

Misc
Alabama Council on Human Relations, Inc.

ROOM 1224 COMER BLDG. -- BIRMINGHAM 3, ALABAMA
PHONE AL 2-2722

Rev. NORMAN C. JIMERSON, Executive Director

"AN ORGANIZATION TO ATTAIN, THROUGH RESEARCH AND EDUCATION, EQUAL OPPORTUNITIES FOR ALL PEOPLE OF ALABAMA."

July 10, 1963

Attorney Burke Marshall
Assistant to the Attorney General
U. S. Department of Justice
Washington 25, D. C.

Dear Mr. Marshall:

I am following with great interest your testimony before the Senate Commerce Committee Concerning the importance of establishing legal machinery to deal with discrimination in public accommodations.

A hotel manager in Alabama has told me that he favored such legislation because it would take the burden off the hotel owners.

The politicians that are raising a great cry against governmental control of private business are predictably getting excited about private property rights only when it seems that there will be some protection for human rights.

You are to be commended for your excellent presentation, and you will be interested to know that it is being reported locally.

Sincerely,

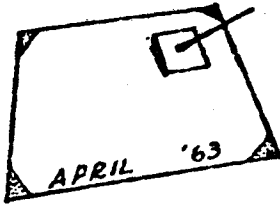
Norman C. Jimerson
Norman C. Jimerson (Rev.)
Executive Director

NCJ/mw

Enclosures

newsletter from the

Alabama Council on Human Relations, Inc.



*from the desk of
your Executive Director.....*

IN THE NAME OF COMMON SENSE. . .

. . . a clipping from the Clemson Tiger states that Clemson students have taken a clue from Moliere, who wrote with an ageless touch: "Good sense avoids all extremes, and requires us to be soberly rational . . . we must yield to the times without being too stubborn."

If you criss-cross Alabama, you get the impression that rational people realize that change is the law of life, and technology is accelerating the tempo across the boards. Alabama's changing too, from what used to be an agricultural state to an industrial state. More and more people think that industry is the answer to our economic needs. Hand in glove with this change is the Negro's desire for a change in human relations, and now that the courts are closing up the legal loopholes, change in this vital human area appears inevitable.

What's behind it?

A businessman last week told me he thought the Negro's desire for justice and equality of opportunity stems from the fact that the New Testament they've been



reading omits any mention of skin color and states that Jesus taught that God loves every human being. "They believe it, and I guess it's a pretty good point of departure." Maybe the next time I see him, he'll be ready to enlist with the Alabama Council on Human Relations, because he said:

"People have got to start thinking with their heads instead of their emotions, and face up to inescapable fact that there are changes coming."

. . . each of our affiliated local councils know their own communities better than anyone else, of course, but it seems to me that we need to avoid empty sloganeering and get people to accept the inevitability of change. Once they accept it, the only choice is whether Alabama and Alabama communities make the change the hard way or the easy way.



The hard ways have been in the headlines, and reasonable people know that violence hurts everybody, and also hurts the pocketbook; scares off payrolls and chokes economic growth.

There's no easy blue print of the easy way, either. People have an inbuilt resistance to change that only intellect can overcome. But it appears to be good common sense to sit down and talk about some of the things that cause racial tensions. Opening up channels of communication can't hurt, and can't fail to help. If the Alabama Council can help people to face the fact of change, to choose between the hard and easy way, and then to sit down and talk with human beings about solutions . . . well, it will have made a vital

contribution to the welfare of our state.

ALABAMA COUNCIL ACTIVITY

. . . when the government filed its "impacted area desegregation suits" in Mobile Federal Court, the Mobile Chapter of the Alabama Council joined with other groups that issued a joint call:

1) . . . to all civic club members, churchgoers, and club-women to pass and endorse resolutions urging all American citizens in our area to fulfill their duties as responsible, law-abiding persons, and to maintain sanity, respect for law and order, and observance of the orderly processes of democracy in settling whatever disputes may arise in this crisis.

2) . . . on the City and County governments to take a strong stand on the problem of controlling lawless and violent elements who might endeavor to make our community the battleground for their ideological differences; also to implement this strong stand by establishing a City Committee on Friendly Relations to promote good-will and understanding between the different racial groups in the area.

3) . . . on the Chamber of Commerce, the Business and Professional Leaders of the community, the School Board, the School Administration, the principals, the parents, the teachers and students in our schools to carry us through this crisis without allowing it to degenerate into the disasters that have befallen Little Rock, New Orleans, and Oxford, Mississippi.

. . . and at a meeting in the Mobile Chamber of Commerce building, Dr. Paul Anthony, director of field services for the Southern Regional Council, told how Atlanta met its desegregation crisis without the slightest taint of violence.

* * *

. . . accepting the challenges of keeping pace with the changing patterns of merit employment . . . the Huntsville Council sponsored a workshop on equal employment opportunity.

"I'm sure glad I came" . . . "This workshop has been a big help to me". . . and other similar statements were made by men representing management at the workshop.

"We've got several people studying the general employment picture; others in the council are going to be working with companies interested in hiring the best man for the job . . . looking at his education, his experience and general fitness

and states that
"They believe
" Maybe

for the job . . . instead of his skin.

JOKE:

I guess a couple of hundred jokes have been devised about Meredith's admission to Ole Miss. And it's inevitable that the jokesters are now working on Gantt's admission to Clemson. Some of the jokes are too ugly to repeat, but the other day I heard one that I believe will get a chuckle from both races.

It seems (as the joke goes) that Gantt decided to report for football practice at Clemson, and Coach Frank Howard was upset to get the word that there would be a Negro on his squad. So Howard decided to give Gantt the works, and see if the Negro couldn't be discouraged in his football aspirations.

The coach assembled all his white boys, and said, "Now I'm going to ask Gantt to punt the ball, and just as he gets off the kick, you guys clobber the colored boy."

So Gantt took a pass from center and punted the ball 80 yards. He was clobbered, all right but he managed to pick himself up.

"Okay", Howard whispered to his white squad. "This time, we'll make Gantt pass the ball, and you guys go in there and murder that colored boy."

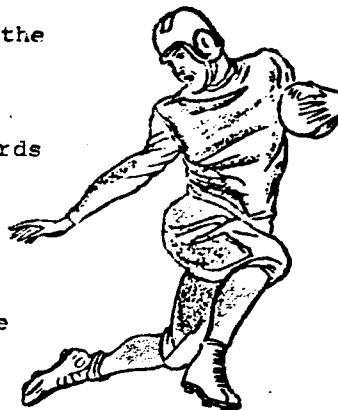
Gantt got the ball and passed it 60 yards down field, into the arms of a racing receiver.

"All right", Howard told his men, "this time we'll boot the kickoff to Gantt, and you fellows clobber that colored boy before he has a change to move."

