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GUEST:
WILLIAM B. SAXBE - The Attorney General

MODERATOR:
Edwin Newman - NBC News

PANEL:
Nick Thimmesch - Los Angeles Times Syndicate
Stephen Lesher - Newsweek
Ida Lewis - Encore Magazine
Carl Stern - NBC News

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MR. NEWMAN: Our guest today on MEET THE PRESS is the Attorney General, William D. Saxbe. Mr. Saxbe served five years as Senator from Ohio before resigning to accept his cabinet position in January of this year. Before that he was Attorney General of Ohio for eight years.

We will have the first questions now from Carl Stern of NBC News.

MR. STERN: Mr. Saxbe, when the Department announced crime figures for the first half of this year, up 16 per cent, it said an important reason for that upswing in crime was rising unemployment, high prices. Since then unemployment and prices have both risen. Should we be on notice now that the crime problem is going to get even worse?

GENERAL SAXBE: I wouldn't like to say that. I believe we are being more effective in control of crime, but this is always a threat. However, it can't be supported because during the depression we didn't have a rise in crime commensurate with the depth of the Depression nor has it been fluctuating with the economy since that time. But I do believe that we are going to have to work harder.

MR. STERN: How are you being more effective if crime is continuing to increase?

GENERAL SAXBE: Simply because the number of people who are inclined towards crime has increased and frankly some of our optimistic means of handling crime just haven't worked.
MR. STERN: That sixteen per cent figure though is a faster rate of increase than the increase in the growth of population. How can you conclude then that you are succeeding?

GENERAL SADIE: Well, I believe that we will succeed, not this year perhaps because we already have the 16 per cent, but I think we are passing over the hump because of the age group. The age group of people who were the war babies and now are coming to the age of thirty where we know that crime begins to slow down. I think that we can be hopeful that we are not going to have a new batch of criminals as numerous as the ones that we have had for the last few years.

MR. STERN: You have been concerned about white collar crime. If industry and agriculture were being more effectively policed for antitrust violations, would that bring prices down?

GENERAL SADIE: I think it would help. I know there are several areas that we believe we should move into. We think we should move into government intervention. We think government keeps prices up in some areas. Many states have fair trade laws simply for the purpose of keeping prices up. We are now at issue with the CAB, as you know, on charter flight rates and trans-Atlantic rates. We think that there could be many efforts besides antitrust enforcement within the government.

(Announcements)
MR. THIMMESCH: General Saxbe, I understand you are about to report on a discarded FBI surveillance program. Did any Attorney General know about FBI Director Hoover's so-called "dirty tricks program" when he was Attorney General?

GENERAL SAXBE: First, we haven't reported on it. As you know it is set up for tomorrow, so I am not prepared to talk about the contents of the report. As to whether any Attorney General knew about it, I can't be sure. There are those who indicate that there was information that they should have known but as far as direct, regular reports, I don't think so.

MR. THIMMESCH: In a situation like this how could an Attorney General help but know about a program like that? Isn't there control of the FBI by the various Attorney Generals?

GENERAL SAXBE: Yes, there is today. I can't speak about the past, but you have got to recall that Mr. Hoover was the Director of the FBI for many years and there were Attorney Generals he didn't like and didn't even speak to, I understand, and he enjoyed an unusual relationship with the Presidents, numerous Presidents, and with the Congress, and I think that this could be part of the problem.

MR. THIMMESCH: Do you think in the future this kind of situation could ever develop again?

GENERAL SAXBE: Oh, yes.

MR. THIMMESCH: You do think so?
GENERAL SAXBE. Sure, it could always develop. I certainly think that the only price you have to pay for this is eternal vigilence. To say that these things could never happen again just isn't so. You could have Watergate happen again. You could have all these things happen again, if the people and the Congress and everybody concerned aren't interested.

MR. THUMPSCH: Should the Attorney General somehow assert his authority over each and every FBI Director, then, as he comes into office?

GENERAL SAXBE: I think that is essential. That is essential.
Ms. Lewis: Mr. Saxbe, the issue of black on black crime is surfacing as the Black community's No. 1 domestic issue in the ghetto areas. Ad hoc community groups are springing up in several cities in an attempt by citizens to meet this crime and crisis. What is the Justice Department prepared to do right now to assist black citizens in combating such crimes?

