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Folder Title:
Swearing-In of William Barr 11/26/91 [OA 8319]

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THE WHITE HOUSE
WASHINGTON

November 25, 1991 01 NOV 25 P6:33

MEMORANDUM FOR THE PRESIDENT

THROUGH: DAVID DEMAREST
TONY SNOW ¹³

FROM: JOSEPH P. DUGGAN

SUBJECT: SWEARING-IN FOR ATTORNEY GENERAL WILLIAM BARR

Some changes!

I. SUMMARY

On Tuesday, November 26, at 3:30 p.m., you will speak in the Great Hall of the Justice Department prior to William Barr's swearing-in. About 200 friends and colleagues of Mr. Barr will attend.

II. DISCUSSION

The remarks (8 minutes, on cards) spell out Barr's priorities: fighting drugs, violent crime, white collar crime, and promoting civil rights.

On page 3, the strong rebuttal to Congress's attempt to gut the crime bill refers to yesterday's taunt by Senator Biden to "do it in a 30-second sound bite." (See attached article) This language may have to be updated to reflect new developments in Congress.

(Duggan/Simon)
November 25, 1991
Draft Two
Barr

PRESIDENTIAL REMARKS: BARR SWEARING-IN
JUSTICE DEPARTMENT
TUESDAY, NOVEMBER 26, 1991
3:30 p.m.

Mr. Attorney General, members of the Cabinet, members of Congress, Bishop [Thomas] Daily [Catholic Bishop of Brooklyn], ladies and gentlemen: Let me offer congratulations to Bill Barr and a warm welcome and best wishes to his wife Christine; his daughters Mary, Patricia, and Margaret; his parents and the many other family and friends here for this happy occasion. ((This is my kind of Barr Association.)) \\

Today America gives new responsibilities to a young man of outstanding character and achievement. ((As always, Shakespeare's words help us sum up the man: "Young in limbs, in judgment old." The newspapers report Bill Barr was giving Eisenhower for President speeches when he was in kindergarten. And his parents inform me that young Bill was discoursing about separation of powers before he gave up his pacifier.) \\

I am proud to welcome Bill Barr to the Cabinet. He'll make Americans proud of his work as Attorney General of the United States. \\ He offers a model of thoughtfulness and hard work for all young Americans. (When I first met him,) Bill Barr held a demanding job by day translating Chinese radio broadcasts for the CIA. At night he was going to law school. As a lawyer in private practice and in government service, he has shown unstinting commitment to excellence and fairness.

OK IF
7/1/91

As the head of the Justice Department's Office of Legal Counsel, and as a key participant in our National Security Council deliberations, Bill Barr has never hesitated to speak his mind and offer honest, solid legal advice. As Deputy Attorney General and Acting Attorney General, he has fostered a strong sense of teamwork that draws the best out of our professionals at the Justice Department. Bill's leadership has brought about recent successes in prosecuting savings and loan fraud, in resolving the Talladega hostage crisis, and in indicting the terrorists who plotted the Pan Am bombing.

Under our new Attorney General, the Justice Department has four major priorities: First, keep on with the fight against drugs. We're winning some battles, but we haven't won this war - not yet. We'll keep putting our best efforts into the fight for the lives and well being of our young people. \\

Second, we're continuing, and we'll intensify, our efforts against violent crime. In the federal government, we're determined to help state and local authorities combat violent criminals. Bill Barr's leadership in particular will help us with a new crackdown against career criminals who use firearms, and he'll redouble our efforts to help victims and witnesses.

Third, our Administration will work vigorously to enforce civil rights laws. We will support our fellow Americans' efforts to promote fairness and harmony, and we will join forces to fight the cancer of discrimination. \\

Finally, Bill Barr and his team will roll up their sleeves to heighten the attack against white-collar crime. We're determined to strengthen the people's protection against fraud in financial institutions, insurance, and government procurement. We'll turn the full force of the law against con artists who steal people's savings. And we'll do the same to anyone from abroad who tries to rob our inventors and investors of what is rightfully theirs. \\

We won't rest until Congress gives us the tools we need to fight crime. I asked for an end to frivolous habeas corpus appeals that waste time prosecutors should be spending on new cases. Congress ignored this urgent need. I asked for legislation assuring that needless technicalities will not cause evidence to be thrown out when police officers act in good faith. Congress ignored me on this, too. I asked Congress to make it easier to prosecute rapists and child molesters. Again, Congress failed to act. I asked for meaningful federal death penalty authority -- and once again, Congress failed to deliver. The conference committee's bill is so weak, so soft on criminals, that I'll have to veto it if it reaches my desk. \\

[I've been challenged to explain in 30 seconds why I'm opposed to the weak substitute bill some in Congress want me to sign. Start your stopwatch: \\ America needs a new crime bill that stands with the courts, with the cops, and with the victims of crime -- and against the criminals. ///]

*provision not
to recruit
to Biden*

Deletor

Beyond the critical issues of crime and drugs and civil rights enforcement -- we need civil justice reform. Bill Barr will help us straighten out a civil litigation system that has spun out of control. We've become the most litigious society in the world. That causes a painful, costly drain on our economy, on our professions, and ultimately on the civility we need to hold society together. Bill has been, and will remain, a stalwart in our efforts for civil justice reform. ///

I'm confident that Bill Barr possesses in abundance every quality that makes a great Attorney General: he's tough, fair-minded -- a man of integrity and intense dedication. ((It's true that I've ordered Bill to be ^{go all out} ~~ruthless~~ in fighting crime. But I've left the details to him. It's altogether his idea to try to drive drug dealers out of our neighborhoods by playing his bagpipe. \\ We'll have to check and see whether that violates the Eighth Amendment -- cruel and unusual punishment.))

For fifteen years, I've been honored to know Bill Barr. I've been deeply impressed by his fairness and integrity, by his love of country and of his profession. And now it is my honor to present Judge Laurence Silberman, who will administer the oath of office to the 77th Attorney General of the United States.

#

(Duggan/Simon)
November 25, 1991
Draft Two
Barr

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I've been challenged to explain in 30 seconds why I'm opposed to the weak substitute bill some in Congress want me to sign. Start your stopwatch: \\ America needs a new crime bill that stands with the courts, with the cops, and with the victims of crime -- and against the criminals. *^(insult)///

* This so called crime bill actually reverses 14 Supreme Court cases where the Court ruled in favor of law enforcement. How can a bill that works against law enforcement be called a crime bill. (Quora)

Beyond the critical issues of crime and drugs and civil rights enforcement -- we need civil justice reform. Bill Barr will help us straighten out a civil litigation system that has spun out of control. We've become the most litigious society in the world. That causes a painful, costly drain on our economy, on our professions, and ultimately on the civility we need to hold society together. Bill has been, and will remain, a stalwart in our efforts for civil justice reform. ///

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#

November 21, 1991

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

As the chief legal or law enforcement officers of our states, we are writing to express our alarm at the habeas corpus provisions contained in H.R. 3371, as it was passed by the U.S. House of Representatives, and to urge you to veto any legislation containing those provisions.

We need legislation that will support law enforcement, promote finality of judgment, and ensure fairness to crime victims and their survivors. In spite of that need, a bare majority of the House of Representatives has passed habeas corpus provisions that would have the opposite effect. Those provisions are so inimical to law enforcement, are so unfair, and would have such a devastating effect on the interests of victims and survivors of violent crimes, that we urge you to veto any so-called anti-crime bill containing any of the principal provisions relating to habeas corpus that are now found in H.R. 3371.

One of those provisions would effectively repeal the non-retroactivity doctrine of *Teague v. Lane*, 489 U.S. 288 (1989), and related Supreme Court decisions, thereby drastically undermining finality of judgment and increasing relitigation and delay manifold. The House bill accomplishes this result by defining more narrowly than *Teague* the class of "new rules" that do not apply to cases on habeas review, and thus it provides more grounds for litigation after the conviction is final. The *Teague* doctrine, however, acknowledges that federal habeas corpus is not intended "to provide a mechanism for the continuing reexamination of final judgments based upon later emerging legal doctrine."¹

1. *Sawyer v. Smith*, 110 S.Ct. 2822, 2827 (1990).

The President
November 21, 1991
Page 2

Without the *Teague* doctrine, and under the House provision, Robert Alton Harris, who brutally murdered two teenagers in 1978 near San Diego, California and who confessed seven times, would be able to perpetuate his case under federal habeas corpus.¹ This House provision also overturns *Butler v. McKellar*.² These are only two examples, as any effort to undercut *Teague* would affect capital and non-capital judgments in nearly every state. Moreover, the *Teague* doctrine must be viewed in the context of *Griffith v. Kentucky*, 479 U.S. 314 (1987). *Griffith* holds that "new rules" are always applied retroactively at any stage during direct review, i.e., before the conviction becomes final. The Senate already rejected a measure which would have undermined the *Teague* doctrine. In the event the conferees fail to follow the Senate lead, we urge you to veto any bill containing any provisions, such as those in H.R. 3371, which reverse the *Teague* non-retroactivity doctrine in any way.

Another provision of H.R. 3371 would impose draconian requirements concerning appointment, qualification, performance, and compensation of counsel in capital cases. Those provisions are so onerous, are so contrary to basic notions of federalism, and depart so significantly from what the Constitution requires, that they are obviously an attempt to indirectly impede, obstruct, or abolish capital punishment. For example, under H.R. 3371, if the state fails to satisfy each of the counsel requirements, three harsh penalties are imposed: (1) an indefinite stay of execution is granted; (2) the traditional presumption of correctness afforded to state court findings of fact is eliminated; and (3) the presentation and consideration of new claims in federal court in disregard of the well-established exhaustion and procedural default doctrines is permitted. H.R. 3371 therefore encourages "sandbagging" of state courts, disrespects comity and federalism interests, and promotes more litigation on whether the state has satisfied each of the technical counsel requirements.

In contrast, the Senate-passed legislation rejected a compulsory approach on the states and allows states to opt-in to the reforms. In this manner, the Senate bill contains the recommendation of the Powell Committee which recognized that "it is

2. *Harris v. Vasquez*, No. 90-55402, ___ F.2d ___ (9th Cir. Aug. 21, 1991).

3. 110 S.Ct. 1212 (1990).

The President
November 21, 1991
Page 3

more consistent with the federal-state balance to give the States wide latitude to establish a mechanism" for the appointment of counsel.⁴ In the unexpected event that any state, which opts in to the reforms, failed to promulgate an adequate appointment of counsel mechanism, the Powell Committee left that final determination with the federal judiciary.⁵ We urge you to veto any so-called anti-crime bill which contains extra-constitutional requirements concerning counsel in any case or class of cases, such as those provisions found in H.R. 3371.

Finally, in the name of placing reasonable limits on "successive petitions," H.R. 3371 instead promotes more, not less, litigation. H.R. 3371 is broader than the Senate-passed legislation, which is based upon the Powell Committee recommendation, because the House measure includes vague language permitting successive petitions concerning "the validity of the sentence under Federal law."

There is nothing in the habeas corpus provisions of H.R. 3371 that is favorable to any interest other than convicts' interests. Any bill containing the provisions discussed above cannot be described accurately as an anti-crime bill but would instead be a pro-criminal bill and particularly a pro-convicted murderer bill. The habeas corpus provisions contained in H.R. 3371 stand in stark contrast to those which the Senate passed in July. We do wholeheartedly support the habeas corpus provisions contained in Title XI of S. 1241. Those provisions, unlike the ones contained in H.R. 3371, would promote finality, fairness, and prompt resolution of litigation.

There are some other provisions in H.R. 3371 and in S. 1241 which would aid law enforcement and promote the interests of victims and survivors of violent crime. However, there are no provisions in either bill, and none that the Conference Committee could report out, that would justify signing into law any bill containing habeas corpus provisions similar to those contained in H.R. 3371.


4. Judicial Conference of the United States, Report and Proposal of the Ad Hoc Committee on Federal Habeas Corpus in Capital Cases, at 11 (Aug. 23, 1989).


5. *Id.*

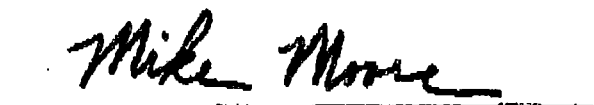
The President
November 21, 1991
Page 4

We appreciate your interest in this matter and hope that, if it becomes necessary, you will exercise your veto power to protect the American people from pro-criminal legislation such as the three provisions discussed above relating to habeas corpus that are contained in H.R. 3371.

