

HEARINGS
BEFORE THE
UNITED STATES
COMMISSION ON CIVIL RIGHTS



PHOENIX, ARIZONA

February 3, 1962

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MEMBERS OF THE COMMISSION

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ROBERT G. STOREY, *Vice Chairman*
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REV. THEODORE M. HESBURGH, C.S.C.
ROBERT S. RANKIN
SPOTTSWOOD W. ROBINSON, III

STAFF DIRECTOR, BERL I. BERNHARD

(II)

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UNITED STATES COMMISSION ON CIVIL RIGHTS

Saturday Morning Session

February 3, 1962

PHOENIX, ARIZONA

U.S. COMMISSION ON CIVIL RIGHTS

SATURDAY MORNING SESSION, FEBRUARY 3, 1962

The Commission met in courtroom 3, New Federal Building, Phoenix, Ariz., at 8:45 a.m., Saturday, February 3, 1962, Hon. Robert G. Storey, Vice Chairman, presiding.

Present: Robert G. Storey, Vice Chairman; Rev. Theodore M. Hesburgh, Commissioner; Robert S. Rankin, Commissioner; Erwin N. Griswold, Commissioner; Spottswood W. Robinson, III, Commissioner.

Also present: Berl I. Bernhard, Staff Director; Mrs. Elizabeth R. Cole, Chief of the Public Education Section and Acting Assistant Staff Director, Laws, Plans and Research Division; Dr. Cornelius P. Cotter, Assistant Staff Director, State Advisory Committees Division; Philip A. Camponeschi, Chief, Special Projects Section; Robert H. Amidon, Staff Attorney, and Mr. Martin E. Sloane, Chief, Housing Section.

PROCEEDINGS

Vice Chairman STOREY: Ladies and gentlemen, will you be in order? This is a hearing of the Commission on Civil Rights.

First, I want to express great regret that our Chairman is not here. He has been ill, but yesterday he left his home at East Lansing, Mich., flew to Chicago and became weathered in. Late last night he phoned that he could not get out of Chicago. We regret very much that Dr. John A. Hannah, president of Michigan State University, and Chairman of our Commission, cannot be with us.

Now at this time I should like to present the other Commissioners who are here. There are five of us. On my right is Dr. Robert Rankin, head of the Political Science Department of Duke University. At the end, and to my right, is Erwin N. Griswold, who is dean of the Law School of Harvard University. On my left is Spottswood W. Robinson, III, the dean of Howard University Law School. On my extreme left is Father Theodore M. Hesburgh, president of Notre Dame University. On the end is a gentleman I will introduce to you just a little later.

I should like, first, to express the appreciation of the Commission to the officials of the State of Arizona and the city of Phoenix for their hospitality and assistance. Our thanks also go to the organizations and private citizens of Phoenix who have helped make this hearing possible.

The Commission on Civil Rights is an independent, bipartisan, factfinding agency established by the Congress in 1957. Its duties are to—

(1) Investigate complaints regarding deprivation of the right to vote.

(2) Study legal developments constituting a denial of equal protection of the laws under the Constitution.

(3) Appraise Federal laws and policies with respect to equal protection.

The rules of procedure under which the Commission operates were attacked in 1959 by the State of Louisiana. In upholding the Commission, the Supreme Court held in June of 1960 that the rules adopted by the Commission violated no constitutional right of any witness. I should like to quote from that decision, for the language of the Court clearly sets forth the duties and jurisdictional limits of the Commission. This is the quotation :

The Commission does not hold trials or determine anyone's civil or criminal liability. It does not issue orders; nor does it indict, punish, or impose any legal sanctions. It does not make any determinations depriving anyone of his life, liberty, or property. In short, the Commission does not and cannot take any affirmative action which will affect any individual's legal rights. The only purpose of its existence is to find facts which may subsequently be used as a basis for legislative or executive action.

In other words, the Commission is simply a factfinding agency. It evaluates the facts and then makes appropriate recommendations to the President and the Congress.

During the 4 years of the existence of the Commission, it has held hearings in such cities as New York, Atlanta, Chicago, Detroit, New Orleans, Montgomery, Los Angeles and San Francisco, Washington, Nashville, and others. It has made detailed studies of the civil rights aspects of voting, public education, housing, employment, and the administration of justice. The Commission has issued two reports to the President and the Congress, each with detailed recommendations for executive and legislative action.

The Commission's studies indicate that cities, to which minorities continue to migrate, provide a dynamic context in which civil rights and their interrelationships can be appraised. Hence, the Commission has selected as one of its projects the study of civil rights in a varied group of urban communities.

Phoenix is the first of the cities so selected. Phoenix was chosen, not because of complaints, but because of its tremendous growth, the diversity of its minority groups, and because it is a city where there are few, if any, antidiscrimination laws, and where progress in the realization of civil rights has reportedly been made.

The Commission comes to Phoenix to gather facts, to note progress, and to consider any remaining problems. It hopes to leave Phoenix

with such information as may be of use to the Federal Government in appraising its laws and policies. It also hopes its presence here will be of use to the city of Phoenix, so that Phoenix may continue its progress in securing the rights of all citizens.

The Commission is also indebted to the Arizona State Advisory Committee, appointed under the previous term, and one or two of these former Committee members are present here today. The Arizona Advisory Committee is one of fifty such committees whose members serve without compensation. Its assistance to the Commission has been invaluable.

Now, a few words about the actual procedure, and what we expect to do today. Our agenda is a crowded one. It is not an easy matter to cover the civil rights story of a fast-growing city such as Phoenix in the brief time allotted. Nonetheless, that is our intention.

As you will observe from the agenda as we go along, today's hearing is divided, roughly, into three parts. The first part will be devoted primarily to describing the progress made in securing the civil rights of all citizens of the city of Phoenix. Because of the lack of time, detailed testimony has been limited to three areas where progress has been most significant—education, public accommodations, and public housing. During the course of the hearing, however, other areas in which progress has been made will undoubtedly be mentioned.

The second part of the hearing—Minorities and Civil Rights—will be devoted to testimony concerning the principal civil rights problems confronting the Negro, the Spanish-speaking, the Indian, and the migrant.

One word about the Indians. The time allotted for a discussion of their civil rights problems is meager. For this we apologize. We do understand, however, that the Subcommittee on Constitutional Rights of the U.S. Senate held hearings in Phoenix on the civil rights problems of Indians just a few months ago. Those hearings were primarily concerned with reservations; the testimony to be given at this hearing will deal for the most part with nonreservation Indians.

We are also concerned with such civil rights problems as may exist for migrant labor. We shall hear testimony from those who are familiar and have worked closely with migrants. The migratory labor problem is a relatively new one to the Commission; we understand it is a fairly complex one. Because of this, and because civil rights problems of migrants cannot be properly understood without an adequate background, we have asked those witnesses testifying on migratory labor to provide us with such background information as is necessary.

After lunch we shall hear testimony on health, education and welfare, its civil rights aspects, and on unemployment. We shall then

hear how one purely local, purely private organization attempts to resolve some of the problems we shall be learning about today.

The third part of the hearing is unique. It consists of a panel discussion. Having noted the progress made and the problems that may remain, we shall then hear the views of six prominent Phoenicians who will appraise that progress, note the factors that have made it possible, and offer suggestions as to how the remaining civil rights problems can best be resolved.

Just a few words about procedure now, and a final statement. Wherever possible, the testimony will be heard as a unit. Let me explain by example: In the second portion of the hearing—Minorities and Civil Rights—we shall hear testimony about the civil rights problems of the Negroes in Phoenix. Three witnesses are scheduled to testify. The Commissioners will withhold their questions until all three have completed their testimony. The reasons for this are, first, it permits the Commission to get an uninterrupted full picture; secondly, it avoids the possibility that questions will be asked which may be answered by a subsequent witness; and, third, it saves time.

Except for elected officials of government, who perform their official duties under oath and who appear here in their official capacities, and except for the panel, all witnesses will be sworn, whenever possible, as a unit. The procedure will, however, be as informal as possible. May I reiterate that we are simply a factfinding body.

Now let me remind all witnesses that we shall have to keep within our time schedule. We shall try to be fair. Each witness will be notified when he approaches his time limit.

Now, lastly, may I introduce our staff director, Mr. Berl I. Bernhard, who will, in turn, introduce members of his staff to the audience, and then will call and present the witnesses. Mr. Berl Bernhard.

MR. BERNHARD. Thank you, Mr. Chairman. Immediately behind me are some members of our staff. Dr. Elizabeth Cole is our education specialist, and acting head of our legal division. Dr. Cotter, in the end of the jury box, is Director of our State Advisory Committee Division. At the far end is Philip Camponeschi, Chief, Special Projects Section, who has been the staff coordinator for this hearing. Martin Sloane is our housing specialist, and has worked on this hearing. And Robert Amidon, over here, is our senior field representative.

Vice Chairman STOREY. Will you proceed with the testimony, Mr. Bernhard?

MR. BERNHARD. Before proceeding, there are just one or two comments I would like to make. I note that there are television cameras here, and I would remind the news media, the TV people, that we have a rule of this Commission that any witness who does not wish to be photographed, or televised, need not be, and that each witness is asked

to state if he does not wish to be televised or in any way photographed; otherwise we feel that the news media are free to do as they will.

As the Chairman has indicated, the witnesses will be sworn in a group, according to each topic, when they come in. I will give the witnesses a warning when their time is up, and I would reiterate that it is important that we stay within our time limitation.

I would like to say, finally, that since this is a general urban area study, we are prepared to receive additional statements or additional material that may be submitted by those interested in the testimony given today, and to have these statements sent to the Commission on Civil Rights Washington 25, D.C., by February 10.

Additionally, two members of our staff will be in Phoenix for a few days after the hearing to button up any loose ends. I think these are all the general comments I would like to make.

It had been anticipated that the Honorable Paul Fannin, Governor of Arizona, would be here this morning. Yesterday I received a letter from Governor Fannin, and, with the Chairman's permission, I would like to read it into the record.

Vice Chairman STOREY. Go ahead.

Mr. BERNHARD (reading).

DEAR MR. BERNHARD: It is with deep regret that I find that I am unable to attend the public hearing of the United States Commission on Civil Rights. Some months ago I accepted an invitation to participate in the traditional Parada del Sol celebration in Scottsdale that morning and the plans have been completed for my attendance. Please accept my very best wishes for a very productive session.

Sincerely,

PAUL FANNIN.

We are ready to proceed, Mr. Chairman, and the first witness is the Honorable Samuel Mardian, Jr., mayor of Phoenix.

Vice Chairman STOREY. Mr. Mardian, have a seat. You have already had several oaths, so we will not administer a new one. We are not only glad to have you as a witness, but we are appreciative of your cooperation in making this hearing possible.

TESTIMONY OF HON. SAMUEL MARDIAN, Jr.

Mr. MARDIAN. Thank you. Dean Storey, members of the Civil Rights Commission, and Mr. Bernhard, I would like to extend the official welcome of the city of Phoenix and to say that the warmth of our welcome matches the warmth of our sunshine.

Phoenix is the ancient city of the Ho Ho Kam. There is ample evidence to indicate that the highly developed civilization that existed here some time between 700 A.D. and 1400 A.D. had created an efficient canal system. Those people came to this valley because there was water. When the water disappeared, their civilization disappeared, and this valley was uninhabited for centuries.

The first modern pioneers began arriving in the 1860's. They were hardy people, ready to begin the arduous task of carving out a new civilization in the midst of the Sonoran Desert.

The early settlers realized that water was the key to changing the unproductive desert to a thriving community. When the valley was surveyed and irrigation canals laid out, it was discovered that the earth was relatively loose and the digging was not as difficult as would be expected.

There is reason to believe, therefore, that the present irrigation system substantially follows that created by the Ho Ho Kam. The early pioneers, realizing that they were building over the ruins of a former civilization, decided to name the new town Phoenix, taking the name of the mythical bird of antiquity which arose, to live again, out of its own ashes.

By 1880, the population of Phoenix was 2,453. Phoenix was incorporated as a city on February 25, 1881, and by the turn of the century the population had grown to 5,554.

A significant date in the history of this city and the entire valley was 1902, when President Theodore Roosevelt signed the Reclamation Act making it possible to build what is now Roosevelt Dam, and many smaller dams which assured this valley a steady flow of precious water. This opened a new era in farming.

Phoenix continued to grow and, following statehood for Arizona on February 14, 1912, the city of Phoenix adopted a new charter, at a special election on October 11, 1913, by a vote of nearly 2 to 1, giving Phoenix the council-manager form of municipal government.

In 1920, the city's population was 29,053. As World War II threatened in 1940, our population had risen to 65,414 and the city had reached another turning point in its development. Arizona's sunshine was ideal for military airfields, and the valley hummed during the war years with industrial activity. In 1948, the citizens voted to improve local government by defining more clearly the responsibility of the council in policy determination and the role of the city manager in the administration of those policies. By 1950, the city covered 17 square miles and had a population of 106,000.

With this as a background, I would now like to consider the problems of civil rights as they apply to the people who live, work, play, and worship God as they choose in the city of Phoenix.

Our 1960 population of 439,170 was composed of 3,538 Indians, 2,049 Orientals, 20,919 Negroes, and 413,519 whites, including the Spanish-speaking people. The people of this city are industrious, honest, loyal, spiritual, hard working, fun loving, and imbued with the pioneering spirit of the early settlers. The people of this city have combined the best traits of Yankee self-confidence, southern

hospitality, western friendliness, and midwestern conservatism to a degree equaled in few cities.

Voting privileges are enjoyed by all of our people regardless of their race, creed, or color. We take pride in the fact that our courts of justice decide issues on law and facts and not on the religion or color of the defendant or plaintiff.

Prior to the 1954 decision of the U.S. Supreme Court requiring desegregation of public schools, our Phoenix schools were desegregated by the local school board. This was accomplished without incident, and in an orderly and dignified manner.

Without the enactment of laws, our hospitals are open to all of our people. Restaurants cater to those who want service without regard to race or color. Employment opportunities, although good, for minority groups could be improved. However, there is no reason to believe that we cannot achieve the same degree of success in this area as has been experienced in other relationships.

It is far better to solve whatever problems exist on a voluntary basis. In the area of employment, for example, although a particular commercial organization does not discriminate in hiring employees, it is very possible that other employees in the organization may make it difficult for a member of a minority group to work efficiently or effectively.

I firmly believe that each of us is responsible for our own accomplishments or lack of accomplishments. In all of our minority groups, there are successful people—those who have been determined to forge ahead. There are also many unsuccessful who are not willing to admit their own failure, and blame their lack of accomplishment on discrimination.

We would be naive to think that discrimination does not exist, because it does, and it always will, but this does not deter us from working constantly to eliminate it. Discrimination is not only unfair, but it is not in the best American tradition. The building of a great nation and a good society requires that we use all the talents that are available, wherever they exist. Jackie Robinson, the first Negro to play major league baseball, proved that we had a tremendous source of untapped talent. Baseball fans all over the country who enjoy good baseball are the beneficiaries of the breaking of the color line in baseball. Jackie Robinson's election to the Baseball Hall of Fame is a source of real pride to all good Americans. As a result of the voluntary entry of Negroes into organized baseball, it is obvious that the individual Negro baseball players who now play are more readily accepted by their teammates.

The voluntary nature of desegregation, as it exists in Phoenix, is much healthier than forced integration because of the bitter feelings

that are aroused by the exercise of force. I would not quarrel with court decisions which hold that certain practices are illegal. I am only suggesting that here in Phoenix, Ariz., we have accomplished so much on a voluntary basis that we should continue to solve minority discrimination problems in that manner. It seems to me that minority groups would accomplish more on a voluntary basis than by looking to legal remedies.

I say these things, mindful of the fact that many laws have been adopted at the Federal level which act as a constant reminder to those who are reluctant to act voluntarily. In other words, many of the voluntary acts of desegregation have come about here because of the experiences in other areas.

So, minority groups should take advantage of this situation and obtain these gains gratefully, knowing that better feelings exist when problems are solved voluntarily.

Generally speaking, much of the discrimination that existed here prior to 1954 is now nonexistent. We have come far during the past 8 to 10 years and, admittedly, we have a long way to go before we can pat ourselves on the back.

I am submitting herewith a more detailed statement of facts as they relate to the various minority groups in the areas of voting, administration of justice, public employment, public accommodations, municipal facilities, schools, hospitals, commercial facilities, housing (public and private), private employment, and a summary of achievements and problems as they relate to each minority group.

In closing, I would like to say, with humility, that we are proud of our accomplishments and aware of the work remaining to be done. With faith in ourselves and in those concepts that have made this country great, we in Phoenix face the future with confidence.

Vice Chairman STOREY. Thank you very much, Mr. Mayor. If you will remain a moment, we would like to ask you a few questions. Your statement will, of course, go into the record. Many of us are tremendously interested in what you have done here on a voluntary basis, with little or no legislation to bring it about. We realize that this did not just happen. Human beings brought it about. Your leadership and that of your associates was undoubtedly instrumental. Now, in a nutshell, could you tell us some of the outstanding factors and events that have brought this progress about on a voluntary basis?

Mr. MARDIAN. Well, sir, as mayor of the city of Phoenix for the last 2 years, I certainly couldn't take credit for the accomplishments that have occurred. Many of my predecessors in office would be the ones who could more readily take the credit.

I think that the reason we have been able to do the things that we have done is simply because people have wanted to do them, not by force of law, necessarily, but because they felt this was the way they

wanted to live, and this was the way they wanted to act toward their neighbors and friends and others in the community.

Vice Chairman STOREY. Well, thank you, Mr. Mayor. I am sure some of the other Commissioners have a question or two. Dean Griswold?

Commissioner GRISWOLD. No; thank you.

Commissioner RANKIN. It would be your recommendation, over the United States, then, that we could settle many of our difficulties at the community level on a voluntary basis? That is the proper solution; is that correct?

Mr. MARDIAN. I firmly believe that, sir, and I think that, based on the concept of government as we know it in this country, we have the kind of country we have because people have believed in the things that we basically believe in as a country, and because people have voluntarily obeyed laws. For example, in a local municipality, if everyone decided that they wanted to drive at 80 miles an hour, the police would be helpless to stop them. We think we have the kind of society we have because people basically believe in the laws, and want to obey them.

Vice Chairman STOREY. Father Hesburgh?

Commissioner HESBURGH. I think yours was a very fine statement, and I think that all of us are impressed by the progress made on a voluntary basis. I would only add one thing. It occurs to me that, in comparison to other places we have been, Phoenix wanted to make progress in civil rights because they were making progress economically, socially, and in many other ways. Do you think this will to make progress as a community is as essential as it seems to be, to making civil rights progress?

Mr. MARDIAN. Very definitely. As was indicated by Dean Storey, things don't just happen. Someone has to think about it ahead of time and want to do it and be eager enough to accomplish it, so that they do something in the process. I cannot point to any specific events that happen, but I think that this is just inherent in the nature of the people who come here.

There are many newcomers from all over the country and I think, as a result, they are all anxious to be friendly and to treat other people in a friendly manner so that they might reciprocate and treat *them* in a friendly manner.

Commissioner HESBURGH. Mr. Mayor, could you indicate from your own point of view—I am just asking for a personal opinion, not a plan of action—what area would be the next step forward? You mentioned there were a few more problems left?

Mr. MARDIAN. Well, I think we just have to keep working on these things constantly. I don't know that any specific plan of action would be involved, but I do think that if people continue to work in

these areas, we can bring about the kind of life we all would like to have, and continue building in this city.

Vice Chairman STOREY. Dean Robinson?

Commissioner ROBINSON. I have no questions.

Vice Chairman STOREY. Just one final question, Mr. Mayor. You need a great deal of leadership, don't you, not only from your official but private groups and private citizens; and you have had that here, haven't you?

Mr. MARDIAN. Yes, sir. I am glad you brought that out, and I think this is most essential in any community. The city council, or mayor, or elected officials are helpless, really, unless the people in the community believe in the things that they stand for, and in the ordinances that they adopt.

We have been most fortunate in the people of Phoenix, in asking citizens to participate in various activities. We find that they are most willing to accept, and very, very few people ever—in fact, to my knowledge, I can't recall anyone—turn down a request for service on a board, commission, citizens' committee, or whatever—except in the case of health or some similar reason. We have been able to get our leading citizens to cooperate in serving the city in various manners.

STATEMENT FOR THE RECORD OF THE HONORABLE SAMUEL MARDIAN, JR., MAYOR OF PHOENIX

The following information is submitted in response to your request for a statement for the record on the progress and problems in the field of civil rights in the city of Phoenix, Ariz.

In connection with the information, it is felt that population data in Phoenix also should be included to show the tremendous growth in the last 20 years.

Census data—Population

1940

| | Number | Percent |
|--------------------------|------------------|---------|
| White ¹ | 60,373 | 92.3 |
| Negro..... | 4,263 | 6.5 |
| Oriental..... | ² 453 | .7 |
| Indian..... | ² 325 | .5 |
| Total..... | 65,414 | 100.0 |

1960

| | | |
|--------------------------|---------|-------|
| White ¹ | 412,509 | 93.9 |
| Negro..... | 20,919 | 4.8 |
| Oriental..... | 2,049 | .5 |
| Indian..... | 3,538 | .8 |
| Other..... | 155 | ----- |
| Total..... | 439,170 | 100.0 |

¹ White race above includes those of Spanish and Mexican ancestry.

² Estimated.

VOTING

There is no discrimination toward any minority group in the exercise of a citizen's right to vote.

ADMINISTRATION OF JUSTICE

There is no discrimination toward any minority group.

PUBLIC EMPLOYMENT

There is no discrimination toward any minority group. The seven-member city council has one member of Chinese ancestry and another of Mexican ancestry; Negroes have been appointed to city boards and commissions; and Spanish-Americans, all U.S. citizens and members of the white race, hold high administrative positions in the city government, in industry, and in the professions.

PUBLIC ACCOMMODATIONS

Municipal facilities

1. Jails have never been segregated.
2. Streetcars and buses were never segregated.
3. Parks and swimming pools were never segregated by law. However, parks and swimming pools were voluntarily segregated by their patrons. At the present time, discrimination is not suffered by any minority group at any of the municipal parks and swimming pools.
4. Libraries have never been segregated.

Schools

Schools formerly were segregated by law. In 1953, Phoenix Union High School (white) was integrated. Prior to this, some of the grammar schools were also integrated. Carver High School (Negro) was closed in 1954. There are no segregated school districts now in the Phoenix area. No incidents occurred at the time of integration of any of the schools. At present, there are 7 high schools and 1 junior college serving Phoenix, with an enrollment of approximately 30,000 students. Two new high schools are planned for construction next year.

Hospitals

There is no discrimination toward any minority group.

Commercial facilities

1. Prior to 1954, local theaters segregated Negro and Indian patrons from white patrons; however, since 1954, there has been no discrimination toward any minority group.
2. In 1960, the Arizona Restaurant Association issued an "open door" policy for restaurants in the Phoenix metropolitan area. Although restaurants were strictly discriminatory toward the Negro before and during World War II, discrimination was practiced less frequently during the 1950's. The city of Phoenix in 1952 forbade Sky Chef Restaurant to discriminate against Negroes at the Sky Harbor Airport. The restaurant is in the Terminal Building, which is owned by the city of Phoenix.
3. Barbershops serving white clientele do not serve Negroes, for the most part.
4. Stores are not discriminatory toward any minority group in their service.
5. The hotel and motor hotel associations report that only a very few of their members are discriminatory toward minority groups.
6. Rental housing is discriminatory toward the Negro.

HOUSING

Alton Thomas, a leading Negro in the Phoenix area, in an article concerning housing facilities of Negroes, reports the following, in part:

"Prior to 1948, Negroes lived in two major areas in Phoenix. One was on the East side bordered roughly by Van Buren on the north, 20th Street on the east, Henshaw on the south, and Central on the west.

"The other area was bordered by Central on the east, the river on the south, 17th Avenue on the west, and Madison on the north. In this period, there were very few Negroes living in any other area. However, scattered far south, far west, and occasionally in the north, there were individual Negro families living.

"In 1948, a housing combine was formed in Phoenix which was called the Williams & Jones Construction Co. They were able to purchase 40 acres bordering on East Broadway extending from 20th to 22d Street.

"For the first time, Phoenix had a new subdivision where Negroes could buy homes on the market. At present, the subdivision ranges from 20th Street along East Broadway to 24th Street, south to Roeser Road. At the time of this writing, Williams & Jones is preparing to launch a substantial new subdivision of 450 homes, called Park South.

"Shortly after the opening of the Williams & Jones subdivision, Negroes began to move west on Jefferson and Washington.

"The first Negro to move west experienced considerable hostility, with garbage being dropped in his backyard every night, and with some physical threats, and also with the general procedure of a neighborhood petition. The second Negro family experienced only coldness. The third Negro family was threatened with a petition, but the originator of the petition—a Texan—dropped the whole idea when he discovered what wonderful neighbors they were. From this point on, the west side of Phoenix, roughly from 18th to 25th Avenue, became well integrated.

"Another boost given the private housing field was an areawide housing conference sponsored by the Phoenix Urban League in 1952. The conference accomplished three things.

"1. It made the lending institutions aware of minority housing problems and caused them to take a second look at their policies.

"2. It gave the building industry an idea that there was a market within the minorities that they had been overlooking, and

"3. It stimulated the Negro to seek more and better housing in a wider selection of area.

"From these beginnings on, the pattern has remained constant. Negroes have selected homes in scattered areas of the city; there have been light to moderate reactions; the reactions have died down, and Negroes have been accepted into their neighborhoods."

Officially, there is no segregation in public housing projects. One housing project built a number of years ago for Negroes is still occupied solely by Negroes. All other housing projects are occupied by persons of various origins, including all of the minorities represented in the community.

Persons of Oriental extraction before and immediately after World War II were discriminated against in the purchase of new homes. However, this problem no longer exists.

Prior to the end of World War II, it was difficult for Spanish-Americans to find housing north of Washington Street. At present there is no discrimination. Indians are not discriminated against in their choice of housing.

EMPLOYMENT

Public employment—City of Phoenix:

Rule 4a, City of Phoenix Personnel Rules, 1955, states:

"No discrimination shall be exercised in any manner by any city officer or employee against or in favor of any applicant, eligible, or employee in the classified service because of his political or religious opinions or affiliations, or because of his race, creed, color, or national origin.

"An applicant, or eligible employee shall be considered solely on the basis of his qualifications as required by the position he seeks or holds relative to experience, training, personal and physical fitness, abilities, skills, and knowledges."

Until World War II, Negroes and Spanish-Americans were employed mostly as laborers and custodians. However, the police department had Negro patrolmen. In requesting a person to fill a patrolman vacancy, the police chief would specify "Negro" or "white." This practice was abolished in 1952. At present there is no discrimination toward the Negro in any department. Two Negroes are in charge of two city parks—Eastlake Park and Berney Park—a Negro is a park district supervisor, two Negroes are planning aides in the planning department, and one of the five Negroes in the fire department is presently qualified for, and will be taking, the promotional captain's examination.

By 1940, there was no further discrimination toward the Spanish-American in public employment. At present, Spanish-Americans fill high administrative positions in the city government, including the city auditor and the city assessor.

There is no discrimination against Orientals. Although Orientals are in the city's employ, few Orientals have sought city employment.

There is no discrimination toward Indians. An Indian, who has been in the city's employ for 32 years, is in charge of water production at the Verde River water-treatment plant. Indians from the Fort McDowell Reservation are given preference in working at the Verde River water-treatment plant because of its proximity to the reservation and the homes of the Indians. Indians also work elsewhere in the city.

No statistics are kept by the city with regard to race of employees. However, an informal study conducted for the NAACP in February 1961 revealed that the city had in its employ 298 part-time and full-time Negroes. This is approximately 8.9 percent of the total number of city employees. There are 14 Negro city employees per 1,000 Negro population as compared with 7 white city employees per 1,000 white population and 7 Indian city employees per 1,000 Indian population.

Public employment—Schools

Prior to the desegregation of schools, Negro schoolteachers taught only in the Negro segregated schools. Upon desegregation of the schools, the Negro schoolteachers were integrated into the school system. A firm policy was adopted by the District No. 1 school board that there would be at least two Negro teachers in each school unit of the district, including Phoenix College. No incidents occurred.

Public employment—Military

It was the practice of the National Guard in Phoenix to not recruit Negroes. In 1950, the first Negro was recruited by the National Guard in Phoenix. Since then there has been no discrimination toward any minority group.

Private employment

It is generally felt that Spanish-Americans are not discriminated against if they have the necessary skills required. This is also true for Indians and Orientals.

Alton Thomas, in an article concerning the Negro employment situation, reports the following, in part:

"The statistics as to discrimination in employment in the Phoenix area are hard to come by. We can, however, make some general observations grounded on known facts. In the major industry field in Greater Phoenix, few Negroes are employed other than in menial labor. Some members of this industry have, however, conscientiously exercised a policy of nondiscrimination—Reynolds Metals—approximately one-tenth of its employees are Negroes.

"The cooler and clothing industries have numerous Negro employees and there seems not to be a problem. In the concrete industry, while many Negroes are employed, there are but few drivers.

"Other than in custodial positions, few Negroes are employed in banks in Phoenix or in the retail trade. Only a handful of stores have Negroes employed as sales personnel or in more responsible positions."

Until 1944, when Memorial Hospital opened with a definite interracial policy, hospitals discriminated against Negroes. Although there were three Negro doctors during this period, they were not permitted on the hospital staffs. Emmett J. McLoughlin, director, Memorial Hospital, reports that hospitals now hire Negroes for their staffs.

ACHIEVEMENTS AND PROBLEMS OF MINORITY GROUPS

Indians

Achievements.—Indians are not discriminated against in employment, services, or housing.

Problems.—None.

Orientals

Achievements.—Orientals are not discriminated against in employment, services, or housing. One member of the Phoenix City Council is of Chinese ancestry and another of Mexican ancestry.

Problems.—None.

Negroes

Achievements.—Negroes have made great progress toward complete integration. Schools are no longer segregated; hospitals, restaurants, theaters, and

parks are no longer discriminatory toward the Negro. Negroes serve on city boards and committees.

Problems.—

(1) The greatest problem is in the area of private employment. However, these problems appear to be confined to certain areas of private employment opportunities.

(2) The purchase of homes by Negroes in areas previously all-white meets with resistance, but much progress has been made in this area. Private rental property is restrictive.

(3) Barbershops that cater to white clientele for the most part do not serve Negroes.

Spanish-Americans

*Achievements.—*These residents, referred to variously as Spanish-Americans, Latin-Americans, and Mexicans, all U.S. citizens, are not discriminated against in employment, services, or housing. These people hold high positions in the city government, in industry, and in the professions.

*Problems.—*None.

Vice Chairman STOREY. Thank you so much, Mr. Mayor. We are very grateful. We hope you can be with us, but, if you have to go, we will understand. Mr. Bernhard, will you present the next witnesses?

Mr. BERNHARD. I would like now to call Mr. W. A. Robinson, former principal of Carver High School; Loren Vaughn, Jr., superintendent, Phoenix Elementary School District No. 1; and Howard C. Seymour, superintendent, Phoenix Union High School District. I would like all of them to come forward, please.

Vice Chairman STOREY. Will you come up to the table here, please? Will all of you stand and hold up your right hands and be sworn? Thank you. We are very glad to have you. Be seated. Mr. Bernhard, will you introduce the first witness?

Mr. BERNHARD. I would like to call Mr. W. A. Robinson, former principal of Carver High School.

Mr. Vaughn and Mr. Seymour will be available to answer such questions as you wish to ask them.

TESTIMONY OF W. A. ROBINSON

Vice Chairman STOREY. Proceed, Mr. Robinson.

Mr. ROBINSON. Gentlemen of the Commission, I am to talk about the progress of integration in Phoenix schools. The people of Phoenix quite generally seem to remember with pride that desegregation of the Phoenix public schools was the result of decisions by two Maricopa County judges, and handed down before the 1954 U.S. Supreme Court decision. The first was a decision against Phoenix Union High School and College District. The other was against the Wilson Elementary School District. These were the first legal attacks against Arizona's school segregation laws, in existence since statehood in 1912.

Desegregation proceeded smoothly and with only a few small incidents and no demonstrations by either children or adults. As principal of the former Negro high school, and close to retirement age, I was placed in administration in charge of integration.

Because of the closer association that had grown up in the past 9 years between the Negro and white high school students in competitive athletic and academic contests, in many interschool activities, in state-wide student organizations, and in public recreation, I anticipated and experienced very little student antagonism.

Because of the existing community pattern of desegregation in transportation, in theaters, in sports events, in public parks, and in some church organizations, the adult community was somewhat prepared to accept school desegregation. At first, some school principals reported severe anonymous harassment by phone and mail, but this was hardly widespread nor persistent.

The main problem, as I saw it then, was for the system to anticipate that placing a large new group of Negro students in the former white schools would inevitably cause some strains of emotional adjustment among the white students to whom the schools had previously belonged exclusively. The Negro students, who were lifted suddenly out of the security of their own schools and placed in a new, uncertain, and insecure situation would be under similar strains of adjustment.

This was too much of a new situation for both groups of immature young people, for either group to be able, without considerable help, to cope with successfully, with its own limited resources of experience and maturity. It was more a problem for the school staffs and administrations to help solve by mature and understanding counseling and by careful scrutiny of the schools' resources.

The school libraries should contain the kind of books, magazines, and newspapers that would help both groups, so long segregated from each other in most phases of school and community life, to get a vicarious understanding of the life experiences of the other.

There was a need to make a careful scrutiny of the textbooks materials, especially in the social sciences, that could embarrass or frustrate either group, and of the school activities to discover how the new group could be made to feel at home and the old group to have a greater acceptance of the new students. The stereotypes which both groups had accepted of each other needed to be anticipated, examined, and replaced with confident new knowledge.

