

1 PRESS CONFERENCE

2 OF

3 THE HONORABLE WILLIAM B. SAXBE

4 ATTORNEY GENERAL OF THE UNITED STATES

5
6 WITH

7 MEMBERS OF THE PRESS

8
9
10
11
12
13
14
15
16
17
18
19
20 2:15 p.m.

21 FRIDAY, DECEMBER 13, 1974

22 BRIEFING ROOM

23 U. S. DEPARTMENT OF JUSTICE

24 WASHINGTON, D. C.
25

The Attorney General answered questions on the following topics:

Relationship with President	2
Interest in India	3,4,6,10
Regret at Leaving Justice Department	5,7
Successor as Attorney General	6,12,14,17
Goals as Ambassador to India	6
Crime Problem	7,8,9
Reflections on Tenure as Attorney General	9,10
Capability as Diplomat	11,19
Effect of Turn-over of Attorneys General on Justice Department Morale	13
Future Political Plans	13
Opinion of Mr. Levi	13
Opinion of Mr. Silberman	13,14
Permanent Special Prosecutor	14,15
Successor for Henry Petersen	15
Antitrust Enforcement	15,16
Salary as Ambassador and as Attorney General	16,17
Date of Departure for India	17
Date of Departure from the Justice Department	17
Political Independence for the Justice Department	18
Control over FBI	18

P R O C E E D I N G S

1
2 MR HAVEL: The Attorney General has another
3 meeting about quarter to three, so we'll have to hold it to
4 that length of time.

5 ATTORNEY GENERAL SAXBE: I have no statement.
6 I think you've got some resume of my experience and back-
7 ground in regard to my interest in India. I think you've
8 got the President's letter.

9 MR. HAVEL: It was released over at the
10 White House, but we will have copies upstairs after this
11 meeting.

12 ATTORNEY GENERAL SAXBE: And he goes into some
13 length about the occupancy of this job, I mean my occupancy
14 of it. And that's about it.

15 QUESTION: Mr. Saxbe, do you understand what
16 happened between the time that the President led you to
17 believe that you would be here for some time longer and
18 the time when you were getting ready to depart for India?

19 ATTORNEY GENERAL SAXBE: No, I don't. The
20 -- I don't think anything happened. I don't know of any-
21 thing. We've had very close and regular relations, and
22 the various major efforts of the office have all been --
23 I can't say cleared, but they've been notified as to the
24 activities of the office.

25 But, as you'll note from my interest in India,

1 this is something that I have wanted for a long time. I
2 haven't done anything to influence this -- in fact, I didn't
3 even know there was a vacancy.

4 The President told me at my meeting with him on
5 Monday that when Secretary Kissinger was in New Delhi some
6 three weeks ago that he notified the officials that Mr.
7 Moynihan was leaving, and in the discussion that followed
8 my name was mentioned as one who had a long interest in
9 India.

10 I believe, outside of the State Department, that
11 I have as much familiarity and knowledge of Indian affairs
12 as any figure either in Congress or in the government.
13 And I suppose that that had some influence on it.

14 I consider it as a real challenge. I don't think
15 anyone would say it's an easy job. But I consider it a
16 very interesting job, and it's one that both Dolly and I
17 look forward to, having visited this beautiful residence
18 there so many times, she is naturally anxious about it.
19 And I, having met so many of the officials, officially and
20 unofficially, that I feel a very close relationship with
21 the country.

22 QUESTION: You say it's interesting, General;
23 how is it interesting to you?

24 ATTORNEY GENERAL SAXBE: Well, I think that to
25 improve our relations with India is one difficult problem.

1 I think, too, that at a time of world instability,
2 economic crisis over oil and everything else, to be the
3 Ambassador to the second most populous country in the world
4 and the largest democracy in the world is indeed a challenge.

5 And that's a real adventure for me.

6 QUESTION: General, you've said that when you
7 left this office you hoped that it was at your wishes. Does
8 this move qualify as being your wishes?

