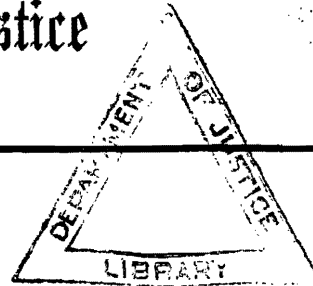


PS
668
K36



Department of Justice



ADDRESS

By

HONORABLE ROBERT F. KENNEDY

ATTORNEY GENERAL OF THE UNITED STATES

Prepared for Delivery

before the

1961 Conference of UPI Editors

and Publishers

Statler-Hilton Hotel

Washington, D.C.

June 7, 1961

I am very glad to be able to come here today and report to you about the activities that we are undertaking in the Department of Justice.

The United Press International is extremely well represented here in Washington. Mr. Lyle Wilson is one of the most respected veterans. He has seen a lot of people come and go in office in Washington and I wish I could interview him sometime. Over in the Justice Department Miss Sue Wagner represents the UPI. I have been impressed by her reporting, particularly her coverage of the Justice Department's role in the recent events in Alabama. She is an honest reporter. I have been impressed by her ability and that of other reporters to ask a tough question.

I have a deep awareness of the role that the press plays in our society. I firmly believe that freedom of information is one of the most important weapons we have in the great struggle for freedom now going on around the world.

As I told the American Society of Newspaper Editors in April, we will let the record speak for itself three or four years from now. You will make the judgment at that time and so will the people of the United States. But I would like to report briefly to you this afternoon about some of the things we have undertaken.

In the Criminal Division, we have revamped and beefed up the Organized Crime and Racketeering Section. We are attempting to get a maximum federal effort against organized crime. We are coordinating all federal investigations into racketeering. We are pooling all available information about known hoodlums and racketeers. This work is being done in the Department with the valuable assistance of Mr. J. Edgar Hoover and the FBI.

We have submitted eight bills to Congress which we need if the Federal Government is to meet its responsibilities in law enforcement. The effect of these bills in general would be to prevent hoodlums and racketeers from using interstate commerce, interstate communications and interstate travel, and to give the FBI additional effective weapons to aid and assist local law enforcement officers. These bills are aimed primarily at the well entrenched racketeers who operate on an interstate basis and who are beyond the reach, in many instances, of local law enforcement officers.

The press has commented favorably on these bills by and large, but nowhere have I seen these bills listed in a newspaper or magazine boxscore of "important" legislation now before Congress. We know they are extremely important.

I testified about these bills before the Senate Judiciary Committee on Tuesday and spoke about them yesterday at graduation ceremonies of the 67th Session of the FBI National Academy. But, as I said yesterday, we now need more than general support and talk. We need positive support and we need action.

Organized crime is reaping huge profits illegally and using this money to increase its power, so the need for action is clear. We

believe with these bills we could sharply reduce these illegal profits and could cut these hoodlums and racketeers down to size.

We have been extremely active and there has been awakened interest in the Antitrust Division of the Department ever since seven top executives went to jail in the electrical price-fixing cases. We have found from our investigations that there is serious price-fixing in almost every major community in the United States and I think this must be a matter of great concern to businessmen and to the American public. I feel very strongly that price-fixing and bid-rigging are extremely serious and extremely harmful to the American system of free enterprise. We intend to investigate vigorously and we expect to move not only against the companies or corporations which have been responsible but also against the individuals who have participated.

We also have been investigating violations of the anti-merger provisions of the antitrust laws. The purpose is to make sure that no company has a chance to dominate or control an industry or start in that direction.

We firmly believe that effective enforcement of the antitrust laws is helpful to business. The Antitrust Division is there to help and assist the businessmen -- even the large businessmen -- all businessmen who are victims of conspiracy by competitors or by other groups.

We have problems in all segments of our society and this is a very difficult time for the country. Therefore, I think that the American businessman has to look at his own operations and his responsibilities to his community and his state and his country. He has to make certain that he is living up to all our principles, while we are trying to preserve freedom and convince others that our system is the best. If this is done, the Antitrust Division will have a lesser role to play. That is our philosophy and not only in antitrust matters but in all other matters.

We have become increasingly interested in what the Federal Government can do to deal more effectively with juvenile delinquency and youth crime. The rate of delinquency and youth crime has increased steadily since 1948. We are concerned because we know that 7,500,000 of our youth will drop out of schools in the next ten years before graduation and that 2,500,000 of these dropouts will not have completed the eighth grade. We also know that in the next ten years, 26,000,000 of our youth, 25 years old or younger, will be entering the nation's labor force, which will be demanding more education and more skill.

This is one of the major reasons the President has formed a committee consisting of the Department of Health, Education and Welfare, the Department of Labor and the Department of Justice to develop programs to coordinate a campaign of effective prevention, treatment and control at federal, state and local levels.

Within the Department of Justice, we have just received an appropriation of \$500,000 for a pilot project so that we can give more effective help to young federal prisoners in making a successful transition

from prison life to the community. This will be administered by the Bureau of Prisons and will include establishment of half-way houses where these young men can go after leaving prison and have guidance in getting re-established in civilian life.

