## ORIGINAL

SWEARING-IN

OF

THE HONORABLE BENJAMIN R. CIVILETTI, ATTORNEY GENERAL OF THE UNITED STATES

- - -

11:00 A.M. THURSDAY, AUGUST 16, 1979

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THE GREAT HALL

U.S. DEPARTMENT OF JUSTICE

WASHINGTON, D. C.

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(Applause)

ATTORNEY GENERAL BELL: Thank you. Thank you very much.

We are gathered today on what I think is an historic occasion, and I want to tell you something historical. It will take about a minute.

The biographer of Gen. Lee was a Richmond newspaper editor, Dr. Douglas Southal Freeman. He also wrote Lee's lieutenant's. But every day, on the way to his office in Richmond, he would pass by Lee Circle and there is a great monument there to Gen. Lee riding his horse Trevola, and he would slow down and salute Gen. Lee every day on his way to work.

Well, we don't have Gen. Lee here, but Nathan Hale was the first intelligence agent in the history of the country. He went behind British lines when George Washington was looking for a volunteer, he was the only man he could find who would go and he lost his life. You know all of that.

But we have a statue to Nathan Hale out on Constitution Avenue, and there is only one other in Washington. It is at the CIA.

(Laughter)

So we are very proud to have that connection back to

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Nathan Hale, and I am sure the CIA feels the same way. I 1 2 think the connection is symbolic of the great work that the 3 people in this Department of Justice do, the hazardous work 4 that many do, those in law enforcement and those in the 5 counter-intelligence section. 6 So I went out there today just to see Nathan Hale 7 one last time. I didn't salute but possibly I should have. 8 Ladies and gentlemen, it is now my time to intro-9 duce to you the President of the United States. 10 (Applause) 11 THE PRESIDENT: Thank you. 12 It is indeed a pleasure and an honor for me to be 13 here in this assembly with Griffin Bell and the other 14 members of the establishment. 15 (Laughter, applause) 16 As a fellow Georgian, I was hoping that Griffin 17 would survive the screening process in the Cabinet recently. 18 (Laughter) 19 But I think it is accurate to say that this is a 20 time of reassessment and of congratulations and of looking to 21 the future.

Griffin has certainly made this a non-political organization. He proved that with his interview with the

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press recently, as a matter of fact.

(Laughter)

Along with the Chief Justice, Griffin has always had a superb record in getting along with the press.

(Laughter, applause)

Griffin has gotten more mileage out of Rooster Pepper Sausage than I did out of the Middle East Treaties.

(Laughter)

In 1976, after I was elected President, I called on Griffin Bell to help me with the screening process for Cabinet officers, because of his judgment, his integrity, his intelligence, his experience, and because as a long-time friend I had absolute confidence in him.

I finally decided that there was no person in this nation better qualified to be Attorney General than Griffin Bell. That was one of the wisest decisions that I have ever made, and I want to express my thanks to him.

(Applause)

He was my friend then but he has become a friend of the nation. He has become a man who has earned trust and confidence and appreciation of all those who look on the Department of Justice as a source of fairness and equity and sensitivity and compassion, and I am deeply grateful

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to him for that as well.

He has brought to this department, to his position as Attorney General a sense of absolute integrity, of professionalism and of merit and of justice in the finest and most all-encompassing meaning of the word.

When he arrived here, there were some difficult cases whose resolution had been long postponed. He has helped to clear up those difficult cases in a proper way.

He has brought into his own top staff, his Deputy and the others, the Director of the Federal Bureau of Investigation, people who share and perhaps even equal his own superb characteristics.

Griffin mentioned to me a few minutes ago that he and I together have assessed and I have already personally approved 232 federal judges. And by the time the process is over and the next 22 judges have been identified and approved by me, this will encompass 40 percent of all the federal judges who serve in this country.

The selection has been made strictly on the basis of merit, with adequate attention to affirmative action, and that is apparently a conflict, but under Griffin Bell it has not been a conflict because, as we have moved out and explored the identity of those who could serve superlatively as federal

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judges, among women and among representatives of minority groups who have suffered from discrimination for too long, we have never deviated from the highest possible standards of merit, and I am deeply grateful for that achievement of the Attorney General as well.