Sincerely,



DANIEL E. LUNGREN
Attorney General, California


ERNEST D. PREATE, JR.
Attorney General, Pennsylvania


MIKE MOORE
Attorney General, Mississippi

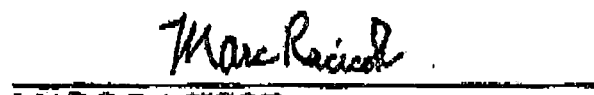

GRANT WOODS
Attorney General, Arizona



DON STENBERG
Attorney General, Nebraska


CHARLES E. COLE
Attorney General, Alaska


ROBERT T. STEPHAN
Attorney General, Kansas


ELIZABETH BARRETT-ANDERSON
Attorney General, Guam



MARC RACICOT
Attorney General, Montana


JOSEPH E. MEYER
Attorney General, Wyoming


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GENERAL/DEPT. OF JUSTICE


The President
November 21, 1991
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Attorney General, Indiana




FRANKIE SUE DEL PAPA
Attorney General, Nevada




MARY SUE TERRY
Attorney General, Virginia



JAMES H. EVANS
Attorney General, Alabama



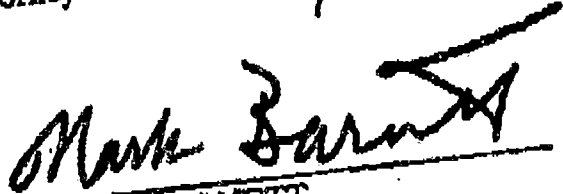
ROBERT J. DEL TUFO
Attorney General, New Jersey




KEN EIKENBERRY
Attorney General, Washington




JOHN P. ARNOLD
Attorney General, New Hampshire



MARK W. BARNETT
Attorney General, South Dakota




DAVE FROHNMAYER
Attorney General, Oregon



JEFFREY L. AMESTOY
Attorney General, Vermont



GALE A. NORTON
Attorney General, Colorado

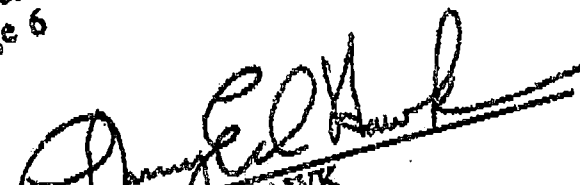


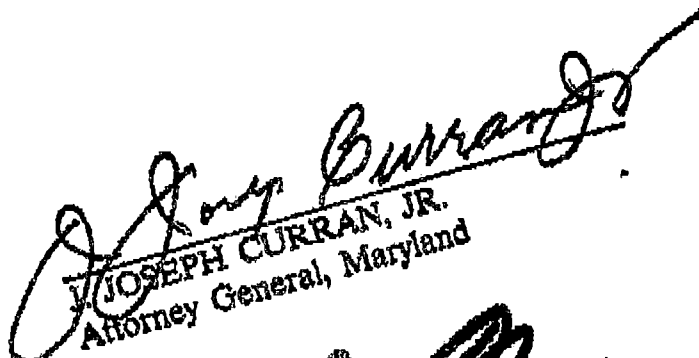
MICHAEL J. BOWERS
Attorney General, Georgia


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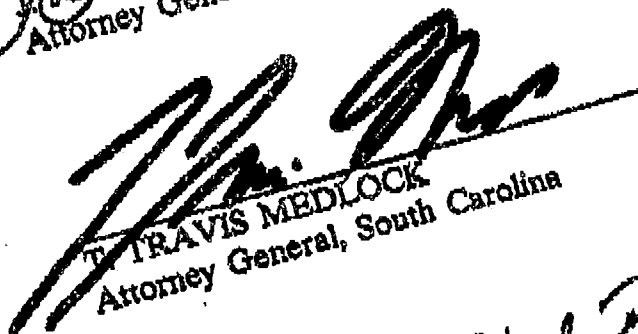
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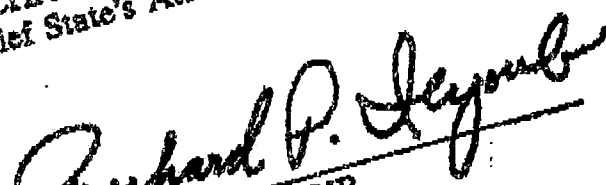
The President
November 21, 1991
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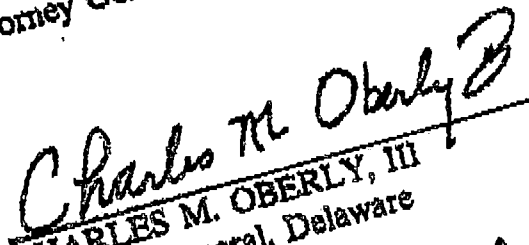

LARRY ECHOHAWK
Attorney General, Idaho

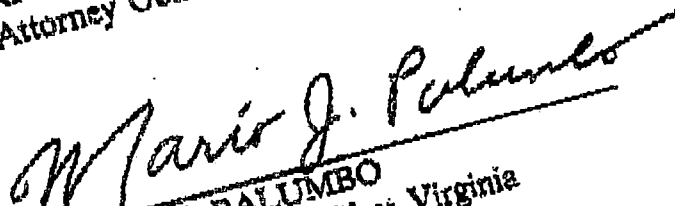

JOSEPH CURRAN, JR.
Attorney General, Maryland

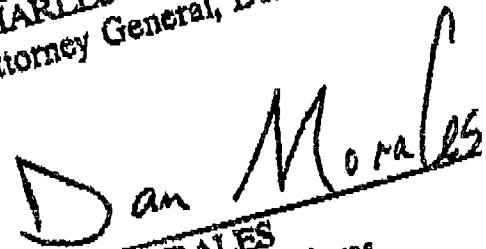

RICHARD N. PALMER
Chief State's Attorney, Connecticut

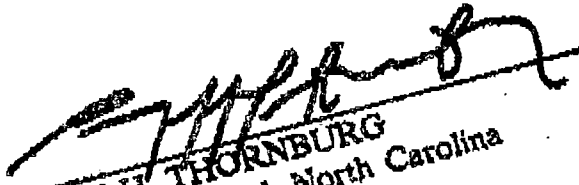

TRAVIS MEDLOCK
Attorney General, South Carolina


RICHARD P. IEYOUB
Attorney General-elect, Louisiana


CHARLES M. OBERLY, III
Attorney General, Delaware


MARIO J. PALUMBO
Attorney General, West Virginia


DAN MORALES
Attorney General, Texas


LACY H. THORNBURG
Attorney General, North Carolina

The conferees' so-called "crime bill" is a trick, it is legislative sleight-of-hand. It is called a crime bill, and its authors want us to believe that it will end the frivolous lawsuits filed by death row inmates and the frustrations of good police officers. But, in reality, it is not a crime bill at all. It attempts to fool law enforcement officials and victims, the very last people we should dare to deceive. It uses all the right titles -- habeas corpus, exclusionary reform -- but it actually changes more than 10 years of Supreme Court decisions that favor law enforcement. Is this what the American people want? We pick tough law and order judges. They render good decisions to protect the public, we call for tough crime legislation, and then Congress tries to overturn those decisions through so-called crime legislation. No this is not a crime bill, but it certainly is a crime.

from Paul McNulty
DOJ

(Duggan/Simon)
November 22, 1991
Draft One
Barr

PRESIDENTIAL REMARKS: BARR SWEARING-IN
JUSTICE DEPARTMENT
TUESDAY, NOVEMBER 26, 1991
[time] 3:30 p.m.

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see file

Duggan conversation w/ Barr

*Duggan
Conversation
w/Barr*

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*Ben
Banta
ONDCP
467-
9890*

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Third, officials of this White House and this Justice Department will work vigorously to enforce civil rights laws. There is complete solidarity in my Administration on the essence of civil rights, on the need to combat discrimination as a cancerous social evil. To suggest otherwise undermines every

decent American's efforts to promote fundamental fairness and harmony.

Finally, Bill Barr and his team will roll up their sleeves to heighten the attack against white-collar crime. We're determined to strengthen the people's protection against fraud in financial institutions, insurance, and government procurement. We'll turn the full force of the law against con artists who steal people's savings. And we'll do the same to anyone from abroad who tries to rob our inventors and investors of what is rightfully theirs.

We won't rest until we have from Congress all the tools we need to fight crime. [Following language is offered pending Congressional action:] [[We need a crime bill that will stop the endless, frivolous habeas corpus appeals that waste time prosecutors should be spending on new cases. We need a bill that tells our police, if they act in good faith, evidence will not be suppressed in court based on needless technicalities. We need action on my proposals to make it easier to prosecute criminals who commit sexual violence against women and children. We need new protection for victims and witnesses.]]

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Silberman

Shakespeare, William

The

HOME BOOK OF SHAKESPEARE QUOTATIONS.

*Being also a Concordance & a
Glossary of the Unique Words
& Phrases in the Plays & Poems*

ARRANGED AND EDITED BY
BURTON STEVENSON

Editor of *The Home Book of Verse,*
and *The Home Book of Quotations*



CHARLES SCRIBNER'S SONS · *New York*

would you were set, so your affliction cease.
Titus Andronicus. Act ii, sc. 1, l. 90.
 —*King Lear*, ii, 1, 100.

is a coal that must be cool'd;
 if it be not cool'd, it will set the heart on fire.
King Lear, i, 1, 387.
 faints not like a pale-faced coward,
 who chooses best when most his choice is
 denied.
King Lear, i, 1, 569.

thy intention stabs the centre:
 do not make possible things not so held,
 but mingle with dreams.

Winter's Tale. Act i, sc. 2, l. 138. [Leontes]
 "Intention" is used only once more,
Winter's Tale, i, 2, 138.
 was a sound affection.
Winter's Tale. Act iv, sc. 4, l. 389. [Camillo]
 affection, which cannot choose but

Winter's Tale, i, 1, 26. See under Roor.
 greediness of affection.
Winter's Tale. Act v, sc. 2, l. 111.
 Gentleman]

AFFLICTION

Adversity, Disaster, Misfortune

Gentle, but unfortunate;
 modestly afflicted, but yet honest.
Titus Andronicus. Act iv, sc. 2, l. 39. [Guiderius]
 much by his affliction made.
Titus Andronicus. Act v, sc. 4, l. 108. [Jupiter]

great affliction of spirit.
Hamlet. Act iii, sc. 2, l. 324. [Guildenstern]
 had he looks! sure, he is much afflicted.
King Lear. Act ii, sc. 2, l. 63. [Suffolk]

affliction, peace!
King Lear. Act iii, sc. 4, l. 36. [King Philip]
 affliction.—*The Merry Wives of Windsor*,
 v, 5, 178.

Man's nature cannot carry
 affliction nor the fear.
King Lear. Act iii, sc. 2, l. 49. [Kent]

O you mighty gods!
 in this world I do renounce, and in your sights,
 patiently my great affliction off.

King Lear. Act iii, sc. 5, l. 35. [Gloucester]
 Henceforth I'll bear
 my affliction till it do cry out itself
 enough, and die.

King Lear. Act iv, sc. 6, l. 75. [Gloucester]
 Had it pleased heaven

to have sent me with affliction; had they rain'd
 clouds of sores and shames on my bare head,
 and had they sent me in poverty to the very lips,
 had they sent me to captivity me and my utmost hopes,
 I would have found in some place of my soul
 a support of patience.

King Lear. Act iv, sc. 2, l. 47. [Othello]

affliction is enamour'd of thy parts,
 and thou art wedded to calamity.
King Lear. Act iii, sc. 3, l. 2. [Friar
 Lawrence]

1
 The affliction of my mind amends.
The Tempest. Act v, sc. 1, l. 115. [Alonso]
 I think affliction may subdue the cheek,
 But not take in the mind.

Winter's Tale. Act iv, sc. 4, l. 586. [Perdita]
 2
 I count it one of my greatest afflictions, say,
 that I cannot pleasure such an honourable
 gentleman.

Timon of Athens. Act iii, sc. 2, l. 62. [Lucius]
 Chief afflictions.—*Timon of Athens*, iv, 2, 44.

3
 This affliction has a taste as sweet
 As any cordial comfort.

Winter's Tale. Act v, sc. 3, l. 76. [Leontes]

AGE

I—Age and Youth

See also Man: Old and Young Men

4
 'Let me not live,' quoth he,
 'After my flame lacks oil, to be the snuff
 Of younger spirits, whose apprehensive
 senses

All but new things disdain; whose judge-
 ments are

Mere fathers of their garments; whose constancies

Expire before their fashions.'

All's Well that Ends Well, i, 2, 58. [King]
 Young boys and girls Are level now with men.

Antony and Cleopatra, iv, 15, 65. [Cleopatra]
 With his Amazonian chin he drove

The bristled lips before him.
Coriolanus. Act ii, sc. 2, l. 95. [Cominius]
 "Amazonian" is repeated in *III Henry VI*,
 i, 4, 114: "Amazonian trull"; and "bristled"
 in *A Midsummer-Night's Dream*, ii, 2, 31:
 "Bristled hair."

5
 Though grey
 Do something mingle with our younger
 brown, yet ha' we

A brain that nourishes our nerves, and can
 Get goal for goal of youth.

Antony and Cleopatra, iv, 8, 19. [Antony]

6
 At seventeen years many their fortunes
 seek;

But at fourscore it is too late a week.

As You Like It. Act ii, sc. 3, l. 73. [Adam]
 The oldest hath borne most: we that are young
 Shall never see so much, nor live so long.

King Lear. Act v, sc. 3, l. 325. [Albany]
 He that no more must say is listen'd more
 Than they whom youth and ease have taught to
 glose.

Richard II. Act ii, sc. 1, l. 9. [John of Gaunt]

7
 By heaven, it is as proper to our age
 To cast beyond ourselves in our opinions
 As it is common for the younger sort
 To lack discretion.

Hamlet. Act ii, sc. 1, l. 114. [Polonius]
 A very riband in the cap of youth,
 Yet needful too; for youth no less becomes
 The light and careless livery that it wears
 Than settled age his sables and his weeds,
 Importing health and graveness.

Hamlet. Act iv, sc. 7, l. 78. [King] The only
 use of "graveness."

8
 An old man is twice a child.
Hamlet. Act ii, sc. 2, l. 403. [Rosencrantz]
 Old men fool and children calculate.

Julius Cæsar. Act i, sc. 3, l. 65. [Cassius]
 Old fools are babes again; and must be used
 With checks as flatteries.

King Lear. Act i, sc. 3, l. 19. [Goneril]

Grandsires, babies and old women,
 Either past or not arrived to pith and puissance.
Henry V, iii, Prol., l. 19.

9
 Your lordship, though not clean past your
 youth, hath yet some smack of age in you,
 some relish of the saltness of time.

II Henry IV. Act i, sc. 2, l. 110. [Falstaff]
 The only use of "saltness."

Falstaff: You that are old consider not the ca-
 pacities of us that are young; you do measure
 the heat of our livers with the bitterness of your
 galls: and we that are in the vaward of our
 youth, I must confess are wags too.

Chief Justice: Do you set down your name in
 the scroll of youth, that are written down old
 with all the characters of age? Have you not
 a moist eye? a dry hand? a yellow cheek? a
 white beard? a decreasing leg? an increasing
 belly? is not your voice broken? your wind
 short? your chin double? your wit single? and
 every part about you blasted with antiquity?
 and will you yet call yourself young? Fie, fie,
 fie, Sir John!

II Henry IV. Act i, sc. 2, l. 196. "Vaward"
 occurs five times in the plays. The only use
 of "decreasing."

Moth: Why tender juvenal? why tender juvenal?

Armado: I spoke it, tender juvenal, as a con-
 gruent epitheton appertaining to thy young
 days, which we may nominate tender.

Moth: And I, tough senior, as an appertinent
 title to your old time, which we may name
 tough.

Love's Labour's Lost. Act i, sc. 2, l. 12.
 The only use of "epitheton," an earlier form
 of epithet. "Congruent" is repeated in v, 1,
 97, and in no other play. "Appertinent" oc-
 curs three times.

