

PS
668
.M6

HOLD FOR RELEASE: Wednesday, December 3, 8 p.m.

THE NATIONAL EDUCATIONAL TELEVISION NETWORK

presents

"THE PRESIDENT'S MEN"

This press transcript is the eighth in a series of half-hour programs to be broadcast by the 187 affiliates of NET, the public television network, exploring the policies of top advisers in the Nixon Administration.

GUEST: JOHN N. MITCHELL, Attorney General

Mr. Mitchell said he is "perplexed" by Congress's delay in passing the President's crime bills. He said organized crime is the "most severe problem we have" in terms of dollars. He spoke of law enforcement in the anti-trust and civil rights fields, expressing his belief that "school desegregation is going on faster this year than it ever has before." The Attorney General expressed his view on dissent, including the November 15 March in Washington. Mr. Mitchell said the Republican Party is not concentrating on the South but is trying to build a broad political base. The program was taped Monday, December 1.

CORRESPONDENT: Paul Niven

EXECUTIVE PRODUCER: Jim Karayn

PRODUCER: Elvera Ruby

Please credit material from this transcript to the National Educational Television Network.

This program will be aired nationally at 8 p.m. EST, on Wednesday, December 3. (NOTE: In New York, Washington, and Philadelphia, it will be shown at 8:30 p.m. Thursday, December 4. This does not affect the indicated release time.)

continued

C

This is a rush transcript for the convenience of the press. Accuracy is not guaranteed. If you have any questions, please contact:

Jim Karayn
NET Bureau Chief
483-6367

or

Mal Oettinger
483-6367
338-5322

ANNOUNCER: Behind every president is a group of men who advise the chief executive and carry out his policies. Hand-picked, they serve at his pleasure, and in turn they help run the national government. Cabinet members, special assistants, agency heads: Collectively they are known as "The President's Men."

This is a series of programs dealing with some of those President Nixon has selected as his men. They discuss with reporter Paul Niven their functions, their thoughts and their aims. Tonight, the Attorney General, John N. Mitchell.

NIVEN: Many observers believe that John Mitchell is far and away the most influential of Richard Nixon's associates. No cabinet officer has easier access to the President or is called upon for advice more often than the former bond lawyer who, before he managed Mr. Nixon's 1968 campaign, had never ventured into politics. Now, as Attorney General, he has been dealing with some of the most controversial issues of our time and, in the process, becoming controversial himself.

Before Congress, Mitchell has presented the Administration's package of anti-crime bills and departed from recent precedent by advocating preventive detention and some wiretapping as weapons against crime. Libertarians and Liberals have criticized those stands and also what they see as Administration efforts to slow the pace of school desegregation. Politically, Mitchell has been portrayed as an architect of the so-called Southern Strategy, a plan to focus Republican efforts in the South, rather than the Northeast. Mitchell denies that and says he is not political at all as

d)

Attorney General. But he does not deny that he advises the President of the United States on a broad range of matters, including politics.

Mr. Attorney General, you assumed your high office very reluctantly. During the campaign you said you would not take a cabinet post. After the election you said no to Mr. Nixon many, many times before you said yes. After ten months in office, do you find any rewards, do you find that you enjoy it any better than you expected to?

MITCHELL: I don't believe enjoyment is the proper description. There are rewards through accomplishments, and one of those is the fact that I'm doing what the President has asked me to do and hopefully helping him in this tremendous job that he's undertaken. I think if there are rewards they are definitely in that category.

NIVEN: At about the time you took office you said that one difference between you and your predecessor Mr. Clark, with whom you did not disagree on everything, was that he regarded the Justice Department as an agency for social change and you regarded it as an instrument of law enforcement. Is that difference, after ten months, as deep as you then thought?

MITCHELL: Yes. It's exactly as I approached it at that particular time. I think that the programs for social change and the remedy of social injustice should be carried out by the other departments and not the Justice Department, which is basically a law enforcement agency, whether it be enforcing the laws in the field of civil rights, or crime, or antitrust or tax. It's a law enforcement agency, and it should continue as such.

NIVEN: Law and order was a very big issue in the campaign, of course, but you find yourself, I would think, to some extent hamstrung after ten months in office by the fact that Congress has not yet passed any of the President's crime bills. Why are they dragging their feet? You have a

Conservative, or at least a Republican and Southern Democratic majority. The committee chairmen are mostly Southern Democrats. Why can't you get these bills out?

