

ROBERT F. KENNEDY
NEW YORK

United States Senate

WASHINGTON, D.C.

April 1, 1965

Dear Mr. Vice President :

Thank you for your recent letter concerning the low number of Negro officers at the upper levels of the military service and the possible remedies for this situation.

I certainly am interested in doing everything possible through my office to see that qualified Negroes are nominated to the service academies. Toward that end, I shall definitely explore the situation as far as New York is concerned.

Unfortunately, in 1965 I do not have any appointment vacancies for West Point, Annapolis or the Air Force Academy. However, consideration of applicants for 1966 will begin after June of this year and it is certainly not too soon to begin to work on this problem. You can be assured I will give the matter my complete attention.

I plan to follow your suggestion and contact Mr. Bennett at the Defense Department to pursue this matter further.

With warm regards and best wishes,

Sincerely,

Robert F. Kennedy

Robert F. Kennedy

The Vice President
The White House
Washington, D. C.

File Def

Sandy?

*no
V. and UP
if not sent to
JMS.*

COPY

April 7, 1965

Dear Andy:

Thanks for sending me a copy of your memo to the Secretary relating to the economic boycott of Alabama. This analysis was both enlightening and helpful. Thanks so much for bringing it to my attention.

Best wishes.

Sincerely,

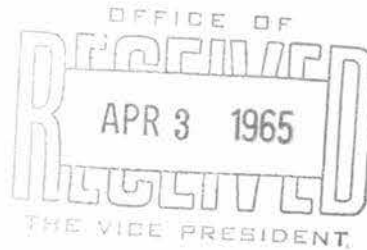
Hubert H. Humphrey

Honorable Andrew F. Brimmer
Assistant Secretary of Commerce
Department of Commerce
Washington, D. C. 20230



THE ASSISTANT SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230

April 2, 1965



The Vice President
United States Senate
Washington, D. C.

Dear Mr. Vice President:

In view of your chairmanship of the Economic Opportunity Council and your interest in the developments in Alabama, I thought you might like to see a copy of a memorandum prepared in the Commerce Department in which attempts were made to focus on the probable effects of an economic boycott of the State of Alabama.

We could not reach many hard and fast conclusions, but we have found the exercise both interesting and to some extent instructive.

Sincerely yours,


Andrew F. Brimmer

Enclosures

COPY

April 30, 1965

Dear Bill:

I am attaching a copy of a memorandum which I have received from Governor Collins of the Community Relations Service. It is, I believe, self-explanatory. I will be following up on this, and I will be urging Governor Collins to expand the representation on the National Citizens Committee as soon as practicable. The Governor knows of my interest in representation for Nebraska, and I am sure your name will figure prominently as they reevaluate the present situation.

Best wishes.

Sincerely,

Hubert H. Humphrey

Rev. L. William Youngdahl
Pastor
Augustana Lutheran Church
3647 Lafayette Avenue
Omaha, Nebraska 68131



U.S. DEPARTMENT OF COMMERCE
COMMUNITY RELATIONS SERVICE
WASHINGTON, D.C. 20230

OFFICE OF THE DIRECTOR

April 22, 1965

MEMORANDUM FOR:

The Vice President
(Attn: John Stewart)

FROM: LeRoy Collins, Director *lc*
Community Relations Service

attached
N.C.?

Thank you for your memorandum of April 7 concerning the lack of representation of National Citizens Committee (NCC) members from the State of Nebraska. Rev. Youngdahl is correct. In fact, there are 11 states which have no NCC members. When the President appointed this Committee, there was no conscious attempt to provide for state organizations within the framework of the NCC. Rather, individuals were to be motivated to work through individual initiative for implementation of the 1964 Civil Rights Act in their local committees.

The heavy pressures upon our small staff have precluded making definite recommendations at this time for adding members to the NCC. (We have been able to assign only one full-time professional and the part-time services of a Program Assistant to the work of the National Citizens Committee.)

We are currently evaluating the composition of the NCC, and we will keep you advised of whatever steps we feel should be taken.

April 7, 1965

Memorandum

To: Governor Collins

From: The Vice President (Attn: John Stewart)

Reverend L. William Youngdahl of the Augustana Lutheran Church has written me, noting that no individuals from the state of Nebraska are represented on your Citizens Advisory Council. A copy of his letter is attached, and I wonder whether this situation is true, and, if true, whether it is something which could, or should, be rectified.

COPY

April 7, 1965

Dear Bill:

Thanks for your interesting letter. I was so pleased to learn that you have found such a challenging and worthwhile assignment in Omaha. Good luck in this important work.

I am checking with the Community Relations Service to see whether or not something can be done about the lack of Nebraska representation on the Citizens Advisory Committee. When I have their response, I will be in touch with you.

Best wishes.

Sincerely,

Hubert H. Humphrey

Rev. L. William Youngdahl
Pastor
Augustana Lutheran Church
3647 Lafayette Avenue
Omaha, Nebraska 68131

Augustana

LUTHERAN

Church

L. WILLIAM YOUNGDAHL, PASTOR

3647 LAFAYETTE AVE. • OMAHA, NEBRASKA 68131

March 31, 1965

PHONE 551-4728

Vice-President Hubert H. Humphrey
Washington, D.C.



Dear Mr. Vice-President:

The last time I talked to you was following the passage of the historic Civil Rights Act of 1964. Many things have happened in the world and in your life since that moment. Congratulations, belated as this is on the smashing victory in November and on the way in which you have conducted the affairs in your important office.

Changes have also made themselves felt in my life. On January 1, I became the pastor of Augustana Lutheran Church in Omaha. This is a challenging inner city parish which will demand the very best that God has given me in the way of energy and insight.

Mother and Dad comment frequently in letters of their contacts with you. Right now they are anticipating their trip to Sweden on the assignment you have given them.

The main reason for this letter is in regard to civil rights and the State of Nebraska. We have no fair housing legislation, no fair employment legislation and no civil rights commission. Last week I participated in a march at Lincoln which was designed to focus attention on the need for fair housing legislation. As you well know, the political climate is very conservative here so the prospects for the passage of such a bill are not good. In the city of Omaha there are approximately 35,000 Negroes so discrimination in housing affects many people.

There is one matter in particular that I have wanted to bring to your attention. The Community Relations Service which is directed by Mr. Collins, has a citizen's committee with representatives from many states. I have checked the list and find no one from the State of Nebraska on this committee. With the situation the way it is here, Nebraska should be represented on this committee. Perhaps it would be possible to add some one from here even though the committee was formed a number of months ago.

Our thoughts are constantly with you and the President as you lead this nation in this demanding, frustrating, tense and exciting age.

Sincerely,

L. William Youngdahl

April 3, 1965

Memo to John Stewart
cc: Dave F.

From the Vice President

Dave
F.

Please note the memo from Kelly to Bill Connell.
This reminds me to have you or Dave Filyaroff get after the
Department of Agriculture on their civil rights program.
I want to see some results. Prepare a brief memo to the
Secretary asking for a report on progress.

COPY

April 14, 1965

Dear Orv:

I was pleased to learn of your initial report to the President indicating the steps which have been taken within the Department in response to the study made by the Commission on Civil Rights. I wonder whether you could supply me with some information as to what is being done and, perhaps, keep me advised on a continuing basis of your progress with respect to civil rights matters.

Sincerely,

Hubert H. Humphrey

The Honorable Orville L. Freeman
Secretary of Agriculture
Washington, D.C.

March 9, 1965

Memo to Bill Connell

From Francis Kelly

File

Following the report of the Civil Rights Commission on Department of Agriculture activities, Jack Conway asked me if I felt the National Farmers Union would have a way to participate in correcting the situation which was the subject matter of the report. Because I felt the matter should be explored and developed, I suggested a lunch meeting between Tom Hughes, John Baker, Jack Conway and me.

It appears necessary to accomplish three things: first, to provide an organizational structure for unity and membership among the farmers in the states involved; second, to provide a group which could qualify under the law for participation in the poverty program's VISTA, Head Start, or any of the CAP endeavors; third, to use the organization and the co-op or other structure to achieve the result of the civil rights program, the poverty program and improve farming income.

Conway is to relay to Reuther the discussion we had and ask him to interest Patton in the proposition. Tom and Baker will talk to Freeman. We are to find out the extent of the Vice President's interest as follows:

Does the Vice President want to participate first in having Freeman, Patton and Reuther meet with the Vice President, probably prior to the Farmers Union convention, and determine if any plan or hint of a plan could be unveiled by any of those who will speak at the convention?

Can the Vice President interest some of the large co-op managements or foundations in participating in the organizational expense, which Farmers Union probably has experience and personnel to do but does not have financial resources?

All four of us agreed that there may be a real potential in this proposition and that the convention in Chicago next week might be a good forum.

cc: John Stewart
Dave Gartner
Jack Conway
Tom Hughes
John Baker

COPY

April 29, 1965

Dear Mr. Newman:

Thank you for the copy of your letter to the United States Commissioner of Education. I can assure you that the Commissioner and his staff have been working most diligently to achieve implementation of Title VI of the Civil Rights Act of 1964 in a fair and equitable fashion. I know his office stands ready to receive the views of any interested citizens on these questions.

Best wishes.

Sincerely,

Hubert H. Humphrey

Mr. I. DeQuincey Newman, Chairman
South Carolina State Coordinating
Committee on School Desegregation
2022 Taylor Street
Columbia, South Carolina

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W. P. MARSHALL, PRESIDENT

SF-1201 (4-60)

SYMBOLS

DL=Day Letter

NL=Night Letter

LT=International Letter Telegram

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HON HUBERT HUMPHREY, VICE PRES

UNITED STATES WASHDC

THE FOLLOWING IS THE TEXT OF A WESTERN UNION MESSAGE SENT TO UNITED STATES COMMISSIONER OF EDUCATION APRIL 25 1965 QUOTE 175 NEGRO AND WHITE CITIZENS FROM 40 OF THE 46 SOUTH CAROLINA COUNTIES ATTENDING A WEEKEND CONFERENCE ON SCHOOL DESEGREGATION DISCUSSED THE IMPLEMENTATION OF TITLE SIX OF CIVIL RIGHTS ACT WITH REPRESENTATIVES OF FEDERAL AND PRIVATE AGENCIES STOP WE WELCOME THIS NEW OPPORTUNITY TO ACHIEVE A NONSEGREGATED EDUCATION FOR OUR CHILDREN AND URGE YOUR FULL AND FIRM IMPLEMENTATION THIS YEAR STOP WE ARE CONCERNED ABOUT FEATURES IN SCHOOLS DESEGREGATION PLANS FROM SOUTH CAROLINA SCHOOL DISTRICTS WHICH COULD ONLY RESULT IN THE RESTRICTING THE NUMBER OF NEGRO CHILDREN IN DESEGREGATED SCHOOLS STOP WE RESPECTFULLY URGE YOU TO SCRUTINIZE CAREFULLY

CLASS OF SERVICE

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WESTERN UNION

TELEGRAM

W. P. MARSHALL, PRESIDENT

SF-1201 (4-80)

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Letter Telegram

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ALL PLANS FROM SOUTH CAROLINA AND TO DENY APPROVAL OF ANY PLAN
UNLESS LOCAL NEGRO LEADERSHIP HAS BEEN CONSULTED STOP A STATE
COORDINATED COMMITTEE ESTABLISHED AT THIS CONFERENCE IS AVAILABLE
TO SERVE A LAISON BETWEEN YOUR OFFICE AND COMMUNITY LEADERS
UNQUOTE

I DEQUINCEY NEWMAN CHAIRMAN SC STATE COORDINATING
COMMITTEE ON SCHOOL DESEGREGATION 2022 TAYLOR ST

COPY

April 30, 1965

Memorandum

To: The Secretary of Health, Education and Welfare

From: John Stewart

I would appreciate receiving whatever information may be available concerning the publication described in the attached letter. Whatever information you could furnish me would be deeply appreciated.

COPY

April 30, 1965

Dear Dr. Attico:

The Vice President has asked me to respond to your letter concerning the publication issued by the Mayor's Commission on Human Relations of the City of Chicago.

We are attempting to find out a little more about the background of this publication. Since it apparently is a product of the City of Chicago, I am not sure what jurisdiction the Vice President would have over those responsible for its publication. But once I am more fully acquainted with the details of this situation, I will be in touch with you again.

Best wishes.

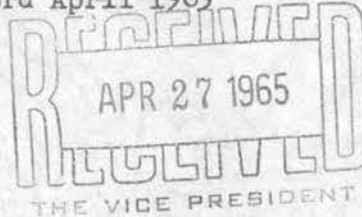
Sincerely,

John G. Stewart
Assistant to the
Vice President

N. Burton Attico, M.D.
4141 No. Clarendon Avenue
Chicago, Illinois 60613

4741 No. Clarendon Avenue
Chicago, Illinois 60613
23rd April 1965

The Vice President
United States Senate
Washington, D.C. 20201



Dear Vice President Humphrey:

I am writing to you in your capacity as Chairman of the President's Council on Equal Opportunity.

I am a Commissioned Officer in the U. S. Public Health Service, holding the rank of Senior Surgeon in the Regular Corps, and presently stationed at the USPHS Hospital, Chicago, Illinois as Chief, Outpatient Department.

For the last two years I have received a rather long listing (11 pages) from the Mayor's Commission on Human Relations of the City of Chicago entitled "Negro Physicians and Medical Students Affiliated with Chicago Hospitals and Medical Schools". This list specifically exempts certain hospitals from its "study" and is distributed in a rather careless manner.

I have written to the Commission, and inquiries have been made in my behalf by officials of HEW, as to the source of the list, its distribution, and its purpose. Our queries have been answered by statements of "it's an effective tool", "it shows progress", etc., by individuals who evidently feel that they are well intentioned, but whom I am sure are misdirected, and are actually serving as a tool for the very discriminatory practices that they were created to abolish. Their actions are a direct invasion of my right, and that of the others on this list, to privacy. I feel that the distribution of such a list represents decadence in a supposedly enlightened society, especially when this is done by an agency which is tax supported. Inclusion on this list is in itself a discriminatory practice.

I have suggested to the agency that their study could very well be done by a matter of numbers and percentages, and not specific names and other identifying data, for I believe that the study may be a useful tool if done properly, but they continue to defend their discriminatory, immoral, and un-American (or should be so) practices.

I would appreciate your comments, suggestions, or advice in this matter, either to myself, or to the Commission.

Sincerely yours,

N. Burton Attico, M.D.

COPY

April 26, 1965

Dear Frank:

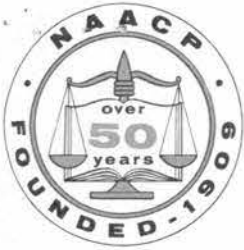
Thanks for your letter concerning the assignment of additional personnel for the investigation of the NAACP complaints against Federally-assisted hospitals. While this may appear to be somewhat less than deliberate speed to you, I can assure you that the Department is working very diligently to investigate these complaints. In fact, all of us are spending just about night and day on the broad scope of Title VI problems. We appreciate your concern, but I did want you to know that we are also concerned and are working at this problem as hard as we can.

Best wishes.

Sincerely,

John G. Stewart
Assistant to the
Vice President

Mr. J. Francis Pohlhaus
Council
Washington Bureau, NAACP
100 Massachusetts Avenue, N.W.
Washington, D. C.



NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

TWENTY WEST FORTIETH STREET • NEW YORK, N. Y. 10018 • BRyant 9-1400

Please direct reply to:
Washington Bureau
100 Massachusetts Avenue, N. W.
Washington 1, D. C.
Telephone: National 8-5794

April 20, 1965

Mr. John Stewart, Assistant
to the Vice President
The Capitol
Washington, D.C.

Dear Mr. Stewart:

As you are aware, the NAACP and its Legal Defense Fund are cooperating in presenting complaints under Title VI of the Civil Rights Act of 1964 against Federally-assisted hospitals. We have now filed 75 of these complaints.

We believe that our efforts will result in a test of the effectiveness of Title VI as a vehicle for ending discriminatory use of Federal funds. Unfortunately, results so far have been disappointingly slow. We believe that one of the reasons is the lack of sufficient personnel to process complaints. Accordingly, we have requested the assignment of additional staff people for this purpose. A copy of a letter from Michael Meltsner, Esq., to Assistant Secretary James Quigley, conveying this request, is enclosed.

Any assistance you may be able to give in having the resolution of these complaints expedited will be appreciated.

Sincerely yours,

A handwritten signature in cursive script, likely belonging to J. Francis Pohlhaus, is written above the typed name.

J. Francis Pohlhaus
Counsel
Washington Bureau

Enclosure

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Official Organ: The Crisis

N. A. A. C. P. LEGAL DEFENSE AND EDUCATIONAL FUND, INC.

10 Columbus Circle, New York 19, N. Y.

JUDSON 6-8397

ALLAN KNIGHT CHALMERS
President

JACK GREENBERG
Director-Counsel

CONSTANCE BAKER MOTLEY
Associate Counsel

April 9, 1965

Mr. James Quigley, Assistant Secretary
Department of Health, Education and
Welfare
Washington, D. C.

Dear Mr. Quigley:

On March 9, 1965, Mr. Greenberg and Mr. Pohlhaus wrote Secretary Celebrezze requesting that further payment of Hill-Burton funds be held up pending investigation of discriminatory practices at a hospital in the process of receiving such funds. Shortly thereafter, in the course of my meeting with Mr. Shelton Granger, I brought to his attention the question of hospitals which were in the process of receiving grants under Hill-Burton. I asked that the Department hold up these grants during investigation and until compliance is assured. At this time I want to renew my request that the Department will follow such a policy when it receives complaints of racial discrimination.

By letter to you of March 23, 1965, Mr. Greenberg and Mr. Pohlhaus acknowledged receipt of your letter of March 19th, indicating that initial investigation into 10 of the 42 complaints of discrimination submitted by them had been completed. They requested to be informed of the findings of your investigation as to each of the 10 hospitals involved. I also want to renew this request, no reply to the letter of March 23rd having been received.

The Department has received or will receive shortly a large number of additional complaints filed under Title VI and Departmental Regulations. Quite frankly, the rate at which the Department processes and investigates these complaints is considerably slower than the rate at which they cross my desk. As the present backlog is likely to grow, I request that the Department take appropriate steps

Mr. James Quigley

- 2 -

April 9, 1965

to augment the small staff which I understand is processing these complaints.

I hope to hear from you shortly about these matters.

Sincerely yours,

MM/mgf

Michael Meltsner

COPY

April 12, 1965

Dear Mary:

Thanks so much for your warm and gracious note. It was indeed my pleasure to meet with you at the Regional Conference on Civil Rights. I think your idea of regional conferences is excellent. Good luck!

Best wishes.

Sincerely,

Hubert H. Humphrey

Mrs. Mary Dublin Keyserling
Director
Women's Bureau
Department of Labor
Washington, D. C. 20025

U. S. DEPARTMENT OF LABOR
WOMEN'S BUREAU
WASHINGTON 25



April 6, 1965

The Vice President
United States Senate
Washington, D.C.

Dear Mr. Vice President:

May I express to you my warmest appreciation for speaking yesterday at the Regional Conference on Civil Rights. It was an absolutely magnificent talk. The participants found it immensely inspiring in the work they are setting out to do--to find new means, through the 85 organizations they represent and in their communities, to further local acceptance of the Civil Rights Act.

The National Council of Women which sponsored the meetings had received a foundation grant for the purpose of arranging the Conference. They were so encouraged that they plan to ask the foundation for funds for a series of regional conferences to be held throughout the country patterned on the Washington one.

In accordance with your office's request, the Conference leaders did not invite the press. Your speech was so superb I wish it could have been a major news story, but a full report on it will be made to all the organizations represented.

Warmest thanks again from us all.

Sincerely,

Mary Dublin Keyserling
Director

COPY

April 30, 1965

Dear Bill:

I hate to throw things back to you but the Vice President's office simply must avoid answering queries which relate to a particular program within a department or agency. Since the matter raised by John R. Salter relates to the Federal Food Stamp program, I would hope that USDA could make the initial response. Then, if, in the course of your investigation, broader questions are raised, we would be glad to participate and help in their resolution. But we must initially request the appropriate departments and agencies to assume the operational responsibility on these matters.

Best wishes.

Sincerely,

John G. Stewart
Assistant to the
Vice President

Mr. William M. Seabron
Assistant to the Secretary
Department of Agriculture
Washington, D. C.



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON

APR 11 20 1965

Mr. John Stewart
Assistant to the Vice President
Room 5121
New Senate Office Building
Washington, D. C.

Dear Mr. Stewart:

I am enclosing a copy of a telegram from a John R. Salter to Mr. James Quigley, Assistant Secretary of Health, Education and Welfare, and a copy of a letter from Mr. Quigley referring this matter to me.

Since the matter raised by Mr. Salter's telegram apparently has government-wide implications, we feel that it would be appropriate for your office to respond.

I have contacted the Consumer and Marketing Service, which administers Department School Lunch, School Milk and Direct Food Distribution programs, to determine the extent of its activities in Bertie County, North Carolina. I will also assess the extent to which other Department agencies are involved in programs in this county. I will forward this information to you as soon as it is available.

Sincerely yours,

William M. Seabron

William M. Seabron
Assistant to the Secretary

Enclosure



ASSISTANT SECRETARY OF
HEALTH, EDUCATION, AND WELFARE
WASHINGTON

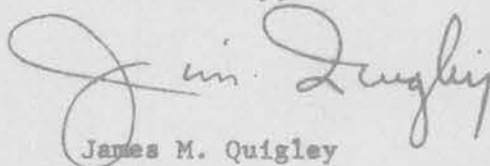
April 13, 1965

Dear Mr. Seabron:

The enclosed telegram and my reply is self-explanatory.

I am not quite sure how Title VI would apply to a situation like this but I am quite certain that it would not be through anything that our Department could do.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jim Quigley".

James M. Quigley

Mr. William Seabron
Assistant to the Secretary
U. S. Department of Agriculture
Washington, D. C.

Enclosures

94
FWA216 6QQA EST APR 2 65 NHB015 SPOC007 RA450

R RGA465 NL PD 7 EXTRA RALEIGH NCAR 1

JAMES QUIGLEY

ASST SEC UNITED STATES DEPT OF HEALTH EDUCATION AND WELFARE
WASHDC

BERTIE COUTY NORTH CAROLINA IS ALMOST 70 PERCENT NEGRO. IT
HAS BEEN LISTED BY THE US GOVERNMENT AS HAVING AN ANNUAL PER
CAPITA INCOME OF \$671.00 A YEAR AGO COUNTY COMMISSIONERS WERE
ASKED BY NEGRO PEOPLE TO PARTICIPATE IN A FEDERAL SURPLUS FOOD
PROGRAM, AND COUNTY COMMISSIONERS DID NOT DO SO. TWO MONTHS
AGO, NE

O PEOPLE AKED COUNTY COMMISSIONERS TO PARRTICIPATE IN A FEDERAL
FOOD STAMP PROGRAM, AND COUNTY COMMISSIONERS HAVE NOT MADE
APPLICATION FOR SUCH STAMP PROGRAM AND IT IS CLEAR THAT THEY
ARE NOT GOING TO DO SO. (NEGRO LEADERS FROM ALL OVER BERTIE
COUNTY ARE GOING TO AGAIN ATTEMPT TO MEET WITH COUNTY COMMISSIONERS

ON MONDAY APRIL 4TH IN WINDSOR NORTH CAROLINA IN ANOTHER EFFORT
TO SECURE BERTIE COUNTY PARTICIPATION IN FEDERAL FOOD STAMP
PROGRAM. BUT IT IS ALREADY CLEAR THAT COUNTY COMMISSIONERS
WILL AGIN HOLD NEGATIVE POSITION ON THIS. WE RESPECTIVELY
ASK THAT ANY FEDERAL AID OF ANY KIND EARMARKED FOR BERTIE COUNTY
NORTH CAROLINA BE VERY CAREFULLY CONSIDERED AND POSSIBLY WITHHELD
IN VIEW OF THE REFUSAL OF COUNTY AUTHORITIES TO PARTICIPATE
IN FEDERAL FOOD STAMP PROGAM WHICH BE OF DIRECT IMMEDIATE
ASSISTANCE TO THE THOUSANDS OF POVERTY STRICKEN NEGRO PEOPLE
RESIDENT IN THAT COUNTY.

JOHN R SALTER JR FIELD SEC SOUTHERN CONFERENCE EDUCATIONAL
FUND 828 NEW COMBE RD RALEIGH NC

70 \$671.00 828

COPY

April 1, 1965

My dear friends:

I regret the long delay in responding to your telegram on the question of our school lunch program. The Department of Agriculture has been developing procedures to carry out the intent of the Civil Rights Act of 1964 in this area, and I am enclosing a copy of a letter I have received from the Assistant Secretary for Administration of the Department of Agriculture. I am also enclosing the rules and regulations to implement Title VI that have been issued by the Department. I believe the attached letter sets forth in some detail the Department's policy regarding the National School Lunch Program.

I can assure you personally that we are moving ahead steadily in the enforcement of Title VI, both in terms of HEW programs and those of other Departments, such as the Department of Agriculture.

Best wishes.

Sincerely,

Hubert H. Humphrey

Mrs. Dorothy I. Height
President
National Council of Negro Women

Mrs. Louis G. Cowan
Chairman
Wednesdays in Mississippi

Enclosures



DEPARTMENT OF AGRICULTURE
WASHINGTON 25, D. C.

Recd 3/30/65
Wm

March 8 1965

The Vice President
United States Senate
Washington, D. C.

Dear Mr. Vice President:

RECEIVED

Thank you for your communication of February 15 and the copy of the telegram of February 2 to you from Miss Height and Mrs. Cowan of New York City concerning the National School Lunch Program.

These correspondents advise that a newspaper columnist in Mississippi states that Mississippi schools would be entitled to Federal funds for the Program even if they do not sign HEW Form 441 in connection with the Civil Rights Act. There is, of course, no connection between the National School Lunch Program and the HEW form referred to. The Department of Agriculture has, however, developed its own Civil Rights compliance form for the National School Lunch Program -- an assurance by the State Agency which takes the form of an amendment to the Federal-State agreement for that program. Required, also, is a related amendment of the program agreements with local school districts responsible for program operations in the individual schools under their jurisdiction. This is in accordance with the Civil Rights Rules and Regulations for programs administered by the Department which were approved by the President on December 3, 1964, a copy of which is attached. The amendments to the agreements are in furtherance of the Department's policy of seeing that all Federal assistance under the National School Lunch Program, both in cash and commodities, is utilized in an equitable manner so that lunches are available in all States to the maximum extent possible to all children, without discrimination.

The legislative history attendant to the passage of the Civil Rights Act of 1964 clearly directs that the School Lunch Program not be used as the basis for desegregating public schools. It was the intent of the Congress that prior to cutting off these funds other Titles of the Bill, namely Title VI, as administered by the Department of Health, Education, and Welfare, and suits which the Attorney General's office is authorized to bring under Title IV, would be used to effect desegregation.

There is little doubt that Title VI does have applicability to the School Lunch Program and that it is subject to the procedures of Title VI. The cutoff of funds, however, would not occur so long as other means of achieving compliance with the Law are available. The Department of Agriculture will cooperate with other Departments in attempting to gain compliance under Title VI and will move to enforce the cutoff provisions when there is no other possible method available under the Law to achieve compliance.

Sincerely yours,

Joseph M. Robertson
Assistant Secretary for Administration

Attachment

OFFICE OF THE VICE PRESIDENT
WASHINGTON

Note —

Let Cliff

Alexander's

Office know

When A.G. writes
on this.

Win

COPY

Gene

February 15, 1965

My dear friends:

Thank you for your telegram concerning the expenditure of Federal funds for the school lunch program in Mississippi. I am asking the Department of Agriculture for a full report on this situation, and will be in touch with you as soon as it has been received.

As you know, these situations often become confused and misunderstandings arise until all the facts are at hand. I am asking the Department to get to work on this situation immediately and I will be back in touch with you promptly.

Best wishes.

Sincerely,

Hubert H. Humphrey

Miss Dorothy I Height
President
National Council of Negro Women

Mrs. Louis G. Cowan
Chairman
Wednesdays in Mississippi

CLASS OF SERVICE

This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION
TELEGRAM

W. P. MARSHALL, PRESIDENT

SF-1201 (4-60)

SYMBOLS

DL = Day Letter

NL = Night Letter

LT = International
Letter Telegram

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NFE016 RB069

1965 FEB 2 PM 12 04

WF056 WW NFA029 (R NF017)PD 10 EXTRA NEW YORK NY 2 1013A EST

THE HONORABLE HUBERT HUMPHREY, VICE PRESIDENT

WASHDC

WE LISTENED WITH RESPECT TO YOUR CHALLENGING MESSAGE IN RELATION TO TITLE VI ON JANUARY 28, AND KNOW THEREFORE THAT YOU WILL BE DISTRESSED TO LEARN THAT COLUMNIST CHARLES HILL STATES IN THE JACKSON PRESS ON JANUARY 27 THAT MISSISSIPPI SCHOOLS WOULD BE ENTITLED TO THE ENTIRE FEDERAL LUNCH PROGRAM FUND EVEN IF THEY DO NOT SIGN THE HEW FORM NUMBER 441. WE ASSUME THAT HE IS REFERRING TO THE DEPARTMENT OF AGRICULTURE RULES AND REGULATIONS IN FEDERAL REGISTER, FRIDAY, DECEMBER FOURTH, 1964 PAGE 16275, NATIONAL SCHOOL LUNCH PROGRAM, SMALL NUMERAL V. IT IS OUR HOPE THAT YOUR DEEP CONCERN WITH THIS PROBLEM CAN BE CONVEYED TO THE DEPARTMENT OF AGRICULTURE SO THAT ITS REGULATIONS OF THE SCHOOL LUNCH PROGRAM CAN BE COORDINATED WITH HEW FOR COMPLIANCE IN SCHOOL

CLASS OF SERVICE

This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION

TELEGRAM

W. P. MARSHALL, PRESIDENT

1965 FEB 2 PM 12 04

SF-1201 (4-60)

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INTEGRATION

MISS DOROTHY I HEIGHT NATINAL PRESIDENT NATIONAL COUNCIL
OF NEGRO WOMEN MRS LOUIS G COWAN CHAIRMAN WEDNESDAYS IN MISSISSIPPI

April 5, 1965

Memo to Peter Libassi

From John Stewart

Attached is the material sent to us by Hobart Taylor. It is understood that the analysis of this data will be done by your staff for the Vice President and at his request. I must emphasize that the names of the firms on the IBM print-out are confidential and must be treated in such a fashion.