Unfortunately, one of the first actions taken in a high school occurred at the first student dance. Mixed dancing couples were called off the floor and told that mixed dancing was not permitted. At the next principals' meeting it was decided that this should not have been done. The harm to a budding friendly acceptance, however, had been done.

There are still situations occurring in classrooms and in school activities in both elementary and high schools which the Negro students cannot always handle with wisdom and restraint and frequently face with awkwardness and frustration.

One American history textbook still in use in the high schools treats Negro slavery in America as a benevolent institution in which Negroes were happy and gay; calls the abolitionists troublemaking meddlers; implies that the Union soldiers were cowards; and completely discredits the Negro legislators and Congressmen during Reconstruction. Still worse, it includes among its references none that treat these topics differently. The school libraries have been taking no Negro periodicals or newspapers and have, in most cases, few, if any, references favorable to Negroes in America.

The Negro community has long felt that it is important that there be enough Negro teachers in the high schools who can help the administrators to become aware of some of these conditions and to whom Negro students can confidently and securely take their personal problems.

The social distance between the Negro and white communities is still too great for most of the Negro children, who have problems of feelings misunderstood and imposed upon, to take these problems to other than Negro adults. There is concern, also, that this is one main cause for many Negro children to take the easy way out by dropping out of school. Since desegregation there has been persistent resistance to employing Negro teachers in the unsegregated schools.

In one sense the high schools have advanced further than the elementary schools. The high schools have maintained a policy of placing at least two Negro teachers in all of the high schools whether or not there are Negro students in attendance. In the elementary school districts there are no Negro teachers employed in schools which Negroes do not attend, and in some schools which Negro students attend there are still no Negro teachers.

On the other hand, there is not one school attended by non-Negro students in which there are no non-Negro teachers. In some of the elementary schools non-Negro teachers are as large if not a larger proportion of the staff than non-Negro students are of the student body. In one large former white high school eight Negro teachers were placed when the schools were desegregated in 1954. Now, 8 years later, there are only four.

In all the units of the high school district I am told that the present number of Negro staff members is only one more than the number that went into the unsegregated schools from the Carver staff. This, in spite of the fact that the Negro population has increased tremendously since that time.

In 1961 the number of Negro students graduating from all the district high schools was about the same as was graduated in 1954, the last year of segregation. Why this is true, no one seems to know, but the Negro community believes that it is in large measure connected with the insecurity of Negro students in the high schools.

I do not mean to say nor to imply that the situation is all bad, or that no progress has been made in integration, Negro athletes are well accepted throughout the district. Negro students are coming to be taken for granted in some of the school organizations. A few Negro students become recognized as outstanding because they are outstanding. But I would definitely say that there are numerous situations highly important to all the students which are bad and there is no evidence that the school administrations recognize that these situations are bad or are matters which the schools can or wish to change.

The general attitude toward these matters seems to be that Negroes have made great progress to be permitted to attend the white schools and that the situations of which we complain are normal and natural and should be expected to exist as long as Negroes are Negroes.

If we complain, we are unreasonable troublemakers. This was the attitude of permanency of conditions that faced Negroes in slavery, during the period of complete segregation, and faces them now in the present stage of less severe discrimination. Doing nothing but quietly accepting these conditions has never changed them.

Vice Chairman STOREY. Thank you very much, Mr. Robinson. As Mr. Bernhard indicated, we have two other experts with Mr. Robinson at the table, ready to answer questions. First, Mr. Loren Vaughn. As I understand it, you are the superintendent, Phoenix Elementary School District No. 1?

Mr. VAUGHN. Yes. That is right.

Vice Chairman STOREY. Just by way of background, I understand that you have some 11 or 12 elementary school districts; is that right, Mr. Vaughn?

Mr. VAUGHN. There are 12 elementary districts within the Phoenix Union High School District, and the oldest and largest district is the downtown district, which I represent.

Vice Chairman STOREY. Now, by way of introduction, Dr. Seymour, I understand you are superintendent of the Phoenix Union High School District. Is that correct, sir?

Dr. SEYMOUR. That is correct.

Vice Chairman STOREY. And that embraces all of the Phoenix area?

Dr. SEYMOUR. Almost all of it. The boundaries of the school district are not the same as the boundaries of the city.

Vice Chairman STOREY. I see, but there is just one high school district?

Dr. SEYMOUR. There are several independent high schools outside our district, but still within the city of Phoenix. It is a very complex situation.

Vice Chairman STOREY. All right. Now, then, other members of the Commission, I am sure, have questions. Who wants to ask the first?

Commissioner GRISWOLD. I would like to ask a question, perhaps a series of question, arising out of this arrangement, which I gather is largely historical, of separate elementary school districts, coupled with the situation where the high school district is not the same as the municipality. I think my first question would be, "Is that desirable?" I will also state my second question, which would be, "Is it inevitable?"

Dr. SEYMOUR. Mr. Vaughn, I would be glad to have you answer that.

Mr. VAUGHN. Well, there are pros and cons. In many ways it is desirable, and in some activities it probably would be better if it were a unified school district. Actually, we have some of our community leaders involved with our school program under the present organization, and, as far as whether or not it is inevitable, as I look at it, it might have been quite easy to consolidate these districts about 1940, when most of them only had one school, except Phoenix No. 1, but now most of them run up into thousands of students, and they are actually not too small to be efficient. I don't know whether that answers your question or not.

Commissioner GRISWOLD. Well, an aspect of the question that I would like to hear something about is this: I gather that some of these districts are in relatively well-off parts of the city, and some are in relatively poor parts of the city. Does that not mean that the well-off people take care of their children in a pretty fine way at relatively small expense, whereas in the poorer areas the taxes have to be relatively very high in order to provide a much more meager educational situation? Would it not be a fairer, and, if I may say so, more American, way if the entire city of Phoenix took care of all the children of Phoenix, on a relatively nondiscriminatory basis?

Mr. VAUGHN. That is true. There has been, in the last 2 years, or 3 years, however, an effort to equalize the programs of all school districts over the State, with a State program of financing. This has tended to level the offerings of these various districts. Now, it has not brought districts up to the point that they are uniform, and further efforts will be made in this area. On this question of minority groups, and its effect on those—in one case, it is an advantage to a large concentration of minority groups, and in the case of another district it is a disadvantage.

Vice Chairman STOREY. I notice you have a comment, Dr. Seymour.

Dr. SEYMOUR. My deference to my colleague, Mr. Vaughn, is due to the fact that I have only been in Phoenix 10 months, but I do want to say this, in answer to the question asked: In the first place, the tax rate for the district, the high school district which I happen to represent, is the same throughout all of the high schools. It is the same for the entire district, so that there would be no difference, so

far as the support financially is concerned, for any one high school or any one district.

Secondly, the question you raise about whether or not it is better to have one unified district, I think, is a very pertinent one, and, as Mr. Vaughn points out, there are advantages on both sides. I think one of the great problems we have in American education, particularly in our large metropolitan districts, is the fact that our schools in such districts get too far away from the people. There is an advantage here in the fact that there is a relationship between the people and their elementary schools.

Now, I think Mr. Vaughn would agree with me completely that what we need today is to find a way by which we federate those activities that can be done better, and still retain the identity of the particular school with its immediate community. As a matter of fact, there is a good deal to be said for the federated situation, because in other metropolitan districts with which I have been connected, it would be almost impossible to break the large community down into small districts.

Here, at least, we have the advantage of the small district to begin with. Now, let us see what we, as educators, with the help of the citizens in the community, and the financial support that we need to do that which needs to be done—and that is, to equalize the opportunities and to make for a better school program for all children of the district.

Vice Chairman STOREY. Are there any other questions from the Commissioners? Mr. Bernhard?

Mr. BERNHARD. I would like to ask Mr. Vaughn a question to clarify what he stated before. Am I correct in understanding that each elementary school district receives moneys from the State, and from the county at a certain minimum amount, and that in addition it receives money from a real estate tax imposed in that district? Is that correct?

Mr. VAUGHN. That is right.

Mr. BERNHARD. What I would be interested in knowing is, in view of the fact that Phoenix Elementary School District No. 1 has the highest concentration of minorities, does it get as much money as another area which may have a higher economic base to use?

Mr. VAUGHN. The difference in the apportionment of funds is on the county level. The legislature provided that, with a minimum tax rate, if a certain amount of money per child was not raised, then from the county's fund, \$10 per child over the total county was used to bolster the poorer districts to give them a foundation program of \$275. The Phoenix Elementary District does not qualify as a poor district, and receives no greater amount than any other district that is that wealthy.

Mr. BERNHARD. Would the per capita amount for each schoolchild in the district be equivalent to that in all the other elementary school districts?

Mr. VAUGHN. You mean, in Phoenix No. 1?

Mr. BERNHARD. That is right.

Mr. VAUGHN. It would exceed some of them. Yes; that is right.

Vice Chairman STOREY. Are there other questions?

Commissioner RANKIN. I have only one question. As to percentages, you say this integration has been accomplished very well indeed, but that you have still some problems. Is the higher percentage of minority groups in those schools where the problems occur, or in other areas? Is there any correlation between the size of the minority group and the number of problems that arise?

Mr. VAUGHN. Well, I can really only speak with knowledge about my own district, and I believe I can honestly say that, as far as the human relations between students are concerned, there is no more of a problem between students of different races than there are problems of children of the same race. This has been consistent throughout, since we have integrated the schools in Phoenix No. 1.

Commissioner RANKIN. Do the problems arise from the students, or the parents?

Mr. VAUGHN. Well, actually, we haven't had many problems arise from either. I think we do have a different set of problems than an area that does not have these minority groups concentrated, but I believe the same problems would exist even if they were not concentrated. It is problems that relate to the educational program, and not too much to the human-relations aspect. Now I am talking about the elementary level, of course.

Vice Chairman STOREY. I believe we will have time for just two more questions. Dean Robinson?

Commissioner ROBINSON. Am I correct in my understanding that all of the children within a particular school district are required to attend the schools in that district?

Mr. VAUGHN. You are talking about an attendance around a school district?

Commissioner ROBINSON. I am speaking about the 12 elementary school districts.

Mr. VAUGHN. That is right. They must attend within that school district, with certain exceptions where there might be a hardship, and the number of those exchanges would amount to a fraction of 1 percent.

Commissioner ROBINSON. Does the same thing obtain in a situation in which you have more than one school within a particular school district; for example, two or more elementary schools within a single elementary school district?

Mr. VAUGHN. That is right. We set up attendance districts that, in our case—all our schools are walk-in schools. We don't have any busing of children except to special classes.

Commissioner ROBINSON. Finally, with reference to the high schools, how many high schools are there, all told?

Mr. VAUGHN. There are seven at present—seven high schools—two under construction.

Commissioner ROBINSON. And do children attend these high schools on the basis of the relation of their residence to the location?

Mr. VAUGHN. We have an attendance district for each high school, with the exception of two that we call our open schools. They are Phoenix District High School and South Mountain High School.

Commissioner ROBINSON. Is there any situation in which any child attending one school will be permitted to attend another school, except upon a showing of exceptional circumstances?

Mr. VAUGHN. We would require him to show hardship, or some reason that was a legitimate one, for attendance in any district outside his own district, with the exception of Phoenix Union and South Mountain.

Vice Chairman STOREY. A final question from Mr. Bernhard.

Mr. BERNHARD. I would like to ask Dr. Seymour: What is the situation in the high school district regarding dropouts? Is there a problem?

Dr. SEYMOUR. Yes, sir, and it is not atypical, I might say, of any high school in the country. That is, we do have dropout situations. Now, the dropouts, I am sure the gentlemen on the Commission all recognize, come from those that are socioeconomically deprived. I would not say that there was a predominance as far as the minority groups were concerned. I would rather say, on the basis of those who are socially and economically deprived, there is a disadvantage. These youngsters are perhaps limited in certain kinds of academic learning ability. We haven't found the success pattern from many of them in the schools whereby they can find a degree of success. I would say, on the average, that probably about 25 percent of those who enroll in our high schools do not complete it.

Vice Chairman STOREY. Thank you very much, gentlemen. I would say to Mr. Vaughn, and to Dr. Seymour, if you want to amplify your answers or prepare any matter that we haven't had time to discuss, we would be happy to receive a statement within the time limit, which I believe is about 1 week. Thank you, gentlemen, very much.

Mr. BERNHARD. Might I also say one thing? We would be very interested in pursuing, while our staff is still here, some of the questions regarding dropouts, and also the question of vocational training, which may be an interrelated problem, and if Dr. Seymour, Mr.

Vaughn, or Mr. Robinson were available early next week, we would like to drop in on them.

Mr. VAUGHN. We are at your disposal, sir.

Vice Chairman STOREY. Thank you very much.

(The following statements were submitted for the record subsequent to the hearing by Mr. Vaughn and Dr. Seymour:)

STATEMENT FOR THE RECORD BY LOREN VAUGHN, JR., SUPERINTENDENT OF PHOENIX ELEMENTARY SCHOOL DISTRICT No. 1

| 1. Cost per pupil 1960-61: | <i>Total expense</i> |
|---|----------------------|
| Phoenix Elementary School District No. 1..... | \$495. 21 |
| Roosevelt Elementary School District No. 66..... | 321. 97 |
| Scottsdale Elementary School District No. 48..... | 423. 33 |

2. Problems facing Phoenix Elementary School District No. 1 resulting from large numbers of minority children:

- (1) Cultural handicaps that impede learning in school.
- (2) Bilingualism.
- (3) Tendency of minorities to concentrate in their own separate residential areas.
- (4) Failure of minority groups to recognize the importance of education.

3. There are 55 sessions of kindergarten in Phoenix Elementary School District No. 1, with an average class size of 27 pupils.

All races attend kindergartens very well but the Spanish-American mothers tend to want their children to remain at home until they have reached 6 years of age.

4. The Phoenix Elementary School District No. 1 does not provide for adult education classes for illiterates. Some community agencies are working at this activity.

5. Pupil teacher ratio comparisons:

| | |
|---|-------|
| Phoenix Elementary School District No. 1..... | 20. 3 |
| Roosevelt District No. 66..... | 24. 7 |
| Scottsdale School District No. 48..... | 26. 1 |

These figures were taken from the 1960-61 report of the Arizona Tax Research Association. In computing the total average, daily attendance was divided by the total number of teachers; i.e., homeroom teachers plus all special teachers such as music, physical education, art, homemaking, industrial arts, and counselors.

In our district if we take the average number of children in the "homeroom" or average number in each "basic section" the class size is 27. In the other districts it would probably be 35 plus or minus.

STATEMENT FOR THE RECORD BY DR. HOWARD C. SEYMOUR, SUPERINTENDENT OF THE PHOENIX UNION HIGH SCHOOLS DISTRICT & PHOENIX COLLEGE SYSTEM

PHOENIX UNION HIGH SCHOOLS & PHOENIX COLLEGE SYSTEM,

Phoenix, Ariz., February 26, 1962.

Mr. PHILIP CAMPONESCHI,
Commission on Civil Rights,
Washington, D.C.

DEAR MR. CAMPONESCHI: When the Commission on Civil Rights was in Phoenix it left eight questions about the high school system to which it would like replies. The best information available about each question is given in this report.

1. What is the pupil-teacher ratio for all seven high schools?

The latest official policy of the board of education is to try to maintain a pupil-teacher ratio of 29.6:1. This is 29.6 students per teacher exclusive of reading and special education classes and several other classes which have lower minimum class sizes. Reading classes have a 21-student maximum and special education classes, by State law, have a 17-student maximum.

The actual pupil-teacher ratio on October 18, 1961, at our peak load, is given here for each unit of the system:

| Unit: | <i>Pupil-teacher ratio</i> |
|---------------------------------|----------------------------|
| Camelback High School----- | 29.8 |
| Central High School----- | 29.8 |
| Carl Hayden High School----- | 30.4 |
| North High School----- | 30.1 |
| Phoenix Union High School----- | 29.9 |
| South Mountain High School----- | 29.8 |
| West High School----- | 29.7 |
| Total for the district----- | 29.9 |

2. What is the racial distribution of all students?

There are no figures on this question because, since complete integration in 1954, no count has ever been made. This district accepts all students who are residents of the district. There has never been any question which could categorize our students by race, color, or nationality.

A sample of the registration card used for all students was included to show that there is no question of race, color, or nationality, nor is there any photograph required of any student.

3. What is the number and distribution of teachers, by race?

The total certificated staff is 1,024.9 persons, of which 32 are classed as district administrators. The general hiring policy of this system has been to obtain the best candidate for the job regardless of race or creed. This district does not require a photograph of applicants for positions. There has never been any survey made to ascertain any items about race, color, or creed of our employees. As a public school system we have not felt this information was pertinent as long as we continue to employ the best candidates for the positions.

We do know that at the time of complete integration, following the school year of 1953-54 when Carver High School was closed, all employees of that school were absorbed into similar positions in other schools of the district. Any observation of our faculties shows that there are many teachers of different national origins, or different races, and of different creeds.

[A copy of the application form for teachers was included.]

4. What is the number of dropouts, by race including Spanish-Americans, and the causes thereof?

This system studies all students without singling out any race, creed, or national origin.

[Two reports, one on dropouts, and the other on survival rates, were included. Though neither lists the race of students, the report on dropouts shows that Phoenix Union and South Mountain—both "open" high schools, and each with a reportedly higher percentage of minority-group students than the other five "closed" high schools—have the highest dropout rate: Phoenix Union, 20.6; South Mountain, 15.8. Camelback, which has few, if any, Negro students, had the lowest dropout rate—4.1 percent. The figures are for 1960-61.]

5. An evaluation of the vocational training programs, as to their adequacy and value in preparing minority youth for future employment.

Our vocational-technical program is aimed at the needs of our community, youth and adults. Its aims are given in this statement by the director of vocational-technical education and supervisor of industrial arts:

"With the increase in industry and technology, we recognize the need to provide programs of education which will enable young people to enter skilled and technical occupations in business and industry. The aims of these programs are to equip individuals with basic skills and knowledge essential to securing a job and to make progress in it."

6. Comments on any other educational programs that should be undertaken to meet the qualifications problem of minorities for employment.

This system does not use the term "minorities" in the same context as the Commission on Civil Rights. Our minority groups are educational minorities, such as the slow reader, the extremely capable student, the special-education student, or the physically handicapped student. To the best of our capabilities we provide the appropriate educational opportunities for each of our students.

There is some feeling that there is a need for some type of core classes to provide a block of time for special work with the culturally underprivileged students.

7A. The costs of books and other educational material paid for by the pupils in high school.

Students in Arizona are not required to attend school above grade 8. As a result, many of the expenses of attending high school have to be covered by the student instead of being provided by the State as in those States which require longer education. Many items, such as texts, which the schools would like to provide are forbidden by law.

We have two estimates of the costs of attending our high schools: Page 49 of the North High School Handbook, "How much will it cost to go to school?" This estimates many of the expenses which the student will meet.

The other estimate of cost is from another school of our system. Here the bookstore took the average student in each of the grades—9, 10, 11, 12, and estimates the cost if the student purchased new books and then if the student purchased used books. One item not given here which would reduce the total cost is the resale price. New books are resold to the bookstore at an average of 60 percent of the original price, while used books are resold at about an average of 40 percent of the purchase price.

Another study of the costs of attending high school was made by a reporter from one of the local newspapers with the cooperation of the schools. The reporter points out that many of the expenses are a matter of personal choice rather than a "must." Naturally we recognize that there are pressures of our society which are exerted upon our students, and our schools try as much as possible to alleviate the effects of these pressures and to prevent them becoming an obstacle to attendance in school.

7B. Your views regarding whether any of the costs presently borne by pupils' families should be paid for by the school system.

The State law does not permit schools to provide many items for students, such as textbooks, locks, laboratory fees, lunches. There is some feeling that the law should be changed to require the State to provide textbooks in those courses which are specifically required by law for graduation.

8. Any night school or summer school programs that are designed to meet the educational problems of minority students, including adults who might need special public instruction.

The night school and summer school programs of our district are designed to meet the needs of any persons, youth or adult, who wish to avail themselves of the opportunity. Undoubtedly there are persons of minority groups who are acquiring training which will aid them.

The only classes especially designed for minority groups are the four classes of English for the foreign-speaking people. Two of these are given at Friendly House and two are given at the Phoenix Union High School. These classes are handled by instructors with special training in aiding people to learn to speak our language.

There is some feeling that the State should provide some subsidy for adults returning to school for special training which will make them better able to be productive citizens.

We have tried to answer to the best of our information the questions which were submitted to us.

Very truly,

HOWARD C. SEYMOUR, *Superintendent.*

HCS: dl

Mr. BERNHARD. The next witnesses are the Reverend Culver Nelson, chairman of the Phoenix All-American Council for Equality, and Mr. Robert L. Aden, a restaurant owner and member of the board of the Arizona Restaurant Association.

Vice Chairman STOREY. Will you two gentlemen stand up? Will you hold up your right hands and be sworn, please? Thank you. Do either of you gentlemen have a prepared statement you wish to submit?

Reverend NELSON. In written form? I do have one that was requested, which I will submit afterward.

Vice Chairman STOREY. That is all right. Mr. Bernhard, will you introduce the subject?

Mr. BERNHARD. I would like, first, to call Reverend Nelson, who, along with Mr. Aden, will discuss the problems of public accommodations and the progress which has been made. Reverend Nelson?

TESTIMONY OF REV. CULVER NELSON

Reverend NELSON. Thank you. While I have been a minister in this city for nearly 8 years, with normal involvement in community life, I assume my primary purpose in appearing before this Commission has to do with my chairmanship of this organization that we have called PACE (Phoenix All-American Council for Equality). This group activity has arisen from a voluntary gathering of the many organizations within Phoenix which are concerned with alleviating discriminatory practices in these areas of public accommodation. Stressing a "voluntaristic" approach, PACE has been a clearing-house of information and education looking toward creation of a climate conducive to nondiscriminatory practices.

It is my judgment that there are pockets of resistance to this within the community. Nonetheless, there has been most substantial progress these last several years, at least in terms of my own personal awareness. Some of this has resulted from protest action by minority groups; some from direct and cooperative negotiation with businesses involved; some as a result of action by business organizations themselves on a voluntary basis. In this, to my knowledge, there has never been what one might call widespread community turbulence.

Theaters were desegregated in 1949. In or about 1951, the airport restaurant dropped a longstanding policy of discrimination. Pressure had been brought to bear through civic government, and it responded appropriately. In or about 1953, following a moderate kind of sit-in, Walgreen's halted any discriminatory practices. Through largely management conferences, Upton's, McCrory's, and Citrus Drugs followed suit in 1960. Through the Arizona Restaurant Association, which Mr. Aden here will speak of in a moment, virtually all first-class eating establishments entered upon an open-door policy in 1960. The Wasielewski motel chain has never had discriminatory practices, and includes Desert Sun Motel and Desert Inn, both first-class establishments. I have no certain knowledge of the motel situation, specifically, but think it can be generally said that few first-class institutions have strong discriminatory policies, which cannot be said of those which might be called second class in status, although I would be hard put to define the difference between first- and second-class hotels.

My personal conclusions, therefore, are these: First, there is not now, nor is there ever likely to be, widespread community turbulence in this regard, as has happened in some other parts of the country. Secondly, there seems to be a marked difference in attitudes in this regard as between business and recreational facilities that are first class in nature, and those that are not, with the former being freer of discriminatory practices. Third, the general climate of the community is quite wholesome, though too much is taken for granted in intergroup relationships. By this I mean there is enough general good will at this point, but too little attention is given to what serious pockets of resistance exist. Finally, the heart of this particular matter, as it so often tends to be, from my point of view and personal observation over this nearly decade in the community, is that the problem is essentially economic.

Minority groups, especially the Negro, Indian-American, and Mexican-American, find themselves in an economic position very substantially lower than the community in general. This obviously gravitates against their ability to avail themselves of recreational and other facilities, however nondiscriminatory these may be.

Vice Chairman STOREY. Thank you very much. Reverend Nelson, for identification, what is your denomination?

Reverend NELSON. I am senior minister of North Congregational Church of the Beatitudes, United Church of Christ, though, as with the school districts, the situation in American Protestant denominations is equally appalling.

Vice Chairman STOREY. Will you, likewise, give the full name, for the benefit of the Commission and the audience, of PACE?

Reverend NELSON. I am not sure I know this at this point, myself. Your Mr. Bernhard identified it perfectly accurately.

Mr. BERNHARD. The Phoenix All-American Council for Equality.

Reverend NELSON. We have called it PACE for so long that it has ceased to have a detailed name.

Vice Chairman STOREY. All right; Mr. Aden, let us hear from you.

TESTIMONY OF ROBERT L. ADEN

Mr. ADEN. About 1956, when I purchased my restaurant I initiated our open-door policy. We appear to be possibly the first with a fully open-door policy among first-class restaurants. We didn't appear to have much of any problem, nor did we have more than a very occasional Negro customer.

In the Arizona Restaurant Association, the open-door policy had been under discussion for many years. The greatest deterrent to an open-door policy seemed to be a fear among the restaurant operators that the public would not accept the decision prompted by the sit-ins in Tucson in September of 1960. The board of the Arizona Restaurant

Association decided that it was incumbent upon it to take immediate action to prevent a similar occurrence in the city of Phoenix.

This started a series of meetings in which every single restaurant listed in the Phoenix telephone directory was contacted. It was heartening to me that the decision we reached on the board of directors of the Arizona Restaurant Association seemed to be prompted more, I think, by a sense of history, a sense of progress, than by any fear of the consequences on our part. Very few restaurants, first, second, or third class—I don't know how you categorize them—hedged, but a few did. A few restaurants hedged in each instance. They said, "Well, if everybody goes along, if this is a hundred percent, then we will go along."

There is very little to add to that picture, actually, because we have had very few complaints from various sources. To my knowledge there is 100-percent compliance among the restaurants in the entire area. The restaurants that have hedged have said that they would certainly go along and see how it worked out. I will state, however, that perhaps our experience in the city of Phoenix is not indicative of the situation elsewhere, in that we have a relatively small Negro population, and I feel that some of the restaurant operators went along with our decision to open our doors because of our knowledge that the Negro population was small, and that there were generally few in the Negro population who could afford to go to the better establishments.

As far as our experience is concerned, I don't believe that there has been a month that our restaurant has not served several Negro customers. We have had no comments whatsoever from any of our white clientele. I have worked reasonably closely with the restaurant association, and we are not aware of any disagreeable incident which has arisen from our decision to open our doors.

Vice Chairman STOREY. Well, thank you very much, gentlemen. Are there any questions? Mr. Bernhard?

Mr. BERNHARD. I would like to ask Mr. Aden one or two questions. As I understand it, you opened your restaurant before there had been this general policy agreed to by other restaurant owners; is that correct?

Mr. ADEN. Yes; I did.

Mr. BERNHARD. Was this given very much publicity?

Mr. ADEN. No; not at all.

Mr. BERNHARD. Did you have any change in your economic situation, or your income, as a result of opening your doors? Did you lose money?

Mr. ADEN. No. We entered a period of growth during these 6 years in which my income, or I should say, my gross income—there is quite a difference—

Vice Chairman STOREY. That is apparently common knowledge with the audience.

Mr. ADEN. My gross income increased by about 20 percent a year. Over a period of about 5 years, I doubled my total volume of business. However, I don't think that the open-door policy had anything to do with it, one way or another. I think it was merely a matter of a combination of the quality of the restaurant, as well as the growth of the area.

Mr. BERNHARD. I might say that, unbeknownst to you, the staff had a very fine meal at the Knotty Pines, and there was no problem at all.

Vice Chairman STOREY. Are there any questions by the Commissioners? Dean Griswold?

Commissioner GRISWOLD. You talked about customers. What about employment policies in restaurants in the area? Is there discrimination there? How does that work out?

Mr. ADEN. I believe that we have in the area a completely non-discriminatory policy up to a certain area in the restaurant. I know that there is no discrimination in any way in the kitchens of these restaurants. I have been in many of them. I know that we haven't any in ours. I think that there is undoubtedly a certain amount of discrimination in the hiring of waitresses and waiters.

I think we have here an area that is very difficult, well, to decide whether or not discrimination enters into it. For example, at the Knotty Pines, we hire people who we feel are established in the community and have proved their value as waiters, waitresses, and so forth. We have never had an applicant who was colored. I don't know what my attitude would be. I think it would depend entirely on that person's appearance and experience. I cannot speak for some of the other restaurants, however.

Vice Chairman STOREY. Other questions? Dr. Rankin?

Commissioner RANKIN. Yes. Is Phoenix unique, or is it typical of the rest of Arizona: other areas in the State?

Mr. ADEN. No; I think Phoenix is. Would you say that Phoenix is—

Reverend NELSON. I think it would be untypical.

Mr. ADEN. I think it would be quite untypical of the State.

Reverend NELSON. I would say in the outlying areas, particularly, you would find a very different atmosphere and climate concerning this whole matter, particularly the small communities on arterial highways where there is considerable movement of peoples.

Mr. ADEN. However, my experience with restaurants outside of the city has been such that I have seen minority groups served perfectly graciously in smaller communities. I did operate a restaurant myself in a very small community in the northern part of the State. I recall

one day, in a very crowded dining room, a colored man coming in and sitting at the counter. I was quite interested in seeing if there would be any comment made. No comment was made by any of the many whites in the restaurant.

Commissioner RANKIN. Has this change taken place in the last decade; would you say?

Mr. ADEN. I would say that the situation has improved considerably in the last decade, by the influx of a very cosmopolitan-minded group.

Vice Chairman STOREY. Other questions? Father Hesburgh?

Commissioner HESBURGH. I just want to check out a reaction, Mr. Aden. I am sure we are on the same wavelength on this, but I just wanted to get your reaction. We find around the country, whenever we propose things of the sort you have already done, people immediately get a specter of fear, which we have often referred to as a kind of self-fulfilling prophecy: "If we do this, this will happen. The neighborhood will go to pot," and so forth. Did you find much of that among the other restaurateurs—that, if you did this, business would be hurt badly, and so forth?

Mr. ADEN. Yes; there is no question about it. The only answer that we could give was that, if all of the restaurants stuck together, then the person who objected to the decision would have no choice but to eat at home.

Vice Chairman STOREY. Dean Robinson?

Commissioner HESBURGH. I just wanted to ask Reverend Nelson something. I can't just pass him up here. Reverend Nelson, do you get some pretty good help from the religious groups around the city in PACE? Do they pitch in and work?

Reverend NELSON. I don't know that I would say in terms of PACE, particularly. I think the religious groups generally have an exceedingly progressive attitude toward this matter.

Commissioner HESBURGH. We have been a little disappointed in some parts of the country. They seem to be dragging their feet.

Reverend NELSON. I don't think so. Of course, in this matter, if you get to the point of what kind of integration there is within the churches, you run across the problem that is rather typical throughout the country. It is a severalfold situation, not the least of which is this economic problem, to which I earlier alluded, and the necessary living area in which the people are found, but, as far as the leaders in our religious community—Jewish, Roman Catholic, and Protestant—I would say that there is a very strong feeling about this, a very eager willingness to cooperate in assisting in any way possible.

Commissioner HESBURGH. If you had to point out a problem that you were really aiming at now, I suspect from your remarks it might be the economic one?

Reverend NELSON. Yes; I personally think it is. I don't think I can do anything about it, particularly, but I think this is the key to achieving this, in the sense that I have taken many personal friends of Negro racial ancestry to lunch with me from time to time for business conferences: personal, friendly, going to lunch and so forth. I never have had a bit of trouble at any time in any restaurant in Phoenix. The other side of the coin is—how many Negro people, because of their economic situation, can in fact do this?

Commissioner HESBURGH. And do you think economic advancement is pretty closely tied to educational opportunity? I mean, here in the city?

Reverend NELSON. Here in this city, in the city of Phoenix? Yes; I think so. Our own church happens to assist with one of the United Fund agencies in the area in which students go to Phoenix Union High School, alluded to earlier in previous testimony, and we find that a good many—this is personal, and is certainly not a statistical phenomenon—a good many of the young people dropping out from simple lack of ability to purchase textbooks. Hence, our church has provided \$50 or \$100 scholarships for several dozen of these young people, so that they might continue to go to high school, whereas they might otherwise have dropped out, for no other reason than this rather small economic factor. Thus, my subsequent conclusion would be that, if they are ill prepared for economic advancement, they are not going to make it, though this is just a surmise.

Commissioner HESBURGH. Just one last question: If they become prepared, is there a pretty good chance of their being able to aspire to a responsible job?

Reverend NELSON. In Phoenix?

Commissioner HESBURGH. Yes.

Reverend NELSON. I would personally say so, though I don't know that I could in any way document that. I do know persons of Negro background that have a really significant role in the community, and I think the whole field is so aligned, relatively economically, that it is really hard to give an answer to that.

Commissioner HESBURGH. I think you have been involved for a long time in this step forward, and I think we can get ourselves so happy about what has been accomplished that we don't keep looking ahead to where we ought to be going today. I think Mr. Aden's story is wonderful, but what do we do next?

Reverend NELSON. I think I mentioned that in my own remarks. I think we do take things for granted, because things have gone very well, and there is no widespread community turbulence.

Mr. BERNHARD. I presume, from all that has been done in the private area, that there would be no problems regarding discrimination on the part of any municipal agencies in the city?

Mr. ADEN. I don't know of any.

Reverend NELSON. Not to my knowledge.

STATEMENT FOR THE RECORD BY ROBERT L. ADEN, RESTAURANT OWNER AND MEMBER
OF THE ARIZONA RESTAURANT ASSOCIATION

In November 1960, my association publicly announced that an "open door" policy existed in restaurants throughout the Phoenix metropolitan area. Since that time everyone, regardless of race, religion, or national origin, has had a wide range of places in which to dine without fear of discrimination.

