

ORIGINAL

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ADDRESS

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THE HONORABLE GRIFFIN B. BELL

10

ATTORNEY GENERAL OF THE UNITED STATES

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BEFORE

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THE ROTARY DISTRICT CONFERENCE

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SUNDAY, APRIL 29, 1979

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8:00 P.M.

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JEKYLL ISLAND, GEORGIA

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P R O C E E D I N G S

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2 ATTORNEY GENERAL BELL: Governor, District Leaders
3 of the Rotary, long-suffering wives of Rotary leaders --

4 (Laughter.)

5 ATTORNEY GENERAL BELL: -- old friends, ladies and
6 gentlemen: It would take a long time, trying to thank you
7 for the warm acceptance. I want to say that I am glad to be
8 at a Rotary meeting. At one time, I thought I was at a
9 political convention, when you were (inaudible).

10 I have been a Rotarian 23 years. I am a kind of --
11 I want to say as much as I have been in Washington, I am now
12 a Rotarian in absentia, or I hope I am. (Inaudible), at any
13 rate, in my club, or --

14 I'm glad to see the Americus people here. I claim
15 a relationship to the Americus Rotary Club, either by affinity
16 or (inaudible), I don't know which.

17 (Laughter.)

18 ATTORNEY GENERAL BELL: I've had some problems
19 with clubs, as some of you know.

20 (Laughter.)

21 ATTORNEY GENERAL BELL: When I first got to
22 Washington, I was stripped of all my memberships in clubs,
23 except the Rotary Club and the Baptist Church, and they have
24 both been highly suspect since that time.

25 (Laughter.)

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ATTORNEY GENERAL BELL: You have to have something to say in Washington; otherwise you would be rolled over by a steamroller. And I like to tell the story there about the Territorial Governor of Nevada, who wrote back and said, "This is no place for a christian, and I did not remain one long."

(Laughter.)

ATTORNEY GENERAL BELL: Some of you perhaps wonder how I got here tonight, how I got to be the speaker. Lem Bell and I for a long time tried to keep our relationship a secret, but an Attorney General is hard put to find a good place to speak, such as this is. It reminds me of the days when I was a Federal Judge, in the '60s. If you were invited to speak somewhere, you always took another Federal Judge with you to introduce you, because you didn't know what people might say about you.

(Laughter.)

ATTORNEY GENERAL BELL: I was playing in a golf tournament last week, in a club called Burning Tree in Washington, and a man came up to me that I had never seen in my life, and said he had had a dream the night before. He was a Rotarian, and he was out in Maryland there somewhere around Bethesda, and he said he saw me, he said, in the lobby of the restaurant where they were having this Rotary meeting, and I was just sitting there alone. So he went over and spoke to me, and asked me if I was going to the Rotary meeting.

1 This is what he claimed, now.

2 And I said, "Yeah, I'd like to go, but I've been
3 sick."

4 And he said, "How long have you been sick?"

5 I said, "For about two years, now."

6 (Laughter.)

7 ATTORNEY GENERAL BELL: This was Ed Green. He
8 wrote me a letter, he told me that he wrote me a letter about
9 it.

10 I'll tell you one or two stories about such strange
11 things that have happened to me, later. I spoke in Boca
12 Raton, Florida, about a month ago, at an American College
13 of Trial Lawyers meeting, and I was walking through the lobby
14 of the hotel going over to the hall where I was to speak, and
15 a man recognized my southern accent. He was from Wisconsin,
16 and he came up and spoke to me, and he said his name was --
17 and Lem, you will appreciate this -- he said his name was
18 Glenn Bell, Glenn Bell.

19 He said he was in the West Palm Beach Airport the
20 day before, and they were paging Mr. G. Bell. So he said he
21 answered the page, and they said he had a limousine there.
22 Well, I always ride with the F.B.I. I guess the hotel had
23 sent a limousine over there of some sort.

24 So they said, "Are you G. Bell?"

25 He said, "I'm G. Bell."

1 (Inaudible), and said they had sent a limousine for
2 him.

3 And he said he had got about 20 miles from the
4 airport, and the driver said to him, "You sure don't have a
5 southern accent."

6 (Laughter.)

7 ATTORNEY GENERAL BELL: And he said, "What do you
8 mean?"

9 The driver said, "I thought you were supposed to be
10 the Attorney General."

11 (Laughter.)

12 ATTORNEY GENERAL BELL: But something happened to
13 me last night in the Holiday Inn here, (inaudible) back here.
14 I walked in, and I've been on television a few times, and
15 people see your face but they can't connect you with the job
16 you're holding.

17 And a woman came up to me and said, "I've seen you
18 somewhere before."

19 And I said, "Well, doubtless you have."

20 And she said, "Are you a salesman from Ohio?"

21 (Laughter.)