## (Applause)

With the ceremony today, I express my gratitude to Attorney General Griffin Bell, my regrets that he has decided to leave this post, my confidence that he will continue to help me and this country in the future to perpetuate what he has initiated here, and also to express my gratitude to the man who will be sworn in today, Benjamin Civiletti.

Under Ben Civiletti, as the new Attorney General, we will build on the standards of excellence that have been established here in the Justice Department. He will be the highest law enforcement officer in our land, entrusted with complete confidence with the responsibilities which I have just described so briefly -- integrity, compassion, sensitivity, fairness, equity, justice -- as a tangible thing, but also an accurate image of it, because the people of our country, particularly those who are poor or inarticulate or deprived, must have an accurate sense that the system of justice works for them and not against them. And there is

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no doubt in my mind that Benjamin Civiletti is eminently qualified to have both the substance of justice and an accurate image that our nation's government represents the essence of fairness and justice for all.

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He is a courageous man and this is a job that requires courage, and I am very deeply grateful to him for being willing to serve. I look forward to the cermony now imminent wherein the Chief Justice of the United States will give the oath of office as Attorney General to a fine and distinguished public servant who has already proven his qualities to be exemplary, Ben Civiletti.

Thank you very much.

(Applause)

ATTORNEY GENERAL BELL: We are deviating from the program just the slightest bit, Mr. President. We thank you for your remarks.

We all work for you.

The President under the Constitution is the only person charged with the duty to faithfully execute the laws. And so as Attorney General and others here at the department, our job is **to** assist the President in faithfully executing the laws.

Chief Justice Burger is a great friend if not the

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greatest friend in our country of judicial administration. He honors us today with his presence and before we have the swearing in ceremony he wants to say a few words.

CHIEF JUSTICE BURGER: Thank you, Mr. Attorney General. Mr. President, Mr. Attorney General-To-Be, Mrs. Civiletti.

I accepted the Attorney General's invitation to make a few brief remarks because I thought it might help to remind all the young lawyers in the Department of Justice that this is a pretty good place to start.

(Laughter)

It is twenty-six years ago that I began here and I retain the fondest recollections of this great Department. From the time I was a student up to the present -- and when I was a student, my fellow townsman William D. Mitchell was appointed Solicitor General first and then Attorney General -- from that time down to the present, I have met or known, and very often known well, every Attorney General of the United States.

There has been no finer man -- and I can echo the President's praise of Griffin Bell -- there has been no finer man, no man more dedicated to professional excellence and professional integrity and a fair administration of

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justice than this man who has been my friend and colleague for many years, and I salute him and congratulate him on the splendid administration he has given this great Department of Justice.

And now, Mr. Civiletti, are you prepared to take the oath of office?

MR. CIVILETTI: Yes, Mr. Chief Justice, I am. (Applause)

CHIEF JUSTICE BURGER: If you will repeat after me: I, Benjamin Civiletti, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic, that I will bear true faith and allegiance to the same, that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me, God.

MR. CIVILETTI: I, Benjamin Civiletti, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic, that I will bear true faith and allegiance to the same, that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and

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1 faithfully discharge the duties of the office on which I am about to enter, so help me, God. 2 CHIEF JUSTICE BURGER: Congratulations, Mr. Attorney 3 General. 4 (Applause) 5 6 ATTORNEY GENERAL CIVILETTI: Mr. President, Mr. 7 Chief Justice, Mr. Vice President, former Attorney General 8 Bell --9 (Laughter) 10 Mrs. Bell, Senator Thurmond, Chairman Rodino, Mr. 11 Dunlap -- first, I would like to introduce all of you to 12 the people who have been most important in my life. You 13 know one of them already. Gaile Civiletti. I am privileged 14 to have my mother and father here today, Ben and Virginia 15 Civiletti. Would you please stand up. 16 (Applause) 17 My sister, Pamela Ha er. Would you please stand, 18 Pam. 19 (Applause) 20 My children, Ben Civiletti, Drew Civiletti, the 21 famous Oriole baseball commentator. 22 (Applause) 23 and Lynne Civiletti. RTING CO., INC.

ens Avenue, N.E. D.C. 20002 (Applause)

As the President has said, I will attempt to follow and to build on the great work that Attorney General Bell has done in this department, as he in turn built on the foundations that were laid by Attorney General Levi, and we are aided in that process, he in his work and I will be in my work, by the fact that there are men and women in the department who have not only been here under Attorney General Levi and Attorney General Bell, but will be here under Attorney General Civiletti and probably many of his successors.