10
 The blood of youth burns hot with such ex-
 cess

As gravity's revolt to wantonness.

Love's Labour's Lost. Act v, sc. 2, l. 73.
 [Rosaline]

11
 Young in limbs, in judgement old.

The Merchant of Venice. Act ii, sc. 7, l. 71.
 [Prince of Morocco, reading scroll]

I never knew so young a body with so old a
 head.

The Merchant of Venice. Act iv, sc. 1, l. 163.
 [Clerk]

How much more elder art thou than thy looks!
The Merchant of Venice. Act iv, sc. 1, l. 251.
 [Shylock]

12
 Crabbed age and youth cannot live together:
 Youth is full of pleasance, age is full of care;
 Youth like summer morn, age like winter
 weather;

on our professions, and ultimately on the civility we need to hold society together. Bill has been, and will remain, a stalwart in our efforts for civil justice reform. ///

I'm confident that Bill Barr possesses in abundance every quality that makes a great Attorney General: he's tough, fair-minded -- a man of integrity and intense dedication. ((It's true that I've ordered Bill to be ruthless in fighting crime. But I left the details to him. It's altogether his idea to try to drive junkies and drug dealers out of our neighborhoods by playing his bagpipe. \\ We'll have to check and see whether that violates the Eighth Amendment -- cruel and unusual punishment.))

For fifteen years, I've been honored to know Bill Barr. I've been deeply impressed by his fairness and integrity, by his love of country and of his profession. And now it is my honor to present [Judge] [Justice] [----], who will administer the oath of office to the 77th Attorney General of the United States.

#

I've been challenged to explain in 30 seconds why I'm opposed to the weak substitute bill the Congress wants me to sign. Start your stopwatch: We need a bill that stands with the courts, with the cops, and with the victims of crime -- and against the criminals. // Let me use the rest of my time to urge Congress to stop wasting theirs: send me a crime bill I can sign. // Worth signing

the American's people's time. That's

1

[Signature]

THE WHITE HOUSE

WASHINGTON

*Office of Cabinet Affairs
Fax Transmission Cover*

TO: Bob Simon

LOCATION: _____

FAX NUMBER: 6218

FROM: *Jim Fitzhenry*

Number of pages to follow: 2

Office of Cabinet Affairs
Telephone: (202) 456-2800
Fax: (202) 456-2223

Comments: *File*

INVITEES

Congressman Bill Alexander
• Hon. Donald J. Atwood
— Hon. James A. Baker, III
Senator Joseph R. Biden
— Hon. Nicholas F. Brady
Cong. Jack Brooks
Senator Hank Brown
Senator Byrd
Cong. Tom J. Campbell
Cong. Bob Carr
— Hon. Dick Cheney
Senator Alfonse D'Amato
Senator Danforth
Senator DeConcini
— Hon. Edward J. Derwinski
Senator Bob Dole
• Hon. Lawrence Eagleburger
Cong. Joe Early
Cong. Don Edwards
Cong. Ham Fish
Cong. Tom Foley
Cong. Barney Frank
Cong. George Gekas
Cong. Newt Gingrich
Senator Phil Gramm
Senator Charles Grassley
Senator Orrin Hatch
Senator Howell Heflin
Senator Ernest Hollings
Cong. William Hughes
Cong. Henry Hyde
— Hon. Jack Kemp
Senator Edward Kennedy
Senator Herbert Kohl
Cong. Jim Kolbe
Senator Patrick Leahy

Senator Joseph Lieberman
Senator Trent Lott
Senator Richard Lugar
— Hon. Manuel Lujan, Jr.
— Hon. Edward Madigan
— Hon. Lynn Martin
Cong. Romano Mazzoli
Cong. Bill McCollum
Senator Mitch McConnell
Senator Howard Metzenbaum
Cong. Bob Michel
Senator George Mitchell
Cong. Alan Mollohan
— Hon. W. Hanson Moore
Cong. Carlos Moorhead
— Hon. Robert Mosbacher
Senator Daniel Moynihan
• Hon. Peter Nunez
Cong. Nancy Pelosi
Cong. Ralph Regula
Cong. Hal Rogers
Senator Bill Roth
Senator Warren Rudman
Rockwell A. Schnabel
Cong. Charles Schumer
Cong. Jim Sensenbrenner
Senator Alan Simpson
Senator Paul Simon
— Hon. Samuel Skinner
Cong. Neal Smith
Senator Arlen Specter
— Hon. Louis W. Sullivan
Senator Strom Thurmond
Senator John Warner
— Hon. James D. Watkins
Cong. Frank R. Wolf

One of the more telling comments of the way the democratically-controlled Congress views its responsibility to pass a tough crime bill has come from Senator Biden. If I try to explain why I would veto a death penalty bill because of a court ruling on habeas corpus, Mr. Biden is reported to have said, "I want to see him do it in a 30-second sound bite."

Well this President does not believe in legislating by sound bite. Apparently, Congress does. I have more confidence in the American people's ability to spot whose playing politics here, however.

2?? days ago, I gave the Congress a 100 day challenge to enact a meaningful crime bill that would be tougher on criminals than on law enforcement. And 2?? days later, Congress has presented the American people with a travesty -- truly a sheep in wolf's clothing. So maybe it is fair that Mr. Biden challenge me to explain in 30 seconds my reasons for vetoing a bill 2?? days in the making. Although 100 days versus 30 seconds

Let me just check my watch here. 30 seconds, ok -- I will veto this bill because --

- its death penalty provisions are false advertising. They purport to enact a Federal death penalty for several crimes, it contains so many roadblocks that the sentence would virtually never be imposed;
- it makes Habeas corpus no more than a fancy phrase for throwing open the prison doors for thousands of criminals;
- it will handcuff police by letting criminals go free on legal technicalities even when a police officer acts in good faith;
- it will let murderers go free where there is overwhelming evidence of guilt because a confession was coerced -- even though the confession was superfluous to the conviction;
- in their effort to get an early start on the holidays, the Democrats threw out the provisions designed to combat rape, child molestation, and to protect crime victims.

from Marianne McGethigan OPD

Remarks on Signing the Executive Order on Civil Justice Reform

October 23, 1991

Welcome, everyone. I'm, of course, very grateful to Dan Quayle, our Vice President, for his hard work on the issue that I want to discuss today, and to many of you here who have been very helpful in all of this. I want to single out our nominee for Attorney General, Bill Barr, the Acting Attorney General, and Ken Starr, the Solicitor General who headed the working group that produced what I think is a very fine report.

A little more than 2 months ago, the Vice President outlined our agenda for civil justice reform before the American Bar Association. That speech unleashed a national debate, a flurry of mail here at the White House, I might add, and some of the best lawyer jokes that I've heard in years. [Laughter]

But we're not here today to make an easy hit on lawyers. Frankly, I don't think that the problem rests with lawyers; the problem stems from a legal system that just spun out of control. Sadly, we've become the most litigious society in the world.

In order to restore sanity to our civil justice system, the Competitiveness Council that the Vice President chairs has recommended extensive and concrete steps that we can take, starting today, to get our legal system back on track. There's 50 recommendations, and these 50 recommendations include changes in the rules of discovery, adoption in certain areas of the "loser pays" rule, encouragement of alternative dispute resolution, caps on punitive damages, and changes in the rules and expert evidence to end the use of "junk science" on the witness stand.

I've named only a few of our many recommendations. Some of these proposals require Federal legislation, and we're going to be transmitting that up to the Congress very, very soon. Other proposals require action by the Supreme Court. Today's Executive order will apply most of these recommendations, where possible, to the Federal Government. And I'm asking every agency head, many here today, to do everything possible to fully and effectively implement the Executive order.

With all that said, let me get to the heart of the matter. Civil justice reform is absolutely essential to our country's well-being. I'm talking about access to health care and quality of life. Parents are having a tough time finding an obstetrician just out there in some of the States because many obstetricians found it wasn't worth it to practice anymore. I'm talking about beneficial new products that never reach the marketplace at all because of liability concerns.

I'm talking about jobs. We got a letter the other day from an architect in California named Charles Yaeger. Here's what he wrote, "I have many friends who are going out of business because of fear of lawsuits."

And I'm talking about inflation and consumer prices. The owner of Zaun's Trustworthy Hardware in Iowa, Brad Zaun, wrote to us as follows: "As a business owner myself, the liability insurance is getting out of hand. The manufacturers could significantly lower their prices both wholesale and retail, which would stimulate our economy."

Maybe other countries don't have this problem because every other Western democracy has the "loser pays" rule in order to discourage senseless lawsuits. Maybe it's because we have most of the world's lawyers here in America. Maybe it's because the pop culture in this country encourages lawsuits.

I don't know how many of you watch Hulk Hogan in the movie, but he's got a brand new movie out there, and at one point he asks the bad guys if they're going to beat him up. You know what the bad guys replied? "Hey, this is the nineties; we're going to sue you." [Laughter]

People around the country understand that, and they have understood it for some time. And we've got to get something done about it. You see the problem everywhere. From the hindrance of new medicines to local bans of firework displays on the Fourth of July, the fear of outlandish litigation has begun to strangle the American dream.

Americans understand that civil justice reform means growth, competitiveness, and jobs. That's why I feel so strongly about these recommendations by Dan Quayle's Competitiveness Council. This is not a par-

tisan issue; we keep making that point. It's a matter of overcoming the vested interests and changing the status quo to ensure a better and most prosperous life for all Americans.

The Federal Government is the largest single consumer of legal resources. As the client, I'm asking you, the Government's top lawyers, to help us change the status quo. The Executive order will hold you to higher standards than private practitioners. But it will also give us the opportunity to lead the country by example toward civil justice reform.

Today we're taking the first step. And now I want to invite Bill Barr and Ken Starr to join Dan Quayle and me up here as I sign this Executive order. And again, thank you all very much for coming.

Note: The President spoke at 11:43 a.m. in the Roosevelt Room at the White House.

Executive Order 12778—Civil Justice Reform
October 23, 1991

Whereas, the tremendous growth in civil litigation has burdened the American court system and has imposed high costs on American individuals, small businesses, industry, professionals, and government at all levels;

Whereas, several current litigation practices add to these burdens and costs by prolonging the resolution of disputes, thus delaying just compensation and encouraging wasteful litigation;

Whereas, the harmful consequences of these litigation practices may be ameliorated by encouraging voluntary dispute resolution, limitations on unnecessary discovery, judicious use of expert testimony, prudent use of sanctions, improved use of litigation resources, and, where appropriate, modified fee arrangements;

Whereas, the United States sets an example for private litigation by adhering to

higher standards than those required by the rules of procedure in the conduct of Government litigation in Federal court, and can continue to do so without impairing the effectiveness of its litigation efforts;

Whereas, improving the quality of legislation and regulation to eliminate ambiguities in drafting would reduce uncertainty and unnecessary litigation; and,

Whereas, improving the quality of administrative adjudications would reduce the time and resources expended during the administrative process.

Now, Therefore, I, George Bush, by the authority vested in me as President by the Constitution and the laws of the United States of America, including chapter 31 of title 28, United States Code, and section 301 of title 3, United States Code, and in order to facilitate the just and efficient resolution of civil claims involving the United States Government, to encourage the filing of only meritorious civil claims, to improve legislative and regulatory drafting to reduce needless litigation, to promote fair and prompt adjudication before administrative tribunals, and to provide a model for similar reforms of litigation practices in the private sector and in various states, hereby order as follows:

Section 1. Guidelines to Promote Just and Efficient Government Civil Litigation. To promote the just and efficient resolution of civil claims, those Federal agencies and litigation counsel that conduct or otherwise participate in civil litigation on behalf of the United States Government in Federal court shall respect and adhere to the following guidelines during the conduct of such litigation:

(a) *Pre-filing Notice of a Complaint.* No litigation counsel shall file a complaint initiating civil litigation without first making a reasonable effort to notify all disputants about the nature of the dispute and to attempt to achieve a settlement, or confirming that the referring agency that previously handled the dispute has made a reasonable effort to notify the disputants and to achieve a settlement or has used its conciliation processes.

(b) *Settlement Conferences.* As soon as practicable after ascertaining the nature of a dispute in litigation, and throughout the

Barr says he has put BCCI on front burner

By Jerry Seper
THE WASHINGTON TIMES

227/120/165

Attorney General-designate William P. Barr said yesterday he has taken control of the Justice Department's investigation of the scandal-plagued Bank of Credit & Commerce International and that "all allegations that have surfaced are now being pursued aggressively."

Mr. Barr, testifying at his Senate Judiciary Committee confirmation hearings, accepted personal responsibility for the complex international fraud probe and invited the senators to check his progress in the coming months.

"Starting from the time that I have been involved, I'll accept personal responsibility for performance in this case," Mr. Barr said. "And I'll be held accountable for it."

Some senators and others have accused the Justice Department of dragging its feet in the BCCI investigation and have suggested that former Attorney General Dick Thornburgh, who resigned in August, did not aggressively pursue leads and evidence of massive bank fraud and money laundering uncovered by investigators.

Regulators in the United States, England and six other nations seized BCCI in July amid allegations of widespread corruption.

Mr. Barr, who assumed control of the BCCI probe in late July, said 37 federal prosecutors and "dozens of agents" are currently assigned to the investigation. He said he also has ordered a separate review of the department's handling of the case prior to his taking over to determine what mistakes, if any, were made.

"A lot has been said about not wanting to have a political Justice Department, and I agree with that," he said. "But there's another side to the coin, and that is: 'Don't hand down an indictment because of political pressure.'"

"Don't lower the standard of indictment just because it's politically convenient," he said.

Mr. Barr said he was aware of the criticism but would proceed on the investigation under

proven guidelines.

"I don't care how much political pressure is brought to bear. I don't care what the Op-Eds say. I don't care what the journalists say if it's not fast enough for them," he said. "And I don't care what the political pressures are: that standard is staying where it is."

Mr. Barr, whose confirmation by the committee seems assured, told the senators — in response to a question from Committee Chairman Sen. Joseph R. Biden Jr., Delaware Democrat — that no one from the White House, the State Department or the Central Intelligence Agency had attempted to interfere with the BCCI investigation or influence its outcome.

Democrats on the committee, who often feuded with Mr. Thornburgh, had words of praise for Mr. Barr. They said he had made considerable efforts to work with committee members and staff, and they expected that the goodwill would continue.