MITCHELL: Well, this is something that has perplexed me a great deal. Because almost immediately upon coming into office, in fact on the 31st of January the President sent a message to the Congress and the crime package relating to the District of Columbia, and since that time we have sent up a series of pieces of legislation directed entirely towards this program. The President, as you probably know, expanded our budget in the Justice Department - the only department in government whose budget was expanded, and it's almost entirely in this area. And we have neither had a piece of legislation passed, nor have we had our appropriations approved. We anticipate that when our budget does come out that we will have increases, not as much as we've asked for, but substantial increases. But without the budget, without the legislation, we're marking time, because we can't, of course, undertake the new programs that we've recommended, nor do we have the new tools in the legislation to carry them out. I can't really specifically answer your question. I know that...

NIVEN: What is your - what do your congressional liaison people report to you?

MITCHELL: Well, it's basically that the wheels of the Congress move slowly. In addition to that, of course we've had some very extensive pieces of legislation like court reorganization and some novel theories of law that are necessary, such as pretrial detention and other items in the organized crime area that I'm sure the Congress wanted to take a good look at, but some of them just have to get out of there. And I make reference particularly to our Dangerous Substances Act of 1969, which has to do with the field of nar-

cotics and dangerous drugs, and unless we get this legislation moving, why the country is just going to stand still in this field that's so important.

NIVEN: Mr. Attorney General, a great deal was said about organized crime in the campaign. Isn't organized crime a fairly small part of the crime picture in this country, and isn't the typical criminal in 1969 less likely to be a Mafia leader than a bitter 15-year-old black youth who's going to steal a purse or something on his own?

MITCHELL: Well, it depends on how you approach it, whether by numbers or by dollars. There's no question that the organized crime activities in this country is by dollars the most severe problem we have, and I think there's reputable estimates to the point where there's probably \$50 billion taken out of the American economy every year by the organized crime operations. And of course, those moneys that may come from gambling go on into narcotics and loan sharking and activities like that that directly affect our people. But the crime that we are more concerned with as a citizenry has to do with crime in the street. And there, by volume of numbers, perhaps the individuals who are perpetrating those crimes are greater than those of the organized field. But we cannot let, and we are not letting, the organized crime syndicates operate freely, because they lead on to other crimes such as we've just described. ✓

NIVEN: Isn't law enforcement the most sacredly local function of government in the country? Isn't it fairly limited as to what the federal government can do?

MITCHELL: Well, this is quite true as far as the general term of crime in the street, and it should be. The last thing that we want is a national police force that functions on a local basis. And that is why in our department we are pushing the Law Enforcement Assistance Administration, which is

one of the Administrations in the Department of Justice, and this provides for leadership and funding of the programs of the state and local law enforcement agencies. By so doing, we of course hope to bring up the abilities of our local law enforcement officers in the police aspect of it and the prosecutors and the defense council and in the courts and in - beyond that - into the prison systems, all of which, of course, bear heavily upon the nature of our crime and also, hopefully, the elimination of it by the perfection of the total law enforcement and administration of justice activities in this particular field. So the federal government does have a role to play in this picture, both by leadership and by this funding.

NIVEN: In a speech, you accused the previous administration of arousing unfulfillable expectations and thereby bringing about a great cynicism in the country, which is now a problem. I know many people who were in that administration agree with you. Don't you think, however, that it's possible that your own campaign last year with its emphasis on law and order persuaded people to expect more in curbing the crime rate than the federal government can do?

MITCHELL: I don't believe that that's necessarily true, and I think that as our legislation goes through Congress and as these programs are funded, particularly the Law Enforcement Assistance Administration - now, we asked for \$300 million in this program this year, and it looks like that after the conference of the Appropriations Committee gets through that we will have no less than \$250 million of this money for use during fiscal '70. This type of program, where we are addressing ourselves to the improvement of the total law enforcement area and the administration of justice, will have a material bearing on this problem of crime in the streets. And through the process of the years with the continuation of this program and

the programs on the federal level, I believe that we will turn this around and that they will see that the promises made during the campaign will be fulfilled.

NIVEN: In other words, if you get everything you've asked the Congress for, you would expect the crime rate - the rise in crime to be arrested during this Administration?