9 ATTORNEY GENERAL SAXBE: This certainly comes as
10 close as I could have it, because this is something that,
11 as I say, that I have thought about, but I never thought
12 the occasion would arise, because I frankly think Mr.
13 Moynihan has done a splendid job there.

14 QUESTION: May I rephrase and ask: At whose
15 initiative did this particular event come about?

16 ATTORNEY GENERAL SAXBE: I don't know, unless
17 it came about between the President and Mr. Kissinger,
18 because when the President asked me to come up there, he
19 called last Friday for me to come on Monday, and when I
20 arrived he immediately said, "Would you be interested in
21 being the Ambassador to India?" And I said yes.

22 QUESTION: Are you saying, then, that the occurrence
23 of a vacancy at New Delhi is the thing which has dictated
24 the timing of your decision to resign?

25 ATTORNEY GENERAL SAXBE: I can't say that. I

1 think the offer by the President is the occasion for my --.

2 QUESTION: Do you have regrets leaving here?

3 ATTORNEY GENERAL SAXBE: Yes, I have some regrets.
4 that I'd like to see many of the programs a little nearer
5 completion. I'm not happy with some of the things that
6 are left hanging. I think there are areas here that are
7 going to become very critical.

8 I do believe that we were on the way to working
9 them out, and I hope that my successor, whoever he is, will
10 continue some of these programs. I'd like to see him
11 continue all of them.

12 But I think particularly of the immigration
13 problem, and the crisis that's happening there. It's
14 surprising the misinformation on this. People think that
15 illegal immigrants are holding menial, agricultural jobs
16 in this country and that the impact on employment is not
17 great.

18 We picked up two this week working on the Metro
19 project here in Washington, and earning \$9 an hour.

20
21 And I think that you have to take this into
22 consideration, when we talk about illegal aliens. They're
23 not out there doing stoop labor. Some are. But wherever
24 they are they're subject to minimum wage, and in California
25 most of the agricultural wages are well above minimum wage.

1 And that's where a great many of them are.

2 QUESTION: General, did you make any suggestion
3 as to a successor?

4 ATTORNEY GENERAL SAXBE: No, I did not.

5 QUESTION: To anyone at the White House?

6 ATTORNEY GENERAL SAXBE: No, I did not. Of course,
7 the one who immediately comes to mind would be Larry
8 Silberman. I think he's done a tremendous job here. But
9 that is a decision for them to make.

10 QUESTION: But you would recommend that Mr.
11 Silberman be made Attorney General, then?

12 ATTORNEY GENERAL SAXBE: I think he'd do an
13 excellent job. If I were asked.

14 QUESTION: Mr. Attorney General, India is one of
15 the areas in the world where famine is most unique. Are
16 you going there at all with any kind of plan of action that
17 you hope to put in that might alleviate that problem?

18 ATTORNEY GENERAL SAXBE: Well, naturally I'll have
19 to become involved in this area. But until my confirmation
20 comes through, I'm not going to discuss what I'm going to do
21 when I get there. I don't think it would be appropriate.

... 22 QUESTION: What causes your interest in India?

23 ATTORNEY GENERAL SAXBE: Well, I suppose it's
24 just a fascination that has grown because of my many
25 visits there. I like the country and I like the people.

1 I think it's so full of challenges, that perhaps that's
2 part of it. But it's something that has interested me
3 since my first contact with it.

4 QUESTION: Mr. Saxbe, did you discuss with the
5 President the problem that would be created by yet another
6 Attorney General coming into this Department, in such a
7 short time?

8 ATTORNEY GENERAL SAXBE: No. I --

9 QUESTION: And is that going to be alleviated?

10 ATTORNEY GENERAL SAXBE: -- I think that he would
11 be aware of the problems involved, but I don't think it's
12 my job to --

13 QUESTION: Besides the immigration problem, what
14 other thing --

15 ATTORNEY GENERAL SAXBE: Besides -- Mr. Kelly,
16 just a minute -- on that, it would be pretty difficult to
17 discuss things in that tone when I'd already agreed to go.

