



Department of Justice

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ADDRESS

BY

THE HONORABLE GRIFFIN B. BELL
ATTORNEY GENERAL OF THE UNITED STATES

BEFORE

THE UNITED STATES ATTORNEYS CONFERENCE

11:00 A.M.

THE GREAT HALL
U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C.

MONDAY,
NOVEMBER 14, 1977

I would like to welcome you all to this first conference of U.S. Attorneys to be held in this Administration. I have looked forward to this conference, and the opportunity it provides us, for some time.

We have substantial tasks ahead of us. I have charted an ambitious course for the Justice Department in conjunction with Two-Year Plans submitted by all our offices and divisions at my request. I am particularly confident of their eventual success for two reasons.

First, we have assembled now in the Justice Department what I consider to be the most qualified and competent group of professionals in the history of the Department.

When the President asked me to be Attorney General, I immediately set out to recruit the very best people available for the important positions open in the Department. As a result, I recruited a pool of the most talented people I could find, and then worked out their assignments, rather than recruiting for specific positions.

These people all had illustrious careers. In some instances, I had to employ my best lawyering skills to persuade them to come to the Department. I think you will discover during the next three days that these people -- the heads of divisions and bureaus -- are not only excellent lawyers but leaders and professionals in the finest tradition of the Department.

I also believe that this group of U.S. Attorneys is the most carefully selected, and most qualified, group of U.S. Attorneys in history. There are present here today 86 of our 94 U.S. Attorneys. I feel that this group represents the fruits of years of effort to have the selection of U.S. Attorneys based on merit.

I understand that we have here today our second, third, fourth and prospective fifth women U.S. Attorneys in history.

During the last few years, as you know, the image of the Department has suffered. It has fallen to the U.S. Attorneys, in significant measure, to represent the Department around the country, and to maintain its standards, its integrity and its professionalism. For most people in the various states, you are the one representative of the Justice Department they see.

You and your predecessors have been successful in upholding the respect and honor of the Justice Department.

The second reason for my confidence in our success is that I believe the image of the Justice Department has now been largely cleansed of the blemishes of Watergate.

Many in the public as well as the media approached the Department with skepticism rather than confidence. In this weakened condition, the Department began to see "attacks" of sorts from other parts of the government.

For example, some other departments and agencies have sought to have litigating authority for their cases transferred to them from the Justice Department. This effort is continuing but we are resisting with all of our strength.

Through the efforts of my predecessor, Mr. Levi, in the Ford Administration, through the efforts of the many honest and dedicated Department professionals, through the efforts of the U.S. Attorneys, and lastly through our efforts these last ten months, we have begun to restore the Justice Department's prestige and standing as the symbol of honesty, fairness, and the rule of law.

We must ensure that the Department of Justice is always viewed as such a symbol.

Thus, I believe I can report to you with some confidence that the Justice Department traditions of the highest professionalism, integrity, openness, and fairness are flourishing and guiding the Department's action.

It is with knowledge of our collective talent -- represented in you and in the people that will speak to you today -- and in the renewed tradition of the Department that I set out for you my plans and goals for the Department.

When I came to the Department, it suffered from managerial neglect of many years. During those years we were primarily occupied with three great issues: the civil rights revolution, the Vietnam War, and Watergate.

The organizational needs of the Department were frequently overlooked. Consequently, the Department has been in need of what I call "refurbishment." I have devoted a great deal of my time to organizing and managing the Department and to producing this necessary refurbishment.

Two examples of our efforts come to mind.

We have organized the Department into two general areas, the criminal area and the civil area, and have created a new position titled the Associate Attorney General.

The Deputy Attorney General, Pete Flaherty, is now responsible for all parts of the Department having a relationship to criminal matters and also supervises the Executive Office for U.S. Attorneys.

The Associate Attorney General, Mike Egan, supervises the civil divisions, is responsible for all lawyer personnel and Presidential appointments, and for reorganization. It is because of his responsibility for personnel that you have dealt with him on your appointments.

This organizational division streamlines the various "missions" of the Department to allow more efficient and effective management with greater coherence and direction.

You should deal directly with the Assistant Attorneys General on issues relating to their particular divisions or areas. On general administrative questions you should check with the Executive Office for U.S. Attorneys.

In rare instances, if you feel the need to discuss a matter with someone else, you should take up criminal matters with Pete Flaherty and issues relating to civil matters with Mike Egan. Of course, I am always available to you and you may feel free to call me when you think it necessary.

Another step we have taken has been to ask the divisions and bureaus and offices to submit Two-Year Plans to me.

I have personally reviewed all of them to correlate our collective efforts for maximum success. These Two-Year Plans are serving as charts for our efforts during the year, and my staff is reviewing them to gauge our progress.

I have been told by a number of division heads that this exercise of planning, done with deliberation and creativity and with staff help, has been very useful to them.

In addition to these management efforts, I have set for the Department specific priorities and objectives which I believe we must follow to fulfill the Department's mission as the nation's law enforcement agency and legal counsel.