General Saxbe: First, I would like to point out that 95 per cent of all law enforcement in this country is local. It is city; it is county. The Justice Department has less total people than the Police Department of the City of New York. Of course, cooperation means cooperation at the local level and this hasn't always been the case and I welcome the present attitude where the people in the neighborhoods, particularly black neighborhoods, are now welcoming and cooperating with law enforcement people. It used to be -- and you know this -- that when a policeman was called into a fracas in an area he was met with hostility, bottles and rocks, and his purpose was to come to enforce the law. The cop was the enemy. Now if we can have the local people work with the police -- if there is trouble, let's work it out, but it has to be a cooperative effort because this is where serious crime is. Not just in the black neighborhoods, but in the poorer white neighborhoods and unless there is cooperation with the police nothing can be achieved, and we try to push this through LEAA programs in every way that we can to teach this cooperation and
to have community relations established to the point that everyone is interested in law enforcement. Until we do, you are not going to get it.

MS. LEWIS: Then the Justice Department -- can the Justice Department elevate its interests, for instance, to the level of an organized crime police -- organized crime strike force, like --

GENERAL SUXDE: Yes, but we are not in the business of enforcing local laws, and this includes murder and practically all of the crimes of violence. So, therefore, it has to be worked through the local and it should be. We don't want a national police force. We think it is bad, and certainly recent events indicate that we shouldn't have it. But it has to be at a cooperative level.

Now, the strike forces that we have are on the big time organized crime and we have special laws on this type of operation and conspiracy that goes beyond state lines. Traditionally the black neighborhoods are not involved in this.

MR. LESHER: General, I'd like to get back to this counterintelligence program if I may.

GENERAL SUXDE: I want to first warn you that I am not prepared to talk about the details of this and if we want to waste time by me saying no, okay, but we are going on to this tomorrow. The leaks I can't be responsible for.
MR. LESHER: Well, let's just assume that they involve some dirty tricks on the part of the FBI. Without getting into the details you said a moment ago that this could develop again. Are you doing anything to see that it doesn't happen again?

GENERAL SANE: Yes, I am not worried about it happening again while I am here. It is just that we become indifferent over the years and things happen and for me to come here and say this could never happen again, or that Congress could pass a law and thereby insure that it would never happen again, this type of thing has been happening as long as there have been men organized.

MR. LESHER: You have said a good deal in the past about groups like the Cambodian Liberation Army; FBI Director Kelly has been trying to get new wiretap legislation. Are you suggesting now there is no such program or counterintelligence program domestically in the United States by the FBI?

GENERAL SANE: That is correct.

MR. LESHER: There is none whatsoever?

GENERAL SANE: That is correct.

MR. LESHER: If I might --

GENERAL SANE: Now, in the way of counterintelligence I am talking about positive acts. What we are talking about now is criminal intelligence. We work diligently at that to find out about criminal intelligence that will lead to
Prosecution. This is our role in those areas set out for the
FBI and this is the role of every local police department, to
pursue criminal intelligence that will result in prosecution.
As far as positive acts, no.
MR. LESHER: None whatsoever.
Let's get back to the area of white collar crime.
MR. NEWMAN: Excuse me, Mr. Lesher. Will you explain
what you mean by positive acts?
GENERAL SAXBE: When you do things that are designed to
disrupt the organization. In other words,
you send anonymous letters, you perform various acts which in
wartime is known as counterintelligence. You try to disrup
t the enemy.
MR. NEWMAN: You are saying you are undertaking
no positive acts against political groups?
GENERAL SAXBE: That is correct. Political groups or
certainly even the Simbiianese Liberation Army, which is a criminal group
not a political group.
MR. LESHER: But I wanted just for a moment to get
back to the area of white collar crime. In a recent publica-
tion of the National Association of Manufacturers, I read
something of yours which virtually declared war on white collar
crime. But in that light, I would like to know how you now
would assess the adjudication of cases of Spiro Agnew or Mr.
Kleindienst or even the President himself.
GENERAL SAXBE: Well, I can't second-guess the judges that heard these cases and made these decisions. The prosecution presented those cases to the judges and they made the decision.

Now, the judge had to decide whether incarceration would improve that, whether that person was a threat to society and whether they needed rehabilitation. This is the thrust that we hear all the time. They made the decisions they did. They thought the punishment was suitable and what resulted was their verdict, and I am not going to second-guess that. However, I think if we are going to discourage white collar crime -- and I think particularly of those areas of antitrust -- that we are going to have to have something besides a consent decree and the executives being able to pay their fine out of corporate funds for a big rip-off and then go free.

MR. LESHER: So what do you suggest?

GENERAL SAXBE: I suggest a bill that we have sent to the Congress which would increase the penalty about ten-fold and permit jailing of people who are found guilty of these offenses.