Well, the kickoff went to Gantt, who sidestepped a host of tacklers and twisted all the way down the field for a touchdown.

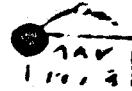
"Gee, Coach," one of the white players said, "what'll we do this time to get rid of that colored boy?"

"Colored boy?" Howard asked innocently. "What colored boy?"



Marshall Says Proposed Law Wcs Needed Here

RELATIVES



BY JOHN HERRERS
United Press International

WASHINGTON, July 2 — Burke Marshall, the government's top civil rights trouble shooter, said today that President Kennedy's proposed public accommodations law could have averted racial strife in Birmingham, Ala., this year.

He told the Senate Commerce Committee that Negroes faced protest demonstrations against discrimination in business establishments because there was no legal remedy, no action the government could take to end it.

Marshall, assistant attorney general in charge of the Justice Dept.'s Civil Rights Division, appealed for passage of the proposed law to ban racial discrimination in such places as hotels and restaurants. During his testimony, he also



questioned the accuracy of a published report that managers of the Social Security and Veterans Administration offices in San Antonio, Tex., had been ordered by Washington to give job preferences to Negroes. The report was cited by Sen. Strom Thurmond, D-S. C., chief committee foe of the proposed public accommodations law. Marshall said he did not believe any government official had issued such a directive, but would look into it.

Persuasion Limited

—Testified that racial discrimination in public establishments cannot be wiped out by persuasion.

See RIOT, Page 2

MARSHALL IS WITNESS — Burke Marshall, the Administration's civil rights expert, tells the Senate Commerce Committee that the Kennedy bill to outlaw discrimination in business establishments should be passed. (UPI Telephoto).

Riot

Der from the
BIRMINGHAM COURIER

NEWS RELATIONS

700
1963

(Continued from Page 1)

... He did not approach his... and in some cases but that... in his... legislation.

Sen. Hugh Scott, R-Pa., asked Marshall if he could have used the proposed public accommodations law in Birmingham, site of protest... in May.

Marshall replied that "the demonstration would not have to take place." The problem in Birmingham and elsewhere, he said, was that there was no legal remedy. The only recourse, he said, was voluntary desegregation.

When Birmingham business proprietors agreed to take voluntary action, that ended the demonstration," he concluded.

Scott said that up to week before the President sent his civil rights requests to Congress, the Justice Dept. was telling senators that "persuasion could do the job" and that legal authority was unneeded.

Needed Since 1871

The Republican senator suggested that the accommodations law was needed in 1861, first year of the Kennedy administration. Marshall replied that it also was needed "in 1860, in 1859, really since 1871—a year that saw 'sit-ins' in Louisville, Ky."

The question of job discrimination against whites was raised by Thurmond. He cited a newspaper column as the source of the reported Negro preference in San Antonio. It said that the Social Security office manager there was quoted as telling his employees to "fill vacancies with nothing but Negroes." Thurmond asked if the Justice Dept. was "protecting the rights of white people—or just Negroes?"

Marshall said the department is interested in "protecting the rights of all people" but that he has no direct jurisdiction over Federal employment. He said he "questioned the accuracy" of the San Antonio report. Thurmond said the report also claimed the VA office in San Antonio had been given verbal orders from Washington to "put extra emphasis on hiring Negroes" and had employed its first Negro.

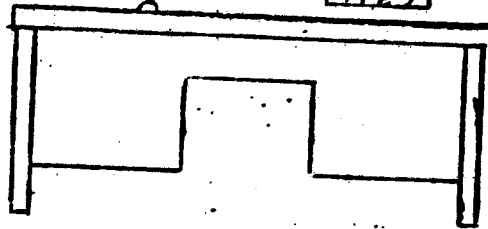
Marshall again challenged the report's accuracy.

In appealing for the public accommodations law, Marshall said persuasion will not work in such cases when one restaurant or hotel in a community holds out against desegregation. He said other establishments will not open their doors to Negroes lest the one holdout reaps a competitive advantage from increased white trade.

Furthermore, he said, "it cannot solve the problem in a locality where feelings of racial supremacy are so ingrained that voluntary action is impossible."

Newsletter from the
ALABAMA COUNCIL ON HUMAN RELATIONS

from the desk of
YOUR EXECUTIVE DIRECTOR



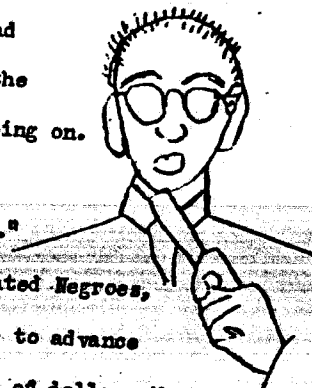
While Birmingham is in the midst of an uneasy truce, protests against discrimination are going on in Detroit, Nashville, Raleigh, Cleveland and other cities. A few communities in Alabama have decided to resolve tensions before protests erupt. People in most areas in our state have a little time to decide if they want to negotiate before or during demonstrations. Communications between whites and Negroes are important.

COMMUNICATIONS - MASS MEDIA - PUTS US ON THE SPOT

The whole world is watching us. The transistor radio, you know, makes Birmingham's crisis a conversation piece in all sorts of languages.

The Missionary, speaking to a group of Birmingham missionaries, was describing in detail the remoteness of the jungles of the upper Amazon and the problems of traveling to his base of operations. He then surprised the ministers by saying "These people know what is going on in other parts of the world even though they cannot read and write. Within hours after racial disturbances in the United States these people are familiar with what is going on. Transistor radios are popular and these people do get newscast informing them of news events around the world."

Within a few days after a Birmingham church had seated Negroes, a missionary wrote the pastor: "Your deed has done more to advance christian missions than all of the hundreds of thousands of dollars that our denomination has spent in this country that I am working in."



Action speaks louder than words.

A picture is worse than a thousand South-damaging words, especially when it is the picture of a dog attacking a human being.

And yet, words are essential. People think in words. And in these days, it behooves us to be very careful with words. Let's treat 'em with respect. Let's use them to appeal to the good that is in our fellowman. Sure, you'll probably fail at times, but some place I've read "it is better to aim at doing something big and fail than to be successful at doing nothing."

During the demonstrations in Birmingham one of the local leaders in the white community described the demonstrations as "the biggest revolt of Negroes that has ever taken place in the South". It seems to me exceedingly complex. There was probably real justification for the statements that Birmingham was the worst large city in the South, despite the existence of many people of goodwill in the white community wanting to see Negroes have equal opportunities in many areas. But most of the trouble was people of goodwill in the white community were intimidated to the point that they would not even discuss with their neighbors their feelings on the matter. And, many church leaders were saying that the Negroes' desire for human dignity was a political issue, not a moral issue. At the same time, others courageously took a stand for the rights of all people to be treated like all other people.

