

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LESLIE TAYLOR and KEVIN TAYLOR,
minors, by WILBERT TAYLOR and HALLIE
TAYLOR, their parents and next friends,

-and-

MARJORIE WILLIAMS and ROSLYN WILLIAMS,
minors, by RUDOLPH WILLIAMS and
MARJORIE WILLIAMS, their parents and
next friends,

-and-

CHERYL ANN WILLIAMS, a minor, by ULA
WILLIAMS, her mother and next friend,

-and-

LYNN GARLAND, a minor, by THOMAS GARLAND,
her father and next friend,

-and-

BENJAMIN HALL, LONNIE HALL, MICHELLE
HALL and VELMA HALL, minors, by
BARBARA HALL, their mother and next friend,

-and-

KARILENE MURPHY, a minor, by WALTER
MURPHY and WILLENE MURPHY, her
parents and next friends,

-and-

For these and all others similarly
situated and who may become parties to
this action,

Plaintiffs

-against-

THE BOARD OF EDUCATION of the CITY
SCHOOL DISTRICT of THE CITY OF NEW ROCHELLE,

-and-

HERBERT C. CLISH, as SUPERINTENDENT OF
SCHOOLS of THE CITY SCHOOL DISTRICT of
THE CITY OF NEW ROCHELLE,

Defendants

60 Civ. 4098

A P P E A R A N C E S :

PAUL ZUBER
Attorney for Plaintiffs

MURRAY C. FUERST
Attorney for Board of Education

ROBERT M. MORGENTHAU
United States Attorney

By **EUGENE R. ANDERSON** and
DAVID R. HYDE

IRVING R. KAUFMAN, C.J. (delivered from the bench):

I have been pleased to hear from Dr. Frank P. Marino, Chairman of the Board of Education of the City of New Rochelle, and other members of the Board, as well as Dr. David C. Salten, Superintendent of Schools, who addressed the Court this morning.

This is a most gratifying day for this Court, for in two years we have come full circle from a period in which national attention was focused upon New Rochelle as a Northern community condoning segregation to a period in which

the nation will view New Rochelle as a trailblazer in solving the problem of providing truly equal educational opportunity for all. I want publicly to thank Messrs. Fuerst and Zuber who, as counsel for the respective parties, have performed a great service not only to the community and to this Court, but to the entire nation as well.

In less than ten years, the legal and social complexion of our nation has undergone a dramatic change. The epochal decision of the United States Supreme Court in Brown v. Board of Education, 349 U.S. 294 (1954), has worked a revolution in American race relations. The tempo of that revolution is ever quickening and its reverberations have not been confined to any one part of our nation. Indeed, the President of the United States has recently noted that the problem of equal opportunity regardless of race is "not a sectional problem-- it is nationwide."

The truth of this statement is confirmed by the case history of New Rochelle's Lincoln School integration litigation, the judicial phases of which are, hopefully, drawing to a close. In order that the application now before this Court may be set in context, a brief statement of that

history will be undertaken.

New Rochelle, a suburb of New York City is, as we know, located in southeastern Westchester County. In late 1960, a class action was initiated in this court by several Negro children enrolled in the Lincoln School, a public elementary school operated by the Board of Education of the City of New Rochelle, which was named as one of the defendants. In this action, the plaintiffs charged that Lincoln School, situated in central New Rochelle, then with an enrollment of approximately 94 Negroes, had been deliberately created and maintained by the Board as a racially segregated school in violation of the Fourteenth Amendment to the federal Constitution. After a trial, this Court found, 191 F. Supp. 181 (S.D.N.Y. 1961), that the school board, in 1930, had gerrymandered the district in which the Lincoln

School was located in order that a large portion of its white students would be excluded and permitted to attend the nearby Webster and Mayflower schools; that within the four years following, the boundaries of the Lincoln district were manipulated so as to incorporate the ever-increasing Negro population; that until 1949, the Board assured the continuance of Lincoln School as a Negro school by permitting white students resident within the district to transfer to schools outside the district; and that after 1949, when further transfers were forbidden, the school board did nothing to alter the status quo or to ameliorate the serious racial imbalance in the Lincoln School which it had caused to be brought about.

