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*Approved
September 9, 1957*

*Last Day
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EXECUTIVE OFFICE OF THE PRESIDENT
BUREAU OF THE BUDGET
WASHINGTON 25, D. C.

SEP 1 1957

My dear Mr. President:

The Congress has enacted H. R. 6127, "To provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States."

This Civil Rights Act of 1957, in five parts, differs from the program proposed by the Administration to reinforce civil rights in the following two substantial respects:

1. The Administration recommended a broader measure extending Federal protection to virtually all of the civil rights guaranteed to individuals under the Constitution, with unrestricted authority lodged in the Attorney General to obtain injunctive or other preventive relief in the Federal courts against infringement of those rights. The bill, primarily, limits Federal intervention to securing and protecting the right to vote.

2. The Administration's program in this area has been further modified by providing a right to a trial de novo before a jury in cases of criminal contempt arising under the Act involving the more serious offenses - those in which conviction before a judge without a jury has been followed by a fine exceeding \$300 or imprisonment in excess of 45 days. This, however, is a more limited provision than an earlier version. The language originally proposed would have allowed jury trials in virtually all cases involving criminal contempt under Federal law. The Attorney General objected strongly to such scope, believing that it would adversely affect Federal law enforcement in a substantial area. The present text represents a compromise.

In other principal respects, the points included in the Administration's recommendations have substantially been met. These are: (1) the creation in the Executive branch of the Government of a bi-partisan Commission on Civil Rights, with a general prescription of its duties, powers, and obligations; and (2) the provision for the appointment of an additional Assistant Attorney General in the Department of Justice designated to assist the Attorney General in the performance of his duties.

The Department of Justice, in its attached report interposing no objection to approval of the bill, has presented a more detailed analysis of the various provisions of the bill. We have adopted these in the interest of avoiding repetition, and recommend that the measure be approved.

The President

The White House

Enclosures

Respectfully yours,



Assistant Director for
Legislative Reference



UNITED STATES DEPARTMENT OF JUSTICE

OFFICE OF THE DEPUTY ATTORNEY GENERAL

WASHINGTON, D. C.

August 30, 1957

Honorable Percival F. Brundage
Director, Bureau of the Budget
Washington, D. C.

Dear Mr. Brundage:

I have examined a facsimile of the enrolled Bill (H.R. 6127) "To provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States." The bill consists of five parts.

Part I provides for the establishment in the executive branch of the government, of a Commission on Civil Rights. The Commission would be charged, generally, with the duty of investigating allegations that citizens are being deprived of their right to vote; the study and collection of information concerning legal developments constituting a denial of equal protection of the laws, and the appraisal of the laws and policies of the government with respect to equal protection of the laws under the Constitution.

Part II would provide one additional Assistant Attorney General in the Department of Justice.

Part III would amend Section 1343 of Title 28 of the United States Code to extend the jurisdiction of the District Courts of the United States to actions "to recover damages or to secure equitable relief or other relief under any act of Congress providing for the protection of civil rights, including the right to vote." Part III would also repeal Section 1993 of Title 42 of the United States Code, which authorizes the President to employ the military forces of the United States to aid in the execution of judicial process issued under certain provisions of the law for the protection of the civil rights of citizens.

Part IV would amend Section 1971 of Title 42 of the United States Code by adding a paragraph to provide that no person shall intimidate, threaten, or coerce another person in the right to vote for candidates for federal office. The present language of Section 1971 which provides that all citizens who are otherwise qualified to vote in any election, whether for federal or local candidates, shall be entitled and allowed to vote without distinction of race or color would be retained. Part IV would



further provide that the Attorney General may institute for the United States a civil action or other proper proceeding for preventive relief, including an application for an injunction, to protect the rights defined in Section 1971.

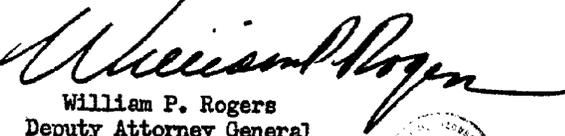
Part V would provide that in all cases of criminal contempt arising under the provisions of the Act the accused, if a natural person, shall not be fined in excess of \$1,000 nor imprisoned for a term exceeding six months. It would provide that the trial for such criminal contempt could be with or without a jury at the discretion of the judge, but that if the trial was without a jury and the accused, after a finding of contempt, was sentenced to a fine in excess of \$300 or to imprisonment in excess of 45 days, he would be entitled to a trial de novo before a jury.

Parts I and II of the enrolled bill substantially follow the first two of four recommendations for legislation to protect the constitutional rights of our citizens which the Attorney General transmitted to the Vice President and to the Speaker of the House of Representatives on April 9, 1956, and which were again urged by the Attorney General in his appearance before the Subcommittee on Constitutional Rights of the Senate Judiciary Committee on February 14, 1957.

The proposal of the Attorney General for legislation authorizing him to sue in the courts of the United States for injunctive and other preventive relief to protect all constitutional rights of our citizens, rather than just the right to vote, has been omitted from the present bill. Further, the proposal of the Attorney General for legislation to protect the right to vote has been modified in the present bill by providing in certain circumstances for a jury trial in cases of criminal contempt arising under the Act.

Although the present bill falls short of the legislative proposals that have been made to the Congress by the Attorney General, the Department of Justice finds no objection to executive approval of this measure.

Sincerely,


William P. Rogers
Deputy Attorney General