However, we know that even if we substantially strengthen all of our efforts in the field of correction, that we will not solve the problems. It is only if we have a coordinated prevention program that we can solve this most distressing domestic problem.

Essentially, this is a problem that can be solved only at the local level. The Federal Government can lead and aid and assist. But, it is up to each state, city and town to take care of its own delinquency situations. Here, incidentally, is one obvious answer to the question: "What can I do for my country?"

People can contribute greatly to the strength and vitality of our nation, by taking an interest in underprivileged youths or in public or private agencies which are working in the delinquency field.

There is no single answer no single cure for delinquency, but there is much that can be done.

Another most challenging task we have in the Department is recommending to the President able attorneys for appointment to 93 Federal judgeships and 91 United States Attorney positions.

We also must submit recommendations for the appointment of 91 United States Marshals. All these are Presidential appointments and in connection with the judgeships the President said, and I quote:

"I want for our courts individuals with respected professional skill, incorruptible character, firm judicial temperament, the rare inner quality to know when to temper justice with mercy, and the intellectual capacity to protect and illuminate the Constitution and our historic values in the context of a society experiencing profound and rapid change."

I might add that this Administration regards the appointment of the United States Attorneys and the Marshals with equal solemnity and we intend to appoint men of integrity, ability and character. We get recommendations from Bar Associations and from many persons, including Senators. We ask the judicial committee of the American Bar Association to comment on persons we have under consideration. We ask the FBI to make investigations, but we make our own inquiries.

Without question, this Administration's handling of domestic affairs will be judged in large part by the caliber of its appointments to these important posts.

Another sensitive domestic area is the Civil Rights field and it will occupy a considerable amount of our time. But, I have said repeatedly that is not a Southern problem alone and the basic issues are not endemic to the South.

Our basic position is that we intend to meet our responsibilities. We intend to perform the duties which we have sworn to undertake -- to enforce the law, in every field of the law and in every region of the country. Basically, we believe that we must make progress in this nation toward the goal guaranteed by our Constitution that no one is denied opportunity or discriminated against because of race, creed or color.

Looking back at the recent violence in Alabama, I would say that we will have made progress if the responsible leaders, not only in the South, but elsewhere in the nation, have been alerted to the constant need for courageous action on their part to maintain law and order and to fight the gangsters and hoodlums who seek to hold power by corruption, threats or violence. I want to make it clear I am talking about the East, the Midwest and the West as well as the South. Recently, we entered a school desegregation case as a friend of the court in New Rochelle, New York.

We are not concerned only with civil rights in the South. We also are concerned with the denial of civil rights that occurs when democratic procedures are ignored or flaunted in labor unions; when business and labor act in collusion to deny workers their rights; and where people live in fear because criminal elements have gained an inordinate amount of power.

This is a constant battle and responsible leaders of our communities cannot let their guard down.

Just one week before the violence occurred in Alabama, some newspapers in that area were critical of me because at the University of Georgia I said: "I happen to believe the 1954 decision in the school desegregation cases was right. But my belief does not matter -- it is the law. Some of you may believe the decision was wrong. And that does not matter. It is the law. And we both respect the law....."

The tenor of these editorials was that I had temerity to say that because many persons believe the 1954 decision was wrong. The inference, therefore, was that the readers did not need to obey the decision.

To those editors, I can only say, "You can't have it both ways." You can't preach disrespect for the Supreme Court and its decisions and have peaceful solutions to the problems raised by those decisions.

Those who advocate disobedience of our laws, following their thoughts to the ultimate, are advocating that we change our form of government.

The late Arthur Capper, who was a distinguished Senator and editor, said:

"The right of free speech, the right of a free press, is the right to be wrong, so far as opinions and beliefs and advocacy of those opinions and beliefs is concerned.

"Of course, this freedom is freedom of expression, of advocacy. It is not freedom of action.

"I have the right to maintain that a certain law is wrong; that a certain policy of government is wrong; that the law should be amended or repealed; that the policy should be changed or abandoned; that a certain official or party should be retired from public office.

"But, I am not given, nor guaranteed, any right to refuse to follow a legally approved or accepted government policy, nor to refuse to obey a legally enacted statute; nor to urge others so to do, under the guaranty of freedom of speech or of the press."

The responsibility of editors, as outlined so well by Senator Capper does not change in a democracy. When law and order broke down in Birmingham and Montgomery, most of the newspapers in those areas reacted with vigor. Some were critical of me and the Department of Justice, but they faced the issue squarely and they stood for law and order. In this connection, I would pay particular tribute to The Birmingham News for its courage and its honesty in meeting the test.

Editors have a special responsibility and I would ask only that you look closely at your own communities. I would ask you to investigate and probe in the best traditions of your profession. When you find a group bent on lawless action or engaged in illegal activities, I would ask you to exercise leadership against those elements.

I think it is very clear that a newspaper can be a major difference in whether an issue is going to be settled in the courts -- or in the streets.