MR. STERN: Just before the so-called Saturday Night Massacre your predecessor, Elliot Richardson, launched a number of reforms at the Justice Department designed to reduce its vulnerability to political abuses and one /instituted a procedure that calls from the White House on a case would have
to be logged in the case file to discourage such telephone
calls. Is that procedure still in use at the Justice Depart-
ment?

GENERAL SAXBE: I believe so. Frankly we don't get very
many calls.

MR. STERN: I am told by your public information
officer that procedure is not in use.

GENERAL SAXBE: I advised them. I believe it was also
in regard to congressmen, wasn't it?

MR. STERN: Yes. Is that mandatory; do you require --

GENERAL SAXBE: I do not mandatorily require them to
send me a record of every call and I don't think they should
because --

MR. STERN: Put it in a case file. That was the
requirement Mr. Richardson instituted. To put in the case
file a notation that on such and such a date a call came from
the White House suggesting the following disposition, shall we
say, of the case?

GENERAL SAXBE: I am sure that in many cases it goes in.
It is not mandatory.

MR. STERN: Well, after all we have been through with
Watergate, I am not sure where we are. As the Attorney General,
do you regard yourself as the President's lawyer, or are you
free to pursue the public interest when you think the White
House is wrong?
GENERAL SAXBE: I feel that I am free to pursue the public interest and up to this time there has been no conflict.

Now, the President's lawyer is his counsel today.

Originally the only duties of the Attorney General in the original cabinet was to be the President's lawyer. Now, when it became the Justice Department over a hundred years ago, then the Attorney General established and drew control over the U.S. Attorneys in the several court districts. Now he is almost entirely engrossed in running the Justice Department and not advising the President, although I am willing to do so when called upon.

MR. STERN: When the Ervin Committee suggested the establishment of a permanent Special Prosecutor to act as a watchdog over the Justice Department, the Department responded that it was already taking internal measures to prevent any future improper influences on its work. What internal measures have been undertaken?

GENERAL SAXBE: The internal measures that I have is that when anybody in the Justice Department receives any interference from any source that they are to notify me. I have been so notified in a couple of cases and I have straightened it out. Not from the White House, however.

MR. THIMMENSCHE: General Saxbe, what was your reaction to not being consulted by the White House on the Nixon pardon decision?
GENERAL SAXBE: Well, really I didn't feel that that was necessarily a legal matter. It was a matter of compassion, one that President Ford struggled with mightily. It had no legal connotations except in the result of it, but not whether to or not to.

MR. THIMMESCH: How about not being consulted about the matter of the Nixon papers being turned over to the Special Prosecutor?

GENERAL SAXBE: The Nixon papers being turned over to the Special Prosecutor? We have been working very closely on working this arrangement out with the Special Prosecutor in the last few weeks. In fact, it has taken a great deal of our time in trying to work out an arrangement, the arrangement which is now in effect.

MR. NEWMAN: Your question was about the original agreement?

MR. THIMMESCH: That is correct.

GENERAL SAXBE: To not turn them over?

MR. THIMMESCH: Yes. at that time

GENERAL SAXBE: We were not consulted on that. It has since been worked out, however.

MR. THIMMESCH: How long do you think the Special Prosecutor's office at this point will be in business?

GENERAL SAXBE: Well, the very name of the Special Prosecutor means he is set up for a specific purpose, which
is the Watergate and the campaign of 1972. When he exhausts that, I would think that would terminate that.

MR. THUMESCHL: You couldn't give us a time --

GENERAL SAXBE: No. Mr. Ruth indicates he hopes to wind up his affairs in the spring. It appears to me he is going to have to hurry.

MS. LEWIS: In August of '75 the Voting Rights Act of 1965 will expire or portions of it. Now, the President will probably turn to you for advice on the extension of the issue. What is likely to be your recommendations to the President concerning the extension of the Voting Rights Act?

GENERAL SAXBE: I will recommend to the President that it should be extended.

MS. LEWIS: Are there any -- in your opinion are there any sections that need to be strengthened?

GENERAL SAXBE: I think we have made some revisions but no major revisions in it. We think it has worked rather well.
MR. LESHER: General, the partial amnesty program seems to be something of a failure, which justifies your own prediction. I believe about a hundred men have come in, draft evaders have come in out of some 6,000 cases. Now you have asked for a review of these 6,000 cases with an eye toward dropping non-prosecutable cases. How many cases do you think will be dropped as a result of this review?

GENERAL SAXBE: I can't give any really sound figure on this. What we are trying to do is rather to have a man cowed out and be afraid he is going to have to serve two years, when the case against him is not any good. We think that it is only fair that these cases be reviewed, and be notified and he doesn't have to go through the procedure, if the case would not be a good case and probably be dropped anyway.