MITCHELL: Very definitely so.

NIVEN: And reversed, even?

MITCHELL: Yes, very definitely so.

NIVEN: Antitrust, Mr. Attorney General. Most of your professional life was spent in the field of municipal bonds, but I know you're not without connections in the business world. Are you fearful about the explosive rate of merges in this country? Do you feel that we may end up with a few large corporations and a few large unions dominating the economy to the detriment of our pluralistic, diversified society?

MITCHELL: I don't think that I'm greatly concerned that the net result you mentioned will come about. I am concerned, however, with the possibility of there being mergers beyond the benefit to our economy. And this is, of course, one of the reasons that we have followed the antitrust policy in the department that we have. I hasten to add that we have not directed ourselves at bigness as such. In each of the cases where we have moved, there have been anti-competitive forces at work, so that we are implementing the federal statutes as they now exist. And hopefully the actions of our antitrust division will help to straighten out this problem, so that we do not end up with a limited number of large corporations that might control all of our resources.

NIVEN: Do you see any need to use the antitrust laws to reduce the

power of unions?

MITCHELL: Well, this has been done, of course, in the past, and it is currently being done under our Administration. But I hasten to add that it does not, of course, affect the appropriate and proper functioning of unions. It is only when the unions engage in practices which affect the anti-competitive nature of our economy that we have powers to act in that area.

NIVEN: Finally in the antitrust field, do you envisage using antitrust laws as a weapon against the communications medium monopolies or near-monopolies which concern the Vice President of late?

MITCHELL: No, that's the last thing in the world that we have under consideration. I don't think the Vice President was talking about that area at all. I think he was talking in the area of it being a legitimate area of discussion for the Vice President or anybody else in public life as to the posture and position of the newspapers and the other media. But as far as our department or this Administration undertaking any consideration of harassment or legal action against any of the news media or television, that's furthest from our thoughts.

NIVEN: I see. Desegregation - When you met with a group of Negroes who had come to your office, you said to them on one occasion, "Judge us not by what we say but by what we do." What did you mean by that?

MITCHELL: Very simple - That our accomplishments during our Administration in the enforcement of the statutes relating to civil rights would speak for themselves, and that they would be recognized as such and there was no sense of carrying on large dialogues about what might have been done or what might be done, that we would rather stand on the record than carry on this dialogue that might be presumptuous on our part.

NIVEN: Isn't it fair to say that so far the civil rights leaders are very dissatisfied with what you have done?

MITCHELL: I don't know as I can categorize the picture as it now exists. I think that quite a number of them have criticized our activities, particularly in the school desegregation field. I think they have done so without really understanding what we have done. I'm sure you don't have time for me to go down the laundry list of all of our accomplishments, but I think that school desegregation is going on faster this year than it ever has before. And I think that our accomplishments are better. By that, I'm saying that we have cut off less federal funds, which means that more children have federal funds for their school lunches and their textbooks and their libraries, that we have carried out integration with less irritation than has been in the past, and that while we haven't grabbed off the headlines with great confrontations, we do feel that we - through cooperation and through the consideration of the educational process as well as the desegregation process, that our accomplishments stand well and probably ahead of anything that's happened in the past.

continued

NIVEN: You said after the Supreme Court order in the Mississippi case that you would do whatever was necessary to enforce the law. If it came to a showdown, would you go as far as President Eisenhower had to in Little Rock or President Kennedy had to in Mississippi?

MITCHELL: You are talking about the use of federal forces to ...

NIVEN: Enforce court orders.

MITCHELL: To enforce court orders. Of course that is a prerogative of the President, as you know but I would point out an answer to it as best I can within my jurisdiction. This year in the carrying out of the court orders in a number of jurisdictions, we transferred a substantial number of marshals from around the country down to these school districts to make sure that they were, that the court orders were carried out and that the schools did get open and that there was a limit on the disturbances so that to the extent that I had the power in the Justice Department we necessarily are going to carry out the court orders. With respect to the use of troops, that is a matter that of course is a determination by the President. We, or this administration, have as a matter of practice tried to anticipate these problems and deal with them by the proper mediation and if not, and if it can't be worked out by mediation, by the implementation of whatever resources we have so that we do not get violent confrontations. We were quite successful in doing it this past fall.