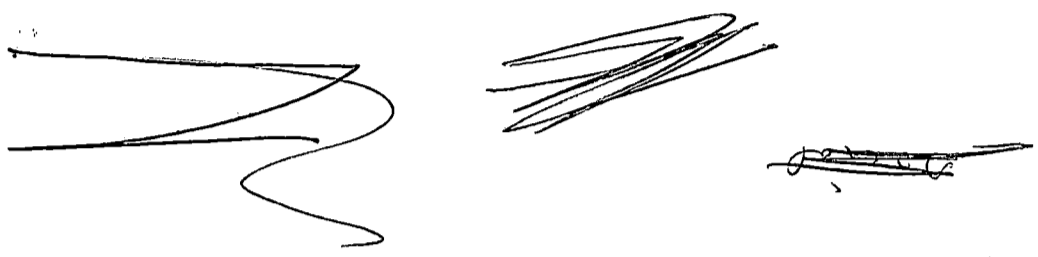
"You are the lawyer for the people of the country and we want you to always remember that," said Sen. Paul Simon, Illinois Democrat. "You serve in the president's Cabinet; you serve at the president's will; but you are not the president's lawyer."

"You're the lawyer for all the people in this country, and I think on the basis of what I have seen from you, the people are going to be well served," he said.

Mr. Barr said his priorities as attorney general would center on fighting drugs and violent crime, enforcing civil rights violations and targeting white-collar criminals. He said he would enforce laws fairly and impartially and promised never to bow to political pressure.

The 41-year-old New York native, whose testimony before the committee was witnessed by his wife and three daughters, was nominated as attorney general by President Bush on Oct. 16. He formerly served as acting attorney general, deputy attorney general and head of the department's Office of Legal Counsel.

The hearing continues today.



- active
 - cross spirit war
 - learning
 - ethics

Nothing else in system
 + in doctor
 of health
 night
 Down

rule of
 law
 in
 the
 world

on technology
 & economic progress & a study
 member of NSC

- was research journal too
 - that reform

- on a company name looking because made of law
 - design
 - back log of houses for graduates
 - and us at this
 - one & half

- Main prayer
 - Bara association
 - Bag paper
 - Bara
 - family and
 - to you
 - friends

DRAFT

SWEARING-IN CEREMONY

(Musical selections by military band during seating.)

Attorney General and Mrs. Barr greet President and Mrs. Bush upon arrival at the Department of Justice and escort them to the holding area backstage.

Arrive backstage and greet Barr family members, Acting Deputy Attorney General George Terwilliger, priest, and judge.

Family members are escorted to their seats in the Great Hall by Mary Stevens.

George Terwilliger, Barr children, priest, and judge ^{Silberman} proceed to their seats on stage.

President and Mrs. Bush and Attorney General and Mrs. Barr are announced onto the stage.

Welcome and announcement of the Presentation of Colors by Acting Deputy Attorney General George Terwilliger.

Presentation of Colors

National Anthem

audience 250

Invocation

INTRO DA.6.7.

President Bush makes remarks.

Swearing-in of William P. Barr as Seventy-Seventh Attorney General of the United States.

Remarks by Attorney General Barr.

(Short musical selection by bagpipe ensemble.)

Ceremony concludes.

(Musical selections by military band during departure.)

THE WHITE HOUSE
WASHINGTON

THE PRESIDENT HAS SEEN
7/11/91
31 SEP 10 P3:00

September 10, 1991

MEMORANDUM FOR THE PRESIDENT

THROUGH: TONY SNOW *TS*
FROM: JOSEPH P. DUGGAN *JPD*
SUBJECT: NATIONAL ASSOCIATION OF BROADCASTERS RADIO ADDRESS

I. SUMMARY

On Thursday, September 12, at 2:00 p.m., you will speak by live radio hookup to radio broadcasters at the National Association of Broadcasters Seventh Annual Radio Convention at the Moscone Convention Center in San Francisco. Your speech will be provided live to radio stations for broadcast around the nation.

II. DISCUSSION

The address (7 minutes) will cover your domestic policy agenda, mentioning issues such as education, the Thomas nomination, the crime bill, the war on drugs, environmental protection and civil liability reform initiatives.

(Duggan/Nix/Dooley)
September 10, 1991
1:30 p.m.
Draft Five
NAB

PRESIDENTIAL REMARKS: RADIO ADDRESS TO NAB
LIVE RADIO FROM OVAL OFFICE
SEPTEMBER 12, 1991
2:00 PM

Thank you, Gary Chapman and Eddie Fritts. This has been a proud, historic year for American radio. During Operation Desert Storm, local radio stations gave tremendous support to our troops and their families. For all of them, let me thank all of you for the blood drives, the letter campaigns, and so much more that you did to lift our spirits during the Gulf crisis.

More recently American broadcasters helped deal the final blow to Soviet totalitarianism. Brave and enterprising reporters -- many of them from N.A.B. member stations and affiliated networks -- broadcast news that the coup plotters' controlled media dared not report. Though the coup plotters had cut Mikhail Gorbachev's telephone lines, our Voice of America and Radio Liberty reached through the confines of his house arrest. They relayed news possibly vital to his safety and to the recovery of his freedom.

But America can't remain a radiant source of liberty around the world unless we renew our strength at home. After all, America is not just an economic machine or a military power. It is a civilization, and we all share responsibility for keeping our civilization healthy.

Historic events overseas recently have crowded American domestic issues out of the news broadcasts and headlines, but not off of my work docket.

I gave high priority to stewardship of our environment when I became president. I was fresh out of patience with the Congressional bickering which had delayed for a decade any improvements in the Clean Air Act. We worked hard to push a new act through Congress, an act that lets the genius of the marketplace help clean our skies.

I have also signed landmark legislation that can welcome millions of handicapped Americans into the mainstream, and a family-oriented child care bill that protects the rights of parents and religious institutions.

These are just some of the accomplishments on our challenging domestic agenda. As we renew America's core strengths, we must build an educational system worthy of our heritage and fit to transmit that heritage to future generations. Our public school systems are swollen with bureaucracy. They are perfectly willing to take people's tax money, but they give parents little choice in their children's schooling.

My proposal to Congress, the America 2000 Excellence in Education Act, addresses both these problems. We must have greater accountability and competition. We want all parents to have the freedom to choose the schools their children attend. This will stimulate excellence in public, parochial and private schools.

We have challenged parents, students, businesses, and community leaders to join in developing New American Schools -- schools that break the mold, that help us reinvent American education.

Long ago I made clear my hopes of serving as an education President. You see, I can't think of any institution more important for shaping our future than the schools that instruct our young men and women. I hope you will join me in building a crusade for better education, and that you can help us spread the word that education is everyone's business. On October 1 I will speak to America's students about their role in building America's future. I hope you can help us get the word out: We must make our nation's schools the best in the world.

Congress needs to act, too, on our crime legislation. Sexual violence and drug-related mayhem scar our nation and threaten our future. My proposals will make it easier to prosecute those who commit sexual violence against women and children. They'll also establish new protections for witnesses and guarantee the victim's right to address the court at sentencing.

After two years of intense work, our National Drug Control Strategy is showing results. Overall drug use has fallen in recent years. Cocaine use has fallen even more dramatically. This afternoon I will leave for Philadelphia, where I will visit a drug treatment center and offer thanks to the volunteers and professionals who fight the drug battle every day on the front

lines. And I'll continue to push for our crime bill, which sets tougher sanctions against drug kingpins.

We are working for new programs to promote economic freedom and growth. Our Enterprise Zone legislation will bring new jobs

Our HOPE initiative will help low-income own homes.

We've got a strong, innovative transportation bill yet

to fight schemes for needless taxation and congress want to send me a pork-barrel

A strong initiative transp. bill yet

that raises gasoline taxes and mandates that states don't need. That kind of bill straight for a roadblock -- my veto.

His most lasting domestic legacy is his judicial

Clarence Thomas, my nominee for the Supreme Court, is a man of courage, scholarship and common sense. I am looking forward to his giving fresh expression to the philosophy of our Constitution's Framers well into the 21st Century.

America is a beacon of hope in the world because of our qualities as a civilization. But to carry this legacy forward we must give our children the education they deserve. We must drive violent criminals from our streets. We must free our economy from excessive taxation and bureaucratic meddling. We must keep our families healthy and whole.

If Congress will work with me to enact a fair domestic agenda, the 21st Century can be another proud "American Century." With a healthy civilization at home, we will be not just a powerful nation. We will be, as our Founding Fathers envisioned,

a model for the world. Thank you, and God bless the United States of America.

And now, in keeping with radio tradition: Back to you, Eddie!

[FRITTS RESPONDS:] Thank you, Mr. President, for joining America's broadcasters in our celebration of radio.

[THE PRESIDENT:] Thank you for inviting me, and I hope you have a wonderful convention.

#



U.S. Department of Justice

Office of the Deputy Attorney General

91 NOV 22 All: 06

The Deputy Attorney General

Washington, D.C. 20530

DATE: 11-22-91

TO:

Joe Duggan
R.H. Speechwriter

Fax No.:

() 456-6218

Telephone No.:

() - - - -

FROM:

William P. Barr
Attorney General

Fax No.:

() - - - -

Telephone No.:

() 574-2101

TRANSMISSION CONTAINS 5 SHEETS INCLUDING THIS COVER SHEET

SPECIAL NOTE(S):

If any page(s) are missing from this transmission, please telephone sender at the above telephone number for re-transmission.

PRIORITIES

Misleading to talk about priorities because job of DOJ is to enforce all the laws across the board. I wouldn't want to suggest that to upgrade our efforts in one area, we would give short shrift to another.

So my first priority is to ensure that we are covering all the bases with our limited resources.

My second priority is also a cross-cutting one. I want to continue to foster the integrity and professionalism of the Department as an institution. Attorneys General come and go. So the character of the Department as an institution has much to do with the fair administration of justice. I want to leave the Department a better place. I feel I can do that by example and by insisting on professionalism at every level.

Beyond these two cross-cutting priorities, there are several areas where I would put emphasis.

1. Drug War

Obviously our war against drugs must remain a priority. It will be a protracted struggle. I would keep pressing.

2. Violent Crime

The level of violence in our society is intolerable. We can never forget that the first duty of government is to protect its citizens against predators. While violent crime is primarily a state and local matter, I think there are ways that the federal government can play a leadership role and have a real impact.

3. Civil Rights

In the civil rights area there are sometimes policy differences. (We recently bridged differences.) But there is a broader area of agreement. No dispute that discrimination is an abomination -- it is antithetical to all this nation stands for.

Enforcement of civil rights will be a priority with me.

I will vigorously enforce the civil rights laws and I will be aggressive in protecting the civil rights of all Americans. We have made progress against discrimination in this country, but discrimination still exists. I will be vigilant in watching for it and aggressive in dealing with it.

I intend to be pro-active. One of my first acts as Acting Attorney General came in the wake of the HUD survey and Fed Report on possible discrimination in the housing area. I wanted stepped up enforcement.

4. White Collar

I will also place emphasis on attacking White Collar crime.
This will mean keeping up the effort on certain key areas:

- Financial Institutions Fraud
- Procurement Fraud
- HUD Fraud

But it also means anticipating emerging problem areas and
positioning Department to deal with them.

- Insurance Fraud
- Computer Fraud
- Health Care Fraud
- Bankruptcy Fraud

ACCOMPLISHMENTS

1. Established a management style that has been good for the Department. Accessible. Emphasis on teamwork. Professional team in place. Good communication within the Department. Minimize turf fights and build greater cohesion.
2. Supervision of the effort against Financial Institution Fraud, principally S&Ls. Drew responsibility directly in DAG office. Set up system to prioritize, allocate resources, monitor cases, coordinate with regulatory agencies.
3. Work with Congress to get important legislation:
 - Crime Control Act of 1990
 - Debt Collection Act
 - This years crime bill
4. In Civil Rights I moved aggressively in the Fair Housing area with Testers and inter-agency group to coordinate investigation of discrimination in mortgages.
5. Developed in DAG's office violent crime initiatives -- Triggerlock and Weed & Seed
6. Tackled difficult management areas in DOJ:
 - INS
 - Asset Forfeiture
7. Strengthened cooperation with state and local law enforcement.
 - NDAA
 - NAAG
 - LECCs

-- Triggerlock: started April 1991. All
USAs have task forces. Through September:

Charged -- 2652 defendants
Convicted: 544 (91% conviction rate)

Triggerlock defendants include the primary

suspect in the Gainesville murders and
50 members of the Vice Lords, a violent
Chicago street gang.

Aug. 13 / Administration of George Bush, 1991

realities, and important opportunities that now confront us.

This report emphasizes the enduring political, economic, and military foundations of our national strategy, yet acknowledges the mandate for change in implementing elements of that strategy. While addressing our strategic relationship with the Soviet Union as an inescapable priority, we will work with our allies to respond to new political challenges, taking into account a more internally oriented and less threatening Soviet Union. While contributing to global stability as only America can, we will shift our focus to regional threats and peaceful engagement. While reducing nuclear and conventional force levels on the Continent, we will work with our NATO allies to foster reconciliation, security, and democracy in a Europe whole and free. And while providing adequately for our defense, our economic well-being will remain the foundation of our long-term strength.

Our response to strategic challenges has always been shaped by what we are as a people, for our values are the link between our past and our future, between our domestic life and our foreign policy, between our power and our purpose. Our responsibility as a Nation remains not only to protect our citizens and our interests but also to help create a new world in which our fundamental ideals not only survive but flourish. That is the essence of our national security strategy.

I look to this report to be the foundation for a productive, nonpartisan, national dialog as we continue to develop and articulate a strategic approach that will guide us safely into the 21st century.

Nomination of William Taylor To Be a Member and Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation

August 13, 1991

The President today announced his intention to nominate William Taylor, of Illinois, to be a member and Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation for a term expiring

February 28, 1993. He would succeed L. William Seidman.

Currently Mr. Taylor serves as staff director of the Division of Banking Supervision and Regulation at the Board of Governors of the Federal Reserve Bank in Washington, DC. He served as a bank examiner with the Federal Reserve Bank in Chicago, IL, 1961-1968; and as vice president in charge of lending with the Upper Avenue Bank in Chicago, IL, 1968-1972. From 1972 to 1976, he served as vice president and manager of James W. Rouse and Co., a real estate development and banking firm in Chicago, IL.

