

1662 ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS

and qualifications. The team consisted of the following persons from the office of Dr. David Seeley, U.S. Office of Education:

Mr. John Hope
Mr. John Hodgson
Miss Caren Kareger

Our purpose in writing you and telephoning you as we have is with the hope that we can stir the Arkansas Delegation in Congress to do whatever it can to persuade the Department of Health, Education and Welfare to modify its policies so as to permit us to work out our desegregation problems within the three years set by that Department without annual or more frequent departmental interference of the type displayed in these new regulations.

The Civil Rights people have been pouring the pressure on the Department. These regulations under the guise of "Guidelines" are a result of that pressure. It is high time organized pressure from the opposite direction be applied to this department. We may be uninformed, but we feel that no organized pressure has yet developed in Congress (and that is where it should come from since this is a usurpation of Congressional authority even more so than of ours) to counteract the pressures brought by the radical Civil Rights people.

We are asking that the Arkansas Delegation in Congress, if necessary, assume leadership and initiative in developing a movement on the Congressional level directed at the Office of Commissioner of Education to keep its regulations within bounds.

May we enlist your leadership and assistance in this effort? We make this request notwithstanding we may vote to file a compliance report under the new "Guidelines". Our acceptance will in no manner right the wrongs created by these regulations.

We realize that the Department may seek to deny this district Federal Funds and may seek to impose other sanctions against us for this expression of opinion. We feel so strongly about the issue that we are willing to take that risk.

Very truly yours,

LELAND STRATTON.

MAY 24, 1966.

Hon. J. W. FULBRIGHT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR FULBRIGHT: This is in response to your letters of April 5 and 26 regarding the 1966 school desegregation guidelines and Title VI of the Civil Rights Act of 1964. In your first letter you sent on to us a letter to you from Mr. Leland Stratton, President of the Board of Education in Stuttgart, Arkansas, and requested that I (1) discuss the differences between the 1965 and 1966 school desegregation guidelines; (2) explain the reasons and authority for the changes; and (3) comment specifically upon the numbered assertions in Mr. Stratton's letter. In the second letter you stated that Arkansas has made a conscientious start in the desegregation of its schools, pointed out that elected school officials have to be able to lead their constituents if desegregation is to be orderly, and expressed the hope that I could assure you that in the administration of the guidelines, due regard will be paid to the differences among the various school districts of Arkansas.

I believe that Secretary Gardner's letter of April 9 provided at least a partial answer to your questions, but because of the breadth and importance of the issues raised in your letter, a more detailed answer to your questions seems desirable. Because your second request raises legal questions, I asked my staff to prepare a special memorandum on the authority for the guidelines, and in particular on the provisions respecting faculty desegregation and the effectiveness of free choice plans, both of which are matters of much concern to school officials affected. A copy of this memorandum and other materials which I believe will give useful background information are enclosed.

Much of the concern about the 1966 guidelines, arises from a belief held by many that it is constitutional to maintain a system of separate schools for Negro and white children, with separate Negro and white faculties, as long as any Negro child who so wishes may attend a white school. As you know, of course, this belief is erroneous. The decisions of the Supreme Court and the