I would appreciate receiving this material when you have completed your analysis.

COPY

April 7, 1965

*Done by phone
4/7/65
ep.*

Dear Mr. Becker:

I am asking the Department of Defense to send you the National Guard Bureau regulations. I assume they will ship them out to you post-haste.

Best wishes.

Sincerely,

John G. Stewart
Assistant to the
Vice President

Mr. William L. Becker
Assistant to the Governor
for Human Rights
Governor's Office
Sacramento, California 95814



State of California

GOVERNOR'S OFFICE
SACRAMENTO 95814

EDMUND G. BROWN
GOVERNOR

April 2, 1965

Mr. John G. Stewart
Assistant to the Vice President
Washington, D. C.

Dear Mr. Stewart:

Can you send me a complete set of the newly published National Guard Bureau regulations prohibiting discrimination in the National Guard? I understand these are separate regulations covering the Army, National Guard, and Air National Guard. I would appreciate having copies of these.

Thank you very much.

Sincerely

A handwritten signature in cursive script that reads "William L. Becker".

William L. Becker
Assistant to the Governor
for Human Rights

COPY

April 26, 1965

Dear Claiborne:

I certainly did not mean to indicate in any way that members of Congress should deviate from the Civil Service scores in the appointment of candidates to the Service Academies, if that is the procedure they wish to follow.

As you noted in your letter, my major concern was meeting the problem where many qualified Negro candidates do not even apply because they feel they would not be wanted at the academies, should they be appointed. In other words, the task is one of encouraging potentially qualified persons to attempt to get into the competition. That is all my letter meant to suggest.

Best wishes.

Sincerely,

Hubert H. Humphrey

The Honorable Claiborne Pell
United States Senate
Washington, D. C.

JS

United States Senate

WASHINGTON, D.C.

April 14th, 1965

The Vice President
The United States Senate
Washington, D. C.



Dear Mr. Vice President:

Thank you for your thoughtful letter concerning the far-too-low percentage of Negro officers in the upper levels of our military service.

My own problem here is that all my appointments to the Service academies are given completely on the basis of the scores made on the Civil Service tests. I have made no deviation from this standard since coming to the Senate, and I believe it would be wrong to do so now, giving artificial weighting in order to favor Negro applicants. I am sure you would agree with me on this.

I will do what I can, though, to encourage the application of young Negroes.

Actually, of the 425 who have taken examinations under my sponsorship over the past four years, there may well have been Negro candidates, as we do not interview each one, simply making arrangements for them to take the examination.

All best wishes.

Ever sincerely,

Claiborne Pell



ASSISTANT SECRETARY OF DEFENSE
WASHINGTON 25, D.C.

File

MANPOWER

21 APR 1965

MEMORANDUM FOR THE VICE PRESIDENT

Attached is a report showing the status of all discrimination complaints in the Department of Defense for the month of March 1965.

Norman S. Paul

Attachment

Department of Defense
Status of In-House Complaints Under the Equal Employment Opportunity Program
Date: 20 April 1965

During: March 1965	AIR FORCE TOTAL			DEFENSE SUPPLY AGENCY TOTAL			OTHER DEFENSE AGENCIES TOTAL		
A. Cases in Process: Feb. 28, 1965		34			3			0	
B. New Cases Received		6			1			0	
C. Returned by President's Committee for Additional Information		2			0			0	
D. Cases Submitted to President's Committee		10			1			0	
E. Cases in Process: Mar. 31, 1965		32			3			0	
F. Net Change in Cases in Process (+ or -)		-2			0			0	
G. Cases Closed by President's Committee		6			2			0	
Status of Cases in Process: March 31, 1965	Total	Less than 30 Days	30 Days or More	Total	Less than 30 Days	30 Days or More	Total	Less than 30 Days	30 Days or More
A. Under Initial Investigation	32	8	24	3	1	2	0	0	0
1. Hearing Requested by Complainant	19	8	11	3	1	2	0	0	0
2. Other	4	0	4	1	0	1	0	0	0
B. Under Review by Employment Policy Officer	15	8	7	2	1	1	0	0	0
C. Returned by President's Committee for Additional Information	11	0	11	0	0	0	0	0	0
	2	0	2	0	0	0	0	0	0

Department of Defense
Status of Contractor Complaints Under the Equal Employment Opportunity Program

Date: 20 APR 1965

	DoD Total	Army Total	Navy Total	Air Force Total	DSA Total
During: March 1965					
A. Cases in Process As of: February 28, 1965	96	48	9	16	23
B. New Cases Received	26	7	2	14	3
C. Complaints Returned by President's Committee for Additional Information	54	24	5	7	18
D. Cases Submitted to President's Committee	28	11	5	8	4
E. Cases in Process As of: March 31, 1965	148	68	11	29	40
1. Less than 60 Days	119	46	4	29	40
2. 60 Days or More	29	22	7	0	0
F. Net Change in Cases in Process (+ or -)	52	20	2	13	17
G. Cases Closed by President's Committee	25	5	6	8	6

Department of Defense
Status of In-House Complaints Under the Equal Employment Opportunity Program
Date: 20 April 1965

I. During: March 1965	DOD TOTAL			ARMY TOTAL			NAVY TOTAL		
A. Cases in Process: Feb. 28, 1965		106			28			41	
B. New Cases Received		32			9			16	
C. Returned by President's Committee for Additional Information		3			1			0	
D. Cases Submitted to President's Committee		28			7			10	
E. Cases in Process: Mar. 31, 1965		113			31			47	
F. Net Change in Cases in Process (+ or -)		7			3			6	
G. Cases Closed by President's Committee		27			5			14	
II. Status of Cases in Process: March 31, 1965	Total	Less than 30 Days	30 Days or More	Total	Less than 30 Days	30 Days or More	Total	Less than 30 Days	30 Days or More
A. Under Initial Investigation	113	33	80	31	9	22	47	15	32
1. Hearing Requested by Complainant	$\frac{87}{29}$	$\frac{32}{0}$	$\frac{55}{29}$	$\frac{20}{6}$	$\frac{8}{0}$	$\frac{12}{6}$	$\frac{45}{18}$	$\frac{15}{0}$	$\frac{30}{18}$
2. Other	58	32	26	14	8	6	27	15	12
B. Under Review by Employment Policy Officer	24	1	23	11	1	10	2	0	2
C. Returned by President's Committee for Additional Information	2	0	2	0	0	0	0	0	0

LISTER HILL, ALA., CHAIRMAN

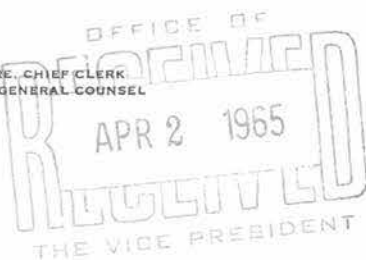
PAT MCNAMARA, MICH.
WAYNE MORSE, OREG.
RALPH YARBOROUGH, TEX.
JOSEPH S. CLARK, PA.
JENNINGS RANDOLPH, W. VA.
HARRISON A. WILLIAMS, JR., N.J.
CLAIBORNE PELL, R.I.
EDWARD M. KENNEDY, MASS.
GAYLORD NELSON, WIS.
ROBERT F. KENNEDY, N.Y.

JACOB K. JAVITS, N.Y.
WINSTON L. PROUTY, VT.
PETER H. DOMINICK, COLO.
GEORGE MURPHY, CALIF.
PAUL J. FANNIN, ARIZ.

United States Senate

COMMITTEE ON
LABOR AND PUBLIC WELFARE

STEWART E. MCCLURE, CHIEF CLERK
JOHN S. FORSYTHE, GENERAL COUNSEL



April 1, 1965

A large, stylized handwritten signature, likely of the Vice President, written in dark ink.

The Honorable Hubert H. Humphrey
The Vice President
United States Senate
Washington, D. C.

Dear Hubert:

Thank you for your recent letter regarding your appointment of Negro candidates to the Service Academies.

I want you to know that I have long shared your concern about this matter. In recent years I have made a systematic search for qualified candidates and will continue to do so in the years ahead. Our Negro citizens should certainly occupy a proud place in the officers corps of our Armed Services.

Sincerely,

A large, stylized handwritten signature of Harrison A. Williams, Jr., written in dark ink.

Harrison A. Williams, Jr.

HAW:pjs

NIGHTLETTER

April 14, 1965
3:50 p.m.

Reverend Andrew J. Young
Executive Director
Southern Christian Leadership Conference
334 Auburn Avenue NW
Atlanta, Georgia

Winthrop Griffith no longer employed by Vice President.
John Stewart appropriate Vice Presidential staff member
out of country. Suggest you contact him after April 22.

William Connell
Administrative Assistant
to the Vice President

CLASS OF SERVICE

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WESTERN UNION
TELEGRAM

W. P. MARSHALL, PRESIDENT

SYMBOLS

DL = Day Letter

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LT = International
Letter Telegram

SF-1201 (4-60)

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1965 APR 14 AM 6 47

NFA044 (59)AA022

A LLY093 LLZ4 LLZ4 NL PD 6 EXTRA FAX ATLANTA GA 13
WIN GRIFFITH, CARE OFFICE OF THE VICE PRES
WASHDC

RECOGNIZING THE SIGNIFICANCE AND TREMENDOUS IMPORTANCE TO THE MOVEMENT OF OUR SUMMER COMMUNITY ORGANIZATION AND POLITICAL EDUCATION PROJECT (SCOPE), DR. MARTIN LUTHER KING, JR. HAS ASKED ME REQUEST A MEETING AS SOON AS POSSIBLE WITH NOTED WRITERS AND PUBLIC RELATIONS SPECIALISTS. THIS MEETING WOULD FULLY EXPLAIN THE EXPANSIVE PROGRAM AND ASPIRATIONS OF SCOPE PROJECT AND CALL UPON THOSE INVITED TO SUGGEST METHODS FOR DESSIMINATION OF INFORMATION AND ENTHUSIASTIC RESPONSE THROUGHOUT COUNTRY THROUGH LITERARY ENDEAVORS. I WOULD THEREFORE GREATLY APPRECIATE YOUR ATTENDING MEETING WITH MYSELF AND OTHER KEY SCLC OFFICIALS AT 10:00 A. M. THIS FRIDAY, APRIL 16 AT NATIONAL COUNCIL OF CHURCHES BUILDING, 475 RIVERSIDE DRIVE, NEW YORK CITY - 5TH

CLASS OF SERVICE

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WESTERN UNION

TELEGRAM

W. P. MARSHALL, PRESIDENT

SF-1201 (4-60)

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FLOOR OFFICE OF MISS JUNE KUSHINO. PLEASE COMMUNICATE WITH HOSEA L. WILLIAMS OR HIS SECRETARY IN ATLANTA 522-1420, AREA CODE 404. DUE TO NATURE OF THIS MEETING WE WOULD APPRECIATE AN IMMEDIATE REPLY AS TO YOUR ATTENDANCE. WE THANK YOU FOR INTEREST YOU HAVE EXPRESSED IN THE MOVEMENT. VERY TRULY YOURS

REV ANDREW J YOUNG EXECUTIVE DIRECTOR SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE 334 AUBURN AVE ATLANTA

10:00 16 475 5 522-1420 404.

COPY

April 26, 1965

Dear Mr. Marciniak:

Thank you for your recent letter. At this writing, the President has not yet nominated the members of the Equal Employment Opportunity Commission. Until this has been done, and the members confirmed by the Senate, it will be impossible to develop the kind of cooperative arrangements outlined in your letter. I suggest you write directly to the Chairman of the Equal Employment Opportunity Commission when he has been appointed. I will also forward this letter to the Commission at that time.

Best wishes.

Sincerely,

Hubert H. Humphrey

Mr. Edward Marciniak
Director of Human Relations
Commission on Human Relations
211 West Wacker Drive
Chicago, Illinois 60606



CITY OF CHICAGO
211 WEST WACKER DRIVE

COMMISSION ON HUMAN RELATIONS
CHICAGO, ILLINOIS, 60606
PHONE 744-4000

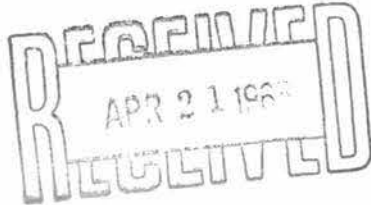
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MAYOR

ELY M. AARON
CHAIRMAN

RALPH D. ROBINSON
SECRETARY

MORRIS BIALIS
AUGUSTINE J. BOWE
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WILLIAM G. CAPLES
JEROME J. FRIEDMAN
MRS. WENDELL E. GREEN
DAGGETT HARVEY
JOHN H. JOHNSON
WILLIAM R. MING
HALE NELSON
PETER R. SCALISE
DR. MARSHAL L. SCOTT

EDWARD MARCINIAK
DIRECTOR OF HUMAN RELATIONS



April 20, 1965

The Honorable Hubert H. Humphrey
Vice President of the United States
Washington 25, D. C.

My dear Mr. Vice President:

The Chicago Commission on Human Relations is a municipal agency dealing with the civil rights of our citizens in the fields of housing, employment, law and order, and education. For more than fifteen years we have had an active program going in these fields, including the initiation and investigation of complaints, the handling of conciliation conferences, and the conduct of public hearings. We have an experienced professional staff of twenty-five persons to carry on these various activities.

We are interested in entering into a cooperative arrangement with the Equal Employment Opportunity Commission under Title VII of the Civil Rights Act of 1964. We would like to be advised on the appropriate steps to be taken by us to enter such an agreement. Would you kindly direct this communication to the person with whom we should discuss this matter.

Sincerely yours,

Edward Marciniak

File

8 APR 1965

The Vice President
United States Senate
Washington, D. C. 20510

Dear Mr. Vice President:

Inclosed is a copy of the March 1965 report on status of complaints under the Equal Employment Opportunity Program for the Department of the Army.

Sincerely yours,

(Signed) Stephen Ailes

Stephen Ailes
Secretary of the Army

1 Incl
Cy Mar 65 report

Reporting Organization Employment Policy Officer, OUSA, Department of the Army

In-House

I. During Month of March 1965	<u>Total</u>
A. Cases in Process Within Reporting Organization As of the End of the Previous Month	28
B. New Cases Received	9
C. Returned by President's Committee for Additional Information	1
D. Cases Submitted to President's Committee	7
E. Cases in Process Within Reporting Organization As of the End of the Present Month	31
F. Net Change in Cases in Process (+ or -)	+3
G. Cases Closed by President's Committee	5

II. Status of Cases in Process Within Reporting Organization As of the End of the Present Month	<u>Total</u>	<u>Less Than 30 Days</u>	<u>30 Days or More</u>
A. Under Initial Investigation	20	8	12
1. Hearing Requested by Complainant	6	0	6
2. Other	14	8	6
B. Under Review by Employment Policy Officer	11	1	10
C. Returned by President's Committee for Additional Information	0	0	0

EEOC

LABOR WEEK®

COMING SOON: NEW RULES FOR HIRING, FIRING, PROMOTING

President Johnson has reminded employers that July 2 is a date to circle on their calendars.

Coming then are new rules to assure Negroes and other minorities equal job opportunities.

To avoid trouble, employers will have to watch their steps in hiring, firing, promoting and passing out pay raises.

Labor unions and employment agencies are affected, too.

In about six weeks, the Federal Government will have a lot more to say about how employers and unions conduct their affairs.

The date of this change is July 2. On that date, a new law goes into effect. This law is designed to give equal job opportunities to Negroes, to other minority groups, and to women.

On May 10, President Johnson reminded the country of the approaching date when he named a five-man commission to administer this law. The new agency

is to be known as the Equal Employment Opportunity Commission, and will be headed by Franklin D. Roosevelt, Jr., who resigned as Under Secretary of Commerce to take the job.

Only once before in recent years have such rules for hiring, firing and promoting been laid down by Washington. That was during World War II under a similar agency, known as the Committee on Fair Employment Practice.

The objective. The main idea now, as it was then, is to see that Negroes get an even break with white workers.

The new rules are set forth in the 1964 Civil Rights Act. They will apply, at first, to employers having 100 or more employees, and whose businesses affect interstate commerce.

Next year, firms with 75 or more workers come under the rules. In 1967, the coverage extends to employers having 50 or more. In 1968, those with 25 or more will have to comply.

Firms with fewer than 25 workers—and all companies engaged only in intrastate commerce—will not be covered.

There are new rules, too, for labor unions and for employment agencies. Most of the impact, however, is likely to be felt by employers.

Anyone found to have violated the law may face a court order requiring a change in employment policies. There can be fines, even jail sentences.

Things to avoid. Here are some examples of practices that can get an employer in trouble with the new agency:

- Failure to hire a Negro to fill a job, if there is evidence he was rejected because of race.
- Denying a job to a woman applicant simply because of her sex.
- Favoring one job applicant over another on the basis of race, religion, or national origin.
- Firing a worker because of his color, religion, national origin, or sex.
- Giving preference in pay raises or promotions to certain groups in a way that discriminates against minorities.
- Raising salaries of men while denying raises to women—if it is found that sex discrimination was involved.

There are some exceptions to these general rules. The law permits a church organization to restrict its hiring to persons of a particular denomination.

A Chinese restaurant may employ only Chinese waiters, if there are good business reasons for doing so.

(continued on next news page)

THE "EEOC"—TO ENFORCE RULES AGAINST JOB DISCRIMINATION

Members of Equal Employment Opportunity Commission Named by President Johnson



—USN&WR Photo

FRANKLIN D. ROOSEVELT, JR.
Heads new employment commission

FRANKLIN D. ROOSEVELT, JR.

Chairman. Under Secretary of Commerce since 1963. Democratic Congressman from New York 1949-54.

MRS. EILEEN HERNANDEZ

Assistant chief, California fair employment practices division. Former State educational director, Ladies' Garment Workers Union. Negro. Democrat.

RICHARD GRAHAM

With Peace Corps in Tunisia. Former sales manager, development engineer for Graham Transmission, Inc., in Wisconsin. Republican.

REV. LUTHER HOLCOMB

Executive director, Greater Dallas Council of Churches. Chairman of Texas Advisory Committee to U.S. Civil Rights Commission. Long active in National Conference of Christians and Jews. Democrat.

SAMUEL C. JACKSON

Topeka, Kans., lawyer. Institutional and child-welfare attorney for Kansas State department of social welfare. Former president of Topeka branch of National Association for the Advancement of Colored People. Negro. Republican.

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Labor Week [continued from page 84]

. . . Pay differences based on seniority, merit or work done will not violate equal-opportunity rules

It is lawful, too, to discriminate against Communist Party members or those who belong to Communist-front organizations.

Some broad defenses. Pay can be different—or conditions of employment may vary—in cases where these differences are based on a system of seniority or on quality or quantity of the work performed.

For example, if an employer has a regular program of giving pay raises on the basis of merit, this probably will provide a defense against complaints that some worker was unfairly treated because of race or sex.

Where a firm has a scientific testing program for judging the ability of job applicants, this, too, may be an answer to discrimination charges.

If a difference in pay between women and men is authorized by terms of the Equal Pay Act of 1963, the new rules allow the practice to continue. In general, however, the idea is to avoid discrimination against women.

Employers will have time to correct discriminatory practices before the July 2 deadline. The rules are not to apply retroactively.

On and after July 2, evidence of discrimination can result in complaints, hearings, possible court action.

First crack for States. Where a State has its own fair employment practice law, the federal enforcing agency is required to give the State agency a chance to act before the federal agency moves into the case.

Where there is no State law, a person with a complaint against an employer may file his charge with the Equal Employment Opportunity Commission.

Under the procedure, the employer is given a copy of the charge. The EEOC may investigate. If it finds evidence, the EEOC will try to persuade the employer to comply with the law.

Where voluntary compliance is not arranged, the person bringing the charge may file a civil suit against the employer in a federal court.

If the court finds a violation has occurred, it may order the person hired, or restored to his job, or given the pay raise involved. The worker's legal fees may be charged to the employer.

Should the employer fail to obey the court order, EEOC can bring contempt proceedings to enforce it.

In some instances, a member of the EEOC may bring the original charges. The same procedure will follow.

No "quotas." The law makes it clear that there is to be no "quota sys-

tem," that employers will not be forced to hire a certain proportion of Negroes. Neither is the employer required to give preference to any one group to correct any imbalance that may exist in the makeup of his work force.

Employment agencies are required to avoid discrimination on the basis of race, color, religion, sex or national origin. In sending out applicants for jobs, in advertising for workers, there must be no discrimination.

Labor unions, too, are covered by the new rules—in their own employment practices among their staff employees, and in referring applicants through union referral halls.

It will be illegal for unions to reject membership applicants on grounds of race, color, religion or sex.

If a union favors one group over another in its apprentice-training programs, it could get into trouble.

Thus, unions, employment agencies and employers in general will be watching for the regulations and interpretations of these new ground rules, as they are drafted in the weeks ahead by the new federal policing agency, the EEOC.

Unions' Goal: \$3.07 an Hour

The AFL-CIO has a new wage goal that employers will be hearing more about. This goal is at least \$3.07 an hour for the typical worker.

That figure is about 50 cents an hour higher than the present average wage in American industry. The AFL-CIO is urging unions to seek pay raises that will bring up the average to \$3.07.

AFL-CIO economists contend that the average worker needs an income of \$123 a week to finance a "modest but adequate" standard of living for a family of four in a city.

A wage of \$3.07 an hour would amount to \$6,418 a year.

AFL-CIO arrived at the figure by updating a family budget compiled in 1959 by the Department of Labor. Today's prices were used in the computation.

Today's wages, on the average, according to the AFL-CIO, do not provide enough for such a budget. Straight-time factory wages were \$2.58 an hour in January, 1965.

Workers in retail trade, the report added, were worse off, with an average wage of \$70.13 a week, or about \$53 short of the budget figure.

[May 2]

File
EEOC - current
file

Equal Employment Opportunity Commission

These projects are underway on EEOC matters:

1. Funds have been appropriated for this year but no request has been made for fiscal year 1966 -- although conversations have been held informally with Congressman Rooney. (The Labor Department can prepare the materials for the request when it is made.)

2. A study is being made of the problems that will arise in working out relations with State and local FEP's. (Mr. Berg at Justice.)

3. Preliminary plans have been made for the conference with interested groups required by Title VII. (Mr. Kendrick at President's Committee on Equal Employment Opportunity.)

4. The Civil Service Commission has been requested to reserve a GS-18 position for the Executive Director and a GS-18 position for the General Counsel. (The Labor Department made the request.)

5. A looseleaf book has been prepared that contains all of the significant documents and papers that have been prepared on Title VII. These deal with administrative matters as well as with some of the many serious substantive questions which must be quickly resolved.

6. Arrangements are being made to secure adequate office space as soon as possible. Because of the close working relations between the EEOC and the PCEEEO, an attempt is being made to house them in adjacent space, hopefully in the same building as the President's Council.

It would be desirable if these matters could also be pursued promptly:

1. Material should be prepared and collected for the nominees to use in preparing for their Confirmation hearings.

2. Tentative selection of the Executive Director who would begin work immediately, or the detail of someone who could assume considerable responsibility.

3. Preliminary drafts of the rules and regulations should be prepared.

4. Preparation of informational material of all kinds that could be widely distributed soon after the Commissioners have been confirmed. If possible, an information man should be temporarily detailed or recruited. (While this material will necessarily be limited by the lack of policy decisions, it would be better to be criticized for this failing than lack of any action.)

5. An organization study that would recommend:

a. General functions and procedures of EEOC, PCEEO and state and local FEP's.

b. A detailed EEOC organization to carry out EEOC's functions.

c. A staffing pattern for EEOC.

6. Based on the organization study, preparation of the following for the Commission's approval:

a. Super grade request for Civil Service Commission.

b. Budget revision for the Bureau of the Budget.

7. An administrative management man should be temporarily detailed or recruited to move the management study along quickly so that the Commission can begin to recruit staff as soon as it is confirmed.

8. Further detailed work should be done on relations with State FEP's, the rules and regulations, the conference and requests for super grades.

9. Work should begin soon on these problems:

Page three

a. Arrangements for hearings on rules and regulations.

b. Reporting problems.

c. Possibility of more or less formal voluntary compliance efforts.

d. Desirability for advisory groups, how they might be structured, and relation to the conference.

THE PRESIDENT'S COMMITTEE ON EQUAL EMPLOYMENT OPPORTUNITY
WASHINGTON, D.C. 20210

May 11, 1965

*July
EEOC
Conference*

MEMORANDUM

TO : John Stewart

The attached memorandum concerning a proposed national conference subject to Section 716(c) of the Civil Rights Act of 1964, is sent to you for your review and comments.

It would be very much appreciated if you would comment on this suggested approach, making any suggestions you feel appropriate, within the next few days. You can call in your ideas (code 110, x 3603) or else send them along in writing.

Thanks very much.

Wm. J. Kendrick
William J. Kendrick
Executive Assistant

Attachment

PLANS FOR A NATIONAL CONFERENCE

ON

TITLE VII, CIVIL RIGHTS ACT OF 1964

I. PURPOSE:

The purpose is stated in Section 716(c) of Title VII of the Civil Rights Act of 1964. Here the President is directed to "convene one or more conferences for the purpose of enabling the leaders of groups whose members will be affected by this Title to become familiar with the rights afforded and obligations imposed by its provisions, and for the purpose of making plans which will result in the fair and effective administration of this Title when all of its provisions become effective."

It appears from the above Section that a meeting or meetings should be convened prior to July 2, 1965, through which the Commission can instruct and guide the conferees and in turn be assisted and guided with respect to the responsibilities imposed by the Title.

II. BACKGROUND:

Since the signing of the Civil Rights Act of 1964, there has been considerable dialogue carried on by various organizations with responsibilities in the area of equal employment opportunity. For example; (a) National Association of Manufacturers Title VII seminars in 50 cities have been attended by over 5000 employers. (b) The Chamber of Commerce has had a score of conferences in 10 states with an overall attendance of more than 2000, including bankers, retailers and plant managers. (c) The American Management Association has held 5 seminars for small groups of executives. (d) The National Employment Association has been assisting its state organizations re Title VII conferences. (e) The AFL-CIO in April had a conference of representatives of 74 internationals with Title VII a major item of discussion. (f) The principal officers of 11 Southern state labor bodies plus several local central groups met in February to discuss the entire Bill with emphasis on Title VII. (g) Several Federal agencies have included Title VII on the agenda of various meetings throughout the country; e.g. Plans for Progress, Civil Rights Commission, Community Relations Service, and the President's Committee on Equal Employment Opportunity.

It is important to note that much has already been said on Title VII and many questions have been raised. From discussions with officials of concerned organizations, one thing has become clear regarding the responsibility outlined in Section 716(c); WHAT IS NOT NEEDED IS A LARGE MEETING OF MANY PERSONS ENTHUSED BY AN INVITATION TO VISIT WASHINGTON TO ATTEND A GOVERNMENT MEETING.

III. RECOMMENDATION:

What is needed to best assist the new Commission in getting off the ground business-wise and public relations wise is a small national meeting (hopefully 200 to 225) of representatives of employers, unions, employment agencies, public and private organizations, state and local commissions, etc., whose opinions will have relevance in advising the Equal Employment Opportunity Commission and in implementing the Commission's program as it becomes established. It is suggested that this meeting be held during the week of June 21 thru June 25. (It is anticipated that regional meetings aimed at specific groups mentioned in Section 716(c) will take place as soon as possible after July 2, utilizing the relationships established at the initial national conference.)

It is quite possible that extending invitations beyond 200 or 225 might make it difficult to limit the number of conferees to a workable group. Also, it is recommended that the invitations be sent to full time, paid staff persons of the organizations listed below, rather than officials serving in an honorary type capacity.

IV. SUGGESTED INVITEES:

These recommendations are aimed at providing proportionate representation from private and public agencies engaged in promoting equal employment opportunity, from employers, unions, employment agencies, State and local human relations commissions and other associations and institutions whose activities have a meaningful effect on the subject matter.

These suggested conferees are listed according to the provisions of Section 716(c): Unless otherwise indicated, it is recommended that each organization be represented by one person.

