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FEDERAL JUSTICE : A STATEMENT OF POLICY

An Address By

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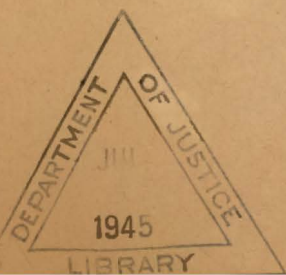
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Upon my nomination as Attorney General by President Truman a month ago I immediately requested the Assistant Attorneys General to make a survey of their Divisions in the Department of Justice. Just last year we completed a reorganization of the Criminal Division which resulted in cutting its expenses by more than \$350,000 annually. We felt that was a substantial saving for the Division; and so it is a pleasure to report that thus far the survey indicates that by transferring operations and activities of the Department we can save large sums of your money in expenses without impairing wartime efficiency. A detailed report on this will be made to you shortly.

My eight years' work in three divisions of the Department has taught me that much red tape and duplication of effort could be eliminated.

This elimination of duplication of effort, with its saving in dollars to the taxpayers as well as in manpower, is one of my main objectives as Attorney General.

Now as for policy.

We Americans today are assured of complete military victory over our foes. It is in the light of this knowledge -- and knowledge of the pitfalls implicit in such a situation -- that I want to outline briefly tonight what your Department of Justice is doing and intends to do to help make that victory complete.

We all know -- or ought to know, if we don't -- that we at home cannot relax our drive for victory until the job is finished. And the temptation to relax is greatest at just such a time as this, when we and our allies have polished off a powerful enemy and are winding up to deliver the "knock-out" in the Pacific. I can assure you that your Department of Justice does not intend to do any relaxing!

(OVER)

For the present we in the Department of Justice will concentrate our big guns on tax evasions, war frauds, black markets and antitrust violations. With the cooperation of other agencies we shall make it our purpose to stamp out such un-American practices.

J. Edgar Hoover, the Director of the Federal Bureau of Investigation, has built up the world's best investigative agency. He and I see eye to eye on these problems. Together we shall solve them.

America was late in starting to produce materials for war, and the start was hindered by notorious malpractices -- collusive control of markets and of production which delayed the American war machine and aided that of our enemies. We shall not permit these practices to again plague us. Nor do we intend to permit the reestablishment after this war of the alien business controls that crept up on us after the last war.

The investigations and prosecutions initiated by the Department of Justice within recent years have clearly established the pattern of domestic and international monopolies and the harm they have done to American business. As a worker in the ranks of the antitrust division of the Department for more than five years -- and as its head -- I came to know this picture well. I worked in the Courts with it all the way from New York to San Francisco -- from New Orleans to the Great Lakes.

The American people and the intelligent leaders of American business want to preserve in our country not only the principle but the fact of free enterprise; and this means an end to selfish protection of the entrenched, an end to domination and extermination of the small to protect the advantages of the large, an end to the "right" of dollars

to stifle brains, incentive and inventive genius, an end to "super-national" cartel conspiracies.

It also means freedom of opportunity for all people to engage in legitimate business on an equal footing -- no special privileges! It means reversing the trend -- given impetus by the haste to produce the tools of war -- of big business getting bigger at the expense, if indeed not the extirpation, of small business.

Oh, we won't accomplish all this overnight; we may never accomplish all of it. But I state categorically that there will be no relaxation of our efforts to accomplish it.

This, I believe sincerely, is tremendously important. The very existence of free competitive enterprise is at stake. By preserving and increasing competition in our economy, the Department of Justice can safeguard the right of the common man to independence and to try out new ideas. The alternative is a business feudalism which will not long tolerate the existence of a vital political democracy.

The spirit of the antitrust laws is, therefore, intimately linked with the values which the free peoples of the world are fighting to maintain. American business, large or small, has nothing to fear from the Department of Justice so long as it operates by the rules; but those who get offside must prepare to have the whistle blown on them and to pay the penalty.