22 ATTORNEY GENERAL BELL: Well, there is a lot said
23 in Washington about how many people are from Georgia in
24 Washington, and somebody said to Jody Powell one day, some of
25 the White House press corps, "Who is left in Georgia?"

1 And Jody said, "The smart ones."

2 (Laughter and Applause.)

3 ATTORNEY GENERAL BELL: But if it will make the
4 Washington press corps feel better, there will soon be one
5 less --

6 (Laughter.)

7 ATTORNEY GENERAL BELL: (Inaudible) some folks just
8 how I came to be Attorney General. The President-elect asked
9 me to find an Attorney General. That was my whole job, was
10 to find someone to be an Attorney General. And I found
11 several people that I thought would really
12 serve well, but I never could find anyone that suited the
13 President-elect. And then he (inaudible), he said (inaudible)
14 to be the Attorney General, simply because I had failed to
15 find one.

16 (Laughter.)

17 ATTORNEY GENERAL BELL: So, after some trepidation
18 at having only been off the Federal bench 11 months, I decided
19 to serve. I won't say it has been the best
20 period to serve as Attorney General. It has been hard, one
21 of the greatest challenges I have ever had in my life, particu-
22 larly hard because we did not have anyone to serve as Attorney
23 General from Georgia since 1872, when U.S. Grant chose a
24 person from Georgia to serve, and in 1830 they had an
25 Attorney General; we had two from Georgia. But there had not

1 been a Southerner to serve as Attorney General in this
2 century, so that (inaudible), and also (inaudible) very
3 important job, important to the ongoing of the nation.

4 During the two years I have been Attorney General,
5 I have visited in every section of the country, and I have
6 been in most every State in these two years. And I have been
7 struck with what I think is a growing trend in this country.
8 I believe that Americans are regaining confidence in their
9 leaders, in their institutions, in their country, and perhaps
10 most important, in themselves.

11 There are many reasons behind the changes which
12 have occurred in perception and attitudes. One is that there
13 is once again a solid body of evidence that Government is
14 being conducted openly, honestly, and with substantial
15 effectiveness. My colleagues and I at the Justice Department
16 have worked diligently ever since January of 1977, to solve
17 problems that remained from the Watergate period, and to
18 erect safeguards against those kinds of things happening
19 again. We have built upon a restoration effort that was
20 begun by Attorney General Levi, and President Ford --
21 and I want to salute Attorney General Levi and President
22 Ford tonight for what they had begun to do in Justice Depart-
23 ment, which enabled me to get off to a good start and build --
24 many of the things I have done were simply building on what
25 they had started.

1 I would like to tell you a few things that we have
2 done, and then to discuss some of the general issues which
3 face the country today.

4 We have taken major steps to improve the general
5 system of justice. The steps include legislation to
6 improve the courts, to create new forums for resolution of
7 disputes. Major reforms have been effected in the way the
8 Department handles foreign intelligence, foreign counter-
9 intelligence, and domestic security investigations. They are
10 designed to safeguard the national interests, while at the
11 same time recognizing individual rights.

12 Goals and priorities of the Department have been
13 defined. Four major priorities have been set for law
14 enforcement: White collar crime; organized crime; public
15 corruption; and trafficking in narcotics.

16 Our system of supplying crime control funds to
17 State and local government is to be overhauled. That is
18 LEAA. Not long ago, our President became involved in the
19 beginning of a major improvements of the Immigration Service.
20 And finally, I think it is felt the institutionalized -- the
21 independence of the Department of Justice from the politics
22 of Government, in an added professionalism among our employees.
23 We have a policy to insulate our line attorneys and chiefs of
24 our litigating divisions from political pressure.

25 The President asked me to become Attorney General

1 on the condition that I make the Department of Justice non-
2 partisan, a neutral zone in the government, such as the
3 foreign intelligence. I have done that. That is one campaign
4 promise that has been carried out, and it will be difficult
5 for the Department to be otherwise in the foreseeable future.
6 I can't imagine anyone have the audacity to change it back.

7 While this summary is brief, I think it conveys
8 the new directions of our way, and shows that we are
9 taking substantive steps to earn further public confidence.
10 I feel that the level of confidence is rising. There is
11 just one Justice Department now.

12 Not long ago, there was a veritable rain of criticism
13 on the F.B.I., some of it accurately based on past abuses by
14 only a few of the Bureau's employees. Today, the public
15 estimate of the F.B.I. has been restored, and properly so,
16 under Director Webster's skilled leadership, and with a high
17 level of employee dedication, the F.B.I. is making enormous
18 strides. I claim that it is the most dedicated agency in
19 the Government, to its mission; that few other agencies or
20 bureaus in the Government approach an effectiveness, none
21 achieve it.