There was in Birmingham, a total admitted breakdown in communications.

One white person told a Birmingham group recently: "The tragedy that I am most concerned about is that white people have been unable to discuss even with white people their feelings about racial equality."

You probably know of situations where people within a family cannot discuss the issue of human rights. Yesterday a minister said: "Children can't talk with their parents. I have many young people who come to me and say they want to talk to me about this situation because they cannot discuss it at home with their parents."



Where does the Alabama Council on Human Relations come in?

We need to help community leaders to sit down and discuss community problems together. After communications broke down between white and Negro community leaders in Birmingham a year ago, a merchant said, "I am not interested in sitting down with Negro leaders anymore, and I don't believe the other merchants are. We have nothing to say."

He was told at that time "unless there are conversations between the leaders of the Negro and white communities, there will be demonstrations in Birmingham. If peaceful demonstrations do not bring progress, then we can expect that there will be groups in the Negro community who will make an effort to obtain civil rights by the use of violence."

So far demonstrations are led by Negro leaders who believe in non-violence. The Black Muslims and others in the Negro communities who use violence capitalize on the failure of peaceful protests.

While the demonstrations went on in Birmingham, many people attributed the basic cause to the almost total breakdown of communications between the Negro and white leaders.

During the first week of demonstrations, there were a few very significant conversations. But very few people were present. Efforts to get a larger more representative group together failed. Yet, many people continued to urge establishment of lines of communications. These efforts were finally successful for two reasons. First, people of goodwill were sincerely interested in making progress so that all people could have pride in their hometown, and could share in making the city a good place to live and work. Second, it became apparent that demonstrations would continue until community leaders were able to sit down together and discuss their mutual problems.

WHAT IS THE ANSWER?

The members of the Alabama Council on Human Relations know there is no single easy step to improving race relations in our community. But you have all heard many people admit that it is essential to make every effort to establish lines of communications between Negro and white leaders.

Let us also realize that leaders emerge. Often, the person who assumes that he has almost no influence in town, and certainly does not consider himself to be a leader, goes to work and does everything that he can; and, in the last analysis, the ordinary fellow deserves as much credit as people of high positions.

In many communities, community leaders are hesitant to sit down and discuss community problems until small groups of ordinary people, both Negro and white, have dissolved their own prejudices, have learned to consider each person as a human being, have helped to develop the thought that whatever effects one person effects all people in the community.

WE'RE ALL IN THE SAME FIX

You know, and all thinking people know, that when one person in a community is denied his freedom, then all people are denied their freedom. Constructive efforts to resolve tensions before they reach the breaking point reduces the danger of breakdown of law and order.

A fellow once said "the very fact that a man sat and listened to my story helped me to resolve my problems and showed me that he had respect for me as an individual."

Private conversations between colored and white help each to understand differences and to see the error in some of the generalizations relied upon for so many years.

Recently Birmingham people have been saying "at least we ought to have some conversations, conversations may lead to understanding and respect and prepare the way for serious negotiations."

THE BIG QUESTION

The question you face in your community is, "Are we going to establish lines of communications between the races before or during demonstrations."

You know, the colored janitor may tell his boss that he does not believe in desegregation. That same night, a mass meeting until midnight, he may put out more money than he can afford to support a civil rights program that promises him treatment as a human being, with respect and dignity.

When you talk to people, you may put these two quotes to work:

"Liberty is the one thing you can't have, unless you give it to others."

William Allen White

"It is good to rub and polish your mind against the minds of others."
Montaigne

LESSONS FROM MISSISSIPPI

Legal means exhausted, physical defiance at the end, Gov. Ross Barnett submitted to federal law enforcement on September 30, 1962. That was not the end but the beginning of Mississippi's agony. For emotions that had been enflamed over the admission to the University of Mississippi of James Meredith, a Mississippian from Kosciusko, erupted into riot and murder.

Since then, Mississippians have been washed by waves of accusations that attempt to place blame for the consequences of defiance on everything and everyone connected with the federal government.

No "repentance, shame or remorse" has been expressed by our political leaders since the Oxford tragedy, and predictions are that their continued defiance and their attitude that "we are Mississippians first, Americans second" will lead to even bloodier tragedy in the months to come.

THE PRICE OF DEFIANCE: "destruction, disgrace, disaster and death."

Quoted from: The Oxford Disaster
Price of Defiance

By: Rep. Karl Wiesenburg
Jackson County, Mississippi

(Reprint of articles appearing in The Chronicle, Pascagoula, Mississippi
December 17-21, 1962)

NOW IS THE TIME - to speak a word for justice - to make your voice heard for law and order.

PLEASE SEND SUGGESTIONS FOR NEWSLETTER

Contribution \$ _____

Pledge \$ _____ per month \$ _____ quarter \$ _____ year

Membership _____ \$5 (single) _____ \$8 (joint)

Underwriter _____ \$60

Make checks payable to: Alabama Council on Human Relations
1224 City Federal Building
Birmingham 3, Alabama

Air Mail



Mr. Burke Marshall
Dept. of Justice, Civil Rights
Washington DC

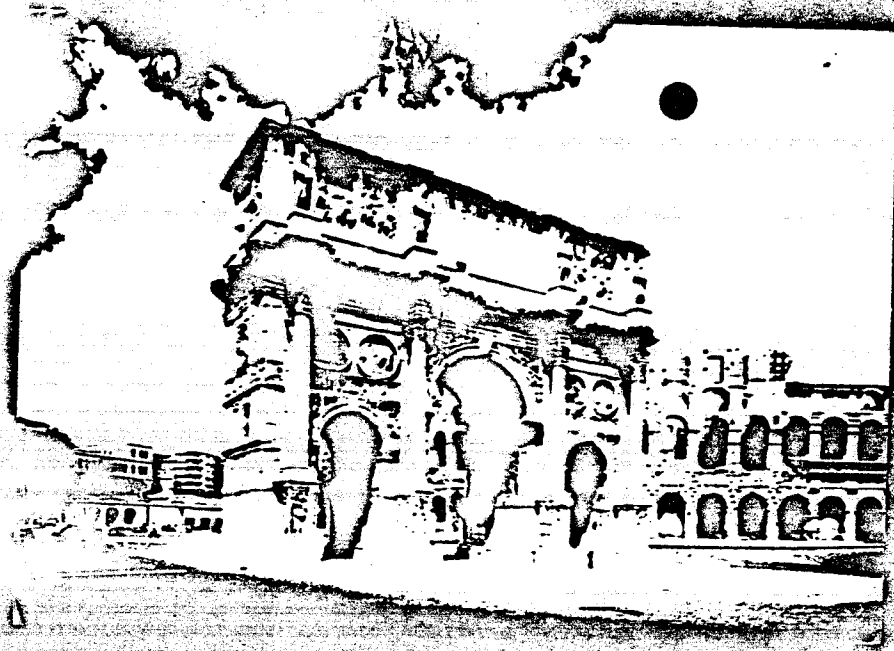
USA

Rome July 6 1963

European people are faced at
our race situation. Come now
right behind the President.