Mr. Taylor graduated from Cornell College (B.A., 1961). He was born June 24, 1939, in Chicago, IL. Mr. Taylor is married, has three children, and resides in Oakton, VA.

Remarks at the Annual Convention of the National Fraternal Order of Police in Pittsburgh, Pennsylvania

August 14, 1991

Thank you all. And Dewey, thank you for that very generous introduction. The Government has a good relationship with this outstanding organization. Many of you have been to the White House. Many more I hope will come. But I want to thank your president for the introduction and for his leadership.

I want to, of course, salute the Attorney General, Dick Thornburgh, so well-known to everybody, not just in Pittsburgh, but across this country, for the job he's done for law enforcement. I want to thank the members of the Fraternal Order of Police, ladies and gentlemen. I want to thank all of you, all 3,000 of you, for the warmth of that greeting.

Now I know how Barry Bonds and Bobby Bonilla feel over at Three Rivers Stadium. [Laughter] I don't think so many great defenders have gathered in Pittsburgh since the last reunion of the Steelers' Super Bowl teams. [Laughter]

A couple of years ago, 2 years ago, I was scheduled to address you. I couldn't because of the tragic death of an American

hostage. Maybe you all remember him. I certainly do: Colonel William Higgins. Today, I am delighted to be here at a time when hostages are being released from the Middle East.

This is a very difficult time, let's face it, for the families of those still held hostage. For years they've endured the cruel water torture, you might say, of occasional vague promises followed by crushing disappointment. They've seen their loved ones used as political puppets, but they haven't been able to identify the puppeteers.

We cannot tell, I wish I could tell you, but we cannot tell what lies ahead. But this administration will never rest until every hostage is free to rejoin his loved ones and return to the America that loves them.

I think it's appropriate to say that I want to once again express my strong support to Secretary-General Javier Perez de Cuellar of the United Nations for his continuing efforts to free all the hostages. They're doing a good job there and trying hard, and we support him 100 percent.

And I look out over this crowd, and I expect many fought in the war preceding Desert Storm. And I might say to those who did serve in Vietnam, while we're talking about accounting for people: We will do everything to our level-best to account for every single MIA in the Vietnam area.

I'm here today because, as in the Middle East, our entire administration opposes chaos and lawlessness, and stands shoulder-to-shoulder with those who strive for law and order. And Dewey, once again, thank you for your kind words.

As you well know, there are no magic, one-step solutions to the complex problems of crime and drugs. In some cases, education, employment, career counseling—these things sometimes can help turn prisoners into productive citizens. And we recognize that. Drug rehabilitation can direct ex-drug users toward useful lives. But sometimes these means don't work. And we must remember that the first obligation of a penal system is to punish those who break our laws.

Today, I want to discuss ways in which we can help free America from the fear of crime and drugs, and in the process thank those of you in this organization who have had a constructive input into the legislation

that I want to talk about. Frankly, I am proud of our domestic agenda, our administration's domestic agenda. We have strong initiatives in child care and clean air and home ownership and transportation, and other areas as well. But I'm especially proud of our war on crime. Our outgoing Attorney General, with me here today, Dick Thornburgh, has played a tremendous role in this fight. And he's taken his job as America's chief law enforcement officer very seriously. Relentlessly, tenaciously, he's pursued those who prey on our society. (3)

Dick, on behalf of all Americans I want to thank you in this, your home town of Pittsburgh, for your superb service to our country as Attorney General. Leaving politics aside, this Nation owes you a real vote of gratitude.

We come here armed with some good news. Last year the percentage of American households affected by crime fell to an estimated 24 percent, the lowest rate since the Federal Government introduced this indicator in 1975. But as good as that may sound, it is hard to celebrate the fact that nearly one in every four households feels the touch of crime each year. So today let's talk about building an America even more deeply committed to the values that make law and order possible.

One good step in my view would be to ensure that Clarence Thomas becomes the next Justice on the United States Supreme Court. This man knows, Clarence Thomas knows, as Teddy Roosevelt said, that America will not be a good place for any of us until it is a good place for all of us to live in. He has lived the values that we hold dear: duty, decency, and personal responsibility. And he's promoted those values through his career in public service.

I don't know how many saw the announcement I made up in Maine with Clarence by my side when I announced this appointment, but his personal story cannot help but move people, inspire them.

I nominated Judge Thomas because he has the brains and the background, the character to promote fidelity to the Constitution and to uphold our commitment to equal opportunity. I ask you to help support those values by urging the Senate to con-

firm Clarence Thomas as our next Supreme Court Justice.

Values, values is what we're talking about. It's what drives you in your careers. We can't underestimate the importance of these values since, as you know, police cannot maintain the peace without the help, the support, and the respect of the people they serve.

When you deal with crime's victims and its perpetrators, you know that our citizens want and deserve to feel safe, to live in communities in which they are safe. But no one should underestimate the difficulty of bringing order to streets decimated by lawlessness and chaos. 20

First, our administration is committed to rewarding good police work. By the end of this year, we will have 50 percent more Federal prosecutors than in 1988. We're on our way to doubling the capacity of the Federal prisons. That will help us house more than 2,500 dangerous criminals convicted since 1989 under tough Federal laws that require a mandatory 5-year sentence for using a gun in a violent crime or a drug trafficking offense.

We've acted to curb potential furlough abuse. Under Dick Thornburgh, and I salute him for this, we've tightened the furlough review process for inmates, further restricting the already limited furlough opportunities for Federal offenders. In April of 1989 the furlough rate was 1.2 per 100 inmates. This April it'll be less than half that. And of course, no furloughs are granted for anyone serving a sentence of life without parole. There will be no let-up. Furlough is a privilege, and it's not a right. 21

And again, with the help of many here, our administration has acted to punish hardened criminals—career—what you all call career criminals—under the Federal Armed Criminal Career Act. You shouldn't have to endure the frustration of watching a seasoned criminal walk free because we didn't have the facilities or the prosecutors or the will to take the law, and our law enforcement officers, seriously. We would like every State to have tough laws to deal with violent criminals. But we're not waiting for those who don't.

Project Triggerlock, started just in April, already has produced 850 indictments against persons for firearm offenses. Togeth-

er, we've seized criminals' assets, using them to fund law enforcement and building new prisons. More than \$700 million of the assets seized have been returned to State and local law enforcement agencies for use in fighting crime. You talk about poetic justice; that's it. And it's long overdue.

But this is just a beginning, and you know it. You're out there on the front lines. You know it better than I do. We have a very good chance this year of passing the administration's comprehensive package to combat violent crime. Nearly two and a half years ago I announced our Violent Crime Act legislation, asking Congress to back up our law enforcement officials with laws that are fair, fast, and final. That package starts with a commonsense proposition: Don't send police into battle wearing handcuffs. 45

And so, we proposed stiff penalties for criminals using semiautomatic weapons, an improved exclusionary rule, and habeas corpus reforms. These proposals—and if you haven't seen them, take a look at them—these proposals tell criminals: You will serve the time. They also tell police and law-abiding citizens: We will reclaim our neighborhoods and streets.

Our package also says: Let's give our law officers the respect they deserve, in part by imposing the death penalty on those who kill a law enforcement officer.

Our proposals impose tough punishment on drug kingpins who threaten a Federal witness or a juror or a judge. We want a good faith exception to the exclusionary rule. There's no reason, none at all, that good police officers should be penalized and criminals freed because a judge or lawyer bungled a search warrant. We want habeas corpus reform that will prevent criminals and lawyers from using technicalities to gum up our justice system.

In short, the time has come to show less compassion for the architects of crime and more compassion for its victims. And you all know it: no group suffers more from violent crime than the poor, a group most heavily victimized by lawlessness. 55

Working with Congress, we reauthorized the 1984 Victims of Crime Act and boosted its annual Victims Compensation and Assistance Fund to \$150 million. These dollars came not from taxpayers but from crimi-

nals' fines and penalties. After all, crime shouldn't pay; let the criminals pay it for a change. And that's what happens as we try to support these victims of crime.

We stepped up efforts to implement the Victim-Witness Protection Act and the new Victims' Rights and Restitution Act. And let me note how our Violent Crime Control Act of 1991 gives further aid to innocent victims of crime. It includes new protections for witnesses and abused kids. It provides rules that make it easier to prosecute those who commit sexual violence against women and children. It imposes mandatory HIV testing of accused sex offenders, and it guarantees a victim's right to address the court at sentencing.

I'm very happy that a bipartisan coalition in the Senate has passed a crime bill that includes most of the features in our original legislation. We now look for the House Judiciary Committee to act in an equally responsible manner, so that the full House may follow suit.

To build upon this Nation's commitment to order, we must enact a comprehensive crime bill that lets police uphold our laws. But at the same time, we should be very careful not to make police responsible for creating peace everywhere.

After all, the fight against crime is everyone's business. Families and neighborhoods, and schools and churches, and drug shelters and businesses and the media—everyone must join this fight. You cannot do your jobs if citizens don't call you, don't trust you, don't work with you. And you can't turn bad people into saints.

For 75 years, this organization, the Fraternal Order of Police, has supported the men and women who have the tough duty of keeping the peace. I pledge my support, and I offer this commitment: Our administration will help you take criminals off the streets, so that Americans can take back their streets.

Barbara asked that I specifically bring you her greetings. She's up to her eyeballs in the grandchild business, as we're on vacation over there in Maine. [Laughter] But I want to just say this, since several in our receiving line mentioned her. She agrees with this and stands with you all, particularly the family aspects of this—the wives and the children who see their husbands out on

the line or the husbands who see their wives out on the line, protecting the communities in this country. And we are grateful to each and every one of you for what you do every single day.

Now, you keep up the good work. Thanks for what you've done. Thanks for your support. And may God bless the United States of America. Thank you very, very much.

Note: The President spoke at 9:49 a.m. at the David Lawrence Convention Center. In his remarks, he referred to Dewey R. Stokes, president of the National Fraternal Order of Police; Attorney General Dick Thornburgh; Barry Bonds and Bobby Bonilla, members of the Pittsburgh Pirates baseball team; American hostage Col. William Higgins, who was executed by his captors in 1989; United Nations Secretary-General Javier Perez de Cuellar de la Guerra; and Judge Clarence Thomas, nominee for Supreme Court Associate Justice. Following his remarks, the President returned to Kennebunkport, ME.

Statement on Signing the Intelligence Authorization Act, Fiscal Year 1991 August 14, 1991

Today I have signed H.R. 1455, the "Intelligence Authorization Act, Fiscal Year 1991."

I am pleased that the Congress has eliminated the most serious problems identified in my Memorandum of Disapproval of November 30, 1990, regarding its predecessor, S. 2834 (101st Congress). In particular, I am pleased that the Act, as revised, omits any suggestion that a "request" by the United States Government to third parties may constitute "covert action" as defined by the Act. In addition, I am pleased that the revised provision concerning "timely" notice to the Congress of covert actions incorporates without substantive change the requirement found in existing law. I reiterate my intention to proceed in this area as out-

For Nominee Barr, an Unusual Path to Attorney General's Office

By Sharon LaFraniere
Washington Post Staff Writer

120/201

The road to the attorney general's office traditionally is paved with good connections. Presidents have favored their campaign managers, personal lawyers, top aides or, at least, a former senator or judge.

Now comes William Pelham Barr, bureaucrat, whose legal career began only 14 years ago with night law classes at George Washington University. President Bush's nominee for attorney general arrives at his confirmation hearings today before the Senate Judiciary Committee through the wildly unusual route of government service.

Legal observers compare Barr's nomination to President Jimmy Carter's selection of Benjamin R. Civiletti, a consummate professional who became attorney general after a similarly rapid rise through Justice Department posts. Like Civiletti, Barr is known as a cool-headed manager without political ambitions.

In 18 months as deputy attorney general, Barr was considered a conciliator at a Justice Department in turmoil during most of Attorney General Dick Thornburgh's tenure. Department officials say Barr tempered candor with discretion, a strong will with a tolerance for the personalities and views of others.

But the favorable reviews that are expected to win Barr easy confirmation are accompanied by uncertainties for some senators and former Justice Department officials. Is Barr too much an advocate for presidential power? Does his nomination mean the final ascendancy of the White House counsel over the role of attorney general? Barr owes his advancement partly to powerful White House counsel C. Boyden Gray, who controlled the administration's civil rights policy during Thornburgh's tenure.

Can Barr counter criticism that the Justice Department failed to aggressively pur-

sue leads of criminal activity at the Bank of Credit and Commerce International? The alleged prosecutorial foot-dragging predates Barr's tenure, but the issue continues to dog the department.

That Barr, 41, is a conservative goes without question. Although some conservative groups initially questioned Thornburgh's credentials as a conservative, they have "a sense of confidence in Barr, to start off with . . . that he is one of us," said Tom Jipping of the Free Congress Foundation.

Barr told one associate jokingly: "The most radical period I had probably was when I was sort of a moderate Republican."

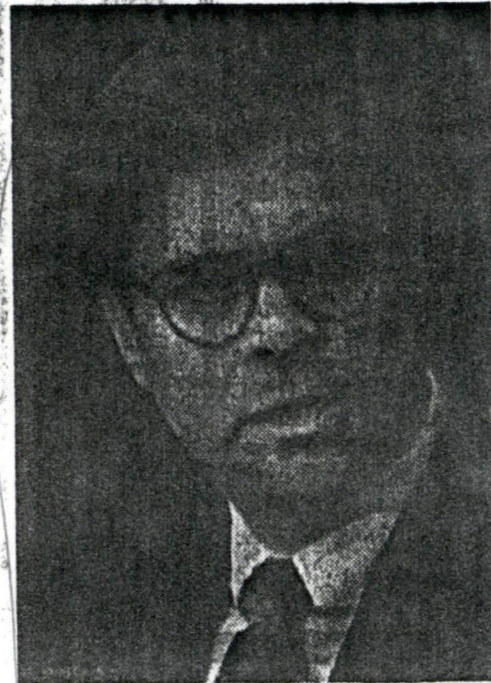
Barr "seems to be comfortable with" Bush's antiabortion views, according to Peter Ferrara, a friend from the firm of Shaw, Pittman, Potts & Trowbridge, where Barr handled civil cases for nine years. Barr also shares the broad interpretation of presidential powers advanced by Bush and Gray.

