney, Dean Burch, in Washington concerning the possibility of grand jury findings in the Donovan matter.

Burch indicated to them that he had been informed by the District Attorney in New York that, indeed, the grand jury had moved to indict the Secretary of Labor.

In Detroit, Fitzwater phoned me on Air Force One. I spoke to Baker. We spoke to the President. That was the first time the President had been informed, or the White House proper had been informed.

Q What time was that, Larry?

MR. SPEAKES: Detroit to Biloxi, 3:00 p.m. or so.

At about that time in Washington -- and I don't know which came first -- Dean Burch was phoning Fred Fielding at the White House to inform Fielding that -- this same information, that he'd been informed by the District Attorney.

Fielding then telephoned Baker aboard Air Force One. At that time, Baker had already received the information.

The next time we were involved is between 7:30 p.m. and 8:00 p.m., when Donovan and Burch, speaking from Washington, spoke to Baker here in Biloxi and informed him --

Q Larry, is that local time or Eastern?

MORE

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MR. SPEAKES: Local. And informed him that Baker -- of the statement he planned to issue. Baker, at 7:55 p.m., then briefed the President on the statement that Donovan planned to issue, then telephoned the Secretary of Labor and the -- and Dean Burch in Washington to inform them that, indeed, the President had agreed to accept the request for leave of absence, as he had requested.

Yes.

Q Why did he accept it?

MR. SPEAKES: Because he asked to.

Q But why is leave of absence more appropriate than a resignation under these circumstances?

MR. SPEAKES: Well, I can't pass judgment on the appropriateness of it; but, certainly, under our system that -- an indictment does not constitute a finding of guilt.

Q Well, who's going to run Labor Department.

MR. SPEAKES: As Donovan says in his statement, if you'd been properly briefed on it, the Undersecretary of Labor, I believe. Isn't it the Undersecretary? Or --

MR. FITZWATER: Yes, the Undersecretary.

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Q Does the President still have confidence in Donovan? What's his reaction to this --

MR. SPEAKES: Well, first of all, his reaction, he doesn't have any specific reaction, because the matter is in the courts. As far as confidence, based on what he knows, yes.

Q Yes, what? That he does have confidence?

MR. SPEAKES: Yes. Keep in mind that this indictment has not been formally presented; it is still sealed and it is a matter, I presume, in the clerk of the court's hands.

Q Larry?

MR. SPEAKES: Yes?

Q Unlike the Meese case, where you knew you would get a special prosecutor's finding, you know, in a reasonable period of time, a month or two, this has the prospect of going to trial. I mean, you're talking about a year or more. Is this -- from a White House point of view, is that a workable situation, a leave of absence, rather than stepping aside?

MR. SPEAKES: Well, we don't know how long it will take for the matter to come before the courts, or how long the courts will deal with the matter, Bruce, but as far as stepping aside, that's what Donovan has requested and that's what the President has agreed to.

Q Larry, did the White House suggest to Donovan that a resignation would be more appropriate?

MR. SPEAKES: I don't know of any conversations that went on to that effect.

Q Did the White House suggest to Donovan that he should at least take a leave of absence?

MR. SPEAKES: I don't know the discussions. This is what Donovan asked and this is what the President has granted.

Q Well, just to follow -- to the best of your knowledge, did the idea of a leave of absence originate with Donovan or with the White House?

MR. SPEAKES: I do not know what the full discussions between the White House staff and Donovan or his attorneys have been on that matter. I do know --

Q Larry, is there any precedent for a Cabinet officer under indictment not to resign, to take some leave of absence?

MR. SPEAKES: I don't know a precedent, but I presume the CBS researchers could ferret out the --

Q I am just asking that question to determine whether or not the White House accepted this kind of a deal, accepted this kind of request, based on some precedent. Do you know if they did, if this is the reason?

MORE

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MR. SPEAKES: No, I don't know a precedent, no.

Q Isn't it usually, though, Larry --

Q Isn't it customary for them to resign? Didn't Attorney General Mitchell resign when he was indicted, just to take the most recent example?

Q He was no longer there.

Q Did the President ever talk to the Labor Secretary?

MR. SPEAKES: No, the President has not spoken to Donovan.

Q Why not?

Q Was there any particular -- not even to say he still has full confidence in him? Was there a particular reason for that? I mean, obviously, it looks like you're staying away from it.

MR. SPEAKES: Donovan has been talking with -- and his attorney has been talking with Jim Baker and Jim Baker's been relaying the conversations to the President.

Q Donovan said one of the reasons he was doing this, to make this request, was to remove himself during the campaign, so that he would not be an irritant or a drag to the President's chances.

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Is it clear, however, that, once granting his request, he will remain suspended without pay until the final adjudication of this indictment?

MR. SPEAKES: I've given you the state-of-play at the moment, Sam. That's what -- this has happened within the last fifteen minutes, and --

Q Yes, but I mean --

MR. SPEAKES: -- that's the state-of-play. The Secretary's requested the leave of absence without pay. The President has agreed to his request, and that's where it stands. I can't --

Q Well, how long will his leave of absence take place?

MR. SPEAKES: I cannot predict, Sam. I don't know.

Q But will it take place until the case is completed -- one way or the other?

MR. SPEAKES: -- I cannot say.

Q Larry, Mr. Mondale has said you have a "sleeze factor." Will this be a legitimate campaign issue in your opinion?