- A. Members of the Civil Rights Commission - 6
(It is suggested that the President's Committee on Equal Employment Opportunity be represented by a subcommittee of 2 or 3 members who could report to the full Committee at a meeting tentatively being discussed for June 28, 29, or 30)

B. State and Local Agencies

- 1) With FEP laws (combined) - 37
(In addition to their attendance at the general sessions it is suggested that these representatives be given individual attention in a body by the Commissioners. This could be done before or after the National Conference or at the annual meeting of the Conference of Commissions for Human Rights scheduled for June 30 thru July 3 in New York City.)
- 2) States presently considering passing statutes - 3
- 3) Conference of Mayors
- 4) Conference of Governors (represented by the Council of State Governments)
- 5) Representative of Vice President's office re role as Administration's liaison with mayors.
- 6) Representative of Buford Ellington's office re role as Administration's liaison with governors.

C. Representatives of Private Agencies

- 1) Negro Organizations
 - (a) Urban League - 2
 - (b) NAACP - 2
 - (c) CORE - 2
 - (d) SCLC - 2
 - (e) Negro American Labor Council
 - (f) United Negro College Fund
 - (g) Council on Cooperative College Projects

2) Other Racial or Language Minorities

- (a) American G. I. Forum
- (b) Political Association of Spanish Speaking Organizations
- (c) Community Service Organizations
- (d) Mexican-American Political Association
- (e) National Congress of Indians
- (f) Japanese-American Citizens League

3) Religious Organizations

- (a) National Council of Churches - 3
- (b) Unitarian Universalist Association
- (c) Negro Baptist Ministers Association
- (d) Mormons
- (e) National Catholic Welfare Conference - 2
- (f) Synagogue Council of America

4) Women's Organizations

- (a) General Federation of Women's Clubs
- (b) National Federation of Business and Professional Women's Clubs, Inc.
- (c) American Association University of Women
- (d) National Council of Women
- (e) National Council of Negro Women
- (f) National Council of Jewish Women
- (g) United Church Women
- (h) National Council of Catholic Women
- (i) League of Women Voters

5) Private Organizations

- (a) Anti-Defamation League
- (b) Southern Regional Council
- (c) American Jewish Committee
- (d) American Friends Service Committee

Private Organizations (continued)

- (e) National Bar Association
- (f) American Bar Association
- (g) The National Community Advisory Service
- (h) The National Association of Labor Arbitrators
- (i) Federal Bar Association

D. Employer Representatives

- 1) National Association of Manufacturers - 2
- 2) U. S. Chamber of Commerce - 2
- 3) National Industrial Conference Board
- 4) American Management Association
- 5) Industrial Relations Counsellors
- 6) Trade Associations:
 - (a) Advertising Federation of America
 - (b) Air Transport Association
 - (c) American Bankers Association
 - (d) American Gas Association
 - (e) American Hospital Association
 - (f) American Hotel & Motel Association
 - (g) American Iron and Steel Institute
 - (h) American Petroleum Institute
 - (i) American Textile Manufacturing Institute
 - (j) American Trucking Association
 - (k) American Retail Federation
 - (l) American Society of Associated Executives
 - (m) Associated General Contractors of America
 - (n) Automobile Manufacturers Association
 - (o) Life Insurance Association of America
 - (p) Manufacturing Chemists Association
 - (q) National Association of Electric Companies
 - (r) National Association of Home Builders
 - (s) National Association of Retail Grocers
 - (t) National Association of Textile & Apparel Wholesalers
 - (u) National Association of Wholesalers
 - (v) National Association of Broadcasters
 - (w) National Retail Merchants Association
 - (x) National Stationery and Office Equipment Association
 - (z) Printing Industries of America
 - (aa) Supermarket Institute
 - (bb) United States Independent Telephone Association

E. Labor Unions - 25

(These names can be secured through Don Slaiman,
Director, Civil Rights Department, AFL-CIO.)

F. Employment Agencies (Including educational institutions)

- 1) National Employment Association - 3
- 2) College Placement Council
- 3) United Business School Association
- 4) U. S. Employment Service
- 5) The American Nurses Association
- 6) The American Personnel and Guidance Association
- 7) National Education Association
- 8) A representative of Temporary employment service agencies

G. Public Information

- 1) American Business Press Association
- 2) National Editors Association - 2
- 3) Editor and Publisher (publications)
- 4) Magazine Publishers Association
- 5) Periodical Publishers Association
- 6) American Newspaper Publishers' Association - 2
- 7) National Newspaper Publishers' Association - 2
- 8) United Press International
- 9) Associated Press
- 10) National Broadcasting Company
- 11) Columbia Broadcasting System
- 12) American Broadcasting Company
- 13) Wall Street Journal
- 14) Johnson Publications
- 15) Business Week
- 16) Bureau of National Affairs
- 17) Commerce Clearing House

H. Federal Government

(The number of officials representing these government
agencies can be determined on an informal basis)

- 1) Labor Department
(Bureau of Apprenticeship & Training, Manpower, Solicitor,
Wage & Hour, Office of the Secretary, and Women's Bureau)

- 2) National Labor Relations Board
- 3) Health, Education & Welfare (Office of Education, Public Health Service)
- 4) President's Council on Equal Opportunity in Housing
- 5) Commerce Department
- 6) Community Relations Service
- 7) Defense Department
- 8) Civil Rights Commission (Staff)
- 9) Justice Department
- 10) President's Committee on Equal Employment Opportunity
- 11) Office of Economic Opportunity
- 12) U. S. Information Agency

V. CONFERENCE AGENDA

For purposes of preparing the conference structure and agenda, it is suggested that 5 to 10 persons be drawn from the above-mentioned conferees and invited to participate in arranging these matters. It is suggested that the agenda be directed at a maximum participation by each conferee. These groups and individuals have ideas as well as questions and both should be completely considered in planning the conference program.

It is suggested that the conference be held over 1-1/2 or 2 days because of the time that must necessarily be allowed for preliminaries and formalities.

One thing cannot be overstressed and that is the conferees suggested above should not be subjected to a meeting aimed at inspiring them. These are the people who can be of great help to the Commission and its work, and everything possible should be given them in the way of information and direction and, equally as important, everything possible should be gained from them in the way of advice and ideas.

May 11, 1965

MEMORANDUM TO THE VICE PRESIDENT

FROM JOHN G. STEWART

I suggest that you call Franklin D. Roosevelt, Jr. to congratulate him on his appointment as Chairman of the Equal Employment Opportunity Commission. You might also wish to mention to him that he is a member of the President's Council on Equal Opportunity and that a Council meeting is scheduled for May 19, and he will also receive a written invitation.

Also mention to him the work which Secretary Wirtz' task force has done on this problem and that you would like to arrange a meeting with Franklin D. Roosevelt, Jr. to go over these matters.

I think it is very important that we establish promptly with Franklin D. Roosevelt, Jr. the impression that he must work closely with you on these employment questions; for example, the appointment of a staff director and other principal staff positions will be a vital factor in determining the success of the Equal Employment Opportunity Commission. Obviously, there will be close consultation with you on these appointments.

You will also recall that we hope to shift over to the Commission as soon as possible certain activities of the President's Committee on Equal Employment Opportunity and we would want to have Franklin D. Roosevelt, Jr.'s close cooperation on these matters.

For all these reasons, a call to him at this juncture seems essential.

Wall St.
Journal
5/28/65

File
EEOC

VOL. CLXV NO. 104

Battling Job Bias

Rights Groups May Ask Stiffening of 1964 Law's Employment Provisions

Equal Opportunity Agency Is Off to Slow Start; Critics Hit 'Cumbersome' System

Delay Blamed on White House

By JAMES HARWOOD

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON — Congressmen who count on an early windup of the legislative wars over Negro rights could be headed for another surprise.

In 1964 they enacted an "omnibus" civil rights law, and figured that took care of that. In 1965, after quick shock at finding themselves in a fresh affray, they now tell each other that passage of the current bill to nail down voting privileges will sure enough wrap things up. Yet in 1966 they may well be back on the hotspot pushed by demands for legislation against job discrimination.

In theory, of course, this job problem was solved in that rattling "omnibus" of a year ago. Congress authorized creation of a brand new independent agency to reign over hiring practices, the Equal Employment Opportunity Commission. The date for it to swing into action was deliberately set at this coming July 2, so the long intervening months and more than \$2 million of initial appropriations could be usefully spent in assembling an expert staff, in carefully drafting operating procedures and policy guidelines, and in educating employers toward cooperation.

Now the July 2 action date draws near—but almost nothing is ready.

No Office Space

The agency has not so much as found office space; even Chairman Franklin D. Roosevelt, Jr., has no desk except his old one over at the Commerce Department, where he used to be Under Secretary, and his fellow commissioners haven't a square foot in the capital they can call their own. The couple of hundred staff men, who are supposed to man headquarters operations and half a dozen regional posts, have yet to be hired. A handful of transient lawyers, on loan from the Justice and Labor Departments, has channeled out some ideas on how to operate, but the five commissioners haven't ploughed through all this paper, much less decided what to adopt.

Four of these commissioners, who are supposed to win largely voluntary compliance with a complex and ambiguous statute, lack experience in Washington's bureaucratic briar-patch and are almost unknown nationally. The fifth, Chairman Roosevelt, strikes many businessmen as "too liberal" and many labor and civil rights folk as too inexperienced in this field. Overcoming such skepticism won't be easy so long as FDR, Jr., keeps one eye cocked on New York's 1966 Democratic gubernatorial nomination.

The near-anarchy might be only temporarily embarrassing if the commission's prospective clients were sympathetic to the scheme about to be tested—and willing to wait for results. But precisely the contrary is true.

NAACP's top lawyer, Jack Greenberg, is already publicly flailing the employment provisions of the law passed last year as "weak, cumbersome, probably unworkable." And he frankly says: "We think the best way to get it amended is to show that it doesn't work."

CORE talks of Demonstrations

CORE Director James Farmer is already talking of "large field demonstrations to show Congress the need for more legislation." His forecast is conditional; plans for job picketing and marches are to be put into action "if there is evidence that progress is proving slow and dilatory." Yet Mr. Farmer's mind seems ripe to find the evidence; he is already of the opinion that the commission's operation will be so tangled in red tape that "before an aggrieved person can get a remedy, he may have found another job or starved to death." CORE is currently drafting and will soon unveil specific proposals for stronger fair employment legislation.

What the Negro groups want is a Federal agency that would move rapidly against discrimination complaints all over the nation, instead of largely deferring in the North to state fair employment agencies. They want the complaining job seekers to bear less of a burden, with the Government seeking out and pressing cases. They want a commission relying less on conversation and more on compulsion. They want to shift the employer to the defensive, leaving him as the one who must initiate any appeal to the courts. In general, the civil rights groups want to give this new agency much the same sort of sharp teeth that the National Labor Relations Board uses in other labor affairs.

Battling Job Bias: Rights Groups May Ask Stiffening of 1964 Law

While Negro leaders can't expect Congress to tackle a second round of civil rights legislation this year, they can till the ground for '66. So the prospect is for a concentrated campaign to put maximum pressure on the commission with a flood of test cases—launched this summer so the new system can be shown up as a "failure" before it ever has a chance to shape up and shake down. If not enough people are noticing, the public demonstration pops up.

Delay in Nominations

Until the last day or so Chairman Roosevelt and his fellow commissioners have been helpless in even beginning to gird for defensive action. They could not lawfully go to work until confirmed by the Senate on Wednesday. And the Senate could not have acted much sooner, for the nominations were not offered by President Johnson until May 10. Despite the oft-proclaimed LBJ zeal for giving all Americans an equal chance at jobs, Mr. Johnson tossed away his opportunity to get the commission solidly set up well in advance. "We couldn't get the President to name the members," one White House aide explains. "The effective date seemed so far away, and he was so busy with other problems, it just didn't get done."

It is probably safe to predict, however, that

Please Turn to Page 16, Column 1

Continued From Page One

whatever chaos and crisis is apparent in coming months will actually be converted by the Government into the best available weapon for inducing employers to hire more Negroes. Any who are inclined to take it slow, waiting for the commission to evolve its procedures and fully execute its intervention, are likely to be warned that they are helping build the case for a far tougher law.

Indeed, some talk of this sort can already be heard. N. Thompson Powers, one of President Johnson's advisers on labor and civil rights, appeared before the American Retail Federation a few days ago to warn that "if voluntary efforts don't work, the people and Congress will demand further protection" against job discrimination. Making no apologies for the Government's failure to get its new job agency organized on schedule, he suggested it's up to "those who want to keep Federal regulation at a minimum" to "see to it that the purposes (of the employment provisions) are realized."

Even a company eager to comply with the letter of the law may not find it easy to do, though.

Some Justice Department lawyers think the present provisions will be so complicated to administer that Congress will be forced to redo them regardless of whether the commission's basic powers are ever broadened. "It's a legalistic monstrosity," one Federal lawyer remarks.

The Wordiest Title

A product of repeated compromise, the employment section is the wordiest of the 11 titles in the omnibus rights bill of last year. Although it makes four separate attempts to define what "unlawful discrimination" is and six separate efforts to describe what it is not, no one professes to know for sure yet.

The fog is so thick that many employers, particularly in the construction industry where fighting over alleged job discrimination is rife, are already urging the commission to hold public hearings and try to clarify definitions. Technically, this could be important. The law specifically provides that when confronted with a complaint in court or elsewhere by a private party, an employer can defend himself by relying on the commission's interpretations—if any—of what employment discrimination amounts to.

It's also thought, public hearings might settle some of the confusion over who does what. There's considerable doubt how the commission's jurisdiction will mesh with anti-job discrimination efforts already existing in the states and other Federal agencies. "There's a good chance employers will find themselves battling the same job complaint on several fronts," an official of the National Association of Manufacturers fears.

When a person believes he's been discriminated against—either in getting a job initially or in such matters as pay and promotion—the law provides that he can file a complaint with the commission within 90 days. Upon receiving the complaint, the commission is supposed to investigate and, if discrimination exists, "endeavor to eliminate any such alleged employment practice by informal methods of conference, conciliation and persuasion." If this doesn't work, the person can sue the employer.

The commission itself has no power to punish an employer for any isolated violation. If it is convinced there's a broad pattern of discrimination, however, it can ask the Attorney General to go to court, seeking not criminal penalties but a judicial order. Thus an employer might ultimately find himself enjoined, say, to hire a Negro with back pay to the date of his job application; refusal to comply could in extreme cases result in a judge imposing penalties for criminal contempt of court.

If a complaint arises in one of the 25 states

that have their own fair employment laws, the new commission must yield authority for at least 60 days (120 days in some instances). After that, however, the commission can start its own investigation, whether or not the state has finished its probe. Moreover, even if the state finds there was no discrimination, the commission can start anew to determine if the state was too lenient. In the meantime, lawyers say it's possible the complaining party could go into court under one or more provisions of the law, and thus establish a third arena.

Focus in Deep South

Conflicts between Federal and state authority may not prove as troublesome as they look on paper, it's argued. "Where it looks like a state is making a sincere effort to solve a problem, we just won't step in," says one Federal official. "Besides," he says, "the commission's main focus will be on those states, mainly in the Deep South, that don't have any fair employment laws."

White House aides, working under Vice President Humphrey, are also striving to eliminate any conflicts between Federal agencies. The objective, they say, is that no employer shall be challenged twice by the Federal Government on the same complaint. But some overlap seems unavoidable for a while. For example, the President's Committee on Equal Employment Opportunity will continue to guard against discrimination by employers with Federal contracts while these employers will also fall under the commission's jurisdiction. The idea is that when and if the commission grows strong enough to handle the job alone, the President's committee will be abolished.

The \$2,250,000 which Congress appropriated for the current fiscal year will be mostly unspent, and this must be turned back to the Treasury at the end of June. So if the commission is to do anything in July Congress must quickly vote some money for fiscal '66. The Administration has tentatively asked \$3.2 million, but the commission must firm up a figure, and argue for it.

The fiscal '66 estimate includes \$900,000 to be dealt out to the states. The Federal Government expects to enter into contracts with the states under which their agencies will handle specific efforts to help administer the Federal law. Such tasks could include educational programs to help workers and employers understand the new Federal law.

Help for Weaker States?

It's also possible the Federal Government might provide funds to help the weaker state agencies beef up administration of their laws. But this idea is still only in the talking stage; the big fear among Administration aides is that helping one or two weak states might set off a rush by all of them. In any event, it's quite likely that money to help state programs will soon make up the larger portion of the commission's budget.

Mr. Roosevelt is the only well-known personality picked for the commission. The other members are little known in Washington and lobbyists for civil rights, business and labor groups profess wonder over how Mr. Johnson settled on them; they were not among the names the groups submitted to the White House for consideration.

One lobbyist, however, calls the collection a "political masterpiece." Included are two Negroes, Mrs. Eileen Hernandez, a Californian with a union background, and Samuel C. Jackson, a Kansas Republican, NAACP lobbyist and member of the law firm that brought the original school desegregation case before the Supreme Court. The remaining two are Richard Graham, a Republican businessman from Wisconsin who has been serving in the Peace Corps in Tunisia, and the Rev. Luther Holcomb, a Dallas Baptist minister born in Yazoo City, Miss., who helped John F. Kennedy soothe Protestant fears over his Roman Catholicism during the 1960 campaign.

WB
File:
Eugene T. F.
ES

Filvaroff

May 13, 1965

Dear Franklin,

Though I neglected to mention it this morning, I am sure you know that as Chairman of the Equal Employment Opportunity Commission you will be a member of the President's Council on Equal Opportunity; your membership is provided for in the Executive Order establishing the Council.

The second meeting of the full Council will be held at 10 a.m. on Wednesday, May 19, in the Indian Treaty Room of the Executive Office Building, and I hope you will be able to attend.

There are a number of significant matters to be discussed by the group. I expect to forward an agenda and some background material prior to the meeting. In addition, the meeting will provide an opportunity to meet Wiley Branton, recently named Executive Secretary of the Council.

At the time of the first meeting I designated several Task Forces, including one on employment problems chaired by the Secretary of Labor. It seems to me that the Chairman of the Equal Employment Opportunity Commission ought to be a member of this Task Force. I know that Secretary Wirtz feels the same way and would be pleased to have your help, if you are agreeable to becoming a member.

Finally, it would be most helpful to me if you could have your secretary contact Miss Betsy Rowe of the Council staff (DU 2-6151 or Code 128, Ext. 6151) by Monday, May 17, and let her know if a staff person will accompany you to the May 19 meeting.

Again my thanks for coming in this morning. I and my staff would like to be of as much help to you as possible.

I look forward to seeing you on the 19th.

Sincerely,

Hubert H. Humphrey

The Honorable
Franklin D. Roosevelt, Jr.
Under Secretary of Commerce
Washington, D.C.



THE VICE PRESIDENT

WASHINGTON

May 10, 1965

MEMORANDUM TO: THE PRESIDENT

FROM : THE VICE PRESIDENT

When you signed the Manpower Development and Training Act amendments, you asked that I convene and chair a special Cabinet Committee on Employment consisting of Secretary McNamara, Secretary Connor, Secretary Wirtz, and Administrator Webb.

After a preliminary meeting in which a number of agencies were asked to assess their own resources and capabilities, I held a meeting with Defense, Commerce, Labor, and NASA.

There was unanimous agreement that the efforts of this Committee should be coordinated with the several other complimentary activities already underway. Because of their prior involvement in this area and their deep knowledge of the field and the needs, I asked that Secretaries Wirtz and Connor assume direct responsibility for supervising the development and implementation of programs. Of course, I will retain overall supervision and intend to work closely with the Committee.

We are surveying Government programs to make sure that we are encouraging maximum employment -- especially this summer. We intend to emphasize youth employment as well as jobs for "graduates" of Government-sponsored training programs. A number of promising possibilities are being explored, including a wide-spread, coordinated campaign urging employers to expand their work-forces. We hope to utilize particularly the contacts of DOD and NASA, though there are some built-in limitations because of pressures on contractors to cut costs.

We are working for early, concrete results, with impact as soon as schools are out for the summer.

COPY

May 26, 1965

Dear Martin:

As I promised you, I am enclosing a copy of my prepared text delivered at the American Jewish Committee dinner. Again, let me congratulate you on receiving the Medallion of the American Jewish Committee, and say what a magnificent address you delivered that evening.

Best wishes.

Sincerely,

Hubert H. Humphrey

Reverend Martin Luther King, Jr., President
Southern Christian Leadership Conference
334 Auburn Avenue, N.E.
Atlanta, Georgia 30303

CR non gov orgs
COPY

May 26, 1965

Dear Roy:

I want to bring to your attention a copy of the speech I delivered before the American Jewish Committee concerning the activities of the Federal government in the area of civil rights. In this speech I attempted to indicate the firm commitment of the Federal government to implement fully the Civil Rights Act of 1964, particularly as it relates to the enforcement of Title VI and Title IV.

I hope we will have an opportunity to see each other in the near future.

Sincerely,

Hubert H. Humphrey

Mr. Roy Wilkins
Executive Director
National Association for the Advancement of Colored People
20 West 40th Street
New York, New York

Essentially same letter sent: Clarence Mitchell, Dorothy Height, Joe Rauh, A. Philip Randolph, Roy Whitney Young, Bob Spike, Arnie Aronson, George Meany, James Farmer



THE VICE PRESIDENT
WASHINGTON

May 8, 1965

CIVIL RIGHTS

MEMORANDUM TO: THE PRESIDENT

FROM: THE VICE PRESIDENT

1. Community Relations Urban Task Force.

Governor Collins met with mayors of Boston, Gary, Newark, Oakland and Rochester in the past week to assist them in utilizing Federal programs which could help reduce summer tensions. The Executive Committee of the Community Relations Service National Citizens Committee (NCC) also met this week and will carry out activities in target cities this summer. Members will visit each of the cities to encourage the formation of NCC working groups to undertake projects in the slums.

2. Title VI.

My staff is continuing to work with various Title VI agencies to assure that the standards set for continuance of Federal assistance are consistent with the requirements of Title VI. Emphasis is also being placed on compliance procedures to assure that progress is actually achieved.

3. Merit Standards

Alabama and Louisiana are refusing to comply with the Labor-HEW-Defense Merit Standards which require non-discriminatory employment practices for state and local employees working in welfare and other programs (including the Employment Service) for which the Federal Government pays administrative costs. The

Justice Department has been asked to determine whether it is possible to administer the relevant Federal programs directly if administrative funds are cut off to the state agencies and the states refuse to supply the necessary money themselves. Such an "end run" around the state agencies would avoid the termination of assistance to the ultimate recipients while creating maximum pressure on the recalcitrant state agencies. We are not optimistic about the resolution of this legal question and may soon be faced with some hard choices.

4. Government Employment

My staff met with John Macy on Friday to discuss transfer of full responsibility for non-discrimination in Federal Government employment from the PCEEO to the Civil Service Commission. This will require amendment of the Executive Order on Employment. Mr. Macy also agreed that the Commission would develop details on various work-study and special training programs which could assist materially in increasing Government employment of Negroes and other disadvantaged groups. As soon as the new Title VII Employment Commission becomes operative, we will move to transfer other PCEEO functions to it.

5. Employment -- Government Contractors

The Treasury is ready to bring all Federal depository banks under the Executive Order on Employment and will send letters to this effect to the banks within about 10 days.

Similarly, HEW will be moving to implement a Justice Department opinion that the Executive Order on Employment applies to Hill-Burton hospital construction and to construction under the impacted area school assistance program.

6. Housing

I met Thursday morning with a delegation representing the National Committee Against Discrimination in Housing. This group urged most forcefully that the

Executive Order on housing be broadly extended. The issue is an explosive one, whatever is done and, though I listened sympathetically, no commitments were made. My staff spent some additional time with the delegation explaining some of the many legal difficulties involved in meeting their request. This housing group is composed of representatives of many key civil rights and civil rights related organizations and is the most potent lobbying force against discrimination in housing. I expect soon to send you a memorandum respecting the recommendations of Governor Lawrence's housing committee (the President's Committee on Equal Opportunity in Housing), which also urged extension of the Executive Order.



THE VICE PRESIDENT
WASHINGTON

MEMORANDUM TO: THE PRESIDENT

FROM: THE VICE PRESIDENT

RE: RECOMMENDED EXTENSION OF THE EXECUTIVE ORDER BARRING
DISCRIMINATION IN HOUSING

The attached memorandum discusses the possible responses to the recommendations of Governor Lawrence's housing committee that the Executive Order dealing with discrimination in housing be broadly expanded to reach private housing. The memorandum is rather lengthy because this is a complex and extremely delicate problem on which I wish to give you the fullest information. The alternative courses of action are spelled out on page 1 of the memorandum.

Clearly, housing will be one of the next areas of pressure on the civil rights front; it may come this summer, it may come a little later. Keeping this in mind and looking over all the alternatives, I call particular attention to alternative 3 in the event you think this an appropriate time to move forward on the housing front. There will be substantial criticism if the Order is not extended or other fairly dramatic action taken on housing; at the same time, I know I need not belabor the potentially explosive nature of any attempt by the Federal government to extend its regulation of private housing in this most sensitive area.

I have not taken this matter up with the Council on Equal Opportunity as yet; the extreme delicacy of the issue suggested to me the advisability of raising the possible options with you before proceeding further. I have written Governor Lawrence acknowledging receipt of the report and recommendations and thanking him and his committee for their efforts.

recommendations are difficult and their resolution involves potentially explosive consequences. If you think it appropriate to have the Federal government take broad action at this time, I would suggest further exploration of alternative 3, that is, seeking to achieve the substance of the recommended extension without amending the Order. Because of the sensitivity of the issue, it seemed wise to check with you before initiating any action or making further inquiry even within government agencies.

* * * * *

The report, a copy of which is attached, points out that the effectiveness of the 1962 Executive Order on housing is severely limited by its application primarily to new private housing the financing of which is insured by the FHA or guaranteed by the VA. This represents something less than one-fifth of new private housing units started each year.

As you are aware, the recommendation for extension of the Order has been pending for a substantial period of time within the Housing Committee and the delay in its submission has been attributable to a variety of factors not having to do with the merits of the proposal. The recommendation asks extension of the Executive Order to all housing financed by institutions which are federally supervised. The institutions covered would basically be those whose deposits are insured by the FDIC or the Federal Savings and Loan Insurance Corporation. This would cover all but a small portion of commercial banks and savings and loan associations holding all but a negligible amount of commercial bank and savings and loan resources. More than 80 per cent of the private housing market would by this method be brought within the Executive Order's prohibition against discrimination. (Consideration was given at the time the Order was originally promulgated in 1962 to covering these institutions and at that time a conclusion was reached not to do so.) While the report is not public, word of the recommendation will soon begin to leak out and some response is necessary.

There is, at best, grave doubt as to your authority to extend the Executive Order as recommended. There are basically two legal issues. First, there is

an initial question whether the FDIC and the Federal Home Loan Bank Board, which supervises FSLIC insurance, are subject to direct Presidential direction or whether they are independent agencies like the Federal Reserve Board. I am advised that question will be resolved favorably to an exercise of authority by you; nonetheless, there may be people who would react negatively if the issue were to be publically aired. In any event, the really serious legal question is the second one: whether the regulatory authority under the deposit insurance programs can be utilized to control the conduct of not only the member banks and savings and loan associations but also the conduct of borrowers from such institutions. The requirement to be imposed would have, somehow, to compel member banks and savings and loan associations to require enforceable pledges of non-discrimination by private borrowers seeking funds to construct (or purchase) housing.

Because its organic statute expressly indicates a special congressional intent to provide adequate housing, it is probable that the Federal Home Loan Bank Board could take the recommended action. However, there is no similar basis of authority with respect to the FDIC and the legality of such action by it would be highly doubtful, to say the least. To direct or authorize the Home Loan Bank Board to impose the desired requirements without similar action being taken by FDIC would place covered savings and loan institutions at a substantial disadvantage vis-a-vis commercial banks and other lending institutions not subject to such non-discrimination requirements. Thus, it seems essential, if anything is to be done, that both agencies act together.

Several courses of action seem possible.

(1) You could extend the Executive Order as recommended. Such action would have fairly obvious political advantages and disadvantages. You would be a hero to civil rights groups and other like minded persons but would, I am sure, be severely criticized for interfering in "private" matters. (Some of the political backlash, of course, could be tempered by limiting application of the extended Order only to new housing constructed for resale; this and other possible variations are discussed in more detail below.) In addition, there would be a very substantial risk of the courts finding such action to be beyond your authority, at least insofar as FDIC is concerned; the consequences of such a judicial rebuff are obviously signif-

icant and could represent a substantial setback for equal opportunity in housing.

(2) You could decline to follow the recommendation. This course would have to be based upon an assertion of a lack of authority to take the requested steps. If this course is to be followed, it would be desirable to secure appropriate legal justification from the Department of Justice. Whether such advice would take the form of a formal opinion of the Attorney General or be of a more informal nature could be worked out in light of all the relevant factors. One possibility would be to refer the report and recommendation to a subcommittee of the Council on Equal Opportunity and have the Attorney General render his legal advice informally to that group, of which he would be named a member. This could provide some additional insulation to you by institutionalizing the decision, rather than making it your personal one. Presumably, an unequivocal declaration that you are completely without authority should be avoided if possible. Of course, if the recommendation is not to be adopted and nothing else done, there will be considerable political flack and the legal judgments as to your authority will be disputed and criticized, even though sound.

(3) There is a method by which the substance of the Committee recommendations might be effected other than through "a stroke of the pen", i.e., other than by extending the Executive Order. If the FDIC and the Home Loan Bank Board were agreeable to imposing the suggested requirements, it would be possible for you to send a letter to them requesting that they take whatever action may be legally permissible to end discrimination in housing. (Alternatively they might propose action to you by indicating their desire to go ahead and asking whether you have any objections.)