William Bradford Reynolds, who headed the Justice Department's civil rights division under President Ronald Reagan, said, "Bill is much more adamant and concerned about separation-of-powers issues than Thornburgh was."

"There's been a strain of strong commitment to executive power since the Reagan administration, but it's a question of how much of a good thing is too much?" said another former high-ranking Justice Department official, who spoke on the condition he not be named.

Barr has told friends his conservatism and his interest in government came early. The second of four boys born to an academic couple, Barr grew up on New York's Upper West Side. His father, an active Republican, was an assistant dean at Columbia's engineering school and later headmaster of a New York City prep school. His mother taught English to foreign students.

As a kindergartner, Barr gave a speech for Dwight D. Eisenhower. At his Roman Catholic elementary school, he announced his support for Richard M. Nixon and was



WILLIAM P. BARR

... favorable reviews but also uncertainties

taken aside by a nun, who promised to pray for him. He told his high school guidance counselor he wanted to head the Central Intelligence Agency.

Rightly figuring the CIA needed Chinese experts, Barr concentrated on Chinese studies as an undergraduate and graduate student at Columbia. He shied from college political organizations, but participated in a group that demonstrated against the seizure of administration buildings by student radicals in 1968. "I remember him as a solid, thoughtful, dependable sort of fellow," said the Rev. Vincent J. Rigdon, a former classmate.

He went from graduate school to the CIA's Chinese unit, and soon requested a transfer to legislative affairs. There he reviewed legislation and occasionally helped write testimony for the director, George Bush, while attending law school at night.

"He was astute, personable, and he had a good finger on the pulse of what was going on," said George Cary, former legislative counsel for the agency.

Barr graduated second in his law school class and left the CIA for a coveted clerkship with Malcolm R. Wilkey, a judge on the D.C. Circuit Court of Appeals.

The judge proved an important connection. Wilkey, who once described Barr as the perfect blend of "intellectual brilliance and good common sense," helped Barr get a job at the Shaw, Pittman firm. He also introduced him to Mike Uhlmann, who asked Barr to work on the Reagan administration's transition team and, later, at the Reagan White House's office of policy development.

Barr's two years at the White House produced no legislation on his main issue of tuition tax credits for low-income parents of private school students. But he returned to Shaw, Pittman with another important friend: Gray, who then worked for Vice President Bush.

Barr left the law firm again to become an early supporter of Bush's presidential campaign, telling friends he admired Bush's leadership at the CIA. He helped screen vice presidential candidates and answer the deluge of questions about Dan Quayle's past, later aiding Gray in guiding Bush's presidential appointees through ethics questions.

A choice position in the administration came through in early 1989, when Thornburgh, encouraged by Uhlmann, asked Barr to head the Justice Department's Office of Legal Counsel. The OLC attracts little public attention but requires close contact with the White House counsel's office.

Barr's confirmation hearings provided a hint of his later advocacy for the powers of the executive branch. Barr testified that he "entertained doubts" about whether the post-Watergate independent counsel statute violated the Constitution by impinging on the president's power. But he said he

accepted the Supreme Court's ruling upholding the statute.

As OLC chief, he provided legal reasoning used by the administration to justify the invasion of Panama and the arrest of Manuel Antonio Noriega. He also wrote an opinion that states the administration has the power to arrest terrorists overseas, even in violation of international law.

After he became deputy attorney general in May 1990, Barr advised Bush that he had the legal authority to wage war against Iraq without obtaining Congress's consent. At the same time, however, he encouraged the president to seek a congressional resolution of support, saying it would put Bush in a stronger position, according to "The Commanders," a book by Washington Post assistant managing editor Bob Woodward.

On other issues, administration officials say Barr employed a kind of quiet determination and practical approach to his advantage. After initially embracing an OLC opinion that appeared to narrow the scope of the inspector generals' powers, for example, Barr negotiated an agreement that reassured the IGs of their authority without abandoning the principle outlined in the opinion.

When Thornburgh tapped Barr as his deputy, Barr helped to bridge a painful gap between the aloof attorney general and a frustrated staff. His steady handling of a hostage crisis at an Alabama prison after Thornburgh resigned in August also helped him catch Bush's attention.

One senior Justice Department official sees the difference between Thornburgh and Barr at lunchtime. Under Thornburgh, "we would have an unwritten agenda, the attorney general's agenda, at occasional lunches. It was much more formal, hierarchical and structured," he said. "Bill has opened up the luncheons."

"Unless this guy is a superb actor and fooling everybody, he's a refreshing change," said another high-ranking Justice Department official.

Clarence Thomas - mine was praying to be successful but I don't know you, Bill

my tent is big enough to accommodate my umbrella is even big enough to cover a big tree

12/2/91 An Attorney General's Brief

No nomination is safe in the poisonous atmosphere of Washington, but we detected a sigh of relief at both ends of Pennsylvania Avenue when President Bush nominated William Barr for Attorney General. Despite his conservative credentials, the low-key Mr. Barr probably won't draw the long knives on Capitol Hill. After a decade of personal attacks on Edwin Meese and the PR problems of Dick Thornburgh, it will be good to have an Attorney General in a position to make the issues the issue.

President Bush chose Deputy Attorney General Barr over several well-known politicians in part to save the staff briefings every time a legal crisis occurs. There is often no time for this luxury, whether it's an unconstitutional demand from Congress or some off-the-reservation federal prosecutor planning to indict a foreign head of state. It's also a sign that Mr. Bush expects the Justice Department to play its part in his domestic agenda item of removing the grotesqueries from American law. Reform needs all the help it can get:

Lawyers Need Bashing. Dan Quayle started the fight for tort reform, joined by Solicitor General Kenneth Starr, but only the full weight of the Justice Department can go shoulder to shoulder with the plaintiff-lawyer bar and its PACs. The organized bar opposes the litigation-dampening idea that the winning party should get his legal fees paid, and will fall on its sword to keep the lottery of punitive damages. The main reform hurdle is the high percentage of Members of Congress who were and could again be trial lawyers.

Credit-Crunching Lawsuits. Attorneys General usually don't worry about the economy, but that was before the law helped create this recession. Bankers and their would-be customers understand the chill from overzealous regulators, who know that Congress and federal prosecutors are still looking for scapegoats. The junk-bond market may rebound, for example, but government lawsuits against Michael Milken allege it's all a hoax. Last week prosecutors argued that while Mr. Milken has cooperated, he should rot in jail because he hasn't given them any new scalps. Appeals courts meanwhile are busily overturning securities convictions that judges believe were based on witnesses, such as Ivan Boesky, whose "cooperation" was making up stories.

More Clarence Thomases. The judicial-nomination process at all levels of the federal courts may get even seamier now that the special interests

are ever more desperate. Still, Justice Thomas proved that resolute nominees can prevail even if they have paper trails. Justice can help protect the personal reputations of nominees, perhaps starting with a criminal investigation into the Thomas-hearing FBI leak.

Protecting the Presidency. Until recently, Mr. Barr ran Justice's Office of Legal Counsel, which helps defend separation of powers. Next year, the Attorney General could help stop reauthorization of budgetless, permanent, single-target special prosecutors appointed by Congress to criminalize policy differences with the President's aides. Lawrence Walsh is the best argument that the law doesn't need such excesses.

Taming Envirolitigators. Vague environmental laws created a growth industry in lawsuits and criminal prosecutions, which have the main effect of driving up the cost of doing business in this country. The blood-sport prosecution of Exxon for the Alaska oil spill alleged that the accident was intentional. The huge settlement included the curious admission that the spill amounted to hunting migratory birds without a license. Wetlands are a special problem, with Justice prosecuting people who clear rubbish off what some bureaucrat designates as a wetland. Instead, Justice should enforce the Takings Clause of the Constitution by insisting on compensation for owners from losses in value due to wetlands protection.

An End to RICO? Justice has been on the wrong side of the RICO debate ever since Rudy Giuliani discovered that yelling Racketeer was easier than proving real crime. Mr. Quayle has sent word that he expects Justice to get on board behind reforming civil RICO, such as the absurd racketeering cases between heirs, Fortune 100s and feuding rabbis.

Mr. Barr would take office at a crossroads. With Justice Thomas, it looks as if the next ideological divide in the Supreme Court will be between conservatives and libertarians, no longer between conservatives and liberals. Economic liberties should also rise to the top of Justice's agenda. If Mr. Barr needs aides who understand these issues, University of Chicago Prof. Richard Epstein and George Mason Law Dean Henry Manne can provide references.

More than ever, this is a country where every issue, from abortion to declaring war, somehow becomes a legal issue. We hope Attorney General Barr will take the lead in returning the law to its proper, more modest role.

Separation of powers

Barr

Associations

Tort reform

See process speed

WASH. POST: 10/17/91

Barr to Be Named Attorney General to Succeed Thornburgh

By John E. Yang ¹²⁰
and Sharon LaFraniere ^{22T}
Washington Post Staff Writers

President Bush said yesterday he would nominate acting Attorney General William P. Barr, who has been running the Justice Department since Dick Thornburgh returned to Pennsylvania two months ago to run for the Senate, to take the job permanently.

While the timing of the announcement was a surprise—a Rose Garden ceremony honoring federal law enforcement officials—the selection was not. Barr, described as a pragmatic conservative with good political instincts, was “the leading candidate all along” for the job, White House press secretary Marlin Fitzwater said.

He is “Bush’s kind of guy. He’s smart, political, aggressive without being obnoxious and does not grandstand,” another administration official said. Barr, 41, would be the youngest attorney general since Ramsey Clark in 1967.

Bush called Barr “a thorough professional, a defender of individual rights and a person absolutely committed to this fight against crime.”

The president, impressed by Barr’s handling of a prisoner uprising at the Talladega Federal Correctional Institution in Alabama in August, added: “He’s been tested by fire.”

“I’m honored that you have selected me,” responded Barr, who was told he had been chosen 45 minutes before the announcement. “What makes it a particular honor is the opportunity to serve a president who is such a strong supporter of law enforcement.”

Administration officials, described as “exhausted” by the battle over the nomination of Clarence Thomas to the Supreme Court, wanted to wait until that was over before sending another nominee to the Senate.

As it is, the administration still faces a fight over the nomination of Robert M. Gates, Bush’s deputy national security adviser, to run the Central Intelligence Agency. The Senate Select Committee on Intelligence is to vote on Gates Friday.

Senate Judiciary Committee Chairman Joseph R. Biden Jr. (D-Del.) pledged “fair and thorough hearings” for Barr. Committee Democrats, embittered by committee Republicans’ treatment of Anita F. Hill, who alleged Thomas sexually harassed her, could question Barr about the Justice Department’s role



In a Rose Garden surprise, Bush announces selection of William P. Barr, left.

in digging up information that Sen. Orrin G. Hatch (R-Utah) used at the hearing to suggest that Hill fabricated her testimony.

Justice Department attorneys used a computer search to find a federal court decision that mentioned “Long Dong Silver” and recalled a reference to pubic hair in a drink in

the novel, “The Exorcist,” according to congressional aides.

In addition, Barr could face questions about the legal opinions he wrote that sanctioned the assignment of U.S. military forces to law enforcement operations overseas, used by the administration in planning the December 1989 invasion of

Panama that led to the arrest of Panamanian dictator Manuel Antonio Noriega. Barr also wrote a controversial opinion saying that the president has the authority to order the FBI to arrest fugitives in foreign countries without the consent of those governments.

Barr was selected over candidates with more political backgrounds, including Missouri Gov. John Ashcroft (R) and former California governor George Deukmejian (R). In the end, it came down to a choice between Barr and Transportation Secretary Samuel K. Skinner, according to administration officials.

His nomination was welcomed by conservative legal groups. “He has been a consistent conservative voice within the administration,” said Clint Bolick of the Institute for Justice. “He’s not a crusader . . . but give him a legal issue and he will generally come down on the conservative side.”

Justice Department officials and Barr’s former colleagues praised him yesterday as personable and conciliatory. He became deputy attorney general last year when Thornburgh was being criticized on Capitol Hill and in the Justice Department as isolated and unresponsive. Barr took over the day-to-day operations and

began repairing Thornburgh’s political damage.

“People feel comfortable around him,” said William Bradford Reynolds, former head of the department’s Civil Rights Division who worked with Barr at Shaw, Pittman, Potts & Trowbridge and when Barr was on the Reagan White House domestic policy staff. “He’s got a way of listening well, he’s sensitive. . . . I think he’s extraordinarily effective in dealing with people.”

Barr helped screen vice presidential possibilities in Bush’s 1988 campaign, served on the transition team and is said to have a strong endorsement from Robert M. Teeter, a senior Bush political adviser. During his tenure in the Reagan White House, Barr also got to know C. Boyden Gray, Bush’s counsel as vice president and as president.

Barr, who plays a bagpipe as a hobby, received bachelor’s and master’s degrees in Chinese studies from Columbia University and worked at the Central Intelligence Agency monitoring Chinese radio broadcasts. He attended night classes at George Washington University Law School, graduating second in his class.

Staff writer Ann Devroy contributed to this report.

Youthful acting deputy named to head Justice

By Frank J. Murray *225/120/6*
 THE WASHINGTON TIMES

President Bush chose William P. Barr yesterday to be his attorney general, capping the meteoric rise of a legal whirlwind who stirred storms in Congress over policies he drafted on overseas abduction and assassination.

"I have chosen an individual who is a thorough professional, a defender of individual rights and a person absolutely committed to this fight against crime," Mr. Bush said in nominating the acting attorney general five months after announcing that Dick Thornburgh would quit to run for the Senate.

Mr. Bush reportedly decided on the choice weeks ago but held off telling Mr. Barr and placing another key official on the Senate Judiciary Committee agenda until the Clarence Thomas matter was closed, White House Press Secretary Marlin Fitzwater said.

Mr. Barr, 41, is widely considered a brilliant workaholic. He began his career as a CIA specialist on China while attending night law school at

George Washington University, where he graduated in 1977 second in a class of 297.

He has told associates he studied law while working as a CIA Sinologist because "there's not much of a secondary market for people who counted rivets in Chinese tanks."