It followed, therefore, that this Court was constrained to find that the deliberate efforts to maintain the Lincoln School as a segregated educational institution

worked a deprivation of the equal protection of the laws constitutionally proscribed by the Fourteenth Amendment as interpreted by the Supreme Court in Brown v. Board of Education, supra. As I noted at that time, "The conduct of responsible school officials has operated to deny to Negro children the opportunities for a full and meaningful educational experience guaranteed to them by the Fourteenth Amendment." 191 F. Supp. at 182-93.

In order to cure this social illness, this Court directed the Board to present a plan to remedy the illegality. The Board proposed such a plan which, with considerable modification, was adopted as the decree of the Court, in May 1961. 195 F. Supp. 231 (S.D.N.Y. 1961). In essence, the decree provided for a completely optional transfer of all Lincoln students to any schools having sufficient

room to receive them without the imposition of any requirements for minimal academic achievement or emotional adjustment. Further provisions were incorporated in order fully to effectuate the spirit of the optional transfer plan; but, the decree provided that the Board was under no obligation to furnish transportation to pupils transferring under the terms of the decree. The decree concluded with the provision that "The Court shall retain jurisdiction over this case to assure full compliance with this decree."

This Court, then, is still seised of jurisdiction over this case and over the administration of the terms of the decree.

I now have before me an application by the
different
present School Board -- whose composition is substantially/
from that of the Board at the time of the original decree--
seeking certain amendments and modifications of that decree.

It is clear that this application has been precipitated by the changing circumstances in New Rochelle which have followed upon the Board's efforts to comply with this Court's order. On the date of the commencement of this litigation, Lincoln School had an enrollment of 483 students, of whom 454, or 94%, were Negro. As a result of the transfer of Lincoln students to the city's eleven other elementary schools, the percentage of Negro students dropped immediately ~~to approximately 89%.~~ to approximately 89%. A year and a half later, in April 1963, the entire student population at Lincoln School was less than half what it was when this Court entered its decree; only 210 pupils had chosen to remain enrolled at this antiquated school, constructed 65 years ago.

The economic and social impact of this mass

exodus has been perceptively analyzed and extrapolated by the present forward-looking School Board. The operation of Lincoln School has become economically unfeasible due to the greatly diminished size of the student body; as of April of this year, although the average annual per capita cost of education in all the New Rochelle elementary schools was approximately \$877.00 per student, the cost of educating a student at Lincoln was somewhat more than \$1,057.00. As the student body will continue to decrease, the cost per Lincoln School student will increase. It has become obvious to the present Board that the Lincoln School must be closed and permanently shut down.

But more at the heart of this proceeding is the School Board's fear -- grounded in a sincere desire to conform not only with the letter but with the spirit of

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this Court's decree -- a fear that the continuation of the plan of free optional transfer, pursuant to the terms of the decree, will result in an unbalanced racial population in schools adjacent to the Lincoln district. The Board in effect urges that strict compliance with the original decree, now that Lincoln School is being closed down, will pose a serious threat of de facto racial segregation in those contiguous schools, if the remaining students at Lincoln are permitted to exercise a free choice of school to be attended.

The School Board and its enlightened Superintendent of Schools, Dr. David C. Salten, a nationally recognized educator -- after holding two public hearings in May of this year, at which 1300 and 900 citizens, respectively, were in attendance and 98 speakers heard; after attending many

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meetings of FTA groups, and civic and neighborhood
associations; and after consulting with experts in the
field and with those representing the interests of the
Negro population of the Lincoln district -- therefore
ask this Court to amend

and modify the letter of the decree in order that its spirit may best be perpetuated.

