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REVALUATION OF COMMISSION'S RESPONSIBILITIES

Address of

**Hon. Edward F. Howrey, Chairman
Federal Trade Commission**

Before the

1953 INSTITUTE FEDERAL ANTITRUST LAWS

at the

UNIVERSITY OF MICHIGAN LAW SCHOOL

Ann Arbor, Mich.

REVALUATION OF COMMISSION'S RESPONSIBILITIES

MR. CHAIRMAN:

I welcome the honor of appearing before the University of Michigan's 1953 Institute on Federal Antitrust Laws to make my first public statement as Chairman of the Federal Trade Commission.

~~the Commission is, at least, should be one of the most important and~~

vital agencies in Washington. It exercises a jurisdiction which staggers the imagination. It supervises the competitive practices of our vast multi-billion dollar economy. It is charged with the basic duty of preserving our private

competitive system.

There may be some inconsistency between legislative policies which en-

force the Anti-Trust Act and Federal Trade Commission Act and

Mr. Justice Frankfurter in the Standard Oil of California case suggested

Commission but were ill suited for ascertainment by courts which lacked skilled economic assistance.

The inference to be drawn from this comment, and the more recent Motion Picture Advertising case, is that the Federal Trade Commission can and should sift and appraise all relevant economic data. In the Motion Picture case the Supreme Court said: "The precise impact of a particular practice on the trade is for the Commission, not the courts, to decide."

For emphasis and appreciation of the proper concept of Administrative

Law and of the true function of the Federal Trade Commission, we are indebted to the dissenting opinion of Mr. Justice Jackson in the case of Federal Trade

UNITED STATES DEPARTMENT OF THE INTERIOR

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Turning to another phase of the Commission's responsibilities, you will
see that the Commission is not only interested in the business of the
country, but also in the welfare of the people.

to do so, he should be permitted to appear and take part in an informal hearing. No testimony should be taken but it should be a joint conference between the Commission, the proposed respondent, and the applicant if willing. If this were done the Conference Division should be able to dispose of the majority of the

potential cases of the Federal Trade Commission to bargain with the public

In litigated cases involving legal and economic complexities, the issues