The lifelong Republican helped screen vice presidential possibilities and defended the choice of Dan Quayle in the 1988 campaign. He volunteered to work with General Counsel Boyden Gray during the transition and advised the Deputies Committee during international crises. It was in that capacity that he drafted the legal justification for the Panama invasion in 1989.

"He is a known quantity with a team in place at Justice, has a lot of support in the department, has a good reputation on Capitol Hill and a lot of strong relationships within the law enforcement community including state and local prosecutors," said a senior administration official familiar with the president's view of Mr. Barr.

In the 30 months since April 1989 Mr. Barr has been a lawyer's lawyer

WILLIAM P. BARR	
Assistant attorney general	
Born: May 23, 1950, in New York City	
Family: Wife, Christine, and three children, Mary, Patricia and Margaret	
Education: Bachelor's degree, Columbia University, 1971. Master's degree, Columbia University, 1973. Law degree, George Washington University, 1977.	
Career highlights: Staff officer, CIA, 1973-77. Associate, law firm of Shaw, Pittman, Potts and Trowbridge, 1978-82 and 1983-84; partner, 1985-89. Deputy assistant director for the White House domestic policy staff, 1982-83. Assistant attorney general, Office of Legal Counsel, U.S. Justice Department, 1989-present.	
Source: Who's Who in America, 1991	



The Washington Times

as Mr. Thornburgh's legal counsel, his deputy in a 1990 shakeup and acting attorney general.

His star rose sharply at the White House after he ordered a bold pre-dawn raid to end a prison uprising at Talladega Federal Correctional Institute in Alabama in August, when 121 Cuban detainees held nine hostages for 10 days. The four-minute raid surprised the inmates and resulted in release of the hostages.

Mr. Barr has been credited with streamlining the Justice Department and formulating equally bold legal policies affecting the most covert and sensitive government actions.

"Even though he's relatively young, he's extremely experienced," said former State Department legal counsel Abraham Sofaer, 53. He collaborated with Mr. Barr in writing policies on the assassination of foreign

leaders and abduction of officials and others abroad who are drug traffickers or terrorists in response to actual or threatened attack.

During hearings on the 1989 abduction policy, Mr. Sofaer agreed with Mr. Barr that the president could ignore international law and seize such people as Panamanian President Manuel Antonio Noriega without the consent of other nations, but warned of major diplomatic and political risks. Rep. Don Edwards, California Democrat and chairman of the House Judiciary subcommittee hearing the testimony, said Iran cited the Justice Department opinion to claim the right to kidnap fugitives within the United States.

"All these things would pass muster under domestic law but under international law they would be a catastrophe for the president himself," Mr. Sofaer said in a telephone interview from Palo Alto, where he is teaching at Hoover Institute.

He called Mr. Barr "a strong supporter of the notion that we as a country should not permit the use of international law to undercut

achievement of the values of the U.N. charter."

Mr. Barr also aroused Senate Judiciary Committee member Arlen Specter, Pennsylvania Republican, by refusing to appoint independent counsel in a case involving persons close to Mr. Thornburgh. They were indicted anyway after a probe Mr. Barr called "thorough, professional and fair."

Mr. Barr himself was not giving interviews yesterday, reserving his opinions for the Senate confirmation hearings. His wife, Christine, is a school librarian. They have three children and live in Falls Church.

Mr. Thornburgh was traveling and unavailable for comment, but department spokesman Dan Eramian said the former attorney general was pleased.

"I know the attorney general believes Bill did an excellent job as deputy attorney general and feels he will be a strong and effective leader at the Department of Justice," Mr. Eramian said.

• Jerry Seper contributed to this report.

Bush Picks Barr For Attorney General Post

Nominee, With Intelligence
Background, Is Regarded
As a Tough Conservative

225/120 76

By PAUL M. BARRETT

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—President Bush nominated as attorney general William Barr, a self-deprecating conservative with experience in intelligence matters and a reputation for hard-nosed dealings with Congress.

Mr. Barr, who has served as acting attorney general since Dick Thornburgh quit the job in August to run for the U.S. Senate from Pennsylvania, represents a choice by the president of competence and continuity over political stature.

Mr. Barr, a veteran of the Reagan administration with strong personal ties to the Bush camp as well, is almost unknown outside of the capital. Yet he was picked over several other candidates with national political standing. At 41 years of age, he is relatively young for the country's top law enforcement post.

The nomination requires confirmation by the Senate, which isn't expected to put up much opposition, especially after the grueling battle over Clarence Thomas's Supreme Court appointment. Mr. Barr, who typically wears a rumpled suit to the office and plays the bagpipes for relaxation, declined to comment, other than to admit it had been "quite a day."

Washington conservatives celebrated the selection, which President Bush announced at the White House, catching Mr. Barr and other administration aides by surprise. "Once in a while, it happens that someone advances without a public relations army," said Michael Uhlmann, Mr. Barr's former boss in the Reagan White House. "Bill is someone who through fortuitous circumstances was thrust into positions of responsibility and proved his merit."

In August, Mr. Barr personally supervised the dramatic rescue of nine hostages held in a federal prison in Alabama by Cuban detainees trying to avoid deportation to their homeland. President Bush went out of his way to praise Mr. Barr's ordering a risky pre-dawn raid on the prison by hundreds of federal agents. Privately, the president complimented Mr. Barr for not "grandstanding" about the rescue, according to administration officials.

At yesterday's White House announcement, Mr. Bush said his nominee had been "tested by fire" during the prison uprising. The president called Mr. Barr "a thorough professional, a defender of individual

rights, and a person absolutely committed to this fight against crime." At the White House and inside the Justice Department, Mr. Barr has received credit for improving management at the agency, since taking control of day-to-day affairs 16 months ago.

If confirmed, Mr. Barr would take over a department under fire for allegedly failing to pursue the Bank of Credit & Commerce International scandal aggressively. Department officials also are worrying about how to respond to indications of widespread fraud in the insurance and pension industries.

Mr. Barr began his Washington career as a legislative staff member at the Central Intelligence Agency in the mid-1970s, when George Bush headed the CIA. During a period of turmoil and congressional criticism of the agency, Mr. Barr prepared testimony for Mr. Bush and accompanied him to Capitol Hill on several occasions. The two also share an interest in China; Mr. Bush was ambassador to the country and Mr. Barr earned bachelor's and master's degrees in Chinese studies from Columbia University. After Mr. Barr completed his law degree by taking night classes, Mr. Bush recommended him for a prestigious federal court clerkship.

Mr. Barr went to work in 1982 for the Reagan administration's policy-development office and became friendly with Boyden Gray, counsel to then Vice President George Bush. Mr. Gray, who is now White House counsel, supported Mr. Barr for the attorney general's job. Mr. Bush decided on Mr. Barr several weeks ago but kept the choice secret until the Thomas confirmation had been completed, according to administration officials.

Mr. Barr returned to private law practice in the mid-1980s, but quit his partnership in a big Washington firm to work for the 1988 Bush campaign and then the president's transition team. He was named an assistant attorney general in 1989.

Mr. Barr wrote a series of secret legal opinions justifying the December 1989 U.S. invasion of Panama and the arrest by U.S. forces of Manuel Noriega. A strong proponent of executive-branch prerogatives, he also battled with Democratic lawmakers over a separate opinion broadening the Federal Bureau of Investigation's authority to snatch terrorists abroad, without seeking the permission of foreign governments.

As Mr. Thornburgh suffered a series of embarrassing political setbacks, some attributable to his longtime personal staff from Pennsylvania, he turned increasingly to Mr. Barr for help on management problems and eventually promoted him to deputy attorney general.

Other, more politically prominent people who had been considered for the attorney general's job included Missouri Gov. John Ashcroft and former California Gov. George Deukmejian.

—John Harwood contributed to this article.



William Barr

Attorney General Pick With a Low-Key Style

225/120

William Pelham Barr

By DAVID JOHNSTON
Special to The New York Times

WASHINGTON, Oct. 16 — William P. Barr, President Bush's nominee as Attorney General, is a bagpipe-player, China scholar and one-time employee at the Central Intelligence Agency who got his law degree in night school and has never prosecuted a criminal case in court.

Man He has served as Acting
in the Attorney General since
News Dick Thornburgh left two
months ago to run for the
Senate in Pennsylvania, and his affable, unpretentious style at the Department of Justice has been an antidote to the aloof and sometimes imperious approach of Mr. Thornburgh.

Mr. Barr's most difficult test so far came just three days into his tenure as the department's top official, when Cuban inmates at the Talladega Federal Correctional Institution in Alabama seized 10 hostages in an effort to avoid being returned to Havana.

Trial by Fire

The incident thrust Mr. Barr into a tense drama in which he was forced to make a difficult choice between equally dangerous alternatives. He decided early that the Government could not agree to the inmates' demands for freedom, but he became increasingly fearful that the lives of the hostages were at risk in the hands of the inmates, who included a number of violent offenders.

It was Mr. Barr who ordered the Federal Bureau of Investigation's Hostage Rescue Team to storm the cell block where the hostages were held in a pre-dawn assault, armed with high-powered weapons and grenades designed to stun but not injure anyone. The hostages were rescued unharmed and no shots were fired.

Mr. Barr, who is 41 years old, has a solid conservative track record, working mainly behind the scenes to advance the Bush Administration's main law-enforcement programs, including its crime bill and its proposals to attack savings and loan fraud.

Less clear are Mr. Barr's views on other matters in which the department plays a role, including civil rights and abortion. But Mr. Barr agreed with the department's decision to file a motion in Federal court in Wichita, Kan., last August that was widely perceived as siding with an anti-abortion group. The

group was fighting an order by Federal District Judge Patrick F. Kelly restricting demonstrations at abortion clinics in the city.

Department officials insist that the motion was not an effort to take a stand on behalf of the demonstrators but a restatement of a departmental legal position that the Federal courts lack jurisdiction in such cases. They said the move was mainly in response to Judge Kelly's highly detailed instructions to Federal marshals who were brought in to keep the clinics open.

Mr. Barr has also assumed a role in a long-running dispute with a House Judiciary subcommittee over a 1989 legal opinion that concluded that United States law allows F.B.I. agents to arrest people charged with crimes in this country and who have fled overseas without obtaining the permission of the country involved.

An Early Showdown

The efforts by the panel, the Judiciary Subcommittee on Economic and Commercial Law, to obtain the opinion, which was written by Mr. Barr, nearly provoked a showdown on the Constitution this summer. The two sides eventually agreed to negotiate a compromise that would provide lawmakers with limited access to the document.

William Pelham Barr was reared in New York City, the son of an educator who was once dean of the Columbia University engineering school. He is married and lives in suburban Virginia with his wife, Christine, a school librarian, and their three children.

After graduating in 1973 from Columbia University with a master's degree in Chinese studies, Mr. Barr worked at the C.I.A. and completed George Washington University law school at night. He first entered private practice in 1978, mainly in civil law and Federal administrative matters.

Mr. Barr landed on the fast track when he took a job in 1982 as a lawyer for the Domestic Policy Council in the Ronald Reagan White House. It was there that he met allies who have helped him since then, including C. Boyden Gray, who was counsel to Mr. Bush when he was Vice President.

After Mr. Bush's election as President, Mr. Barr joined the department as Assistant Attorney General in charge of the Office of Legal Counsel, which provides advice to the White

House, other executive branch departments and the Attorney General. It was in this role that Mr. Barr broke into Mr. Thornburgh's inner circle of advisers. That circle had previously been dominated by a handful of close aides who had served with Mr. Thornburgh when he was Governor of Pennsylvania.

Not long after Mr. Barr took over as the department's No. 2 official in mid 1990, he said he hoped to apply the law with fairness and integrity, but he added a cautionary note. "Apart from that, my main goal is to survive," he said. "This is a tough job. There are mine fields every day, and I just hope I can get through the day without stepping on one."

Bank Inquiry Widened, Justice Dept. Nominee Says

92T/120/165

By DAVID JOHNSTON
Special to The New York Times

WASHINGTON, Nov. 13 — William P. Barr, President Bush's nominee to be Attorney General, said at his confirmation hearings today that the Justice Department's investigation of the Bank of Credit and Commerce International had expanded to six American cities from four.

Until today, the Justice Department said its inquiry into B.C.C.I. was under way in Atlanta, Miami, Tampa and Washington. In response to questions in the second day of hearings by the Senate Judiciary Committee, Mr. Barr said the investigation had widened to include two other cities.

Mr. Barr did not identify the other cities, but other Justice Department officials told reporters during a break in the hearing that Los Angeles was one of them.

Loans to a Politician

The investigation in Los Angeles involves Independence Bank of Encino, an institution that was secretly acquired by B.C.C.I. in 1985, law enforcement officials said. Federal regulators have ordered the Luxembourg-based bank to divest its interest in Independence.

The Los Angeles Times reported Saturday that Federal investigators had recently focused on \$26 million in loans from the bank to State Senator Alan Robbins. The newspaper quoted the chairman of the bank as saying that the bank extended unsecured loans to Mr. Robbins without the customary financial review.

Mr. Robbins, a lawyer and real estate broker, has not been charged with any wrongdoing and denied that he had received any special consideration from the bank.

Mr. Barr's confirmation hearings ended after today's session, and a vote by the committee could come by the end of the week in an effort to have a full Senate vote before Thanksgiving.

Few Openings Found

The hearings came as a tepid counterpoint to the brutal hearings on Clarence Thomas's nomination to the Supreme Court and the protracted examination of Robert M. Gates's qualifications to head the Central Intelligence Agency. Senators on the committee showed little interest in aggressively questioning Mr. Barr, a 41-year-old career lawyer, whose three years of experience at the Justice Department provided few openings for a concerted attack.

Following former Attorney General Dick Thornburgh, whose icy disdain for the committee was recalled by several Senators at the hearings, Mr. Barr seemed to disarm the panel by his promises to consult with senators on their pet proposals and reconsider ideas that languished under Mr. Thornburgh.

Questions from Democrats and Republicans about the department's slow response to accusations of criminal wrongdoing at B.C.C.I. dominated to-

Hearings on Bush's choice for Attorney General end quietly.

day's session, as they did on Tuesday when the hearing opened. But Mr. Barr also addressed several other issues raised by committee members.