In the early 1950's, at the request of members, the association had the law firm of Snell & Wilmer research legal aspects of racial discrimination in restaurants. The resultant opinion was that a restaurant operator had complete freedom of choice in the matter. In June 1962, a Phoenix drive-in restaurant declined to serve a group which included several Negroes. When the group refused to leave, Phoenix police were called and arrests were made. Three Negroes pleaded guilty to a charge of trespass and paid fines. Another Negro and two white youth pleaded innocent. Tried in municipal court on June 16, they were found guilty of trespass and fined \$25 each.

Meanwhile, efforts had been made and continued to be made to promote passage by the State legislature of a "public accommodations" law. Indications have been that this would be virtually impossible to accomplish in the foreseeable future. Against this background, a number of Phoenix restaurateurs sought to end discrimination voluntarily on grounds that it violates the fundamental dignity of man, is inconsonant with religious philosophy, and certainly runs counter to American ideals. Several had adopted the open-door policy in their own restaurants.

Beginning in September 1960, many meetings devoted exclusively to this subject were held. Nearly all operators attending the series of meetings expressed themselves as having no personal reasons for refusing service to Negroes. However, there was a preponderance of feeling that white customers would object if Negroes were served, probably to the extent of causing serious economic harm to the establishments involved. Finally, however, it was agreed that no such harm would result if all first-class restaurants simultaneously ended discrimination as a publicly announced policy. The association, by personal contact, notified every operator in this area, including nonmembers listed in the telephone directory, that this step was about to be taken. A great majority heartily approved and all agreed to abide by the majority decision. On November 29 a press release to this effect was distributed to all local news media and the areawide policy was instituted on the evening of November 30, 1960.

Only two complaints of noncompliance have been received by the association. One involved a restaurant, now out of business, which demurred at a request for a reservation for a large number of Negroes. When the association contacted him, he said he was willing to serve small parties of colored customers, but would not accommodate large parties. The other complaint involved a small nonmember cafe operated by a man who himself belongs to a so-called minority group. Our office was informed that he had refused service to two Negroes. When the situation was explained to him, he agreed to serve them "and see how it works out." This was relayed to the complainant with a request that we be notified if any further difficulty was experienced. We heard nothing more of this incident. Thus, in the absence of complaints, we can only assume that the open-door policy has had the desired results.

In answer to the Commission's request for recommendations, we can say only that we honestly believe no governmental action is needed here in regard to the service of non-Caucasians in restaurants. In fact, we believe legislation to force what is freely given would be a backward step. Further, we believe that any civil rights agency that might be set up here should be organized with great care, so that it is comprised of persons with a sincere, mature, objective interest in sound race relations.

Vice Chairman STOREY. Reverend Nelson and Mr. Aden, thank you very much. Mr. Bernhard, will you call the next witness?

Mr. BERNHARD. The next witness is Roy B. Yanez, executive director, Phoenix Housing Authority.

Vice Chairman STOREY. Will you hold up your right hand and be sworn, sir? Thank you.

Mr. Bernhard, will you introduce the subject?

Mr. BERNHARD. Mr. Yanez, as indicated, is executive director, Housing Authority of the City of Phoenix, and he will discuss public housing.

TESTIMONY OF ROY B. YANEZ

Vice Chairman STOREY. Do you have a prepared statement?

Mr. YANEZ. Yes.

Vice Chairman STOREY. If you could summarize your ideas, we would, then, like to ask you a few questions.

Mr. YANEZ. All right, sir.

First of all, I would like to say that when I first came to Phoenix, in 1922, the concentration of minority groups in Phoenix was primarily south of Van Buren Street. It was unheard of for any Negro or Mexican family to move north of Van Buren Street. However, that is not true today. It will be well understood that the original town-site of Phoenix was—half of it was south of the railroad tracks, and, as the city moved, and most people that had their homes there left for better homes, the older homes became dilapidated and converted into slums before you knew it, and people looking for rentals moved into them.

First, my coming before this Commission is to talk on public housing, because that is just what I am connected with. In 1941, three housing projects were constructed by the Housing Authority of the City of Phoenix. All three were designated for a racial group. One was the Frank Luke, Jr., Homes, consisting of 230 apartments. It was to be occupied by white occupants. Another was the Marcos de Niza Homes, of 224 apartments, which was to be occupied by people of Mexican descent—Mexican-Americans. The next was the Matthew Henson Homes, of 150 apartments, to be occupied by Negro tenants. This was carried on, and occupancy was in the spring of 1941. It had been carried on right through until the Supreme Court rule. At that time, immediately after the Supreme Court ruled on these covenants against restrictions, and all that, the Housing Authority of the City of Phoenix adopted a resolution. I would like to read this resolution.

Vice Chairman STOREY. Go right ahead, sir.

Mr. YANEZ (reading):

Whereas, on November 1, 1939, the Housing Authority of the City of Phoenix designated for occupancy ARIZ 1-1 for families of Mexican descent, ARIZ 1-2 for white families, and ARIZ 1-3 for Negro families; and

Whereas the Housing Authority of the City of Phoenix, Ariz., as an agency of the city of Phoenix, is a public body with public obligations; and

Whereas the U.S. Supreme Court has recently ruled on the question of racial segregation: Now, therefore, be it

Resolved by the Commissioners of the Housing Authority of the City of Phoenix, That the local housing authority shall, in the selection of tenants, abolish the policy of racial segregation, and applications for tenancy will be considered on the basis of need, regardless of race or creed; and

Resolved further, That the nonsegregation policy will be carried out in the administration of the low-rent housing projects in an orderly manner with the normal turnover of tenants; and

Resolved further, That the nonsegregation policy shall become effective immediately.

Well, immediately after the adoption of this policy, the project offices were instructed that any applicant who appeared in any housing project—because we have three different offices—one in each project—that if a Negro applicant appeared at the white project office, they were instructed—the office personnel were instructed—not to refuse that application; to take that particular application for that project.

However, the Negro applicants that come to the Matthew Henson project, that was originally designated for Negro applicants—they were asked, after they filed their application—usually the people come in and say, “I want to make an application,” and they name the housing project for which they are applying—they were asked the question, after the application was filed—they were told this:

The Housing Authority of the City of Phoenix operates other housing projects in addition to this for which you are applying. In the event that there is a vacancy in one of the other housing projects, say, like the Frank Luke, Jr., project, which is presently occupied by all-white tenants, would you be interested in moving in there if there is a vacancy there before there is a vacancy in this project where you are now applying?

The same question was asked of the white applicant, or the Mexican applicant—no matter who it was—right down the line. That has been carried on since this resolution was adopted.

Of course, prior to this time, Phoenix had some very sad experiences here. Immediately after World War II, returning veterans were coming home, and the housing situation in Phoenix was really desperate. It was very serious. Veterans were living doubled up—two or three families in very small quarters—and it was common to find families sleeping in automobiles with their children. The city of Phoenix became very much concerned with it and made every effort to see what they could do. As a matter of fact, the city itself undertook the construction, the rebuilding of some CCC barracks that were in one of the parks here in South Mountain Park, and they converted those abandoned CCC barracks into apartments for returning veterans.

The Community Council had been established a few years before, and it went all out to see what could be done to help the returning veterans. The Community Council established a veterans' section to deal with the problems of the returning veterans. Among the things

that they did was to establish a housing center and hire a full-time director to help these people locate homes, rentals or otherwise, no matter what. Of course, the other veterans' organizations—they all got together, and everybody in the city applied to the Federal Government, and it was fortunate that the Federal Government was just beginning to declare some of their other temporary war-housing projects, built on the west coast, surplus.

Congress also took some action and amended their Lanham Act, adding to it title 5, which made possible the use of this temporary veterans' housing. That, in turn, made it possible for the city of Phoenix itself to apply, and it was given these 198 apartments.

This was about 1947. Forty apartments were designated to be placed next to the original Matthew Henson housing project. They were constructed there for Negro veterans. The greatest majority were going to be placed for white occupancy at North 16th and Roosevelt Streets, and it was decided that 24 apartments would be designated for returning veterans of Mexican descent. They could not locate a place at first, but finally a location was found that would be acquired for that. It was objected to by the American Legion. They made a very strong plea against it, because these buildings were to be 21 feet wide, and actually the area that was selected was only 34 feet wide, one block around, so there would not be any play area around them. The housing authority, working in conjunction with this veterans' section of the Community Council, and, of course, the city officials and the city council, decided to combine this project altogether. Immediately there was a big objection on the part of a group that was organized by a minister of a church located at 16th Street and East Garfield. Among the things that he said was that if the Mexican veterans were going to be taken over there, the area was going to depreciate in value, rape, crime, delinquency, and everything would go up. Of course, finally, the following day, they changed their plea—saying that their argument was only that the property would reduce in value. They stopped the project. They actually got a court injunction in which the city went further, to the Supreme Court, and that Court ruled in favor of the continuation. I have been told that my time is up, so actually I have not had a chance to say anything.

Vice Chairman STOREY. Mr. Yanez, we wanted to leave a little time for some questions.

Mr. YANEZ. Yes, sir.

Commissioner HESBURGH. Mr. Yanez, when you have foreclosures on FHA houses in the city—I know this is not your direct responsibility—

Mr. YANEZ. That is right.

Commissioner HESBURGH. But I am sure you know of it? Are these open to anyone?

Mr. YANEZ. Yes. If the families are within the income limits, we give them priority because they have foreclosures and they are being left without housing in other ways.

Commissioner HESBURGH. I meant more the other way around. In doing my homework for this meeting, I read somewhere that out of 50 foreclosures of FHA housing, 49 were given only to white real estate dealers. That wouldn't make any sense?

Mr. YANEZ. No; not to us.

Commissioner HESBURGH. Maybe the staff will remember that fact.

Mr. YANEZ. I would like to make just one more statement, Mr. Chairman, if I may. All this segregation has been changed in our program, and we do have Negro tenants living in this originally all-white project now. We have had a total of 27 families that we have moved over there. They are not all living there, because they have moved of their own free will, but we do have—I think it is about half a dozen families there, now, and, of course, the Mexicans also are integrated there, too.

Commissioner RANKIN. You mentioned the fact that on an application being made, you asked, for instance, the applicant to the Matthew Henson Homes, whether, in his second choice, he would be willing to go to the Frank Luke, Jr., housing development?

Mr. YANEZ. If there is a vacancy there first.

Commissioner RANKIN. If there is a vacancy there first. There were no vacancies there, or were they unwilling to go? I just noticed that there are so few there.

Mr. YANEZ. We have always had 100-percent occupancy there, so it would be only on tenant turnover that a vacancy would occur. Invariably—I see what you want to know now—invariably, the tenants themselves have refused. They usually say, and this applies to all, you know—white, Mexican, and Negro—invariably they say, "I will wait until there is a vacancy here."

Commissioner RANKIN. That is what I wanted to know.

Mr. YANEZ. That is the experience that we have had.

Mr. BERNHARD. You indicated at the beginning of your statement that many individuals lived throughout the city, and not according to any minority classification. Is that correct?

Mr. YANEZ. I don't understand that.

Mr. BERNHARD. In other words, there are people who have, maybe, Mexican-American background, or are Negroes, and they are living throughout the city; are they not?

Mr. YANEZ. They are scattering now, in private housing, and in housing that they have been buying.

Mr. BERNHARD. Would it be your opinion that this is a desirable thing to have in the city of Phoenix?

Mr. YANEZ. It has been very good. There has been no general objection from big groups. I have not heard of any.

Mr. BERNHARD. Has this policy been reflected in site selection in the public housing area?

Mr. YANEZ. Well, in our program we have, in recent years, selected sites where there was already integration in private housing. As an example, the last project that we completed, a year and a half ago, between 17th and 18th Streets—three races were integrated in there. About one-third of them were owners; the rest of them were renters.

Mr. BERNHARD. Let me ask you this: Is there any public housing that exists, outside of Phoenix Elementary School District No. 1?

Mr. YANEZ. No, sir. That is under our jurisdiction. We operate only within the corporate limits of the city of Phoenix, and all of our projects are in Elementary District No. 1.

Mr. BERNHARD. Has there been any attempt to select sites outside of Elementary School District No. 1?

Mr. YANEZ. We did select two sites; one at 23d Street and East Fillmore—

Mr. BERNHARD. When was that?

Mr. YANEZ. It happened to be at the very tip, the very end, of another school district, and there was quite a bit of objection on their part—on the part of this school.

Mr. BERNHARD. On the part of the school?

Mr. YANEZ. Yes, but not the Elementary No. 1. It was another school district.

Mr. BERNHARD. Was this an objection on the part of the surrounding homeowners, or on the part of the school district?

Mr. YANEZ. The school board and the homeowners, too.

Mr. BERNHARD. And, as a result, that site was not selected?

Mr. YANEZ. But it was not for that reason that the site was not selected. The site was selected, and after that it was changed by the housing authority, only because of a program that was being initiated by the county here to build a new medical—county hospital—and that was a site that was selected as an ideal place for a county hospital; so we moved out of there.

Mr. BERNHARD. Are any plans contemplated at the present time to select any sites for public housing outside of the Elementary School District No. 1?

Mr. YANEZ. Not at the present time: not what we have under authorization now.

Mr. BERNHARD. Thank you.

STATEMENT FOR THE RECORD BY ROY B. YANEZ, EXECUTIVE DIRECTOR, HOUSING
AUTHORITY OF THE CITY OF PHOENIX

The Housing Authority of the City of Phoenix was established on April 5, 1939, and immediately thereafter a board of commissioners was appointed, an application for low-rent public housing was submitted to the U.S. Housing Authority, which was, at that time, the Federal agency that administered the low-rent public housing program. The request for an allocation of 604 apartments was approved, consisting of 3 separate housing developments to be designated as follows:

The Frank Luke, Jr., Homes, 230 apartments for Anglo-American tenants. Project named after Frank Luke, Jr., a World War I hero who was acclaimed as the "balloon buster."

The Marcos De Niza Homes, 224 apartments for Latin-American tenants. Project named in honor of Fray Marcos De Niza, a Catholic priest, who was the first white man to enter the State of Arizona.

The Matthew Henson Homes, 150 apartments for Negro tenants. Project named in honor of Matthew Henson, credited with being the first Negro to accompany Admiral Peary to the North Pole.

These projects were completed and all occupied prior to the start of World War II.

Throughout the history of the State of Arizona, different words have been applied to its citizens of Mexican descent, such as Latin-American which is used in this report, and Spanish-American, as well as Mexican-American. There are some people who always refer to this group as just plain Mexicans. However, it should be brought out that the greatest majority of the Latin-Americans in Arizona are descendants of old pioneer families who have resided here for many generations and are American citizens, the same as the greatest majority of Americans who are descendants of practically all of the European nations. It is my opinion that the citizens from south of the border, which is Mexico, resent foreigners using a term which is their own. The occupancy of the above projects was kept in accordance with the original designations as far as racial groups were concerned until November 10, 1955. At that time, the board of commissioners attention was called to a recent U.S. Supreme Court mandate relative to abolishing racial segregation, and the board was unanimous in its decision to adopt a policy that would conform to said mandate. Resolution 226, which I read previously, was adopted on November 10, 1955. Immediately after the adoption of this policy, the personnel in the project offices, where prospective tenants file their applications for public housing, was instructed to accept all applications, regardless of the applicants' racial background. In the selection of tenants on the project turnover (moveouts), there was to be no distinction made between racial groups. Application forms used by the rental offices have no identifying information relative to race, color, or creed.

Further, the project office personnel was instructed that whenever an applicant called to inquire about an apartment, he was told that the authority has three housing projects under its jurisdiction, and applicant would be required to accept a vacancy in any of the three where such occurred first. However, if the applicant chose to wait for a vacancy in the particular project in which he preferred residing, he was put on the waiting list. Invariably, the applicant chose to wait for an apartment in the projects as they were originally designated.

Also, I instructed the housing managers to attempt to persuade a few colored families to move into the all-white-occupied project, as well as the all-Latin-American project. It is unfortunate that we were not successful in getting a Latin-American project. It is unfortunate that we were not successful in getting a good portion of new tenants to agree to this integration plan. However, there are now some Negro families living in both the Anglo-Saxon and Latin-American projects.

Shortly after the start of World War II, the housing shortage in Phoenix became a serious problem. The Federal Public Housing Administration initiated the construction of a 200-unit dwelling project, which was designated as being essential for housing families of essential war workers who were to be employed by Airesearch Corp.

Immediately after its completion, it was leased to the Phoenix Housing Authority for its operation. Occupancy in this project was to be solely determined by the Airesearch Corp., who was charged with the responsibility of recruiting essential war workers for their factory from throughout the United States, and

resulted in occupancy being composed of many ethnic groups from throughout the country. Immediately after World War II this project was converted to house distressed families of returning veterans. Latin-American families were not restricted in the selection of tenants for this project from there on. On November 26, 1945, the matter of immediate occupancy by Negro veteran families at the Duppa Villa project was discussed at a formal meeting of the Board of Commissioners of the Housing Authority of the City of Phoenix, and this matter was tabled by unanimous consent of the commissioners.

By 1953 it had been determined that there was no housing shortage in Phoenix, since many thousands of homes and apartments had been constructed and were within the reach of families with \$4,000-and-over annual income. It was at this time that the housing project was relinquished by the Federal Government and acquired by the city of Phoenix. This housing project was then converted to house families of low income.

Since this project was built as a temporary war housing development, part of it has been demolished and the balance will be demolished shortly. A section of it will be used as a city park and the balance will be used for the construction of 202 permanent low-rent public housing dwelling units.

Mr. Bernhard suggested that I give the Housing Authority's policy on site selection with respect to its current policy. In the selection of a project site for a project consisting of 200 apartments, 36 of these were constructed on land adjoining the first all-Negro project, Matthew Henson Homes, and the balance of 164 apartments were built in another location.

Immediately after the end of World War II, when the Armed Forces began discharging the servicemen, the housing problem, which had been acute during the war years, became intolerable to the extent that the Phoenix Community Council requested the city of Phoenix and the State of Arizona to proclaim Arizona as being in a state of emergency of wartime proportions.

The Community Council requested the mayor to provide for the immediate conversion of the South Mountain Park CCC barracks into temporary dwelling units for veteran families. The Phoenix Community Council also adopted further resolutions requesting that an emergency housing council be established on a communitywide basis to focus the attention of citizens of Phoenix to the serious housing shortage. The other resolution called for the mayor to request the congressional representatives of the State and Nation, if necessary, to secure the needed action to relieve the serious emergency in every way possible.

An article appeared on January 11, 1946, in a local newspaper stating that the Federal Government would take steps to ease the housing problem in Phoenix within 30 days and that the city manager was quoted as saying that he was prepared to recommend to the city council that a request be made to the Federal Housing Authority for the construction of 500 temporary dwelling units which would be the type of housing constructed under the Lanham Act for war workers.

Some of this temporary housing had been declared surplus property by the Federal Government and could be used for temporary veterans' housing, which was known as veterans' reuse housing under title V of the Lanham Act.

Of interest to this Commission is an item that appeared in the application prepared by the city manager for Government-surplus housing, which indicated that racial minority be substantially provided for in proportion to need. On February 10, 1946, the city of Phoenix was advised by the regional office of the Public Housing Administration in San Francisco that 180 units were approved—150 of these to be for the city of Phoenix and 30 for other locations in Maricopa County. The 150 apartments for the city of Phoenix were to be divided into three projects—one for white families, one for colored families, and one for Latin-Americans.

The white project was to be located on a tract of land adjacent to the Duppa Villa Homes; the colored project was to be constructed adjacent to the Matthew Henson Homes project; and the selection of the Latin-American project had not yet been made. However, a newspaper item appear in the Arizona Republic Sunday, March 24, 1946, about a resolution protesting the tentative site chosen for the Latin-American project, being bought by the Federal Public Housing Authority was presented to the city manager by the commander of Thunderbird Post No. 41 of the American Legion. The main objection cited that the site chosen was two blocks long and 34 feet wide and, since the buildings are 21 feet wide, this would not allow for sufficient yard space in the project. Further, it was brought out that sanitary conditions in the area were undesirable. It was later decided by the city of Phoenix officials that the 24 units, which were planned

for occupancy by the Latin-American veterans, were to be incorporated with those units that were to be constructed at 16th and Roosevelt Streets, and that a total of 156 apartments be built at a vacant site existing at North 16th and Roosevelt Streets.

As soon as the announcement was made in the newspaper that 24 Latin-American families would be given housing in the area bounded by North 16th and Roosevelt Streets, a number of property owners in that neighborhood, led by a minister of a church situated at the northwest corner of 16th and Garfield Streets, initiated their attack against the project being located there, charging that bringing Mexican families into this neighborhood would greatly endanger the peace and welfare of the neighborhood; crime, delinquency, and rape would be an everyday occurrence.

A day later they switched and protested to the effect that the project would lower property values. However, I was present at that particular city council meeting and personally heard the minister, who was the leader of the group, state to the mayor and city council members that moving 24 Latin-American veteran families into that neighborhood would cause a hardship on the present neighborhood, as well as bring in crime, rape, and other undesirable conditions.

In spite of these objections, the City Council felt that the returning veterans, who were in dire need of housing, should be provided with accommodations to the best of the city's ability, and proceeded to enter into a contract with the Federal Public Housing Authority for the construction of 196 units.

This project was named Harry Cordova Homes, after a former tenant of the Marcos De Niza Homes, who was among the first casualties during the Normandy invasion. The construction of this project was undertaken by the Federal Public Housing Authority and private contractors.

Immediately after the construction was in progress, a Mr. O. T. Brockman, Phoenix building contractor and owner of property in the area described above, filed a suit in behalf of himself and many hundreds of property owners and taxpayers of this neighborhood and was successful in securing an injunction against the general contractor which prevented him from continuing with the construction work.

Immediately after the notice appeared in the newspapers of the work stoppage on the project, it aroused all the veterans' organizations in the community and resulted in the adoption of resolutions requesting city officials to make every effort to bring these housing units to completion.

The largest local veterans' organization at that time was the Luke Greenway Post No. 1 of the American Legion, and the resolution adopted stated that its contents represented the sentiments of approximately 4,500 members of the post, backing to the hilt the efforts of the Federal Public Housing Authority and officials of the city of Phoenix to make it possible to keep this project.

By this time, the Phoenix Community Council had established a community veterans' information center for the purpose of providing qualified personnel to advise the returning veterans of the availability of local welfare agencies, as well as assisting them in securing public or private housing since the housing situation was so acute.

A Mr. Ralph Sage, who was the director of the veterans' information center, stated that the seriousness of the housing situation in Phoenix was such that not less than 4,000 units of rental housing were needed at once. On November 20, 1946, Superior Court Judge T. M. Phelps ruled that continuation of the halted veterans' project at 16th and Roosevelt Streets by anyone or any group was precluded by the judgment he rendered. The city, the contractor, and all others acting in aid or assistance, or any other person or persons whomsoever, permanently were enjoined from proceeding, by his judgment, in the suit.

On December 11, 1946, the Arizona Supreme Court lifted the ban on construction of the veterans' housing project at 16th and Roosevelt Streets. However, before work could be resumed, the court in effect held that it was necessary for the Phoenix City Council to pass a valid ordinance authorizing the municipality's participation in the program.

When the controversial project received the go-ahead signal, the higher tribunal quashed a Maricopa County Superior Court injunction against the contractor and modified the lower court's judgment in regard to the city's participation. By so ruling, the supreme court issued a writ of prohibition estopping the superior court and Judge Phelps from interfering with the contractor by denying the city of Phoenix's application for a writ of prohibition against the court because of the invalidity of the original ordinance.

It was contended that the city ordinance providing for lease of the property was invalid because it was not passed by a four-fifths vote, and the supreme court upheld such a view. However, Judge Phelps perpetually enjoined the city from enacting an ordinance on the project. The supreme court held that such ruling by the superior jurist was in excess of his jurisdiction in that courts have no power to enjoin legislative functions.

The supreme court also ruled that the city of Phoenix has the general power under its charter to expend money and to enter into contracts for the housing of veterans and their families. It was held that the city under its charter has the right to expend money for public purposes which may be conducive to the welfare, safety, good health, convenience, or improvement of the city and its inhabitants.

The high court said that lack of adequate housing results in illness and disease, and may breed crime. All of the residents of a community are vitally interested in housing its inhabitants. The housing of one class will tend to relieve the housing as a whole.

On December 17, 1946, the city council adopted two resolutions unanimously, which permitted the completion of the veterans' project at 16th and Roosevelt Streets. Some of the arguments that were brought out at the city council meeting before adoption of the two resolutions referred to above held that veterans needed housing badly and quickly; that the veterans' housing in the area compared favorably with many other homes in the neighborhood.

A community has an obligation to the veterans to provide them with jobs and decent places to live. Many veterans were in pitiful plight, living in basements, barns, sleeping porches, and single rooms with wives and children and it was not uncommon to find veterans and their families sleeping in automobiles. Many children of veteran families get sick and die because of the lack of proper housing facilities.

It was further brought out that the property owners who had protested the construction of this project were more interested in inflated property values than in homes for veterans. The high property values were the result of the war, and of the victory won for the property owners by 11 million Americans. The property values would have been unimportant if the war had been lost.

This housing development was brought to a satisfactory completion, and the Housing Authority of the City of Phoenix was designated to administer this project. It soon developed that it was impossible to maintain occupancy of only 24 apartments for Latin-American veterans because there had been so many intermarriages of Anglo-Saxon and Latin-Americans during the war years that nearly 50 percent of these apartments had occupants of Latin-American descent. There never were any problems which could be attributed to racial backgrounds. Further, property values did not decrease in the general vicinity of this development, and nearly 1,500 veteran families were housed during the life of this housing project.

Enclosed with this report is a city map which indicates the location of the various low-rent public housing developments listed below.

There are seven aided projects:

With no bedroom, none.

With 1 bedroom, 460.

With 2 bedrooms, 480.

With 3 bedrooms, 266.

With 4 bedrooms, 72; and with 5 bedrooms, 10; making a total of 1,288.

ARIZ 1-1, the Marcos de Niza Homes, consists of 224 apartments located between Yavapai and Pima Streets and between the alley west of First Avenue and Harmon Park.

ARIZ 1-2, the Frank Luke, Jr., Homes, has 230 apartments and is located between 19th and 20th Streets and between Villa and Polk Streets.

ARIZ 1-3, the Matthew Henson Homes, consist of 150 apartments, located between Sherman and Tonto Streets and between Seventh and Ninth Avenues.

ARIZ 1-4, the Matthew Henson Homes addition, consists of 196 apartments, and is located between 9th and 11th Avenues, and between the alley north of Buckeye Road and Grant Street.

ARIZ 1-5, the Marcos de Niza Homes addition, has 150 apartments and is located between First and Fourth Avenues, with Fourth Avenue running south and ending at Harmon Park and Yavapai Streets, and between Pima and Grant Streets.

ARIZ 1-6, the Frank Luke, Jr., Homes addition, consists of 138 apartments, located between McKinley and Villa Streets and 16th and 18th Streets.

ARIZ 1-7, the Sidney P. Osborn Homes, has 200 apartments, with 36 located between 7th and 9th Avenues and between Buckeye Road and Tonto Street; 164 are located between 17th and 18th Streets and the alley south of Van Buren and the alley north of Washington Streets.

A percentage breakdown of present family racial occupancy in all projects is as follows: Anglo-Saxon, 19.2 percent; Latin-American, 40 percent; Negro, 39 percent; Indian, 1.6 percent; and Filipino, 0.2 percent.

In conclusion, I wish to state that the function of the Housing Authority of the City of Phoenix is to provide decent, safe, and sanitary housing for families of low income at rentals within their financial means, regardless of race, creed, or color. However, we have endeavored to provide, percentagewise, in proportion to population, a larger portion of apartments under our jurisdiction to Negro families. This is due to the fact that we have been aware that this group has been restricted from many other sections of the city and is the one group that has suffered most for lack of sanitary standard housing.

I trust this report will provide the members of this Commission with the information relative to civil rights as it applies to the low-rent public housing program.

Vice Chairman STOREY. Thank you very much, Mr. Yanez. We are to have a break, now, but I want to say a word to the marshal, if I may. We see some people standing. Three or four chairs up here could be released, and during the recess I hope you will arrange them so that the others may sit down. We will take a 10-minute recess and will reconvene promptly at the end of that time.

(Recess.)

Vice Chairman STOREY. Ladies and gentlemen, may we come to order? Mr. Bernhard, will you present the next panel?

Mr. BERNHARD. The next panel of witnesses will be dealing with the Negro in Phoenix. You will hear from Mr. Charles F. Harlins, executive director, Phoenix Urban League; from Lincoln J. Ragsdale, who is a businessman of Phoenix; and also Rev. G. Benjamin Brooks, who is with the National Association for the Advancement of Colored People.

Vice Chairman STOREY. We need one more chair up here, please. Come around, gentlemen. Will you please stand and hold up your right hands and be sworn? Mr. Bernhard, will you introduce the first witness?

Mr. BERNHARD. The first witness will be Mr. Charles F. Harlins, of the Urban League.

TESTIMONY OF CHARLES F. HARLINS

Vice Chairman STOREY. Go right ahead, Mr. Harlins.

Mr. HARLINS. Mr. Chairman and members of the Commission, my name is Charles F. Harlins, and I am executive director of the Phoenix Urban League, a social-service agency in the field of race relations, with offices located at 1515 East Osborn Road, in Phoenix.

I wish, first of all, to thank the Commission for the opportunity to appear, and to give testimony in regard to the Negro in Phoenix. In speaking of the Negro in Phoenix, I want to use my chart to try to fix in your minds the area that we are talking about.

The area that you see colored in here, which represents, for the most part—if you are familiar with the city—the Salt River running along here, and the area that is colored in, with the addition of these two areas here, represents the location of 94 percent of the Negroes in Phoenix. So, when we talk about the Negro in Phoenix, we are talking about an area of roughly nine census tracts, three of which are south of the Salt River. These three contain nearly one-half of all of the Negroes who live in Phoenix. I think that the significance of this fact can be realized as we see the separation into rigid community patterns, resulting in a blockage of effective communication between various community groups. These walls also serve as deterrents to building the type of community solidarity which sees the Negro not only enjoying equality of opportunity in terms of education, housing, and employment, but also equality in accepting the opportunity to share in his community's plans, programs, and progress.

In short, what has developed is a lack of awareness of potentials for leadership within the Negro community. I think that this is reflected in the absence of a representative number of Negroes on the boards of civic, cultural, and community welfare agencies. This, in turn, often begets a condition in which there is no bridge linking the needs and potentials for leadership of the Negro with the provisions for health, welfare, and recreational services in the city. When the Negro is so confined, there then exists, as there does in Phoenix, a condition of de facto segregation in education, which is just as damaging as any other kind.

For the most part, Negro students are forced to spend their first 8 years of education in predominantly Negro schools staffed largely by Negro teachers, only to be thrust, upon entering high school, into a heterogeneous group with which he has had little or no prior experiences, under a teacher who, because of certain processes of community conditioning, may represent an alien force for him. It demands an adjustment which is very difficult to make. Because of certain values attained in such a segregated neighborhood, the Negro student must alter many of these values before he is able to make adequate adjustment in his new situation.

In order to understand this condition, we have to look at the housing pattern of Negroes in Phoenix. A current research reveals that 19,000 of these 21,000 Negroes in Phoenix live within a compact area, and that 41 percent of the housing in this area is occupied by nonwhite and 45 percent of this is substandard housing. While these figures are not significant in themselves, they become significant when we realize that this is the area where the bulk of the Negroes live; that this is the area which represents one of the worst localities of substandard housing in this city.

Now, we must take into account, also, that there is an interrelationship here between the type of housing Negroes live in and the type of incomes they have. The median family income in the areas where we find 94 percent of the Negro population ranges from a low of \$2,900 a year to a high of \$4,000 a year. So, I think it would be safe to say that part of the reasons for these housing conditions—part, at least, is because of sheer economic reasons.

We must also add that our experience has been that the reluctance and refusal of many white realtors to sell and show homes to Negroes in certain areas of the city serves as a barrier to those who want to move out of predominantly Negro areas. We have this trouble particularly as it applies to airmen who are stationed at our bases. Just this week we have been contacting trailer parks trying to find trailer rental space for a Negro airman who is being transferred to Luke Field. After the sergeant at the base had gone completely through the yellow pages, we were unable to find a place where the airman would be able to park his trailer. We hope that we will be able to find some.

We cannot escape the interrelationship between housing and employment. Traditionally, Phoenix has not been known as a "liberal" city in regard to employment. In a recent survey of 20 business establishments in downtown Phoenix, it was revealed that only 3 of the stores had Negroes in employ, except as custodians, maids, or in general unskilled categories. When inquiry was made concerning the absence of Negroes in positions above these, a majority of personnel managers admitted no policy of exclusion, no policy of discrimination, with regard to hiring Negroes. All of them expressed no personal bias toward hiring Negroes, even though seven stated that they would be reluctant to hire Negroes because of the fear of adverse customer and/or employee reactions. It is worthy of note that, even though the Negro population has increased almost 100 percent since 1950, there are only three more Negro high school teachers some 9 years after desegregation than there was in the last year of segregated schooling. There are no Negro elementary school teachers hired in the schools north of Van Buren, the bulk of the Negro elementary school teachers being hired in the predominantly Negro areas of Phoenix Elementary School District No. 1 and the eastern end of the Roosevelt School District. Concerned Arizonians, both white and Negro, have lamented the fact that many State of Arizona University graduates, including those who are certified as teachers, have had to leave the State to find employment in the area of their training.

There are a number of Negroes employed in local government. The county, with a limited number of Negroes in supervisory capacities, appears to have a better record of hiring Negroes than either the city, State, or Federal Government. The State suffers a severe lag in the

employment of Negroes. In 1961, the city of Phoenix reported that it had 298 part-time and full-time Negro employees, two-thirds of whom are classified as laborers. Negroes are conspicuously absent in the work force of Federal agencies, except for a very few in certain menial capacities, and a few others in semiskilled and professional categories who have been transferred from other States.