The leadership changes and we can assist or accelerate or, in some sad instances, can detract from the department, but the heart and soul of the Department of Justice are the career men and women and lawyers who are here year in and year out of high competence, great ability, integrity and little recognition. And I recognize them and believe that they truly represent the finest in the traditions which the President has mentioned.

The themes that Attorney General Bell, it seems to me, has followed, and which I have had only a small part to play in developing, but which I believe in, are, one, the access to justice, increasing it, developing it, strengthening it, the professionalism and training, the competence of the

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lawyers, the staff, para-legals within the department, in every possible way; and, thirdly, what the President mentioned to me when he asked me to become Attorney General, the independence and integrity of the department, as Just Bell says, the neutral zone concept with regard to the initation and handling of cases.

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Matting CO., INC. Matti Avenue, N.E. D.C. 20002 The President said that he thought one of the most important legacies of his administration to the American people would be that concept of independence and integrity of the Department of Justice in the handling of prosecutions and cases and investigations and that he was extremely proud of Judge Bell's work in developing and strengthening that concept which has been with the department for many, many years, and he was confident that I could carry it forward.

Of course, there are a few refinements or modifications, things that I will perhaps do somewhat differently, additional things that I will stress within those themes and beyond them.

I think one of the most important functions within the Department of Justice, within its many functions and duties and responsibilities, is to represent well not only all citizens of the United States but to represent the disadvantaged, whether they be minorities, handicapped, the aged,

those who cannot well represent themselves, who without the Department of Justice and the government to look for their rights with care and attention, they will lose their rights or not know of them or not be able to exercise them.

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Secondly, I believe in strong and effective law enforcement. If the Attorney General is not an advocate for strong and effective law enforcement, who can be? It is vital not only to protect the public safety and the lives and property of all persons, but also to safeguard the social environment just as we must protect the physical environment, because only through effective enforcement and the resulting achievement of public safety and peace can our society truly and fully engage in the pursuit of happiness.

In addition to making possible the exercise and enjoyment of all other rights, the pursuit of the right and the enforcement of personal safety and freedom from crime does not require compromise or sacrifice of constitutional rights or civil liberties.

The Department of Justice's proposed legislative charter for the FBI, which is a dominant goal and priority of our efforts in Congress, demonstrates strengthening law enforcement and enhancing civil liberties which are consistent and complimentary and mutually supportive goals.

Third, a mission and duty within the department which is primary is the protection and the defense of the free enterprise system, preservation of competition, and I am happy to say that I think we are alive and well in that regard under John Shenefield's leadership of the Antitrust Division.

I think that the progress we have made in increasing the competence and the tools by which the men and women of the department are able to undertake these tasks has been remarkable. With the Attorney General's Advocacy Institute, with the training programs throughout the Department of Justice, we are now training in one year more lawyers, more para-legals, more investigators than three years ago we were training in four years. But I think we have a way to go.

We must work faster, we must decide cases and investigate them thoroughly, but with expedition. Justice delayed is justice denied. And we must have the courage to end cases, to end investigations, whether it be through successful and vigorous prosecutions or be it in closing a case that does not merit the exercise of the prosecutorial or the civil power to bring suits.

I want to thank my staff in the Deputy Attorney General's Office. I selected it over some period of time.

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1 Some people wondered if I would ever get a staff together. 2 but I did it with care and they have worked with diligence, 3 with my total respect and confidence, and they have performed 4 day and night any task either which they thought needed doing 5 or which I assigned to them. They have kept me from many 6 errors and, since you all know the errors I have made, you 7 know what a hard job they have had and how well they have 8 done. 9 By the way, there is an opening on that staff. The 10 Deputy Attorney General slot is open. I don't suppose you 11 would be interested, Judge Bell? 12 (Laughter) 13 We need a good person in that job, a good right 14 You could do a service to your country. hand. 15 (Laughter) 16 You don't have to commit to more than about a year 17 and a half or two years or so. 18 (Laughter) 19 It is good to see two outstanding American citizens 20 on the stage, Chairman Rodino and Vice President Mondale. 21 (Laughter, applause) 22 I always thought that was spelled with an "e." 23 (Laughter) NG CO., INC. tts Avenue, N.E.