There are other things
I should address friends.

Mr. Mrs. J. Edgar Hoover



In reply refer
to AO

U. S. DEPARTMENT OF LABOR
Bureau of Employment Security
Washington 25, D. C.

General Administration Letter No. 711
June 28, 1963

TO: ALL STATE EMPLOYMENT SECURITY AGENCIES

SUBJECT: Elimination of Segregated Office Facilities, Elimination of
Discrimination in the Operation of Employment Service Offices,
and Adoption of Revised Merit System Standards

REFERENCE: GAL No. 683

PURPOSE: To outline required actions to eliminate discriminatory practices
in State Employment Security agencies.

Recent Federal court decisions consistently have held that public funds cannot be used to maintain or operate any facility or Government program in any discriminatory manner whatsoever based on race, creed, color, or national origin. This holding of the courts is equally applicable to funds granted or made available by the Federal Government to the States for the operation of the employment security program.

All State employment security agencies which have not already done so are accordingly required to take the following actions to conform with established policy:

1. Eliminate all racially segregated office facilities and operate such facilities without distinction based on race, creed, color, or national origin. In any specific case, or cases, in which a State employment security agency has formulated a plan to eliminate a racially segregated office and the plan cannot be effected by July 31, 1963, because of a legal commitment such as a lease, the State agency will submit such a plan to the Bureau's national office for consideration.
2. Fully comply with established policies which prohibit any form of discrimination based on race, creed, color, or national origin in services provided to applicants, claimants, or others, including registration, selection, and referral for employment or training opportunities, counseling, or testing.
3. Fully comply with the revised merit system standards enclosed with GAL No. 683. The revised standards require: (1) a prohibition in State law, rules, or regulations against discrimination on the basis of race, creed, national origin, or other nonmerit factors, and (2) provision for appeals in cases of alleged discrimination.

4. Cooperate with governmental Fair Employment Practice or Anti-Discrimination authorities by furnishing information developed through the operation of the employment security system relating to fair employment practices.

The Policies of the United States Employment Service, published in Title 20 of the Code of Federal Regulations, are being amended to reflect these requirements. A copy of the proposed amendment is attached. Appropriate revisions of Employment Security Manual materials are being made and will be distributed promptly.

MANUALIZATION REQUIRED: ES Manual, Part I and Part II (appropriate sections will be revised).

REVISIONS: None

Sincerely yours,



Robert C. Goodwin
Administrator

Attachment
Proposed Amendment

SLAUGHTER

BY ADOLPH J. SLAUGHTER
WASHINGTON BUREAU
ASSOCIATED NEGRO PRESS

3-26-63

Copy

WASHINGTON-(ANP)- Who is "Mrs. Murphy?"

In years to come, Negroes traveling throughout the U. S., seeking a place to rest their weary heads, might discover that "Mrs. Murphy" is America's new symbol for segregated accommodations.

This fictional and lovable old dowager who rents rooms from the boarding house in which she lives ~~is~~ in hundreds of towns across this land, apparently the heartstone of America's private free enterprise system which the Congress wants to ~~ex~~empt from compulsory compliance with equal accommodation provisions of the new Kennedy legislation.

This startling new symbol of "private" and segregated property became a living creature this week at the very first hearing of the House Judiciary Committee on the President's civil rights package presented to Congress last week.

The President's brother, Robert F. Kennedy, the Attorney general, was the star witness and he pleaded for equal accommodations for all, in hotels, motels, restaurants, stores and anywhere the general public is served.

But even the stalwart Attorney General had to give ground to protect the "private" rights of "Mrs. Murphy."

If she lives in her own home and rents two or three rooms for transients, would she be compelled to rent to anyone who came along, the Attorney General was asked.

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Bobby Kennedy was on the spot, and although I believe he realizes that if "Mrs. Murphy" is in the "business" of renting rooms, there should be no reason why she, too, should not comply to equal accomodation provisions, he said, no, I don't believe she would.

These kind of people would be exempt, explained Bobby, who hastened to add, however, that it would be a different story if "Mrs. Murphy" lived in one house and rented rooms in another house down the street. (Pray tell, what weary traveler could know this?).

What is at issue, however, behind Congress' attempts to protect "Mrs. Murphy" is the preservation of the "free", segregated way of life for hundreds of "little" businesses throughout the land who want to escape integration.

Those seeking to protect "Mrs. Murphy" are also seeking to protect the "little" stores, the "little" barbershops, the "little" theaters, the "little" hotels, the "little" motels, and all the "little" bigots in every nook and cranny of this land.

Just from today's hearings, it is obvious that the Kennedy equal accomodation provisions are already in Congressional hot water.

The Administration wants to push this part of the civil rights package through the Commerce Committee of the Senate, because it feels that business^{es}/engaging in interstate commerce can be more easily regulated through existing commerce commission regulations.

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From today's hearings, it appears that Congress wants to set limits on which business will actually be effected, preferring the obvious and large ones. Mr. Kennedy agreed that perhaps "something could be worked out."

But it seems reasonable that if a big department store sells "Fitch shampoo" and thus can be regulated because the shampoo is an out-of-state product shipped interstate, a "little" barbershop can be equally regulated because its "Fitch shampoo" is an out-of-state product too.

No one can safely predict now just where the Kennedy Administration civil rights package is going--although there are some pretty obvious and ominous signs.

But one thing seems pretty certain. If "Mrs. Murphy" is allowed to get away, in time, she will probably become the single, largest, richest entrepreneur in the history of America.

Negroes will probably find that "Mrs. Murphy" owns all the nation's "little" rooming houses--and lives there; all the "little" barbershops--and lives in the rear; all the "little" department stores--and lives in the basement; all the "little" theaters--and quarters herself in the camera loft, and all the "little" hotels and motels--and in each one keeps a private abode.

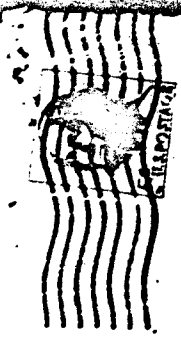
Somewhere during the hearing, to the roar of the jammed hearing room, Bobby Kennedy said: I think Mrs. Murphy is going to be in trouble.

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Bobby Kennedy could never have been more correct.

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THE
ASSOCIATED NEGRO PRESS
918 F Street, N. W.
Washington 4, D. C.



Attorney General Robert Kennedy
Department of Justice
Washington, D. C.