I should not like to paint an all-dismal picture. The most recent encouragement in employment has been with the electronics industry, where several significant placements have taken place. Although limited, and although there are firms which have not initiated action, this is a step in the right direction. There remains a big job to be done in opening employment opportunities for Negroes. The consequences of this lag in equal employment opportunities may be seen in the low incentive and motivation of a vast number of Negro high school students who feel it futile to prepare for jobs or continue their education.

In the area of police protection and the administration of justice, it is generally agreed that no discrimination exists. Likewise, we have been completely free of discriminatory practices in exercising the right to vote.

You have heard about the Arizona Restaurant Association declaring the "open policy" in just about all of the second- and first-class restaurants in Phoenix. Unfortunately, though, as long as there are motels, hotels, restaurants, and other places of public accommodation which are closed to Negroes, a Negro resident or transient will not know what to expect when seeking accommodation.

These are some of the problems, and some of the areas of progress, that we think have been made in Phoenix. But we think that more can be done if we can do something toward breaking down the walls so that there will be a bridge linking the needs and potentials of the Negro community to the whole community; so that there will be an environment of understanding which does not exist now, an environment of understanding which will dispel some of the complacency under which we reside.

I think I would like to conclude at this point and save my recommendations until after Mr. Ragsdale and the Reverend Brooks make their statements.

Vice Chairman STOREY. Thank you very much, Mr. Harlins. We will now hear from Mr. Lincoln J. Ragsdale, a businessman. Go right ahead.

TESTIMONY OF LINCOLN J. RAGSDALE

Mr. RAGSDALE. Thank you.

Vice Chairman STOREY. What is your principal business? Will you tell us that?

Mr. RAGSDALE. We have a mortuary business, and this real estate business. As Mr. Harlins has pointed out—I am not going to read from my notes—

Vice Chairman STOREY. We would rather you would summarize and leave time for questions. It will go into the record in full.

Mr. RAGSDALE. It would take me about 30 minutes to read this. We have many facts, and I won't bore you with them. In 1950, we had approximately 25,000 Negroes in the State of Arizona. Some 5,000 of these were in Phoenix—approximately 20 percent. In 1960 this number had risen to 21,000, which means that 40 percent of all the Negroes in the State of Arizona resided in the city of Phoenix, and 60 percent of them happen to be in Maricopa County.

In regard to the housing occupied by Negroes, we can show you on the map here that we have 6,000 housing units so occupied. The significant thing to point out is that 90 percent of all the Negroes living in Phoenix live south of Van Buren Street. This is where the line stops. We also can point out to you that 80 percent of the population of Phoenix resides north of Van Buren Street. It is also important to note that 97 percent of practically all the Negroes live within a radius of 1 mile of the railroad tracks or the riverbed.

Let us take one report, census tract No. 105. We find that in 105, which is bound, as shown by our map, by 24th Street on the west, up to the riverbed, along the riverbed to 40th Street, down Broadway to Roeser Road—in this area we have 1,250 housing units. One thousand of these are occupied by Negroes. We have 4,000 Negroes living in the area. It is surprising to point out that 73 percent of these units are substandard. Thirty-four percent of them are dilapidated, unfit for human occupancy. This is typical.

On the west side of Phoenix, where urban renewal was scheduled, the same fact remains, but our city council, after taking Federal money and firmly establishing the policy that the need was there, said, "Let private industry do it." What has private industry done about housing for Negroes? Let us look at it. Some 31,000 new homes have been built by 3 builders in the northeast section of Phoenix and the northwest section of Phoenix. All of these houses were built, directly or indirectly, through FHA commitments, or savings and loan associations that had Federal insurance. Not one of these new houses—not one—has been sold to a Negro when new.

What happens when a Negro goes to buy an *existing* structure? Usually, when you walk in and find a person who will sell you a house, they have an FHA commitment. You have difficulty in finding someone who will give you the mortgage. I have a case right here of an FHA commitment where the lending institutions told us, "Fine; we will make the loan." The reports were sent in. And when they were sent in, I called them on the phone. They said, "Fine. Come on

over. We want to see the parties. We will make the loan." We got there. They discovered they were Negroes. They said, "We are very sorry. There must be some mistake. This house—the windows are too high from the ground. We cannot make this loan."

We went to several other lending institutions. They told us, "We cannot salt and pepper the community. We won't help to do this." We had four turndowns, and we sent this information to the Voluntary Home Mortgage Credit Program's regional office. They received the material. They said to us, "Send us the facts and financial statements. We will work the thing out."

What happened? Three months they worked on it, and then they told us, "We have done everything we can do." In July they sent us a letter, a letter of sympathy. They said to us, "I have reached the end of my road." I have it right here in quotes.

This white seller who decided he would sell a Negro a home—a suit was issued against him by a white real estate broker, and for 2 years it was in court, in Maricopa County's Superior Court. Finally it was brought up—this past fall. We testified there. It was thrown out. He alleged that he had brought a white buyer to him and we didn't have a bona fide contract. Look at the mental anguish—2 years—that the people suffered, trying to decide if they could even sell the house or not.

What happens to FHA repossessions? FHA repossessions—these houses that are owned by the Federal Government—they are repossessed. We couldn't find a single instance, in all the years of FHA in Phoenix, where a Negro had been able to even know the houses that they had on the list were outside the Negro ghetto; and, to my knowledge, a Negro has not been able to buy one house, which had been repossessed, from the local FHA office, or the VA office, outside of the so-called Negro area.

Public housing. I want this on the record. Mr. Yanez said to us that we are integrated. Well, I can prove to you that we have seven housing projects in Phoenix. Two of the projects are all-Negro; one project happens to be all white, and in three of them, one has one Negro, another has two Negroes, and a third has three Negroes—and he calls this integration? We only have one housing project that has any resemblance to integration, and it is located right at the last one he mentioned, around 17th Street south of Van Buren Street. They have 200 units—150 occupied by Negroes; 30 occupied by Mexican-Americans, so called; and 12 by whites.

Not only is the Negro segregated while alive, but even when he is dead, when he goes to his final resting place, and to the sod. Every cemetery in Phoenix has some form of discrimination, either racial or religious. As one man told us, "So shall you live. So shall you die. Segregated."

Vice Chairman STOREY. Thank you, Mr. Ragsdale. Next is Rev. G. Benjamin Brooks, of NAACP.

TESTIMONY OF REV. G. BENJAMIN BROOKS

Mr. BROOKS. Mr. Chairman: I am also the pastor of the Southminster Presbyterian Church, part-time. As I see it, the greatest problem facing the Negro in Phoenix is that of employment, and there are perhaps two reasons why this problem exists. First, there is the problem of skills which are demanded by industry. Most Negroes who are seeking employment must do so without adequate technical knowledge or experience. Those who have some skills are usually offered jobs far beyond their abilities to perform. There are certain firms which have consistently refused to hire Negroes and—this is the second point—this is done on the pretense that the whites may walk off the job, or that the “community” is not yet ready for integration of the work force. Some firms hire a high percentage of school graduates with little or no specialized training or experience; yet, when Negroes apply for the very same jobs, they are told that they lack some qualification which, apparently, has just come into the mind of management. To illustrate this point: A man applied for a job as a meter reader. He was told he was too short. I might point out here that most meters in this firm are about 1 foot off the ground.

Prima facie evidence of discrimination in certain firms is borne out by the fact that one firm, having 4,800 people employed, could not identify one single Negro, though Negroes had applied at job levels for which they had skills—many of them. Another firm, relatively as technical as the one cited above, has Negroes in a variety of jobs, including the testing laboratory. This firm has hired two Negro girls as officeworkers. A guard was also recently employed in this firm. However, out of approximately 3,700 people employed in the firm, only about 50 are Negroes. There is a bright spot, however, in the hiring practice of one major firm in this area. This firm hires more than 200 Negroes in a variety of jobs throughout the plant.

Though there are some 8 major firms doing business with the Federal Government in this area, and hiring more than 15,000 people, less than 350 of them are Negroes, and 1 firm hires more than 200 of this number.

Although it is impossible to get accurate figures on industry doing business with political subdivisions, a head count reveals that very few Negroes are, in fact, employed. With the exception of two such companies, all refused to hire Negroes as truck drivers. If the absence of Negroes on such jobs is due to racial discrimination, as at least one man has so charged, it is in clear violation of Arizona State law, and, I believe, the 14th amendment.

The retail and service industries hire Negroes for the most part in custodial positions only. A recent survey of 20 downtown stores revealed that there were only 2 Negroes. This has changed in the last couple of days, since picketing downtown—only a few Negroes were employed in sales capacities. All others were employed, for the most part, as custodial workers.

With respect to banks, insurance companies, and, to a lesser extent, department stores, there are very few Negroes employed in other than menial capacities.

There have been few breaks in the pattern of employment by political subdivisions. Apart from 6 elementary school principals, 2 counselors, and 1 bookstore head, Negroes are not employed in any supervisory capacity in the 12 school districts in this area—13, including the high school. The city of Phoenix has 5 Negro policemen, out of a force of 400. Only one has been promoted to the rank of sergeant, and thus can be classified as a supervisor. Four Negroes are in the fire department, including two who were inherited when the city of Phoenix annexed a part of the rural fire department. The city also employs one bailiff. Out of a total employment of approximately 3,500 people by the city of Phoenix, roughly 300 are Negroes, with approximately two-thirds, or 192 of them, classified as laborers.

Maricopa County does a better job, as Mr. Harlins has pointed out. There are fewer Negroes working for the State of Arizona in Phoenix than in any other political subdivision. The Federal Government employment of Negroes in the State of Arizona reflects very little of the national trend; except for the post office, no other agency of the Government has an appreciable number of Negroes. Those Negroes in the post office, for the most part, work as carriers. To my knowledge, only one has a rank, or a rating, above the grade of 4, though grades 4, 5, and 6 do not necessarily require examinations. There are two Negroes working for the Internal Revenue Service in other than custodial capacities, and these were first employed in other States. Out of a total of 106 workers in the Federal Housing Administration, only 2 are Negroes. Litchfield Naval Air Facility, however, hires approximately 560 people, 24 of whom are Negroes. In the course of a hearing in the summer of 1961, no Negroes were found employed in this facility as supervisors or foremen, though some qualified in terms of education, experience, and time served.

The Public Utility Companies are not without blame in their hiring practice toward Negroes. One company uses a Negro with a BA degree in clinical psychology as a ditch-filler. One of the tragedies of the Negro is that so much of his talent dies on the vine. This same firm, however, hires a Negro as a personnel service representative, and another as an art layout man. Among the 21 Negroes working for this company, out of a total work force of approximately 1,413 people,

there are five who have some college education, or who have obtained college degrees. All the rest of them, for the most part, work as janitors.

In the area of communication, one firm hires 2,200 people, 68 percent of whom are women. Of this number, less than 1 percent are Negroes. This firm hires a total of about 18 Negroes. Another utility company hires a draftsman, but no secretaries, no meter readers, no file clerks. Out of a total employment of about 1,765 people, only about 20 are Negroes.

The apprenticeship program has had few Negroes to participate in it. One program, in 1948-49, refused to accept a Negro applicant, though he had had the vocational training in high school. In 1959, this same person applied for membership in the union, but was told that he did not have apprenticeship program training, so his application was refused. Reliable persons say that there are about 6 Negroes now participating in the more than 35 apprenticeship programs that are established in this area.

This exclusion of Negroes from both apprenticeship programs and various aspects of the trades is due to two main reasons: First, the discriminatory policies of some unions; and secondly, the lack of adequate vocational counseling of Negro youth. While there have been some gains in the acceptance of Negroes in the labor unions, there are still certain locals which continue to discriminate against Negroes in accepting them, or by limiting the areas of their work.

Certain unions have actually refused to permit Negroes to work as craftsmen. On at least one occasion, when a company doing business for a Negro contractor was without help, it requested permission from the union to use the Negro laborer. The permission was granted.

This, sir, ends my testimony.

Vice Chairman STOREY. Thank you, Reverend Brooks. Father Hesburgh, do you want to begin?

Commissioner HESBURGH. Reverend Brooks, I think the interesting picture that you and Mr. Ragsdale have given us is the other side of the coin that we find in every location in which we have hearings—and we have had hearings in practically every city in the United States that is centrally located. I am talking, now, about key cities like New York, Chicago, Los Angeles, San Francisco, Atlanta, and so forth. I would guess that maybe our problem in this hearing—it is emerging this way—and it is no different than any other hearing we have had anywhere else—is that we, first of all, note all the progress that has been made; we have always done so in every hearing. We note all the progress that has been made. It is considerable, I think, in Phoenix. It is more considerable than in many other places we have been to. But then, I think we have constantly to ask what I have been asking this morning: Where do we go from here?

I would guess that the problem here is that of making possible the kind of aspiration in the Negro community that one can have in any other person who happens by the chance of providence to be born white. And I would guess that the only way to break through this thing is to get an organic approach to equality of opportunity. I don't think you can detach employment from housing, or housing from education, or education from citizenship, and so forth. All of these things hang together.

At least you can say that here in Phoenix there is no problem on voting; there is no apparent problem of administration of justice, although you do not participate so much in the instrumentalities of justice. Therefore, your problems really get down to three key things: education, employment, and housing. But even there, I think, from what I have seen of the housing yesterday in our tour of the city, it may be segregated, but it is far in advance of that in many of the other places we have seen around this country.

So the only question that I would like to ask you is: Can you see horizons ahead of you, or possibilities for opening this equality of opportunity in education, educational training for better employment, more availability of employment once that training is there, and ultimately for something that we might even be able to assist in, at least insofar as the Federal Government is involved in housing, employment, or education—that we shall certainly continue to insist the public moneys be available for the good of all the citizens, not just one class.

Reverend BROOKS. I could see this quite possibly being true, provided the instrumentalities of government are also used to bring certain firms in line with the orders of the Federal Government, and that there be created in Phoenix, and in the State of Arizona, a new kind of image, a new, more powerful instrument of human relations. I think this is one of our crying needs in this area. We have no powerful voice speaking out against human injustice.

Commissioner HESBURGH. What you are really saying is that the problem does not get solved if white people only talk to white people and Negroes only talk to Negroes. You do not solve the housing problem if the Federal Housing Agency only has 2 or 3 Negro employees out of 150 or so?

Reverend BROOKS. One hundred and six, sir.

Commissioner HESBURGH. So I think the pattern we are seeing here is the one we see all over the United States, in varying degrees of intensity. I think you have a climate here, because of your advances in other areas, to begin to really get on with this one, and I would guess that our responsibility would be to see that the Federal Government in Washington is at least apprised of its own bad practice in this

matter, and we can assure you that we will see what we can do about that. We can at least assure you we will find out.

Reverend BROOKS. Thank you, sir.

Commissioner ROBINSON. I would like to ask Mr. Ragsdale if he could summarize very briefly for us the causes, as he sees them, for the situation that almost the entire Negro population of Phoenix is concentrated in that area south of the tracks that he mentioned. Mr. Ragsdale, you mentioned a couple of things. You spoke of real estate brokers, and difficulties in getting FHA loans. Could you summarize for us any other reasons which, from your viewpoint, would appear to contribute to that condition?

Mr. RAGSDALE. Yes. FHA, as you know, came out in 1938 with an underwriters' manual which encouraged builders to segregate—which even encouraged restrictive covenants, and most of the men we have in Phoenix, in charge, are the older men who came under this 1938 underwriting manual. The policy has been—the restrictive practice has been—that they do not encourage this. All we have to have is just the Federal Government, the President of the United States, with a stroke of his pen, say that if you are going to use Federal insurance—if you are going to borrow money through a Federal savings and loan association, you will not discriminate against any red-blooded American, any Negro, any person. This would solve the problem. Most builders feel exactly as the man stated from the restaurant association. They tell us, "I will do it, but Joe Blow won't do it, and if Joe Blow won't do it, I won't do it." And Joe Blow passes it back to the other builder, and so they all discriminate. This is not any one builder: all builders in the north of Phoenix will not sell a Negro a home. Have I answered your question?

Commissioner ROBINSON. I wanted to know, in addition to the difficulty that a Negro might face in an effort to get a home outside of this area; that he might not find a broker who would be willing to sell him a home; that he might not be able to find a lending institution who would make a loan; and—from your last statement—that he might not find a builder who would be willing to let him occupy one of his homes—are there any other causes, are there any other things, other than the three that I have just undertaken to summarize from your testimony, that contribute to segregation?

Mr. RAGSDALE. Yes; economics. You have this problem of money always; the jobs. Many of our Negro males have such jobs. Many are married to teachers, and others, and they cannot take into consideration the wife's income. So you have a problem in qualifying.

You have, of course, many people of color who would desire, by custom, and by coming from the South, to live in a Negro area. There are other reasons, but these are the main ones.

In regard to the Negro who desires to go north, the real estate group, for years back, have always had section 34 in the real estate code. It was adopted by the State of Arizona till 1939, and if you sold a house to a Negro in an area—I think it was worded to the effect that it was any race that was “inharmonious”—you could be up for disciplinary action; so the real estate group will not sell to you.

Commissioner ROBINSON. Some of the housing outside the area of concentrated Negro occupancy is relatively low-priced housing, is it not—in the \$10,000 to \$15,000 class? Some new construction—the newly constructed homes that are offered for sale—are offered in that sort of price range?

Mr. RAGSDALE. That is right.

Commissioner ROBINSON. How long have you been in the real estate business?

Mr. RAGSDALE. Since 1950.

Commissioner ROBINSON. Would it be your judgment, based on your experience, that there are substantial numbers of Negroes now residing in the area of concentration who could afford to purchase housing outside of the area, if they had an equal opportunity to obtain it?

Mr. RAGSDALE. Over 640 have qualified for FHA, and have been given FHA loans through the local office here in Phoenix. We have had 645 to qualify, to my knowledge.

Commissioner RANKIN. It is your contention, Mr. Ragsdale, that when the Federal Government gives contracts to private corporations, it could, if it really demanded the enforcement of nondiscriminatory provisions, do much to remedy the situation. Is that your opinion?

Mr. RAGSDALE. They could alleviate it.

Commissioner RANKIN. I live in a city in the Deep South. On the city council we have a Jewish mayor, a woman, a Negro, and a college professor. That is quite a combination. Do Negroes run for office in Phoenix?

Mr. RAGSDALE. Yes; we have two Negroes now, who have gone as representatives to the State legislature this year. I think one is here in the audience today.

Commissioner RANKIN. Do you have them in the city council?

Mr. RAGSDALE. No, unfortunately. Most of the people on the city council, in the present administration, live in one concentrated area, but at one time we had one Mexican-American who lived south of Cadiz. Most of them live right together now, so they don't know some of the problems that exist.

Reverend BROOKS. We do have one now living south of the railroad tracks.

Mr. RAGSDALE. Who is that?

Reverend BROOKS. Mr. Hyde. He is new. He was a schoolteacher.

Commissioner RANKIN. So you think that in the future you are going to participate more, in running for office, as well as voting. Is that right?

Mr. RAGSDALE. Well, to do this, you have to get the newspaper support.

Commissioner GRISWOLD. I would like to ask any of the gentlemen what they think ought to be done next. In many parts of the country the problems are on a lower level than they seem to me to be here. For example, there are voting problems, and things like police brutality, and severe discrimination in the administration of justice. There, one can say, "Maybe if we could make and enforce the laws, we could make an improvement." I must confess that those are the things which, as an American citizen, burn me very deeply.

You do not have those problems here, as I understand it. You have problems which are, in a sense, more complex. Do you think that the problems you have here could be helped by more legislative and legalistic governmental action, and, if so, what; or are these problems which need to be handled on some other basis, and if so, what? Now, I recognize that this is a pretty complex question. Nevertheless, it seems to me to be the heart of the problem: what sort of things can be done, and ought to be done, next?

Reverend BROOKS. If I may attempt to answer that question: the discrimination is a very polite and subtle type of thing. I do not feel that there is an attitude connected with resistance to integration in Phoenix. I feel that we have extremes on one side; we have extremes on the other side, but I do believe that there is a middle ground that is capable of providing the atmosphere where gains can be made.

But this middle ground will not move voluntarily, on its own. There is no one in the downtown area, or in private industry—there is hardly anyone—who will wake up in the morning and say, "I am going to hire indiscriminately." We need the contact. We need the people sitting down together, negotiating and talking about the effects of this type of discrimination on the whole community.

When we talk about welfare, for instance, we are talking about the group at the lowest economic level—into which, for the most part, the Negro falls. Therefore, when you talk about welfare, it is almost synonymous with a lower economic group of Negroes, and in order to help get him off the welfare rolls, he has to be rehabilitated for a job. Our experience with some of the girls that have been rehabilitated for clerical work is that we are told, "All right. They have the clerical skills, but no jobs are open, now, for them."

So I take it that you need some sort of a legal framework, within which to move—a minimum of legal framework, I would say, at this

point—and a maximum community participation, from our elected officials, on down. Now, in our agency, which works in this area, negotiating and trying to effect social change, we find it very difficult to get the support of the leaders in the total community structure. As one of the community leaders asked me the other day, “Well, why is this picketing going on? We don’t have any problems in Phoenix.” As one of the papers picked it up, it was all “baldly manufactured.”

Well, the problems are there, but the community leadership—and I am speaking here of the white community leadership—for the most part is unaware of the problems, because the opportunities for exchange, intellectual, social, or economic, just do not exist in what we call our general civilization.

The NAACP’s position, and of course, my own position—I suppose this is why I am president of the local chapter—is that if, and since, the President of the United States has issued an Executive order, that order should be implemented. Thus, it could be used as an educative force for community betterment. Unfortunately, I am not so sure that the community leaders do not recognize the problem, but I know that they are not doing anything about them, because the problem has existed and it has continued to exist, and negotiations—kind negotiations—have been to very little avail. Only in recent weeks have a few companies attempted to be fairly civil to those who have gone to them to sit across the table, and to talk about employment of Negroes on the level of their own intelligence, the level of experience, the level that the company could use them on, and as it uses the white race.

One of the difficulties that we have when we go to apply for a job is that we are given all kinds of excuses: the man is too short. “You must have a hundred dollars’ worth of tools to work in a plant.” Whites come in without any experience, without tools, and get the very same jobs which demand of us, it seems, such high qualifications.

Commissioner RANKIN. Does the apprenticeship program also discriminate against Negroes?

Reverend Brooks. Well, sir, this is one of the areas that it is very difficult to get information on. Everybody gives you a different story. There are, I am told, six Negroes in the program. Nobody will identify them. “Of course, you know, we don’t count people by race,” so they say; but there are about six, we believe.

Mr. BERNHARD. I just have a few questions. I would like to ask Mr. Ragsdale, first, whether he knows for a fact that any of these lending institutions to which he has referred receive any benefits at all from the Federal Government, either from the Federal Savings and Loan Insurance Corporation, or from the Federal Deposit Insurance Corporation: whether he knows this for a fact?

Mr. RAGSDALE. Oh, yes. You can check the records: that any money they receive from a loan association—they borrow money from

it at a lower rate from the Federal Government, and they can use the money to loan out to builders, to build houses in respect of which there is discrimination. They take money directly from the Federal Government and can use it at a lower rate of interest—paying it back, of course—but the money is used to build such houses.

Mr. BERNHARD. I would like to move beyond that, into another area which concerns me. There has been a considerable amount of discussion about employment problems and housing problems. There has not been very much discussion about the extent to which Negroes are presently qualified to take opportunities as they may occur.

I would like to get from any of the panel their evaluation of the extent to which the vocational training programs that may be available are adequate to do the jobs which are possibly open; and second, whether they know that in each of the instances that they have talked about, the individuals who have applied for jobs have, in fact, been qualified for them. I open this to anybody on the panel.

Reverend Brooks. Well, let me say this, sir: in the areas of traditional Negro employment, we have a high percentage of Negroes participating. In Phoenix Union High School, for instance, I believe in the area of the cooks and bakers department of vocational training, they have about 60 percent who are Negroes. In the area of garment making and designing, they have about 60 percent. In the area of automobile painting, they have about 60 percent. In the area of electronics, electrician work, they have very few.

Now, I am not saying that the program discriminates, because I doubt that it does, but I am saying this: that the communication is not there; that the possible areas where Negroes may be employed are not communicated to the Negro pupils who come through these schools. Of course, at this point again we begin to get, when one asks questions about it, everybody becoming vague and beginning to say, "Well, you know, we don't discriminate, but certain unions do not want Negroes in there." They say that if a boy's father is in a union, he has first preference to get into the program, or the apprenticeship program. This is the last intimation I received. Now, since we have no Negro boys' parents in certain unions, Negroes are virtually forever excluded because by the time it gets down to them they are too old. I have just one case here where this young man went back to apply for the union, and they told him, "Well, you did not have enough apprenticeship program." When he applied for the apprenticeship program—he was at one time sixth on the list—he went back and, of course, the next time he was 23d. In the meantime he grew old, as we all must do.

Mr. BERNHARD. Well, I would like to ask Mr. Harlins something which grows out of the comments you have made, Reverend Brooks.

To what extent has the Urban League, or any members of the Negro community, or the Negro leaders, attempted to negotiate with any of the contractors, the Federal Government, or any private businesses that you claim to have had difficulty with, Mr. Harlins?

Mr. HARLINS. I spend roughly half of my time—which is from 10 to 12 hours a day on the job—in making direct contact with employers, with persons of the political structure, and so on, trying to change the atmosphere. A great deal of it is also spent on vocational counseling for students, and the reason why we feel that this communication is necessary is because some of the jobs have been traditionally closed to Negroes, and counselors feel that they still are. Therefore, Negroes are not being encouraged to go into those areas. So we do spend considerable time on that, but with a one-person professional staff, there is just so much you can do in a city of almost half a million.

Mr. RAGSDALE. May I make one other statement, sir: I think one of our great problems in Phoenix—this is a good town, the climate is right—but we want to get our political leaders, our so-called people in authority—to recognize that a problem exists. You talk to them about it, and they say: “I like Negroes. I have been to school with them. There is no such thing as a problem here.” They do not recognize it. If they would only say, “This is wrong, and we must do something about it.” Here, this morning, I think you have seen that everything is lovely: we are carrying it along. “Don’t shake the boat.” If you shake the boat, of course, it excites them. But if we can get the political leaders—maybe even our mayor of the city—just to say that something is wrong, “Let us do something about it; let us investigate it, at least, and recommend that we treat all Americans, all citizens of Phoenix alike, in opportunity of jobs, working conditions, and everything else”—I think that Phoenix would change almost abruptly. You wouldn’t have much of a problem here.

Vice Chairman STOREY. I want to ask you one final question about another area in which you have no problem; namely, voting. I will ask Mr. Harlins what percentage of the Negroes in Phoenix, and in this county, actually vote, or exercise their right of suffrage. Could you give me that?

Mr. HARLINS. No; I cannot, sir.

Vice Chairman STOREY. Can any of you on the panel?

Reverend BROOKS. I have been a little closer to the voting. I remember going once to a Negro and asking him to vote. He asked me how much did it cost. He had recently come from the South. He was thinking about poll tax. I would estimate that possibly only about 20, or between 20 and 30 percent of the Negroes in Phoenix are actually exercising their vote. The NAACP has plans to rectify this condition, also.

Vice Chairman STOREY. In other words, there are 20 or 25 percent of the qualified Negroes who actually vote?

Reverend BROOKS. Qualified, yes.

Vice Chairman STOREY. As Father Hesburgh intimated, in other areas of the country, that is one of the great problems. Let me give you one illustration: I remember in Atlanta, Ga., that they had no problem in voting at all there. They had some of the problems which you gentlemen have discussed this morning. They put on a campaign—a 51-day campaign—to have more registered Negroes for voting. I believe the statistics were, roughly, that within 50 days they added 6,000 Negroes to the voting rolls. Then they carried on a further educational campaign to make them vote, or, to encourage them to vote. They elected a member of the school board, and it is a very potent group in the political life of the city. When Mr. Ragsdale says that you have got to have local leadership to encourage this to be done, I am wondering if you would find it helpful to encourage the voting process, and urge people to exercise their right of suffrage, about which there is no question. Would it not be helpful?

Reverend BROOKS. This is one of the areas in which we, as Negroes, must take complete responsibility. Because we have not done this job as well as we ought. I daresay that every Negro in this town has an opportunity to vote. And voting in Arizona is fairly easy.

Vice Chairman STOREY. Thank you, and I am glad that you are so frank about it, and recognize the responsibility. All of us have responsibilities. Now, finally, may I point out that in the field of certain private endeavors, and the labor unions, for example, I think you gentlemen recognize—but I wonder if all members of your race recognize—that the Federal Government whom we represent has no jurisdiction in purely private areas: that, therefore, it requires leadership on the part of everybody, including your own group. Thank you.

STATEMENT FOR THE RECORD BY CHARLES F. HARLINS, EXECUTIVE DIRECTOR OF THE PHOENIX URBAN LEAGUE

The Phoenix Urban League is often asked how Phoenix compares with other sections of the country when it comes to conditions affecting Negroes. For a number of reasons this is a very difficult question to answer. In the first place, few of us have had the opportunity to become actively involved in the affairs of other areas to the extent that we are able to objectively evaluate the situation. Secondly, most progress in this area is such a nebulous and gradual phenomenon that it is often rather late before we can really determine the degree of progress attained. Third, actual statistics in some areas are so difficult to come by that the picture presented is apt to be incomplete and/or misleading. Fourth, there has been no serious effort to make a comprehensive study of race relations in Phoenix, one giving attention to such matters as employment, housing, etc.

It is not to be concluded from the above that we are without attitudes and ideas concerning the status of race relations in Phoenix. Nor should one be led to interpret the absence of open racial conflict in Phoenix as an indication that there is no race problem in Phoenix. Nothing is farther from the truth.

What can be stated, however, is that we have let ourselves be blinded by the absence of open conflict to such an extent that we have grown complacent and conspicuously derelict in our attention to problems in this area. The common attitude seems to be that of maintaining the status quo. Caution is urged lest one be branded "reactionary," "subversive," or "racist." The majority of citizens are wary of any connection with any organization or problem which they feel will make them vulnerable for such labeling, as appears above.

To spell it out, the attitude of the majority of the people is that of total noninvolvement in any affairs that may be linked to a race relations program of any sort. This attitude is held despite the fact they may possess a personal commitment to such principles as equal opportunity in employment, open occupancy in housing, and the right of every child to develop his potential. This commitment usually goes no further than mere lipservice to noble and worthwhile principles.

There are several reasons for the complacency discernible in Phoenix in race relations. In the first place, although Phoenix is described as a southwestern city, we feel that more emphasis is placed on the "south" than on the "western." Coupled with this is the typical "conservative" attitude of the stereotyped southerner with regard to race relations. The word "conservative" here follows the literal dictionary definition, meaning "disposed to maintain existing institutions or views; opposed to change." What follows from this attitude is a situation which evidences no real concern in problems in race relations, especially as long as no outward signs of racial unrest are visible. This is held in spite of the fact that many of the persons who hold these views are aware of problems in the area of race relations and are knowledgeable of the consequences of similar inactivity in other sections of the country. It is often felt that this conservative attitude prevails because of fear of reprisal from a community beset by extreme conservatism in matters of race relations.

The second factor is the lack of active concern on the part of the minority community. It can be stated with some degree of accuracy that the Negro community has been conspicuous in its complacency to push for an adequate program in race relations. Since the attempt to desegregate the schools in 1952-53, with the exception of the successful "sit-in" sponsored by the youth of the NAACP, there has not been a concerted effort on the part of the Negroes in Phoenix to secure favorable results in race relations. Parenthetically, we must take note of the current NAACP demonstration in downtown Phoenix against existing discrimination patterns in hiring practices. An example of thwarted attempts can be seen in the feeble and unsuccessful efforts exerted for the passage of a public accommodations law. This effort was diluted by strong elements of discord. It must be made clear that as long as the whites refuse to admit there are race problems in Phoenix, these problems will continue to exist. It is also clear that as long as the Negro gives mere lipservice and less than nominal attention to problems in this area, it is hardly likely that the larger community will evidence any great interest in stimulating reform.

Lest there be some misunderstanding at this point, it should be stated that it is foreign to Urban League philosophy to countenance for itself the kind of aggression, unrest, and direct action occurring presently in other sections of the country. The Urban League feels that problems of unrest which these symptoms represent can be averted or dealt with if important community leaders take upon themselves the task of educating, ameliorating, and negotiating for changes. The Urban League constantly points out that the failure of the community to recognize these problems as community problems results in disruptive and embarrassing incidents which reflect unfavorably upon the areas in which they occur. It is hardly likely that the young Negro in Phoenix, well educated in desegregated schools, will forever sit idly by without occasionally releasing the pressures brought on by lack of employment, restriction of movement in housing, inadequate vocational guidance, and other acts designed to prevent him from attaining his rightful place in society. Only after the voices of the community are combined with enlightened leadership indigenous of the Negro community can we effect a positive, creative approach to the problems in race relations that lie seething beneath false crusts of contentment.

When we speak of the Negro in Phoenix, we are referring to a group of people who are contained in roughly nine census tracts, three of which are south of the Salt River and contain nearly one-half of all the Negroes in Phoenix. The significance of this fact can be realized as we see this separation into rigid community patterns resulting in a blockage of effective communication between the

various segments of the community. These walls also serve as deterrents to building the type of community solidarity which sees the Negro not only enjoying equality of opportunity in terms of education, housing, and employment, but also equality in accepting the opportunity to share in his community's plans, programs, and progress. In short, what has developed is a lack of awareness of potentials for leadership within the Negro community. This is reflected in the absence of a representative number of Negroes on the boards of civic, cultural, and community welfare agencies. This, in turn, often begets a condition in which there is no bridge linking the needs and potentials for leadership of the Negro with the provisions for health, welfare and recreational services. When the Negro is so confined, there then exists a condition of de facto segregation in education which is just as damaging as any other kind. For the most part, the Negro student is forced to spend his first 8 years of education in predominantly Negro schools staffed largely by Negro teachers. Upon entering high school, he is thrust into a heterogeneous group with which he has had little or no prior experience, under a teacher who, because of certain processes of community conditioning, may represent an alien force for the student. The adjustments which this demands do not come easily. Basic preparation for school and work begin within the family, the neighborhood, and the community. Because of certain habits and values attained in a segregated neighborhood, the Negro student must often alter many of these values before he is able to make adequate adjustment in his new situation.