18 [Laughter.]

19 QUESTION: What other things were left hanging
20 that particularly disturb you, or particularly --

21 ATTORNEY GENERAL SAXBE: Well, of course, the over-
22 all crime picture in this country is one that I'm -- have a
23 continuing interest in, and I think that I had become
24 acquainted with the problem. I think we were beginning to
25 identify the problem. And I think the people, anyway, in

1 the mail that I get and the editorial comment that I have
2 received, are beginning to perceive that there's no way that
3 we can handle this crime problem by wishing it away, or by
4 relying on unworkable methods.

5 And I -- I mean, there's only two ways that you
6 can handle crime. It's the -- the hard way is the
7 deterrent. In other words, to be tough on criminals, to lock
8 them up, to use punishment, and this is a deterrent.

9 The easy way is to try to cover it over with
10 bunkum, and the easy way puts them back on the street.
11 And this is one of the reasons that we haven't been success-
12 ful.

13 We have had all kinds of people come in and say
14 that we could cure crime in this country by rehabilitation,
15 by diversion, by probation; and we just haven't made it
16 work. And I'm not sure whether we can make it work.
17 Maybe if we got it down to a one-on-one basis we could make
18 it work, but that's almost prohibitive.

19 But I think, too, that we have to recognize that
20 we can narrow this down as to who the violent criminals
21 are, and the violent crime is what I'm concerned with, the
22 stranger-to-stranger crime that terrorizes people and, as
23 someone said, turns their castle into a fortress.

24 And this group is a rather small group in our
25 country, a group between 15 and 25, urban, in many cities

1 black, depending on the part of the country. And when you
2 realize that this group is relatively small in number -- and
3 I might add that the people that they spend their violence
4 on are usually the same group.

5 And it's going to take a recognition of the problem.
6 Now, this is an area that I think we have made some progress
7 in, and I don't think we're wasting as much money on
8 will-of-the-wisp concepts that try to avoid the problem.
9 Maybe we don't want to meet the problem.

10 In the Senate I used to say that a great deal of
11 our economic ills were caused by our unwillingness to pay
12 to cure what ails us.

13 And in the crime picture, maybe it's our unwilling-
14 ness to accept the hard job that any effective method
15 requires: a toughness.

16 QUESTION: General, if you had to do it over
17 again, what would you do differently as Attorney General?

18 ATTORNEY GENERAL SAXBE: I've thought about that.
19 I'd be hard put to change it. I'm not dissatisfied with
20 the approach I've taken. I might have caught on to the
21 Department a little faster, but certainly in choosing my
22 personnel I wouldn't change that. And knowing what I do
23 now, I might have accelerated some programs.

24 But I think that we progressed just about as
25 rapidly as we can. In fact, as someone told me this noon,

1 he said, you've got enough hay down to occupy the Department
2 for five years.

3 QUESTION: What accomplishment in the past year
4 satisfied you the most?

5 ATTORNEY GENERAL SAXBE: Well, I don't think that
6 that's for me to judge. I think that's for others to judge.

7 QUESTION: General, are you confident that if the
8 President -- I mean, if you had told the President that you
9 didn't want to go to India, that he would have said, Well,
10 all right, you'll stay on as Attorney General?

11 ATTORNEY GENERAL SAXBE: I don't know. I can't
12 say. As I say, I agreed to go to India in the first five
13 minutes we were talking. It's kind of academic to say
14 what would happen if I'd put up a struggle. But, after
15 all, it's --

16 [Laughter.]

17 -- it's the President's prerogative, and I did
18 want to go to India. I can imagine no other post that I
19 would have accepted so readily.