The FDIC could hold hearings at which a record could be made to help support the legality of its action. Since the basic FDIC regulatory concern is solvency of the insured institutions, such testimony might indicate that many banks are desirous of pursuing non-discrimination objectives but fear that to do so would put them at a substantial competitive disadvantage, thereby affecting their stability and solvency. In addition, were the Comptroller of the Currency to adopt or to

announce an intention to adopt non-discrimination requirements with respect to banks subject to his authority, a further basis for FDIC action would be provided since the Comptroller's action would affect some, but not all, FDIC banks and create potential competitive disadvantage for those subject to the Treasury regulation. It should be noted, however, that there is also great doubt as to the Comptroller's authority to so act and it may be that Treasury would oppose his taking any such steps. Even if structured in this fashion, the legality of the FDIC action would still be subject to serious question and the regulation might well be held by a court to be invalid.

Following the above course, however, would afford political credit to you and your Administration for having acted with respect to discrimination in housing but would not stake your personal prestige or authority on the outcome of any challenge of the FDIC regulations in the courts. It would also avoid raising the question of your authority to direct action by the FDIC and the Home Loan Bank Board; while you probably have such authority and a majority of each Board could be expected not to challenge you, it is possible that there would be one or more dissents among the Board members and the possibility of some negative reaction on the Hill. Obviously, this alternative method of proceeding would not be as dramatic as your amending the Executive Order, but that may have some advantages as well as some disadvantages. In any event, this course would result in making the regulatory agencies the main focus of any negative reaction to the substance of the extended regulations.

This approach has been discussed by Lee White and members of my staff and it was agreed, because of the delicacy of the issue and the need to avoid leaks prior to any decision, that the preliminary legal and other inquiries necessary to determine the ultimate feasibility of this approach not be made until the matter had been broached with you and you had indicated a desire to have it investigated further. Somewhere along the line, it would be necessary before making a final determination to get some sort of reading as to the reaction of the FDIC, the Home Loan Bank Board, the Comptroller, and the Treasury.

(4) Regardless of which, if any, of the foregoing alternatives is selected, other steps can and probably should be taken, subject only to more detailed investigation as to their affect and feasibility. For example, both the FDIC and the Home Loan Bank Board probably have authority to require that member institutions not discriminate among borrowers on grounds of race, etc. There is some evidence that a number of banks and savings and loan institutions refuse to lend to Negroes who wish to buy homes in all-white areas. Even if the practice of the borrowers were not made subject to regulation, this discrimination by the institutions themselves could probably be banned. In addition, it might be possible to get some leading banks, savings and loan institutions, and even insurance companies to come out in favor of non-discrimination policies; if the substance of the Committee recommendations is to be adopted, this kind of support would help in acceptance of the new requirements, and if not, it could still have a beneficial effect.

(5) If the decision is made to try to extend the Order or have the respective regulatory agencies act on their own, as outlined in paragraph 3, consideration should be given to the extent of the expansion. A number of variations are possible: regulation could apply only to new housing built for resale, with an exclusion for loans made to builder-occupants; the regulation could be applied only to the initial sale, or to subsequent resales as a used house; it could be made to apply to all housing loans, whether to construct new or purchase old, homes; it could cover not only residential properties but non-residential properties as well, i.e., office and other commercial buildings. Obviously the manner in which these and other questions are resolved would affect the extent of public resistance or criticism. It should be noted, however, that Gardner Ackley, in a memo (a copy of which is attached), has suggested that there are some disadvantages to reaching only new, and not resales of old, residential units.

Because selection of the desired result will greatly affect the necessary steps to be taken, I will hold the report and take no further action until receiving your advice.

EXECUTIVE OFFICE OF THE PRESIDENT

President's Council on Equal Opportunity

WASHINGTON, D. C.

May 14, 1965

CIVIL RIGHTS

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MEMORANDUM TO: THE VICE PRESIDENT

FROM: DAVID B. FILVAROFF

1. Meeting of the President's Council on Equal Opportunity (May 19, 1965)

We are preparing an agenda and other materials to be circulated to Council members prior to the meeting.

2. Merit Standards

We have called a meeting for next Tuesday to discuss the merit standards problem with representatives of Justice and the affected agencies. At the same time, it appears now that Louisiana may come into compliance, leaving only Alabama in non-compliance.

3. Housing

John Stewart has already sent you a memorandum on our meeting with Walter Geisey of the President's Committee on Housing concerning the Committee's May 25th meeting. Next Friday, Wiley and I are meeting with Greenberg, Wood and Carter of the National Committee Against Discrimination in Housing to discuss the legal aspects of extending the Executive Order on Housing. This session is an outgrowth of your meeting with this Committee last week. We are sending you a revised draft of the memo to the President.

4. Community Relations Urban Task Force

Wiley, John and I met with Roger Wilkins last Wednesday to explore the status of this group's activities. We intend to keep close track of the work of this task force and have asked Roger to prepare a detailed report which will allow some judgment to be made as to its effectiveness; we should have this next week. A copy of Roger's report for this week is attached.

5. EEOC

We are following up on commitments made in the meeting with Under Secretary Roosevelt and will keep you advised.

6. Automatic Data Processing

After a series of preliminary meetings, we have asked the Stanford Research Institute (SRI), a highly qualified nonprofit organization, to take the initial steps to establish a co-ordinated reporting and information system which will allow us to: 1) spot potential difficulties before they become crises; 2) keep better track of Federal civil rights activities, particularly under Title VI; 3) measure our progress. We emphasized to SRI that the cost should be kept to a minimum and that use should be made of existing reporting devices within the agencies. SRI should begin exploratory work with the most important agencies shortly. We have avoided any substantial financial commitment at this time. We are planning another meeting on Monday to obtain more detailed cost figures and work out operating arrangements.

7. Employment

Construction Industry (Cleveland): Under Secretary Henning advises me that the pieces of our package for Cleveland are beginning to fall into place. The local NAACP is supposed to meet next Tuesday and is expected at that time to approve joining with the Urban League as a co-sponsor of the training course designed to prepare applicants for the union apprenticeship examinations. The Advisory Committee of the Apprenticeship Information Center is to meet tonight to consider adoption of a program for affirmative recruitment of Negroes for the building trades. Pressure is being put on the Plumbers' Union to settle on a date for their examination and the Sheet Metal Workers have set June 15th as the date for their next examination. Also, all of the top four crafts have now accepted the oral interview guidelines which give more objectivity to the interview portion of the examinations, a particularly sensitive point with the civil rights groups.

Under Secretary Henning tells me that it may be possible to announce the entire package in Cleveland by the middle of next week. The head of the local NAACP has, I am told, expressed substantial satisfaction at the progress being made and the announcement should go a long way toward helping the situation. Unfortunately, we have still not been able to learn the results of the electricians examination given several weeks ago; I am hoping we can find out soon how the Negro applicants did and whether any of them have been selected.

PCEEO: Plans for Progress officials have met with Roy Wilkins and have arranged for a member of Mr. Wilkins' staff to serve as liaison for the NAACP. The Federal Government Compliance Division completed discussions with FDIC; 12 Negroes expected to participate in a development program for bank examiners. This division has also developed a program outline for compliance and affirmative action reviews of major Federal installations and initiated a full scale review of GPO employment practices. The Contractor Compliance Division met with VA officials to assist in developing an equal employment opportunity pre-award review program for the drug industry.

8. Title VI

USDA: After meetings with our staff, The Federal Extension Service has agreed to make changes to strengthen their civil rights program.

Hospitals: Complete agreement on coordinated enforcement procedures was reached at a meeting of the six agencies concerned.

Work with other departments and agencies is proceeding satisfactorily.

Att.

EXECUTIVE OFFICE OF THE PRESIDENT
President's Council on Equal Opportunity

WASHINGTON, D. C.

May 7, 1965

CIVIL RIGHTS

MEMORANDUM TO: THE VICE PRESIDENT
FROM : DAVID B. FILVAROFF

1. Community Relations Urban Task Force.

Governor Collins met with mayors of Boston, Gary, Newark, Oakland and Rochester in the past week and will send you a summary of these meetings. The National Citizens Committee (NCC) Executive Committee will carry out activities in target cities this summer. Members will visit each of the target cities to encourage the formation of NCC working groups to undertake projects in the slums.

2. Title VI.

USDA: At a meeting, May 10, representatives of the Federal Extension Service will be encouraged to adopt methods of administration similar to HEW's Statements of Compliance.

DOD: The Office of Civil Defense has agreed to change their continuing programs to assure a consistent Federal position; the Bureau of the National Guard is also developing compliance reporting procedures.

HHFA-PHA: PHA is preparing revised instructions for local housing authorities which will require that applicants be given notice of their rights under Title VI and will offer local authorities two plans for desegregation, both strengthened over their original proposal.

Hearing Examiners: A revised proposal for a pool of Title VI hearing examiners will shortly be circulated to all 21 departments and agencies with Title VI regulations.

Hospitals: A proposal for coordinated enforcement procedures for hospitals and health facilities and a compliance report form have been sent to the six appropriate Departments and agencies and will be reviewed May 12.

Education-elementary and secondary: The Office of Education has agreed to release funds for the school year 1964-65 (only) to local school districts in 17 Southern and Border

states which have not yet filed an accepted desegregation plan if such a district certifies that it will submit by June 15, 1965, a desegregation plan which meets the requirements of the Office of Education guidelines.

Building Construction Trade Unions (Cleveland): A pre-examination training program to help disadvantaged youth prepare for construction trades' apprenticeship examinations is in the process of being put together. The Urban League and the NAACP are considering the possibility of joining as co-sponsors, though this is not yet settled. The Electricians and the Pipefitters have agreed to use a uniform oral interview system which will avoid the challenged subjectivity of the oral interview and it is hoped that other unions will also come along. Finally, plans are being made to get the Cleveland apprenticeship Information Center to expand its activities and engage in affirmative recruitment efforts with the active help of the Unions. Under Secretary Henning is in charge of getting these programs underway and we are working for announcement of the entire package in Cleveland in about 10 days.

3. Merit Standards: The Justice Department has been asked to review the refusal of Alabama and Louisiana to sign the Merit Standards Agreement and to determine whether it is possible to administer the relevant Federal programs directly if administrative funds are cut off to the State agencies and the states refuse to supply the necessary money themselves. Such an "end run" around the State agencies would avoid the termination of assistance to the ultimate recipients while creating maximum pressure in the recalcitrant state agencies. I am not optimistic about the resolution of this legal question.

4. Employment: John Stewart, Wiley Branton, and I met with John Macy this morning to discuss full transfer of responsibility for non-discrimination in Federal Government employment from the PCEEO to the Civil Service Commission. This will require amendment of the Executive Order on Employment. Mr. Macy also agreed that the Commission would work out details on various work-study and special training programs which could assist materially in increasing the employment of Negroes and other disadvantaged groups. We reached a tentative conclusion that it would be a good idea to make the executive order amendment effective in July when Title VII goes into effect and that it could be coupled with the announcement of the special training programs and a statement on the increased efforts to be made to enforce the Executive Order within Government; this should help materially to overcome any adverse reaction which might result from the transfer.

Employment - Government Contractors.

Treasury: The Treasury is ready to bring all Federal depository banks under the Executive Order on Employment and will send letters to this effect to the banks within about 10 days.

Hospitals and Impacted Area Funds: Alanson Wilcox, HEW General Counsel, has indicated that HEW has decided that the Executive Order on Employment does apply to Hill-Burton hospital construction and to construction under the impacted area school assistance program.

PCEEO: All Construction Industry Area Coordinators have been selected and have begun to establish themselves in their cities.

The Construction Compliance Division recommended to GSA that Mohasco, Greenville, Miss. not be awarded further contracts until it submits an acceptable program for compliance and discussed complaints with other agencies and companies in the South.

Summer Employment: A more detailed report on the work of the Council Task Force on summer employment is attached.

Construction Industry (General): At the invitation of the Secretary of Labor, I today had luncheon with, and attended a meeting of, the Construction Industry Joint Council which confers monthly with the Secretary. This group includes representatives of both labor and management (among others, Neil Haggarty and President Freeman, of the Electricians' Union, were present.) I took the occasion to remind the group of your personal interest and great concern with regard to providing equal opportunity in the construction trades. I emphasized that while the Federal Government would not take precipitous action in response to demonstrations and other such pressures, it was your hope and determination that substantial advances could be made promptly.

5. Housing: (See attached clipping from the New York Times, dated May 7, 1965).

6. ROTC Non-discrimination Requirements for Private Schools.

Senator Robertson yesterday sent a wire to the Secretary of the Army raising questions about the Army's announced policy

of discontinuing ROTC programs in private schools which do not desegregate. This is the culmination of a series of prior contacts which Defense has had with the Senator, who is a trustee of a private school which would be affected. The departmental regulations requiring this action were adopted last February and the thing that apparently triggered Senator Robertson's wire yesterday were implementing letters which had been recently sent to schools. As a matter of fact, no ROTC program will be discontinued for at least a year, since the Army's contracts require a year's notice for termination. The Department is doing this administratively in connection with general non-discrimination directives promulgated at the DOD level, since ROTC is not covered by Title VI.

atts.

Summer Job Program on Equal Employment Opportunity
Status Report

May 7, 1965

Meetings have been held in Washington with the Mayors of 8 of the 11 cities. Chicago, Los Angeles and Philadelphia have not been in yet. Department of Labor and President's Committee resource people have been provided to the Community Relations Service for the meetings.

A basic problem to be resolved is the extent to which this program will be integrated into the larger program of the Cabinet Committee. Messrs. Carr, Wilkins and Lewis will discuss this on Monday.

Civil Service Commission

The Commission has just approved a Federal summer employment program for youth in laboring and routine jobs. The youths will be paid \$1.25 an hour up to a maximum of 700 hours. The employment period is from June 1 to September 30. Referrals will be from public or private agencies. While there is no ceiling as such on the program, Vern Gill indicates liberal "targets" have been set in each of the 11 cities -- they total about 2,000 jobs. (900 here in Washington).

As this program is limited only by the number of youths ~~an~~ the agency will take, it is clear this program needs top level motivation. John Macy is trying to have the President kick off the program at the next Cabinet meeting. It would also be helpful if the Vice President would express his strong interest to the independent agency heads.

President's Committee on Equal Employment Opportunity

A meeting is scheduled for May 13 with the special sub-committee of Plans for Progress to discuss action relating to employment programs and job creation.

Plans for Progress has arranged for Negro business executives to visit high schools in the target cities to explain job opportunities.

Attached is a list of Federal and Federally assisted construction projects which may be the scene of job discrimination protests this summer.

Bureau of Public Roads

Under Secretary Roosevelt met with B. P. R. officials and as a result B. P. R. is holding meetings with road building and landscape contractors to discuss their participation.

Tom Powers has asked the Associated General Contractors to make some jobs available in highway construction to disadvantaged youths in the target cities.

Labor Department

A program to provide summer jobs in agriculture to urban youngsters has been launched this week. Early response indicates it will be very successful.

The Neighborhood Youth Corps field staff have been instructed to write N. Y. C. programs in the target cities to the maximum limit the city feels it can handle in terms of jobs and supervision.

The Mayors have been informed by MDTA staff people that they will extend existing training programs and write new ones to the maximum extent possible. Meetings with city resource people to implement this have been requested by the MDTA staff. City response has been slow and follow-ups are proceeding.

It is important to note that the House Appropriations Committee has disallowed approximately \$37,000,000 in state grants for operation of the Youth Opportunity Centers. Efforts are being made to have the Senate restore this amount.

HOUSING BIAS BAN CALLED DEFICIENT

Widening of Kennedy Order
Urged by Rights Leaders

By JOHN HERBERS
Special to The New York Times

WASHINGTON, May 6 — A group of civil rights leaders urged the Administration today to expand an executive order against discriminatory housing. They want the expanded order to cover conventional mortgage lenders and all existing housing receiving Federal assistance.

The civil rights leaders said that the original order, issued by President Kennedy on Nov. 20, 1962, had scarcely made a dent in the widespread practice of barring racial minorities from housing areas.

The group, brought here by the National Committee Against Discrimination in Housing, met for several hours with Vice President Humphrey. They said Mr. Humphrey had been "sympathetic to our purposes" but had made no promises on behalf of President Johnson.

If their recommendations were followed, an estimated total of 83 per cent of the nation's housing would be covered under the executive order.

Further Riots Feared

Their statements carried ominous overtones of a belief that urban riots would be a growing problem unless there was a general ban against segregated neighborhoods and housing developments.

"Voting rights, employment and school desegregation can amount to nothing until these people can get out of the ghettos," said Algernon D. Black of New York, chairman of the committee.

The executive order bars discrimination in housing financed by loans insured by the Federal Housing Administration or guaranteed by the Veterans Administration. It does not apply to housing built or contracted for before Nov. 20, 1962, unless it is owned or operated by the Federal Government.

Last Jan. 28, President Johnson told Congress:

"Already a half million dwelling units are—or soon will be—subject to that order. This Administration will continue and strengthen its efforts to translate the pledge of that order into meaningful practice."

N.Y. Times

May 7, '65

Little Effect Seen

Mr. Black said the order was applicable to less than 10 per cent of Federally aided housing, new and old.

"Moreover, narrow interpretation of its provisions and inadequate enforcement have further crippled its effectiveness," he said. "It is clear that this order can never achieve its expressed goal."

Jack Greenberg, director-counsel of the N.A.A.C.P. Legal Defense and Educational Fund, Inc., said that after the committee first requested an expansion of the order last November "there was some expression of the legality of the proposal."

"We believe we can meet these objections," he said.

The committee's proposal would expand the order to do the following:

Include commercial banks and savings and loan associations that are chartered or supervised by the Federal Government or whose deposits are insured by the Federal Government, and include all existing housing that is receiving Federal aid.

Withdraw exemptions granted by Federal housing agencies, such as F.H.A.'s exclusion of the resale of one- and two-family houses.

Increase the authority of the President's Committee on Equal Opportunity in housing, which was created by the order and is headed by Mr. Humphrey.

Those conferring with Mr. Humphrey today included representatives of the major civil unions and religious groups and Representative James H. Scheuer, Democrat of New York.

The committee, based in New York, is an affiliation of 37 religious, civil rights, labor and civic organizations.

The group's views were expressed at a press conference after the conference with Mr. Humphrey.

Foraine, C.

EXECUTIVE OFFICE OF THE PRESIDENT

President's Council on Equal Opportunity

WASHINGTON, D. C.

May 21, 1965

CIVIL RIGHTS

MEMORANDUM TO: THE VICE PRESIDENT

FROM : DAVID B. FILVAROFF

1. Building Trade Unions (Cleveland).

Under Secretary Henning's office has informed me that the training program will definitely be announced this Tuesday. The Urban League has agreed to serve as co-sponsor of the program; the executive committee of the NAACP has also voted to co-sponsor the program, with final approval hoped for at a full board meeting last night.

Although the results of the Electrician's exam will not be announced until Monday, it looks as if none of the Negroes has been selected. Attempts are being made to ascertain the ranking of all applicants, by race, after the written examination, and again after the oral examination.

The Advisory Committee of the Apprenticeship Information Center has taken the proposals for affirmative action in recruiting qualified minority group applicants "under advisement." They may make no decision until the middle of June, after the schools are out and we have lost the most fertile recruiting ground for qualified applicants.

I expressed substantial concern over the apparent "slow down" in meeting our program objectives and have asked Secretary Henning's office to supply a more detailed memo on this subject which will provide some better appraisal of what is actually being accomplished.

2. Community Relations Urban Task Force.

Funding for all Community Action Program (CAP) and Neighborhood Youth Corps (NYC) proposals in the target cities will be arranged by June 15. The possibility of placing NYC workers with Federal agencies is now being studied by the Department of Justice. The cities which are causing the most concern are Gary which has no CAP program and New York City where the Poverty Program must still be reviewed at the

local level. The Task Force has also urged that the directors of HEW's Work Experience Program and Adult Basic Education Program speed approval of pending applications from target cities; plans are being made for conferences with Federally-aided highway contractor associations to encourage employment of ghetto youth on highway beautification projects this summer.

3. Summer Job Program - Equal Employment Opportunity.

Ten thousand high school students have signed up for the summer farm employment program; 1,000 have been placed so far. Department of Labor representatives will meet with the mayors of the target cities to set up job development programs within the next few weeks.

4. Merit Standards.

At the meeting with Labor, Justice, and HEW last Tuesday, we decided the next step would be to contact the highest level officials in Alabama, including the Governor. Labor and HEW are to come forward with a proposal for making these contacts after consulting with Governor Ellington. We will keep you up-to-date so you can inform the President. Prospects for direct Federal operation of the program (in the event we are forced to cut-off administrative funds to the State) now appear negligible because of legal obstacles. We are looking into the possibility of emergency assistance for an interim period, if necessary. Louisiana now appears to be willing to comply.

5. EEOC.

The Commissioners will be in town for a briefing within the next few days and hope to meet with you. Mr. Roosevelt hopes to have tentatively selected an Executive Director, General Counsel, and Administrative Officer before confirmation (confirmation hearings are scheduled for May 25 before Senator Hill). The Bureau of the Budget and the Potomac Institute are preparing an organization proposal for the Commission. Jim Sasser, our Administrative and Program Officer, is working on a daily basis with Roosevelt's assistant to help resolve their administrative problems. We are fairly certain that the EEOC will be located at 1800 G Street with the PCEEO and the Council.

6. PCEEO.

The Contract Compliance Division met with Mohasco Industries (Greenville, Miss.) to advise the company that a

one million dollar contract will continue to be suspended pending receipt of an acceptable equal employment opportunity program. This division also developed a program to provide affirmative procedures to afford training and job opportunities for minority groups in establishments where substantial new hiring is expected, including the Hammerhill Paper Company in Selma.

7. Housing.

As you know, you and Bill Moyers could not attend the meeting on Housing last Wednesday afternoon. Nevertheless, Wiley Branton, John Stewart, and I met with the Attorney General, Assistant Attorney General Schlei, Governor Lawrence and Lee White to discuss the recommended extension of the Executive Order on Housing. With some dissent by Governor Lawrence, the consensus seemed to be that, if the Order were to be extended, it should be done by agency action at the general request of the President rather than by a "stroke of the pen," i.e., by extending the Executive Order. Lee White was to send a memorandum to the President and on the basis of his reaction a strategy was to be developed for the May 25 meeting of Governor Lawrence's Committee. In the meantime, Justice will explore further legal questions.

We met this morning with representatives of the Committee Against Discrimination in Housing to discuss the legal aspects of extending the Order; this meeting was a follow-up on the session you had with them two weeks ago and, I think, was very helpful.

8. Information Collection (SRI).

Stanford Research Institute (SRI) made a brief presentation to representatives of HEW, Labor, Agriculture, and the Commission on Civil Rights. While some minor concerns were expressed by the agency representatives, they can be resolved by our keeping close control over the SRI work.

9. Meeting of Council, May 19, 1965.

Minutes of the Council meeting are being prepared and will be sent to all members and those who attended the meeting early next week.

EXECUTIVE OFFICE OF THE PRESIDENT
President's Council on Equal Opportunity

WASHINGTON, D. C.

May 28, 1965

CIVIL RIGHTS

MEMORANDUM TO: THE VICE PRESIDENT

FROM : WILEY A. BRANTON

1. Dismissal of Negro Teachers.

A number of people and civil rights organizations have expressed concern over alleged discrimination against Negro teachers when schools are desegregated and consolidated in the South. Present Office of Education Guidelines make no mention of the hiring and firing of teachers and they are not covered by existing HEW merit standards. We are exploring the possibility of having directives concerning teachers included in the Guidelines.

2. Community Relations Urban Task Force.

The Task Force held orientation meetings for CRS consultants for the target cities with particular emphasis on illustrating by case study the relationship of the city, local CAP unit, regional and Washington offices of Federal agencies, and the Task Force. I spoke at one of the sessions. The Task Force has also been supporting the Youth Opportunity Campaign by asking their National Citizens Committee members to endorse and take part in the program.

3. Housing.

I understand that you are to appear at the postponed meeting of the President's Committee on Equal Opportunity in Housing on June 2. We will send you a separate memorandum on this before the meeting.

4. Title VI.

A general plan for coordinated enforcement of Title VI institutions of higher learning which will be circulated to all departments and agencies, was approved by representatives of HEW, OE, USDA, DOD, AEC, HHFA, and NSF. Final action on the Hearing Examiner Proposal is expected this week.

5. Employment.

EEOC: As you know, we met with the EEOC and subsequently have spent a lot of time talking with individual commissioners about getting the EEOC off the ground. The Potomac Institute and the Budget Bureau are working on an organization proposal. The Employment Task Force under Secretary Wirtz is expected to meet next week to move on cutting back the PCEEEO by transferring some of its functions to the EEOC and the Civil Service Commission.

PCEEEO: Plans for Progress has established committees of member-company executives in target cities to secure the cooperation of business in the President's Youth Opportunity Campaign. The Federal Government Employment Division sent memorandums to all departments and agencies requesting full participation in this program with particular emphasis on including minority group youths. Plans for Progress is prepared to carry out a high school "youth incentive" effort in all interested Negro high schools by the second week in June.

The Executive Vice Chairman issued a formal ruling to agency heads requiring identification within 30 days of non-complying contractors and requesting agency proposals for insuring fullest possible compliance with reporting procedures.

Kick-off meetings for the Construction Industry Area Coordinator Program are scheduled for June in each city to let industry and local Government know that the Federal Government insists on Equal Employment Opportunity where Federal tax money is involved and to make clear that the Area Coordinator represents the Federal Government in carrying out this policy.

Treasury: Application of the Executive Order on Employment to Federal Depository Banks has held up the mailing of letters to the banks. The matter is now on Secretary Fowler's desk. We will continue to push for final action.

Building Trade Unions (Cleveland): The training program for apprenticeship applicants was announced in Undersecretary Henning's office last Tuesday. The Department of Labor is working with the Apprenticeship Information Center on affirmative recruiting of minority youth in the schools.

6. Information Collection (SRI).

Final arrangements have been made for the Stanford Research Institute to go ahead with their study of procedures for coordinating civil rights activities.

7. Government Summary Report.

I have sent a letter to the Council Coordinators in all departments and agencies requesting them to submit a weekly one-page report; a summary will be prepared and distributed to appropriate people throughout the Government at the beginning of each week.

Memorandum

TO : Wiley Branton
Executive Director
President's Council on Equal Opportunity

DATE: May 13, 1965

In reply refer to:

FROM : Roger Wilkins
Assistant Director for Community Action

SUBJECT: Weekly Report on Activities of the Urban Problems Task Force

Federal Programs

As a result of our field visits to all of the target cities except Chicago, and our meetings with eight of the 11 mayors of those cities, I can make some fairly general observations about the activities of the principal Federal agencies involved in this effort.

Office of Economic Opportunity

Community Action Program:

The most important is the Community Action Program of OEO. Its response to this effort has been excellent. The CAP people have given these cities the funding priorities required to carry out special summer programs. In addition, CAP has given special assistance to local CAP organizations which are having difficulties in developing proposals for the summer.

VISTA:

VISTA began very slowly. As a result of pressure from my staff and also the pressures exerted within OEO, VISTA has begun a priority program designed to place increased numbers of VISTA workers in the ghettos of the target cities this summer. One hundred regular volunteers will be placed in the target cities. In addition, VISTA is hiring a consultant for each of the target cities to arrange for jobs in the cities for special summer VISTA volunteers.

Job Corps:

The only assistance the Job Corps is able to give is in more rapid processing of the applications it has on hand in the target cities. The basic limitation is the availability of physical facilities.

Department of Labor

MDTA:

The Manpower Administration has been working with representatives of local communities in putting together manpower packages tailored to the needs of the target cities. They have attended the series of meetings Governor Collins has had with the Mayors, and in addition, have begun a series of their own meetings with representatives of the cities. Representatives of the Manpower Administration are also trying hard to apprise the local people of the impact of the amendments to the Manpower Act which were enacted in this session of Congress, and to elicit from them program proposals under the new legislation which can be moved this summer.

Neighborhood Youth Corps:

In some instances, the Neighborhood Youth Corps people have been forthcoming with promises of additional NYC slots. At this stage, I have the impression that follow through leaves something to be desired, primarily because NYC administrative capacity is severely limited. For example, until recently NYC had only one representative for northern California, and he had to operate without a secretary. Clearly, NYC is one of the areas which will require vigorous follow up by the Task Force staff.

Department of Commerce

At CRS's suggestion, the Bureau of Public Roads is contacting contractors on all Federally-aided highway construction projects in the target cities and urging them to hire unskilled minority group youth from the ghetto this summer. In addition, BDSA is contacting the firms with which it has relationships and suggesting that they make a special effort in the target cities to hire unskilled minority group youngsters this summer. We have suggested that ARA do the same thing with the firms with which it deals. We have also suggested to the Secretary that the Department use its contacts with Chambers of Commerce in the target cities to promote private hiring programs for minority group youth.

Department of Health, Education, and Welfare

HEW is a cause of some concern to me. In some instances, I have contacted HEW people about specific problems raised by particular city administrations. I have found that they have given priority treatment to appropriate programs in the target cities. I do not, however, have the sense that a general sense of urgency is animating the administration of the Work Experience and the Adult Basic Education Programs. This obviously will require a great deal of work from the Task Force staff.

The Office of Juvenile Delinquency is preparing a conference on the subject of police-community relations tentatively scheduled for June 15, 1965. The program is being developed by the International Association of Chiefs of Police with some assistance from a CRS contractor.

Housing and Home Finance Agency

HHFA has indicated that their programs were not amenable to a special effort this summer.