In my original opinion in this litigation, I expressed my sincere belief in the proposition that the desegregation problem in the Lincoln district could be solved by "men of good will, wisdom and ingenuity." 191 F. Supp. at 193. It is gratifying that, among the membership of the present School Board, Few Rochelle has found such men. It is obvious that these are men of heart and of broad vision. They have taken a most commendable and farsighted step in projecting the philosophy which underlay the original decree -- and by their action will minimize or perhaps avoid the problem, plaguing so many other communities, of racial imbalance in their system of education. This reaffirmation of respect/ for man and law

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is gratifying and timely, for it is an antidote to those
familiar instances where federal court decrees have been
flaunted by high officials sworn to uphold the law.

Obstruction, delay, and unrest have characterized
much of our national struggle against educational and racial
inequality. But this small Northern community -- whose
population, composed of various races and religions, might
represent our nation in microcosm -- has provided this
nation with an example and a model of sound public leadership.

Indeed, the immediate and energetic effort of the
School Board to comply with this Court's mandate might well be
viewed as a precursor of the widely-acclaimed position taken
only last week by James E. Allen, Jr., Commissioner of
Education for the State of New York.

The President of the United States, a few short

days ago, registered a plea for an end to racial strife, mass picketing and protest meetings which almost inevitably trigger violence. He urged that the forum for solving the racial question be shifted from the streets to the courts. Certainly, that is the first step. But, as I noted in my original opinion: "Litigation is an unsatisfactory way to resolve issues such as have been presented here. It is costly, time consuming -- causing further delays in the implementation of constitutional rights -- and further inflames the emotions of the partisans." 191 F. Supp. at 197. In short, our legal system can only go so far in inculcating morality. Today, in light of the School Board's appearance before this Court, I feel even more strongly that the task of securing full equality of educational opportunity among the races is best achieved

not by a court which is ill-equipped to control the day-to-day problems of educational policy, but by private citizens, men of good will, prepared to act affirmatively in pursuance of our basic law and with a devotion to community betterment.

Thus, in the instant case, the New Rochelle School Board has taken the initiative and, after investigation and consultation, has proposed several modifications in the May 1961 decree of this Court.

With the closing of the Lincoln School and the accompanying need for enlightened placement of the students living within the Lincoln district, the Board proposes to provide bus transportation to these students on a basis identical to that provided throughout New Rochelle-- that is, transportation to any school destination within 1-1/2 and

10 miles of the student's home. As the School Board has stated in its report on its proposed plan to the citizens of New Rochelle: "Transportation will be ^a ~~an~~ key factor in our efforts to maintain an ethnic balance in our elementary schools and to prevent the emergence of segregated schools." This report further states:

Any solution for the problems at Lincoln must be resolved on the basis of what is good for the school system and the community as a whole. Closing the school and transporting its students to outlying areas fulfills this criterion because it avoids tipping contiguous schools and enables students in outlying as well as in the central schools to attend an integrated school.

I have been advised that the additional cost to each of the residents of New Rochelle once the benefits of bus transportation are extended to the students in question will be insignificant. It must also be noted that, pursuant to state law, 90% of the transportation costs incurred in the

City of New Rochelle will be borne by New York State in the 1963-64 and successive school years, and only 10% by the city. In short, the burdens resulting from the implementation of the proposed transportation plan are infinitesimal when compared to its benefits.

I am convinced that the closing of Lincoln School, conjoined with free bus transportation for former pupils there to other schools within the city will have a salutary influence in securing true equality of educational opportunity for all parties before this Court.

This proposed modification, which would eliminate paragraph 7 of the original order decreeing that Lincoln transferees were to provide their own transportation, is therefore adopted by this Court.

The more fundamental modification of the decree

proposed by the School Board is the deletion of paragraphs 1 and 2 which deal with the optional transfer plan and the substitution thereof of a provision designed to permit the Board to assign students residing within the Lincoln district where necessary to secure or maintain racial balance within the elementary school system. Such a provision would repose in the Board discretion in the assignment of pupils in order best to effectuate the principles announced in the original opinion of this Court. Viewing this proposed modification in light of the School Board's demonstrated genuine support for those principles, this Court has decided to so modify its decree. Compliance therewith will be ensured, if ever necessary, by this Court's continued retention of jurisdiction over the case, in pursuance to the final

paragraph of the decree and to the general principles of equity.

