

Document 84
Papers as President (Ann Whitman File): Cabinet Series

CABINET PAPER--PRIVILEGED

Property of the White House--For Authorized Persons Only

CI - 11

January 26, 1955

The White House
Washington

THE CABINET



Report by the Attorney General on the
Administration's Efforts in the Field
of Racial Segregation
and Discrimination

For information of Cabinet Members, attached is
a copy of a progress report by the Attorney General
summarizing the various significant steps taken by the
Administration to eliminate racial segregation and
discrimination in their different forms and aspects.

This report should be considered as background
information in conjunction with a portion of the Attorney
General's oral report at the coming Cabinet meeting.

Maxwell M. Rabb
Secretary to the Cabinet

CABINET PAPER

For Information

CABINET PAPER—PRIVILEGED

Property of the White House—For Authorized Persons Only

REPORT BY THE ATTORNEY GENERAL ON THE
ADMINISTRATION'S EFFORTS IN THE FIELD
OF RACIAL SEGREGATION AND DISCRIMINATION



This report summarizes various significant steps taken by the Administration to eliminate racial segregation and discrimination in their different forms and aspects.

Education

(1) In the field of public school education, segregation of pupils on the basis of race or color has been declared to violate the Constitution. This was done by the Supreme Court in its decisions of May 1954. Brown v. Board of Education of Topeka, 347 U. S. 483, and Bolling v. Sharpe, 347 U. S. 497. The remaining question before the Court is how the decisions are to be implemented. This involves two issues as to which the Court has requested further briefs and will hear further argument from the parties and the Attorney General. First, the Court has asked whether it must order an immediate end to segregation or whether it can permit a gradual adjustment; second, it has asked whether if it has the power to permit a gradual adjustment, how such adjustment should be worked out. Our brief has already been filed. Our position is in essence, first, that the Court has the power to permit a gradual adjustment and, second, that there should be no unnecessary delay in ending segregation. More specifically, we say that the school authorities should be required to submit within 90 days plans for ending segregation as soon as possible and that, if they do not submit such plans, they should be ordered to end segregation forthwith; that the lower courts should pass upon the plans which may be submitted and supervise their execution, with the Supreme Court retaining jurisdiction to step in if necessary.

Oral argument of the case, in which the Government will participate, awaits confirmation of Justice Harlan in place of the late Justice Jackson.

(2) In the District of Columbia the Board of Education has already put into effect a plan for desegregation. In that connection the District Government obtained the dismissal of a citizens' federation suit intended to maintain segregation pending final action by the Supreme Court.

(3) The Department of Defense has taken steps to eliminate racial segregation of children in schools for the children of personnel stationed at military installations. The Department determined that all schools operated by the military would begin operation on an integrated basis with the beginning of the 1953 fall term, and this policy was carried out on schedule. With respect to the question of schools located on military installations but operated on a segregated basis by local educational agencies, the Secretary of Defense on January 12, 1954, directed "that the operation of all school facilities located on military installations shall be conducted without segregation on the basis of race or color", and that this policy should be placed in effect as soon as practicable but under no circumstances later than September 1, 1955. See Integration in the Armed Services, January 1, 1955, a Progress Report prepared by the Office of The Civilian Assistant, OASD-M & P, pp. 2-3.

(4) The Office of Education, Department of Health, Education and Welfare, has undertaken by reeducation to lessen public opposition to desegregation in areas where such opposition may exist. It has done this through preparation of a guide for leaders of public and private community groups concerning knowledge, principles,

CABINET PAPER

For Information

CABINET PAPER—PRIVILEGED

Property of the White House—For Authorized Persons Only

- 2 -

techniques, and practices in the field of intergroup relations. Leaders' Guide to Use and Study of Materials on Intergroup Education, prepared by Joseph H. Douglass and Ambrose Caliver, of the Office of Education (published by the National Education Association, 1954).

Transportation

(1) The Attorney General has urged the Interstate Commerce Commission to outlaw racial segregation of railroad passengers traveling on interstate journeys. This action was taken in the case of National Association for The Advancement of Colored People v. St. Louis-San Francisco Railway Company (I.C.C. Docket No. 311423), involving 12 rail carriers linking the South to the rest of the country. In November 1954 an examiner of the Commission issued a report proposing that the Commission should prohibit this practice. The railroads have recently filed exceptions to the report which exceptions will be considered by the Commission as provided by its rules. The Attorney General will ask the Commission to adopt its examiner's report.

(2) The Department of Justice, with the approval of the Bureau of the Budget, supported legislation in the 83d Congress (H. R. 7304, S. 465, 2672, and like bills) (which failed to be enacted) to abolish "Jim Crow" practices in all forms of interstate transportation, stating that "Passage of this kind of legislation would remove all doubts and bring to a conclusion the long process of making the facilities of interstate travel available to all without distinction because of race or color." Letter of Deputy Attorney General Rogers dated August 4, 1954, to Senator Bricker, Chairman, Senate Committee on Interstate and Foreign Commerce.

The Armed Forces

The Department of Defense has vigorously continued to implement the policy of equality of opportunity and treatment for its Negro personnel. The matter of schools has already been mentioned. Other steps taken include the following (See Integration in the Armed Services, Progress Report, supra, passim):

(1) On March 1, 1954, the Navy Department abolished the practice of separate recruitment of Negroes to serve as stewards. As a result Negro recruits are now assured of the opportunity, as all others, to choose their branch of service on the basis of testing and training.

(2) The Department of the Army in regulations issued April 23, 1954, directed the ~~omission~~ of racial designations in orders for the reassignment of members between Army Reserve Units. This directive facilitates the participation of Negro personnel in Army Reserve Activities on the same basis as that now obtaining for personnel on active duty.

(3) On August 20, 1953, the Secretary of the Navy directed the complete elimination of all barriers to the use of previously segregated facilities on Government-owned Shore Stations of the Navy. Concurrently, similar action was taken by the Army and Air Force.

(4) In a directive issued June 11, 1954, the Secretary of Defense provided for a program to familiarize contracting officers, administrators, and other personnel dealing with procurement with "the spirit, intent, and requirements of the President's policy" of non-discrimination with respect to Government contracts.

(5) For the Armed Forces, June 30, 1954 was earlier agreed upon as the time limit for the termination of remaining all-Negro units in the services. The program has proceeded ahead of schedule and there [...]

CABINET PAPER

For Information