/O Ed. Cuthman

DEPARTMENT OF JUSTICE
ROUTING SLIP

Mice

TO	
NAME	BUILDING AND ROOM
1. Burke Marshall	Rm. 1145
2.	
3.	
4.	
5.	

- SIGNATURE
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- SEE ME
- RECOMMENDATION
- ANSWER OR ACKNOWLEDGE ON OR BEFORE _____
- PREPARE REPLY FOR THE SIGNATURE OF _____
- COMMENT
- NECESSARY ACTION
- NOTE AND RETURN
- CALL ME
- PER CONVERSATION
- AS REQUESTED
- NOTE AND FILE
- YOUR INFORMATION

REMARKS

FROM

NAME	BUILDING, ROOM, EXT.	DATE
Bill Geoghegan		7/9/63

July 8, 1963

Honorable Frank J. Lausche
United States Senator
Senate Office Building
Washington, D. C.

Dear Senator Lausche:

I am writing you because of the account that appeared in the Cincinnati Enquirer on July 5th of your exchange with the Attorney General regarding the Ohio Public Accommodations Law. In this article you were quoted as commenting favorably on the 1961 Act (formerly Sections 2901.35 and 2901.36 of the Ohio General Code), which provided for either a criminal prosecution, with a fine of not more than \$500 or imprisonment for not less than 30 or more than 90 days, or both, or, in the alternative, a civil action for not less than \$50 nor more than \$500 brought by the person aggrieved.

I suppose that others have brought this to your attention also, but the newspaper report omitted any reference of the changes made by the Ohio General Assembly two years ago, when discrimination in public accommodations was added as Section 4112.01(C) of the present Ohio General Code and made an unlawful discriminatory practice subject to the jurisdiction of the Ohio Civil Rights Commission.

By this legislation, the General Assembly made discrimination in places of public accommodation subject to the administrative remedies of the Ohio Civil Rights Law (Sections 4112.01 thru 4112.09) and granted considerably more flexibility of remedy to persons aggrieved, and are thus able to file a complaint before the Ohio Civil Rights Commission, which will then attempt to conciliate the matter, and if this fails may conduct a public hearing and issue an order which in turn is subject to review by the courts. In short, discrimination in public accommodations was made subject to the same administrative procedure as had been established for employment under the 1959 act.

I was Chairman of the Ohio Civil Rights Commission at the time that this legislation was enacted by the General Assembly, and testified at some length before the Committee concerned. I think it is correct to say that the 1961 amendments were passed because, in the judgment of the General Assembly, the 1959 law was inadequate to afford redress in the large majority of instances of such discrimination. Indeed, only a handful of actions had been brought since 1959, although a survey made by the Civil Rights Commission indicated that violations were widespread, as was common knowledge.

July 8, 1983

Honorable Frank J. Lausche
United States Senator
Senate Office Building
Washington, D. C.

I do regret the necessity of writing you on a matter which would appear to be a correction of one of your statements, since I feel sure you know in what high regard I hold you. I believe that you too would wish to put the records straight.

With all good personal regards,

Yours sincerely,

Richard C. Gussenhain

RGC/nd



THE ATTORNEY GENERAL

Misc.

Deputy Attorney General.....	
Solicitor General	
Executive Assistant to the Attorney General	
Assistant Attorney General, Antitrust	
Assistant Attorney General, Tax	
Assistant Attorney General, Civil	
Assistant Attorney General, Lands	
Assistant Attorney General, Criminal.....	
Assistant Attorney General, Legal Counsel.....	
Assistant Attorney General, Internal Security.....	
Assistant Attorney General, Civil Rights	X
Administrative Assistant Attorney General.....	
Director, FBI.....	
Director, Bureau of Prisons.....	
Director, Office of Alien Property.....	
Commissioner, Immigration and Naturalization...	
Pardon Attorney	
Parole Board	
Board of Immigration Appeals	
Special Assistant for Public Information	
Records Administration Office	
For the attention of _____	

REMARKS:

for filing

DEPARTMENT OF JUSTICE
ROUTING SLIP

Miss.

NAME		BUILDING AND ROOM
1.	The Attorney General	
2.		
3.		
4.		
5.		

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 APPROVAL NECESSARY ACTION AS REQUESTED
 SEE ME NOTE AND RETURN NOTE AND FILE
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 ANSWER OR ACKNOWLEDGE ON OR BEFORE _____
 PREPARE REPLY FOR THE SIGNATURE OF _____

REMARKS

5 July

For your information.

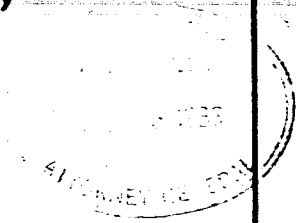
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FROM

NAME	BUILDING, ROOM, EXT.	DATE



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Misc.

DEPARTMENT OF JUSTICE

TO

REMARKS:

- ATTORNEY GENERAL
 - EXECUTIVE ASSISTANT
 - OFFICE OF PUBLIC INFORMATION
- DEPUTY ATTORNEY GENERAL
 - EXECUTIVE OFFICE-U. S. ATTORNEYS
 - EXECUTIVE OFFICE-U. S. MARSHALS
- SOLICITOR GENERAL
- ADMINISTRATIVE DIVISION
- LIBRARY
- ANTITRUST DIVISION
- CIVIL DIVISION
- CIVIL RIGHTS DIVISION
- CRIMINAL DIVISION
- INTERNAL SECURITY DIVISION
- LANDS DIVISION
- TAX DIVISION
- OFFICE OF LEGAL COUNSEL
- OFFICE OF ALIEN PROPERTY
- BUREAU OF PRISONS
- FEDERAL PRISON INDUSTRIES, INC.
- FEDERAL BUREAU OF INVESTIGATION
- IMMIGRATION AND NATURALIZATION SERVICE
- PARDON ATTORNEY
- PAROLE BOARD
- BOARD OF IMMIGRATION APPEALS
- ATTENTION: _____

Board
2 to 46 of you (hand)
to 2 to instance (hand)
(Signature)

*Send to Attorney General
 for his information*

- SIGNATURE
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- RECOMMENDATION
- COMMENT
- NECESSARY ACTION
- YOUR INFORMATION
- ANSWER OR ACKNOWLEDGE ON OR BEFORE _____
- PREPARE REPLY FOR THE SIGNATURE OF _____
- NOTE AND RETURN
- SEE ME
- PER CONVERSATION
- AS REQUESTED
- NOTE AND FILE
- CALL ME

FROM _____

Top GOP Negro Leader Backs JFK on Race Issue in Denver

"If the presidential election were held tomorrow, I would vote for President Kennedy," a top Republican Negro leader declared in Denver Monday night.