The decree is modified as provided for in the amended decree entered this day.

And so, as the Board in its "Comprehensive Plan for Educational Excellence -- A Report to all Citizens of New Rochelle," dated May 14, 1963 stated: " . . . the eyes of the entire nation are fixed upon our community and its schools. Our special difficulties have received national attention . . ." The nation will now observe how men of compassion and foresight have faced up to the racial problem of their community and with courage undertaken the task of solving it.

June 24, 1963

IRVING R. KAUFMAN
United States Circuit Judge

6 Misc.

June 27, 1963

Ralph S. Brown, Jr., Director
Walter E. Meyer Research Institute
of Law, Inc.
127 Wall Street
New Haven, Connecticut

Dear Ralph:

Sorry to be slow in answering your letter about Professor Shapiro. I am really not well enough informed to judge. I have talked to him, but not enough to have any opinion of his intellectual capacities. A. B. Caldwell spent most of the time with Shapiro; I enclose for your information a memorandum from him.

Best regards,

Burke Marshall

Enclosure

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DEPARTMENT OF JUSTICE
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TO

NAME	BUILDING AND ROOM
1. A. B. Caldwell	
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| <input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ | | |
| <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____ | | |

REMARKS

June 12, 1963

Would you give me your views?

BM

FROM

NAME

BUILDING, ROOM, EXT. DATE

WALTER E. MEYER RESEARCH INSTITUTE OF LAW, INC.
127 WALL STREET
NEW HAVEN, CONNECTICUT

RALPH S. BROWN, JR.
Director

June 6, 1963

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

Dear Burke:

Can I bother you for your general impression of the scholarly competence of Professor Harry Shapiro of Rutgers? He says he has spent quite a lot of time with you and some of your assistants, in connection with his study of the criminal side of civil rights enforcement. He has applied to the Meyer Institute for a small grant for auxiliary expenses.

You may recall that the Institute, though very much interested in further responsible work in this field, has been hesitant to support people who would not do a first-rate job. It is in this context that I would value your opinion of Shapiro. Of course he is quite far advanced with his work, and I suppose will carry it through whether or not he gets help from us; but I am concerned that the research cream shouldn't be skimmed by second-raters.

With best regards.

Sincerely,

Ralph S. Brown, Jr.
Ralph S. Brown, Jr.

*AB Marshall
Walter E. Meyer
June 10, 1963*

I Misc.

June 27, 1963

Joey Adams, President
American Guild of Variety
Artists
551 Fifth Avenue
New York 16, New York

S,
S,

Dear Mr. Adams:

The Attorney General asked me to re-
ply to your letter on the AGVA resolution.
I am sorry that the press of events has
delayed a response.

The resolution is an act of public
responsibility. Your support is greatly
appreciated. I believe that it will have
an important national effect.

Very truly yours,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

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51) Civil Rights Division

4. ASL-CIS

OF

Assistant Attorney General

First Assistant

Second Assistant

Chief, Trial Staff

() Mr.

Chief, General Litigation Section

Deputy Chief, Gen. Litigation Sec.

() Head, Const. Rights Unit

() Mr.

Head, Federal Custody Unit

() Mr.

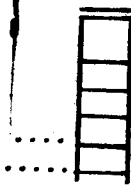
Chief, Appeals & Research Section

() Miss Blair

Chief, Voting & Election Section

() Mr.

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THE ATTORNEY GENERAL

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 2.
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	1.

For the attention of Mr. Burke Marshall

6/7
REMARKS: The attached letter from Joey Adams and resolution from AGVA was sent in at my request after Adams requested an appointment with the Attorney General to explain these things to him. Would you look this over to see how it fits into the civil rights picture and give us a report?

If this has no value, just return & I'll do the rest.
Encl. John E. Nolan, Jr.
Administrative Assistant

cc
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AGVA

American Guild of Variety Artists

UNITED STATES AND CANADA

551 FIFTH AVENUE

NEW YORK 17, N. Y.