Community Relations Service

Police-Community Relations:

Berl Bernhard, working under contract with CRS, is preparing police-community relations proposals for the police departments in the target cities, and for other departments, which although not chosen in target cities, might have difficulty this summer. Bernhard has already made a preliminary assessment of the materials presently available and expects to present to CRS next week a package containing information about the institutions he plans to use in developing programs, a tentative outline of sample orders that can be communicated down from desk sergeants to officers in minority group police precincts, and a general outline of what a police manual in this area should contain.

Consultants for the cities:

CRS has chosen its resident consultants for the summer for all of the target cities except New York, and is negotiating with a consultant for that city. All of the consultants will be in Washington May 25-26 for orientation and will then begin their work in the cities on June 1.

Mayors Meetings:

Mayor Tate of Philadelphia will be here on May 19. Mayor Yorty of Los Angeles has indicated a desire to come to Washington and a date will be set this week. It is presently unclear whether Governor Collins will meet with Mayor Daley of Chicago or with anyone from his staff. Although the Mayor has indicated a willingness to come to Washington, the member of his staff with whom I was to set a date seems reluctant to arrange a meeting. Governor Collins will probably speak to Mayor Daley on Friday to settle this issue one way or another.

National Citizens Committee:

The Executive Committee of the National Citizens Committee for Community Relations met in Washington on summer proposals last week.

The portion of the minutes outlining the program the NCC plans to carry out is attached.

Community Action Division:

My staff is preparing a report on how they see eight (this excludes Philadelphia, Los Angeles and Chicago) of the eleven cities at this point. We will submit this report to you next week.

MR. CALVIN KYTLE reported on the progress of the CRS over the past few months and noted that NCC members had been helpful in several important conciliation cases.

RECOMMENDATIONS AND ASSIGNMENTS

Below are recommendations for NCC action by the CRS staff and specific assignments made by Chairman Dean. These recommendations and assignments came out of a discussion period led by Messrs. Samet and Janis.

I. General Recommendation - Accepted

Members from the Executive Committee to be asked to visit several cities in order to meet with and organize NCC members on a local basis for action in implementing specific programs for the Urban Project.

A. Assignments of NCC Members to Cities

Chicago - Ray Tucker and Patricia Harris

Los Angeles - Herman Goldner

Cleveland - Julius Manger

Boston - Stanley Marcus

Philadelphia - Father Cronin

New York - Arthur Dean and Julius Manger

Rochester - Julius Manger

B. Mr. Janis to

- (1) prepare biographical summaries of NCC members in these cities,
- (2) suggest suitable NCC contacts in the cities to be used to convene the other members, and
- (3) outline an agenda of items to be discussed in the meeting with local NCC.

C. Comments

- NCC members visiting cities will be reimbursed for travel and per diem.
- NCC members should consider notifying the Mayors of the cities which they intend to visit, if appropriate.
- NCC members might wish to invite the Mayor to the NCC meeting, but in all cases, a prior meeting of the NCC should take place.

II. Recommendations for Mayor Goldner - accepted

Mayor Goldner to contact the U.S. Conference of Mayors and NAIRO to explore the feasibility of approaching foundations or others (e.g. The Office of Economic Opportunity) for funding of Training Institutes for members of Human Relations Commissions in as many of the large urban cities as possible and appropriate for this summer.

A. Assignments

- Mayor Goldner to write a personal note to Mayors in several of the northern cities to tell them about NCC resources in his area. He may also decide to include a paragraph about Training Institutes for Human Relations Commissions to determine how the Mayor would react to such a program.

III. Other Assignments

- A. Mrs. Harris to contact OEO to explore with them their programs to give legal aid to the poor. If appropriate, she will consider making specific proposals to the American Bar Association and to the Lawyers' Committee for Civil Rights Under Law on this subject.
- B. Mr. Tweed will work with Mrs. Harris to consider if a specific proposal need be made to the Lawyers' Committee.
- C. Mr. Manger to contact NCC members in the Hotel and Motel industry to ask their cooperation in a summer program to obtain better and more job opportunities for minority workers.

- D. Mr. Abram and Mrs. Jacobs to ask voluntary civil rights groups (church groups, NCCJ, etc.) and women's groups to develop Summer Youth Employment Bureaus-- within their own agencies-- and to join with other organizations to stimulate them to do the same.
- E. Dr. Mays, Rabbi Miller, Archbishop O'Boyle, Rev. Dehoney and Rev. Blake, to meet to explore ways to reach major church groups in the cities to seek extension of existing programs involving the poor. Towards this end, they should be encouraged to make immediate contact with "store front" churches in slum neighborhoods.
- F. Mr. Manger to head up a program to reach Chambers of Commerce in the urban centers to promote increased summer job opportunities for the poor.
- G. Mr. Marcus to contact Retail Merchants Associations in the urban centers for the same purpose.
- H. Mr. Winter to contact existing Employer Councils or specific employers in these cities for the same purpose.
- I. Mr. McGannon to convene a group of media representatives who are members of the NCC -- e.g. Sarnoff, Goldenson, Stanton, Patterson, Baggs, Roper, Sengestacke, Hayes -- to confer and give advice on the problems of how media can best deal with reporting of community tensions and racial incidents.

Respectfully submitted,

Jay Janis

Jay Janis

Executive Director

Memorandum

TO : Wiley Branton, Executive Director
President's Council on Equal Opportunity

DATE: May 21, 1965

In reply refer to:

FROM : Roger W. Wilkins, Assistant Director for Community Action
Community Relations Service

SUBJECT: Weekly Report on Urban Task Force

During the week we reviewed the status of the Neighborhood Youth Corps and Community Action Programs in the target cities. In the review of the CAP programs with Fred Hayes, Associate Director for Operations, we also discussed the issue of OEO funding for proposed recreation programs. A number of program proposals have resulted from CRS-OEO team visits to the target cities. OEO has taken the position that it will sponsor such programs as long as they are related to the overall poverty effort. The ones presently being reviewed at OEO present no special problems in this regard.

With respect to the broader range of CAP proposals from the target cities which are currently under OEO review, we are advised that funding can be arranged by June 15.

Mark Battle, Deputy Director of the Neighborhood Youth Corps (Dept. of Labor), has advised us that current proposals under NYC review would place about 34,000 young people in jobs in the target cities under the NYC program this summer. The projects covering all of these jobs should be funded by June 15, according to Mr. Battle.

We raised the possibility of increasing NYC placements in Cleveland and New York City, where more jobs for minority slum youth are urgently needed. Mr. Battle gave us some indication that this could be done.

We also discussed the issue of Neighborhood Youth Corps placement in Federal agencies. Mr. Battle advised us that the Secretary of Labor has asked the Attorney General for an opinion as to whether it is possible under the legislation for Neighborhood Youth Corps youth to work in Federal agencies. Mr. Battle indicated that there are substantial numbers of potential jobs available if such placements are possible. We received an indication that the Dept. of Justice determination may be made soon and that there is a good chance that it may be affirmative.

New York City and Gary, Indiana, have given us some concern -- New York because the Poverty program has not gotten off the ground yet, and Gary because the city has no CAP program.

May 21, 1965

We did receive some optimistic news from Gary this week. The City Council has at last passed an omnibus civil rights ordinance which covers fair housing and public accommodations, and establishes a Human Relations Commission with enforcement powers. The fact that such an ordinance has been sought unsuccessfully in the past has been a source of tension in Gary. The mayor and other city officials are jubilant over the passage of this ordinance and have indicated that Mayor Katz's two visits to Governor Collins and two visits by CRS people to Gary were helpful in accomplishing this result.

We are concerned about the difficulties of ^{jointly} bringing about a significant summer effort in New York City. We met with New York City officials and OEO and Neighborhood Youth Corps people regarding the city's summer program proposals. A timetable was established for the submission of New York's applications to NYCOrps and to OEO since they had not been submitted by last week. The NYCOrps application was submitted this week and the OEO application in outline form is to be in Washington this weekend.

With a newly-appointed Council on Poverty, there is need for this body to review the city's proposals before OEO Washington can approve them.

We have worked on the New York situation here with OEO representatives. Those efforts are outlined in the attached memorandum from Richard Thornell to Governor Collins, dated May 18, 1965.

We have asked the Job Corps (OEO) to explore with State Employment Services the feasibility of increasing the current quotas for enrollees from the eleven target cities. Some of the mayors have asked that this be done.

We are presently involved with HEW in attempting to iron out some objections to the conference with police officials which the Office of Juvenile Delinquency has proposed.

The Work Experience Program and the Adult Basic Education Program of HEW are two additional aspects of the war on poverty. They provide work training and experience for people on relief and literacy education for others who need it. We have met with the directors of both programs to review the status of the projects in the target cities and to urge that approval be given to the pending applications from those cities. We were told that in almost all of those cities both programs are to have significant projects in operation this summer.

Mr. Branton - 3

May 21, 1965

A plan for conferences with several contractor associations involved in the Federally-aided highway program is being presented to Secretary Connor. If approved, this program might result in substantial employment of ghetto youth on highway landscaping projects this summer. Practically all eleven cities have considerable highway construction activity.

We have developed the orientation program for our consultants who will work in the target cities this summer. The program has been extended to three days and will be conducted on Tuesday, Wednesday and Thursday of next week. The sessions will be held here in the Department of Commerce. You and any members of your staff are welcome to attend.

Governor Collins met with Mayor Tate of Philadelphia and ten members of the Mayor's staff on Wednesday. As has been the case in each of these meetings with the mayors, many federal agencies were represented. It was a good meeting. Perhaps the most significant development was that the Philadelphia people were advised that they could plan on having approximately six million dollars more in their CAP program than they had expected.





U.S. DEPARTMENT OF COMMERCE
COMMUNITY RELATIONS SERVICE
WASHINGTON, D.C. 20230

MEMORANDUM

May 6, 1965

TO: The Vice President
FROM: Roger W. Wilkins
SUBJECT:

Progress Report on Community Relations Urban Task Force

Since my April 29 report on the work of the task force, our activities have been largely confined to holding the series of meetings described in that report.

Governor Collins met with Mayor Collins of Boston on Friday, April 30; with Mayor Katz of Gary, Indiana, on Monday, May 3; with Mayor Addonizio of Newark on Tuesday morning and Mayor Houlihan of Oakland on Tuesday afternoon, May 4; and with Mayor Lamb of Rochester, New York, on Wednesday, May 5.

The Community Relations Service staff is now preparing a summary report of those meetings for you. Lists of the commitments made to mayors at these meetings by the agencies represented on the Task Force are also being prepared. They will be sent to you and to the members of the task force whose representatives made the commitments. The Community Relations Service staff will follow up to make sure that the commitments are kept.

A survey visit by a three-man team from the Community Relations Service, the Office of Equal Opportunity and the Department of Labor is being made to Philadelphia today.

The Executive Committee of the National Citizens Committee for Community Relations (NCC) met with the Community Relations Service staff on Wednesday, May 5. The NCC Executive Committee was enthusiastic about the summer project. They undertook to carry out a number of activities in the target cities this summer; e.g., Stanley Marcus will work with retailers' associations to encourage employment of minority group youth this summer, clergymen on the NCC will work with the storefront churches in the ghettos this summer, and Executive Committee members will visit each of the target cities to encourage the formation of NCC working groups which will undertake summer projects in the slums. We will submit a separate report on the National Citizens Committee program next week.

THE PRESIDENT'S COMMITTEE ON EQUAL EMPLOYMENT OPPORTUNITY

WASHINGTON, D.C. 20210

May 20, 1965

TO: Heads of All Federal Agencies

FROM: Hobart Taylor, Jr. *H.T. Jr.*
Executive Vice Chairman

SUBJECT: Compliance Reporting

I. General

It has been brought to the attention of the Executive Vice Chairman that numbers of prime contractors and sub-contractors subject to the requirements of Title 41, C.F.R., Section 60-1.6 as augmented by the instructions attached to Standard Form 40 (revised February 1964), have not filed timely, complete and accurate compliance reports as required.

II. Agency Responsibility

It is the responsibility of each agency to insure that each nonexempt contractor file, and that each nonexempt contractor and subcontractor cause their nonexempt subcontractors to file timely, complete and accurate compliance reports in accordance with, and to the extent required by Executive Orders 10925 as amended and 11114; Title 41 C.F.R. as amended September 7, 1963 and the instructions attached to the official compliance report forms. As stipulated in Title 41, C.F.R., Section 60-1.6 (4), "Failure to file timely, complete and accurate compliance reports as required constitutes noncompliance with the contractor's obligations under the Equal Opportunity Clause and is ground for the imposition by the agency or the Committee of any sanctions available under the Orders."

III. Ruling

Each agency should insure that each of its nonexempt contractors has filed, and that each nonexempt contractor and subcontractor has caused its nonexempt subcontractors to file timely, complete and accurate compliance reports, and to impose sanctions provided by Section 312 of Executive Order 10925, as amended, against those nonexempt contractors and subcontractors who have failed to file, or who have failed to cause their nonexempt subcontractors to file timely, complete and accurate compliance reports as required.

IV. Implementation

Within thirty days of the date of this order, each contracting agency should notify the Executive Vice Chairman of its action to insure that each of its nonexempt contractors has filed, and each contractor and nonexempt contractors has caused its nonexempt subcontractors to file required compliance reports. Each agency should notify the Executive Vice Chairman of nonexempt contractors and subcontractors subject to sanctions for failure to comply with the above mentioned reporting requirements, and should indicate action proposed in the case of each such noncomplying contractor, except that no sanctions should be imposed without appropriate compliance with Title 41, C.F.R., Sections 60-1.27 and 60-1.28.

MEMORANDUM FOR THE VICE PRESIDENT

Weekly Status Report
May 6, 1965

I. Plans for Progress

- Convened meeting of Community Relations Committee to review the first draft of Community Relations Guidebook. Made plans for rewriting, printing, and extensive distribution including Plans for Progress management companies, Chamber of Commerce, business groups such as NAM, NICB, AMA, and Urban League, etc.
- Made assignments and compiled speaker kits for special "operation motivation" project involving Negro executives' speeches at Negro colleges and high schools.
- Prepared copy for Plans for Progress Newsletter No. 28.
- Worked out space requirements for projected move of offices to 1800 G Street, N. W.
- Met with chairman of Communications Committee to discuss development of Plans for Progress movie aimed at motivating minority youth to prepare for and seek jobs in business and industry, and showing them how.
- Staff members made trips to Boston to recruit new Plans for Progress members (calls made on John Hancock, Mutual Life, New England Mutual Life, Harvard University, First National Bank of Boston and National Shawmut Bank).



to Los Angeles in connection with organization of six week Guidance Counsellor Seminar (GCS) being sponsored by 66 area Plans for Progress companies this summer at California State University; to Houston for keynote speech at Business - Educators Conference (BEC) sponsored by Texas Southern University; to San Francisco in connection with planning for June 10, Pacific Coast Plans for Progress Seminar.

- Staff met with Business Press Advisory Council at Commerce Department to discuss participation in its Equal Employment Opportunity activities.

II. Federal Government Employment Division

- Mailed President's March 25, Statement to the Cabinet re Equal Employment Opportunity to the Presidents of 120 Negro colleges and universities.
 - Met with Assistant Secretary of Interior re President's January 5 letter to Secretary Udall.
 - Staff members participated in three conferences: (1) Howard University Conference on Social Sciences; (2) Region IV Leadership Training Conference, St. Paul, Minnesota; (3) Annual Conference of the American Society for Training and Development, Cleveland, Ohio.
 - Prepared guide lines for use of automatic data processing equipment in carrying out the census of Federal employment.
- *** During April, 93 complaints re government employment were received. This is the highest monthly total since October 1963.

III. Community Relations Division

- Staff participated in 10 meetings including the Workshop on Government Programs on Human Rights at Howard University, and the Institute on Social Change in a Democratic Society

at Oklahoma University, Norman, Oklahoma.

IV. Construction Industry Program

- Completed selection of Area Coordinators (San Francisco, Chicago, Kansas City, and Cincinnati).
- Completed orientation of Area Coordinators. These men have begun to establish themselves in their cities.
- Assisted in selecting students and companies for a demonstration project in cooperative education to be jointly conducted by Alabama A & M and the space firms in the Huntsville area. (This program is being funded by the Ford Foundation. The Association of Huntsville Area Contractors (AHAC) performed the role of catalyst in bringing the students and companies together, presently 22 students and eleven firms. As planned, each student will spend alternate semesters in school and as an employee of one of the participating firms.)

V. Contractor Compliance Division

- Recommended to GSA that Mohasco, Greenville, Mississippi, not be awarded further contracts until it submits an acceptable program for compliance.
- Participated in a joint re-investigation, with DSA, of 137 complaints at Smithfield Packing, Smithfield, Virginia.
- Participated in the L & M Tobacco (40 complaints) conference in Durham, North Carolina.
- Met with Department of Labor officials to set up training and recruiting program for Hammermill Paper (Selma, Alabama) and Scott Paper (Mobile, Alabama). Both plants are expanding facilities.
- Discussed with Army and Olin Mathieson officials the 9 complaints outstanding more than one year at Pasadena, Texas and Monroe, Louisiana; as well as the 37, year old complaints

at American Viscose in Front Royal, Virginia. Also, similar action with AEC concerning 6 complaints at National Lead in St. Louis and 4 at Allied Chemical Company in Birmingham, Alabama.

- Monitored daily demonstration activities in Cleveland re the FOB project.

VI. Research and Survey Division

- Prepared company analyses of total and minority group employment for Metropolitan Life, Prudential and Kelly Girls Service, Inc.
- Prepared and submitted to the Contractor Compliance Division a listing of establishments which reported segregated employee facilities in 1964.
- Prepared and analyzed apprentice data obtained from 1964 reports showing total and minority group apprentices by establishment and industry indicating employers identified as leaders re minority group apprentices.
- In response to a congressional request, prepared employment data for the Milwaukee, Wisconsin area as obtained from 1964 reports.

VII. Information Office

- Issued press releases on all Area Coordinators (20). Special distribution to cities involved, to Negro newspapers and Washington Bureaus.
- Typed and reproduced 13 speeches by the Vice President.
- Mailed approximately 400 Committee publications.
- Continued to handle press relations for San Francisco Plans for Progress Conference.
- Produced and/or cleared 4 speeches for Committee division heads.

- Completed press matters re April 28 meeting of Negro business executives.
- Assisted Plans for Progress in organizing 70 information kits for use of Negro executives re their assignments at Negro schools.
- Prepared draft speech for use of above executives.

Hobart Taylor, Jr.

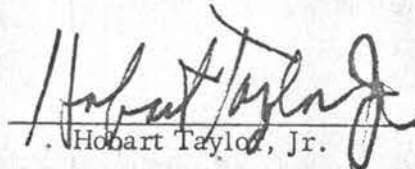
Hammermill officials are cooperating in establishing a Federally-assisted training program in the Selma area to afford the local work force a chance to become qualified for the positions that will be available.

III. Information Office

- Distributed release announcing that the Vice President will speak at the Plans for Progress Conference in San Francisco on June 10 (2,500 copies).

Huntsville Area Contractors Association

The Huntsville Community Action Program sparked by the Contractors Association, on May 12 received a development grant of \$65,000 from the Office of Economic Opportunity.


Hobart Taylor, Jr.

THE PRESIDENT'S COMMITTEE ON EQUAL EMPLOYMENT OPPORTUNITY
WASHINGTON, D.C. 20210

MEMORANDUM FOR THE VICE PRESIDENT

Weekly Status Report
May 20, 1965

I. Plans for Progress

- Began preparation of radio communication kits re advertising council campaign for distribution to 4,000 radio stations throughout the country.
- Staff members participated in Negro Marketing Conference in St. Louis, Guidance Counsellor Seminar meeting in Philadelphia, and Manpower Conference at Southern University. (The Southern University Conference was conducted with the assistance of the Committee's Community Relations Division.)

II. Contractor Compliance Division

- Met with corporate officials of Mohasco Industries to discuss the company's equal employment opportunity program. The program submitted by Mohasco was deemed insufficient and the company was advised that the award of a contract in excess of one million dollars will continue to be suspended pending receipt of an acceptable program.
- Developed program to provide special action re establishments where substantial new hiring is expected. The program calls for contractors in a hiring position to provide affirmative procedures which will afford training and job opportunities for minority group persons. As an example of this, The Hammermill Paper Company in Selma, Alabama, has furnished the Committee a detailed schedule of 200 job classifications.

UNITED STATES COMMISSION ON CIVIL RIGHTS
WASHINGTON, D.C. 20425

Jul

MEMORANDUM

May 27, 1965

TO: Messrs. John G. Stewart, Assistant to the Vice President
Wiley A. Branton, Executive Secretary, PCEO.
David B. Filvaroff, General Counsel, PCEO.

THROUGH: William L. Taylor, Staff Director-designate, USCCR.

FROM: F. Peter Libassi, Acting Deputy Staff Director

SUBJECT: Report to the Council for week of May 28, 1965

1. Education Task Force - Higher Education

Held a meeting on Monday May 24 with representatives of HEW, OE, USDA, Defense, AEC, HHFA, and NSF to review a proposal for the coordinated enforcement of Title VI. A general plan was approved and a revision will be circulated to all departments and agencies, for their comment and reaction, hopefully by June 1.

2. EEOC

Conferred with Art Levin of Potomac Institute and Hazel Guffey of Bureau of Budget on the organization and structure of the EEOC.

3. Agriculture Department - school lunch

Arranged a meeting between USDA representative and Executive Secretary of PCEO to confer on USDA's desire to adopt a policy requiring the desegregation of private institutions and public institutions other than public schools. USDA is to submit to the Executive Secretary a memorandum encompassing its proposal.

4. Activities scheduled for week of May 28 to June 4

- a- send to all departments and agencies higher education coordination proposal.
- b- send to all departments and agencies coordination proposal for hospitals and health facilities.
- c- meet with PHA to discuss its continuing State program.
- d- revision of inventory to be sent to all departments and agencies.
- e- final action on Hearing Examiner proposal.

cc: Messrs. Taylor, Lewis, Marshall;
Miss Rowe;
CCR files.

UNITED STATES COMMISSION ON CIVIL RIGHTS
WASHINGTON, D.C. 20425



May 6, 1965

MEMORANDUM

TO: Mr. John G. Stewart
Assistant to the Vice President

Mr. Wiley A. Branton
Executive Secretary, President's Council on Equal Opportunity

Mr. David B. Filvaroff,
General Counsel, President's Council

THROUGH: William L. Taylor, Staff Director-designate

FROM: F. Peter Libassi, Director, Federal Programs Division *FPL*

SUBJECT: Status of projects undertaken for the Council - week ending 5/7/65.

1. Continuing State programs

(a) USDA. A meeting is scheduled for Monday, May 10, with representatives of the Federal Extension Service to review the inadequacies of the approach FES has developed to implement the regulations. Staff have completed a comparison of the USDA "plans for desegregation" with HEW's "statements of compliance." USDA will be encouraged to require recipients to adopt methods of administration similar to those required by HEW.

(b) Defense. The Office of Civil Defense has agreed to incorporate changes in their continuing programs to assure consistent Federal positions. A report on the OCD proposal should be forthcoming next week.

The Bureau of National Guard is also progressing without difficulty in developing compliance reporting procedures.

(c) HHFA - PHA. A meeting was held this week with representatives of HHFA and PHA. Their procedures were reviewed and, with some exceptions, general agreement was reached. PHA is preparing revised instructions for local housing authorities and will submit them for review by Monday, May 24. In essence, PHA will require that applicants be given notice of their rights under Title VI and will offer local authorities two plans for desegregation, both strengthened over their original proposal.

(d) Labor. A meeting is scheduled for Thursday, May 13, to review compliance reporting procedures developed by the Department.

(e) HEW and VA. Review of their statements will not be undertaken until we have completed current work with the foregoing agencies.

2. Education

(a) Higher education. The interdepartmental committee meeting scheduled for May 5 was postponed to May 11 and has now been postponed again, hopefully to May 14, by the Office of Education. Its purpose is to consider a plan for coordinated enforcement procedures and a compliance report form, already prepared.

(b) Elementary and secondary education. Reports on problems of coordination were received this week from all agencies concerned: USDA, OEO, Labor, and OE. Staff has been assigned to review these reports and prepare agenda for consideration by the four agencies together with a proposal for coordinated action. It is hoped that a meeting can be scheduled for the week of May 17.

3. Hearing Examiners

A revised proposal calling for the establishment of a pool of hearing examiners to process Title VI cases has been submitted to the staff of the Council for circulation to all twenty-one departments and agencies with Title VI regulations. It is proposed that the subject be put on the agenda of the next Council meeting for consideration and possible adoption.

4. Hospitals

A proposal for coordinated enforcement procedures for hospitals and health facilities has been prepared, and a compliance report form has been developed. Both documents have been sent to the six appropriate departments and agencies, and a meeting has been scheduled to review these on Wednesday, May 12.

5. Directory of Federal officials - survey of staffing patterns

The survey forms have been printed for distribution by the Commission and will provide information permitting an assessment of the current civil rights staffing patterns. The directory of Federal officials will be completed with this information. The survey will be mailed to twenty-one departments and agencies on Friday, May 7.

6. Survey of implementation of Title VI.

A letter is being prepared for the signature of the Vice President asking agencies for information on actual accomplishments and on steps taken thus far to implement Title VI. This survey will be ready to send to the agencies during the week of May 10 and has top priority.

7. Merit Standards

The Justice Department is reviewing the refusal of Alabama and Louisiana to sign the Merit Standards agreement. HEW and Labor have reported their views on the next steps. Libassi will be working with the representative to be named by the Office of Legal Counsel of the Justice Department.

8. Implementation of Federal civil rights policies - employment

The Alabama survey revealed basic inadequacies in the implementation of Executive Orders 10925 and 11114 and in the operation of the Plans for Progress program. Related to this is the factor of the MDTA programs in Alabama. A summary of these problems has been sent to Powers at Labor, and Filvaroff and Libassi will consult with him as soon as possible.

9. Alabama food distribution

A report has been submitted to the staff of the Council on the food distribution program in Alabama. Steps will be taken to ask the agencies to keep us apprised of developments in this area.

10. School lunch program.

The question of the policy to govern the distribution of surplus commodities to private institutions and public institutions other than public schools must be resolved. Justice is of the view that for policy and non-legal reasons desegregation should not be required. Agriculture, for legal and policy reasons, feels desegregation must be required. A strategy for the resolution of this issue must be discussed.

11. Miscellany

(a) A meeting was held with representatives of Stanford Research Institute to review implementation programs under Title VI.

(b) To be considered: a request that all agencies submit legal opinions and interpretations on Title VI regulations to the General Counsel, PCEO.

(c) To be considered: a request to agencies for copies of all decisions and investigation reports on Title VI cases they have closed.

(d) Session with Quigley of HEW to review implementation progress to date.

(e) Under review: NYState proposal for assuring compliance with Title VI with vendors.

John Stewart

UNITED STATES COMMISSION ON CIVIL RIGHTS

WASHINGTON, D.C. 20425

April 30, 1965

MEMORANDUM

TO: Mr. John G. Stewart
Assistant to the Vice President

Mr. Burke Marshall

Mr. David B. Filvaroff
General Counsel, President's Council on Equal Opportunity

THROUGH: William L. Taylor, Staff Director-designate

FROM: F. Peter Libassi, Director, Federal Programs Division

SUBJECT: Status of projects undertaken for the Council - week ending 4/30/65.

1. Alabama Federal program review.

Reviewed and summarized reports from 12 departments and agencies on implementation of Federal civil rights policy; prepared recommendations for Council consideration. Steps are being taken as mentioned below to deal with general problems, applicable on a nation-wide basis, which were raised by the Alabama survey.

2. Continuing State programs.

(a) USDA. Commission staff conferred with USDA representatives on the inadequacies of the Federal Extension Service approach, and FES representatives agreed to review this matter. A meeting is scheduled for Monday, May 10, to see if adjustments can be made. In preparation for this meeting, detailed comparison will be made next week of the requirements imposed by USDA and HEW.

(b) Defense. Bureau of National Guard officials are proceeding to bring their enforcement of Title VI into line with that of other departments and agencies. Reporting procedures have not yet been finalized.

(c) HHFA - PHA. A meeting has been scheduled for May 4 to review with PHA officials the inadequacies of their plans for implementation of Title VI.

(d) Labor - BES. No action taken this week.

(e) HEW and VA. Approach adequate; no corrective action needed.

3. Education.

(a) Higher education. An interdepartmental committee is scheduled to meet on Wednesday, May 5, to consider a plan for coordinated enforcement and a compliance report form, both developed and circulated this week. HEW is prepared to establish a central data collecting system which will enable

the agencies to coordinate their enforcement with respect to colleges and universities.

(b) Elementary and secondary education. Guidelines for use in evaluating school desegregation plans were completed and released by the Office of Education.

Problems of coordination were discussed at an earlier Task Force meeting and OE, OEO, USDA, and Labor were to submit reports on the problems they face. To date, reports are in from USDA and OEO; Labor has promised its report for delivery today. We are pursuing the OE report.

4. Hearing Examiners.

A meeting was held on April 29 with representatives of CSC, Justice, and HEW, Office of General Counsel, to consider the proposal which had been circulated in advance. All were in agreement with the proposal, with some modifications. The revised proposal will be ready the week of May 3 for circulation to the agencies.

5. Hospitals.

The proposal for coordinated enforcement prepared for colleges and universities will be slightly modified to cover hospitals and health facilities. A memorandum will be sent inviting the several agencies that grant funds to hospitals to meet and reach agreement on centralized data collecting and unified compliance report forms. This meeting is tentatively scheduled for Monday May 10.