To understand this condition, one is compelled to look at the housing pattern of Negroes in Phoenix. A current research project of the Phoenix Urban League is a "Survey of Negro Housing" in Phoenix. Preliminary reports indicate that of the 21,000 Negroes in Phoenix, 19,000 live in 9 of the city's 92 census tracts, with 7 of these south of the Southern Pacific Railroad tracks. Three of these seven tracts contain roughly one-half of the city's Negro population.

What about the quality of housing in these areas? Nonwhites occupy 41 percent of the housing in this area and account for 45 percent of the substandard housing. While these figures are not significant in themselves, they become important when we consider this is generally one of the worst housing areas in the city and that 94 percent of the Negroes in Phoenix live in this area. Further significance is attached to these figures when we consider the unfortunate truth in the words of Robert Weaver, [presently Administrator of the Housing and Home Finance Agency, Washington, D.C.] more than a dozen years ago: "The nonwhite family receives less housing value for the same price than does the white group which has access to an open housing market—even when the colored person can pay an economic rent, he has less chance than a white person of getting decent shelter."

Of course, when we consider the housing condition of Negroes in Phoenix, we must take into account the employment situation. There is a positive correlation between Negro housing and Negro income. The median family income in the tracts constituting 94 percent of the Negro population ranges from a low of \$2,972 to a high of \$4,225. Thus, we are able to conclude that a great number of Negroes live in substandard housing for sheer economic reasons. But, we might also add, the reluctance and refusal of many realtors showing and selling houses in certain areas of the city serves as a barrier to those who desire to move out of predominant Negro areas. To be sure, there has been a movement northward by Negroes, but the number is relatively small.

Several times recently, the Urban League office has been contacted by airmen at Luke and Williams Fields seeking information regarding apartments and trailer parking facilities. After considerable checking of trailer parks, in Phoenix, we have been unable to find one which will accept a Negro airman who is being transferred here in the service of his country. Out of some 20 apartments investigated, none were open to Negroes. Several other apartment owners said they would rent to Negroes, but then proceeded to discourage Negro applicants by raising the amount of rent to a ridiculously high figure. In checking these figures, the Urban League was able to determine that these were not the usual prices being paid by white tenants. Even though three of these airmen were able and willing to pay up to \$150 a month for rent, they were unable to find an apartment. This is an area of great need.

We cannot escape the interrelationship which exists between education, housing, and employment. Employment is the key to success as far as the other two are concerned. Traditionally, Phoenix has not been known as a "liberal" city in regard to employment. This particularly accounts for the fact that

Negro migrants to Arizona—a 75-percent increase in 1960 over 1950—have been predominantly of two extreme types: unskilled and professional. The picture is one of a great number of unskilled workers, and an insignificant number of blue/white collar workers, and a relatively small number of professionals. In a recent survey of 20 public establishments in downtown Phoenix, it was revealed that only 3 of these stores had Negroes in employ except as custodians, maids, or, in general, unskilled categories. When inquiry was made concerning the absence of Negroes in positions above these, a majority of personnel managers admitted no policy of exclusion and discrimination with regard to hiring Negroes. All of them expressed no personal bias toward hiring Negroes, even though seven stated that they would be reluctant to hire Negroes because of fear of adverse customer and/or employee reactions. Three managers stated they would be willing to hire Negroes if any of the other stores did, while four stated no qualified Negroes had applied. When the Urban League offered to refer applicants to these four, they stated that they anticipated no hiring within the very near future. Three of these stores were opening new stores within a month and were currently interviewing applicants. Three managers expressed willingness to evaluate "pilot" applicants from the the league. One store has since then hired a Negro girl as clerk in the charge department and we are hopeful that the other stores will follow the pattern soon.

It is worthy of note that even though the Negro population has increased nearly 100 percent since 1950, there are only three more Negro high school teachers in 1962—almost 9 years after the desegregation of schools—than there were in 1953 at Carver High School. There are no Negro elementary teachers north of Van Buren. The bulk of Negro elementary school teachers are hired in predominantly Negro schools in Phoenix Elementary School District No. 1 and in the predominant Negro areas of the Roosevelt School District. Concerned Arizonians, both Negro and white, have lamented the fact that many Arizona State University graduates, including those who are certified as teachers, have had to leave the State to find employment in the area of their training.

There are a number of Negroes employed in local government. The county, with a limited number of Negroes in supervisory capacities, appears to have a better record of hiring Negroes than either the city, State, or Federal Government. The Urban League office has recently received complaints from Negroes who stated that they had passed the written examination but failed the oral. One case involved a young man who had considerable training and experience in his field and who had made high marks on the written but has consistently failed to pass the oral.

In February 1961, the city of Phoenix reported it had 298 part-time and full-time Negro employees. Two-thirds of these are classified as laborers. The State suffers a severe lag in the employment of Negroes. In nearly all the cases, employment has resulted from direct political influences.

Negroes are conspicuously absent in the work force of Federal agencies except for a very few in certain menial capacities and a few others in professional and semiskilled categories who, for the most part, transferred from other States. The records of employment activity involving Negroes in public jobs are difficult to obtain, thus indicating the need for intensive study in this area.

The most recent encouragement in employment is seen in the electronic industry where several significant placements have taken place. Part of this change is due to recent activity on the national level by the President's Committee on Government Contracts under the leadership of Vice President Johnson. Roughly, presidents of eight national companies with outlets in Arizona have signed non-discrimination contracts. This has been followed on the local level by a more positive attitude toward Negro applicants, and in some cases, hiring. Although limited, and although there are firms which have not initiated action, this is a step in the right direction. We might also add that a great portion of this progress has resulted from contacts made by the Urban League over the past 5 years.

There remains a big job to be done in opening employment opportunities for Negroes in Phoenix. It is not enough for the Urban League to make a few "pilot" placements. Our ultimate goal is that of employers being willing to evaluate applicants who come in on their own initiative or are referred by the State Employment Service on the basis of merit without regard to race, color, and national origin. The consequences of this lag in equal employment opportunities may be seen in the low incentive and motivation of a vast number of

Negro high school students who feel it futile to prepare for jobs or to continue their education. Therein lies a challenge for the Urban League and the total community.

In the area of police protection and the administration of justice, it is generally agreed that no discrimination exists. Likewise, we have been completely free of any discriminatory practices in exercising the right to vote.

Last year, the members of the Phoenix Restaurant Association declared an open policy in just about all the first-class restaurants. In recent years many of the hotels and motels have liberalized their policy and are accepting Negro guests. Unfortunately, as long as there are motels, hotels, and restaurants and other places of public accommodation which are closed to Negroes, a Negro resident or transient will not know what to expect when seeking accommodation. Every month, we receive inquiries from persons planning to vacation in Phoenix who desire information concerning the policies of public establishments toward Negroes. We can but refer them to those establishments known to us where Negroes are accepted. However, in one instance recently, a Negro who came from Minnesota had contacted the Chamber of Commerce for such a list of motels, and when the list included the names of motels not included in our list, the lady asked us to check these. It was revealed that three of these establishments desire no Negro patrons.

These are some of the problems which exist in Phoenix in 1962. These are some of the problems with which the Urban League is concerned. These are some of the problems that will be solved only when the community recognizes the waste of manpower, the economic loss to the city, and the incompatibility of these practices with professed democratic ideals.

Further, these are some of the problems that will continue to exist unless the community cares enough to do something about them.

To alleviate problems of racial discrimination in Phoenix, we feel it necessary for the city and State to establish human relations commissions. These commissions could serve to alert the community and State to problems affecting minorities and could effect a positive, creative program for the solution of these, utilizing the full resources of the community.

We recommend that elected municipal, county, and State officials commit their respective offices to a policy of equal opportunity, following this with definite action.

It is our recommendation that private industry, business, and labor make a careful review of the hiring practices, making an effort to integrate their work forces in all possible categories.

For officials in education, we recommend:

- (1) Careful consideration of the problems resulting from de facto segregation.

- (2) Special consideration of the emotional problems of minority youth and the need for more extensive counseling of minority youth in regard to vocational opportunities.

In the area of Federal activity, there is need for—

- (1) A critical evaluation of the conditions which result in the very limited number of Negro Federal civil service positions in Phoenix.

- (2) A thorough investigation of the hiring practices of firms with Government contracts, especially those not having any Negroes in the work force.

- (3) Enforceable National FEP legislation.

- (4) Legislation prohibiting the use of Federal funds, either directly or indirectly, for housing developments practicing racial discrimination.

The Urban League believes there does not exist in Phoenix a hard core of resistance to integration. That gains have not been made has been largely due to the inaction of community leaders. It is our feeling that once community leaders are apprised of the problems that exist, and can witness the effect of these problems on the total life of the community, there will come forward the type of active leadership which will see the passing of many of these problems.

STATEMENT FOR THE RECORD BY LINCOLN J. RAGSDALE, BUSINESSMAN

The State Negro population in 1950 was 25,974. Of this number, approximately 5,000 lived within the city limits of Phoenix, which represents 20 percent of the total Negro population. In 1960 the State Negro population had grown to 43,000, with 21,000 living within the city limits of Phoenix, which represents 49

percent of the total Negro population, and a total of 60 percent of all the Negroes in the State of Arizona residing within Maricopa County.

We have approximately 6,000 housing units occupied by Negroes and 95 percent of these housing units are within a radius of 1 mile from the riverbed or the Southern Pacific Railroad tracks. Ninety-seven percent of all the Negroes in Phoenix live south of Van Buren Street.

Of all the new FHA-insured housing built in Phoenix in the last 15 years, only one has been built for Negroes north of Van Buren Street and this particular Negro family had owned the property for more than 40 years.

After a careful check of 5,417 housing units located in an area which housed approximately 19,000 of the Negroes in the city limits of Phoenix proper, a total of 2,548 were substandard, or 48 percent. Approximately 1,000 of these, or 18 percent, are dilapidated and unfit for human occupancy, according to the U.S. census of 1960, as described in Schedule A. It is significant to note that in one tract, tract No. 105, which contains the largest number of Negroes than any other single tract in Phoenix, is bound by 24th Street on the west up to the riverbed, along the riverbed to 40th Street, south on 40th Street to Broadway, west on Broadway to 36th Street, south on 36th Street to Roeser Road, west on Roeser Road to point of beginning. This area contains 4,700 people and, of these, 4,000 are Negroes, 700 are Mexican-Americans, and approximately 27 are Oriental and white. The total housing units number 1,238, of which 982 are occupied by Negroes. Of the housing units occupied by Negroes, 730 are substandard, or 73 percent, and 340 are dilapidated and unfit for human occupancy, or 35 percent, according to the U.S. census report on tract map 105. The average number of persons occupying each housing unit is four for the Negroes, with each unit consisting of approximately 3.4 rooms. Of the 1,000 housing units occupied by Negroes, 645 are owner occupied and 355 are rental units.

In another area similar to tract 105, the city of Phoenix, with Government funds, made a survey and firmly established and clearly defined the need for urban renewal. Yet the city council scrapped the urban renewal program. The council stated, "Let private industry do it." Let us see what happens when we let private industry do the job.

In the last 12 years, 3 homebuilders in Phoenix have constructed more than 31,000 homes which were directly or indirectly assisted by the Federal Government. To this date, not a single Negro has been able to purchase a new home from any of these builders north of Van Buren Street, even though the houses have been constructed through FHA commitment. Now, what usually happens when a Negro goes to look at these houses? I personally went to a housing development in the northwest section of Phoenix. I walked all over the grounds and inspected the models, but not a single salesperson would even discuss the possibility of my purchasing a home. I have affidavits here from others who have gone to purchase a home, talked to the builder, and been told that the mortgage lender will not allow them to sell their houses to Negroes.

I also have a report from a Negro who is of a light complexion and who was able to get an FHA mortgage application and paid the earnest money on a house in a housing development. The credit report stated his address and place of employment, and after a careful check, the builder and mortgage lender were able to determine he was a Negro. His earnest money was sent back to him without even an explanation, and after going back to the housing development and talking to the sales manager who had refused several times to talk to him on the telephone, the prospective purchaser was told to go see the mortgage lender. See Schedule B.

Also attached is Schedule C, showing where a young Negro couple, he being a veteran of the Korean war, made five attempts at five different homebuilders to purchase a house and on each occasion was turned down with each builder giving a different reason. One was honest enough to tell them they had a policy not to sell to Negroes at this time, for fear the other homeowners would not approve of Negroes living in the community. One homebuilder told them that "we accept Negroes' applications, but we do not process them." The sales manager for one of the largest builders in the community refused even to talk to them.

It has been observed that mortgage lenders restrict loans to Negro homebuilders or purchasers to the areas where Negroes are living. They will make every effort to process a loan for a Negro in a so-called "Negro area." The mortgage lenders will finance Negroes in other areas only after the other area has been firmly established as a transit area with Negroes moving in.

What happens when a Negro finds an existing house outside the Negro ghetto? I have the complete file on a Negro who attempted to buy a home from the white owner who would sell to anyone who was qualified. The owner had an FHA commitment from one of the mortgage-lending institutions, _____ Life Insurance Co., through the _____ & Co., correspondents. When the FHA application was sent in, along with the credit report and other pertinent information, the Negro couple was given verbal approval on the telephone. An escrow was opened at the Phoenix Title & Trust Co. based on the commitment for \$13,500, with a valuation of \$14,000, and they paid the required earnest money of \$500, being under the impression that the loan would be approved by the mortgage lender. The loan was turned down, but we felt that another mortgage lender would make the loan. After going to several other mortgage lenders, some of whom would not even discuss the matter with us, we were able to talk to three others, but each one turned us down. After four turndowns, we wrote a letter to the Volunteer Home Mortgage Credit program and submitted the facts to them. They answered on May 14 requesting additional information and the completion of their VFM Form S, on which we were to insert the word "minority," since only minority applications were eligible for assistance in the Phoenix area. After they received the requested material, they wrote telling us they thought it would be able to go through. On June 20 the person who was corresponding with us from the Volunteer Home Mortgage Credit office told us he had received one turndown, but would forward the material to another lender, and after several attempts, he wrote us on July 2 stating that if it was rejected one more time, he had a special source he would try. On July 11, he sent us a letter of sympathy where he stated he had run the gamut and tried every source he had available through the VHMC program, but was not able to get this Negro veteran a taker for his loan. He sums it up in his last paragraph where he states, "I have reached the end of the road. Sincerely yours."

Let us see what happened to the white American couple who even attempted to give a Negro the opportunity to purchase their home. After a few days, when it became generally known that there was a possibility this Negro couple would be moving in, a lawsuit was instituted against the white owners by a white real estate broker, alleging he had made a bona fide offer to the sellers, and they had refused to sell the property after signing an open listing agreement, and that the Negroes who were purchasing the house were not ready, willing, and able to buy, and did not have a legal contract with the white owners. After 2 years, the case came up before the Maricopa County Superior Court, and after showing that the Negro buyers did have a legal contract and had met all the qualifications, and the white owners' refusal to sell was because they had made a bona fide agreement, the court ruled in favor of the owners. But it cost them attorney fees, mental anguish, and a period of over 2 years.

The limitations which are imposed on prospective Negro purchasers through most of the white brokers is not to sell him, or even show him any house outside of well-established Negro areas. Many are fearful of reprisals from other white brokers and white residents in the area. Of all the rentals in Phoenix, not a single rental located out of a Negro area is open to a prospective Negro renter. In many instances when a Negro approaches a white real estate broker, they refer the call to one of the local Negro real estate brokers, if he is looking for a house to rent or purchase.

Of the seven public housing projects under the Phoenix Public Housing Administration, there are two which are all-Negro, one which is all-white, and three that have one, two, and three Negro families in each project. Only one has some semblance of integration, and in this project, out of a total of 200 units, 150 are Negro occupied, 30 are Mexican-American occupied, and 12 are white occupied.

During the year of 1961, the FHA issued 19,236 housing commitments in the whole State of Arizona. Of this number, less than 190 were issued to builders and sellers who will make housing available to Negroes. This figure represents less than 1 percent. Less than 100 newly constructed FHA-insured houses were occupied by Negroes in the State of Arizona during 1961. Again, this figure represents less than 1 percent.

The restricted practice of the local FHA office in the sale of repossessed houses in the past has been to sell to Negroes only in areas where Negroes live. After thorough investigation, I have not been able to find out, nor have I been told of, a single instance where any Negro has been able to purchase a house through FHA or VA repossession outside of the established Negro area. Up until last

week, the Ragsdale Realty & Insurance Agency has never been given a single address of an FHA repossessed outside of the Negro ghetto. Mr. Paul Brown, who is in charge of the property management division of the local FHA office, stated to me that 6 months ago he sent out a list of repossessed houses to some white brokers but did not send any to the local Negro brokers. (See attached Schedule D of a statement by Mr. William D. Dickey, Jr., a licensed real estate salesman, on the subject of FHA repossessions.)

Since in the Phoenix area approximately 95 percent of all houses which have been built in the last 10 years have been insured by the FHA or the VA or have been financed through savings and loan institutions which come under the Federal Savings & Loan Insurance Corporation or the Federal Savings & Loan Association, or member banks of the Federal Deposit Insurance Corporation, in all of which the Government has some control, the most effective method to abolish the restricted practices of the FHA, VA, and authorized lenders is through Executive order.

The President of the United States, with a stroke of a pen, can do away with these restricted practices and give every American citizen, regardless of race or color, the opportunity to buy a home in any area where he can meet the financial qualifications.

SCHEDULE A

Negro Housing—1960

| Tract No. | Population | Total units | Substandard | Dilapidated |
|------------|------------|-------------|-------------|-------------|
| 84..... | 1, 844 | 811 | 522 | 226 |
| 87..... | 909 | 274 | 34 | 0 |
| 91..... | 122 | 53 | 5 | 0 |
| 92..... | 3, 040 | 948 | 477 | 169 |
| 93..... | 2, 822 | 768 | 80 | 26 |
| 94..... | 330 | 104 | 76 | 22 |
| 95..... | 208 | 74 | 56 | 8 |
| 96..... | 733 | 196 | 165 | 42 |
| 102..... | 2, 116 | 555 | 244 | 58 |
| 104..... | 2, 646 | 652 | 170 | 70 |
| 105..... | 3, 986 | 982 | 719 | 341 |
| Total..... | 18, 756 | 5, 417 | 2, 548 | 962 |

SCHEDULE B

PHOENIX, ARIZ., *January 30, 1962.*

To Whom It May Concern:

During the month of December 1960, after careful consideration and investigation, my wife and I decided to purchase a new home in ——— Estates, built by ——— Homes. We spoke to a salesman, Mr. ———, concerning the downpayment and amount of income required of the purchaser to qualify. After a thorough inspection of the house and school and recreation facilities in that area, we made a deposit of \$50 earnest money. We completed the FHA loan application and we were promised that we could have occupancy within 30 days from the date of our deposit.

Approximately 1 week later we called the ——— office to make an appointment to select the colors of the interior. At that time an office girl informed us that the application had been refused and she did not know the reason why. I then asked to speak to the sales manager but was told he was out, so I left my telephone number.

The following day I received a check for the refund of my earnest money with no letter of explanation. I called the ——— office again for the sales manager, Mr. ———. After asking my name, the girl told me to hold the line just a moment. I waited 15 or 20 minutes without an answer to the telephone. I made several other calls during the week but they would always ask my name

and tell me Mr. _____ was either out or in a sales meeting. I would then leave my telephone number, but he never returned my calls.

Since it was apparent my messages were being ignored, I made a special trip to Mr. _____ office without announcing myself and inquired to see if he was around. Being of a light complexion and not having given my name, I was able to see Mr. _____. After a lengthy conversation, he told us that the _____ Co. had declined our application. I asked him that if I were able to secure other financing or pay cash, would they sell us a house. Mr. _____ specifically avoided the question by saying he had a working agreement for the sale of all his houses through _____ Co. and doubted if it would be possible.

I proceeded to call and make an appointment to see Mr. _____, who is in charge of VA and FHA loan applications at _____ Co. He stated that I was refused because my income was not high enough, and after telling him the salesman, Mr. _____, had told me my income was sufficient in comparison with others, Mr. _____ then stated that my credit rating was not good.

I asked him if this was discrimination. Mr. _____ replied that the VA and FHA applications had no place on them for race. Then I informed him that the credit report clearly stated I was a Negro. After looking at some of the credit reports available to him, he agreed that they did state race. I was not able to prevail upon Mr. _____ for any assistance or to change his attitude in allowing us financing.

Since we are the parents of three school-age children, and since we were renting, we were determined to purchase a home, and were able to find a house in a suitable area north of the city limits of Phoenix. Since we were not able to secure VA or FHA financing, we had to buy an existing home and pay the owner his complete equity. This placed us in an economic position which forced me to take a part-time job at night for more than 11 months to pay back the money we had to borrow to complete our large downpayment.

FLETCHER B. SPIGNER.

SCHEDULE C

PHOENIX, ARIZ., *January 18, 1962.*

To Whom It May Concern:

We, Olen J. Maxwell and Brenda Maxwell, husband and wife, made an attempt to submit applications for the purchase of five different homes built by five different builders in the city of Phoenix.

Our first contact was made at the _____ development on December 28, 1961. We visited the model homes on _____ Avenue and _____ Road and the sales staff were extremely discourteous; no one approached us. Finally, we approached the sales manager, Mr. _____. He explained to us that they have a policy "not to sell to Negroes at this time for fear that the other homeowners will not approve of Negroes living in the community."

On January 10, 1962, we went to the _____ development at _____ Street and _____ Avenue. We talked to Mr. _____, who referred us to the owner and builder, Mr. _____. His wife, Mrs. _____, explained in a telephone conversation that they would not accept our application because of the possibility the other homeowners would not approve. She also explained they had received applications from Negroes but had not acted upon them and as a result the prospective Negro buyers were disqualified.

On January 14, 1962, we went to _____ Phoenix development located on _____ and _____ Avenues. We were referred to Mr. _____, the sales manager for _____, and he refused to talk to us. However, we were able to reach his assistant, Mr. _____, by telephone. Mr. _____ informed us that they would not consider selling to Negroes. After further discussion we found out they had received several applications from Negroes and they also had not acted on them.

On January 15, 1962, we went to the _____ development in Tempe, Ariz. We talked to the private secretary of the owner and builder, Mr. _____. She explained to us that they would accept our application but the chances were remote that they would sell to Negro home buyers in their development and stated further that they would prefer not to receive an application.

On January 16, 1962, I had an appointment with Mr. _____, of the _____ development. He told me he was in favor of integrating his homes but he would not sell a home to us in the present development located at _____. He

stated that he plans to build a development in South Phoenix to meet this particular minority need.

OLEN J. MAXWELL.
BRENDA MAXWELL.

STATE OF ARIZONA,
County of Maricopa, ss:

On this 18th day of January 1962, before me appeared Olen J. Maxwell and Brenda Maxwell.

(Signed illegibly.)
Notary Public.

My commission expires March 13, 1964.

SCHEDULE D

PHOENIX, ARIZ., *January 19, 1962.*

To Whom It May Concern:

I visited the Phoenix Federal Administration Office located at 244 West Osborn Road on January 19, 1962, for the purpose of securing a current list of the property repossessed by the Federal Housing Administration in this area. I talked with Mr. Paul Brown, who is in charge of the property management division, but I was not able to get a concrete, precise explanation of exactly how the local office handles the resale of repossessed property.

Mr. Brown informed me that there was no such list available to anyone. He claimed that almost all of the inquiries for the purchase of the repossessed homes were made by a person who knew that the property might be an FHA repossession and called the office.

However, in the past I have received telephone calls from the property management division informing us of a repossessed piece of property on the south side of Phoenix in a Negro community. But I have never been able to get any information on any property located north of Van Buren Street. If an inquiry is made concerning a repossessed home north of Van Buren Street, we are usually informed that it has been sold. Therefore we have no way of knowing when such property is available in other areas of the city.

WILLIAM D. DICKEY, Jr.

STATE OF ARIZONA,
County of Maricopa, ss:

On this the 19th day of January 1962, before me appeared William D. Dickey, Jr.

(Signed illegibly.)
Notary Public.

RECOMMENDATIONS FOR THE RECORD BY REV. G. BENJAMIN BROOKS, NAACP

I should like to make the following recommendations:

(1) That the Federal Government make a special study of the qualifications of workers required by firms doing business with it to determine at what level of training, education, and experience most of those people without academic degrees are employed.

(2) That the President's Committee on Equal Employment Opportunities take immediate steps to bring those many firms in the Phoenix area with Government contracts into compliance with the President's Executive order and the Constitution of the United States.

(3) That steps be taken to insure compliance with the President's Order relating to nondiscriminatory hiring in Government agencies in Phoenix.

(4) That the apprenticeship program in this area be investigated to determine whether the program qualifies for continued grants from the Federal Government.

(5) That Congress be urged to pass a Fair Employment Practice Act to cover every aspect of employment in the United States.

(6) That the Congress be urged to pass a law which would prevent discrimination in labor unions and giving the Justice Department jurisdiction in the matter.

Vice CHAIRMAN STOREY. Thank you, gentlemen. It has been very informative.

(Recess.)

Vice Chairman STOREY. Will the marshal bring up another chair, please? I believe we need more this time. Mr. Bernhard, will you call the next witnesses?

Mr. BERNHARD. The next area of testimony will deal with migrants, and I would like to call forward Mr. Richard H. Salter, chief, Farm Placement Bureau, Arizona State Employment Service; Rev. Harold Lundgren, migrant ministry; Manuel Pena, Jr., businessman and former migrant worker; and Mr. John Jacobs, grower.

Vice Chairman STOREY. Will you gentlemen please stand, raise your right hands, and take the oath? Thank you. Be seated. Will you proceed in the order, as mentioned? Mr. Salter, I believe, is first.

TESTIMONY OF RICHARD H. SALTER

Mr. SALTER. I would like, first, to mention some of the rules and regulations, the law, under which the farm program is implemented. The Mexican-National program, or the Bracero Program, as it is known, is quite an emotional thing, particularly in the southwestern part of the country, and it is governed by Public Law 78. Public Law 78 has been amended several times. It was recently amended, in 1961. The law gives the Secretary of Labor the authority to import foreign workers.

In this part of the country, foreign workers are all Mexican. I am talking about Arizona when I mention "this part of the country." These workers are brought in for temporary and seasonal activities, when domestic workers are not available. They are considered as supplemental workers. They are brought in, under the latest amendment, for a period not to exceed 6 months, except that in certain circumstances they may exceed 9 months. Previously this was 12 and 18 months. These Mexican workers are prohibited from working on machines or operating machinery. They are to be used only for stoop-labor, or seasonal activities.

The Migrant Labor Agreement of 1951, as amended, regulates the activities of these workers, and the employers; and in season an employer may also be an association of farmers, as well as an individual. The migrant labor agreement limits the activities. It limits the duration of the contract, the wages, the extension of the contract, and cites the preference of domestic workers over the bracero. The standard work contract, under which these workers are brought in, does more or less the same. Each worker gets a copy of his contract, which is in both English and Spanish, and that gives him a knowledge of rights and responsibilities. The State farm placement service

issues authorization to bring in these workers when there is a need for them. The farmers are asked to place their orders for workers 30 days in advance to give the State agency a chance to recruit the workers through the interstate clearance process in other parts of the country. When there is a short season, and braceros are brought in for the activity, they are contracted for a specific activity, that period normally not to exceed 6 to 8 workweeks, and in no instance to exceed the actual crop activity unless the crop activity is too short. In other words, the crop activity may only be 4 weeks, and we are only allowed to contract them for 6 weeks at the present time.

The bracero must be given the prevailing wage—the wage that is paid to the majority of the domestic workers in the activity. In this case, the majority does not mean 51 percent. If 40 percent of the domestic workers are in one wage bracket, then that is the wage that is considered the prevailing wage. If there is not 40 percent, then we go to 51 percent to determine the prevailing wage. That is the responsibility of the State agencies—determining the wage.

There are several kinds of workers. I am sure we all know what the bracero is. We talk about “migrants.” “Migrant workers” in our terminology here is a person who comes from out of the State to perform a farm activity. He is a seasonal worker. We have local workers who perform seasonal activities, and who are also year-round workers; so, we have three categories of worker.

Many workers believe that they are discriminated against because of things that happen. Quite often it is a lack of understanding of the conditions of employment. The lack of family-type housing in this State limits the employment of family workers. Many of them are required to go out as individual workers, leaving their family behind. The family-type housing that is available is reserved for the skilled, year-round worker, who lives on the farm and works there for 6 months or more. Many of the workers who go out as individuals must, if they want to live on the farm, live in the barrack-type housing that is, under regulation, available for both the domestic worker and the Mexican worker. Many single workers—I mean individuals who go out as single workers—do accept this housing. Their complaint is against the food. While, normally, three meals are served for \$1.75, they are typically Mexican-type meals. Many of the domestic workers do not care for that type of food, and they leave the job. Some of them come back to the employment service and complain of other matters—employment matters, rather than food. If the complaint is something other than food, we attempt to adjust it and get them back onto the job. If it is food, we get them onto another job. We keep in mind always that the domestic worker has

preference over the Mexican national. If there isn't time, or if there isn't work enough for both to have full employment—a full day's work—then it is the bracero who must be laid off, to give the domestic worker full employment. Unfortunately, this does not always happen.

There are various ways in which the domestic worker who has no transportation of his own gets onto the job. Some of them are assigned to crew leaders, and the crew leader provides transportation, tools, equipment, and so forth. In many instances, the crew leader will not take a worker who is not skilled in the activities that they are performing. Another way is the day haul. The employment service requires individual farmers to come in—and this is done through the cooperation of the Association of Farmers—to pick up these domestic workers that have made themselves available. They are taken out, sometimes in old schoolbuses, and sometimes in State trucks with a board seat and a top on them.

So far as the laws within the State are concerned, domestic farm-workers are covered by Social Security. In many instances the commercial grower will not employ a crew leader unless he has an account number, and unless he has insurance to cover his workers and his vehicle in the transportation. There is no employment insurance coverage in Arizona. Some of the commercial growers cover their supervisory personnel, or some of their year-round people, but that is on a voluntary basis. Again, many of the commercial growers have industrial insurance for their workers. They are required to have industrial insurance for a worker on machinery, tractors, and things of that nature. The Arizona State Health Department has a sanitary code. This defines "camp," "agricultural housing," et cetera. They set up regulations for this type of housing, as to sanitation, and so forth. It is the responsibility of both the occupant and the owner to see that the camp is kept in a sanitary condition, and the owner must register with the health department. Their people actually make inspections of these camps.

We know of no civil rights problems in this matter. As I said, it is an emotional thing. We dramatize sometimes the exceptions, but, looking at the broad picture, I think we have come a long way in Arizona. To my knowledge, there is no discrimination against workers at the present time. There had been in the past, but at the present time any worker who applies is eligible for a job.

Thank you very much.

Vice Chairman STOREY. May I suggest to the remaining members of the panel that they might summarize their ideas, and leave some time for questions? Reverend Lundgren.

TESTIMONY OF REV. HAROLD LUNDGREN

Reverend LUNDGREN. May I quote from the President's Commission on Migratory Labor, just this statement :

Migratory farm laborers move restlessly over the face of the land, but they neither belong to the land nor does the land belong to them. They pass through community after community, but they neither claim the community as home, nor does the community claim them. Under the law the domestic migrants are citizens of the United States, but they are scarcely more a part of the land of their birth than the alien migrants working beside them.

I have quoted that statement because we recognize that many, many changes have been made in the life of the migratory farm laborer, and it is very difficult to pinpoint him now, and say this is the person we are talking about, because for one thing, in our State, and I am sure Mr. Salter would bear me out on this, a very small portion of the people that we think of as seasonal farmworkers are interstate, and therefore they are people who live here. They may move about a great deal from one camp to another, from one community to another, but yet they are not in the same sense as those whom we thought of, many of them women, who followed the crop from one State to another. Yet, the thing that was said about them some years ago could equally be applied to them now. There is a sense in which they do not belong to any community, a sense in which they have no stability or roots, and this perhaps is the area in which they suffer the most.

We take, for instance, the matter of education. The children of seasonal farmworkers are living in communities where buses come. They can go to school, just like any of the other children, and, as far as I have been able to discover, there is certainly no discrimination against the children of migratory farmworkers. Yet we discover that there is almost invariably a situation in which the children of migratory farmworkers are behind, maybe 2 years behind, or 3 years behind, other children in school. There is an extreme number of dropouts. Seldom do they go beyond the eighth grade. We have to recognize that there is a problem there that is deeper than a matter of discrimination or nondiscrimination.

A part of it, of course, is due to this mobility, moving about a great deal. I talk with some of the children. I say, "Why aren't you at school?" They say, "Well, we just came here." This was Tuesday or Wednesday, and they would say, "We are going to start next week." So they start the next week, and that then makes them 3 days behind. I remember a girl who was supposed to be in the ninth grade. We arranged for her to get to school. She was many weeks late. Then we found her out in the onions, and we said, "How come?" She said, "I was sent home from school." We went to the principal and he said, "Indeed, we did send her home from school, because we had no way

of taking care of this kind of a child. She came 4 weeks late. She was behind the other pupils anyway, and we have no facilities, no way in which we can take care of this child. She would be sitting there, would be embarrassed, and it would be better for her to be out in the fields."