These objectives are Department-wide, and their achievement depends on the coordinated effort of both the Department's divisions and of your offices.

We are fashioning an anti-crime program with four priorities: Organized crime, narcotics, public corruption, and white-collar crime. You will hear from several people

during this conference on the specific steps we have already taken to attack crime in these four areas.

As one example in the area of organized crime, we are focusing on eliminating the enterprises of organized crime, rather than simply prosecuting individuals on a case-by-case basis.

Another facet of our attack on organized crime is our increased concentration on its involvement in the drug traffic. We have formed three joint FBI-DEA teams, working with appointed prosecutors, to attack drug trafficking by organized crime. We may form others, depending on their success.

In the white-collar crime sector, we will try to stop "stealing from the government," such as in Medicare and Medicaid fraud and government contract fraud.

In addition, we are the lead department in a comprehensive, interagency study group currently devising the President's Crime Program. Several weeks ago, we held a large meeting in our conference room attended by secretaries and representatives from five different Cabinet departments and a number of other agencies. This meeting was held at the President's direction to develop and agree on a government-wide, comprehensive approach to fighting crime.

We have also been working diligently with Congress on the bill codifying the federal criminal code. The bill brings

together and modernizes the many disparate sections on crime in the U.S. Code. It will be an orderly and comprehensible tool for you to work with.

In the antitrust field, I have directed the Antitrust Division to concentrate on larger cases, structural and otherwise, and to have U.S. Attorneys and state Attorneys General begin to prosecute the smaller price-fixing cases.

As part of our effort to have these smaller cases handled by U.S. Attorneys, we have started antitrust litigation seminars to which Assistant U.S. Attorneys will be invited.

I touched upon another concern earlier. Several bills have come before Congress which provide for litigating authority to be given to other Departments.

We have been generally successful in maintaining centralized litigation authority, but you can help in an important way. In our dealings with and representation of the client departments and agencies of the government, we must be as vigorous and professional and courteous as possible. These agencies are clients in every sense of the word. Be sensitive to their views and to how we can serve them better.

I would like to ask you to prepare for your offices a Two-Year Plan as we have done here throughout the Department. These plans should include not only your plans for accomplishment of these Department-wide goals and priorities, but also

plans for the specific goals and priorities appropriate to your district.

I urge you to be deliberate and thoughtful in the preparation of these Plans, to involve not only your staffs but the other investigative agencies you deal with, such as the local FBI office.

In the past, similar requests have sometimes resulted in pro forma responses. However, these plans can be great aids to both you and to the Department if you devote to them the thought and effort to make them worthwhile projects.

When you are finished -- and I would like to set a target date of next January 1 -- I would like you to forward them to me.

We hope to find in these plans creative suggestions and ideas which can be utilized in the Department and disseminated throughout the country for our collective benefit. In addition, these plans will help us to evaluate and more effectively work with offices that may have specific needs in certain areas.

In addition, from time to time, I would like to hear from you with respect to matters which should not be handled by you but which are being handled. Many of the federal judges believe that we are taking jurisdiction over matters which could be better handled elsewhere.

Finally, I wish to speak with you about your role as "lawyers for the Government."

As lawyers for the government, we have a special and independent calling to represent the government and its people. Our client is the government, but in the end we serve a more important constituency: the American people. A spirit of professionalism ought to guide and direct us in all that we do.

Your allegiance is now to the Department of Justice. Your directions and goals and decisions are now set by the Constitution and the Attorney General and not by political forces.

In the quest for this professionalism, I want to leave you with the four principles by which I have tried to run the Justice Department and by which I hope you will conduct your offices.

The first of these guiding principles is absolute integrity. No one can be allowed to break the law and then escape the law's sanctions. We must be men and women who not only believe in the law but who feel that we are fully accountable to the people. We must welcome intensive public scrutiny and we must set the highest possible standards for public service at all levels.

The second guiding principle is that we must apply fundamental fairness in all that we do. Civility and equity are ingredients of that fairness.

You will have an opportunity to discuss more fully my policy that indictments should not be announced at news

conferences and in elaborate news releases. This policy results from my commitment to fairness to the accused.

The third guiding principle is openness. The Department must be as open as possible.

While the rights of defendants must be scrupulously guarded, material in the public domain must not be withheld. We must be open to full public examination, from which public trust flows.

The final principle is that the Department must use great restraint in exercising its power. We should always keep in mind Jefferson's admonition that the nation must bind its officials by the chains of the Constitution.

Almost any public official who has power has the opportunity to abuse it. We must meet the challenge to manage power. No government official deserves a roving commission, exercising indiscriminate power without any clear and specific mission and without any discernible evidence of restraint. When you must use power, use it carefully and with moderation.

I know that with your aid, with our shared dedication and commitment to these principles, we can not only sustain the great and noble tradition of the Justice Department but bring it to new heights of professionalism, integrity, and effectiveness.