6. Directory of Federal officials; survey of staffing patterns.

Survey forms have been prepared for distribution by USCCR seeking information which will permit us to assess the current staffing patterns of the agencies in relation to their implementation of Federal civil rights policies. The directory of Federal officials will be completed with the information gathered in the survey, which should be mailed out at the latest during the week of May 10.

7. Survey of implementation of Title VI.

A letter is being prepared for signature of the Vice President asking agencies for information on steps taken thus far to implement Title VI. This survey will be ready for distribution during the week of May 3.

8. Title VI implementation conference.

Discussed in previous reports, this conference will be held when the data requested in the implementation survey have been received and analyzed.

9. Merit Standards.

The Justice Department is reviewing the refusal of Alabama and Louisiana to sign the Merit Standards agreement. HEW and Labor have reported their views on next steps. Libassi will be working with the representative to be named by the Office of Legal Counsel of the Justice Department.

10. Implementation of Federal civil rights policies -- Employment.

The Alabama survey revealed basic inadequacies in the implementation of Executive Orders 10925 and 11114 and in the operation of the Plans for Progress program. Related to this is the factor of the MDTA programs in Alabama. A summary of these problems has been sent to Powers at Labor, and Filvaroff and Libassi will consult with him as soon as possible.

11. Miscellaneous.

- (a) Meeting with representatives of Stanford Research Institute in re implementation of Title VI now scheduled for May 4.
- (b) Request that all agencies submit legal opinions and interpretations on Title VI regulations to the General Counsel, PCEO: to be considered.
- (c) Request to agencies for copies of all decisions and investigation reports on Title VI cases they have closed: to be considered.
- (d) Session with Quigley of HEW to review implementation progress to date.
- (e) Under review: NYState proposal for assuring compliance with Title VI with vendors.
- (f) In preparation: report on food distribution problem in Alabama.

cc: Mr. Taylor

U. S. DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

WASHINGTON

May 7, 1965

MEMORANDUM TO: David Filvaroff
General Counsel
President's Council on Equal Opportunity

1. President's Committee on Equal Employment Opportunity

a. Cleveland Federal Office Building.

The attached clippings and memoranda report progress since our lunch with Hobart Taylor and the Under Secretary.

While speed is important, care must be taken in developing the pre-examination training course to insure that the program will significantly increase the chances of the enrollees to be selected in the 5 problem trades. To do this the course must be designed with particular attention to the standards adopted by the 5 trades and individuals should be enrolled in this program on the basis of their qualifications under the parts of the standards that cannot be affected by this "cram course", i. e. boys should not be enrolled unless they are high school graduates - or unless this training will be considered to give them the equivalence of such an education by the Joint Apprenticeship Committees in question. Enrollees should also be limited to those of the desired age group and depending on the trade of their interest, they should meet the other standards on education, mechanical skill, work experience, residency, physical condition and veteran's status. The course itself should concentrate on increasing proficiency in the aptitude testing portion of the selection process and in the interview phase. The Joint Apprenticeship Committees should be asked to give credit in the education or work experience and training categories of their selection standards.

I have been in touch with representatives of both the NAACP and the Department of Labor to call their attention to this need and to suggest the importance of fully involving the



"problem" Joint Apprenticeship Committees in developing this program.

- b. Banks. Status quo?
- c. State and Local Government Employment. Status quo?
- d. Affirmative equal employment opportunity program in construction.
 - further discussion of the expanded information center program will take place next week;
 - new PCEEO interpretation on compliance in apprenticeship still in process;
 - involvement of Solicitor's Office in determination of compliance under nondiscrimination in apprenticeship standards approved in concept by Secretary and Under Secretary - but directive to accomplish this remains to be prepared;
 - following receipt of your memorandum I have asked the Compliance Division of PCEEO to check HEW implementation of E. O. 11114 in Hill-Burton and impacted areas school construction programs;
 - new PCEEO reporting system for construction contractors cleared by Budget Bureau; Under Secretary has directed BAT to adopt similar report and offer to collect statistics from joint apprenticeship programs;
 - no word from HEW on special school for potential apprentice applicants.
- e. Committee Administration. Status quo.
- f. New Jersey Conference. Status quo.
(This item will be dropped from next report unless further developments.)

- g. Apprenticeship in Manufacturing. Status quo.
- h. Compliance Reviews for 1966. Covered in PCEEO weekly report. Separate mention in this report will be dropped.
- i. Plans for Progress Program. Covered in PCEEO weekly report. Separate mention in this report will be dropped.
- j. CIJC Meeting. You may want to include some report on this meeting to the Vice President.
- k. Non filing of PCEEO Compliance Reports. I have asked Dave Mann if this is a serious problem. He says "no" and will put this in writing.

2. Department of Labor

I have forwarded the papers on the Alabama-Louisiana merit standards problem to Norb Schlei but have not had time to discuss it with him.

3. Equal Employment Opportunity Commission

No new items.

4. President's Council on Equal Opportunity

- a. Employment Task Force. King Carr should report on this.
- b. Education Task Force. Art Chapin does not report any new developments.
- c. Community Relations Task Force. I have asked the Associated General Contractors to consider making some jobs on highway construction available to disadvantaged youth in our target cities. Mr. William Dunn, Executive Secretary of the AGC, ^{it}thought the idea has real possibilities and is discussing ^{it}with affiliated highway contractors in Cleveland. He also has promised to arrange a meeting for me to talk to highway contractors from other cities when they are in Washington for an AGC conference next week.

N. Thompson Powers *NDP*

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XERO COPY
N. Thompson Powers
D. Donald Clover
Robert Taylor, Jr.

May 7, 1965

Leonard J. Biermann

Cleveland Report

A demonstration will take place at the FOD site this morning at 10:30. It is scheduled to last one hour. Civil disobedience is not predicted.

Doneghy is working with Bill Hunken, prominent contractor in Cleveland and leader in Businessmen's Civic Committee, to promote a public announcement on behalf of all trades in Cleveland regarding apprenticeship selection schedules.

Hunken has recommended that this statement come jointly from the Building Trades Council and the Cleveland Spilding Employers' Association.

Doneghy has apprised Webb of this activity and BAT will work in concert to effect the proposal.

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N. Thompson Powers
D. Donald Glover
Hobart Taylor, Jr.

May 6, 1965

Leonard J. Biermann

Doneghy Report - Cleveland

Kilbane, Chairman of the Plumbers' JAC, told Doneghy that they would be testing sometime in June, would cut off applications just prior to that time.

Concerning the present seniority list of applicants -

The list originally numbered about 100, but has been reduced by attrition. Current size is not clear;

They applicants on this list have already been screened and tested, and are awaiting selection;

New candidates, such as those recently applying, would be tested and placed this list as their score would merit;

However, it is not clear what qualification standards were applied to those already on the list; it is indicated the new standard was not applied to them;

Last class only 14 apprentices were chosen; at this rate it would take years to exhaust the list.

Doneghy will work with Webb as BAT's office undertakes a review of this situation.

Doneghy also reports there is very much dissatisfaction on the part of the Negro leadership with the appointment of the Board of Education as sponsor of the training program being instituted in Cleveland. Yesterday Reager announced this decision to the NAACP and Urban League, and representatives, after some curt remarks, walked out of the meeting.

Other than PACE, as Doneghy recommended, we may want to consider Case Institute or Western Reserve University as substitute program sponsor.

May 6, 1965

TO: Don Glover
Ward McCreedy

The restatement of the Cleveland NAACP "demands" contained in Biermann's memo of May 5 seems to give us something to work with. (Copy attached.)

These two points seem reasonable, in line with our own approach, and attainable.

Let's press as hard as necessary to have a report on progress for Friday CLJC meeting.

N. Thompson Powers

Attachment

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The File

May 5, 1965

Leonard J. Biermann

Apprenticeship program - Cleveland: Charles Doneghy

Doneghy met with Harold Williams this morning. Williams' position regarding the Cleveland apprenticeship programs is as follows:

1. There should be a public announcement made, by the JAC's, of the schedule for apprenticeship application, testing, and selection. It should be furnished the press for publication.

2. There should be a re-evaluation of the criteria used in the oral interviews. Williams has made no demand that the total number of points be changed, but that considerations such as attitude, reliability, appearance, suitability, and health, should be removed from the interview. He makes the point that even a group of clinical psychologists could not determine a man's attitude and reliability, etc., from a hour oral interview, and certainly the JAC cannot. Regarding the health position, he notes that a physical is not included, and a trained physician could not diagnose a person's health by an interview.

I called Don Glover about this meeting, and it was recommended that Doneghy contact Webb immediately, inform him of this meeting, and work in concert with BAT in getting the reforms outlined above.

Williams agreed he would stop demonstrations if the above reforms were effected.

Doneghy will meet with Webb tomorrow morning.

2/2

Apprentice Exam Aid Planned for Youths

The Labor Department is planning to start special classes here to help youths prepare for apprenticeship examinations in the building trades.

This was disclosed today by Hugh C. Murphy, administrator of the Bureau of Apprenticeship and Training. Murphy addressed a luncheon session during an on-the-job training seminar of the Urban League at the Cleveland Engineering and Scientific Center.

Murphy said the training would be in mathematics and other subjects that are needed by youths to qualify for apprenticeship training.

THE TRAINING would be designed to help Negroes and other youths who have shown a greater interest in becoming apprentices in the building trades since the unions eliminated allegedly discriminatory practices by complying with Government regulations for equal opportunity.

"The unions have shown their good faith by revising their apprentice-qualifying procedures," Murphy said.

"The entry of Negroes into these trades where we have

had problems has been slow. But we expect in time that there will be more Negroes in the trades.

"This can not be done overnight. We are sure that the unions have gotten the messages that there must be equal opportunity assured to everyone who is interested in apprenticeship training."

THE TRAINING has been sought by the National Association for the Advancement of Colored People, which picketed the new federal building project here in protest against alleged discrimination by building trades crafts.

Murphy said if he has time he will discuss the apprenticeship situation in the building crafts here with Government officials before he returns to Washington.

At the luncheon, he urged employers to participate more actively in on-the-job training programs.

May 21, 1965

ES

Branton

Mr. Robert B. McKay
Associate Dean
School of Law
New York University
New York 3, New York

Dear Mr. McKay:

Thank you for your congratulatory letter regarding my recent appointment as Executive Secretary of the President's Council on Equal Opportunity.

Because of the fact that this is an entirely new agency and we are still working on housekeeping details, we do not yet have any publications or materials available for distribution. I am sure you must be familiar with the various publications from the U.S. Commission on Civil Rights, but I am not certain at the moment as to just what they might have on Title VII that might be of interest to you.

Sincerely yours,

Wiley A. Branton

ES

Filvaroff

May 19, 1965

Dear Mr. Boyd:

As you know, the President, by Executive Order, has created the President's Council on Equal Opportunity, of which I am Chairman, and has assigned to the Council the responsibility for coordinating civil rights activities within the Federal Government.

One of the primary responsibilities of many agencies of Government, including your own, is that of implementing Title VI of the Civil Rights Act of 1964 which requires non-discrimination in the administration and operation of programs of federal financial assistance. Title VI requires that, prior to any action terminating or refusing assistance, the State or local agency be afforded an opportunity for a hearing.

Our inquiries have disclosed that many agencies affected by Title VI do not have a staff of Hearing Examiners trained or qualified to deal with the specific kinds of problems which will arise in administration of the Title. Accordingly, my staff, the Department of Justice, the Civil Service Commission, and the Department of Health, Education, and Welfare have worked out a proposal to establish and train a group of Hearing Examiners to conduct such hearings. A copy of this proposal is attached for your consideration and review. I am hopeful that, if generally acceptable, it can be implemented promptly. Therefore, I would appreciate it if you could give me the benefit of your reactions by May 26.

Thank you for your help.

Sincerely,

Hubert H. Humphrey

Enclosure

Honorable Alan S. Boyd
Chairman
Civil Aeronautics Board
Washington, D.C.

IDENTICAL LETTER SENT TO:

Honorable David E. Bell
Administrator
Agency for International Development

Honorable Stewart L. Udall
Secretary of the Interior

Honorable Leland J. Haworth
Director, National Science Foundation

Honorable Eugene P. Foley
Administrator, Small Business Administration

Honorable Aubrey J. Wagner
Chairman, Tennessee Valley Authority

Honorable Glenn T. Seaborg
Chairman, Atomic Energy Commission

Honorable N. E. Halaby
Administrator, Federal Aviation Agency

Honorable James E. Webb
Administrator, National Aeronautics
and Space Administration

Honorable Buford Ellington
Director, Office of Emergency Planning

Honorable Dean Rusk
Secretary of State

Honorable Henry M. Fowler
Secretary of the Treasury

Honorable William J. Driver
Administrator of Veterans Affairs

ES

Stewart

May 19, 1965
3 p.m.

MEMORANDUM TO: THE PRESIDENT
FROM : THE VICE PRESIDENT
RE : YOUTH OPPORTUNITY CAMPAIGN

The Cabinet Committee on Employment, consisting of the Vice President, chairman, Secretary Wirtz, Secretary Connor, Secretary McNamara, and Mr. Webb, recommend the announcement of a Youth Opportunity Campaign. The campaign would be directed at producing approximately 500,000 additional summer jobs for young people--it would be a cooperative effort between government and business. The specifics of the campaign follow:

1. Request that the 620,000 business firms employing between 10-100 workers take on one extra summer trainee.
2. Request that the 60,000 larger firms add one extra summer trainee in each plant or unit with over 100 employees.
3. Request labor unions, trade associations, churches, colleges, etc. make a similar effort.
4. Direct Federal departments and agencies to make every effort to find meaningful work or training opportunities for one extra trainee for every 100 employees.
5. Direct a reallocation of Economic Opportunity Act funds to permit an extension of the Neighborhood Youth Corps program by an additional 50,000 boys and girls.
6. Direct the Vice President to work with Federal departments and agencies in developing job opportunities in other areas, for example, the Civil Service Commission and the Department of Health, Education, and Welfare have prepared a work-study program in Federal agencies to be operated under authority contained in the Vocational Education Act of 1963.

Operating details of the program would be worked out by a Task Force, chaired by the Vice President, including representatives of the Department of Commerce, Department of Labor, State and local governments, business, non-profit and labor organizations. The Department of Labor is standing ready to establish a Youth Opportunity Campaign Unit and to bring the U.S. Employment Service into the campaign at once.

The Cabinet Committee has given its approval to the Youth Opportunity Campaign. Bureau of the Budget has no technical objections, assuming you approve of the basic idea. Secretary Wirtz has informed George Meany of the proposal and he has no objection. In my judgment there will be no problems in Congress.

It is also my judgment that if you desire to proceed with the Youth Opportunity Campaign, we must announce it as soon as possible. Summer is approaching so rapidly that literally every day is vital to the success of the program.

_____ Approved.

_____ Disapproved.

May 18, 1965

MMEX ES

Branton

Mr. George H. Fowler
Chairman
State Commission for Human Rights
270 Broadway
New York 7, New York

Dear Mr. Fowler:

Thank you for your letter of May 10 in which you invite me to address the 17th Annual Conference of Commissions for Human Rights in New York City on June 30.

Because of the fact that I am just coming on-board with this agency and will be faced at the time of your meeting with trying to move to Washington, it appears that your entire Conference comes at a most inconvenient time for me. Regretfully, I will not be able to accept your invitation, but I am pleased to note that Mr. David B. Filvaroff, our General Counsel, will be with you.

Thanks for inviting me.

Sincerely yours,

Wiley A. Branton
Executive Secretary

May 17, 1965

Dear Sarge,

Enclosed is a copy of the proposed agenda for the meeting of the President's Council on Equal Opportunity scheduled for 10 a.m. this Wednesday morning. As you will note, there are a number of matters for discussion, though I hope the meeting can be kept reasonably short.

I am also enclosing, for your information, a copy of the school desegregation guidelines recently promulgated by the Office of Education under Title VI of the 1964 Civil Rights Act. They are most important and will be discussed at the meeting.

Finally, I am sending you a copy of a proposal to establish and train a group of Hearing Examiners to conduct hearings under Title VI. As you know, many agencies affected by Title VI do not have a staff of Hearing Examiners trained or qualified to deal with the specific kinds of problems which will arise in administration of that portion of the Civil Rights Act. Accordingly, my staff, the Department of Justice, the Civil Service Commission, the Department of Health, Education, and Welfare, and other key agencies have worked out the detailed proposal. I am hopeful that we will be able to approve the suggested procedures at our meeting on Wednesday.

I am looking forward, then, to seeing you on Wednesday morning.

With personal regards.

Sincerely,

Hubert H. Humphrey

Enclosures

The Honorable E. Sargent Shriver
Director, Office of Economic Opportunity
Washington, D.C.

The Honorable Lawson B. Knott, Jr.
Administrator of General Services

The Honorable Orville L. Freeman
Secretary of Agriculture

The Honorable Robert S. McNamara
Secretary of Defense

The Honorable Hobart Taylor, Jr.
Executive Vice Chairman
President's Committee on Equal Employment Opportunity

The Honorable Francis Keppel
Commissioner of Education

The Honorable LeRoy Collins
Director, Community Relations Service
(cc: Roger Wilkins)

The Honorable John W. Macy, Jr.
Chairman, U.S. Civil Service Commission

The Honorable David L. Lawrence
Chairman, President's Committee on Equal
Opportunity in Housing

The Honorable Nicholas deB. Katzenbach
The Attorney General

The Honorable John A. Hannah
Chairman, Commission on Civil Rights
(cc: F. Peter Libassi)

The Honorable Robert C. Weaver
Administrator, Housing and Home Finance Agency

Mr. Burke Marshall
701 Union Trust Bldg.

The Honorable Buford Ellington
Director, Office of Emergency Planning

The Honorable Franklin D. Roosevelt, Jr.
Under Secretary of Commerce

The Honorable John T. Connor
Secretary of Commerce

The Honorable Anthony J. Celebrezze
Secretary of Health, Education, and Welfare

§ BR Filvaroff

May 17, 1965

Honorable Harrison A. Williams, Jr.
United States Senate
Washington, D. C.

Dear Pete:

In my letter of April 25th, I promised to let you know as soon as I received further information on the complaint of Mr. Shade M. Lee before the President's Committee on Equal Employment Opportunity.

The staff of the Committee advises me that Mr. Lee's complaint has been investigated and is currently under review. I expect to have their report by the end of the week and will advise you immediately of its contents.

I appreciate your interest in the equal employment opportunity program and have asked the Committee to keep you apprised of further developments, if any, regarding Mr. Lee.

Sincerely,

Hubert H. Humphrey

May 17, 1965

ES Filvaroff

MEMORANDUM TO: THE VICE PRESIDENT
FROM : DAVID B. FILVAROFF

If there is room on the plane, you may wish to consider asking Wiley Branton to accompany you to New York for your speech this week to the AJC. It will give Wiley some additional exposure in a helpful forum. Also, Burke Marshall is planning on attending the dinner and if there is another seat available, you may wish to consider asking him to fly up with you. The people in this group will doubtless know Burke well.

Finally, you should know that I received a call last week from a representative of AJC who indicated that AJC was about to mail you a letter complaining that the President's Committee on Employment had not taken any substantial action over the years with respect to anti-Semitism in employment, particularly in the "executive suite." There apparently is some history to this, though I am not fully familiar with it, and similar complaints have been made in the past, with the response in each instance being that "now" was not the time to act. The AJC would like the President's Committee to move into this area. I told the representative that mailing a letter of that type to you at this time, within a few days of your scheduled appearance in New York before the AJC, would look like an attempt to pressure you to respond at the dinner and that this timing could produce an unfavorable reaction. Also, I explained that you would, of course, be most sympathetic on this issue, but that all the energies of Government in the employment area would now be directed to establishing the EEOC and working out its relationship to the President's Committee, etc.; this would leave very little in the way of manpower or talent to develop an approach on anti-Semitism very quickly and that a premature statement or commitment by you would raise expectations which could not be speedily fulfilled.

After several extended conversations, I was told that the letter would not be sent until after you had made your speech. Clearly, this is more desirable and it may be that Morris Abram or someone else will approach you on the topic when you go up to New York to deliver your speech. If this happens, I suppose that under the circumstances one very easy answer would be to suggest that you, of course, are interested and concerned and that they might wish to write you a letter explaining the situation and giving you background on it. I also told the person who contacted me that we (the staff) would be delighted to discuss the matter with any AJC representative.

ES Filvaroff

May 15, 1965

CIVIL RIGHTS

MEMORANDUM TO: THE PRESIDENT
FROM : THE VICE PRESIDENT

1. Meeting of the President's Council on Equal Opportunity.

The next meeting of the President's Council on Equal Opportunity is scheduled for next Wednesday, May 19.

2. Merit Standards.

My staff will meet on Tuesday with representatives of Justice and affected agencies to discuss compliance with the Labor-HEW-Defense merit standards which require non-discrimination in employment by State and local agencies receiving Federal funds for administrative costs of certain Federal programs. It appears now that Louisiana may come into line, leaving only Alabama in non-compliance.

3. Equal Employment Opportunity Commission.

I and members of my staff met on Thursday with Undersecretary Roosevelt to offer assistance in connection with the establishment of the new EEOC. We discussed many of the problems which the new Commission would face; my staff is working with Mr. Roosevelt on various substantive and administrative matters and he will have the aid of the Council Task Force on Employment, under Secretary Wirtz.

4. Automatic Data Processing.

After a series of preliminary meetings, we have asked the Stanford Research Institute (SRI), a highly qualified nonprofit organization, to take the initial steps to establish a coordinated reporting and information system which will allow us to: (1) spot potential difficulties before they become crises; (2) keep better track of Federal civil rights activities, particularly under Title VI; and (3) measure our

progress. We emphasized to SRI that the cost should be kept to a minimum and that use should be made of existing reporting devices within the agencies. SRI should begin exploratory work with the most important agencies shortly. We have avoided any substantial financial commitment. My staff is planning another meeting on Monday to obtain more detailed cost figures and work out operating arrangements.

5. Construction Industry (Cleveland).

The Federal building construction site in Cleveland has been the scene of several recent demonstrations protesting alleged discrimination in the building trades unions. The Department of Labor and the PCEEO have been working with the unions and civil rights groups and hope soon to be able to announce a "package" of actions (including affirmative recruiting and a federally financed "cram course" for applicants for apprenticeship) which should contribute substantially to lessening of tensions. The Cleveland situation is not unique, however, and we can probably expect like troubles elsewhere this summer.

Our work with other departments and agencies is proceeding satisfactorily.

May 13, 1965

ES

Carr

MEMORANDUM TO: Stanley Ruttenger

FROM : King Carr

Sooner or later the Vice President's assignments in employment, poverty, and civil rights are going to bring him face-to-face with the successes and failures of the Employment Service. It is evident already that he is well aware of its key role. As you know, if I am assigned responsibility, here, in this area, it would be one of my major concerns.

I think I can see from the outside what some of the problems are, but I do not have a feeling for your views or the Secretary's views about the problems or your strategy for tackling them. Before I say anything, here, I think I should have at least an initiation to your view of the situation.

Could you call me?

May 12, 1965

Mr. Walter Oates
Photography Department
Evening Star
225 Virginia Avenue, SE.
Washington, D. C.

Dear Mr. Oates:

Following up on our recent conversation, I would appreciate it if you could send me two or three copies of the picture which you took of the children at Valley Drive Nursery School in Alexandria, while they were making bread. I think the picture was taken at about the end of March. The prints can be sent to me at the President's Council on Equal Opportunity, Room 703, 1800 G Street, NW., Washington, D.C. 20506.

Thank you for your consideration.

Sincerely,

David B. Filvaroff

May 12, 1965

FILVAROFF

MEMORANDUM TO: Wiley Branton
FROM : Dave Filvaroff

Tom Powers has suggested that it might be a good idea to have a meeting of the full President's Committee on Equal Employment Opportunity sometime in June. It might be possible to time the meeting to coincide with one of the Title VII conferences to be held here in Washington. This would provide members of the President's Committee an opportunity to meet the new members of the EEOC.

It might also be possible, Tom thought, for the Secretary of Labor (The Vice President?) to give a party for members of the EEOC, as well as of the President's Committee. It might be a useful idea to invite prominent civil rights leaders as well. Perhaps it would be possible to obtain use of one of the Government's yachts so that the party could be given on the Potomac. This all strikes me as a pretty good idea. Do you have any reaction?

cc:
John Stewart ✓
King Carr

May 12, 1965 ES

Carr

MEMORANDUM TO: DAVE FILVAROFF
WILEY BRANTON

FROM : KING CARR

I recently discovered that a large proportion of former apprentices in the buildings trade become supervisors or independent contractors rather quickly after completing their apprenticeship. So to some extent, apprenticeship is becoming a management training program. Some employers have also said they particularly expect that Negro apprentices will quit them to become independent contractors.

So there are additional complexities. It probably only demonstrates that we should pay more attention to the non-apprenticeship routes to journeyman status. (Of course, a large proportion of journeyman do not go the apprenticeship route--it is for this reason that a former apprentice soon becomes a supervisor because of his careful training).

See clip.

ES Filvaroff

May 12, 1965

Mr. Eugene F. Rowan
J. C. Penney Company, Inc.
1301 Avenue of the Americas
New York, New York 10019

Dear Gene,

Thanks for your note. The feeling is mutual. I'll be looking forward to seeing your report. If there is anything else you think I can do to help, don't hesitate to call on me.

Sincerely,

David B. Filvaroff

May 12, 1965

ES

Carr

MEMORANDUM TO: William Kolberg

FROM : King Carr

Was any reply ever made to the Senate Committee
on their request that the PCEEO budget be sub-
mitted to Congress for F.Y. 1966?

ES
May 12, 1965

Carr
~~xxxxxxx~~

MEMORANDUM TO: Ward McCreedy
FROM : King Carr

Where do you stand on your case studies on
seniority?

May 12, 1965

MEMORANDUM TO: THE PRESIDENT

FROM : THE VICE PRESIDENT

When you signed the Manpower Development and Training Act amendments, you asked that I chair a Cabinet Committee on Employment consisting of Secretary McNamara, Secretary Connor, Secretary Wirtz, and Administrator Webb.

We have had two meetings of this Cabinet Committee to survey Government programs to make sure that we are encouraging maximum development of needed jobs--in both private industry and Government--especially this summer. We have also examined the problem of developing job opportunities for all persons engaged in Government job training programs.

Proposals have been submitted that, if implemented, could produce an additional 500,000 to 700,000 jobs this summer. The Federal Government would sponsor a Youth Opportunity Campaign and:

- 1) Announce that it would do its part by offering a job to one extra Trainee for each 100 persons now employed. (Total: 25,000 - Budget Bureau advises this is probable within present employment ceilings).
- 2) Announce a doubling of the Neighborhood Youth Corps summer program. (Possible within existing funds).
- 3) Urge private and non-profit employers to cooperate by hiring youths and to inform us of their cooperation.
- 4) Work closely with major defense contractors in developing training opportunities for persons completing vocational training and other similar programs.

5) Explore other job development ideas, e.g.,

(a) develop a cooperative plan where otherwise unemployed youths would work in the highway beautification program, remove auto wrecks from roadsides, etc.,

(b) develop ways to reimburse employers with Manpower Development and Training funds for training they can do better and cheaper than the Government.

(c) ask the States and counties to join in highway beautification efforts.

6) Schedule a tour by the President, Vice President, or Cabinet members to dramatize this campaign.

7) Appoint a Task Force to carry out the Youth Opportunity Campaign.

(Greater details are included in the attached statement).

In considering this proposal, there are several problems that deserve consideration.

1. Are we willing to accept the strong likelihood that this program, if successful, might become a permanent feature each summer? This should be considered particularly in regard to the Federal Government's commitment to increase by 1% its employees for the summer.

2. Is this program to increase Federal and Government contractor employment consistent with the efforts to reduce the Federal payroll and contractor costs?

The program should be characterized as an effort to train and orient young people so they will be fully productive at an earlier date and, in terms of the total economy, an investment worth making. It is probable that a 25,000 increase in temporary Federal employment can be handled within the current total ceiling. Because of their concern about costs, DOD and NASA are agreeable if the appeal to employees is related to accepting employees who have completed MDTA, etc., training programs.

3. Will the expansion of the Neighborhood Youth Corps cause problems in the future? Congress may be critical if NYC runs out of funds earlier in F.Y. 1966 because of this program. This should be checked out with Senator McNamara and Representative Powell.

4. Will AFL-CIO have any objections? No problem seen so long as these are "extra" jobs. Secretary Wirtz is checking with Mr. Meany.

May 12, 1965

ES

Filvaroff

MEMORANDUM TO: F. Peter Libassi

FROM : Dave Filvaroff

I think probably you ought to send a copy of the Alabama report, or at least those portions of it referring to Government employment, employment by Government contractors, and the Plans for Progress program to Hobart Taylor. You might attach a note indicating I suggested that Hobart might be interested in seeing the results of the survey which you and the Commission undertook.

Also, I wonder whether it might be possible for Dr. Hannah briefly to report on or summarize the results of that Alabama survey orally at the meeting of the Council scheduled for the 19th. It strikes me this might be a better way to handle the situation than to circulate printed copies or to attempt revision of the present memo. What do you think?

cc:

Mr. Branton

Mr. Stewart ✓

May 11, 1969

ES

Filvaroff

MEMORANDUM TO: John W. Macy, Jr.
Chairman
U.S. Civil Service Commission

FROM : David B. Filvaroff
General Counsel

Of course we are delighted at the news that there is now an EEOC; I expect that you, too, are pleased at getting the Commission named.

