

# Senate, 75 to 10, Votes to Confirm Saxbe

By LESLEY OELSNER

Special to The New York Times

WASHINGTON, Dec. 17—In a quick and friendly proceeding, the Senate voted tonight to confirm Senator William B. Saxbe, Republican of Ohio, as Attorney General.

The vote was 75 to 10, with Mr. Saxbe voting present, and it came after less than 15 minutes of discussion. It came, too, less than a week after President Nixon formally submitted the nomination to the Senate.

With his wife Dolly looking down from the front row of the visitors gallery and Vice President Ford presiding, Senator Saxbe rose and thanked his colleagues.

He was, he said, "deeply grateful" for the confidence the Senate had placed in him.

"I don't take it lightly," he said. "I hope to live up to the expectations you have placed in me."

Mr. Saxbe will be President Nixon's fourth Attorney General, replacing Elliot L. Richardson, who resigned in October rather than obey Mr.

Nixon's order to dismiss Archibald Cox as the special Watergate prosecutor.

The Richardson resignation and the subsequent dismissal of Mr. Cox by Acting Attorney General Robert H. Bork elicited much criticism of the President. The nomination of Senator Saxbe as Mr. Richardson's successor was generally believed to be based in large part on the likelihood that, because of the Senate's tradition of supporting its own members, Mr. Saxbe could be confirmed.

The Senate, for its part, more than lived up to its tradition. First it passed a law designed to skirt a clause in the Constitution that, on its face, appears to prohibit Mr. Saxbe's appointment.

### Praise by Colleagues

The clause says that a Congressman may not be appointed to civil offices if the Congress during his term in office has voted a salary increase for the post. Congress had increased the Attorney General's pay during Mr. Saxbe's term as a Senator. The new legislation cuts back the salary from \$60,000 to \$35,000.

Then the Senate Judiciary Committee gave Mr. Saxbe an abbreviated friendly hearing. During those sessions even the Democratic members made clear that they were questioning him not in an effort to stop his nomination but instead to put his views on the record.

And today, from both sides of the aisle, Senators were quick to speak in favor of their Republican colleague.

"He is a very fine man, and I think he'll make a very able Attorney General," said Sena-

tor James O. Eastland, Democrat of Mississippi.

Senator Saxbe has great "common sense" and a sense of humor, too, Senator Robert Taft Jr., Republican of Ohio, said next.

Senator Charles H. Percy, Republican of Illinois, said that both Mr. and Mrs. Saxbe were devoted to "the problems of the subcontinent" and were "great friends" of India and Bangladesh.

Even Senator Sam J. Ervin Jr., Democrat of North Carolina, who voted against Mr. Saxbe because he thought the Constitution prohibited the appointment, said that he thought the nominee was a "fine lawyer" and "very qualified."

Senator Saxbe won election to the Senate in 1968 on a law-and-order platform. His television campaign ads showed such things as an American eagle being chipped away; he is, as he himself puts it, something of a "hard-liner" on law enforcement. He favors capital punishment, for instance, considering it a deterrent.

### Dubious on Gun Control

He is also dubious about gun control, partly, he told the Senate Judiciary Committee last week, because of his "background" as a hunter and marksman and partly because he does not think it would cut down on violence.

Mr. Nixon's first Attorney General was John N. Mitchell, who left the post to run the President's re-election campaign and is now under indictment for acts allegedly rising out of that campaign.

Other Attorneys General and the Justice Department itself

35

## as Attorney General

had been accused from time to time before that for supposedly political acts, but with Mr. Mitchell in office, and then with Watergate, the criticism mounted.

So last summer, when Mr. Richardson took over the department, replacing Mr. Nixon's second Attorney General, Richard G. Kleindienst, who was also implicated in Watergate,

he promised to "depoliticize" the Justice Department.

But Senator Saxbe, with experience in Ohio politics in the Legislature and as the state's Attorney General, has repeatedly indicated his disagreement with the Richardson stance. Politics, he likes to say, is "the way we run this country."

REMEMBER THE NEEDIEST!