By far the greater proportion of my own personal efforts in the Department of Justice since the beginning of the war has been devoted to rooting out and bringing to justice war fraud and black market operators.

(OVER)

We call them "paytrioteers." (The Greeks have a name for them but unfortunately one is not permitted to use such language on the air!) But by whatever name, they smell the same!

War frauds have several distinct patterns, such as delivery of defective goods, collusive bidding, or just plain bribery. The first is, of course, nothing short of treason. It seems fantastic that anyone could be so depraved as deliberately, knowingly, to supply our fighting men with defective material or instruments of war -- and yet it has happened more than once. I could give you a number of examples. I know you have followed them in the daily press.

Believe me, your Department of Justice does not intend to relax its drive against the perpetrators of war frauds. I shall concentrate in the Department an able staff of prosecutors to aid the United States Attorneys in prosecuting these criminals -- and making it certain that the public treasury is protected. For each dollar you shall get a dollar of value. To this end I shall work closely with the Congressional committees making inquiries in this field.

Two new fertile fields for the "paytrioteers" are now, and probably will continue to be, the disposal of the vast amounts of surplus war property accumulated over the past few years, and the termination and cancellation of war contracts.

Then there is the black market. Black markets develop primarily in commodities which are short in supply and which are, in reality, the necessities of life for our people. These markets often divert necessary goods from the armed forces. I am not particularly alarmed about black markets in \$500 watches or \$10,000 necklaces, but the black market in

gasoline, meat and other foods, and clothing -- the everyday necessities of us average Americans -- are going to get first attention from the Department.

Far from relaxing our interest in such matters, we are increasing it! I have directed all United States Attorneys to double their efforts to put black marketeers in the penitentiary. Prosecutions will be prompt and relentless.

Nor are we alone in this fight. One evil of the black market, and one which will eventually lead to exposure and punishment of the black market operator, is the concentration in the hands of these "dollar paytrioteers" of large sums of money which are not reported to the Bureau of Internal Revenue or to state or local tax officials. It is evil not only in itself, of course, but also because it shifts the tax burden upon the law-abiding taxpayer. I shall work closely with Commissioner Nunan of the Bureau of Internal Revenue and Elmer Irey, Chief of Treasury enforcement agencies, to see that all tax evaders are punished and your pocketbook protected.

My feelings on the subject of black markets are intense. They are best summed up, perhaps, in the words of a New Jersey judge in sentencing a black market operator to four years in prison:

"I have repeatedly expressed my utter contempt for those on the home front who engage in such practices while the flower of American youth is shedding its blood so that we can still have America."

No, there will be no relaxing in the Department of Justice while the black markets still thrive!

(OVER)

I firmly believe that "Justice" deserves greater emphasis than its departmentalization. Our department should be an efficient instrumentality to effectuate the second purpose for which our Constitution was adopted -- "to establish justice." Our forefathers could declare no finer purpose; we could undertake no more honorable a task.

To achieve that purpose and to perform that task, "to establish justice", it is essential that the administration of justice be guided by a philosophy of law which recognizes the enduring quality or righteousness and the dignity of the human being. It has been well said: "You cannot possibly have a broader basis for any government than that which includes all the people, with all their rights in their hands, and with an equal power to maintain their rights."

This philosophy does not mean that we are the law, or even that we shall make the laws. It means that we will enforce the people's law -- with justice -- in the people's courts.

This idea prompts me to stress the fact that under my administration the doors of the Department of Justice shall always be open to everyone, and above all to the lawyers, from the plain dependable small-town attorney to one of national affluence, and to every other American citizen, poor or wealthy. I shall be the people's lawyer -- the people's lawyer to see that the innocent are protected, the guilty punished, monopolies, trusts and restraints in interstate business prevented, the public purse guarded, civil liberties preserved and constitutional guarantees held inviolate.

That is a lot for any man to attempt -- and it is a lot more to deliver! But that is my goal.