He is Judge Hobson R. Reynolds, grand exalted ruler of the Improved Benevolent Order of Elks of the World and a former Eisenhower Administration official.

"I like his (Kennedy's) liberal stand—his speaking out on the racial issue, and how it can be corrected," Reynolds said.

While lauding the President's action in the growing racial tension, Reynolds emphasized he had no intention of leaving the GOP for the Democrats.

Ike's Nomination

"As a delegate from Philadelphia in 1952, I seconded Eisenhower's nomination," he said.

On the matter of peace marches in Denver and elsewhere throughout the country, Reynolds said they are helping the Negroes' cause by focusing national attention on Negro grievances.

"The Negro is approaching the problem from a sensible standpoint," he said. "Moderates in the South are beginning to get encouragement since President Ken-



Judge Hobson R. Reynolds... "The Negro is approaching the problem (segregation) from a sensible standpoint."

nedy spoke out on the segregation issue."

After 100 Years

"We believe in moderation," Reynolds said, "but we also believe the time has come now—

after 100 years—when no one can say we're moving too fast."

Denver and all cities in the U.S. are much the same insular as keeping the Negro penned up in a ghetto, Reynolds claimed.

Reynolds is featured speaker during the Elks' present convention of some 1200 representatives from nine Midwestern states meeting in Denver.

Asked if his feelings following the capture of a suspect in the killing of Medgar Evers, the NAACP field secretary in Mississippi, Reynolds said:

"It was a good thing the FBI was in Jackson to investigate. If they had not been put on the case, I feel local authorities never would have arrested the man."

Urban Renewal

Reynolds will address various Elks' sessions Tuesday at Scott's Methodist Church, E. 22d ave. and Ogden st.

"Urban renewal has resulted only in moving the Negro from one area to another," he said, "with a new school built nearby to be attended by Negroes."

He explained this has not enabled the Negro to buy the home he can afford in the section of a community in which he wishes to live.

Reynolds, son of a North Carolina farmer, is a graduate of Shaw University in Raleigh, N.C. He is a former municipal judge in Philadelphia, served in the Eisenhower Administration as assistant commissioner of federal housing, and has served two terms in the Pennsylvania Legislature.

Miss

DEPARTMENT OF JUSTICE

TO Mr. Marshall - Room 1145

- ATTORNEY GENERAL
 - EXECUTIVE ASSISTANT
 - OFFICE OF PUBLIC INFORMATION
- DEPUTY ATTORNEY GENERAL
 - EXECUTIVE OFFICE-U. S. ATTORNEYS
 - EXECUTIVE OFFICE-U. S. MARSHALS
- SOLICITOR GENERAL
- ADMINISTRATIVE DIVISION
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- ANTITRUST DIVISION
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- CRIMINAL DIVISION
- INTERNAL SECURITY DIVISION
- LANDS DIVISION
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- OFFICE OF LEGAL COUNSEL
- OFFICE OF ALIEN PROPERTY
- BUREAU OF PRISONS
- FEDERAL PRISON INDUSTRIES, INC.
- FEDERAL BUREAU OF INVESTIGATION
- IMMIGRATION AND NATURALIZATION SERVICE
- PARDON ATTORNEY
- PAROLE BOARD
- BOARD OF IMMIGRATION APPEALS
- ATTENTION: _____

REMARKS:

July 15, 1963

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FROM L.F.O. ASSISTANT ATTORNEY GENERAL

Tax Division

The Massie

School Mixing By September

The Birmingham school opinion concurred in by two of three Fifth Circuit Court of Appeals judges is no document of clarity. Yet its essence is clear enough for plan-making.

School Board attorney and dissenting Appeals Court Judge Gewin demand full Fifth Circuit review. Barring this, which is probable, Supreme Court review may be sought. None of this will change the essence. Birmingham Board of Education must take positive desegregation action effective September.

Birmingham asked more time; Fifth Circuit opinion for some time has been that initiation of *Brown v. Board* compliance rests with school authorities themselves. The court no longer allows lack of time as an excuse. Since a few years after 1954 and *Brown*, court requirement in precedent cases is evident: If there is no time, the court asks, what has been done with the time?

Birmingham's board has not moved voluntarily to desegregate. In local context, political, otherwise, it hardly could or would. But the time plea is vacuous now in judicial eyes. Hence action, if vaguely defined, is demanded by Fifth Circuit, and a plan for it by Aug. 19, implementation by September.

It will be misleading for any to think vagueness of order or promises of appeal hold hope of defiance, reversal or effective delay. Fifth Circuit minimum will be the minimum of higher judiciary.

While for a majority Judge Rives says the court will not now—"now" is a key—require that separate schools be "completely" ended in any grade; while he refuses to say when or how, pending further review on merits, more explicit act toward a broader plan shall come, the court directs Judge Lynne's next order.

It calls for plan of some desegregation start, by board action, not by plaintiffs or others, by Aug. 19, and demands carrying this out by September's opening. That meaning is fully clear. Birmingham's board may successfully buy a year's time with minimum action at this point. The court order by vagueness warrants an optimism on this count; but if this be true, it can buy such time only through one expenditure, deliberate board invitation of Negroes to apply for white school enrollment in some small number at least, and board publicly announcing willingness to initiate at least a minimal desegregation in September.

Fail at that, obviously, and the Fifth Circuit will feel armored for more explicit and drastic Birmingham order: the Fifth's precedents on this are adequate to any attorney. More, the majority judgment here cites *Augustus v. Board of Instruction*, a Pensacola case. District court there accepted a School Board letter of invitation to Negro parents under

Editorials

The Birmingham News

Clarence B. Hanson, Jr., Publisher

Victor H. Hanson, II,
Vice President, General Manager

Vincent Townsend,
Vice President, Assistant to Publisher

E. L. Holland, Jr.,
Editorial Page Editor

John W. Bloomer,
Managing Editor

Victor H. Hanson, Publisher, 1910-1945

Saturday, July 12, 1963

... small number at least, and board publicly announcing willingness to initiate at least a minimal desegregation in September, and the Fifth Circuit will feel armored for more explicit and drastic Birmingham order: the Fifth's precedents on this are adequate to any attorney. More, the majority judgment here cites *Augustus v. Board of Instruction*, a Pensacola case. District court there accepted a School Board letter of invitation to Negro parents under Florida placement statute to enroll children without race regard. But on plaintiffs' appeal, Fifth Circuit explicitly required that any new pupils be admitted regardless of color and it called for abolition of dual racial zones, with corroborative map of new zoning. This is to be the Birmingham pattern in part at least, even if timing on the latter is yet arguable. A full future Pensacola desegregation plan was inherently stipulated.