Many children, of course, come from homes where they speak no English. We would say that perhaps 60 percent of the children I am talking about, anyway, would be of Spanish background, and Mexican-Americans, so little children coming into the first grade do not know their English language. So here is a problem. They repeat the first grade. They get behind and keep dropping behind. . . .

In this matter of housing, we do have a code, yet almost without exception—maybe this is putting it a bit too strongly—it hasn't helped matters much. Here in Maricopa County there is supposed to be about 150 or 160 migrant camps. These may range from three or four houses to a great many more, and yet, by any standards that we think of, this would be inadequate housing, particularly to those of us who are of the middle class. We would say that much of the housing is not fit for human habitation. Five, ten, or twelve people are sometimes crowded into one room. This is not due, perhaps, to anybody's fault. As a matter of fact, in whatever I say we are not placing blame. We are only hoping that somebody will accept responsibility. A family may move in and there will be no tables, no chairs—none of these things that we think of. Then, of course, there is a big problem—the little opportunity for privacy. Young people, children, experience terrific traumatic occurrences which are emotionally devastating. Living in this kind of environment there is little chance, of course, for homework.

Welfare assistance. Welfare is given to people who are in need, but if there is someone who is able to work—on wages of 70, 80, or 85 cents an hour with a large family, he may find himself in real economic problems. This, of course, is one of the real problems of this whole situation—this economic condition. So he is not able to get welfare, except surplus commodities, because he has someone in the family who is employable.

All of these areas have to do with a person who has little education, little background or occupation, little skill, little training. And now, with the coming of mechanization where more than 80 percent of the cotton is picked by machines, he finds himself in almost a helpless situation because of his inability to find employment.

Vice Chairman STOREY. Thank you, Reverend Lundgren. The next participant has had an unusual experience. He has been a migrant worker himself, and is now a businessman. Mr. Manuel Pena.

TESTIMONY OF MANUEL PENA, JR.

Mr. PENA. The life of the domestic farm laborer, both the native-born citizen and the legally immigrated alien, has been greatly affected by the treaty between the United States and Mexico in which men only are imported annually to harvest crops. Just before and during World War II, the domestic farmworker had plenty of work, even though the pay did not compare with other industries, and he had to migrate into other States at times to assure himself of year-round employment. However, he acquired property and he settled, usually, in a colony where other farmworkers of Mexican origin had settled. From here he forged daily to provide for his family. He lived in a community and he worked in an honorable occupation. His children were given an education and his family life was respected.

However, much of this was changed when our Government extended and continued to extend Public Law 78. Veterans, who were farmworkers when they were called to serve our country during World War II, came back expecting to take up their family life where they had left off. They soon learned that farmwork was not as easy to get as it was before, but they tried, as many are still trying, to work at the only occupation they knew. Several of these fellows took advantage of the GI bill and continued their education, and, as a result, many are enjoying the full benefits of a profession. The majority of the farmworkers, however, stumbled along, trying to keep up with the tempo of our time.

It has been difficult for the family farmworker to compete with the underpaid foreign labor imported from Mexico. Many who could not and would not work for the low piece rate, or hourly scale of 65 to 75 cents, sought employment in other industries such as the construction field. Those who were not successful in securing employment outside of farmwork preferred to go on the welfare rolls. As a result, many families have lost their homes, on which they had made a few payments, and many men have lost their families.

The imported farmworker has certain measures of protection that the domestic worker does not have, and his terms of employment are regulated by international agreement between the United States and Mexico, as was stated before. The employer agrees to furnish the imported worker adequate lodgings throughout the entire period of employment without cost to him. The domestic farmworker must often provide lodging for himself and his family, and, more often than not, this lodging is not as adequate as that provided for the imported worker. On wages under the agreement, the employer must pay the imported worker the prevailing wage, as was stated before. However, the domestic worker has had to accept the wage set up by the employer for the imported worker. This is what is now called

the prevailing wage. The employer must furnish the imported worker with all essential equipment at no cost to him. On the other hand, the domestic worker must purchase his own tools and equipment. No deductions are made from the imported worker's wages for income taxes, and so on. The domestic worker, on the other hand, must pay his taxes which, in part, help pay for the administration of this international agreement. The employer must furnish the imported worker transportation to and from work, and, if he wants to go to a nearby town, the employer must arrange transportation. In most cases, the domestic worker must provide transportation for himself and sometimes must travel over 40 or 50 miles to reach his place of employment.

All utilities used by the imported worker are paid for by the employer. The domestic worker must pay for his own out of his meager wages. The employer and the imported worker sign a contract in which the worker is contracted, as stated before, for no more than 9 months, or for 6 weeks with provisions for extensions up to 9 months. He is guaranteed employment for at least three-quarters of the work-day during which the work contract and all extensions are in effect. If he does not work, the employer must pay him the amount which he would have earned, had he, in effect, worked the guaranteed number of days. The domestic worker has no such contract or guarantee. If he does not work, he will not get paid, and if his work runs out he will not be eligible to collect unemployment compensation: no work, no pay. If the imported worker elects to have his meals furnished by his employer, his meals must be prepared and must consist of foods as prescribed in a menu prepared by the U.S. Department of Labor. It includes such items as milk, not less than 1 pint per man per day; eggs shall be of grade A or better; beef shall be good quality of utility grade or better; and only one meal per week may consist of kidneys, tripe, tails, chicharrones, or hearts. For the domestic worker's family, milk, grade A eggs, and any grade of beef, at times, is a luxury item. Please bear in mind that both the domestic worker and the imported worker are paid the same prevailing wage. Public Law 78, as amended, states that a Mexican national imported into the United States must be at least 18 years of age. Our own State laws prescribing hours of labor for minors do not exclude minors under 18 years of age from farmwork.

In conclusion, it is my opinion that there has never been a genuine shortage of U.S.-born farmworkers, except during World War II, and that the agreement between the United States and Mexico which provides for the importation of farmworkers should be terminated. Given an opportunity, the domestic farmworkers will develop methods by which they themselves will overcome many of the problems which they now have. It is ironic that the agreement between the United

States and Mexico is careful to state that the employer shall not practice social or economic discrimination in condition of employment against the imported worker, and at the same time is responsible for the economic discrimination against the U.S.-born farmworker.

Vice Chairman STOREY. Thank you, Mr. Pena. We will now hear from a grower and employer, Mr. John Jacobs.

TESTIMONY OF MR. JOHN JACOBS

Mr. JACOBS. I am a grower and shipper of vegetables, and engaged in cattleranching. The farming operation near Phoenix is highly diversified, being devoted mainly to vegetables and fruit, with, however, some food crops being produced. These are fed to cattle which we bring in from our mountain ranges in northern Arizona and Mexico.

Our employment is primarily in three general areas. First, what we would call the domestic—with no classification here as to the nationality, because we have people of all nationalities, practically, working for us. Our year-round help is primarily housed on the ranch. For our seasonal labor, which gets into the migratory to a degree, we use the Navajo Indians. We started 20 years ago using Navajo Indians. It was an area that I was quite interested in, and we think we have done a good job of handling the Navajo Indians.

We have had a lot of problems in handling that labor, but we think that we have done a job that has been good for the Indians. We think we have given him the opportunity to learn in working on this job. With our migratory of the Navajo, and the migratory of other labor that comes in here, our seasonal help and our domestic, practically take care of our labor problems. We do not use, directly, many nationals. Our Indians take somewhat the place of that. I am familiar, however, with the national program in the agricultural areas here, due to two things. We do grow some lettuce on a joint-account basis with other shippers, who handle the packing of that lettuce. I know from the way they handle it, through the organization that is set up here, the Agricultural Commodities, Inc., which handles for the growers the migratory national program, and also works with Farm Placement Labor Bureau, Mr. Salter's office—those two have worked very well together, and we are very fortunate in having capable management in both of those areas. I know definitely about that, because I happen to be on the board of that Agricultural Commodities group, and have been for many years. It was set up during the war for the importation and handling of imported labor. By now, I know how we worked on that, but I think Mr. Salter has pretty well covered it, anyway. First comes the domestic, or the migrant, that is needing

work. Now, he may be a migrant or he may be a resident. The first call is on that help.

The Mexican national program is used only to supplement; and I think that the record stands that we have taken or placed all the people that they have called on us to take from them; I mean, that the industry at large has taken those people. Our office, which handles it, calls the growers and places these men. All those that show up, of the group they have asked us to place, have been used. I think there was a situation here, back in the days some time ago, say, in the war years, when this imported labor came in and we were primarily an agricultural economy. Since then industry has moved in quite rapidly and has absorbed some of the so-called migratory labor, and some of the local labor. I do not think that with the record as it stands, of what we have used in industry, we could, supplemented only with nationals, handle the production of 63,000 carloads of fruit in the State of Arizona without the seasonal help from Mexico. I do not believe that this conflicts with the labor situation. I think that agriculture at large falls heir to a responsibility, or blame, let us say, that does not all belong to agriculture. On a national level, agriculture takes somewhere in the neighborhood of 10 percent of the total working people producing the food for the Nation, and as you know, we have some surplus.

Agriculture is the one area that uses imported labor, and in this area it is a requirement that one must use the domestic first. All of that labor, regardless of whether it is agricultural or otherwise—they look at agriculture and say, “This is your responsibility; to handle all of this labor”—75 percent of which we never saw before.

Vice Chairman STOREY. Thank you, Mr. Jacobs.

Mr. RANKIN. Do you agree that the imported laborer receives more favorable consideration, has better working conditions, and so on, than the domestic laborer?

Mr. JACOBS. I think that there is not a farmer in the State who, if he could get sufficient local help, would not prefer it. It is not a “snap,” handling this situation. It is only a seasonal situation, but they would prefer the domestic rather than the imported labor.

Mr. RANKIN. Do you agree with that, Mr. Pena?

Mr. PENA. I don't think so. As a matter of fact, some farmers have demonstrated here just recently that they would prefer imported labor. A week or so ago they laid off a crew of domestic workers, local people, because they had a shipment of braceros coming in. I do not believe that they would rather use the domestic worker in lieu of the bracero. I believe that the farmer would much rather continue the program as

it is now. They are easier to control, and they have no way of talking back to the farmer, about many things.

Mr. JACOBS. Time does not permit getting into this thing. However, I think the record on this, through the placement office, Mr. Salter's records, would clarify the matter for Mr. Pena if he wanted to take the time to go into it. I think it would clarify some of the things that he is not quite clear on, and establish the real facts.

Commissioner RANKIN. Could you resolve this debate, Mr. Salter?

Mr. SALTER. I haven't heard about this particular incident he is talking about. These things happen regularly. It is usually lack of understanding. The crew leader takes exception to something that is said to him. There have been instances where workers were brought in, were contracted for at a time when there were no domestics available. Between the time when the authorization was issued and the workers were brought in, the crew became available, having been released from some other job. Then the farmer feels, "I have got these men here. I have to take care of them." He sometimes moves as an individual, without working through his association, which he should always do, and these provide the incidents.

Mr. JACOBS. I believe that right now we have an application, and have for some time—for additional men from the local help, which would include your migratory, and we are short 50 to 100 men, on the harvest. We have got about 450 working, and we are short 50 to 100 right now; and we are not in the peak of season generally. I mean, the area of the vegetable operation is not now in the peak that it is when lettuce is at full blast, through November and December. It is no easy matter to regulate this flow of labor when you go to deal with all the areas you speak of. The production in the winter months is primarily extended into the spring months, going to the places that are nonproductive at that time of year, in these perishable food items.

The record of the Mexican national coming in is very clear by the month. I have it, but Mr. Salter could much better cover that than I. It reaches a peak here. I think the peak last year was around 5,000, with an average of about 3,000 and a minimum of just a few hundred under. Is that somewhere near correct?

Mr. SALTER. In Maricopa County; yes.

Mr. JACOBS. That is, in this county. That help is easily gotten rid of. Once you don't need it and there is domestic help, the migratory available here, the other help could easily be moved back to Mexico. Is that correct, Mr. Salter?

Mr. SALTER. Under certain conditions; yes.

Commissioner GRISWOLD. I should like to ask a question that is probably more controversial, and probably very hard to answer. Is not

the effect of the availability of the imported labor, inevitably, to depress, or keep down, the wage level to all labor, and thus to have an effect on this so-called prevailing wage which labor is paid—with the consequences that the grower thinks the imported labor is wonderful, because no matter what labor he gets, the wages are lower than he would have to pay if the imported was not available?

Mr. JACOBS. I think that is not true, for this reason: If you look at the record before we ever used any imported labor, and that was during the war, we were in the inflationary spiral. Labor followed it up just like everything else. We were not using any, and I know from our own records that our wage level kept rising.

The same thing has continued to apply. I mean, agriculture does not have a corner on all this labor. There are occupations other than agricultural ones. Agriculture, as I said before, nationally uses only about 8 percent of the total labor force. How can it, then, have a corner on labor and be able to hold everything down? It is very fortunate that there is agriculture that can use this unskilled labor that otherwise would not have work to do, at anything.

There is a problem here, and it is a long-range one. Many things have been done in the last 10 years in this area, through the schools and industry, by way of training to place people from this labor pool. A terrific job has been done. That will continue to accelerate, I am confident, and I think that is the answer. It is not something that can be based on law. It is something that one must work with, and believe me, people here are accepting that responsibility—at large, over the general economy of this State.

Commissioner GRISWOLD. I wonder what Mr. Pena, or one of the other gentlemen, would state?

Mr. PENA. I was just going to say that I thought your statement was very true. As long as we have the imported worker, the local worker will never get a decent living wage. Mr. Jacobs says that the hourly scale has progressed, as in other industries. This is not true. Farm laborers have been getting paid 65 to 75 cents an hour for the past 15 years. If we continue to import workers into Arizona, this hourly scale will continue, and it will be there forever. I think your statement was very true.

Commissioner GRISWOLD. I didn't know that I made a statement. I thought that I asked a question.

Vice Chairman STOREY. Thank you. Father Hesburgh, do you have a question?

Commissioner HESBURGH. Just one very brief question. In general, is the quality of labor in both of these groups about the same?

Mr. PENA. I have talked to crew bosses, and they would rather have

the domestic worker than the imported. He works better, and he knows his work. If they could get a job for him, and they knew that they would be steadily employed, they would prefer having the local worker instead of the imported one. They do a better job.

Commissioner HESBURGH. Thank you.

Vice Chairman STOREY. Have you any questions, Mr. Bernhard?

Mr. BERNHARD. Just one. No mention has been made during the course of the testimony about the coming of mechanization, and I was just wondering if it has already started. Has there been an increase, or a decrease, in the total number of the seasonal farm laborers needed to run the farms? Does anybody know the answer to that?

Mr. JACOBS. To this degree, naturally, we have had mechanization in our industry, like many others, but not to the degree of displacement of people, because when you get down to handling judgment, to the handling of a commodity in, we will say, the vegetable area, you just cannot get away from the handwork that is necessary—all the way from when the seed is up, onwards. From then on, you have got handwork required all the way, from harvesting right through production.

Mr. BERNHARD. So I guess that, to this point, there really has not been a decrease in the need for seasonal farm labor?

Mr. JACOBS. I would say, not to the degree percentagewise that you might have in an industry where you could set up a streamlined operation.

Mr. PENA. But there has been a certain amount of people laid off from work. For instance, 80 percent of the cotton is picked by machinery. It used to be that one could come along and pick it up off the ground and be paid \$3 a hundred. For this occupation they have a machine, now, that does the work. Most of the cotton is cut completely by machinery. Most of the work in harvesting the crop is in the field, so I think, to a degree, it has caused unemployment.

Reverend LUNDGREN. I would say that it has, to a large degree. Mr. Jacobs happens to be in the kind of agricultural industry that makes it possible to employ these people. It doesn't adapt to machinery very well, but where cotton is grown, I am certain—and Mr. Salter would confirm—that within the last 5 years an appreciable drop has come.

Mr. SALTER. The drop has come in the immigration—of these migrants into the State. Fewer of those people have come here each year, in the last 5 years, as Mr. Lundgren has said. Where they have gone, we think we know, but we have no positive knowledge of that.

Commissioner RANKIN. Is there a need for an industrial high school in this area?

Mr. PENA. There is one—a technical school.

Commissioner RANKIN. There is? Is it used properly?

Mr. PENA. This is a question that I could not answer. I know it is used, but whether it is used properly, or not, I do not know. I don't have any figures on what happens to these people after they leave this school.

STATEMENT FOR THE RECORD, BY JOHN JACOBS, GROWER

Your request of me was to cover briefly the situation in agriculture, as that is my primary business, and specifically to cover the three classifications of labor generally used in this industry, which are:

- (1) Domestic of all races—residents of this area; also migrants from other States.
- (2) Indians—which are mostly migratory from the Navajo Reservation.
- (3) Mexican nationals.

My personal farming operation is about 1,500 acres of irrigated land in Deer Valley, about 12 miles northwest of downtown Phoenix. We produce a high diversity of vegetables, citrus, and table grapes as well as feed crops, such as barley, maize, and hay, which is used in our cattle-feeding operations. These are cattle we ship in from our two breeding ranches, one in northern Arizona and the other in New Mexico; both ranges are nonirrigated.

Our farming operations near Phoenix employ in excess of 100 people year round, and additional seasonal help which varies, depending on how heavy we are harvesting during our harvesting season, which runs from early November to early July. During the interim of July to November, our labor force is down more to our steady year-round help which is occupied in preparing land, planting, irrigating, and general farmwork until our heavy harvest starts in November.

Domestics: This may well include those who have established homes and live in this area the year round, as well as those who leave colder climates where they are occupied in seasonal work and remain here during our winter and spring months, then move on to Northern and Eastern States, where they prefer to work during our hottest months; also winter visitors who prefer some work, but not steady. Of this class, we use domestics as far as possible, but do employ the migratory class during our heavy harvest season. We also use many housewives who want part-time work, preferably not steady, nor year-round. The above are of all nationalities, but mainly of American and Spanish descent.

Indians: Since 1942 we have relied more on Navajo Indians for our seasonal help. We believe we have been successful in handling them, as a high percent of those who return each fall and many of the next generation who were then children are now coming each year. We maintain a permanent camp on our farm for Navajos, and generally have from 150 to 200, including families. Those returning each year are a much higher percentage than in other migratory labor. Many who came here in 1942 have returned each year. There have been many problems due mainly to lack of education and their inherent suspicion of the white man. All we have to do is look back several generations of the white man's handling of them to understand why. We have made good progress in creating a confidence by patience and fair treatment of them and their problems, but only several generations of time will completely solve the problem. We have developed some good leadership among them, which serves well in our organization. We have a substantial payroll to the Navajos; they are self-supporting and many of them take back rather substantial savings as they return to the reservation for the summer months, which they prefer doing, as many have small farms, herds of goats, sheep, and other livestock, as well as other summer work on the reservation.

Mexican nationals: We have not been heavy users of Mexican nationals, so far as our own management is concerned.

However, I have a close familiarity with it, as I grow lettuce which is generally grown under a partnership arrangement with other shippers who specialize more in lettuce. They do use nationals to supplement their crews over and above the domestics they use when available. Also, I have been a member of the Board of Agricultural Commodities, Inc., which was organized during World War II years for the handling of all classes of imported labor, primarily for farmers other than cotton. Sure there have been some problems during the years, but we have done a good job of coordinating due to the capable management by Bill Larsen who has built a good organization and has worked closely with the Mexican consul and other Mexican officials and with Arizona's U.S. Employment Office which fortunately has a capable local administration.

I am confident that we could not maintain anywhere near the necessary production in the Southwest if we had to rely solely on domestics. There are several reasons for this: Prior to the close of World War II, agriculture was the main source of employment of unskilled labor in Arizona. Since then, and especially in the past 10 years, Arizona's growth has been rapidly accelerated by the moving in of industry. Much of this industry does not require highly skilled labor, and even those that do run high to skilled labor, use considerable unskilled. This, plus the necessary new businesses to serve this growth, all combined, have absorbed much of the unskilled labor pool.

I believe we are not fully evaluating the unskilled labor pool. If properly analyzed, I believe it would be found that of the total U.S. unemployment, many are people who retire, and formerly were considered as retired. Others, and we have always had them, simply do not want to work. I have full sympathy for the individual who, through misfortune, displacement, or causes beyond his control, needs, wants, and is willing to work, and that relief is warranted until he can get settled in a new job; however, full credit has not been given to the many programs now available to unskilled labor to learn a trade or advancement to semiskill through industry training, public and private school programs, in teaching skills that were not available even 10 years back. I believe that encouragement of more initiative on the part of the individual is more valuable to the individual than anything else.

Finally, as to discrimination, I assume you are more interested in racial discrimination. If so, Arizona has no major problem in this area. Sure there are many minor ones and always someone who will prove it to be a major one, even if they must find a guinea pig to prove it with, but if you get into this, then you must broaden the whole field of discrimination, bringing in religion, politics, and the whole breadth of our social system. If left alone, time and new generations will do more to heal than all the pressure groups, new laws, and mass hysteria that too easy and too often are started. Considering the wide range of nationalities in Arizona, I think it is remarkable that there is no serious problem. I believe it exists mainly at the home or family level and probably is apparent in the minority groups as elsewhere. This is as it should be.

I want to point out the fact that only about 10 percent of our national labor pool is occupied in agricultural production. But, due to the fact that agriculture in the Southwest is about the only industry using foreign labor, it is expected to absorb the entire pool of unemployed. Only a small percent of these are at all familiar with agriculture, and the majority of these are migrants. An accurate record is kept by the Agricultural Commodities, Inc., which places, daily, those requesting work. Of those requesting today for tomorrow's work, in the period from November 1958 to May 1959, only 56 percent showed up for work, and during this period, that office placed and hauled a total of 22,000 day jobs. Of this, 8 percent refused work on arrival at the job; 18 percent worked less than 1 day; 25 percent worked 2 to 4 days; 18 percent worked 5 to 10 days; and 22 percent worked more or less permanently. Also placed were 2,850 who wished permanent housing. A careful daily record of each case was kept, and a wide range of excuses were given by the individuals for not staying with the job. Arizona's production of fruits and vegetables for fresh market shipment, mainly from November 1 to July 1 in 1960-61, was 62,500 carlots, and for the same period in 1959-60 was 63,400 carlots.

There are many problems in handling this unskilled class of labor, and always will be. It is fortunate that there is agricultural work, which absorbs most of those who want and are willing to work. I believe our industry is doing a good job and paying wages comparable to the individual's capacity to produce.

STATEMENT FOR THE RECORD BY RICHARD H. SALTER, CHIEF OF FARM PLACEMENT BUREAU, ARIZONA STATE EMPLOYMENT SERVICE

The bracero program, as it is called in those States where Mexican agricultural workers are contracted, is governed by Public Law 78, as amended, and the Migrant Labor Agreement of 1951, as amended. Public Law 78 authorizes the Secretary of Labor to import Mexican contract workers for temporary or seasonal occupations when it has been determined that reasonable efforts have been made to attract domestic workers, and such domestic workers are not available. Mexican workers are contracted for specific occupations at the prevailing wage in the area of employment for the occupation, and for a specified period of time. A recent amendment of Public Law 78 in 1961 prohibits a Mexican worker from working in this country for more than 6 consecutive months, except in certain cases where 9 months are permitted. Formerly, the period was 12 and 18 months. Work on machines, their maintenance or operation, is prohibited to Mexican nationals except in hardship cases, in which event the Secretary of Labor may permit a temporary alleviation.

The Migrant Labor Agreement of 1951, as amended, is entered into between the Government of Mexico and the United States of America and regulates the contracting of Mexican farmworkers, their conduct and activities while under contract. It also regulates the conduct and activities of employers, whether farmers or an association of farmers. The migrant labor agreement, as amended, regulates such other things as the employment and the limitations on employment, duration of the contract, the wages to be paid for the activities authorized, and extension of contracts if the worker is needed for a longer time. It sets forth the preference for employment of U.S. workers, the maintenance of records, strikes, lockouts, transfer of Mexican workers, and other matters too numerous to mention. All provisions of the migrant labor agreement, as amended, are incorporated by reference in the standard work contract, a document entered into by both Governments, the employer, and the worker. Each worker receives a copy of his contract, which is in both English and Spanish, and thus he is informed of his rights and responsibilities under the contract and law.

In Arizona, with but a few exceptions, braceros are contracted by associations of farmers and assigned to user-members of the association. In this way the association is the employer, although both the user-member and the associations are bound in the case of default and are responsible to the Secretary of Labor. Braceros are authorized by the State employment service's farm placement section when the need is proven. The farmer files his order for workers with the local farm office 30 days in advance of the date of need in order that all efforts be made to recruit domestic workers for the job. These orders are placed in interstate clearance if workers are not found locally. This allows recruitment from unemployed farmworkers in other States within a reasonable distance. In this area a reasonable distance historically has been 1,000 miles (San Antonio, Tex.). When braceros are authorized for contract, the period of time is for not longer than the crop activity for which they are needed, and in most cases for a period of 6 to 8 weeks. If other crop activities become active while the bracero is here, or at the completion of his original contract, he may be authorized for an extension of contract if a need exists in that activity.

In all cases the U.S. citizen who applies for work is given preference over braceros; and if the user-member cannot provide full employment for both, the bracero must be repatriated. The wage paid the bracero must be no less than the prevailing wage paid to domestic workers for the same activity and must be paid in the same fashion. It has been noticed that in areas where there are no contracted braceros, the wage paid domestic workers tends to decrease toward the end of the activity; while in areas where braceros are employed, the wage tends to remain stable. For example: in the cotton harvest this past season toward the end of the harvest, when farmers offered scrapping (picking up off the ground after machine harvest) in areas where there were no braceros harvesting cotton, the wage offered was \$2-\$2.25 per hundredweight. In areas where braceros had been authorized to scrap cotton, the wage remained at \$3 per hundredweight, as it had all throughout the season.

There are three classes of workers mentioned in this statement—the bracero, the local domestic worker who resides in the area, and the migrant or out-of-State worker. Both the local and migrant worker may be referred to as seasonal farm laborers, or mentioned individually. There are conditions which exist that cause migrant workers to believe they are discriminated against.

Lack of family-type on-farm housing forces the employment service to require a worker to go to a job as an individual worker. Some farms have barrack-type housing for braceros, and any domestic farmworker who is willing to accept such living accommodations and perform the work available is entitled to a free bed in the barracks. These places usually have a messhall where the workers are fed by a commissary agent. The food is typically Mexican, and while the cost for three meals per day is only \$1.75, many seasonal farmworkers do not care to eat in the messhall, and feel that this is done to them personally. Since there are no provisions for individual cooking, the worker who does not like the food usually leaves and then complains at the employment service farm office. If there is a valid complaint, other than food, the local office adjusts it; if not, the worker is sent to other work.

What little family-type on-farm housing that does exist is usually reserved for the year-round or skilled worker; i.e., tractor and machinery operators, regular irrigators, etc. These are not confined to white workers only. Both Negroes and Indian workers will be found in these jobs. Skill to perform the work is the only requisite. For the worker with a family, for whom there is no on-farm family housing, for the individual or single seasonal farmworker who does not care to live in the barracks housing, other provisions must be made. They are entitled to jobs and when they make themselves available, they are sent out on jobs in two different ways. These are workers who have no transportation of their own. One way is to assign the worker to a place in a crew. The crew leader provides transportation, tools, or equipment as needed, and usually pays the worker. Crew leaders usually want experienced farmworkers who need no training. This leaves some migrants out of the picture. For these and for the many other workers for whom there is no place in a crew, the day haul is available. There is much to be said against the day-haul system, but it does get workers on the job and provides the preference in employment that is theirs under the law. Stated simply, the day haul is an activity whereby farmers provide transportation for domestic workers, picking them up at a spot designated by the employment service, and returning them there at the end of the workday. The day haul works as follows: The worker is registered by name, address, and social security number, and a short work history if a regular farmworker. He is told to report the following day at a specific time. This ranges from as early as 4 a.m. to as late as 7 a.m., depending upon the time of the year. When he reports at the employment office the next morning, he is told which farmer's vehicle to board. Many of these are old city transportation or schoolbuses, but as many are stake trucks fitted out with a board seat and a cover over the top.

As long as this farmer needs workers for the crop activity at hand, or as long as the worker reports for work, he goes to the same farm, unless he requests a change. However, the work is hard, the workday long when morning and evening transportation is considered, and many migrant workers do not report regularly for work. Unless the worker has a history of drinking, this is not held against him. When he does report, he is sent out again. For the most part, the day-haul worker is a migrant who is not necessarily a farmworker. In nearly all cases he can be classified as a laborer. The local domestic worker usually has certain farmers for whom he works at different times of the year, whether he drives out himself or goes as part of a crew. These workers are not a problem.

In this State the farmworker is covered by social security, and if he works for either a crew leader or a farmer for more than 150 days in a year, the employer is required to withhold from his earnings. We do not know how fully the law is complied with, but we do know that most of the commercial growers will not employ a crew leader unless he has a social security account number and liability insurance covering his vehicle and passengers. There is no unemployment insurance coverage for seasonal farmworkers in this State. I believe that most commercial growers cover their supervisory and year-round workers. Industrial insurance is required only for farmworkers operating machinery. Again, many of the commercial growers have some on-job insurance coverage.

The rules and regulations of the Arizona State Department of Health, Sanitary Code Part XI, define "agricultural labor camps." Under these regulations the camp operator is responsible for maintenance of equipment, cleanliness, and sanitation in the camp. Occupants and the camp operator are jointly responsible for sanitary conditions within and immediately adjacent to their living units. Under the regulations, family unit living quarters must provide at least 60

square feet per occupant. Single or unattached workers so housed must be provided 40 square feet of floorspace. All camp operators are required to register with the county health department. The sanitarians of the county health department make inspections of such camps.

So that some idea of the numbers of workers covered in this statement might be obtained, we checked the record and found that the 1961 total peak employment of all hired farmworkers employed in seasonal activities was 15,500. Of these, 7,350 were local domestic workers, 1,720 were out-of-State migrant workers, and 6,940 were braceros. These were employed in Maricopa County only.

We know of no civil rights problem in the use of bracero and domestic workers here in Arizona. Since braceros are brought into an area to supplement the existing labor, the State employment service reserves the better jobs requiring skill and paying higher wages for domestic workers. Braceros are authorized for stoop labor occupations only. Domestic workers seeking farm employment are placed in jobs according to their highest skill. In years past we heard of incidents where Negroes and Filipinos were refused employment, but this has long since changed. All U.S. workers have preference over braceros under Public Law 78, and because of this, farmers have learned that both Negroes and Filipinos are responsible workers. For the past 4 or 5 years, any person who indicated a desire to perform farmwork has been given the opportunity. Some farmers may call the migrant a "wino" and other names. They refer to the lack of diligence in caustic terms; but when workers are needed, they do employ the seasonal farmworker. We know of no case in Arizona where braceros were refused service, food, or other consideration because of their nationality.

Vice Chairman STOREY. Thank you very much, gentlemen. It has been very interesting and informative. Would you introduce the next witness, Mr. Bernhard?

Mr. BERNHARD. I would like to call Mr. Eugene Marin, teacher and founder of the Vesta Club, and Grace Gil-Olivarez, radiobroadcaster, to speak on the subject, "Mexican-Americans."

Vice Chairman STOREY. Will you please hold up your right hands and be sworn? We should like to ask questions later, and therefore will ask you if you will summarize your statements.

TESTIMONY OF EUGENE MARIN

Mr. MARIN. I want to clarify my position here, in that when I committed myself to appear before the Commission, I was appearing as an individual, representing myself, and I am still doing that. However, in the last 2 or 3 weeks there has occurred in Phoenix something of significance, I believe, now in the future. That is that I have had the honor of becoming State president of a newly created political organization.

I understand the rules of the Commission to be that we shall discuss the problems of Phoenix, and I want it understood that what I have to say here does not mean that I am overlooking the problems that exist throughout the State, and that need attention.

Vice Chairman STOREY. Well, we will be very glad to hear from you on those.

Mr. MARIN. To establish, perhaps, a point of departure on the problems of Phoenix, I want to recognize first that there has been

much improvement made, but we must go back to conditions perhaps as they existed in the last 15 or 20 years, or longer; and then come back and see why those improvements have come about. The Spanish-speaking population, or Mexican-American population, recall the situations in the theaters, for example, where the seating was segregated for Spanish-speaking people. The people, generally, were concentrated in this area that we heard about earlier this morning, in the south side and with few exceptions, we had members of that community living only in that area. We can recall the situation of the swimming pools in the valley, where the Spanish-speaking group were not allowed to participate. We can recall areas in the regular city recreational parks where there was a certain amount of discrimination or segregation going on. And in the matter of public accommodations, in some of the hotels, particularly those north of the downtown area, there was a considerable amount of that. In the restaurants, in some bars and taverns, there was something similar. Perhaps one of the most recent occurrences was in the disbanding of a program that was on television, on one of the local stations, where there was an Arizona dance party—I forget the exact name of the program—and there were complaints by parents in that the televised show displayed Spanish-speaking children dancing with Anglo girls. Consequently, that program was cut off the air.

Now there has been, except for this one situation, a noted difference. There is improvement in the attitudes, I believe, in all of these fields relating to civil rights. I want to comment about the factors relating to those improvements. I think that some of them have come about by court decisions, both here at the State level and at the national level. The improvement in attitudes locally can be attributed, I believe, to some of the news that reaches this area of some of the injustices that we feel are happening in other sections of the country. I cannot help but feel that some of the news that reaches here in regard to segregation of schoolchildren, and so on, has brought it to light, for some very loyal and upright Americans in this community, that perhaps there are a few things that are questionable, and that need immediate attention as far as this democracy that we always talk about is concerned. I think it has been brought to light now that these recent new, other errors have been coming to our notice.