MR. SPEAKES: I have not --

Q The Donovan thing?

MR. SPEAKES: I have yet to address anything Mr. Mondale has said in the past and I will not start tonight.

Andrea?

Q Larry, what is your sense, without regard to Mr. Mondale, what is your sense of the political effect of this at this --

MR. SPEAKES: I would leave the judgments to the press.

Q Well, certainly, there's a certain amount of discussion in the White House about that. What is the White House assessment of it?

MR. SPEAKES: We will leave the judgements to the media.

Q Larry, was the President -- preferred that he would resign rather than not resign?

MR. SPEAKES: The request made to the President was that he grant a leave of absence, which he did. So --

All the way in the back.

MORE

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Q Is the President planning to talk to Donovan?

MR. SPEAKES: I don't know of any plans to talk to  
Donovan --

Q No. The answer is no.

MR. SPEAKES: -- but I certainly don't rule it out.

Q Is the President considering --

Q -- and never again.

Q -- any further steps such as asking for his  
resignation?

MR. SPEAKES: No. The President has granted the  
request that has been asked of him, and that's where the matter  
stands. I don't know if the President has any further steps under  
consideration.

Q Larry, would the President accept the resignation  
if offered?

MR. SPEAKES: That's an "if" question.

Q Does Baker still feel, as he said in an interview  
about a year and a half ago, that Donovan should leave?

MR. SPEAKES: I think that was a matter made on an  
off-the-record basis, and I don't comment on off-the-record items.

Q Which meant it was true.

Q It was on the record. (Laughter.)

MR. SPEAKES: What?

Q Baker doesn't even make that claim.

MR. SPEAKES: He does.

Q No.

Q He does not.

MR. SPEAKES: He does.

Q Ssssss.

MR. SPEAKES: Carl?

Q How long has Dean Burch been involved in this?

MR. SPEAKES: I don't know how long he's -- how long.

Q And is he still a Vice -- he's still one of the  
Vice President's political advisers, isn't he?

MR. SPEAKES: Yes.

Candy?

Q Do you mean to suggest by your answer about the political impact of this that, despite Baker's involvement in the phone call back and forth, that nobody has sat down to say, "Well, now, how are we going to deal with the political impact?"

MR. SPEAKES: No.

Q So that there had been some --

MR. SPEAKES: Your campaign people are in one place, and Baker's in another place.

Q Well --

MR. SPEAKES: And they have not talked to assess the political impact, if there be any.

Q Larry --

MR. SPEAKES: Yes.

Q May I follow up on Sam?

MR. SPEAKES: Pardon?

Q I'm following up on Sam's question. Can you --

MR. SPEAKES: Yes, he needs all the help he can get.

Q Well, can --

Q Absolutely --

Q -- can you clarify whether --

MR. SPEAKES: Pardon?

Q -- whether the President considers it desirable for Donovan to remain on leave until this matter's cleared up? Can you assure us that this leave of absence is not only for the duration of the campaign?

MR. SPEAKES: I cannot predict. I mean, I'm right where I was when Sam asked me two minutes ago. I don't know what Donovan's intentions are. I know the President has nothing else in his mind at the moment, but I just cannot predict.

Q That's for sure. That's for sure. I agree with you.

Q Larry, is the President comfortable with establishing a precedent where a Cabinet officer is under indictment and is still in the Cabinet? Is that a precedent this administration wants to establish?

MR. SPEAKES: The President is comfortable with the precedent of innocence until proven otherwise.

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Q Larry, what does a leave of absence mean in this case? Does he mean -- it mean he will not take part in any government work, any Cabinet-level work?

MR. SPEAKES: I think you would probably have to get a little more legal opinion, but my understanding is that he will have an office elsewhere. He will not go -- it will not be running the day-to-day operation at the Labor Department. It'll be run by the Undersecretary.

Q Who will pay for his office elsewhere?

MR. SPEAKES: I imagine he will.

Q Larry, given the --

Q -- he will not be given government funds or any --

MR. SPEAKES: I wouldn't think so, Andrea, but that's getting way ahead of the hounds here.

Q Larry, given the long suspicion of Ray Donovan, what is the basis of the President to hold confidence at this point?

MR. SPEAKES: I think in -- I would stand corrected if you state otherwise -- but I don't think he's ever been pronounced guilty of any of the charges placed against him?

Q Larry, does this mean there isn't going to be any fish fry? (Laughter.)

MR. SPEAKES: I'm going to be there. How long is it going to take you to file?

Q Larry --

MR. SPEAKES: You --

Q -- one last question --

MR. SPEAKES: -- by default -- fish fry, too late.

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Q Larry.

MR. SPEAKES: What?

Q Has the President asked to see the actual indictment or any of the facts leading up to --

MR. SPEAKES: I don't think he has; but since the matter hasn't been revealed in court yet, I would presume that he can't get at it, even if he is President of the United States.

Q Is this going to affect his schedule in any way, Larry?

MR. SPEAKES: No.

Q Is it possible to direct a question to Jim Lake, since we're in here?

MR. SPEAKES: Lake, you want to speak?

Q -- if Larry won't address the -- ramifications of this, will you?

MR. LAKE: I'll let you do it, just like Larry suggested.

Q Me?

MR. SPEAKES: -- falls to you because he's dictating. Or you're ahead of him anyway.

THE PRESS: Thank you.

END

8:42 P.M. CDT

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