Now as to the numbers that have come in, I did suggest that there wouldn't be a great number because many of these people have been gone five years in Canada, they have families, they have jobs. They aren't likely to pick up and come back. However, I do think that more will come when they realize the leniency of the terms, and the number is not the important thing. I think the important thing is for the country to realize that the President gave them this opportunity of amnesty. Whether they accept it or not, it was a generous gesture and it is there.
MR. LESHER: General, we read a lot about a potential shakeup, a coming shakeup in President Ford's cabinet, and you are one of the shaken, if you will, at least in this conjecture. Do you expect to be around as Attorney General by next spring?

GENERAL SAXBE: I am sure your guess on that would be as good as mine, but I signed on this job because I had very serious convictions about the future of the Justice Department and law and lawyers, and I long ago decided when you undertake something you stick with it. I could be turned away tomorrow, but I am not going to quit.

MR. LESHER: Well, don't you think it might be of some advantage to President Ford to try to separate himself from the previous Administration, one of the ways being getting his own cabinet, getting his own White House staff around him?

GENERAL SAXBE: That is a decision he is going to have to make.

MR. LESHER: What do you think?

GENERAL SAXBE: I am not here to defend myself on whether I was appointed by Mr. Nixon or Mr. Ford. It was a job that I welcomed because I was worried about the Justice Department, I was worried about the rule of law in this country and I was worried about the attitude towards lawyers, and it is my job to try to reconstruct as much as possible the prestige of the Justice Department, to be fair in dealings
with the people and to get their respect and support.

MR. STERN: General, to what extent are Arab groups in
the United States, or Jewish groups, being kept under
surveillance?

GENERAL SAXBE: To my knowledge, minimal. The Arab
terrorist groups, the ones that are recognized as such,
certainly are identified, at least, and we try to keep some control
of knowledge in the way of criminal intelligence.

MR. NEWMAN: We have about three minutes left.

MR. STERN: You have, I suspect, about a hundred
national security wire taps in place at any given day. Are
not a large portion of those taps today --

GENERAL SAXBE: I don't believe that is correct.

MR. STERN: What is the figure, then?

GENERAL SAXBE: I can't give it to you.

MR. STERN: Why not?

GENERAL SAXBE: Simply because it is highly classified
information.

MR. STERN: Well, at last reporting it was 109. Is
it fewer than that today?

GENERAL SAXBE: I can't comment on that.

MR. THIMMESCH: General Saxbe, a question about
politics. In view of this month's election results, what
do you see ahead for your Republican Party?

GENERAL SAXBE: Well, one of the things that I
determined to do when I got here was to stay out of politics. It is one of the gratifying things to me that during this last campaign, which was pretty heated, the Justice Department or myself was never mentioned. I think the Justice Department should be divorced from politics. If Watergate taught us anything, we should stay out of it. So the only race that I really took an active interest in was my son running for the legislature back in Ohio.

MR. THIMMESCH: How did he come out?

GENERAL SAXE: He won.

MR. THIMMESCH: You must have some philosophical notions about this. You went through the 1964-65 period --

GENERAL SAXE: Yes, I do, but I try to keep them to myself.

MS. LEWIS: In '69 you expressed fear that the United States was becoming militant -- militaristic, and a national security state. Do you still entertain such fears?

GENERAL SAXE: I am very much disturbed and I am doing everything I can within the Justice Department to see that we do not contribute to this attitude. I think that again, the best way we can prevent this happening in our country is to not have a national police force, to be very vigilant on what powers we give up to anybody.

MR. NEWMAN: We are under one minute.

MR. LESHER: You have launched an investigation of
the food industry, General. Can you tell us if there are any cases of criminality in the soaring prices of food?

GENERAL SAKIE: We haven't detected any as yet. We know there is a tremendous markup, that there is a gap between the packer and the meat counter, but we haven't found any conspiracy and under the Sherman Act that is what we have to find and that is what we are looking for.

MR. SERN: Are you about to relax the laws, or your position on marijuana?

GENERAL SAKIE: No, I am not, but we do have selective enforcement whether you recognize it or not, because the courts are just so crowded. There has never been a country able to handle hashish. It is a dangerous drug and I for one would not recommend a change, but --

MR. NEWMAN: I must cut off there, Mr. Saksbe, because our time is up. Thank you for being with us today on MEET THE PRESS.

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(Next week: Mme. Francoise Giroud, the new Secretary of State for Women's Affairs in the French government.)