20 QUESTION: I've been told, Mr. Saxbe --

21 QUESTION: Are you trying to tell --

22 ATTORNEY GENERAL SAXBE: Just a minute -- just
23 a minute. Ed, now.

24 QUESTION: You got egg on your face pretty
25 frequently while you were here, and I'm sure some of your

1 critics and some of your admirers wonder about turning you
2 into a diplomat all of a sudden. Can you tell us something
3 about your personal style and whether you think you are
4 going to have to rein. in a little bit?

5 ATTORNEY GENERAL SAXBE: Oh, I'm sure that I
6 will, but I think it's something that I can adjust to, and
7 I'm familiar enough with diplomacy to realize that once I
8 go to India I'm going to be speaking for the United States,
9 and I'll have to be -- keep that in mind at all times.

10 Ed, did you have a --

11 QUESTION: I'm still trying to figure out the
12 chicken-and-egg question.

13 ATTORNEY GENERAL SAXBE: All right.

14 QUESTION: This has occurred as a result of Mr.
15 Ford's wish to fill a post in India coincident with your
16 desire for that post, and not in any sense can you say did
17 it occur from his initial desire and forerunning desire to
18 change his cabinet?

19 ATTORNEY GENERAL SAXBE: Well, I don't think
20 that that's a question that I can answer. I think that
21 can only come from there.

22 I would like to think that he wanted me to go to
23 India because he thought that I was capable and anxious and
24 willing to do so, and I think any Ambassador to a major
25 country like that should be.

1 QUESTION: In a word, he offered you the
2 Ambassadorship to India first and foremost --

3 ATTORNEY GENERAL SAXBE: Right.

4 QUESTION: -- and it was on that basis that
5 you said you would resign?

6 ATTORNEY GENERAL SAXBE: It's -- it wasn't on an
7 "if come" type of a deal. Maybe it would have been different,
8 but we had a very pleasant conference on the thing.

9 QUESTION: General, you said that --

10 ATTORNEY GENERAL SAXBE: Margaret -- Margaret.

11 QUESTION: Did the President mention any of the
12 names of those he's considering as your successor, or do
13 you think it's going to be -- [inaudible]

14 ATTORNEY GENERAL SAXBE: We did not discuss that,
15 as I say. If I had a recommendation to make, it would be
16 Mr. Silberman. But I think this is a thing of great
17 concept that I don't think I should be a party of it.

18 QUESTION: Why would it be Mr. Silberman

19 ATTORNEY GENERAL SAXBE: Who was next?

20 QUESTION: General, four months ago, I think, when
21 President Ford took office, you said he thought it was
22 important that you stay on in the Department, for
23 continuity. I'm wondering -- and for the morale of the
24 Department. So I'm wondering why you didn't put up --
25 fight may not be the right word; but what has changed in the

1 last four months to make you think that now it isn't
2 important for you to stay?

3 ATTORNEY GENERAL SAXBE: Well, I felt this way
4 about it, that the President would not have asked me to take
5 this unless he had reconciled that problem.

6 Bob?

7 QUESTION: Yes. Is there a possibility you
8 might come back to your native State and run for Governor
9 in four years?

10 ATTORNEY GENERAL SAXBE: I hadn't thought of that
11 concept, either, and we just got a new Governor out there,
12 we better get him settled.

13 QUESTION: How would you regard Mr. Levy on
14 fighting crime?

15 ATTORNEY GENERAL SAXBE: I am not acquainted with
16 Mr. Levy, and all I know about him is what I read in the
17 paper, and --

18 QUESTION: Would you be disappointed if he was
19 named as your successor?

20 ATTORNEY GENERAL SAXBE: I certainly wouldn't
21 be unfair--to comment on a man that I don't know.

22 QUESTION: What do you like about Mr. Silberman,
23 General?

24 ATTORNEY GENERAL SAXBE: Well, he's forceful
25 and direct and is a great detail man, and anybody that's

1 dealt with him in government over his experience, not only
2 in the Labor Department but here, knows he's a man of action
3 and a man of his word.

