

T. 1/19/67

JD:OMF:daw
169-74-4

Mr. Richard W. Boone
Executive Director
Citizens' Crusade Against Poverty
2027 Massachusetts Avenue, N. W.
Washington, D. C. 20036

Dear Mr. Boone:

The Acting Attorney General asked me to reply to your letter of January 3, 1967, asking the Department of Justice to study the school desegregation problems in Houston, Texas, and requesting that the Department participate in the Houston school construction suit, Broussard v. Houston Independent School District.

I would like to assure you that the school desegregation problems of Houston are presently under careful consideration by the Department of Justice. As recently as November 1966 I visited the Houston school system for purposes of determining whether the operation of that system was in accord with constitutional requirements. On December 23, 1966, I wrote a letter to the president of the school board informing him of my findings and calling upon the school board to make certain constitutionally required changes in the operation of the school system. A copy of that letter is enclosed herewith. We are presently waiting for a response from the school board to my December 23rd letter before we take any further action on the matters discussed therein.

The Broussard case is now pending before the Court of Appeals for the Fifth Circuit, and is scheduled to be argued on January 25, 1967. The Department of Justice is

cc: Records
Chrono

Doar
Houston File (Western Sec.)
Piss

generally reluctant to participate in an appeal in any school desegregation case in which it has not participated in the evidentiary presentation at trial, and after the most careful consideration we have decided against seeking leave from the Court of Appeals to participate in the Broussard appeal at this time. This decision in no way reflects a judgment on the merits of the appeal, nor does it mean that we will not continue evaluating all aspects of the operation of the Houston school system tending to perpetuate the dual system.

We appreciate your expression of interest in this matter.

Sincerely,

JOHN DOAR
Assistant Attorney General
Civil Rights Division

1/19
:OMF:lei
DJ 169-74-4
#42-201-17

Mr. William Lucy
Associate Director
Department of Community Affairs
American Federation of State, County
and Municipal Employees
1155 15th Street, N. W.
Washington, D. C. 20005

Dear Mr. Lucy:

The Acting Attorney General asked me to reply to your letter of December 21, 1966 asking the Department of Justice to study the school desegregation problems in Houston, Texas, and requesting that the Department participate in the Houston school construction suit, Broussard v. Houston Independent School District.

I would like to assure you that the school desegregation problems of Houston are presently under careful consideration by the Department of Justice. As recently as November 1966 I visited the Houston school system for purposes of determining whether the operation of that system was in accord with constitutional requirements. On December 23, 1966 I wrote a letter to the president of the school board informing him of my findings and calling upon the school board to make certain constitutionally required changes in the operation of the school system. A copy of that letter is enclosed herewith. We are presently waiting a response from the school board to my December 23rd letter before we take any further action on the matters discussed therein.

The Broussard case is now pending before the Court of Appeals for the Fifth Circuit, and is scheduled to be argued on January 25, 1967. The Department of Justice is

cc: Records
Chrono
Doar
Houston file (Western Section)
Fiss (R. file)

generally reluctant to participate in an appeal in any school desegregation case in which it has not participated in the evidentiary presentation at trial, and after the most careful consideration, we have decided against seeking leave from the Court of Appeals to participate in the Broussard appeal at this time. This decision in no way reflects a judgment on the merits of the appeal, nor does it mean that will not continue evaluating all aspects of the operation of the Houston school system affecting desegregation.

We appreciate your expression of interest in this matter.

Sincerely,

JOHN DOAR
Assistant Attorney General
Civil Rights Division

T. 1/19
JD:OMF:lei
DJ 159-74-4
#

Mr. Charles Cogen
President
American Federation of
Teachers
716 North Rush Street
Chicago, Illinois 60611

Dear Mr. Cogen:

The Acting Attorney General asked me to reply to your letter of December 29, 1966 asking the Department of Justice to study the school desegregation problems in Houston, Texas, and requesting that the Department participate in the Houston school construction suit, Broussard v. Houston Independent School District.

I would like to assure you that the school desegregation problems of Houston are presently under careful consideration by the Department of Justice. As recently as November 1966 I visited the Houston school system for purposes of determining whether the operation of that system was in accord with constitutional requirements. On December 23, 1966 I wrote a letter to the president of the school board informing him of my findings and calling upon the school board to take affirmative action to desegregate its schools. A copy of that letter is enclosed herewith. We are presently waiting for a response from the school board to my December 23rd letter before we take any further action on the matters discussed therein.

We have followed all the developments in the Broussard case, and have studied the briefs submitted to the Court of Appeals. However, the Department of Justice is generally reluctant to participate in an appeal in any school desegregation case in which it has not participated in the evidentiary

cc: Records
Chrono
Doar
Houston file (Western Section)
Fiss ✓

presentation at trial, and after the most careful consideration, we have decided against seeking leave from the Court of Appeals to participate in the Broussard appeal at this time. This decision in no way reflects a judgment on the merits of the appeal, nor does it mean that we will not continue evaluating all aspects of the operation of the Houston school system affecting desegregation.

We appreciate your expression of interest in this matter.

