

Saxbe Wins Confirmation By 75 to 10

By Spencer Rich

Washington Post Staff Writer

The Senate approved Sen. William B. Saxbe (R-Ohio) as Attorney General of the United States by a 75-to-10 vote yesterday.

With his wife, Dolly, smiling proudly in the gallery, Saxbe strode to the well and voted "present" as his own name was called.

In an interview later, Saxbe said, "I appreciate the confidence expressed by my colleagues and the many nice things that were said. I'll do my best to live up to it."

Saxbe said he wouldn't take his oath of office until Jan. 4 and meanwhile will continue to vote as a senator. After the session ends this weekend, he said, he will return to Ohio to arrange for the management of his farm and to sell his cattle operation. He said one benefit from delaying his oath until Jan. 4 is that it will give him five years of tenure in the Senate, which

See SAXBE, A8, Col. 2

Saxbe Confirmed by 75 to 10

SAXBE, From A1

would guarantee Mrs. Saxbe widow benefits.

Saxbe was nominated by President Nixon, with strong urging from Senate Minority Leader Hugh Scott (R-Pa.), after Elliot L. Richardson resigned as Attorney General Oct. 20 because the President fired Watergate Special Prosecutor Archibald Cox. Solicitor General Robert H. Bork has been acting Attorney General in the interim.

Saxbe assured the Senate Judiciary Committee last week that he wouldn't interfere with the right of the new Watergate prosecutor, Leon Jaworski, to pursue any and all investigatory leads or to use the courts to obtain documents from the White House.

These assurances, plus Saxbe's genuine popularity in the

Senate where he has earned a reputation as a good companion and a straight-talker, guaranteed his approval by an overwhelming margin.

Senators who voted against Saxbe said they hadn't any objection to him but only to the fact that a constitutional provision had been set aside to allow his nomination. The constitution forbids a member of Congress to take an office that has been created, or whose salary has been increased, during his current term in Congress. The salary of the Attorney General was raised the first year Saxbe was in Congress.

To overcome that hurdle, Congress approved legislation reducing his salary at Attorney General from \$60,000 to \$35,000, the amount the job paid when Saxbe came to the Senate.

Voting against the nomina-

tion were Sens. Sam J. Ervin Jr. (D-N.C.), Robert C. Byrd (D-W.Va.), Edmund S. Muskie (D-Maine), John V. Tunney (D-Calif.), Adlai E. Stevenson III, (D-Ill.), William Hathaway (D-Maine), Quentin Burdick (D-N.D.), William Proxmire (D-Wis.), Floyd Haskell (D-Colo.) And Thomas McIntyre (D-N.H.).

Ervin told the Senate, "I have much affection and much admiration" for Saxbe, but "I cannot vote for him because I consider him disqualified" by the constitutional provision on pay, which Ervin said simply couldn't be set aside by legislative action.

Sen. Philip A. Hart (D-Mich.), who voted for Saxbe, called the President's believability at its lowest ebb. He said he felt confident that if a crunch came between upholding the truth or the President, Saxbe would choose the truth.