22 The public senses an improvement in
23 Government, and now wants more progress. The public wants
24 problems solved more rapidly. The public wants economy in
25 Government. The public wants to know that the Government

1 listens to them. All of these things are heartening develop-
2 ments. But I want to talk about one or two reforms that are
3 problems.

4 One reform that our nation must put near the top of
5 its problem list is how to control the Federal bureaucracy.
6 By laws and regulations, by orders and printed forms, by
7 a thousand other unseen methods, the bureaucracy subjects all
8 of us to some degree of Federal scrutiny and control. The
9 Code of Federal Regulations numbers today 60,000 pages.
10 According to estimates by Washington University's Center for
11 the Study of American Business, complying with these regula-
12 tions is resulting in costs to the private sector of approxi-
13 mately \$8 billion in fiscal 1979. In addition, it
14 costs \$5 billion just to operate these regulatory agencies.
15 If our Government is to remain viable, we must find ways to
16 to curb and then to reduce this government by bureaucracy.
17 We must return power to Government officials on the local,
18 State, and the Federal levels, who are directly accountable
19 to the public, whether they are elected or whether they are
20 appointed.

21 I am not alone in this gloomy view of the
22 problems of the bureaucracy. Dr. (inaudible) Mason, the
23 distinguished professor of jurisprudence emerities at Princeton
24 University, frequently spoke out forcibly on the problems
25 of what he and others have called the imperial bureaucracy.

1 He said that traditionally, the great risk to our system of
2 government has been a quest for excessive power by one faction,
3 at the expense over other parts of the government or the
4 country. He then added, and this is a quote from him:

5 "The bureaucracy will be peculiarly difficult to stop, because
6 it is not one of the traditional parties in our system. It
7 was not foreseen, and therefore not limited by the Consti-
8 tution. It does most of its work in secret. It mushrooms
9 out of good intentions. Most bureaus exist because of legi-
10 slation intended to correct some evil, or improve the lot of
11 some group. And it pervades the Government at all levels,
12 using Executive, Legislative, and Judicial components."

13 That is the end of his statement.

14 There are steps that can be taken to reform the
15 bureaucracy. Enormous efforts have already been undertaken
16 or are being planned by President Carter. But he, and all
17 thoughtful observers, recognizes that it is a complex under-
18 taking, one that requires the intensive cooperation of the
19 Executive Branch, the Congress, and the general public, to
20 say nothing of Government employees themselves.

21 One of the things that I have been preaching for
22 six or eight months now is that we are going to have to
23 amend the Constitution so that the President can serve one
24 term only, and have a six-year term, because the President
25 can't waste time getting ready to run for

1 reelection. It's hard enough to get the Government under
2 control if you're just voted in and stay six years.

3 President carter was never in favor of this. President Ford
4 said he favored it. But I read in the Atlanta paper today
5 that the President said he has changed his mind; he is now in
6 favor of it, too. He follows good advice, sometimes.

7 (Laughter.)

8 ATTORNEY GENERAL BELL: What
9 causes this bureaucracy? What can be done about it? Congress,
10 by law, turns over many matters to the agencies, in general
11 terms. These agencies -- which we commonly refer to as the
12 bureaucracy -- these agencies, in turn, fill the interstices
13 -- as President Carter was used to say, "gaps" -- in the
14 statutes, by writing regulations. There is little check
15 on the bureaucracy to make certain that there is no expansion
16 of power through these regulations. There is little check
17 on the bureaucracy to see if the approach used is exceeding
18 the objective of the statute, is overcomplicated. There is
19 little check to determine the overlap between the agencies.
20 Sometimes we are caught between more and more agencies. And
21 there is no check to see if the agencies even act at all.
22 One of the abuses I know of lately is the failure to act:
23 You apply for something, a license, or whatever, and you never
24 get any response.

25 The citizens, including private citizens, local and

1 State government, become discouraged by agency delay and
2 inaction, even to the point of giving up. The President
3 is often helpless to manage these independent agencies. Some
4 claim not to be a part of the Executive Department; they have
5 been created, and they are somewhere -- if you can find out
6 where -- between Congress and the Executive Branch. But
7 they are not -- they are neither fish nor fowl, they fit in a
8 gray area, and they are somewhat under sanctuary. There are
9 about 17 agencies, big, powerful agencies, in that category.

10 This brings me to the second, and latest, problem
11 on the agenda, and this is what Rotarians can do.

12 The public must become more involved.

13 Being a complainant, without participation, is nearly as bad
14 as being passive. I said not long ago in a speech that if
15 I could do what I want to do, the people who complain against
16 me, I would sentence them to do public service. And then
17 you'd stop the complaining; people would have to do something.

18 There can be no progress on any front if the public
19 shirks its own responsibilities. Citizens must be informed
20 and eager participants in our governmental processes. If
21 they assume that somebody else is always going to do the job
22 for them, they will keep winding up with problems like an
23 anonymous, and almost autonomous, bureaucracy.