Sincerely,

JOHN DOAR
Assistant Attorney General
Civil Rights Division



CITIZENS' CRUSADE AGAINST POVERTY

2027 Massachusetts Avenue, N.W., Washington, D. C. 20036

Telephone 202 / 234-3645

Walter P. Reuther
Chairman

Rabbi Richard Hirsch
Secretary

Robert S. Benjamin
Treasurer

January 3, 1967

Richard W. Boone
Executive Director

The Honorable Ramsey Clark
Acting Attorney General
Department of Justice
Washington, D.C.

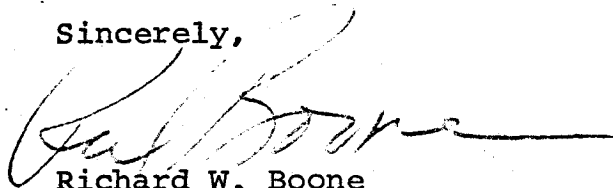
Dear Mr. Clark:

Important issues are raised in Broussard vs Houston Independent School District relating to the continuance of school segregation in Houston, Texas.

In this case, the City has embarked on a \$60 million school construction program, a scheme deliberately designed to maintain and heighten barriers to school desegregation. Houston's history of segregation by race can hardly be altered if this program is permitted to proceed before more affirmative steps are taken to promote desegregation. In June 1966, 95 percent of Negro students were still registered in segregated schools.

We believe that aggressive action by the Federal Government is essential to thwarting unconstitutional schemes which, if ignored, become major obstacles to waging a successful War on Poverty. We therefore urge you to intervene in behalf of the Negro parents who have brought this suit and to apply full legal powers of the Federal Government toward the elimination of Houston's dual school system.

Sincerely,



Richard W. Boone

169-74-4	
DEPARTMENT OF JUSTICE	
11	JAN 5 1967
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**AMERICAN
FEDERATION
OF
TEACHERS
UNION**



1700 NORTH WASHINGTON STREET
CHICAGO, ILLINOIS 60611
TELEPHONE 3-4226
Union Code: FRT

December 29, 1966

CHARLES COGEN
President

FRANK PORTER
Secretary-Treasurer

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ing Education
- WALTER JIA STRANDT**
nt Editor
- WALTER R. REESE**
gths Director
- WALTER RINE MCGOURTY**
anager

The Honorable Ramsey Clark
Acting U.S. Attorney General
Department of Justice
Washington, D.C.

Dear Sir:

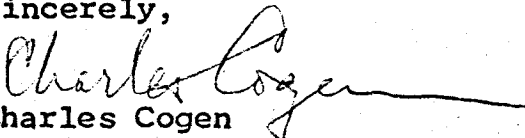
On behalf of the American Federation of Teachers (AFT) and for myself personally, I am writing to urge you to intervene in the case against segregation in the Houston Texas Independent school district.

It is my understanding that efforts to desegregate have been stymied by the opposition forces, so that, as of June 1966, 95 per cent of the Negro students in Houston were still registered in segregated schools. I am further informed that the school building program of the city is based upon the neighborhood school concept, and that it completely ignores the constitutional obligation of the Board of Education to take the necessary steps to eliminate the dual school system.

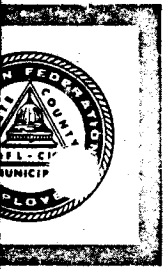
I understand that a suit has been filed in the United States District Court (Broussard vs Houston Independent School District) to enjoin the construction program on the grounds that it would perpetuate school segregation. On July 13, 1966, the court denied the request for injunction. The plaintiffs have appealed to the Court of Appeals for the 5th Circuit. The appeal presents the question of whether a school district that has operated under de jure segregation may move into a neighborhood school plan that continues segregation without the necessity of taking any affirmative action to desegregate its schools. Argument of this case is scheduled for late January.

I am of the firm conviction that this is a test case which can well turn out to be crucial in regard to the trend of our Civil Rights program as applied to the schools. I again urge you to take steps to intervene on behalf of the plaintiffs.

Sincerely,


Charles Cogen
President

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COP.



American Federation of STATE, COUNTY, and MUNICIPAL EMPLOYEES • AFL-CIO

MADISON BUILDING/1155 FIFTEENTH STREET, N.W./WASHINGTON, D. C. 20005
TELEPHONE 202/223-4460

42-201-17

December 21, 1966

DOCKETED

DEC 28 1966

CIVIL RIGHTS

Mr. Ramsey Clark
Acting U. S. Attorney General
U. S. Department of Justice
Washington, D. C.

Dear Mr. Clark:

It has come to our attention that a suit has been brought by parents against the Houston, Texas, school system growing from the lack of positive action to end the DeJure segregated system that presently exist.

It is our understanding that the Houston school system has done little if anything to eliminate the DeJure segregated system that existed prior to the Supreme Court decision, but at present is undertaking a 60 million dollar school construction program with plans based upon the neighborhood school concept.

Little doubt exist as to the effect of the construction program toward ending the segregated system, as the Neighborhood School concept produces as an end result the same effect as DeJure segregation.

It is our hope that the Justice Department will assume a role in this case, as the ramifications of the decision will bear heavily on the progress of school desegregation throughout the Nation.

Sincerely yours,

William Lucy

William Lucy
Associate Director
Department of Community Affairs

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PRESIDENT
- JOSEPH L. AMES
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169-74-4

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R.A.O.

CIV. RIGHTS DIV.

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