Thus Birmingham now has come to a time of decision. One course: Close schools. None really sees this as an- swer. Compliance is in order. Delay may be sought via review, appeal, further argument, etc. But it is naive to put our emphasis there, for the end of that road is clear. It would be better, now, viewing numerous parallel cases in other Southern cities, to concentrate on positive control of our own situation through display of public intent to do what, in the end, would have to be done anyway.

Misc. 163

THE WHITE HOUSE
WASHINGTON

July 5, 1963

MEMORANDUM FOR

Mr. Burke Marshall
Assistant Attorney General
Civil Rights Division
Justice Department
Washington, D. C.

I thought you might be interested in the attached information concerning the Letterkenny situation.

Kind regards.



Walter W. Giese

Enclosures 2

July 2, 1963

COPY

SUBJECT: Letterkenny Situation

TO: Walter Giesey
President's Committee on Equal Opportunity in Housing

From: Elliott M. Shirk, Executive Director
Human Relations Commission

Attached is a brief report on the Letterkenny situation about which we talked. I shall keep you advised of later developments

With warm regards.

July 2, 1963

COPY

SUBJECT: Chambersburg Housing Situation

Elliott M. Shirk
Executive Director

William M. Cousins
Director of Housing

I talked to George Danzberger the Information Officer at the Letterkenny Army Depot. He has been directly involved in the housing of the employees transferred to Chambersburg. From him I secured the following information.

The personnel and operation of two depot facilities have been or will be transferred to Letterkenny.

The Rossberg Depot in Toledo, Ohio has already been closed out. Some 60 employees and their families have moved to the Chambersburg area. Of these two were Negro. One Negro returned to Ohio to another job. The other employee is rooming in Chambersburg while looking for housing for his family. He has at least two prospective accommodations but has made no decision yet.

The Raritan Depot in Metuchen, New Jersey is scheduled to transfer its operation and personnel in two phases. Some employees will come in September and the rest in January. This transfer involves a total of 130 jobs which, as of now, includes two Negroes. The Raritan transfers are wage board employees and are paid on the basis of the prevailing rates in the area. The Rossberg transfers are employees of a higher income level and could better meet the financial requirements for the rental and purchase of local housing.

Mr. Danzberger informed me that he has had a series of meetings with various groups in the community regarding the housing problem. This included representatives of the minority community, the Chamber of Commerce, the Redevelopment Authority and real estate brokers and owners of rental property. There was also an open community meeting at which the concerns of the Negro community were brought to public awareness, particularly regarding urban renewal.

From the foregoing there does not appear to be an immediately serious problem. At Mr. Danzberger's invitation I will go to Chambersburg and confer with him and others including the Redevelopment Authority. This will probably be during the week of July 8.

From
THE ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

Misc.

Deputy Attorney General.....	
Solicitor General	
Executive Assistant to the Attorney General	
Assistant Attorney General, Antitrust	
Assistant Attorney General, Tax	
Assistant Attorney General, Civil	
Assistant Attorney General, Lands	
Assistant Attorney General, Criminal.....	
Assistant Attorney General, Legal Counsel.....	
Assistant Attorney General, Internal Security.....	
Assistant Attorney General, Civil Rights	<input checked="" type="checkbox"/>
Administrative Assistant Attorney General.....	
Director, FBI.....	
Director, Bureau of Prisons.....	
Director, Office of Alien Property.....	
Commissioner, Immigration and Naturalization...	
Pardon Attorney	
Parole Board	
Board of Immigration Appeals	
Special Assistant for Public Information	
Records Administration Office	

For the attention of Mr Marshall

Rm 1145

REMARKS:

DEPARTMENT OF JUSTICE
ROUTING

Mize
DEPARTMENT OF JUSTICE

NAME	BUILDING AND ROOM
1. John Nolan	
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REMARKS

30 May

John:

Can we do anything about this?

S/31
Colts with Murray
has to call back
To Mr. Marshall *js* BM

FROM NAME	BUILDING, ROOM, EXT.	DATE

UNITED STATES GOVERNMENT

Miss
DEPARTMENT OF JUSTICE

Memorandum

TO : Burke Marshall
Assistant Attorney General
Civil Rights Division

DATE: May 29, 1963
GAM:pav
72-41-51 10,134

FROM : Gordon A. Martin, Jr.
GAM Attorney

SUBJECT: Rankin County, Mississippi 1971(a)

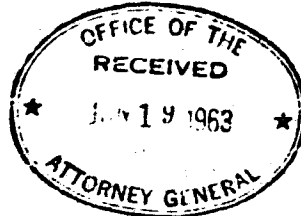
While in Rankin County recently preparing for the trial of the case of United States v. Edwards, I had occasion on May 16 and 17, 1963 to pass by the United States Post Office in Brandon, Mississippi, the county seat. On both occasions I noticed in the front window of the Post Office a large poster advertising a meeting of the Brandon Chapter of the Women for Constitutional Government which was held on May 16, 1963. This is a right wing political organization which has as its local co-chairman, Mrs. John McLaurin, the wife of the state senator who is opposing Attorney General Patterson.

It seems to me that the use of federal property to advertise any political meeting is improper, and I submit this information to you for whatever reference to the Post Office Department you may feel it merits.

*John Dolan:
Can we do anything
about this?
JD*

**POST OFFICE DEPARTMENT
THE EXECUTIVE ASSISTANT TO THE POSTMASTER GENERAL
WASHINGTON 25, D.C.**

June 18, 1963



**Memorandum to: Mr. John E. Nolan, Jr.
Administrative Assistant to the Attorney General**

**From: Michael Monroney
Executive Assistant to the Postmaster General**

About two weeks ago you called me about a notice placed on the bulletin board of the post office at Brandon, Mississippi, by the Women for Constitutional Government, announcing a meeting to be held on May 16.

I regret the delay in this reply to your telephone inquiry. Unfortunately, the next day I became ill and ended up in the hospital for a short period.

Attached is a copy of a memorandum from the Department's General Counsel, Mr. Doyle, setting forth the rules which govern the display of announcements and such in post office lobbies. If you are still interested in this matter, I believe Mr. Doyle's memorandum will answer any questions you may have on the subject.

Mike Monroney

June 18, 1963

Memorandum to: Mr. John E. Nolan, Jr.
Administrative Assistant to the Attorney General

From: Michael Monroey
Executive Assistant to the Postmaster General

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Michael Monroey

May 31, 1963

Mr. Doyle

LJD:ca

Mr. Monroney

You have inquired concerning the rules governing the display of advertising and posters in post office lobbies.

Under the Postal Manual Part 612.23, it is provided that advertisements, circulars, placards, handbills, cards or notices relating to any private business, and pictures, cartoons or other documents of a political character designed to influence an election in favor of any candidate may not be placed on the walls or elsewhere for public exhibition within areas used for postal activities or the lobbies thereof.