TN 7-5600

OFFICE OF THE
PRESIDENT

June 4, 1963

Honorable Robert F. Kennedy
Attorney General of the United States
Washington, D. C.

Dear General:

I am enclosing a resolution which we intend to submit to the AGVA Convention which meets at the Americana Hotel, commencing June 10, 1963.

This resolution expresses the existing sentiments of AGVA against discrimination in all forms and there is no question that it will be adopted with no opposition as AGVA will be very happy to lend its assistance to you to further your laudable purposes of eliminating segregation and bringing an end to unrest and violence that has been going on in various places to the detriment of our nation and its respectable citizens.

You will note that the provisions of this resolution authorize AGVA to take certain steps to cancel agreements, place spots on the Unfair List, cancel franchises and restrain members from appearing where segregation exists as a policy.

If it is your desire, and if you feel that it would lend greater support to your program, I will attempt to have the resolution changed to mandatory language directly prohibiting AGVA members from appearing in such spots and requiring that Minimum Basic Agreements be cancelled and Agent's franchises withdrawn.

I have not made mandatory provisions, however, because of the practical problems which may be involved in bringing about enforcement. However, AGVA will be willing to undertake mandatory enforcement if you feel that such a policy will be of further aid to you.

I anxiously await your comments in this respect.

Respectfully yours,

AMERICAN GUILD OF VARIETY ARTISTS

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DEPARTMENT OF JUSTICE	R
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RECORDS BRANCH	D
CIV. RIGHTS DIV.	
Gen. Lit. Sec.	

JAShs

JERRY ADAMS
President

A RESOLUTION TO BE PRESENTED TO THE SIXTEENTH NATIONAL CONVENTION OF
THE AMERICAN GUILD OF VARIETY ARTISTS FOR THEIR ADOPTION.

WHEREAS, it is the established policy of AGVA to assure all persons, including performing artists, equal opportunities to which they are entitled as human beings, regardless of race, creed or color, and

WHEREAS: AGVA is dedicated to the proposition that all men are created equal and are entitled to equal opportunity of spiritual, intellectual and material development and the enjoyment of human rights, and privileges, and

WHEREAS, the jurisdiction of AGVA extends to all of the United States and AGVA is presently in contractual relations with many hundreds of clubs, hotels and other places throughout the United States wherein performing Artists who are members of AGVA appear and entertain the public, and

WHEREAS, AGVA deplores the unrest, violence and unfortunate public display of prejudice against respectable persons of the Negro Race in many sections and areas of the United States, and

WHEREAS, AGVA is in accord with and will support the efforts and programs of the President of the United States and the Attorney General of the United States to eliminate the humiliating and degrading policy of segregation that prevails in hotels, theatres, night clubs and other places of entertainment, and

WHEREAS, it is the desire and intention of AGVA to adopt a militant program to aid in bringing about the worthy objectives of the President and the Attorney General of the United States, it is therefore

RESOLVED: That AGVA aid and support and lend assistance to the President and the Attorney General of the United States in their programs and efforts to eliminate and ban the policy of integration in hotels, night clubs and other places of entertainment, and it is further

RESOLVED: That AGVA publish this resolution in the next issue of the AGVA News so that the AGVA Members and all agents, clubs, hotels and other places of entertainment using AGVA members will be apprised of AGVA's requirements and objectives, and it is further

RESOLVED: That AGVA is authorized to cancel any minimum basic agreement with any place of entertainment wherein a policy of segregation exists, and it is further

RESOLVED: That AGVA is authorized to restrain AGVA Members from appearing in any hotel, club or place of entertainment where such policy of segregation exists and to place such hotel, club or place of entertainment on the AGVA National Unfair List, and it is further

RESOLVED: That AGVA is authorized to cancel the franchise of any agent who appears in any hotel, club or place of entertainment where such policy of segregation exists, and it is further

RESOLVED: That a copy of this resolution be sent to the President of the United States and the Attorney General of the United States.