Opposes Roe v. Wade

Mr. Barr said he disagreed with Roe v. Wade, the 1973 Supreme Court decision that established a constitutional right to abortion. "I don't believe a right to privacy extends to abortion," said Mr. Barr, adding that "Roe versus Wade was wrongly decided" and "should be overruled."

Senator Joseph R. Biden Jr., a Democrat of Delaware and chairman of the committee, said he was "astounded" by Mr. Barr's direct response to his question on the subject, although both former Attorney General Dick Thornburgh and Edwin Meese 3d also espoused similar views on abortion as Attorney General.

Mr. Barr's responses brought an immediate reaction from abortion rights advocates Kate Michelman, executive director of the National Abortion Rights Action League, urged senators to oppose Mr. Barr's nomination.

"I do not believe that Mr. Barr

bring an open mind to the enforcement of the fundamental right of privacy, including a woman's right to choose," she said in a letter to Senators on the committee. "For this reason I urge you to reject this nominee."

Special Counsel Named

Mr. Barr also told the Senators that he had named recently retired Judge Nicholas J. Bua of Federal District Court in Chicago as a special counsel to conduct a "top-to-bottom review" of the long-running dispute between the Justice Department and Inslaw Inc, a computer company that accused the department of stealing its software designed to help prosecutors keep track of cases.

Mr. Barr insisted at the hearing that he was "not aware of any impropriety having ever been established" in the Inslaw case.

William Hamilton, who owned the company, said today that the appointment was "an important step in the right direction," but he insisted that an independent prosecutor should be named in the case.

B.C.C.I. Agreement Criticized

At today's hearing, Senators again criticized the Justice Department's only successful prosecution against the B.C.C.I., a case in Tampa, Fla., that in early 1990 resulted in the conviction of five bank executives and an agreement in which a subsidiary of the bank forfeited \$15 million.

Senator Howard Metzenbaum, Democrat of Ohio, said the deal "gave away far too much for far too little."

Mr. Barr, continued his resolute defense of the department's performance, saying the agreement was "an excellent deal for the Government," that resolved a case with a penalty that was three times higher than had ever been paid by any American financial institution in a criminal case.

Roe should be overturned, Barr tells Judiciary panel

By Jerry Seper 227/120/101
THE WASHINGTON TIMES

Attorney General-designate William P. Barr, in candid confirmation testimony before the Senate Judiciary Committee, said yesterday that the Supreme Court's 1973 decision legalizing abortion nationwide was "wrongly decided" and should be overturned.

Mr. Barr, in his second day of testimony, said abortion and the right of privacy were "legitimate issues" for state legislatures but not for the federal government.

"There is a right to privacy in the Constitution. I do not believe the right to privacy extends to abortion," he said. "My views are consistent with the views that have been taken by the [Justice] Department since 1983, which is that *Roe v. Wade* was wrongly decided and should be overruled."

The court ruled in *Roe vs. Wade* that a state may not prevent a woman from having an abortion during the first six months of pregnancy, invalidating abortion laws in Texas and

[He] has won praise from Democrats and Republicans on the committee.

Georgia and by implication overturning restrictive abortion laws in 44 other states.

The 7-2 ruling said women have a constitutional right to abortion as part of their right to privacy. The decision has been the subject of national debate ever since.

"The basic issue is whether or not abortion should be something that is decided by society, by the people, the extent to which it is permitted, the extent to which it is regulated," Mr. Barr said. "Those are legitimate issues for state legislatures to deal with."

"*Roe v. Wade* basically, in my view, foreclosed any kind of role for society to place regulations on abortion. It is the law of the land, and until it's overruled it remains the law of the land."

Mr. Barr's candid response to questions by Sen. Howard M. Metzenbaum, Ohio Democrat, on constitutional guarantees of privacy seemed to catch some committee members by surprise.

"You've given the first candid answer anyone has given on *Roe v. Wade* that I can remember in God knows how many years," said committee Chairman Joseph R. Biden Jr., Delaware Democrat. "We've become accustomed to the lack of candor, and I appreciate it very much."

President Bush nominated Mr.

Barr, 41, as attorney general on Oct. 16 to succeed Dick Thornburgh. He has won praise from Democrats and Republicans on the committee, and his confirmation seems assured.

During testimony yesterday, Mr. Barr also reiterated promises he made Tuesday that an investigation of the Bank of Credit and Commerce International was proceeding and would result in criminal indictments.

"We have a far-reaching and aggressive investigation under way of all allegations that have surfaced," Mr. Barr said. "I'm confident that as the evidence sufficient to support an indictment comes into our possession, there will be indictments."

Mr. Barr also said he has ordered an inquiry into allegations that former Justice Department officials conspired to steal a software program from Inslaw Inc., a Washington computer firm. He said the inquiry will be conducted by retired U.S. District Judge Nicholas Bua.

"This case has gone on for many years with layer after layer of allegations, some of them strange," Mr. Barr said in response to a question from Sen. Paul Simon, Illinois Democrat. "I am not aware of any impropriety ever having been established. However, I am interested, as this case goes on and on, to get to the bottom of it and bring it to some kind of resolution."

Inslaw charged that former Attorney General Edwin Meese III and others conspired to steal a software program developed by the firm for the Justice Department to deliver to a longtime friend. Mr. Meese has denied the allegation.

future on a blind date. [Laughter]

After 8 years of working together, we know that George Bush will be a great President who will continue and expand what we have built together. I've often said that George Bush has been the best Vice President in history, but you can also see that being number two must have been a new experience for a man who was captain of the ball team, who started his own business, and who piloted his own plane. He's been a great Vice President, but I think George will be an even greater President.

So, thank you all, and God bless you all.

And, George, would you step up here for a minute? I figured with the convention coming up in which you will be the standard-bearer and so forth you could probably use that gavel. And if not there, from experience I can tell you there will be a lot of meetings with congressional leadership in which you can use that. [Laughter]

The Vice President. Thank you very much.

Note: The Vice President spoke at 11:14 a.m. in Room 450 of the Old Executive Office Building.

Remarks at the Swearing-in Ceremony for Richard L. Thornburgh as Attorney General of the United States

August 12, 1988

The President. Well, as you obviously know, we're here today to welcome into the Cabinet a man of great ability, America's 76th Attorney General, Richard Thornburgh.

Dick Thornburgh comes to this post following a career of enormous distinction: U.S. Attorney, Assistant Attorney General, Governor of one of our largest States. Dick Thornburgh has been all these and more. Along the way, he has put mobsters behind bars, he has fought for integrity in government, and has shown himself to be a leader under fire. And now, he's taking over a Department of Justice that is building one of the proudest records for fighting crime, particularly for fighting drug criminals, in our history.

Here are some facts that speak for themselves. Between 1976 and 1980, drug cases brought by the Justice Department fell by more than 44 percent. Convictions plunged by nearly 50 percent. Since 1980, Federal drug cases brought have almost tripled and convictions have gone up nearly 167 percent. To fight the war against drugs and organized crime, we've hired more than 4,000 new agents and prosecutors. And under Vice President Bush's leadership, Federal, State, and local law enforcement officials have been working together as

never before to stop drug runners from smuggling illegal drugs into the United States. The results of that work and the work that Attorney General Meese led are incredible—cocaine seizures are up by over 1,800 percent and over half a billion dollars in boats, bank accounts, homes and planes, and other property owned by drug lords was seized last year alone.

Today the drug war is international. When we took office, only two nations had drug eradication programs; today 23 do. And our Justice Department and the Italian Ministry of Justice have worked together to produce an unprecedented number of convictions against members of organized crime. Our prosecutors also recently won the conviction of one of the four founders of the largest Colombian cocaine cartel, Carlos Lehder. And not long ago, our agents arrested another major Latin American drug kingpin, Juan Ramon Matta. And he'll be cooling his heels behind bars for a long time to come.

In short, we are team-tackling the drug rings, hitting them at their heads and at their feet and everywhere in between.

Earlier this week there was an assassination attempt made on the Secretary of State. Initial reports said the attempt was linked directly or indirectly to the drug

trade. If these reports are true, this desperate move is another sign of how badly we're hurting the drug trade. We must keep up and step up the pressure.

And Dick, you're just the man I want taking the helm at the Justice Department at this critical time. As a prosecutor and as a Governor, you earned a nationwide reputation for attacking the drug problem head on and cracking down on drug traffickers. And you've already indicated that as Attorney General you will again make the war against illegal drugs a top priority.

But I know that you can't do the job alone. The Senate recognized the importance of your nomination by acting on it with rare speed, and let me thank the Senate for its action. The Senators addressed this nomination with businesslike seriousness. In doing so, they put national interest above all other interests. And now it's time for the Senate to recognize, as well, the vital importance of this nation's judges to our efforts in the drug war. It's time to act on the 30 judicial nominations that we have submitted but have yet to reach a floor vote. Dick, I know that you mentioned the great need for those judges at your confirmation hearings. And recently the judicial conference declared a state of judicial emergency because of the many nominations that the Senate has hanging. Our law enforcement people can investigate and bring to court all the drug traffickers in the world, but without an adequately staffed judiciary of tough-minded judges, many of them may be back on the streets in no time.

Some say the Senate is simply playing politics as usual, but this is not politics as usual. In 1980 only 17 nominations had not been acted on by the end of the year. And of these, all but five had been nominated on or after the end of July. Well, some of our nominees have been waiting for a year and a half. For example, Pamela Rymer, who has already proven herself to be tough against crime as a district court judge, has been waiting for Senate approval as an appeals court judge since April, even though she received the ABA's highest rating of confidence. The Senate's inaction throws a monkeywrench into the wheels of the war on drugs. And Dick, I know that you'll con-

tinue to join me in urging the Senate to act quickly on our judicial nominees.

And in the meantime, we're grateful to have you as our nation's leading crime fighter. I know that you'll continue in your long tradition of serving the public with excellence, integrity, and distinction. So, Dick and Ginny, congratulations, and welcome aboard.

Attorney General Thornburgh. Mr. President, Mr. Vice President, my good friend and distinguished Justice Nino Scalia, family, friends, and colleagues, 1 month ago today, Mr. President, you announced your intention to nominate me to the high office of Attorney General of the United States. Today I undertake the duties of that office with pride and with enthusiasm.

As many here know, I have spent much of the last year and a half with young people—students, the next generation of American leaders. And as you also know, Ginny and I have shared the wonderful experience of raising four fine sons of our own. I have accordingly acquired a special perspective on the priorities you and I share for Federal law enforcement, Mr. President. For example, I firmly believe that unless we sustain a vigorous effort to make drug trafficking and drug abuse public enemy number one, we could well stunt significantly the capacity of today's young people to contribute to a better quality of life for tomorrow's America.

I accept your challenge as well, Mr. President, to devote every resource of the Department of Justice, consistent with strict observance of the civil rights and civil liberties of all our citizens, to fight other unique threats to our traditional values and institutions—organized crime and racketeering, official corruption, and white collar crime—as well as to protecting the first civil right of every American, the right to be free from fear in our homes, on our streets, and in our communities. But as you have often noted, Mr. President, government cannot offer alone the sole solution to these problems. Citizens have obligations too.

Today I took my oath of office on a Bible once belonging to William Penn, the founder of my beloved Commonwealth of Pennsylvania. I would commend to all Penn's

reminder of the society. He observed that we have obtained the premium message for the world. My thanks to you, Mr. President. And my thanks to you, Mr. Vice President.

Proclamation August 12, 1988

*By the President
of America*

A Proclamation

The people of the United States have much to be proud of in the years who have passed. We have achieved the opportunity, equality, and mutual respect that all Americans have promised of themselves. The promise of the future is a unit of God has granted us. Life, Liberty, and the pursuit of happiness and that our country is to guard these rights always.

The protection of our champions in the years ago this country. Luther King, Jr. and Martin Luther King, Jr. helped awaken a strong and free nation to be genuine. The anniversary of the time for all our achievements and the need for a constant effort for equality for all.

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reminder of the citizens' obligation in a free society. He observed: "Justice is the insurance we have on our lives, and obedience is the premium we pay for it." Not a bad message for this great nation even today.

My thanks once again to you, Mr. President. And my thanks and Godspeed to all of

you who have joined us for this most fulfilling occasion for me and for my family. Thank you very much.

Note: The President spoke at 11:57 a.m. in the Roosevelt Room at the White House.

Proclamation 5846—National Civil Rights Day, 1988 August 12, 1988

*By the President of the United States
of America*

A Proclamation

The people of the United States owe much to our courageous countrymen over the years who have dedicated their lives to the achievement of equal rights, equal opportunity, equal protection of the law, and mutual respect and reconciliation. These Americans have reminded us that the promise of the Declaration of Independence is a universal and eternal one—that God has granted everyone alike "certain unalienable Rights, . . . among these . . . Life, Liberty and the pursuit of Happiness" and that our duty and privilege as Americans is to guard and guarantee this promise always.

The protection of our rights requires champions in every generation. Twenty-five years ago this month, the Reverend Martin Luther King, Jr., led the March on Washington in the cause of civil rights and helped awaken among his fellow Americans a strong and true sense that justice, if it is to be genuine, must ever be color-blind. The anniversary of this event is a fitting time for all Americans to reflect on our achievements in this regard and to recall the need for continual vigilance and constant effort in behalf of the promise of equality for all.

One element of ensuring the promise of equality is effective enforcement of our civil rights laws. Discrimination and prejudice have no place in American life. The more we continue to eliminate all traces of injustice from our land and to foster brotherhood, the more we can truly sing, "from every mountainside, let freedom ring."

The Congress, by House Joint Resolution 140, has designated August 12, 1988, as "National Civil Rights Day" and authorized and requested the President to issue a proclamation in observance of this event.

Now, Therefore, I, Ronald Reagan, President of the United States of America, do hereby proclaim August 12, 1988, as National Civil Rights Day. I call upon the people of the United States to observe this day with appropriate programs, ceremonies, and activities, including a pause at noon for a moment of silence in tribute to those who have given their lives to secure civil rights for all Americans.

In Witness Whereof, I have hereunto set my hand this twelfth day of August, in the year of our Lord nineteen hundred and eighty-eight, and of the Independence of the United States of America the two hundred and thirteenth.

RONALD REAGAN

[Filed with the Office of the Federal Register, 9:18 a.m., August 15, 1988]