

FORD PICKS JUDGE FOR JUSTICE POST

Deputy Attorney General Is on Federal Bench Here

By RICHARD L. MADDEN
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WASHINGTON, March 12—President Ford nominated today Harold B. Tyler, a Federal District Judge in New York City since 1962, to be Deputy Attorney General and the No. 2 man at the Justice Department under Attorney General Edward H. Levi.

The 52-year-old Judge Tyler, who is a Republican and who had been mentioned as a possible Watergate special prosecutor in 1973, would succeed Laurence H. Silberman, whose resignation was accepted today "with deepest regret" by Mr. Ford.

Mr. Silberman, the Deputy Attorney General for the last year, was in line last month to become the President's special representative for trade negotiations. But Mr. Silberman encountered opposition from some Senators and the nomination for the trade post went to Secretary of Commerce Frederick B. Dent.

Mr. Silberman's letter of resignation, which was dated Feb. 21, six days before Mr. Dent's nomination was announced, praised Mr. Ford for his "candor, decency and leadership."

John W. Hushen, the deputy White House press secretary, said that Mr. Ford still hopes to retain Mr. Silberman's "very valuable services" in the Administration.

Mr. Levi, a former president of the University of Chicago who was named Attorney General by Mr. Ford, reportedly to remove the Justice Department leadership from politics, had sought to bring in a Federal judge as his deputy, according to Congressional and Justice Department sources.

The sources said that Mr. Levi chose Judge Tyler from among three possible nominees and that the White House went along with Mr. Levi's choice, as did New York Republicans.

Judge Tyler, who was an Assistant Attorney General in the last year of the Eisenhower Administration, was appointed to the Federal bench in the Southern District of New York by President Kennedy, a Democrat. His new post, which is subject to confirmation by the Senate, would pay \$42,500 a year, \$2,500 more than his salary at a judge.

In other developments, Mr. Ford was told at a Cabinet meeting today that retail food prices, which are expected to rise 3 to 4 per cent in the first six months of this year, may "level off or decline slightly" in the last half of the year.

The report was made by Secretary of Agriculture Earl L. Butz, who noted that retail food prices increased by 14 per cent last year. His remarks

were relayed to reporters by Ron Nessen, the White House press secretary.

According to Mr. Nessen, Mr. Butz forecast record wheat and corn crops this year and said that the best food buys this year would be beef, fruit, vegetables, potatoes rice and peanuts.

"We're up to our ears in peanuts," Mr. Butz was quoted as telling the Cabinet meeting. "I think the rapid escalation of food prices is behind us and with good weather I'm sure of it," Mr. Butz reportedly added.

The White House also an-

nounced that Mr. Ford will fly to South Bend, Ind., next Monday to receive an honorary doctor of laws degree at the University of Notre Dame and to make a "major" speech. However, Mr. Hushen, the deputy press secretary, declined to say what the subject of the speech would be.

Mr. Ford, who previously has held regional meetings in Atlanta, Houston, Topeka, and the Miami area to discuss his economic and energy proposals, will hold a new conference in South Bend and will also meet with news media executives and a group of Governors.