It appears, however, that while the President named a Commission Chairman, he did not designate a Vice Chairman as required by Section 705(a) of Title VII of the 1964 Civil Rights Act. Though this is not of crisis dimension, you may wish to call it to the President's attention in due course.

cc: Wiley Branton

May 11, 1965

ES

FILVAROFF

MEMORANDUM TO: THE VICE PRESIDENT

FROM : DAVID B. FILVAROFF

In connection with your address to the NAM this afternoon, you may wish to mention the 40 or so Title VII conferences which the Association has been holding around the country since last Fall. These conferences have been designed to acquaint businessmen with the requirements of Title VII of the 1964 Civil Rights Act and have been arranged, by and large, by a NAM Vice President, Charles A. Kothe, whom I expect will be at the luncheon.

The next conference, I am told, will be held in Tulsa later this month.

John St

May 11, 1965

ES

FILED 1011

MEMORANDUM TO: Stanley H. Rutenberg

FROM : King Carr

Perhaps the JET program should involve all the employment service institutions in the economy--USES, private agencies, Urban League, human relations groups, etc.

This presents an opportunity for a rapprochement between USES and the private agencies. Why shouldn't USES tell employers?:

1. "Hire Now"
2. "Go to your usual sources" -- "and here are some others that might be helpful to you:
 - a. "USES"
 - b. "Private agencies"
 - c. "Urban League"
 - (etc.)

Since the private agencies are large users of classified advertising, newspapers might join any effort to do a service for a customer and a public service. This could be very valuable to the program.

Has Arnow discussed the attached with you? A joint public relations "Hire Now" campaign might lead to an effort, later, to relate the USES and private agencies operations.

Phil has some further ideas in this area if you are interested. He, and I believe Aller, concluded that what should be done is to permit local offices to establish cooperative arrangements with private agencies that meet certain standards.

Attachment

ES

Filvaroff

May 10, 1965

Dear Mr. Burleigh:

Thank you for your recent letter discussing the practices of Baltimore banks and for the attached report by the Baltimore Chapter of CORE on discrimination in employment by Baltimore banks.

As you know, the Federal Government has been moving broadly on many fronts to cope with various kinds of discrimination, including that in employment. And, of course, racial discrimination in any context is a matter of grave personal concern to me. Nonetheless, I know I need not point out to you that the authority of the Executive Branch of the Federal Government is not unlimited; the fact that various departments or agencies of the Federal Government have regulatory authority over banks does not necessarily mean that they have authority to impose non-discrimination requirements with respect to employment practices, lending policies, or selection of management or boards of directors. I would not be wholly responsive if I did not indicate that certain of the actions which you urge were, to my understanding, beyond the present power of those agencies which regulate banks.

I do not mean to suggest, of course, that the Federal Government or specific Federal agencies are wholly without authority. You should know that some of these matters are currently under review. In addition, it is expected that there will be a significant impact on employment practices when Title VII of the Civil Rights Act of 1964 becomes effective on July 2.

While I cannot at this moment be more specific, you should have no doubt that the Federal Government will do everything

it can to deal effectively and promptly with problems of the type which your letter suggests exist in Baltimore.

With best regards.

Sincerely,

Hubert H. Humphrey

Mr. John Burleigh
Employment Chairman
Congress of Racial Equality
2316 West North Avenue
Baltimore 16, Maryland

ES

Filvaroff

May 10, 1965

Dear Mr. Naudin:

Upon receiving your recent letter, I checked with my staff on the President's Committee on Equal Employment Opportunity who assured me that your complaint is being given every consideration in accordance with the rules of the Committee. I also determined that your application for employment with various Government agencies was being treated according to the regulations of the Civil Service Commission governing the list of eligibles.

Sincerely,

Hubert H. Humphrey

Mr. Edward P. Naudin, Jr.
310 Q Street, NW.
Washington, D.C.

cc:
Mr. Branton

ES Filvaroff

MEMORANDUM TO: PETER LIBASSI
FROM : DAVE FILVAROFF

I have just looked over your May 5 memorandum calling the meeting of various agency representatives to discuss the proposals for coordinated enforcement procedures on hospitals and health facilities. It occurs to me that we ought to be sure to coordinate any data collection or processing procedures with the activities of SRI.

cc:
Mr. Branton

May 10, 1963

MEMORANDUM TO: JIM SASSER
FROM : DAVE FILVAROFF

Is it possible for us now to put together the figures projecting our expenses through the end of the fiscal year so that we will know whether or not we have funds to return to our contributing agencies? Also, while you are doing this, I think it would be helpful if we could get some estimates of our costs on drapes, furniture, etc. I think overall, this along with our salary figures would be useful to Mr. Branton and to me in determining how we are coming out financially.

cc: Wiley Branton

ES // Filvaroff

May 10, 1965

MEMORANDUM TO: THE PRESIDENT
FROM : THE VICE PRESIDENT

When you signed the Manpower Development and Training Act amendments, you asked that I convene and chair a special Cabinet Committee on Employment consisting of Secretary McNamara, Secretary Connor, Secretary Wirtz, and Administrator Webb.

After a preliminary meeting in which a number of agencies were asked to assess their own resources and capabilities, I held a meeting with Defense, Commerce, Labor, and NASA.

There was unanimous agreement that the efforts of this Committee should be coordinated with the several other complimentary activities already underway. Because of their prior involvement in this area and their deep knowledge of the field and the needs, I asked that Secretaries Wirtz and Connor assume direct responsibility for supervising the development and implementation of programs. Of course, I will retain overall supervision and intend to work closely with the Committee.

We are surveying Government programs to make sure that we are encouraging maximum employment -- especially this summer. We intend to emphasize youth employment as well as jobs for "graduates" of Government-sponsored training programs. A number of promising possibilities are being explored, including a wide-spread, coordinated campaign urging employers to expand their work-forces. We hope to utilize particularly the contacts of DOD and NASA, though there are some built-in limitations because of pressures on contractors to cut costs.

We are working for early, concrete results, with impact as soon as schools are out for the summer.

cc: Wiley Branton

May 5, 1965

Dear Bill,

I am writing to invite you to the second meeting of the President's Council on Equal Opportunity which will be held at 10 a.m. on Wednesday, May 19, in the Indian Treaty Room of the Executive Office Building.

There are a number of significant matters to be discussed by the Council. I expect to forward an agenda and some background material prior to the meeting. In addition, the meeting will provide an opportunity to meet Wiley Branton, recently named Executive Secretary of the Council.

It would be most helpful to me if you could have your secretary contact Miss Betsy Rowe of the Council staff (DU 2-6151 or Code 128, Ext. 6151) by Monday, May 17, and let her know if a staff person will accompany you.

I hope you personally will be able to attend and look forward to seeing you on the 19th.

Sincerely,

Hubert H. Humphrey

The Honorable W. Willard Wirtz
Secretary of Labor
Washington, D.C.

Identical letter sent to the following:

The Honorable Lawson B. Knott, Jr.
Acting Administrator of General Services

The Honorable Orville L. Freeman
Secretary of Agriculture

The Honorable John T. Connor
Secretary of Commerce

The Honorable LeRoy Collins
Director, Community Relations Service

The Honorable Robert S. McNamara
Secretary of Defense

The Honorable Anthony J. Celebrezze
Secretary, Department of Health, Education,
and Welfare

The Honorable Francis Keppel
Commissioner of Education

The Honorable Hobart Taylor, Jr.
Executive Vice Chairman
President's Committee on Equal Employment Opportunity

The Honorable R. Sargent Shriver
Director, Office of Economic Opportunity

The Honorable Robert C. Weaver
Administrator, Housing and Home Finance Agency

The Honorable John A. Hannah
Chairman, Commission on Civil Rights

The Honorable Nicholas de B. Katzenbach
The Attorney General

The Honorable David L. Lawrence
Chairman, President's Committee on Equal
Opportunity in Housing

The Honorable John W. Macy, Jr.
Chairman, U.S. Civil Service Commission

ES

Filvaroff

May 5, 1965

Mr. Robert Cole
Special Assistant to
the Administrator
Agency for International
Development
Department of State
Washington, D.C.

Dear Bob,

I did get to talk to Mr. Beatty at Interior yesterday afternoon about Bart Clauson. He indicated they had not yet made any decision and might not for another couple of weeks. I am not altogether sure what the cause of the delay may be. In any event, I did let them know that, on the basis of all the reports I had received, Bart would doubtless do an excellent job for them. I asked that they let me know when any decision had been made. I hope this will do the job.

Again, my thanks for the very pleasant lunch. I enjoyed it greatly and hope to be able to return the favor soon.

Sincerely,

David B. Filvaroff

May 5, 1965

ES - Filvaroff

MEMORANDUM TO: Tom Powers

FROM : Dave Filvaroff

I am informed that Treasury is now ready to go ahead and bring Federal depository banks under the Executive Order on Employment. The Department is preparing letters to the banks which, I am told, will go out within 10 days or so. I asked that we be informed when the final steps have been taken.

cc:

Mr. Branton

Mr. Stewart ✓

May 4, 1965

MEMORANDUM TO: Stanley H. Ruttenberg
FROM : King Carr
SUBJECT : Commerce Job Development Program

Evidently, the Secretary of Commerce and the Secretary of Labor were both very impressed by the auto-oil meeting last week. The Commerce people who have been doing this work are being pulled off, and while they are assigning another person, they believe a short-term contract should be let to push ahead hard since the pay-off looks good. They may have money for this in August, but have none now. Could Labor give Commerce money to let a contract? (They estimate \$20,000 - \$30,000).

CLAIBORNE PELL
RHODE ISLAND

United States Senate

WASHINGTON, D.C.

May 5th, 1965



A handwritten signature, possibly "Jell", enclosed within a hand-drawn oval.

The Vice President
The United States Senate
Washington, D. C.

Dear Mr. Vice President:

Thank you for your thoughtful letter
of April 28th, 1965.

You may be sure I will do all I can
to see that qualified Negro candidates
for the service academies apply.

All best wishes.

Sincerely,

A handwritten signature, likely "Claiborne Pell", consisting of a stylized first name and a surname.

Claiborne Pell

COPY

File

May 17, 1965

Dear Mr. Ellwanger:

Thank you very much for calling to my attention alleged discriminatory policies pursued by Company A, 1st Battalion, 200th Infantry of the National Guards.

I am asking the Department of Defense to look into this situation promptly, and to take whatever action may be appropriate on the basis of the facts developed.

Best wishes.

Sincerely,

Hubert H. Humphrey

Mr. Joseph W. Ellwanger, Chairman
Concerned White Citizens of Alabama
P. O. Box 2382
Birmingham, Alabama 35203

May 14, 1965

The Honorable Hubert Humphrey, Vice President
The United States of America
Washington, D.C.



Dear Mr. Humphrey:

We wish to report to you the discriminatory policies carried out by Captain Hank Holman, Commanding Officer of Company A, 1st Battalion, 200th Infantry, Northport, Alabama.

The unit is undermanned yet there are no Negro guardsmen known to belong to the 1st Battalion. For the past two years various recruitment campaigns have been undertaken.

At various drills the Captain reads the names of males who are soon to be processed for the regular army. These names are obtained from the local draft board so the men can be recruited into the Guard unit prior to the time they are sent notice of induction.

Negro sounding names, however, and names with addresses in Negro neighborhoods are passed without reading. No attempt is made to contact them. The members of the Guard unit are further asked to contact only those males who they know are white.

On occasion Negro citizens have gone to the unit to volunteer. At other times Negroes have been sent notice of recruitment by the unit due to the difficulty in differentiating by name and address. When these Negroes presented themselves, they were informed that the unit has no vacancies and is at full strength. At the same time the white members are told that the unit is dangerously under strength and are urged to recruit men.

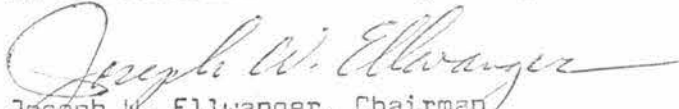
On April 19, 1965, at Fort Brandon in Tuscaloosa, Captain Holman spoke to all the men of A Company, 1st Battalion, at a mass meeting about the need for new members. All guardsmen were asked to recruit any possible candidates. However, when asked if this included Negroes--as Washington has said the National Guard units must--Captain Holman replied, "We solicit only those whom you would want to live with and have as friends and that excludes all Negroes and undesirable whites."

The above report comes through a member of "A" Company, 1st Battalion, but he asks that his name be withheld for fear of reprisal.

As an organization committed to the elimination of racial discrimination, we are distressed and indignant that such flagrant discriminatory practices exist in our armed services.

We are certain that you will investigate and take immediate steps to correct this festering situation.

In the interest of liberty and justice for all,



Joseph W. Ellwanger, Chairman
Concerned White Citizens of Alabama
P.O. Box 2382
Birmingham, Alabama 35203

JWE:ae

Defence

THE COMMAND and MINORITY GROUPS

NAVSO P-2483

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MAY 1965

A COMMANDING OFFICER'S GUIDE
FOR ESTABLISHING
MINORITY COMMUNITY RELATIONSHIPS

Copies of this publication may be obtained in accordance with NAVSANDA Publication 2002 from the Naval Supply Depot, Phila., Pa.

Reviewed and Approved: 25 May 1965

A handwritten signature in dark ink, appearing to read "R. L. Moore, Jr.", with a stylized flourish at the end.

R. L. MOORE, JR.

Chief of Industrial Relations

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I - INTRODUCTION

The responsibilities of naval commands for insuring equality of opportunity for minority group civilian employees have become more complex and more demanding as the dimensions of the problems grow clearer. The issuance of periodic directives is no longer an adequate response to these problems. Indeed, the problems themselves are being expressed in new and often perplexing ways.

In recent months, naval activities have become increasingly subject to organizational complaints and demonstrations from local minority community groups. These protests have centered on such broad issues as the apparent lack of employment opportunities or inequitable treatment of minority personnel throughout an activity. In some instances mass rallies, picketing, or news media releases have been used to dramatize the protests.

Commanding Officers must be prepared to deal with such situations realistically and effectively. They must understand the major, recurrent causes for institutional complaints, the character of the protests, the social organization of the minority community, and the probable reactions they will encounter in personal confrontations.

SECNAV Instruction 5350.6, "Equal Opportunity and Treatment of Military Personnel" discusses in explicit terms the responsibilities of commanders for fostering equal treatment of military personnel and their dependents in communities near military bases. The guides provided by that Instruction will be helpful when issues concerning the civilian work force are being considered. But because the concerns of a civilian work force often differ from the military, additional, supplementary material has been incorporated in this manual.

From now on, as in other issuances of this kind, the equivocal term "minority group" will be avoided when "Negro" is clearly meant. Negroes are the largest minority group in America, their social protests are the most effectively organized and aired, and they are in many respects the most seriously disadvantaged. A significant statement by Daniel C. Thompson in his *The Rise of The Negro Protest* (The Annals of The American Academy of Political and Social Science,

January 1965) should be remembered by all administrators concerned with this problem, "... in order to understand the essential nature of the Negro protest it is necessary to take into account the fact that no other group in American society has been subjected to the great degree and variety of insecurities as has the Negro."

The established discrimination complaint procedure is a wholly inadequate approach to the broad issues raised by mass protests. The complaint procedure was designed to provide each individual with an opportunity for a hearing on specific allegations and the right to personal redress of grievances when warranted. It has functioned effectively in this manner and will continue to do so. The resolution of larger problems affecting numbers of people must follow a different pattern, one which is just beginning to be realized. At least as yet, no formulas have evolved to make the task simpler. It is hoped that the discussions and suggestions contained in this manual will be helpful.

II - ABOUT THE ACTIVITY

The tradition of ignoring minority group identification is so ingrained that it is difficult if not distasteful to take it consciously into account. Indeed, the Federal Service is prohibited from making notations of race on its official employee records. This does not relieve commanding officers of the responsibility for understanding the composition of the work force. Statistics must be gathered for the annual minority employment survey, in connection with complaint cases, and as part of any continuing affirmative action program. Once gathered, they should be reviewed and understood. Obviously, a commanding officer who is less familiar with the facts than the community representatives with whom he must deal is at a decided disadvantage.

Before any other steps are taken, the distribution of minority employees within the work force should be determined. What is the percentage of Negroes, for example, in graded positions? By grades? What is the stopping point, above which few or no Negroes are found? In which occupational categories and organizational units are they employed? Are there any "all-white" or "all-Negro" units? Do Negroes occupy supervisory positions and if so, where? What proportion of the qualified Negroes have applied for promotion in recent months, especially to supervisory positions? Similar information should be obtained for ungraded areas. Enclosures (1) and (3) of SECNAV Instruction 12713.6 dated 13 September 1963, are useful check lists, when statistical data are being gathered and analyzed. Section V of this manual contains some graphic analyses of the general employment figures for the Department of the Navy. Although "quota" systems are neither sanctioned nor advisable, statistics are valuable as symptoms of general problems and as an index of an activity's success with its program.

There are other aspects of employment, varying among activities, which should be investigated. Any organizational segment which suffers from inadequate personnel administration is likely to generate discrimination allegations. Such conditions are at the root of most formal complaints concerned with overtime, details, prestige assignments and harassment.

However, the correction of poor personnel practices, without accompanying reasons, may appear discriminatory to minority group employees. If, for example, sick leave administration has been lax in a unit composed primarily of Negro employees, stricter internal controls may appear to be discriminatory unless an explanation is given in advance to all employees. Equitable, efficient personnel administration will eliminate most "unreasonable" or highly emotion-charged complaints.

Visibility is the foundation on which opinions about the equality of opportunity at an activity are based. Executive dining rooms, parking areas, and invitation lists for meetings or special luncheons may be administered strictly on the basis of grade or position, but when few if any Negroes participate, it is not difficult to assume that prestige and privilege are racially exclusive. Commanding officers should review such matters and amend the standards if appropriate. If not, supervisors should insure that all employees understand the regulations.

The direction toward which any affirmative action program should be headed is an integration of the work force - in occupations, grade and pay levels, in organizational units, at officially sponsored or sanctioned functions, in training programs, in participation in activity-conferred privileges, etc. Some of these are contingent upon others, as in the example above. Some are not, or need not be. But an alteration in the *status quo* will not occur of its own accord. It must be made to happen, and the chief responsibility is the Commanding Officer's. He must develop a sensitivity to the absence of Negroes in any given situation and be curious enough to question why. Otherwise, he will be caught unaware when a grievance is presented and will be baffled by the conclusions expressed by militant groups.

He must also develop an understanding of what his Negro employees perceive to be inequity or injustice and what they regard as progress. This cannot be done by-guessing or at second hand. In most cases, the commanding officer must establish by design the effective communication he enjoys automatically with his white associates. Conversations with a visiting Negro dignitary or local college professor are no more relevant to his problem than the same relationship with white public figures would be an adequate substitute for acquaintance with the white work force. The commanding officer must begin with his own employees.

He should first make realistic efforts to identify leaders among the Negro employees. Such individuals are not necessarily the most prominent, or from the commanding officer's

point of view, the most likeable or likely employees. One commanding officer went to considerable trouble to appoint an Advisory Committee composed of people recommended by Department Heads as individuals who commanded the respect and attention of other employees. Almost simultaneously, he was notified of the existence of a group organized by the Negro employees themselves. None of the officers of this group - who later proved to be both vocal and genuinely representative - were among those suggested for the Advisory Committee. Most Negroes feel that they must buck the "Establishment" and consequently rarely accept leadership from fellow Negroes who are identified with the "Establishment."

There is a natural resistance on the part of management to "do business" with the agitator or trouble-maker. Arrangements to consult formally with the difficult employee may appear to be rewarding the man who causes all the problems in the first place. It would be well to remember that usually these vocal individuals have *not* created the grievances; they have merely expressed them, and although their understanding of group resentments may be imperfect, they are likely to be better informed than any one else. The employee who is most apt to fall in this category is the one who circulates petitions; represents his fellows in disciplinary, grievance, or discrimination complaint hearings; expresses opinions about general conditions (rather than limiting himself to matters which affect his personal employment situation); is deferred to by other employees; or has been elected to office in Navy or civic organizations.

This point is made to caution against excluding the "trouble-makers" from consideration; it is not intended to suggest that they serve as the sole point of contact. The commanding officer should encounter as broad a range of opinions, attitudes and ambitions as possible and should be judicious in evaluating these. He should not rely too heavily on the Negro employee who usually agrees with him in controversial matters, and he should at all costs avoid limiting his contacts to a "Negro expert," for he is dealing with human personalities, not inert electronic devices.

Once the commanding officer has established his relationships and has identified the immediate problems as well as the hopes and ambitions of his Negro employees, he must decide what he can do about them. Some will seem inconsequential to him, some will be understandable, and some, of course, will be too unrealistic to permit resolution. These latter warrant at least a brief reexamination. They may have been poorly expressed or they may have roots in other matters

which can be tackled. If this is the commanding officer's first introduction to practical interracial conversation, he should remember that it is also a new experience for many of the Negroes with whom he is dealing.

When corrective action is both feasible and justified, it should be initiated without delay. Failure to act or failure to explain inaction may be fatal to the whole undertaking. Only after a commanding officer has studied his internal problems, has developed working relationships with the activity's Negro employees, and has done what he can to resolve just grievances, will he be able to answer the questions asked by minority community groups and work with them effectively.

III - ABOUT THE COMMUNITY

Louis E. Lomax has stated, "Racial ignorance is a staggering part of the whole racial problem in America today. Negroes do not know white people, and white people do not know Negroes." The truth of this observation has been attested to by every serious writer on the subject of race relations.

In *An American Dilemma*, published in 1944, Gunnar Myrdal characterized the white lack of correct information about Negroes and their living conditions as "remarkable;" in 1963, *Newsweek* magazine conducted a massive survey of current race relations and concluded that "... one fact became clear: there is a huge gulf between the two peoples, a yawning absence of communication and ordinary human contact." (Published in book form as *The Negro Revolution in America*, Brink and Harris, Simon and Schuster, Inc., New York.) And in *Crisis in Black and White* (Random House, Inc.), Charles Silberman has pointed out that "It is the white citizens of America, however, individually and collectively, who bear the responsibility for establishing communications between the races."

It is that aspect of "establishing communications" for which commanding officers are responsible in the discharge of their duties with which this chapter, and indeed, the whole manual, is concerned.

It is impossible to discuss in detail here the social, political, and economic structure of any given minority community with which a commanding officer should be familiar. Clearly, the more he understands, and learns first-hand, the better equipped he will be to fulfill his responsibilities and to cope with direct confrontation.

Factual information should be accumulated, from census reports, Mayor's committee reviews, Chamber of Commerce studies, and similar documents. Commanding officers should be aware of the percentage of Negroes in the local population; the unemployment rates of whites and Negroes; the geographical location of Negro residential areas; the number, quality, and location of predominantly Negro schools; an approximation of the actual integration of public and private schools; the

quality and kind of technical schools, colleges, and universities in the area and their degree of pupil and teacher integration.

Commanding officers should be generally familiar with employment opportunities for the Negroes in the community. Are there local industries which have signed Plans for Progress with the President's Committee? What are the employment rates in terms of percentages and types of jobs occupied by Negroes at other Federal activities? What are the leading Negro businesses, what kinds of skills do they require of their employees, and who are the owners, presidents, and managers?

It is important that commanding officers be aware of the major civic, professional and labor organizations within the Negro community, the goals of these organizations, and the names of their leaders and elected officials. Who are the prominent Negro ministers in the community, and what public opinions have they expressed about civil rights and employment opportunities generally and at the activity? What local chapters of national civil rights organizations (such as the National Association for the Advancement of Colored People, the Urban League, The Congress of Racial Equality, the Southern Christian Leadership Council, the Student Nonviolent Coordinating Committee) are in existence, how large and active are they, who are the leaders, and what are their local concerns. Is there an established community biracial committee? How active and effective has it been?

Have merchants and businessmen experienced boycotts, pickets or other forms of direct action? How protracted were these demonstrations, and what were their effects? Has there been a large in-migration of Negroes to the community in recent years? Have appreciable segments of the Negro population been displaced from their homes by urban renewal, highway or other civic improvement projects?

Various sources of information should be consulted by all commanding officers for possible information concerning the community. Activity Industrial Relations Officers, District Civilian Personnel Directors, and members of the Commandants' staffs are knowledgeable in this area. Often, contract compliance officers have gathered many facts first-hand as a result of their responsibilities under Executive Orders 10925 and 11114. And, action required under various directives, including SECNAV Instruction 5350.6 of 14 January 1965, will have developed much pertinent background data.

The more knowledgeable a commanding officer can become through personal observations and investigation, the better equipped he will be. Of course, a commanding officer of a large installation in a metropolitan area cannot become

intimately acquainted with all the factors discussed in the preceding paragraphs. He will have to rely on subordinate officers and civilians for briefings. In such a case, it is critical that he make clear his desire for factual information, and his interest in hearing objective opinions.

The emphasis placed in this chapter on factors concerning the Negroes in the local population rather than the whites is deliberate. Commanding officers and their immediate subordinates are almost invariably white and either live in or have close relationships with the white middle and upper class segments of the community. In almost all instances there have been many contacts between the activity and the community at large over matters of common interest. The subjects under discussion range from local traffic control issues to community chest drives, from blood donation programs and Christmas charity projects to indebtedness problems and public health matters. But in almost all instances the officials with whom the activity normally communicates are white and the opinions they express are those of the dominant white community. The preceding recommendations are meant to illustrate the necessity for a commanding officer to become as well acquainted with the Negro community as he can.

Commanding Officers of activities located in military complexes sometimes assume that EEO responsibilities are centrally located in a single activity or office. This is particularly true of activities which receive personnel services from a Consolidated Industrial Relations Office. Obviously, efforts to communicate with minority organizations should be coordinated and consolidated whenever possible. No amount of coordination relieves individual commanding officers of their responsibility to be well informed about the surrounding community. And no amount of consolidated affirmative action efforts eliminates a commander's obligation to participate effectively in these efforts.

IV - RESPONDING TO DIRECT ACTION

"Direct Action" and "Mass Action" are terms used to describe a relatively recent phenomenon in the Negro's long struggle for recognition and equality. Previously, the efforts to secure civil rights had been made by a few leaders through the courts or in quiet, person-to-person mediation. Direct action involves numbers of people protesting their status through picketing, boycotts, sit-ins, "freedom" rides and marches, and most recently, massive voter registration drives. These demonstrations are characterized by demands for immediate changes in specific or general economic, political or social conditions. Widespread coverage by national news media has focused attention on the protests around the country.

The direct action movement has been effective, just as similar efforts by organized labor have been effective over the years. The analogy between the labor movement and the Negro protest movement is a valid one and has been made countless times. There is a danger, though, when identifying the parallels, of overlooking the very real differences in goals and values.

Membership in a labor union is voluntary and may be transient. It is quite common for individuals to move from the ranks of labor to the ranks of management in a decade or a generation. Labor protests against specific employment conditions, not a total social system. And perhaps most significantly, there has never existed a pervasive, suffocating state of noncommunication between labor and management, or among individual members of the two groups.

A Commanding Officer cannot hope to communicate with Negro employees or leaders of the community unless he has some concept of the real meaning underlying the protests and demonstrations. A question asked by whites so frequently that it has become a cliché is, "What do they want?" "They" want what everybody else has, or reasonably expects to acquire. It must be understood that the Negro protest essentially is directed against *relative deprivation*. Commands must accept the fact that, regardless of the causes, this relative deprivation exists. As a single example, a naval activity may be proud of having several Negro engineers on its rolls and lose

sight of the fact that its median grade for Negroes is GS-3, while the median grade for whites is GS-5; that the median annual salary for ungraded Negro employees is \$4500 and the median annual salary for ungraded white employees is \$6500. Section V of this manual underlines the differences experienced by white and Negro Navy employees.

There has been a tendency in the past to focus on exceptions; on the successful Negro who has achieved his goals despite obstacles, or on the unsuccessful white who has suffered unusual deprivations. Commanding Officers must understand that their inter-racial discussions will revolve around the normal aspirations of ordinary men and women. Unless they grasp this principle they will miss the thrust of what Negro employees and leaders are saying.

In *Crisis in Black and White*, Mr. Silberman observes: "The 'Negro Revolt' cannot be understood . . . except as a long-suppressed reaction against [the] imbalance of power - an imbalance which whites take for granted, but which Negroes have always resented." Mr. Silberman continues: "Negroes have never had the sense of controlling their own destinies; they have never had the feeling that they were making, or participating in, the decisions that really counted, the decisions that affected their lives and fortunes."

It is this desire to affect their own destinies and an overwhelming need for recognition and personal identity which Commanding Officers must perceive.

Although mass action protests are generally initiated by community organizations rather than by groups of employees, there is often a close association through employees who are members of the broader-based organizations. In any case, the community group probably will have had its attention drawn to the activity by employees or unsuccessful applicants for employment.

Sometimes an activity has been made aware of dissatisfaction among its employees through a series of grievance appeals, discrimination cases, and union complaints, and is thus partially prepared for vehement group protests. More typically, however, commands have experienced little or no internal ferment before direct action occurs. The first indication of problems may come through press coverage of a large public meeting at which the activity is excoriated. It may occur in an "Open Letter to the Editor" published by a local newspaper and signed by the President or Chairman of an organization previously unknown to the command. Sometimes lengthy telegrams are sent to the President, the Vice President, or the Secretary of Defense.

Most probably, the Commanding Officer will receive a letter from a local organization or a local chapter of a national organization in which "facts" are presented and a meeting is requested. The letter usually will conclude with a statement that if the communication is ignored, public demonstrations will result.