4 And he has an ability to cut through the fog that
5 a lot of people in government do not have.

6 QUESTION: Do you think Senators Eastland and
7 Hruska would like to see Mr. Silberman nominated?

8 ATTORNEY GENERAL SAXBE: Well, I wouldn't try
9 to answer that. I know that they have both worked with him,
10 but -- again, I think that this is a decision that the
11 President has to make. It's not one that I'm going to have
12 to make, and I wouldn't presume to go outside the Department.
13 You asked me if I had my druthers who I might suggest, and
14 I said Mr. Silberman.

15 But I'm certainly not indicating to you here that
16 he has any inside track, or that I have any information,
17 or anything beyond just what I've told you here.

18 QUESTION: General, Senator Ervin, retiring now,
19 has left a note or recommendation for posterity. I wonder
20 if you would endorse his idea of making permanent the
21 Office of Special Prosecutor; and, if so, would you retain
22 its present personnel?

23 ATTORNEY GENERAL SAXBE: No, I would not agree
24 with that thing. I've talked on it before. I think it'd
25 be a mistake to keep a Special Prosecutor as a permanent

1 fixture. I think that any time that Congress thinks a
2 Special Prosecutor is needed, it should be just exactly what
3 it says: a Special Prosecutor.

4 QUESTION: Mr. Saxbe, has any progress been made,
5 or has anyone been chosen to succeed Mr. Petersen in one
6 of the key jobs here?

7 ATTORNEY GENERAL SAXBE: No. And I really think
8 that that's a job that should be left to the nominee now,
9 whoever he is.

10 QUESTION: Mr. Saxbe, regarding the initiative
11 you've taken now in the antitrust field, do you expect that
12 after you leave the momentum will still remain?

13 ATTORNEY GENERAL SAXBE: Well, I don't think,
14 whoever comes in here, that you're going to see the number
15 of suits filed, because, frankly, we were catching up for a
16 long time there, where there hadn't been a great deal of
17 emphasis.

18 But I assure you that every one of those suits
19 that has been filed has been thoroughly researched, some of
20 them for years. We feel that there is a violation in each
21 one of those suits, and that the suit should have been filed,
22 no matter who was Attorney General.

23 Now, we have an increase in personnel in the
24 new budget, in the Antitrust, but I hope there isn't any
25 slacking off. I just don't think that free enterprise can

1 survive in this country with price-fixing or monopolistic
2 behavior.

3 And I think that if we want free enterprise to
4 survive, that we've got to let competition operate. And
5 this -- I mean, it extends not only to small corporations
6 of lawyers and real estate people, but also to big corpora-
7 tions if they are what we consider violators. We're not
8 going after bigness for bigness' sake, and I think this can
9 be shown by our approach.

10 QUESTION: How much money does an Ambassador make?

11 ATTORNEY GENERAL SAXBE: Forty-two five, I get a
12 wage increase!

13 [Laughter.]

14 QUESTION: Is it possible for you to accept that?

15 ATTORNEY GENERAL SAXBE: It will be academic,
16 because I don't think my name will be sent up until the
17 next Congress, and the term for which I was elected will
18 have expired by that time.

19 QUESTION: You never did get your raise there, did
20 you?

21 ATTORNEY GENERAL SAXBE: Never did. And I
22 certainly recommend that they re-establish it, because --
23 so the next man can get it.

24 QUESTION: What have you been making here, Bill?

25 ATTORNEY GENERAL SAXBE: Thirty-five.

1 QUESTION: Thirty-five even.

2 QUESTION: Do you have any indications of when
3 you might be leaving here?

4 ATTORNEY GENERAL SAXBE: I've been in contact with
5 Mr. Moynihan, and he expects to be back here in February,
6 and I would like to think that we could get out of here in
7 February, depending on my confirmation.

8 QUESTION: Would you expect to remain at the
9 Department, then, for something more than a month?

10 ATTORNEY GENERAL SAXBE: I would expect to remain
11 here for such time as it takes to get my successor confirmed,
12 and sworn in.