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Honorable Robert F. Kennedy
Attorney General of the United States
Washington, D. C.



7.

DATE: 12/15/1964

RECEIVED

ATTORNEY GENERAL

AGVA MEMBERS TO BE INFORMED BY THE AGVA NATIONAL CONVENTION OF THE NATIONAL POLICY OF AGVA TO ASSURE ALL PERSONS, INCLUDING PERFORMING ARTISTS, EQUAL OPPORTUNITIES IN SUCH THEY ARE ENTITLED TO MAIN PRIZES, REGARDLESS OF RACE, CREED OR COLOR, AND

PURPOSE: It is the established policy of AGVA to assure all persons, including performing artists, equal opportunities in such they are entitled to main prizes, regardless of race, creed or color, and

MISSION: AGVA is dedicated to the proposition that all men are created equal and are entitled to equal opportunity of spiritual, intellectual and material development and the enjoyment of human rights, and

SCOPE: The jurisdiction of AGVA extends to all of the United States and AGVA is presently in contractual relations with many hundreds of hotels and other places throughout the United States wherein performing artists and entertainers of AGVA appear and entertain the public, and

PRINCIPAL: AGVA opposes the arrest, violence and unfortunate public display of prejudice against responsible persons of the Negro race in such cities and areas of the United States, and

STAND: AGVA is in accord with and will support the efforts and programs of the President of the United States and the Attorney General of the United States to eliminate the humiliating and degrading policy of segregation that prevails in hotels, theaters, night clubs and other places of entertainment, and

DESIRE: It is the desire and intention of AGVA to adopt a militant program to aid in bringing about the worthy objectives of the President and the Attorney General of the United States, it is therefore

RESOLVED: That AGVA aid and support and lend assistance to the President and the Attorney General of the United States in their programs and efforts to eliminate and ban the policy of integration in hotels, night clubs and other places of entertainment, and it is further

RESOLVED: That AGVA publish this resolution in the next issue of the AGVA News so that the AGVA Members and all agents, clubs, hotels and other places of entertainment using AGVA members will be apprised of AGVA's requirements and objectives, and it is further

RESOLVED: That AGVA is authorized to cancel any minimum basic agreement with any place of entertainment wherein a policy of segregation exists and it is further

RESOLVED: That AGVA is authorized to restrain AGVA Members from appearing in any hotel, club or place of entertainment where such policy of segregation exists and to place such hotel, club or place of entertainment on AGVA National Unfair List, and it is further

RESOLVED: That AGVA is authorized to cancel the franchise of any agent who continually books AGVA members into hotels, clubs, theaters, and other places of entertainment wherein a policy of segregation exists, and it is further

RESOLVED: That a copy of this resolution be sent to the President of the United States and the Attorney General of the United States.

June 4, 1963

Honorable Robert F. Kennedy
Attorney General of the United States
Washington, D. C.

Dear General:

I am enclosing a resolution which we intend to submit to the AGVA Convention which meets at the Americana Hotel, commencing June 10, 1963.

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If it is your desire, and if you feel that it would lend greater support to your program, I will attempt to have the resolution changed to mandatory language directly prohibiting AGVA members from appearing in such spots and requiring that Minimum Basic Agreements be cancelled and Agents' franchises withdrawn.

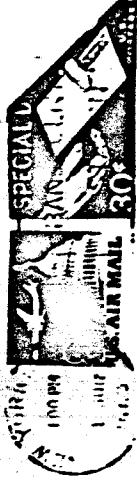
I have not made any such provisions, however, because of the enforcement. However, AGVA will be willing to undertake mandatory enforcement if you feel that such a policy will be of further aid to you.

I respectfully urge your support of this resolution.

Respectfully yours,
AMERICAN GUILD OF VARIETY ARTISTS

JAMES

JOE ADAMS
President



Recd 2/10/44

Special Delivery

To: John Adams
1615 Belmont St. N.W.
Dept. of Justice
Washington, D.C.