NIVEN: But as you may remember in the Little Rock case, when Governor Faubus flew to Newport and asked the President for more time and the President called the Attorney General and then said "Can't we give the Governor more time?". And the Attorney General asked by the President

to say what the law required, said "No, Mr. President, we cannot.", and that was it, and the troops went in.

MITCHELL: Well, if they were carrying out a court order, and I presume they were, I don't recall the specifics of it ...

NIVEN: Yes.

MITCHELL: It was the determination made by the President to move in the troops because he is the only one that can do so. As far as the implementation in carrying out of court orders, we have been quite steadfast in doing that and we obviously will continue to do so. I don't want to prejudge any situation where the President might have to make a judgement.

NIVEN: There is no sign of the defiance of the kind that President Eisenhower faced and President Kennedy faced, but I gather if this administration were required to go all the way, to use force to enforce a court order, it would do so.

MITCHELL: Well, we were going obviously to do everything that is necessary to carry out the orders of the court, that is what the Justice Department exists for, and cases where it is involved. But as I say I can't prejudge what the President might do under a given set of circumstances.

NIVEN: To move on to dissent and demonstrations, Mr. Attorney General, after the mobilization you said that you did not think the gatherings here overall on November 15th could be characterized as peaceful. Does this mean you viewed the disorder and the violence perpetrated by two or three hundred as more important than the peaceful demonstrations of a quarter of a million?

MITCHELL: Well, I don't know what you mean as to more important to whom, but if you will

NIVEN: A guy was hit by a stone, that is obviously one thing but to the country at large, isn't the fact that a quarter of a million people demonstrated peacefully more important than the ...

MITCHELL: Yes, and of course I said so in so many words on any number of occasions. There is one thing that this administration fully believes in and that is the right of all of its citizens to exercise its first amendment rights to peacefully demonstrate and to petition their government at the seat of government with respect to any subject matter. Obviously, the greater number, as I have said on a number of occasions, of those who came to Washington during the two days came here to exercise those first amendment rights and they did so in a proper fashion. There must be broken out from that large, large majority those who came to Washington carrying the flags of North Vietnam and of course are interested in having our enemies win, and those of course who came to Washington under the guise of the peaceful demonstration for the sole purpose of causing disruption and violence and damage. You must break out these people and make sure that when you are talking about one class, you don't include the other. This dialogue frequently gets lost in the press, but there are these three categories which I have very well in mind.

NIVEN: On the question of dissent, Mr. Attorney General, the President in his inauguration address urged us all to lower our voices. Obviously many of the demonstrators do not lower theirs, and obviously the administration has to defend itself. But hasn't this administration on occasion raised its own voice pretty high?

MITCHELL: Well as far as I am concerned, I have not because I always speak with a very low keyed voice and approach. I am sure that some of the statements that may have been made along the line could be characterized as raising the voice but I think if we go back and look at the track record, its voices were probably raised in answer to voices that had been previously raised.

NIVEN: On the other side.

MITCHELL: Yes sir.

NIVEN: One more question under dissent, Mr. Attorney General. Last week you overruled the Secretary and the Under Secretary of State and denied a visa to a Belgian Marxist academician who was coming here on a lecture tour. What were your grounds for that?

MITCHELL: Primarily on the fact that the last time such a permit was given for him to enter the country, he did not abide by the limitations imposed upon, and he did not comply with the rules and regulations which of course led to considerable number of problems in the area. Not only in our immigration and naturalization service but in other areas so that as far as I am concerned, these people who wish to come to our country on the special visas should be willing to abide by our rules and regulations.

NIVEN: Politics, Mr. Attorney General, the term "southern strategy" has been kicked around and affirmed and denied, but is it not your conviction that in the immediate future the Republican Party has more to gain in the South than in the industrial Northeast?

MITCHELL: No, I don't believe that that is necessarily true. I think that the Republican Party has got a pretty good base in the South, and I believe that it is like every other party. If you try and spread it in to

areas where you don't have a particular base, in other words you start from your base and spread from there so that to the extent that the policies of this administration as established by the President appeal to the people in the Northeast, I think Republicanism should be expanded as widely as it can be in that area.

NIVEN: You don't feel that you have a better chance of detaching some of the states that went for Mr. Wallace last time than you do of capturing New York say where you make your home?