13 QUESTION: If there's any --

14 ATTORNEY GENERAL SAXBE: If it's within that time.
15 However, if you'll notice on my resignation, it says at the
16 time of my confirmation and qualification or that of my
17 successor, whichever comes first.

18 QUESTION: That means the possibility of
19 Silberman being acting Attorney General for at least a short
20 time, does it not?

21 ATTORNEY GENERAL SAXBE: It could. It could, yes.
22 Depending on whether there is a named successor.

23 QUESTION: You were asked about the permanent
24 Special Prosecutor, and there was comment on that. What
25 about another structural change, the suggestion that the

1 Justice Department be made independent of the White House,
2 and the Attorney General be independent?

3 ATTORNEY GENERAL SAXBE: There's no place that
4 you can park out a major governmental office, and I think
5 it would be a mistake. The President has to have control
6 of the Department of Justice, to live up to his programs and
7 certainly to park it out some place, in never-never land,
8 would require a constitutional amendment, and I just haven't
9 heard anybody come up with a really serious plan that would
10 do that.

11 QUESTION: Well, in that same connection, are you
12 satisfied with what controls exist over the FBI right now?

13 ATTORNEY GENERAL SAXBE: Yes. I think that an
14 Attorney General who is aggressive can work with the FBI
15 without any problems. I think that the FBI, as a Department
16 of Justice agency, has to work as any other agency, and
17 this was a little bit of a change.

18 But I found Director Kelley very cooperative, and
19 I'm sure that my successor will find him that way also.

20 QUESTION: You were bored by the inactivity of
21 the Senate and you enjoyed the action here. do you think
22 there's going to be enough action in India?

23 ATTORNEY GENERAL SAXBE: Hunh, I'm very sure
24 of that.

25 QUESTION: Mr. Saxbe, you say you like the

1 country, you like the people, but what do you think qualifies
2 you to be a diplomat?

3 ATTORNEY GENERAL SAXBE: Well, as I say, I believe
4 that my knowledge of India and the people and the problems
5 is good or better than anybody in government, with the
6 exception of those in the State Department. And I think it
7 would be a mistake for someone to go there who has not
8 repeatedly visited the country, knows the leaders, as I --
9 I've met Mrs. Gandhi at least four times; I know the
10 Foreign Minister. I have met most of the leaders of the
11 Lok Sabha and the Senate. I have visited all the major
12 cities. And I have driven through the countryside, and
13 visited many of the colleges there. I've visited farms and
14 factories. And I think that this knowledge gives me a fine
15 basis -- not that I know all that I'm going to have to know
16 -- but gives me a fine basis for a beginning to work as a
17 diplomat.

18 Now, I have no formal training as a diplomat,
19 that is quite true, but this is not an unusual circumstance,
20 if you'll notice many of the other appointees who have
21 served extremely well.

22 I do know this, that in India is one of the most
23 capable staffs of any of our Embassies. The people that
24 are trained and are expert, I have a great admiration for
25 them, I know a great many of them. They are Indian experts.

1 And I expect to lean heavily on them.

2 QUESTION: Do you expect to take any of your people
3 that have been with you here or in the Senate to India as
4 part of your staff?

5 ATTORNEY GENERAL SAXBE: I have not considered
6 that. I doubt that.

7 QUESTION: Bill, I heard a report that Mrs.
8 Gandhi actually expressed a desire that you come as
9 Ambassador. Do you have anything to say on that?

10 ATTORNEY GENERAL SAXBE: I don't know whether it
11 was Mrs. Gandhi or Foreign Minister Singh that Secretary
12 Kissinger was talking to at the time that my name was
13 suggested. So I can't answer that directly, but I do know
14 Mrs. Gandhi, she knows me, and I'm sure it's some comfort
15 to her that she at least is personally acquainted with the
16 individual that's coming.

17 QUESTION: Thank you, Mr. Saxbe.

18 - - -

19

20

21

22

23

24

25