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And it is particularly pleasing to see here on the stage Senator Thurmond, the ranking Republican on the great Senate Judiciary Committee, before whom I have had the privilege of appearing three times. I won't go into the number of hours that I have devoted to the Judiciary Committee. (Laughter)

I am pleased that I will not be appearing at least in the confirmation proceeding ever again before them. I look forward though to appearing before that committee on many matters of importance to this department and to this country.

On every occasion, Senator Thurmond has treated me as well as all others whom I've witnessed appearing before that committee with great dignity and great respect as well as with some vigor.

(Laughter)

My view of the department and my view of the mission of the Attorney General can in part be summed up by this quote from President Madison in the Federalist No. 51:

"It is of great importance in a republic not only to guard the society against the oppression of its rulers but to guard one part of the society against the injustice of the other part. Justice

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- <sub>1</sub>	is the end of government, it is the end of civil
2	society. It ever has been and ever will be
3	pursued until it be obtained or until liberty be
4	lost in the pursuit."
5	I thank you, Mr. President, for giving me the oppor-
6	tunity to share with the men and women of the Department of
7	Justice in the pursuit of justice.
8	Thank you.
9	(Applause)
10	I now have the privilege of introducing Senator
11	Strom Thurmond, whom I mentioned earlier and whom all of us
12	in the Department of Justice rely on and trust and respect.
13	Senator Thurmond.
14	(Applause)
15	SENATOR THURMOND: Mr. President, Mr. Vice President
16	Mr. Chief Justice, Attorney General Civiletti, former Attorney
17	General Bell, Chairman Rodino and other distinguished guests,
18	and ladies and gentlemen.
19	It is indeed a pleasure for me to be here on this
20	auspicious occasion. This is a great day for the Justice
21	Department.
22	As the ranking member on the Republican side of the
_23	Judiciary Committee, I want to say that in my opinion this
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country has never had a finer, more able Attorney General than Judge Bell.

(Applause)

I feel that Mr. Civiletti will be an able successor. He has proved already as Deputy Attorney General and demonstrated his fine qualities. And, Mr. President, I congratulate you upon appointing both of these distinguished citizens to such a high position in your Cabinet.

Now, ladies and gentlemen, I am not going to make any long talk. I just want to say that in my opinion, a man who goes in as Attorney General must be a man of character, a man of capacity, a man of courage, a man of compassion, and one also who is courteous to those with whom he comes in contact.

I believe Mr. Civiletti possesses these qualities. As the top law enforcement man in the land, an Attorney General must have two essential outstanding qualities. He must be fearless and he must be fair. He sits as a judge in every decision, but he wears no robes. He should not be called upon to do political chores, regardless of what party he belongs to. And I hope Mr. Civiletti will not permit himself to be induced or encouraged to participate in any kind of political activity because here he serves all of the

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people and in a judicial capacity, more or less, and judges should not participate in political matters.

Then I want to say, too, that on account of Mr. Civiletti's reputation for hard work, in my judgment he is going to apply himself and make a record of which we will be proud.

As a ranking member of the Judicial Committee, we had the opportunity to question him -- and that is the duty of the loyal opposition -- to make inquiry, to inquire, to do all we could to get the facts. In no instance of either Judge Bell or Mr. Civiletti have they failed their duty as I saw it, and that is the reason I admire these gentlemen, and I admire them for what they have accomplished and I wish Attorney General Civiletti the best in this office. And, Judge Bell, I wish you great success in practicing law in Atlanta. We hope you will return some day in some other capacity to serve your nation, maybe on the Supreme Court.

Thank you.

(Applause)

ATTORNEY GENERAL CIVILETTI: I would like to introduce Chairman Rodino.

(Applause) and Further that weathy a distinct honor

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to have been asked to participate in these ceremonies. I am honored because I can say that today we pay tribute first of 2 all to an outstanding public servant as he leaves a very sensitive role, a very tremendous responsibility which he incurred some two and a half years ago as Attorney General 5 of these United States. And I think all of us applaud the great wisdom that he brought to this position of great im-8 portance. All of us applaud his great service. All of us applaud his very humane qualities. And I, as Chairman of the Judiciary Committee, who for two and a half years talked with, discussed with the importance of bringing justice to 12 the Department of Justice, applaud Judge Bell for that kind 13 ~ of great service that he performed for our country.