Regardless of the methods employed, the purpose of direct action is to bring pressure for changes in the activity's employment policies by hurting its "image" in the community, putting it in an embarrassing light at headquarters, or instigating a full-fledged investigation by the President's Committee.

A "panic-and-run" response by the command only serves to heighten the tension. If a meeting is not requested by the protesting group, the command should arrange one. If it is requested, a prompt, courteous, and affirmative reply should be made. The reply should not contain detailed rebuttals of the "facts" listed by the group, or categorical statements that no discrimination is or has been practiced by the activity. The time to present rebuttals is *after* a full discussion of the problems has taken place, and after a common definition of terms has been reached. Two cardinal principles must be observed: (a) the complainants are sincere, even if they misinterpret facts, and (b) no Commanding Officer can know beyond a doubt that discrimination has not occurred or appeared to occur. If at all possible, the meeting should take place in suitable quarters at the command. The number of activity representatives should be small, including the Commanding Officer and/or his Deputy, the Executive or Administrative Officer, the Industrial Relations Officer, the Assistant Deputy Employment Policy Officer or Chairman of the EEO Committee. Other technical and legal experts or a gallery of "observers" will create an atmosphere of defensiveness and inhibit free and candid discussion.

The attitude of command representatives during face-to-face encounters is crucial. Naval activities have aroused the ire of local citizens on other issues and have managed to reach some accommodation in most instances. Problems ranging from traffic jams to base closures have been discussed in an atmosphere of amity, or at least cooperation. The command is sympathetic and understanding and actively seeks ways to reduce the tensions created by its actions. The same approach should be applied here.

Rarely will a single meeting be sufficient. The first should be exploratory, and if it accomplishes no more than a common understanding of the issues and an establishment of some degree of rapport among participants, it will be successful.

Some basic data, such as general mission statements and the racial composition of the work force by grades and pay levels, should be prepared in advance. However, the command should avoid overwhelming the visitors with charts, documents or inspection reports in an effort to prove a predetermined position. While it is often interesting and useful to Negro leaders to be shown around the activity, consuming the time set aside for the first meeting in a tour is ill-advised. A tour should be arranged for a separate time, and only then if the visitors are interested. One Negro leader, who expressed skepticism about the value of meeting with an activity's representatives, remarked, "For two years I've tried to talk to them, but all I get are tours. I've been toured to death."

Neither the meetings themselves nor the Negro leaders should be dominated by the activity representatives. The command is not granting an audience to importunate petitioners; it is attempting to resolve real problems common to all.

To quote Mr. Silberman again: "Negro leaders are determined that 'the white power structure' recognize them and negotiate with them - that public officials, businessmen, and civic leaders come to the bargaining table not as patrons but as equals."

Commanding Officers should expect an initial reaction of suspicion, reserve, and possibly aggression from militant Negro leaders. In all probability, these leaders will expect to be met by patronizing, resentful, and aggressive attitudes. It takes time and patience to lower the emotional temperature and to modify expectations. The burden for initiating such modifications falls on the command. A business-like, not a regimented, atmosphere should prevail. Parliamentary procedures, verbatim recordings and legalisms are unnecessary and inhibitive.

Once the preliminaries are accomplished, the Commanding Officer and his staff should really *listen* to the complaints and grievances. They should acknowledge any just charges, seek specific information about more general ones, and solicit suggestions concerning methods for resolving the primary issues. No meeting should be allowed to degenerate into a shouting match, and it need not, if the command displays courtesy and an interest in its guests.

Flat statements that actions proposed by the Negro leaders "can't be done" should be avoided. Such statements are insulting, serve to confuse the problem, and are not taken very seriously by people who have seen many similar statements confounded by events. This is not to say that activity officials should not explain the limitations imposed on Federal employers

by regulation and statute. But it should also be recognized that many actions to improve the opportunities for Negroes can be taken within the regulations.

The least thorny or complex problems should be considered first. An accommodation on some issues will be evidence of good faith on the part of managers and will make it easier to discuss other issues which may not submit to resolution readily, if at all. Finally, when the problems have been discussed and some accommodations reached, the command should make sure that a way is left open for further meetings and for "progress reports" to the group.

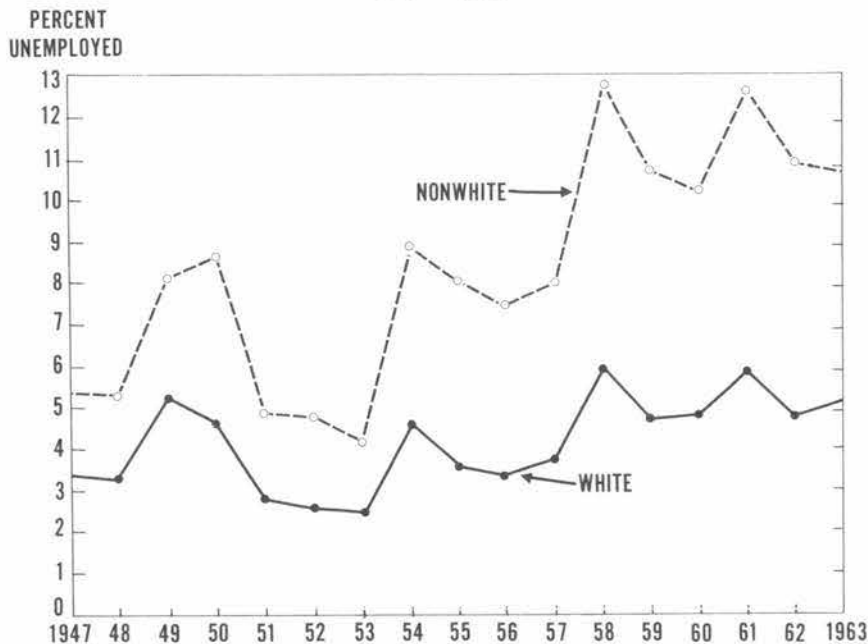
As was pointed out in the introduction to this manual, there are no guaranteed methods which activities may use in dealing with direct action protests. But there are some steps which can be taken by Commanding Officers to program for success rather than failure. They should:

- understand the composition of the activity's work force and the distribution of Negroes therein; establish positive relationships with Negro employee leaders; and initiate plans for affirmative action.
- accumulate as much factual information about the Negro community as possible.
- develop an understanding of and knowledge about the civil rights movement in general.
- respond to community accusations and threats of public demonstrations promptly and courteously.
- take the responsibility for arranging meetings with representatives of the complaining groups and insure that these are conducted in an atmosphere of reasonableness and receptivity.
- assume the sincerity of the Negro leaders and give evidence of their own.
- take a positive approach whenever possible; seek out and utilize the cooperation of the Negro leaders.
- arrange for a continuing relationship with the group leaders and report to them any actions taken as a result of their recommendations.
- avoid trapping the activity with an air of intransigence, a posture of defensiveness, outright refusal to consider the demands of the Negro leaders, or a dismissal of the individuals and their problems. The subject will not be "closed" for a long time to come.

V - EMPLOYMENT DATA

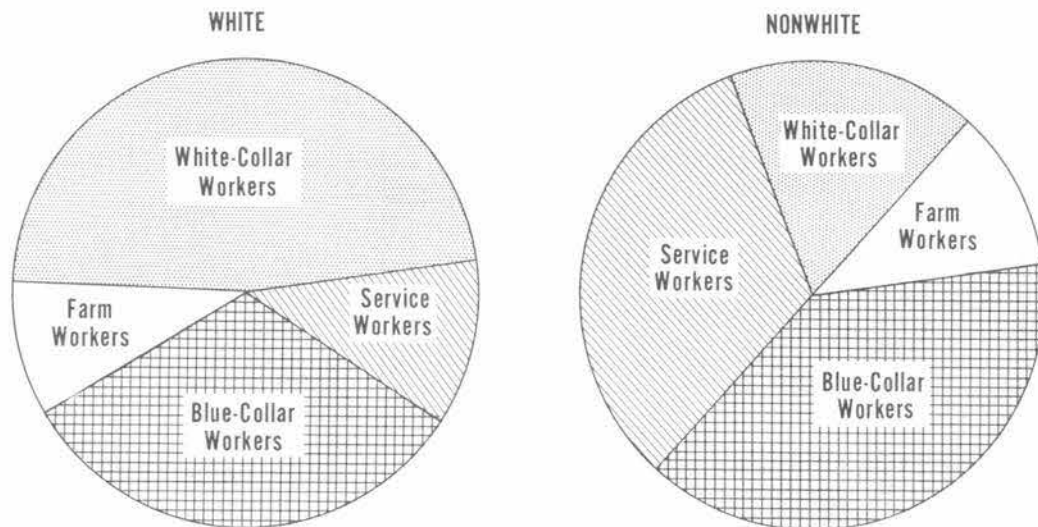
- A. Employment in the United States
- B. Employment in the Navy

UNEMPLOYMENT RATES OF WHITE AND NONWHITE WORKERS IN THE UNITED STATES 1947 - 1963



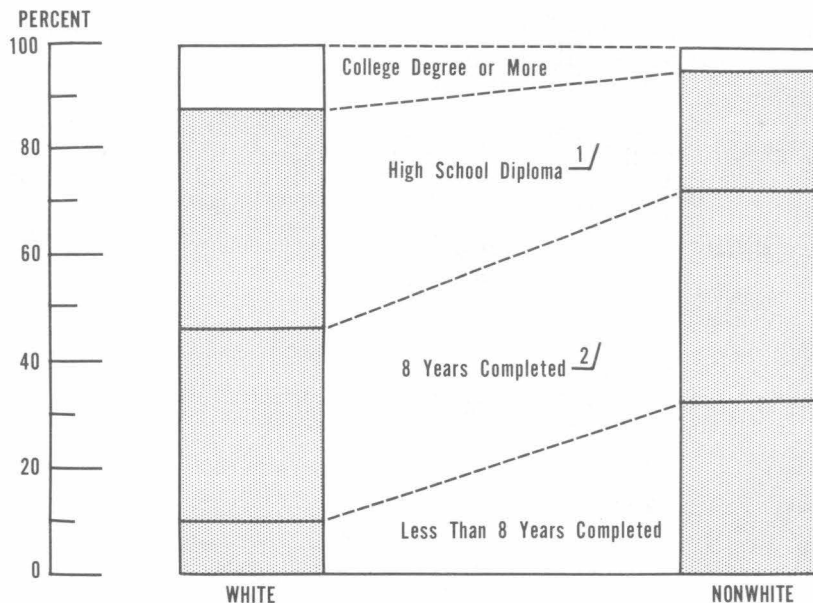
SOURCE - U.S. DEPARTMENT OF LABOR

DISTRIBUTION OF WHITE AND NONWHITE WORKERS
IN THE UNITED STATES BY OCCUPATIONAL GROUP, 1963



SOURCE - U. S. DEPARTMENT OF LABOR

DISTRIBUTION OF WHITE AND NONWHITE WORKERS IN THE UNITED STATES, BY EDUCATIONAL ATTAINMENT, MARCH 1962



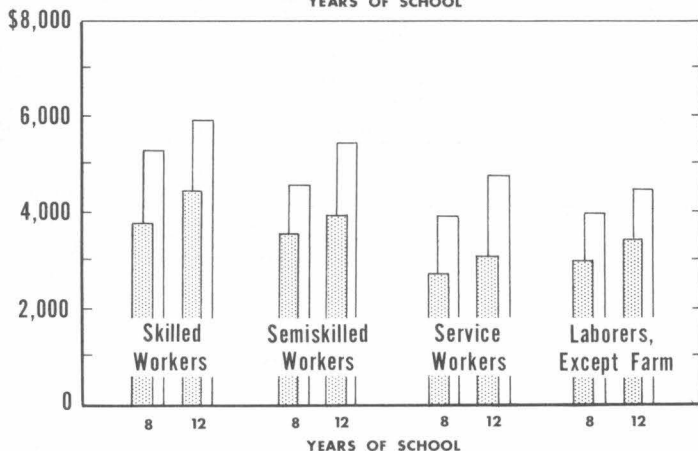
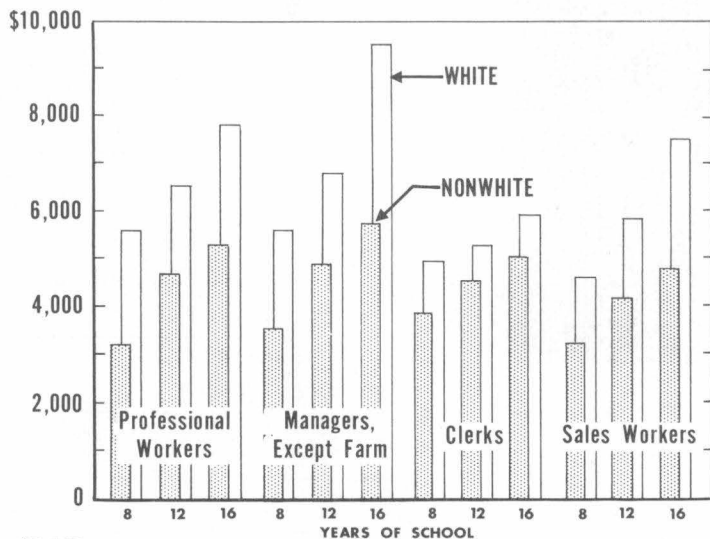
^{1/} INCLUDES THOSE WITH 1-3 YEARS OF COLLEGE.

^{2/} INCLUDES THOSE WITH 1-3 YEARS OF HIGH SCHOOL.

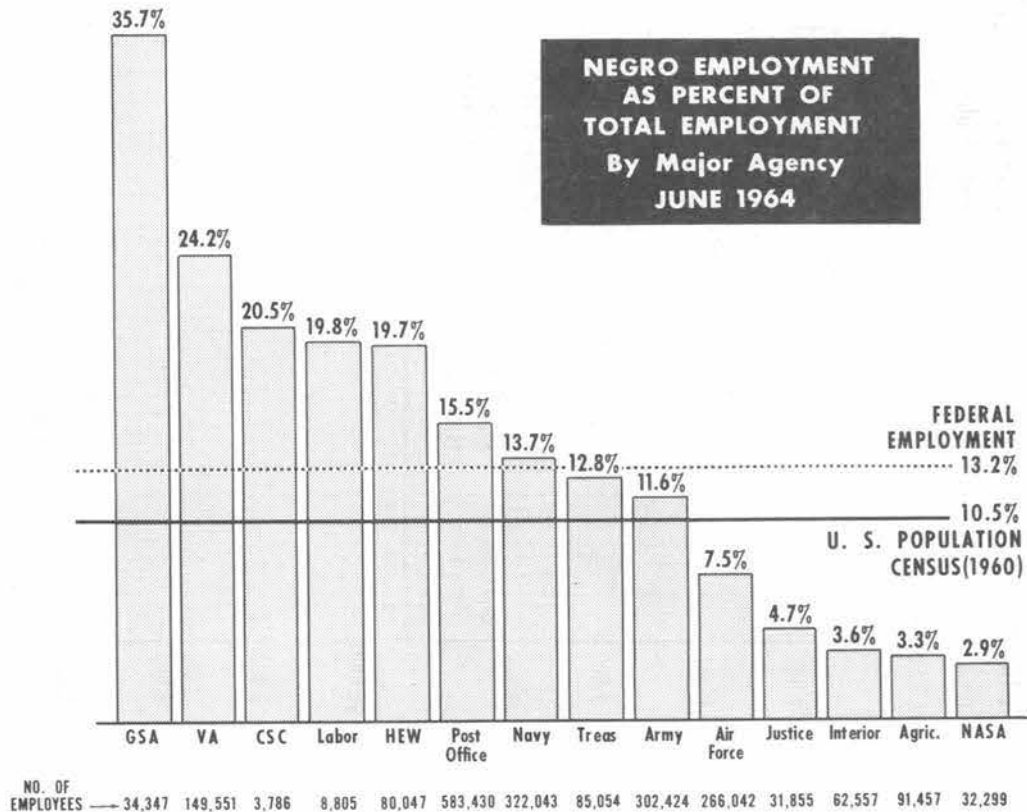
SOURCE - U.S. DEPARTMENT OF LABOR

MEDIAN EARNINGS OF WHITE & NONWHITE MALES 25-64 YRS. OLD, BY YEARS OF SCHOOL COMPLETED & OCCUPATION GROUP, 1959

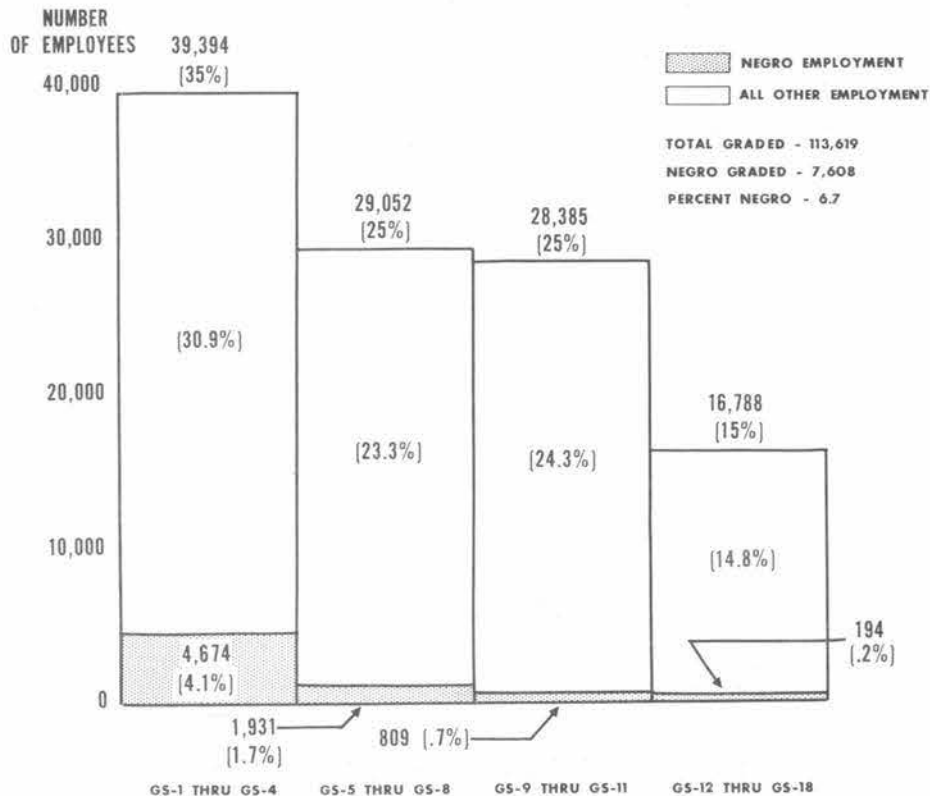
MEDIAN EARNINGS



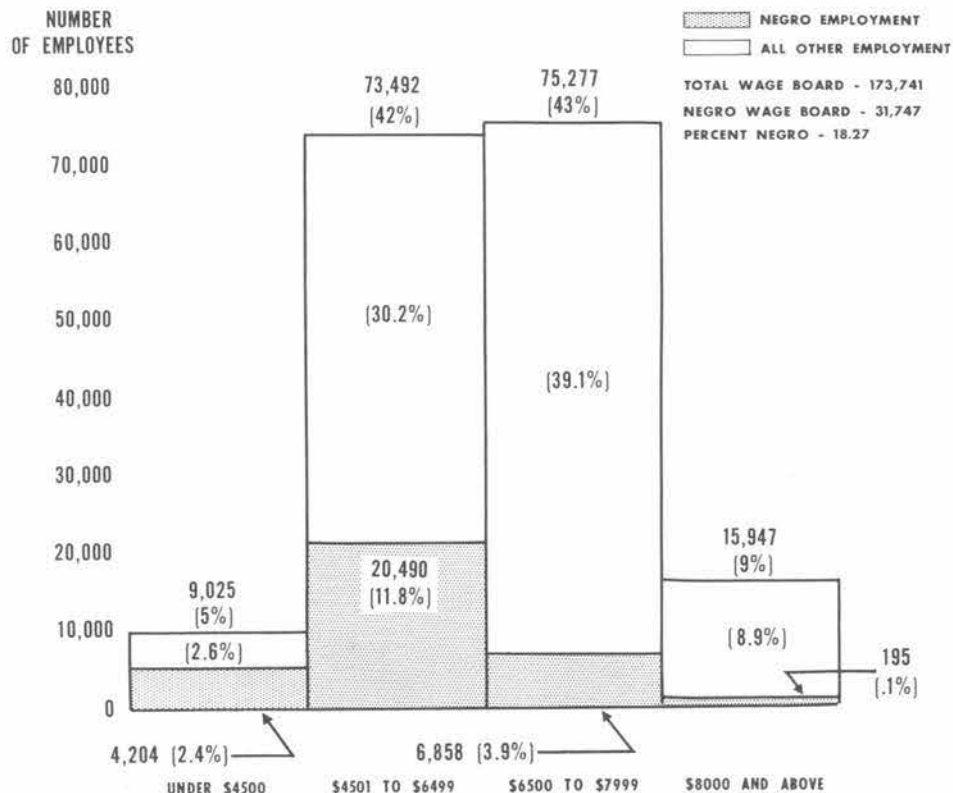
SOURCE - U.S. DEPARTMENT OF COMMERCE



NAVY FIELD SERVICE DISTRIBUTION OF CLASSIFICATION ACT EMPLOYEES (JUNE 1964)



NAVY WIDE DISTRIBUTION OF WAGE BOARD EMPLOYEES (JUNE 1964)

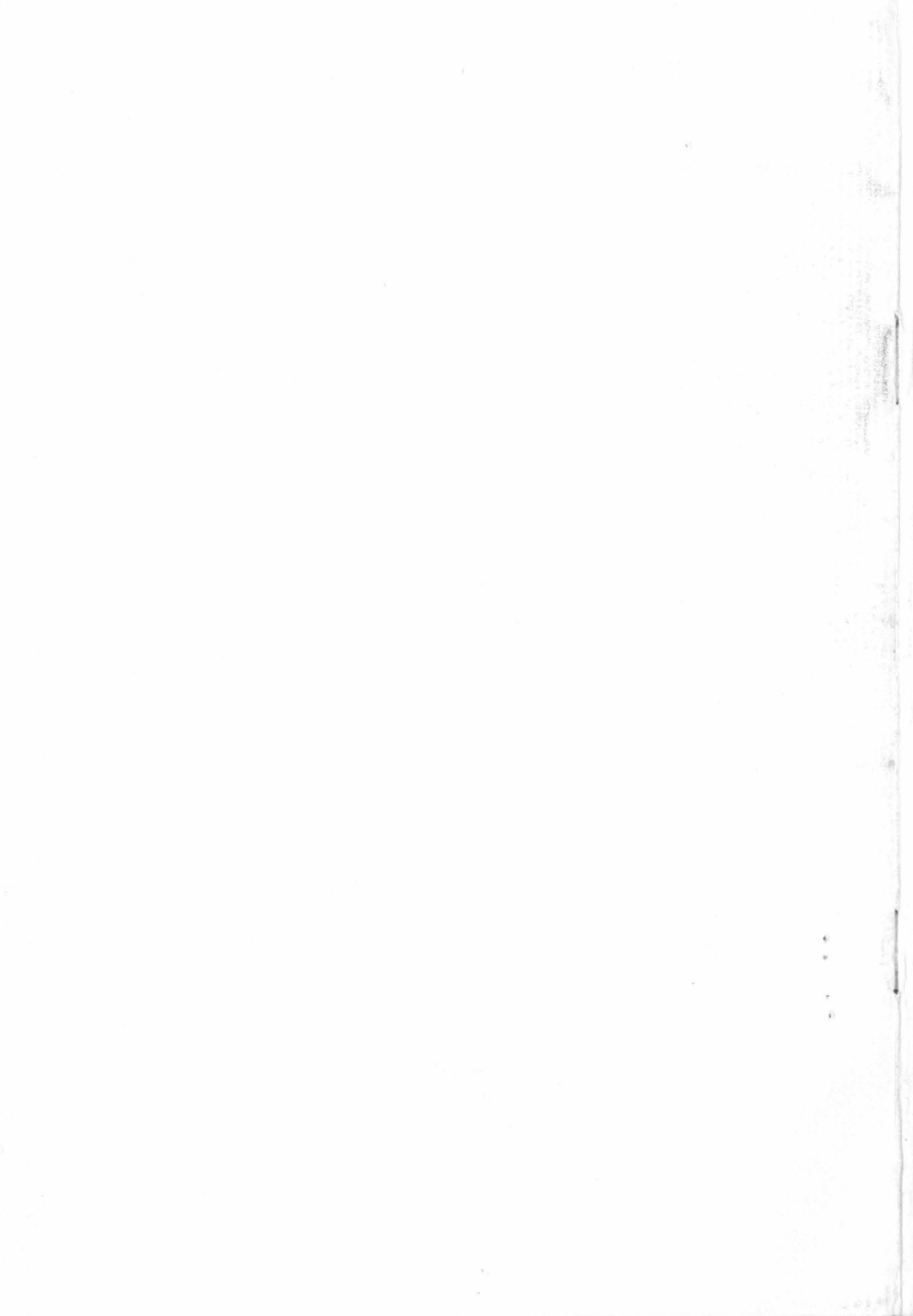


VI - BIBLIOGRAPHY

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This bibliography is by no means a complete list of publications now in print which have a direct bearing on discrimination and civil rights. Most of the authors represented have published a number of other, equally valuable volumes. The decision to select one apiece was purely arbitrary and in the interest of conciseness. Also arbitrarily excluded for the same reason were all works of fiction, many of which are pertinent and eloquent. Again, no attempt was made to list the many pamphlets published by the Anti-Defamation League of B'nai B'rith. A complete catalog of the publications may be obtained from ADL, 315 Lexington Avenue, New York, New York 10016.



COPY

May 3, 1965

PERSONAL AND CONFIDENTIAL

Memorandum

To: John Macy

From: John Stewart

In view of our coming efforts to develop a more effective equal employment opportunity program within the Federal agencies, I just call to your attention the upcoming vacancy in the post of Deputy Undersecretary of the Army to be created by Roy Davenport's departure for AID. As you know, Davenport was the highest ranking Negro civilian in the Department of Defense, and his position was only obtained after a great deal of effort and travail. I know many of the Negroes within DOD are looking to see how this position will be filled, since it now has some symbolic importance.

I do not know how this should be handled or what the decision should be in this matter, but I did want to call to your attention this dimension of the problem.



STAFF DIRECTOR

UNITED STATES COMMISSION ON CIVIL RIGHTS
WASHINGTON 25, D.C.

May 7, 1965

John Stewart
Common
files

MEMORANDUM FOR THE HONORABLE ORVILLE L. FREEMAN, SECRETARY
OF AGRICULTURE

FROM : Staff Director-designate

SUBJECT: Survey of Federal Officials Assigned Civil Rights Responsibilities

The Vice President has asked this Commission to prepare a directory of Federal officials assigned civil rights responsibilities. The enclosed survey forms were prepared to elicit this information.

Of course, not all the data requested will be used in the directory. For example, grade levels and budget requests will not be reproduced. However, after consultation with the Vice President's staff, it was felt that this information will be useful to the Council on Equal Opportunity.

I would appreciate having the forms returned to the Commission within two weeks.

William L. Taylor

Enclosures

cc: Council Alternate
Civil Rights Coordinator

John Stewart ✓
Wiley Branton
David Filvaroff

(See attached list of all addressees and other distribution on this memo. Heads of agencies received originals and enclosures; PCEO alternate and CR Coordinator received cc only of covering memo, no enclosures.)

1 *1* *of May 7, 1965*

List of Heads of Agencies to whom survey letter and forms were sent.

Orville L. Freeman U.S. Department of Agriculture	15 A & B
John T. Connor Secretary of Commerce	15 A & B
Robert S. McNamara Secretary of Defense	15 A & B
Lawson B. Knott, Jr. Acting Administrator of General Services	5 A & B
Anthony J. Celebrezze Secretary Department of Health, Education, and Welfare	15 A & B
Francis Keppel Commissioner of Education Office of Education, NEW	5 A&B
Robert C. Weaver Administrator Housing and Home Finance Agency	15 A & B
Nicholas deB. Katzenbach Attorney General	5 A & B
W. Willard Wirtz Secretary of Labor	10 A & B
R. Sargent Shriver Director Office of Economic Opportunity	5 A & B
David E. Bell Administrator Agency for International Development	5 A & B
Glenn T. Seaborg Chairman U.S. Atomic Energy Commission	5 A & B

Alan S. Boyd Chairman Civil Aeronautics Board	5 A & B
N. E. Halaby Administrator Federal Aviation Agency	5 A & B
Stewart L. Udall Secretary of the Interior	10 A & B
James E. Webb Administrator National Aeronautics and Space Administration	10 A & B
Leland J. Haworth Director National Science Foundation	5 A & B
Buford Ellington Director Office of Emergency Planning	5 A & B
John A. Gronouski Postmaster General	5 A & B
Eugene P. Foley Administrator Small Business Administration	5 A & B
Dean Rusk Secretary of State	5 A & B
Aubrey J. Wagner Chairman Tennessee Valley Authority	5 A & B
Henry H. Fowler Secretary of the Treasury	10 A & B
U.S. Civil Service Commission John W. Macy, Jr., Chairman	5 A & B
William J. Driver Administrator of Veterans Affairs Veterans Administration	10 A & B

-- All heads received two instruction sheets and 1 Form C. Coordinators and Alternates received only a cc of the letter sent.



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