MITCHELL: Well, I think this is undoubtedly true, but I would look upon the Republican Party in the South without Mr. Wallace is probably appealing to all of those states because of the conservative nature of the people. As far as New York State is concerned, I am certain that the Republican Party can bloom and grow and continue to be predominant in the state.

NIVEN: Do you think that Mr. Rockefeller, Mr. Goodell, and Mr. Javits who have been very... well Rockefeller and Javits have been successful vote-getters in the state, would say that the record of this administration to date is going to help them in New York State, is going to help them bring the party in the state into the Republican column in the next election?

MITCHELL: Well I think there are many facets that will. Obviously the President's position on Vietnam which is highly supported by Governor Rockefeller as you know. I think the family security programs and I could go down through many others that are going to be most appealing to the voters in New York State.

NIVEN: Mr. Wallace said yesterday in a television interview that the administration hadn't bought the southern strategy and he said that he wished he had copyrighted his '68 campaign speeches because he would now be collecting

royalty from you and your colleagues. Any comment?

MITCHELL: He did not refer to me as I understand it. He referred to higher levels and my comment would be that I thought it was a very glib statement. It was completely inaccurate.

NIVEN: You said often that you see the President several times a week and talk to him at least once a day, and that you advise him on a broad-range of policy. You also believe that he listens to your views with respect.

MITCHELL: May I interrupt you?

NIVEN: Yes.

MITCHELL: I haven't said that. This is the media that has said this.

NIVEN: I have seen you quoted as saying that.

MITCHELL: Well, that may very well be. But excuse me for interrupting.

NIVEN: I am sorry but the quote was that you saw him, quite often talked to him every day on the phone, gave him your views on a broad-range of policy and he listened to your views with respect. That is not a ...

MITCHELL: Now how would I know whether he would listen to my views with respect?

NIVEN: I think the phrase was that "he values my judgement."

MITCHELL: Well, I assure you that that was never said by me because I wouldn't know whether he valued my judgement or not. That is entirely something that is subjective. But excuse me for interrupting.

NIVEN: Yes, I am sorry, but what I wanted to ask you was doesn't he ever ask you about politics? Don't you ever discuss politics?

MITCHELL: Again, excuse me for interrupting but I just wanted to set the record straight.

MITCHELL: In a very general way, from time to time. More on the broad basis as to what a particular program might have, what effect it might have but not in the specifics of isolated areas, or isolated cases, or matters of that type.

NIVEN: But I am sure that you would say that your policies in the Justice Department in desegregation and civil rights are not at all geared to a political strategy with a view to the 1970 election. I mean the 1972 election.

MITCHELL: I can't say if we were to follow such a course, it would be inconsistent with our obligations in the Justice Department and that is to carry out the laws of the Congress and the decisions of the courts. So we just wouldn't have that latitude if we might want it.

NIVEN: Why has the suspicion of a "southern strategy" lingered despite these denials for so long? Is it the news media? Is it your predecessors who have poisoned the atmosphere or what?

MITCHELL: I haven't the faintest idea. I have known or realized in discussing it with people both in public and private life as well as the news media that they rush to assumptions that are not warranted by the fact. It has led to some very interesting revelations by the people in the Justice Department to some of these individuals who have characterized this as an implementation of this policy or that policy without really knowing what the facts are.

NIVEN: You said, I hope this quote is accurate, before you took office that "you had to dispel the notion that you were an arch conservative and tough cop." Do you think that you have succeeded?

MITCHELL: I would doubt that very much. I don't really attempt to dispel notions as to my status in one particular area or another. That is not my function down here. My function down here is to carry out the obligations of the Attorney General in the best way I can. But if I had to make guesstimate I would say that I have not quite reached or attained that goal, if that were a goal.

NIVEN: You make me question all the quotes I have in mind, but you were quoted recently in the last week or so as saying that you were really a softy at heart and the liberal of the Nixon administration. Did you say that? And what did you mean?

MITCHELL: Well, I was being a little facetious in answer to a particular question but to go back and analyze it, I think basically I am a softy at heart and secondly I think my activities over the years and the decisions that I have had to make in the Justice Department put me on as good a plane with respect to the characterization of a liberal as most anybody else in the administration.

NIVEN: If you are the liberal of this administration, would you care to name the conservatives?

MITCHELL: Well, I think you can arrive at those by process of elimination.

NIVEN: Thank you , Mr. Attorney General.

* * * * *