And I express my great esteem, my great regard and confidence for the man who is his distinguished successor, who I had the pleasure of meeting two and a half years ago when Judge Bell called him to my attention, Ben Civiletti, when Judge Bell told me that he was going to designate him as his Assistant Attorney General in charge of the Criminal Division.

The occasion of my meeting Judge Bell came immediately after President Carter, then the President-Elect, called me at my home and told me that he was about to announce

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the nomination of Judge Griffin Bell to be Attorney General of the United States. I didn't know Judge Bell except from having read some of the opinions he had rendered and having known that some of the people had expressed an opinion about him. And I asked to meet with Judge Bell. I remember that Judge Bell very graciously sometime after that came to my office and spent one hour and a half discussing with me what his role might be and what his policy might be as Attorney 9 General of the United States, considering the fact that he would work closely with me as Chairman of the House Judiciary Committee in this very sensitive role.

12 And I remember the theme of his discussion and it centered on this: I want to make the department that I am going to assume the leadership of, a department for justice. And I was impressed with those words, a department for justice. And he added that what he wanted to do was to try to strike a balance between protecting the citizens of this country as the chief law enforcement officer and at the same time being able to recognize what we were all concerned with, and that was no unnecessary intrusion on the rights of individual citizens, a difficult role and a difficult balance to strike.

And I must say that Judge Bell, during the two and

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a half years has been sensitive to that very theme that he expressed at that time and certainly has insured that we protect the rights of individuals and implement what is the basic commitment of this country to human rights. And I applaud him for that and I applaud him for having had the wisdom to bring into his department Ben Civiletti as his then Assistant Attorney General in charge of the Criminal Division who assumed that role with a conviction and with courage and yet with that same kind of sensitivity and compassion and followed those same noble goals that he had set.

And so I applaud both of them. And I applaud the President of the United States for having had the wisdom to select these two men.

I know that during the time of our negotiations and discussions concerning the legislative process, that Judge Bell ever made himself ready and available, recognizing the need to be able to coordinate the efforts between the legislative branch of Congress and the executive branch of the Congress. And this is why he has succeeded in writing for himself, I believe, the kind of a place in the history of our nation as a former Attorney General now, as one who we all respect and regard in esteem, and, Judge Bell, I personally express to you my deep appreciation and my gratitude

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- 1	for the cause which you have served, the cause of justice,
2 -	and I want to pledge to the new Attorney General, with whom
3	it is entirely coincidental that we both, as he said
4	initially when he greeted the audience here, greeted his
5	fellow Americans, and it is purely coincidental that I sit
6	there as Chairman of the committee and he is now the
7	Attorney General of the United States, anything to the con-
8	trary notwithstanding, we all respect and love the
9	Constitution and the laws of this land and hold our heads
10	high that we now have an Attorney General of the United
11	States in the name of Ben Civiletti, I pledge you my cooper-
12	ation and my full support.
13	Thank you very much.

(Applause)

ATTORNEY GENERAL CIVILETTI: Thank you, Chairman Rodino.

If I might just interrupt a moment, I see in the audience from my home state my United States Senator from Maryland, Senator Mathias.

(Applause)

It is not on the program, but I think it appropriate, we are all delighted that he came. I am pleased to see him and I am sure you would like to hear a few words from him.

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He has been interested in justice and the Department of Justice throughout his distinguished career. He is one of the finest men that I have ever known, the Vice President of the United States, Walter Mondale.

(Applause)

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Venue, N.E. 20002 VICE PRESIDENT MONDALE: Thank you very much, General Civiletti. I am delighted to join with the President, with the Chief Justice, and with the other officials here in honoring you as you assume this extremely important task as the chief law enforcement officer of our great and beloved country.

I have been in public life a long time and I have been in law enforcement and in legal work most of my adult life, and I have never heard a better, more eloquent summary of what justice is about in America than the brief remarks of our new Attorney General.