In the matter of education, we go back, as a factor, to the improvement—as was stated earlier this morning, much of the progress that we can note is with us as a result of World War II. And although in my written testimony I have stated that we cannot claim any virtues for war, it did take this ironic twist of fate to bring about some of the progress that we claim today—the benefits of the GI bill, especially. These boys and girls that were migrants, or whatever you might want

to call them, in various parts of the State, had been subjected to a menial part in the life of the community. Suddenly, they were finding themselves in training camps and participating in all that was expected of them in helping the survival of the country. In coming back, having been "spoiled" by this good life, they had new aspirations. Those aspirations they found in education, through the GI bill. I believe it is significant that those that could see—that could go on to schools, are the ones that have been able to bring about the progress that we can note at this point. I have to hurry along. I don't think it is fair to talk about the problems of the Mexican-Americans in 6 minutes.

Vice Chairman STOREY. Well, we will have time for questions, and you have a full paper.

Mr. MARIN. I believe that another important factor is the influx of people from other sections of the country into this part of the country—people who are not acquainted with the problem, who have not been used to this kind of discrimination or segregation. They have tended to moderate the attitudes that existed before.

The problems remaining are those of the masses of the older folk. The problems remaining are with the people who are nonveterans. Those of the masses of the Spanish-speaking people are perhaps similar to those that are common to any low socioeconomic group where there is delinquency, broken homes, destitute poor conditions, poverty, and that sort of thing. But it is encouraging to note that there is a general attitude favoring action.

I believe that, as some of the people are thinking, this action in their program for improvement is going to come about by a step in the political field. Because in the matter of employment, neither private industry, nor the public, at State or city level, have done enough to recognize able individuals and place them into responsible positions. I believe that the concern among these Spanish-speaking people is going to be expressed in an effort through the political aspect.

I was asked to comment on the Vesta Club, and I would like to ask the Commission if I should. It will take another two or three minutes.

Vice Chairman STOREY. Why don't you leave that until we have questions? Mrs. Gil-Olivarez?

TESTIMONY OF GRACE GIL-OLIVAREZ, RADIO BROADCASTER

Mrs. GIL-OLIVAREZ. Father, and gentlemen, I think it is slightly absurd to ask a woman to talk about any subject and then turn around and limit her to 6 minutes, but I will try.

I personally can tell you of no specific cases of discrimination against a Mexican-American due solely to the fact that the party was a Mexican-American. It has been said that discrimination in Phoenix is

subtle and, as such, must be dealt with subtly. No one person can know all the answers, and I certainly don't profess to be completely versed on the subject. However, I can tell you that in that section of Phoenix that is commonly known as the "South Side," there is a large group of Mexican-Americans who are not getting an education. There is a large group of American citizens who are not voting because they are not even registered for this purpose. From this group of Mexican-Americans, it is estimated that more than 50 percent of the "TB" cases recorded in Phoenix are originating. A great number of these people are receiving welfare aid because they direly need it. Many of those, within this group, that are blind, deaf, mentally retarded, or handicapped in any way are not aware of the rehabilitation services that Phoenix has to offer.

Who is to blame? Personally, I feel that the Mexican-Americans are to blame—that group of the Mexican-Americans that has acquired a professional or semiprofessional status; that group that resents being called the Mexican-American and claims they are Spanish-American, Spanish-speaking, or of Spanish origin; that group that takes pride in saying that neither they nor their children speak Spanish, and are quick to admit this because they are ashamed of their heritage. By admitting that they do not speak Spanish they are admitting that being a Mexican is the equivalent of being inferior.

I would like to say here and now that being a Mexican is a far cry from being inferior. The sooner this group of upper class Mexican-Americans, and that group of Anglos that dislike us, accept and realize this, the sooner we will be able to start working on a solution to this particular phase of our problem. And we can start by doing away with reprimanding and punishing the child at grammar school on the South Side for speaking Spanish in the school grounds and classrooms. This bigoted approach on the part of the schools immediately puts in the child's mind that the Spanish language is inferior—not socially acceptable, since you cannot use it in public, and it is to be used only in the privacy of the home.

Yet, in the North Side of Phoenix, the Anglo student is being taught how to speak Spanish. If the purpose for denying these children in the South Side the privilege of speaking Spanish is because the schools here feel that the Mexican-American students won't be able to keep up with their studies in English, then perhaps the solution of this problem will be found in the Little School of the 400. The Little School of the 400 is a project designed to teach the little—see how they phrase it, "non-English-speaking child"—400 basic words in English prior to his entering school. Arizona will start this program in June under the sponsorship of LULAC, which is the League of the United Latin-American Citizens, and it is hoped that Phoenix will be able to start a similar school in June. I sincerely hope that the

reason behind the no-Spanish policy in the schools in South Phoenix is really one of genuine interest in the student, and not one of fear of the unknown.

Fortunately, Phoenix is a community with more good than bad for every resident, but sometimes the bad overshadows the good. That small but vociferous group of Anglos that dislike us undoubtedly base their dislike on fear. They fear us because they don't know us, and they don't know us because they haven't bothered to find out what we are really like. They judge the masses by a few individuals. And this sort of attitude, I think, is harmful to this Nation, or, should I say, "our" Nation, because, regardless of how anyone feels about us, we are American citizens. Regardless of how many hyphens they give us and how many phrases are invented to describe us, we are still American citizens and are very proud to say we owe allegiance to no other country but this one.

We are really here to stay; so, wouldn't it be a lot simpler, and to everybody's advantage, to learn a little about us and accept the fact that we are of Mexican heritage and, as such, are prone to be slightly different, but definitely not dangerous. We speak Spanish because we learned it at home, and not because we are plotting against anybody. I sure hope this small group of prejudiced Anglos learn to know us, and start out by finding out what race we belong to.

We happen to belong to the white race; yet we find people talking about Orientals, Negroes, whites, and Mexican-Americans as if we were a race all by ourselves. And I am afraid that I would request the same type of recognition if we belonged to the yellow race, or the black race—but we happen to belong to the white race.

The Mexican is normally timid, but can be drawn out. Some Anglos might have difficulty in accomplishing this, but that group of Mexican-Americans that is not ashamed of its heritage, and that has scaled the success ladder, can do very much to help bring these people out, to inform and acquaint them with what Phoenix has to offer them.

So much of what I described could be corrected if we had true leaders among the Mexican-Americans who would take the time and the interest to tell this low socioeconomic group of Mexican-Americans about voting privileges; the help offered the handicapped; the importance of a high school diploma; the interesting and beneficial phases of belonging to community organizations and actively participating in PTA, Girl Scouts, Boy Scouts, boys' clubs, and many other similar activities that are designed to improve what needs improving, and that do not practice discrimination.

The Mexican-American population can be one of the great assets of this Nation. Everyone is aware of the shaky relations we have with Mexico. Mexico is well aware of the dislike some of the Anglos have for us. I believe that recognizing the potential of the Mexican-

Americans as represented to our neighbors to the south could do very much to dispel the anti-American feeling if these people could see, in a positive manner, that we are practicing what we preach—equality. But until we quit associating Mexican with “inferior,” there is little that can be accomplished.

Commissioner HESBURGH. I was delighted that you dealt with that point on inferiority, because I think that this gets at the heart of practically everything we have been saying here today—whether it is a de facto inferiority, that you cannot get the same kind of equality, or a supposed inferiority on the part of a given race of people. I was talking to some young Mexican-American youngsters yesterday—or Latin-American, call them what you want—

Mrs. GIL-OLIVAREZ. Mexican-Americans.

Commissioner HESBURGH. I will take it either way, because I like Mexican-Americans and I like all Latins. I asked these youngsters pointblank, “What do you like best as a language?” They were speaking both languages. I happened to be speaking in Spanish at the time. I said, “What language do you like best; Spanish or English?” To my horror, they said, “English.” I almost fell to the ground.

I said, “Why?” It was the same reason that you just gave, “You can speak it in public. Spanish you have to speak by yourselves.”

I am not trying to give a lecture here. I am just trying to get at the bottom of something that underlies all these things. I think it is a philosophizing urge, or something. But do you think that this is a general thing: that among Mexican-Americans, or Negroes, or among other racially distinguishable groups, or minorities, in the United States, this inferiority feeling is a very strong thing?

Mrs. GIL-OLIVAREZ. Yes; very definitely.

Commissioner HESBURGH. What does one do about it? You don't feel inferior. You just said so, and I am glad you don't, but what do you do about it? How do you get out of it?

Mrs. GIL-OLIVAREZ. Well, perhaps the fact that I wasn't brought up in Phoenix has something to do with it. No, I don't mean that in a comical way. We were brought up in a strictly Mexican town, and we were segregated from the Anglos, by our own choice. In other words, we didn't want any Anglos with us. The Anglos would accept Mexicans in their town, but we didn't want any Anglos in our town, and we grew up learning the Spanish language, the Mexican culture, the Mexican foods, and actually I think our town was more Mexican than some of the towns I have seen in Mexico.

But because we could see that we were limited, we looked toward the big city and the opportunities, and, once we got out of there, we were able to appreciate what Phoenix had to offer. But we didn't grow up with an inferiority complex. At least, I don't think I did.

Commissioner HESBURGH. Is it possible, in a town like Phoenix, for a youngster to be proud of being a Mexican-American?

Mrs. GIL-OLIVAREZ. I seriously doubt it. There is nothing here that shows that we have any culture, and actually we have a very rich culture.

Commissioner HESBURGH. Do you think the same thing is true of the Negro community: that it's hard for a Negro to be proud of being American?

Mrs. GIL-OLIVAREZ. Very definitely. There is nothing, at least I don't know of anything, that they are doing in a positive manner to show us some of their culture.

Commissioner HESBURGH. Do you think it is possible to begin by saying that you have pride in your forefathers?

Mrs. GIL-OLIVAREZ. I think so.

Commissioner HESBURGH. I will settle for that.

Commissioner RANKIN. The other night I had dinner with a Mexican-American who had lived for many years in New Mexico. He said how much better it was insofar as treatment, recognition, and acceptance and all that sort of thing was concerned, than in Phoenix and Arizona. Is that true, and, if so, why does that exist?

Mrs. GIL-OLIVAREZ. Well, in New Mexico nobody is a Mexican-American. Everybody is Spanish, although they are still Mexican-Americans.

Commissioner RANKIN. That is just terminology?

Mrs. GIL-OLIVAREZ. Well, Mr. Marin said the other night that it was just a technicality, but I do not think it is, and the more we try to hide it, the worse it is going to get.

Commissioner RANKIN. And they do not hide it in New Mexico?

Mrs. GIL-OLIVAREZ. No; in New Mexico, they do not even use the word "Mexican." They use "Hispanic," Spanish, and everything else.

Commissioner RANKIN. You agree that in New Mexico the situation is better?

Mrs. GIL-OLIVAREZ. I don't know too much about New Mexico. They seem to have more representation in Washington, and more Mexicans in office.

Mr. MARIN. I would like to comment on this general question. I do not think it is of great significance, as far as the technicality is concerned. As the Rev. Hesburgh was mentioning, there is something fundamental about this. Whether it is Hispanic, or Latin, or Mexican, or whatever you like to call it, is strictly unimportant as far as I am concerned. I believe that the conditions to which these people have been subjected—the discrimination and inferiority are a result of this subjugation. It is a defense mechanism on the part of the people, who are trying to hide their identity because they are spoiled, and the good life is easy to become spoiled to.

Commissioner RANKIN. Is the situation better in New Mexico? That was my question: Do you think so?

Mr. MARIN. Yes; by far, purely because of history. When this country was acquired by the United States, New Mexico had the seat of government for this territory, and the population was generally concentrated there, mostly through large Spanish grants, going back to Spanish times. There was just more population there.

Commissioner GRISWOLD. I would like to ask whether the problem of the Mexican-American here is any different than that of the problem of immigrant Americans in any part of the United States? I grew up in Cleveland, Ohio, where there were large numbers of Italian immigrants, and large numbers of Slavic immigrants, of various kinds, from what we now know as Czechoslovakia and Yugoslavia. When I was a boy there was a certain amount of de facto segregation and discrimination, which I think was largely based on the lack of communication, because of language difficulties, but now one of the Senators from Ohio, Senator Lausche, is of Czechoslovakian background and the Governor of Ohio is Michael Di Salle. That has happened in the lapse of time, in a generation and a half.

I do not like to use the word "assimilation" because I think that one of the great things is the many cultures which have come here, and I would hope that any person who comes here from another background would keep that culture, and would contribute it to the whole. But I wonder if the lapse of time is not going to do the same thing here, in Arizona, as has happened in so many other parts of the country where these people of different backgrounds are more or less in charge of things?

Mrs. GIL-OLIVAREZ. Well, they tell me that the Germans who came over here, and some of the other people, also, upon first arriving were very busy forgetting their language, and learning English. But then, after they were settled, they went back to their old culture. In other words, they picked up their language. They picked up their habits and culture. Perhaps this is what is going to happen here, in Arizona, but, if it is, I think we had better get started.

Mr. MARIN. May I come in on that point? I would say, going back to the question of how the problem here was different from that in other areas, that here it differs only in respect of the fact that, as a minority group, it is a sizable one. It is a large one, and the problem of segregation, or of this thing that we are talking about, is in relation to the size of the minority group. So, in the cities back East, if it is a small group, it is insignificant.

Commissioner GRISWOLD. No. These were the very large groups. There were more Slavs in Cleveland than in some of the Slavic countries, themselves, just as there are more people of Irish descent in New England than there are in Ireland today.

MR. BERNHARD. I would like to ask either one of the members of the panel something that perplexes me considerably. From the preliminary survey that we have made it would appear that there are no restrictions in the voting area against Mexican-Americans, or against anyone else here; that there are no restrictions or problems in the area of administration of justice, or in the area of housing, or even employment. It also appears, though we are not sure of the exact figures, that there is not a very high registration, amongst this identifiable group, in the voting area, but the thing that perplexes me the most is that it appears that there is a lower educational level on the part of the group than on the part of the Negroes, for example—that there is a higher dropout level among this group. Is there any explanation that you can offer for this?

MR. MARIN. I would like to attempt that. The progress in education has been noticeable, as I said before, since World War II, but I do believe that the problem of the Mexican-American people is that we have not had or been able to produce the leadership in the past that would have provided these people with a program—so that they knew what they were fighting against, or fighting for. The fact that we have not, ourselves, defined the problem is the problem. Now, since those leaders were not in the forefront, there is little that others would aspire to. There were none to guide them, and because the majority of the people who came to the Valley, came here as farm-workers and laborers—to Phoenix, in particular, where the situation is different from Tucson, and other parts of the State—the parents themselves did not have the necessary means to push ahead. But there is noted progress in that area—although it is smaller than you have mentioned with respect to other minorities.

Commissioner HESBURGH. Would this indicate, do you think, that maybe the ultimate answer, then, to what you have been talking about here is that it is up to the group itself to provide better leaders, within itself, for better purposes: to develop more of an aspiration for education; to assume more responsibility for better neighborhoods, better family life and so on. Is this where the direction of the answer lies, do you think?

MR. MARIN. I believe so, and that is where the Vesta Club comes in.

Vice Chairman STOREY. Finally, we will give you not exceeding 2 minutes to tell us about the Vesta Club.

MR. MARIN. This educational and leadership vacuum has been inherited. Leadership elsewhere has been created by cooperation. The Spanish-speaking community has not participated in the big-time projects where the leadership has been developed—in street planning, housing development, and so on. There are a lot of big-time projects that we have not been invited to participate in. That is why the leadership is down.

The Vesta Club recognized that in the last 20 years—and in all the years going back—the publicity among the Spanish-speaking group had been negative. We read about brawls, fights, stabbings, and killings, but very little that is positive. So, the Vesta Club was organized by Spanish-speaking graduates of the university to do something about the problem, but particularly to try to change the image in the public eye of the Spanish-speaking person. So, the Vesta Club has gone through with a program of scholarships to help Spanish-speaking graduates, with theater productions, with benefit dances, with testimonial dinners and that sort of thing, to counteract this. I believe that the Vesta Club has definitely had an influence, and is being an inspiration to many children that are able to follow a professional career.

Vice Chairman STOREY. Thank you.

STATEMENT FOR THE RECORD BY EUGENE MARIN, TEACHER AND FOUNDER OF THE VESTA CLUB

Progress is noted in the housing situation. Where it used to be that these people were, with few exceptions, concentrated in the South Side of the city, now you find them living throughout the entire city limits. The only restriction now is their ability to pay. In the matter of employment opportunities, less reluctance is evident now to fill some responsible positions with individuals who have proved themselves. However, much more needs to be done in this regard. In fact, most of the problem stems from the economics of the entire situation. In addition to that, I can attest to an improvement in attitudes in the matter of public accommodations. This was quite a problem years ago.

Some of the factors contributing to this improvement have been court decisions at the State and National levels, and some liberal legislation which has alleviated the school segregation problem. The news which comes to us from other sections of the country has had a definite effect on attitudes locally. Education is another factor. Two decades ago professional names were practically unheard of. Now, more and more Latin names are seen annually in the graduation rosters of our colleges and universities. World War II and the GI benefits that followed did more to awaken these people than any other single factor in the last half century. Of course, no one can rejoice about the calamities suffered by so many families throughout the country, nor does anyone proclaim any positive virtues as the aftermath of a global struggle. Yet it is ironic that it took this gruesome twist of fate to start this chain reaction of progress. These people suddenly found themselves training all over the country. Where once skin pigmentation or accented speech had been a stigma for social, political, or citizenship status, now that was a matter of no consequence. Now it was "Buddy, Buddy," teamwork, survival.

But the moment of truth occurred on the field of battle. Not one drop of blue blood did they see; they were all red-blooded Americans. Then they came home. But they would never be the same again. They expected, and deserved, full equality and opportunity. If they had helped preserve our democracy and our freedom—and every news media proclaimed they had—now they wanted a proportionate share of this great partnership. The GI bill was the measure which helped them implement their newly acquired aspirations. As a result, a great deal of talent has been discovered which theretofore had been lost, wasted, or discouraged. Now these people are finding, in quite perceptible degrees, a rightful place in the normal avenues of endeavor. Viewing the problem as a whole, it seems it has been reduced in direct proportion to their educational achievement.

The problem remaining now is to change the attitude of the older folks or the nonveteran. Those who educate themselves move ahead; those who do not, stay behind. This is a formidable problem, to be sure, but an understandable one. For generations these people have been subjected to this conditioning process of unacceptability, insecurity, and semicitizenship status. But now that some of these conditions have been eased or done away with, they do not know

how to act or what to do to enjoy their full benefits. Then, besides these particular problems, the masses of these people are beset by the similar conditions which afflict any low socioeconomic group—destituteness, juvenile delinquency, broken homes, school dropouts, slovenliness, poor neighborhood conditions, et cetera.

The Vesta Club was organized in 1954. Its program, in a limited way, is patterned to attempt an individual effort of self-improvement. It is made up of some of the outstanding professional and business leaders in our community. Its immediate objective was to attempt to change the image, in the public eye, of the Spanish-speaking citizen. Up to that time, negative publicity absolutely overwhelmed anything positive that occurred in this valley, or the entire State, for that matter. Where the news media publicized tavern brawls and roadside holdups, the club countered with benefit dances, scholarship award banquets, and testimonial dinners. When the news publicized destituteness or other depressing sights, the club worked to accentuate the positive by announcing stage productions at the Phoenix Little Theater, or cultural lecture series presentations by its members.

The Club has succeeded in its purpose, to a degree; it boasts many fine young professional people on their way up. Its motto is: "Progress Through Education." It recognizes that the answer to these problems is education. Through its scholarship program it has awarded 13 \$800 scholarships, and they are contemplating making 2 \$1,000 scholarships annually. Among its graduates are included a medical student who is about to begin his internship program. More recently, it is encouraging that among the intellectuals within this group there has also arisen a deep concern about the political vacuum in which these people have lived for so long. Now a program of intense political education is in the making to the end that it may give these citizens broader perspective and higher aspirations to compete in all the fields of endeavor in our country, of which they are an integral part.

Education, therefore, of one kind or another, is the most urgent need. But it must be universal—that is, among all segments of society. Neither Phoenix, nor this Nation, can any longer afford the luxury of second-class citizenship. Our survival as a free society is being tested on this very point. As Phoenix comes of age more and more, we expect those in a position to do so to look into programs and suggestions which we shall present from time to time. Phoenix has improved, there is no question, but it still must face some problems remaining in matters of employment, education, and civic participation by the entire community.

Vice Chairman STOREY. Thank you both very much. Mr. Bernhard, would you call the next witness, please?

Mr. BERNHARD. The next subject is that of the Indians, and our witness is Mr. Joe Sanders, teacher and member of the Arizona Indian Association.

Vice Chairman STOREY. Will you come forward and hold up your right hand and be sworn? Thank you.

Mr. SANDERS. Before I start, I have some visual material that I would like to give you.

Vice Chairman STOREY. This is very helpful.

TESTIMONY OF JOE SANDERS

Mr. SANDERS. I do not believe we will have any technical difficulty in identifying the particular group that I have reference to, since the Indian is the first American. As one Indian recently said to a Government official, "I hope that you watch your immigration laws better than we watched ours."

On the maps that you have received, you can notice the Indian reservations here in the State of Arizona. There are approximately 80,000

to 85,000 Indians who live in these areas. It is estimated that, approximately, in the Greater Phoenix area, there are 10,000 Indians.

As a general statement I may say that the natural and human resources of the Indian reservations have not been developed. The natural resources are not able to support the population, and therefore we have people moving back and forth into the suburban areas in search of employment. Some of the underlying factors that cause these undeveloped areas are the lack of capital, the lack of credit, the lack of communications, roads, employment, poor health conditions, the lack of education and water—both domestic and commercial. We also have a language barrier and cultural differences existing between the Indian and the non-Indian in the suburban areas. The Indians, I believe, also have not mastered the proper methods and techniques of developing natural resources, or many of the business practices that are necessary for this development.

In the area of employment, as a general statement, I might say that the Indians have insufficient training—or retraining. In 1960, the latest figures that I have, there were 22,000 job placements within the reservations; that is, within the State, by the State employment service. Some 11,000 of these were nonagriculture, and 35 percent of the latter were domestic workers with the governmental agencies; others were in the trades of manufacturing, mining, and so on. Some 10,000 of these, in 1960, were agricultural. As an Indian moves into a suburban area—and I speak of the Greater Phoenix area—he may seek employment by several avenues. He may seek it with the Bureau of Indian Affairs, or the U.S. Public Health Service, the Bureau of Reclamation. He may be located, or placed, in a common labor force which, in my opinion, is not enough to take care of his needs.

As far as education is concerned, there are now 95 percent of the school-age children attending school. Except for the Navajo on the Navajo Reservation, the average education of the Indian in Arizona is 3½ years. One of the other tribes is less—approximately 1 year. In the public schools of Arizona now we have, to date, 9,000 Indians attending school. We have a vocational training program by the Bureau of Indian Affairs here in Phoenix. It has 68 members taking part. There are 242 Indians in the State attending college. While one out of eight who enter high school finish, I believe that the non-Indian ratio is 1 to 4, if I am not mistaken.

The average income for the family, over the State, is approximately \$800. Therefore, it is insufficient to provide for higher education. The Indian must depend upon scholarships from the Bureau of Indian Affairs, the different schools and organizations. In Phoenix here we have an off-reservation boarding school. It is a high school, an academic school. It also teaches some vocations, and has a student body of approximately 1,000. Last year the State of Arizona spent

approximately \$1 million in and toward Indian education. In regard to the types of schools that serve the Indians, there is the public school, both on and off the reservation. There is the reservation boarding school, the Federal day school, the mission school. We also have the program of peripheral school systems in which the Indian tends to board off the reservation and attend the public schools.

In the professions, there are no Indian doctors. There are no dentists. We have possibly one or two recent attorney graduates from the Navajo Tribe. We have less than 10 Arizona Indian teachers.

In the field of welfare, the State has taken some responsibilities as far as the Indians are concerned. They provide aid to dependent children, old-age assistance, and some general assistance. As I understand it, there is no program for partially or totally disabled Indians on the reservation as there is in the State. They are doing a wonderful job, I believe, in the field at the present time, in the northern part of the State—in Flagstaff—as far as the rehabilitation programs are concerned. The Bureau of Indian Affairs also has a welfare program which it operates.

Generally, an Indian family coming into town from surrounding areas has little concept of any assisting agencies that may be able to help him in almost any field. He usually moves into a cheaper and a lower rental housing area. He has large shopping centers. He has large stores. He has trouble with transportation, utilities, and house rent to pay. He has to get his family to school. He must have lunch money for them. He must fill out many papers for employment. He must deal with State income tax, Federal income tax, and many other problems which are alien to the Indian way of life, but understandable by others who are accustomed to this way of life, of course.

We have in Phoenix an Indian hospital, an area Indian hospital which serves most of the Indians in the region, if they are eligible and they meet with the priority rating system that the U.S. Public Health Department has put out. We also have a county hospital in which these people are eligible, but, in my opinion, that hospital would rather send these patients to the Indian hospital. The State also sends mobile units out onto the reservations within this area to do some survey work in the prevalent diseases. The ratio of Indian deaths among those under 1 year of age is 7 to 2. The average life expectancy of the Indian is 41 years, while that for the non-Indian is 62. Tuberculosis, of course, is declining, but is not yet up to the non-Indian standards.

The relocation program of the Federal Government was established and put into effect in 1955, for the purpose of relocating permanently Indians from the reservations to larger areas, for employment. It provides for jobs, transportation to the job, living expenses while

they are in the city up to a certain time, and so on. It provides counseling. It provides an adjustment to city life. I feel that this program is meeting with some success. It cannot be completely thrown out, as one might say.

I think that it is no cure-all for the employment of Indians on the reservation, or Indians off the reservations; I believe that it could have a better orientation program. I think these people could have a better counseling program for adjustment to civilian life. I think that it should have an excellent followup program for these people, and in some instances I believe that its successes have more or less been overemphasized.

Vice Chairman STOREY. Thank you very much, Mr. Sanders.

Mr. BERNHARD. Would it be fair to say that Indians off reservation do not encounter discrimination as Indians, in the fields of voting, education, housing, or employment? Is there discrimination because they are Indians, off reservation—not because the adjustment problem may exist?

Mr. SANDERS. Yes; I would say that would be true, at least in the employment field. As I indicated, there is a lack of training—of so-called retraining—to enable them to fill those particular jobs. Even in Phoenix here I might say that there are many positions that are available to qualified Indians at the banks, in the public-service corporations, and such fields.

Mr. BERNHARD. The real problem is one of readjustment, reeducation, and guidance counseling?

Mr. SANDERS. I think that is true.

Mr. BERNHARD. Let me ask you one other question: You indicated that there is a program sponsored by the State for those who are disabled, and I would like to know whether there is such a program for Indians who are disabled?

Mr. SANDERS. There is a rehabilitation program, I understand, set up recently in the Flagstaff area.

Mr. BERNHARD. So that it applies equally to the Indians as to anybody else?

Mr. SANDERS. In the Flagstaff area, that is the only one I am concerned with—the only one that I know about.

Vice Chairman STOREY. I assume that you have no objection to this material you have given us being included with your testimony as part of the record?

Mr. SANDERS. None at all.

Vice Chairman STOREY. Are there any other questions? Thank you very much. We will stand in recess until 2 o'clock.

(Thereupon, at 1 p.m., the meeting was recessed, to reconvene following lunch.)

UNITED STATES COMMISSION ON CIVIL RIGHTS

Saturday Afternoon Session

February 3, 1962

PHOENIX, ARIZONA

U.S. COMMISSION ON CIVIL RIGHTS

SATURDAY AFTERNOON SESSION, FEBRUARY 3, 1962

The Commission met in courtroom 3, New Federal Building, Phoenix, Ariz., at 2 p.m., Saturday, February 3, 1962, Hon. Robert G. Storey, Vice Chairman, presiding.

Present: Robert G. Storey, Vice Chairman; Rev. Theodore M. Hesburgh, Commissioner; Robert S. Rankin, Commissioner; Erwin N. Griswold, Commissioner; Spottswood W. Robinson, III, Commissioner.

Also present: Berl I. Bernhard, Staff Director; Mrs. Elizabeth R. Cole, Chief of the Public Education Section and Acting Assistant Staff Director, Laws, Plans, and Research Division; Dr. Cornelius P. Cotter, Assistant Staff Director, State Advisory Committees Division; Philip A. Camponeschi, Chief, Special Projects Section; Robert H. Amidon, Staff Attorney; and Mr. Martin E. Sloane, Chief, Housing Section.

PROCEEDINGS

Vice Chairman STOREY. Ladies and gentlemen, will the meeting please come to order. Mr. Bernhard, will you call our first witnesses?

Mr. BERNHARD. Before doing that, I should like to acknowledge the presence of certain members of the Mayor's Committee on Human Relations in Tucson who are present to observe the hearing. First, there is the chairman, Mr. Charles Wright. Then there is Mr. Benjamin Brook, and Mr. Thomas F. Jordan.

The next area of discussion will be that dealing with employment. I would like to call Mr. John J. Polosky, plant manager, Western Electric Co.; Mr. Joseph Chambers, vice president and general manager, Western Military Electronics Center, Motorola Inc.; and Mr. Keene S. Brown, secretary-treasurer, Arizona State AFL-CIO.

Vice Chairman STOREY. Is Mr. Polosky here?

Mr. POLOSKY. Yes, sir.

Mr. BERNHARD. Mr. Chambers is not here.

Vice Chairman STOREY. Will you gentlemen raise your right hands and be sworn? Thank you.

TESTIMONY OF JOHN J. POLOSKY

Mr. POLOSKY. I feel that it is a privilege to have this opportunity to talk with you about the employment policies of our company. Al-

though this is a very broad subject to do justice to in the limited time of 5 minutes, I would like to give you some, at least, of the highlights which I feel, in all sincerity, are most noteworthy regarding the subject of equal employment of Indians.

Perhaps for the benefit of those of you who are not familiar with the Western Electric Co., I should tell you a little about our operation here in Phoenix. We have a distributing house located on West Indian School Road, and our principal functions are to furnish the telephone company with supplies and equipment, and to repair service-worn units. We opened this distributing house approximately 4 years ago, and with but few exceptions, all of our hiring was done on the local labor market. We started with some 85 employees and have grown to where now we have 142. With the potential growth of this area, we anticipate a continued increase in personnel in the future.

Applicants for employment are sent to us from the Arizona State Employment Service. We furnish the employment service with our general requirements, which at the present time are: high school graduates from 18 to 25 years of age who are able to pass the General Aptitude Test Battery given by the employment service with no discrimination because of race, color, creed, or national origin. The General Aptitude Test Battery determines capabilities for specific jobs at our plant. The applicant must have a color perception test and cannot be colorblind, due to the nature of our business. After this screening process is completed, the applicant is referred to us for interviews and additional physical and mechanical aptitude tests.

I would like to point out that it is the policy of the Western Electric Co. that all applicants for employment, and all employees, are recruited, hired, and assigned on the basis of merit, without discrimination because of race, creed, color, or national origin. The employment policies and practices of the company have been, and will continue to be, such as to insure that all of its employees are treated equally and that no distinctions are made in rates of pay, opportunities for advancement, including upgrading, promotion, and transfer, because of the employee's color, religious beliefs, or national origin.

We have taken definite steps to see that this policy is implemented, and these steps are covered in the "Plan for Progress" which was signed jointly by our president, H. I. Romnes, and Vice President of the United States, Lyndon B. Johnson, on July 12, 1961. I have copies of the Plan for Progress with me for the members of the Commission and for any other interested parties.

Our Plan for Progress covers such things as:

- (1) The policy will be communicated on a continuing basis by distributing information to all supervisors, and other employees engaged in employment, placement, and training. Also, the

policy will be discussed at management conferences and supervisory training programs, and through suitable articles in company bulletins.

(2) Measures have been taken to keep management abreast of progress in implementing this policy.

(3) Each of our sources of applicants have been advised of the company's nondiscrimination policy.

(4) As opportunities for transfer, upgrading, or promotion occur, careful measures, including periodic review, will be taken to insure that all qualified minority group employees continue to receive equal consideration. This also applies during force reduction periods.

(5) Qualified minority-group employees will be given equal opportunity for participation in all company-sponsored training programs.

(6) Work areas, cafeterias, recreation areas, will be maintained on a nonsegregated basis.

In our agreement with the union, which represents our employees locally, the Communication Workers of America, we have a nondiscrimination clause which reads:

It is mutually agreed that there shall be no discrimination against any employee or applicant for employment because of race, creed, color or national origin.

With this philosophy I am happy to say we have never experienced any difficulties between whites and nonwhites, and 10 percent of our work force are members of minority groups.

I think the spirit of our equal employment program is pretty well summed up in a statement made by our president, Mr. Romnes, when he spoke before the annual meeting of the Arkansas State Chamber of Commerce in Little Rock. He said:

A business will be judged on its fairness, too—on the degree to which employment opportunities, advancement opportunities, are made available on the basis of qualifications and not on the basis of extraneous factors.

Equal opportunity is a fine phrase. Making it come true is an arduous, sometimes painful, process. But there are many good reasons why management needs now to demonstrate not merely good faith, but practical initiative in support of this basic American tenet: "The good opinion of the world is only one of them. A more compelling one is that prejudice breeds waste, the most tragic kind of waste, the waste of human resources. But in the final analysis there is one reason above all others for giving our best management attention to making equal opportunity come true—and that is because it is right." Thank you, gentlemen.

Vice Chairman STOREY. Thank you very much, Mr. Polosky. Mr. Brown, we would be very happy to hear from you.

TESTIMONY OF KEENE S. BROWN

Mr. BROWN. This is the policy of the Arizona State CIO relating to the subject matter: It is a leading purpose of our labor movement in Arizona to enlist in the ranks of organized labor all workers without regard to race, creed, color, or national origin, and to assure for such workers the full benefit of union organization, without discrimination, segregation, separation, or exclusion of any kind.

A real democracy has no room for second-class citizenship. If economic prosperity, welfare, and the very strength of America, as a Nation, are to advance, we must remove from our community life all discriminatory and unfair practices which undermine and weaken our standard of living and sap our vitality as a Nation.