This part of the Manual also provides that for the convenience of the public, postmasters may allow bulletin boards to be placed in the post office or may set aside some convenient place where notices of public assemblies, notices of judicial sales, official election notices issued by state or local governments, and other like announcements, printed or written, may be displayed. These privileges must be afforded without discrimination against party or sect.

There is no law governing the situation. It is entirely a matter of administrative regulation.

RECEIVED BY MR. MONRONEY

DIVISION
CLASSIFIED

MAY 2 1963

RECEIVED
MAY 2 1963

Miss.

Leibman, Williams, Bennell and Baird

208 SOUTH LA SALLE STREET - CHICAGO 4 - FINANCIAL 6-2200
CABLE ADDRESS "CROLEY CHICAGO"

MORRIS I. LEIBMAN
D. S. WILLIAMS
RUSSELL D. BENNETT
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GEORGE W. K. SNYDER
JOHN M. ROCKWELL
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GEORGE T. BOBERT
DAVID P. LIST
JULIAN R. WILKIN
GEORGE J. WYLAUGHLIN, JR.
THOMAS H. MORSON

OF COURSE
MRS. BARNES
JOSEPH T. ZOLNE
GEORGE W. STRUCKMANN
FRANKLIN A. CARMEN
ROBERT E. HADON
JOHN E. ROSSON
RALPH S. LONG
NEIL FLANNAGAN
G. GALE ROBERTSON, JR.
R. QUINCY WHITE, JR.
DONALD A. MACKAY
LEONARD A. SPALDING III
WILLIAM P. COLSON
DAVID S. HARRIS
EDWARD J. SORNER
SEYMOUR TAYLOR

July 2, 1963

Mr. Burke Marshall
Department of Justice
Washington, D. C.

Dear Mr. Marshall:

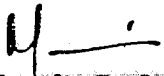
My American Bar Association's Committee on Education Against Communism has taken a major step forward and I wanted to keep you posted. Enclosed is a reprint of the preface which appears in the recent 260-page publication entitled DEMOCRACY AND COMMUNISM IN WORLD AFFAIRS.

I am particularly pleased with this first major effort, as the experts tell me this suggested syllabus and teacher's guideline fulfills a real need.

Also enclosed is an editorial which appeared recently in the Washington Post pertinent to this effort.

Kindest personal regards.

Sincerely,


Morris I. Leibman

MIL:m
Encl

Teaching Communism

The cold war is a hard fact of the times. To wage it, which is to try to lead a productive national life despite its heavy demands, Americans must know what it is. To this end a consensus has come into being that communism should be taught in the schools. However, according to educators who have studied the matter, many of the programs so far developed have been marred by hysteria or pedantry. Furthermore, in a number of places the impetus for teaching communism has come only from groups on the right whose dislike of communism is not properly balanced—in our opinion—by a full appreciation of democracy.

Hence it is reassuring that, belatedly, representative and responsible groups of Americans are starting to contribute their resources. A few days ago, for instance, there was issued a teacher-training syllabus prepared at the University of South Carolina under the sponsorship of the American Bar Association. The apt title of this excellent syllabus, which avoids the fatal error of substituting indoctrination for information, is "Democracy and Communism in World Affairs." It is intended to serve the training centers which are springing up around the country to meet the rising demands of local communities for sensible instruction in communism. We hope that the syllabus, or something like it, will be made available to the many teachers who will not attend an institute, and to adult education programs and other interested groups as well.

Education in the nature, tactics and appeal of communism is too important to be done in a slipshod manner or to be left to any but the country's ablest citizens. It is entirely appropriate—and entirely American—for scholars, lawyers and professional educators to offer their prestige and their talents in this field.

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DEPARTMENT OF STATE POL 15-1 US/LENNEDY
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CA-153 FOR RM USE ONLY
 NO. *Misc*

TO : All American Diplomatic and Consular Posts

FROM : Department of State

DATE:

SUBJECT: Civil Rights

REF :

The Department previously transmitted by telegram messages of President Kennedy's reply to a message of good wishes on his civil rights program from President Nkrumah of the Central African Republic. Nkrumah has not publicly released the President's reply and posts may use the letter in an appropriate manner. The full text of the letter follows.

TO:

Dear Mr. President:

Thank you for your kind message of June 15. Your understanding and good wishes and those of your countrymen are of great value to me as I confront the difficult

problems

10 JUL 6 1963
 DEPARTMENT OF JUSTICE
 RECORDS BRANCH

UNCLASSIFIED
 REFERENCE 839039

FORM 4-62 DS-323

FOR DEPT. USE ONLY
 In Out

Drafted by: S/S-S:JMKoyd III:mao 6/29/63

Contents and Classification Approved by: A. W. J. Jordan

Classified: 481
 H - Mr. White

*

UNCLASSIFIED

-2-

problems of racial equality and civil rights.

As you know, this nation was founded by men of many countries and backgrounds, on the principle that all men are created equal and that the rights of all are diminished when the rights of one are threatened. These principles guide this government today, and they will continue to guide our nation.

Our progress in the struggle for full realization of these ideals has been uneven. Unfortunately, the many examples of progress--the peaceful and voluntary desegregation of schools, transportation facilities, and public accommodations--lack the drama and impact of demonstrations and violence. But we have seen (in past month) specific voluntary acts of desegregation by public and private citizens in some 170 different localities in our Southern states. This progress is real, and will last.

In a democracy where freedom of speech and individual belief must also be guarded, it is not simple to deal with hatred or intolerance.

Ours is a large country, a federation of fifty separate states. Each state retains certain police powers over which the federal government has no control. The national government may intervene
only where

UNCLASSIFIED

government

A-153

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-3-

only where there is a breach of some national obligation. The men who ~~xxx~~ created our constitutional system had the specific and express desire to limit the powers of the national government over the people directly, and over the states in conduct of their affairs. These limitations were created out of revolution by men who suffered from tyranny. They are limitations which preserve our freedom, and they have been effective in doing so for almost 200 years. But they have, at the same time, made the country ineffective in the past, for a long period of time, ~~xxx~~ in dealing with racial discrimination left as one of the terrible effects of a cruel and unjustified system of slavery. In this country we are now faced with the consequences of this past. To resolve it, as I said to the country last week, is a moral obligation which cannot be met by the federal government alone, but requires the help of the states and the localities and the citizens of the country. I am absolutely confident that we will receive that help...

I wish to assure you and the nations of the world, both free and unfree, that the United States Government has made no attempt, nor will it make any attempt, to conceal in any way its problems in the area of race relations. We do not pretend or believe that we are perfect

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-4-

are perfect, or that everyone in America is always in agreement.
But we have met other challenges in our national existence, and we will overcome this one.

Support and encouragement such as yours are most heartening and will make easier the task ahead.

JOHN F. KENNEDY

UNQUOTE

RUSK

END

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