Special Delivery

mic

Mr. Nicholas deB. Katzenbach
Deputy Attorney General

June 26, 1963

S. A. Andretta
Administrative Assistant Attorney General

Civil Rights Operations and Procedures

It seems to me we are missing the boat and creating bottlenecks in Washington because we are not fully utilizing the United States Attorneys' offices in civil rights cases and matters.

This is creating a tremendous burden on facilities here and resulting in unnecessary work and delays in many instances. A typical example has come up today in the case of the arrest of a negro voting registrar in Mobile. All the facts in the matter are being brought to Washington from Alabama. A complaint is being prepared here (requiring much overtime) and then will be sent by mail to the U. S. Attorney in Mobile for filing. This is a lot of stuff. Why can't the facts be presented directly to the U. S. Attorney in Mobile and have him prepare the complaint and file it like any other case originating in his jurisdiction?

The Civil Rights Division was created to give advice, counsel, direction and supervision to the U. S. Attorneys' offices and not appropriate everything to itself and by-pass the U. S. Attorneys' offices. Furthermore, if we use the U. S. Attorneys' offices, we would not only relieve some of the burden here but avoid potential criticism in sending outsiders to handle local cases and matters. Certainly the local boys are more acceptable to the people and the Courts than strangers from Washington.

If the new civil rights bill passes and present practices continue, Lord knows what will happen to our operations here.

If you like, I will be glad to discuss this with you further.

Form No. CVR-17
Rev. 6-7-63

Civil Rights Division

nt of State

Misc. . .

FROM: MAIL AND DOCKET ROOM

- (/) ~~Assistant Attorney General~~ *Bn1*
- () First Assistant
- () Second Assistant
- () Trial Staff
- ()
- () Chief, General Litigation Sec.
- () Head, Const. Rts. Unit
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- () Chief, Appeals and Research Sec.
- () Federal Custody Unit
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- () Chief, Voting and Election Sec.
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REMARKS:

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FROM: THE HAGUE

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TO: Secretary of State

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EMTEL 818.

REACTION: PRESIDENT'S CIVIL RIGHTS PROGRAM.

EDITORIAL COMMENT IN SEVERAL PAPERS, INCLUDING "HET PAROOL" AND "HAACSE DAGBLAD" (LABOR), "HAAGSCHE COURANT" (CALVINIST) AND "NIEUWE ROTTERDAMSE COURANT" (INDEPENDENT LIBERAL) ON PRESIDENT KENNEDY'S CIVIL RIGHTS MESSAGE CONTINUED LAUDATORY, PARTICULARLY FOR PRESIDENT'S POLITICAL AND MORAL COURAGE IN FACE OF STRONG SOUTHERN OPPOSITION AND IN TAKING CHANCES WITH HIS RE-ELECTION. PAPERS BELIEVE PROCESS OF INTEGRATION CANNOT BE HALTED, EXPECTED INCREASED TENSIONS WOULD HAVE MADE CANCELLATION OF PRESIDENT'S EUROPEAN TOUR UNDERSTANDABLE, SATISFACTORY SOLUTION TO RACIAL PROBLEM IS OF GREATEST IMPORTANCE NOT ONLY TO US BUT WHOLE FREE WEST. IF CONGRESS SABOTAGES BILL BY FILIBUSTER AND NEGROES START MASSIVE DEMONSTRATION, WHOLE AMERICAN PUBLIC LIFE WILL BE DISRUPTED. PAPERS NOTE THAT COMMUNIST PROPAGANDA EXPLOITS BILL TO DETRIMENT OF WEST.

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1501 Eighteenth Street, N.W. • Washington 6, D.C.

May 29, 1963

Hon. Burke Marshall
Assistant Attorney General
Civil Rights Division
Justice Department
Washington 25, D. C.

Dear Burke:

John Silard wanted you to have a copy of this memorandum he prepared and has spoken to you about. I hope to talk to you soon, but knowing how frantically busy you are, I have desisted up to now.

With power to you, and best regards.

Sincerely,

Harold C. Fleming
Harold C. Fleming
Executive Vice President

HCF:EMA
Enc.

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