The longer I am in public life, the more I am convinced that justice and the law is what it is all about, and in Attorney General Civiletti, as with Attorney General Bell, the quality of law in America will be of the highest.

Thank you very much.

(Applause)

ATTORNEY GENERAL CIVILETTI: Now I would like to

introduce to you a fine lawyer, Mr. James Dunlap, from Gainesville, who is going to make a presentation so that I can perform my first official act as Attorney General.

Mr. Dunlap.

(Applause)

MR. DUNLAP: Mr. Civiletti, Mr. President, Mr. Vice President, Mr. Chief Justice, Chairman Rodino, Senator Thurmond, Mr. Bell, Mr. Civiletti.

Needless to say, I am highly honored to be here today in such a distinguished gathering. I used to share some platforms with the President many years ago, but I really didn't stand quite as much in awe of him as I do today.

(Laughter)

In January 1977, when we the friends of Griffin Bell first learned that he would be appointed Attorney General of the United States, we of course were very greatly elated. This would be the first Cabinet position of any citizen of our state to receive in our generation. Although two other citizens of our state had served as Attorney General, this would be the first native-born and the first in over 100 years to serve as the Attorney General.

Many of us remember the clear, cold, beautiful day

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MITING CO., INC. MITIS Avenue, N.E D.C. 20007 on January 26, 1977, when Griffin Bell took the oath as Attorney General. Immediately following that, he and President Carter went down and swung the massive door which fronts on Pennsylvania Avenue open, thus symbolizing the commitment that each had made of fair, honest, straightforward dealings by the Department of Justice.

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All of those who have known Griffin Bell first during the days at Mercer University and later those of us who became acquainted with him when he had moved to Savannah to practice law and later to Rome and then to Atlanta, knew that he would do an outstanding job, we had every confidence that the President was correct when he stated two years ago, two and a half years ago that Griffin Bell would become the finest Attorney General ever.

Many of us also remember the day in the fall of 1961 when Griffin assumed the position as a judge on the United States Fifth Circuit Court of Appeals. He had been appointed by John F. Kennedy. He performed well and did an outstanding job in that capacity.

He not only during the interval has opened the doors of the Department of Justice, he has overseen the selection, approval and performance of a new FBI Director, he presided and selected and shepherded through the Senate the largest

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Venue, N.E 20002 influx of federal judges ever.

When it became apparent more than a year ago that Judge Bell was serious in his intent to be relieved of these duties, a group of friends from our state, 94 in fact, bound together to obtain an artist in order to paint a portrait of Griffin in order to present to the Justice Department at an appropriate time.

We searched and decided upon a distinguished artist from Rhode Island, Peter Stevens. That portrait has been completed and will be presented to the Department of Justice.

I will not attempt to review Judge Bell's more important activities and innovations in the Department of Justice. They have been touched on and you are quite familiar with them. But I can only say that we friends of Griffin Bell who have known him the longest and who have observed him the closest are today the proudest as he has fulfilled completely our expectations.

We all know how proud the President must be today of this native son of Sumter County who has earned the trust and confidence placed in him. It is therefore a pleasure for me at this time to officially present the portrait of Griffin B. Bell, Attorney General of the United States, January 16, 1977 to August 16, 1979, to the Department

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of Justice.

Mr. Civiletti, if you will accept it and put it in a prominent place, we friends will pay for it, we would appreciate it.

(Applause)

ATTORNEY GENERAL CIVILETTI: Thank you very much. MR. BELL: Thank you, Jim. Thank you.

(Applause)

ATTORNEY GENERAL CIVILETTI: I want to advise you all and all of the employees in the department that we will hang Judge Bell for about a week up on the fifth floor in the corridor, right along side of Attorney General Levi so that everybody can come by and take a close look at the portrait. It is a fine portrait. We are delighted to have it and I am proud to accept it as my first official act.

Thereafter, after that week or ten days or so, Judge Bell will be in the Attorney General's conference room, his portrait will be there in place of Justice and Attorney General Clark. And one other change in that conference room, Attorney General from Maryland, Roger Brook Tawney, will take the place of Attorney General Speed.

(Laughter)

I thank you all. It has been a wonderful day for

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	-1	ne. Mr. President, thank you for coming to the ceremonies	
-	2	and program. They are concluded.	
	3	(Applause)	
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