24 The Founding Fathers may have provided the
25 inspiration for the creation of our country, but it was the

1 work and sacrifice of the common citizens that brought it
2 into being and preserved it. The genius of our form of
3 government is that all men and women can participate in it,
4 but this genius is thwarted when they do not participate.
5 The viables of our system, are not free. To maintain the
6 system it requires that each of us be willing to contribute our
7 time and our talents to make the system work.

8 We live in the greatest country on earth. Our
9 people have more liberty, more opportunity, than people any-
10 where else. America has been known through its history, and
11 is still known, as a country with fair chance, where all
12 persons can make better lives. But hand in
13 hand with expanded participation should go the principle of
14 self-denial, which is especially called for today. Self-
15 denial, I believe, will go a long way toward solving our
16 nation's problems. We must remember that democracy is the
17 opposite of "Me-ism". Living in a democracy, means that we
18 sometimes have to sacrifice.

19 You are all familiar with the story of the woman
20 who went up to General Lee, long after the Civil War, with
21 her baby son in her arms, and said to General Lee, "What can
22 I do to make my son great?"

23 And he replied, "Teach him to deny himself."

24 We need to look at our energy problems, to see
25 how we need to practice self-denial. Our thirst for

1 energy is so extreme that it indicates that we have no
2 sense of shame in this country. Perhaps we should develop a
3 national sense of shame, in the area of energy. It seems to
4 me that there is ample justification for doing so. I do not
5 wish to live the balance of my life in a state of dependence
6 on other countries. I think it's time to revive some of our
7 Revolutionary War mottoes. I was in South Carolina last week,
8 and it occurred to me that they had one of the great mottoes.
9 They had a flag, a battle flag, a regimental flag, and it had
10 on the bottom of it, "Don't Tread On Me," with a picture of
11 a rattlesnake on it. That's sort of the way I feel about
12 things. We ought to solve some of our problems without
13 dependence on other countries.

14 (Applause.)

15 ATTORNEY GENERAL BELL: We see the principle of
16 self-denial eroded by powerful groups who press our Govern-
17 ment for their own self-interests. We have become a country
18 of interest groups, with the President being pressed to serve
19 as mere referee. Someone said that Washington has
20 become a sea of interest groups. I agree. And their power
21 exacerbates, in a form of geometric progression, by the
22 inclusion on Executive and Congressional staffs of persons
23 with like views. Never in the history of the nation have
24 staff and interest groups enjoyed such power, to the exclusion
25 of elected officials.

1 I understand fully that the pressures and counter-
2 pressures make our Government move forward, and work through
3 the delicate art of compromise. But compromise, itself,
4 implies a spirit of self-denial on the part of all competing
5 parties.

6 Finally, I would like to close on a note about the
7 potential abuse of power in Government. The President has
8 been doing his best to limit the intervention of Government
9 into the lives of the American people. The President and I
10 share a view that leaders in the Federal Government, whether
11 elected or appointed, have no monopoly on good judgment.
12 The private sector should be as free as possible to make its
13 own decisions. Given unfettered power, it is evident
14 that some persons in Government will abuse that power.

15 Abraham Lincoln said, in his own wry way of stating
16 things, "I believe it is universally understood and acknowledged
17 that all men will act correctly, unless they have motives to
18 do otherwise."

19 That's why Thomas Jefferson once wrote to Andrew
20 Jackson and said, "I hope that our wisdom, that our
21 nation will grow with our power, and teach us that the less
22 we use our power, the greater it will be." And so, just as
23 Americans individually need to practice self-denial, so too
24 must the Government, and all Government employees, and to
25 governmental self-restraint we should add the other qualities

1 which are absolutely necessary to have a decent Government:
2 Government must be fair, and Government must be civil -- and
3 I mean by that, just as we are not very civil to each other
4 sometimes, certainly the Government, the employees of the
5 Government, ought to be civil to those with whom they deal --
6 and those in the Government must be blessed with great
7 integrity.

8 So long as we adhere to these principles, our
9 republic will be strong and well-governed. I hope we can all
10 work together, to also make our Government an institution of
11 humanity, truth, justice, and pity. These are the qualities
12 which Leo Tolstoy attributed to President Lincoln shortly
13 after Lincoln's death. Someone asked Tolstoy in Russia, what
14 he thought that made Lincoln such a great man. And he said,
15 "Everything Lincoln ever did was rooted in four principles:
16 humanity, truth, justice, and pity." And I think that those
17 four words are appropriate goals for our nation, just as well
18 as they were appropriate principles for President Lincoln to
19 follow.

20 In closing, let me say that I am proud to be a
21 Rotarian, I am proud to be a Southerner, and greatest of all,
22 to be an American. Thank you.

23 (Applause.)
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