I should like to offer three of our last convention proceedings resolutions, relating to this, also a memorandum on civil rights in the AFL-CIO, which was presented to the executive council of the national AFL-CIO by Vice President A. Philip Randolph—for your study. That will conclude my remarks.

Commissioner GRISWOLD. Mr. Polosky, you refer to the fact that 10 percent of your employees were from minority groups?

Mr. POLOSKY. Yes.

Commissioner GRISWOLD. How is that divided up among the groups? Do you know at all?

Mr. POLOSKY. Well, out of the 142 that we presently have on the rolls, we have some 13 that are of the Spanish-American group, and we have 2 Negroes

Commissioner GRISWOLD. How long have you had Negro employees?

Mr. POLOSKY. For your information, I have just taken over the manager's job here—on the first of the year. However, I have been told that they were placed on the rolls back in October of 1961.

Commissioner GRISWOLD. What kind of positions do they have?

Mr. POLOSKY. Eighty-five of these 142—

Commissioner GRISWOLD. I mean the two Negroes.

Mr. POLOSKY. They are what we call repairmen in our shop. Some 85 of our employees are repairman, out of the 142.

Commissioner GRISWOLD. They are not custodial employees?

Mr. POLOSKY. No, sir.

Commissioner GRISWOLD. Do you get many applications from Negroes for employment?

Mr. POLOSKY. It is my understanding that for the first 3 years of operations down here, we had but two applicants for employment. One of those was not qualified. The other was a college graduate with a civil engineering degree, and in our particular part, of course, we have no need for that type of qualification. Recently, however, I

would say since the last 6 months, we have had a number of applicants, and these two that we did hire came from that group.

Commissioner GRISWOLD. I was wondering if you had any explanation as to why you did not have more applicants?

Mr. POLOSKY. It might be the geographic location. It might be the type of work that we have. I am not sure. As I mentioned, our applicants are sent to us from the Arizona State Employment Service, and we interview what they send to us.

Commissioner RANKIN. Do the unions encourage, or discourage, Negroes applying for apprenticeship?

Mr. BROWN. In the State apprenticeship program, which is a combination of a labor-management program, with the assistance of the State apprenticeship council, and the Federal Government, under the standards that are developed here, there would be no discrimination, outside of maybe the individual not qualifying. Now I think a lot of this comes because of, maybe, the lower level of our vocational education in this State. I think the Negro will be reluctant to apply for the apprenticeship program, because now it requires a high school certificate, and we find that the dropout proportion is tremendous in this particular segment. Of course, this automatically disqualifies them, but the union at no time has discouraged an apprenticeship program if the application is made and the qualification of the applicant is right—no, there would not be any discouragement.

Commissioner RANKIN. Do you think that the Negroes know this? Do they think this is true?

Mr. BROWN. Well, I doubt whether they do know this. I think that maybe the lines of communication have broken down in this respect. I would say that, as a State organization, we might be the last one to come in contact with the problems at the local union level, for many reasons. Where the problem has been brought to us, and there has been one, over a period of years, in my term of office, we have processed it and taken it to the higher authorities. I will say this, that I think there is a reluctance to bring it to us, and whether it is being handled at the local level, I could not say. I don't have knowledge of that fact.

Commissioner RANKIN. Do you run across any feeling in the rank and file that they would rather not have Negroes in the union?

Mr. BROWN. No; not here in Arizona.

Commissioner RANKIN. Not here in Arizona?

Mr. BROWN. No, sir.

Commissioner GRISWOLD. Is that true specifically of electricians and plumbers?

Mr. BROWN. Now the officers—we don't have any control over these. This is autonomous to the local union. Now, this has been brought

to us through the grapevine, but at no time has there been any facts of an individual case. Where that one case was brought to us, yes, we processed it by taking it to President Meany. What the disposal of the case was, in its final analysis, I do not know to this day, but if this is being done by our local officers, I say it is wrong. I say that our door is open; if they want to bring it to us, we will take action.

Commissioner RANKIN. Mr. Polosky, is the policy that you read to us the policy in Phoenix? Is it unique?

Mr. POLOSKY. I am sorry that I am not able to comment on that question. As I have said, I just recently moved here from San Francisco. I have taken over this plant as from January 1, so I cannot answer that question as to whether it is policy here in Phoenix or not. I do know that this is our consistent policy, and we think it is a very fine one.

Commissioner ROBINSON. Mr. Brown, do you know to what extent there may be unions in Pheonix, specifically, that have no Negro members?

Mr. BROWN. No; I would have to guess, sir—maybe the electricians, the plumbers—

Commissioner ROBINSON. Mr. Polosky, has any announcement been made of the current policy of your company, of hiring Negroes? If so, about when was that done?

Mr. POLOSKY. Yes; it was announced at the time that it was signed by our president, Mr. Romnes, and Vice President Lyndon Johnson.

Commissioner ROBINSON. That was some time last fall, was it?

Mr. POLOSKY. Yes. However, our policy, as stated, has been in effect for as long as I can remember—for as long as I have been with the company. Perhaps it did not receive as much publicity as recently. This quotation that I read to you from our union agreement has been in our contract for a good number of years.

Commissioner ROBINSON. Was it after the announcement was made by your company that you began to get applications from Negroes in fairly large numbers?

Mr. POLOSKY. I think that had some effect on it; yes, sir.

Vice Chairman STOREY. Father Hesburgh?

Commissioner HESBURGH. Mr. Brown, what would be the mechanism for a Negro to follow if he wanted, for example, to get into the electrical union here, because of all the electronic work in town? What would be his mechanism for doing something about it?

Mr. BROWN. Well, there would be two courses he would pursue. If he was making application to the union, where the union had a contract with the firm and he was qualified in the union, it would certainly be in error, wrong, if they disqualified him because of race. If he was making application to a firm that was nonunion, this would

depend on the employment practices of the employer and entirely up to him.

Commissioner HESBURGH. What control does the State organization have over the local union? None at all?

Mr. BROWN. Only what we have in the constitution. Most of our work is done in fields away from collective bargaining—in this general aspect of the whole structure of the local union. I do find that our efforts to negotiate in the contracts, nondiscrimination clauses, have met with very little success in this State, bearing in mind that we are a right-to-work State, and we do not have the industrial force of the State organized, so we would have very little contact in this field, as to the employer-employee relationships in hiring practices.

Commissioner HESBURGH. Would you favor these relationships including the cooperation of the Government; that is, the President's Committee on nondiscrimination? Does that strengthen your hand?

Mr. BROWN. I think what we should have in this State is a fair employment practices act, and it should be policed and enforced, because sometimes, if you rely on individuals—whether it is employment or management—to be fair in this field, I don't think it is always carried out. I think that if a proper employment act in this State were enforced, we would gain a lot from it.

Commissioner HESBURGH. Do you have any Negro or Mexican-American officers in the various unions that you know of?

Mr. BROWN. I think the laborers' union have. I think that is the only one.

Commissioner HESBURGH. We were talking about leadership within the group this morning?

Mr. BROWN. Yes. I doubt whether there have ever been Negroes who have run for office. I have no knowledge of that other than in the case of the laborers' union. They serve on the executive board.

Mr. BERNHARD. I would like to ask Mr. Polosky a question or two: When you adopted your policy of nondiscrimination, did you announce the policy in Phoenix?

Mr. POLOSKY. Yes; it was announced in the local newspapers.

Mr. BERNHARD. Would it be your judgment that in Phoenix, Negroes know that if they are qualified they can secure jobs with Western Electric?

Mr. POLOSKY. I believe it is true.

Mr. BERNHARD. How are the Negro employees working out—that you have already hired?

Mr. POLOSKY. They are good. We are very satisfied with them.

Mr. BERNHARD. Do you have any Negro or Mexican-American women in your clerical or stenographic force?

Mr. POLOSKY. No; we do not.

Mr. BERNHARD. If such people were, in fact, qualified, would they be in a position to secure a job?

Mr. POLOSKY. Definitely.

Mr. BERNHARD. Just one more question for Mr. Brown. As I understand it, there are no sanctions that the AFL-CIO has that it can enforce against any member union within the State—to carry out a policy of nondiscrimination?

Mr. BROWN. That is right. That would include the national AFL-CIO, and we do not have jurisdiction, or the right, to infringe on the autonomy of a local union.

Mr. BERNHARD. May I just ask you for an opinion: As you may know, the Commission made a recommendation in its recent report that Congress amend the Labor-Management Reporting and Disclosure Act of 1959 to include a provision that no labor organization shall refuse membership, segregate, or expel any person because of race, color, religion, or national origin. Would you be in favor of this type of provision?

Mr. BROWN. Well, yes, because if the local unions are going to deal with this matter in an autonomous manner and not find solutions to it, I think maybe we should have the right—where the infraction occurs—to be able to process it and bring it to its proper reality. We have had resolutions at practically every convention, but it is impossible for us to actually implement them, even though we have had a State civil rights committee, and the recent budget they submitted to us was for \$34,000 for that field in this State. So we have tried to work in this field, and in this area. Yes, I think President Meany is going to have to have authority—the national executive council will need authority—such that if the local unions do not eliminate this problem, it can come from higher up then, I think.

Mr. BERNHARD. One last question, Mr. Polosky: Do you find that the vocational schools are giving courses that adequately qualify individuals for jobs that may be open at your plant?

Mr. POLOSKY. Well, the actual training program that we give our employees is more or less on-the-job training. Our work, as you probably know, is peculiar to the telephone industry. A good electronic background is certainly a valuable asset to have for any of our employees. However, because of the equipment that we do repair, we have to do much of our training on the job, and primarily, we find that our own training programs are better than we can get on the outside at vocational training schools.

Vice Chairman STOREY. Dean Robinson has another question, I think.

Commissioner ROBINSON. Mr. Polosky, are there any firms other than Western Electric in the Phoenix area signing a Plan for Progress with the President's Committee on Equal Employment?

Mr. POLOSKY. Yes; I believe there were 9 or 10 large firms who signed this Plan for Progress at the same time as Western Electric. I think General Electric was one of them.

Commissioner ROBINSON. I see. So far as you know, has there been any announcement of a program, or of a statement of policy, that would be in accord with the announcement that was made by your firm?

Mr. POLOSKY. By these other members of the industry?

Commissioner ROBINSON. Yes.

Mr. POLOSKY. I couldn't answer that.

Commissioner ROBINSON. I would like to ask Mr. Brown one other question, briefly, to clear my mind on this. Are there any unions in the State of Arizona that you know of, composed entirely of Negro members?

Mr. BROWN. No; there are not, sir.

Vice Chairman STOREY. That is all; thank you, gentlemen.

Will you call the next witness, Mr. Bernhard?

Mr. BERNHARD. The next witness is Mr. Milton Gan, of the Community Council.

Vice Chairman STOREY. Will you hold up your right hand and be sworn, please? Thank you.

TESTIMONY OF MILTON GAN

Mr. GAN. I was going to make a statement first, and then go back to these charts. If you will bear with me for a moment, I will get the charts in order.

Vice Chairman STOREY. Do it in your own way.

Mr. GAN. I would appreciate it if, as I move along, you would ask any questions you may have. I will try to answer them.

Vice Chairman STOREY. Go right ahead, sir.

Mr. GAN. I will try to go through this quite rapidly. I think that, for an understanding of racial problems, or any type of social problems, we must have a little insight into the socioeconomic characteristics of the community, and for that reason I have spent a little time pulling together some data about our population, and its movements. Between 1900 and 1960, the population of the United States increased 135.5 percent. In that same period, the population of Arizona increased 959.5 percent.

If we break it down by race—and of course, we are dealing with small numbers—originally the Negro population increased by better than 2,000 percent in these 60 years; the white, by about 1,000 percent. Now, this shows the increase between 1950 and 1960, by race. The yellow line represents white; the blue line, nonwhite. In Arizona, the

white population increased 78.6 percent; the nonwhite, 39.4 percent. Now we move to the city of Phoenix. This is Maricopa County.

In 10 years, the population of the city of Phoenix increased as follows: White, 103 percent; nonwhite, almost 98 percent. I want to draw attention to the fact that the increase in the urban area has been greater than that for the county, or the State, as a whole in the nonwhite population. If we were to pull out of the white population Spanish surnames—not included at this point—we would find that the nonwhite population had been somewhat greater than the white population in the urban area.

Now, as to the distribution, I will go through this quickly: looking at the city of Phoenix, in 1950, there were 93.9 percent of the population who were white, and 6 percent who were nonwhite. In 1950 the figures were 94 percent white; 5.8 percent, nonwhite. There is little marked difference, even though the rate of increase has been greater for the nonwhites. We tried to pull out of this, by the way, the Spanish surnames. In the 1950 census insufficient information was provided on those surnames. However, this was done in the 1960 census.

The distribution of the city of Phoenix changes somewhat as you pull out the Spanish surnames. For example, the white is 85 percent; the Spanish surnames, 9.2 percent—almost 10 percent—and Negro, 4.7. Other races were 1.1 percent of the total population of the city of Phoenix. Now, we have here 26 selected tracts. In this area live 12.9 percent of the white population, and almost 80 percent of the white with Spanish surnames; 97 percent of all the Negroes, and nearly half of all the nonwhites, non-Negroes; but this is not a racially segregated area. Next, we compare that area to the total city. Within that area are 62.8 percent whites; 1.4, nonwhite, non-Negro; 22 percent, Spanish; and 13.6, Negro. So even though there is a heavy proportion there in relation to the total city, in itself that entity is not a segregated area, except that there are more tracts, as Mr. Harlins indicated, that are predominantly Negro. There are seven tracts in this city, in which about 80 percent of the Negro population reside. Those are the tracts shown right in here [see map].

Now, we are going to talk about income levels of less than \$3,000 in 1950 and 1960. Again, I will limit my remarks primarily to the city of Phoenix and Maricopa County. In 1950 the proportion of the white population earning incomes of less than \$3,000 was almost 74 percent; of the nonwhite population, almost 88 percent. We did not, at that time, have the breakdown by white, Spanish surnames, but you can see the marked improvement in the economic level of all the races, between 1950 and 1960. In 1960 some 14 percent of the population had incomes of less than \$3,000. I should remind you that this is individual incomes of persons 14 years of age and over. Figures were 14 percent of the whites; 28.8 percent of the

whites with Spanish surnames; and 40.2 percent of the Negroes and nonwhites.

Now at the other income level, \$10,000 and over, you see some improvement. In 1950, 1.5 percent of the white population had incomes of over \$10,000, and 0.1 of the nonwhite. By 1960, 18.2 percent of the white population had incomes of \$10,000, and 4.3 percent of the nonwhite—going from 0.1 to 4.3. In the Spanish surnames, 6.4 percent had incomes of more than \$10,000.

We discussed the housing conditions earlier, so I am going to skip over that in order to move along. I would draw your attention to this particular chart. It represents average rent as a percent of average income, and again we are looking at it in terms of social welfare and health services. For the total population as a whole in Maricopa County, the average citizen—and this is a median average—pays 15.4 percent of his income for rent. The Spanish-speaking person pays 12.3 percent of his income for rent. The nonwhite pays 22.9 percent. This gives you some indication of crowding conditions. This is the percentage of households with 1.01 or more persons per room in 1960.

I will go back to the city of Phoenix. For all races, 13.3 percent of the households contain 1.01 or more persons per room. This compares with 39.5 percent for the Spanish-speaking, or the whites with Spanish surnames, and 29.4 percent for the nonwhites, indicating that the crowding conditions are greater among the whites with Spanish surnames than they are for the nonwhites—both groups being considerably greater than the white in terms of crowding.

Now this chart is an attempt to show distribution percentagewise, by occupation, of the male employed group in Maricopa County, as of 1960, April census. I think that, first of all, I should mention that the yellow line is the white, and the dark line is the nonwhite. You can see that there are nonwhites employed in all of the groupings, but that the nonwhites predominate in farm labor, and in labor. In the male situation, then, you have 17.7 percent nonwhite farm laborers, and 23.5 percent in other laboring categories. Then you have service workers, 14.7 percent. This is where the nonwhite predominates, although there is a distribution of employment in the other areas, as listed by the Bureau of the Census.

Here we have the same thing for females. The difference becomes a little more marked than with the male. There are females employed within all the categories. In the clerical there is a marked difference. You find 8.5 percent of the clerical nonwhite, as compared with 37.8 percent for the white. In private household work it is 46 percent nonwhite, as compared with 5.4 percent for white. Here is another indication of employment, again going back to April 1, 1960. The figures are 4.6 percent of the white males unemployed, as against 10.4 percent of the nonwhite. In the females, you have

the same ratio: 3.9 percent of the white unemployed as against 5.9 percent of the nonwhite.

Now, the last two charts are on education. We have tried to put down here Arizona, Maricopa County, and so on. I won't bore you with these. Let us just take a look at the city of Phoenix. In the category with less than 8 years of education, it is white, 11.7 percent; white with Spanish surnames, 51.9 percent. Nonwhites, which would be, in this case, Negroes, predominantly, 39.4 percent—again showing that the whites with Spanish surnames have considerably less education than the whites. I should point out that this is with respect to persons 25 years of age and over.

The next speaker will talk about the younger population, but this poses some interesting problems from the point of view of health and welfare services. I will try to point out the fact that in the early levels there is a rather close relationship between the white and nonwhite, in terms of educational level, but that, at the high school stage, and onward, the difference becomes quite marked. There are less nonwhite persons 25 years and over who have completed that level of education, and when you get to college, for example, in the city of Phoenix, you find that 9.6 percent of the white population 25 years and over have had a college education of 4 years or more, compared to 3.6 percent for the nonwhite, and 2.8 percent for the whites with the Spanish surnames. This, again, indicates a lower level of education for the whites with Spanish surnames than for the nonwhite.

That completes this part of the presentation. Are there any questions that you would like to ask on this facet? I know that it is difficult to absorb all these percentages so rapidly.

Mr. BERNHARD. I don't know whether I am guilty of oversimplification here, but, based on the data that you have submitted, it would appear that in almost every instance, in education, employment, and housing, the minority-group members are suffering some degree of deprivation—not necessarily civil rights deprivation—but less schooling and more crowded housing. Have you attempted to ascribe, or find, any particular reason for this?

Mr. GAN. I don't think there are any panaceas, nostrums, or easy solutions to this problem. I would say this: that we are dealing particularly with the Negro and the Spanish—this is my guess—with a migration from the rural area to the urban area, to an industrial economy. We have shifted our whole economic structure in the past decade or two at a very rapid rate, and these people who have come from rural areas—from the farm areas with perhaps lesser opportunities for education, apparently, are not equipped by training or education to fit into an industrial economy, the technological society with which we are faced.

I think this is at the heart of a great many of our problems, and this is not only true, I think, in the city of Phoenix. It is true across the country. There is this movement from the rural to the urban areas by people who are ill equipped generally, by background, to compete in a highly technical society. I don't know whether that answers your question.

Mr. BERNHARD. Well, let me ask you a little more explicitly. Have you attempted to find out the increase in cost, for example, of welfare programs?

Mr. GAN. Well, I have not attempted that. I do know that in this area, in the southern portion of the city we have approximately 30 percent of the population, but that the area has roughly 80 percent of the venereal disease. It has a very disproportionate share of people on public relief. It has a great share of the crime and delinquency, and about 60 to 70 percent of all the tuberculosis cases. So, society is paying for this in terms of public welfare and social services, government and voluntary. I might say that we have a very excellent corps of voluntary services, as well as the public welfare agencies in this community. To try to meet the needs of these people, because of their economic condition and educational level, and other factors, poses tremendous problems in terms of tax and voluntary contributions. We have not attempted to deal with this area as such. I think the census data on the census tracts have been made available to us for the first time this year. This has enabled us to begin fixing our attention upon these problem areas.

I would like to suggest that part of the problem—and I hope I will not be misunderstood—is the fact that we need to develop greater cohesion of leadership—voluntary leadership amongst the minority groups in these areas. It is obvious that these people are not going to be removed from here over to here, overnight. I think that will take, as the young lady said previously, a more identifiable leadership in both the Spanish-American group and the Negro group, and a recognition in other areas. I sense that in some degree there is a lack of recognition by the minorities themselves. This is not going to solve the problem, but a recognition by them of their own problems in a cohesive and coordinated manner can go a long way. I think that the community, from what I see, could offer a number of things that are, perhaps, not being offered now in this area; for example, on voluntary services.

We could perhaps set up a program as was done in Chicago—the old settlement concept. Some social workers think this has gone out the window. Maybe they are right. I do not know, but, looking at this situation, I would guess that a voluntary agency in which these people would feel comfortable would be helpful. Many of these people resist going to public schools because it represents authority.

It represents a different way of life, particularly for the adults. I think some kind of a voluntary program in this area by which they could feel comfortable when coming in and being taught arts, crafts, and vocational work points in this direction. I would also suggest that the public schools open their doors perhaps more liberally in the evenings to offer a greater program of vocational education.

Vice Chairman STOREY. Are there any other questions? If not, I will thank you very much, Mr. Gan. It has been very convincing.

Mr. BERNHARD. The next witness is Mr. Robert B. Choate, Jr., who will discuss a program that he founded, Careers for Youth.

Vice Chairman STOREY. Will you hold up your right hand and be sworn, Mr. Choate? Thank you.

TESTIMONY OF ROBERT B. CHOATE, Jr.

Vice Chairman STOREY. Have a seat. We are glad to have you. Will you just proceed in your own way?

Mr. CHOATE. Thank you for the opportunity to appear. I think I should correct the impression that I am the sole founder of Careers for Youth. We have some friends in the room who helped us right from the start in founding it, and we are very indebted to them.

We appear before you in Phoenix as one of the few groups in Phoenix that has really got in and done some work in the area which Mr. Gan has just described. As you have heard, this city has come some distance in recent years. Such improvement is probably what you would expect of the wide-open West, but if anything has been proved here today, I think it is that good human relations do not come about automatically. They have to be worked on, if they are to be improved year after year. Hearings such as this one have done more good than anything I can remember in Phoenix in the last several years. Perhaps we ought to make hearings of this sort an annual event here in Phoenix, with perhaps gentlemen coming in from the outside to listen to us, or perhaps just listening to ourselves talk about our human-relations problems.

Perhaps we are somewhat of a southern city that is just awakening to the fact that we have some small areas within our city limits that are sorely troubled. These troubles may be internally caused, and then they can only be solved by internal help, but if there are any external causes, then we should be paying attention to these areas, even though we don't move in them.

Careers for Youth is a nonprofit group working on the problem of improving the effectiveness of education in some of our lower economic areas. When we first tackled this problem we had to find out the factors that impeded normal educational processes. That means we had to get out and study Phoenix. We therefore consider our-

selves somewhat to be students in the field of human relations. We certainly are not professors.

It might be more proper to say that the things revealed here today are more concerned with moral wrongs than with civil rights, but these, too, need frequent airings. And inasmuch as Phoenix's population mainly comes from other areas, each with its own set of prejudices and customs, there is little wonder that we have here an amalgamation of the best and the worst of human characteristics and customs. It will be wise for us to lift out those best assets that our population can provide and to discard the remainder before they injure our future.

Somewhat as the United States is the melting pot of the world's nationalities, perhaps Phoenix can be considered the melting pot of American mores. We have a tremendous future ahead of us in Phoenix. We expect to double our population in the next 12 years. If we want to, we can become a city of a million people that represents the very best that this country can produce—in terms of habit, culture, and citizenship. We can be a living example of the words on the Statute of Liberty, or the Preamble to the Constitution, or the Pledge of Allegiance, or the Bill of Rights—or we can represent the hypocrisy, the sham, and the prejudices of America. The exciting thing is that it is up to us. We appear to be a city that can do things, that can move. We have got to get out and work on some of the problems that have been discussed here today.

In our own work with the children from the lower economic areas, I find that there are surprisingly few prejudices amongst the really low economic groups. There is ignorance and there is distrust, but there is relatively little outright prejudice. From my own personal observations I have seen more prejudices amongst those who were scrambling higher up the economic ladder.

To the rawest amateur interested in human nature, it is obvious that we have here a laboratory of human reactions—a laboratory that can show new thoughts and new patterns to the rest of the country. We are alive, we are awake, and we are growing. I hope that we can grow emotionally as well as physically, and this applies to our most humble souls and to our most prominent leaders. I hope the time has come for the field of human relations to be regarded as an honorable calling in Phoenix. There is no more complex material than the individual, and his relations with his fellow man cannot be ignored if we are to be a leading city in the United States. Prejudices come about through ignorance, and ignorance can be tackled through education.

Careers for Youth is a private organization pulled together to improve the effectiveness of education in the lower economic areas. Because it deals with families and with children; with businessmen and teachers; with Catholic and Jew and Protestant; with Negro, Spanish-

speaking, Indian, and Anglo-Saxon, we have a fascinating window on the complexities of human relations in this city. You will know why as I describe a little bit of what we do in Careers.

We consider ourselves as an adjunct to the more conventional educational services. We work with the schools but are not a part of them. Being private, we can often move into areas with more alacrity and more freedom than a public body. Careers is a nonprofit group made up of businessmen, educators, and lay interested citizens. Careers runs a program in elementary and high schools whereby selected children in Career Clubs are exposed to five different motivational techniques.

I think all the comments that have been heard here today indicate that we have a problem today, and yet the children, in their performance in the schools, indicate that we are going to have an even bigger problem tomorrow. We want to go in and motivate these children so that they can become leaders in their own community: so that this area can start to produce its share of the leadership for our town.

Our five motivational techniques for these children are: First, emulation. We bring to these Career Club meetings which we have in these elementary and high schools, a variety of people representing a variety of career fields, whether it be doctor, dentist, engineer, architect, nurse, filing clerk, secretary, cashier—somebody who the children might want to emulate. And perhaps for the first time in their life they are starting to meet people of some stature: somebody to whom they can turn and ask personal questions.

Our second technique is to motivate them through inspiration. We take these children to factories, hospitals, laboratories, the university—any place where they can see a direct relationship between good education and a good job. They can go in and tap somebody on the shoulder and say, "How much do you make and how far did you get in school? What does it look like for the future?" These children, by seeing the physical plant, good lighting, good heating, good furniture, good machinery, as well as the people and the caliber of the people in them, find this to be an inspiring event.

Our third technique is to motivate these children through participation. We have some children living 12 blocks south of Van Buren who have never been north of Van Buren by the time they are 14 years old. We take our club members to civic and cultural events so they can see what makes the city run, and how a city can enjoy itself when it has accumulated some of the basic necessities of life. We have taken them to plays, theaters, symphonies, baseball games, football games. We have taken them to the supreme court, to the legislature. I think we have taken them to the police department. We have a plan underway to get them in to see the city council in operation. We are trying to

show to them the civic and the cultural part of Phoenix as it works from day to day and getting them to realize that it is for them, too.

Our fourth technique is motivating them through education. We have here one of the few States that charges high school students for textbooks. Amongst the cross section of the town this is not a particularly bad influence, but in a lower economic area which we have just had described to us here, charging for textbooks helps these children find an excuse not to go to school—and I am certain that you gentlemen know what the vocational opportunities will be 10 years hence for a child without a high school education. We supply scholarships to keep these children in high school, or to go on beyond high school. Sometimes it takes as little as \$50 a year to make a child stay in school.

Our fifth technique for motivating these children is stimulation. We think this can be best done through the parents. We go into their homes. We talk to their parents. We talk to their neighbors. We talk to their teachers. We try to get the teachers to understand the problem of the student, because of his low economic circumstances. And we talk to the parents and exhort them to, in turn, exhort their child to stay in school; and the number of parental contacts that we have had at home so far has shown amazingly good results.

These five techniques are how we reach the children, or the neighborhoods in which they live; but that only describes 50 percent of what Careers is doing. You have heard today rumors, or stories, or beliefs, that even were these children to become motivated, they couldn't be hired. We are spending 50 percent of our time urging the community to get interested in these children—talking before Rotarians, Kiwanians, Optimists, Soroptimists—any group, any fraternity, any sorority; getting them interested in these children, explaining their programs, trying to get the individuals from the north part of town to be either a guest speaker, or help conduct a Career tour, to be a chaperon at a civic or cultural event—to do something with these children while they are without a chip on their shoulder; while they still have a certain spark. And this is paying off, because we are finding more and more understanding amongst the larger groups in town of what these children face. I hope that in the manner in which we are working we can find the cooperation of the employment world for these fast-rising citizens.

Careers is finding that the problems of the lower economic areas are growing faster than the city as a whole, and, as Mr. Gan has pointed out today, the problems of these areas are already huge. Perhaps, by our work, we can succeed in drawing to the attention of the average Phoenician that there is more work to be done. We here believe that things ought to be done the private way, not run to Washington for aid. We feel that the less that is done by law or by legislature, and the more that is done by the individual, the better

off the community will be. Well, Phoenix has a tremendous challenge on its hands right here. In turn, we have a fast-growing slum area; we have a fast-growing city. We have the challenge in front of us. Are we going to clean it up ourselves, or will we eventually have to go to Washington for help? I think a meeting just of this sort, where you have brought out the problems and human relations in this area, and made them a polite thing for discussion—this will do more good to help our efforts, and the efforts of organizations like ours, to make human relations an acceptable part of work in Phoenix. Thank you.

Vice Chairman STOREY. Thank you. I would like to ask you a few more questions about your organization. When was it actually organized?

Mr. CHOATE. I think we started organizing it about 3 years ago. We became a nonprofit corporation in the spring of 1960, if I remember correctly.

Vice Chairman STOREY. Has it been fairly active from its inception?

Mr. CHOATE. It has been very active since its inception.

Vice Chairman STOREY. About how many people participate in these activities, in an active way?

Mr. CHOATE. We have 300 children in our student clubs. We have a 15-person board of directors, a 26-member advisory committee, and we probably have 15 to 20 volunteers who give a good portion of their free time to helping our efforts. It is kind of sporadic. It is very sensitive work, because we are dealing with so many ethnic groups, so many religious groups, so many economic groups, and we do have to be quite careful who gets into it.

Vice Chairman STOREY. Approximately what was its financial budget for the past year?

Mr. CHOATE. \$19,000, to help 300 children—roughly \$60 per child.

Vice Chairman STOREY. You look to foundations for support, and private individuals?

Mr. CHOATE. This is the only meeting of this size in the last 2 years that I haven't approached, with my palm up.

Vice Chairman STOREY. A good answer. Are there questions by the Commission?

Commissioner RANKIN. I have a question. I have experienced some energetic photographers in my day, but you are the most indefatigable photographer that I have ever run across. I know it is not the photogenic character of this Commission or the witnesses, so what is the purpose of all the pictures that you took?

Mr. CHOATE. I think, perhaps, if the pictures are lucky enough to turn out, why we can make a movie of the proceedings here today, based on animated stills, and with the tapes I have taken here today, we may be able to put together a half-hour or 1-hour production which will explain how human relations can be talked about in Phoenix, not

by radicals, not by leftists, but by people who are basically interested in human relations; and we can use the advantage that you gentlemen have given us, and we can take a filmstrip in front of various civic and service organizations in this town, and give them the opportunity to learn what we have all learned here today.

Commissioner RANKIN. Now, one other question. Wouldn't you support or sponsor a State act whereby money would be appropriated to pay for textbooks?

Mr. CHOATE. A nonprofit group, if it is to keep its tax-exempt status, cannot lobby. However, I would certainly do everything possible to see if we could not get at least textbook loans made through the legislature.

Vice Chairman STOREY. Dean Griswold?

Commissioner GRISWOLD. No; I do not think so.

Vice Chairman STOREY. Dean Robinson? Father Hesburgh?

Commissioner HESBURGH. Do you have much trouble getting private citizens, of stature, to work with your organization?

Mr. CHOATE. It was impossible for the first 2 years of our existence, and it is getting slightly easier now, but a person's stature in this community is not always so solid that he dare risk it with such a radical enterprise as ours, so we find it quite difficult; yes.

Commissioner HESBURGH. Is this what is defined as "radical"?

Mr. CHOATE. Anything dealing with south of the tracks, with Negroes, Spanish-speaking, Indians, and whites, where you are even once a year putting on a barbecue where these children might be mixed—this is considered perhaps radical.

Commissioner HESBURGH. But this is a large proportion of your town.

Mr. CHOATE. I believe you heard statistics saying that one-seventh of the city is Spanish-speaking, and one-twentieth, Negro; so it is a very healthy chunk.

Commissioner HESBURGH. I think one thing that has emerged today, if anything, is that it is going to take a lot of private concern about this problem. Do you have any predictions to make on the basis of those you have helped already? Does it seem to "take"?

Mr. CHOATE. It does seem to "take," because we knew it was going to take quite a while to get the employer community of Phoenix to our viewpoint; we started with just 7th and 8th graders, added on the 9th grade the next year, and the 10th the next year. We will add on the 11th next year, and the 12th the year after. So it will be 2 more years, yet, before Career Club students have gotten through high school with our assistance, but we can see already indications that a great deal is happening, and you have here in this room several of the principals who have worked with us from inside the schools, and almost universally we hear a degree of applause for this type of activity.

Commissioner HESBURGH. In regard to District No. 1, when the youngsters get from the elementary schools to a common high school, are they apart, or are they not?

Mr. CHOATE. We have some segregated schools here in Phoenix, using the broad sense of the word. I believe we have seven schools that are either 90-percent Negro or 90-percent Spanish-speaking. This is off the top of my head, but I think that is about right. A child that comes from a 90-percent Spanish-speaking school and goes into a high school where the majority of the students are Anglo-Saxon, is definitely at a disadvantage, or at least he thinks so, and this is equally bad.

Commissioner HESBURGH. I hope you can get more citizens interested. Do you get much backing from the newspapers, from radio and television?

Mr. CHOATE. Radio and television could be a little more cooperative. The newspapers, in general, have been quite kind to us—quite proud of us.

Commissioner HESBURGH. I predict that, if your program works, you can begin to point to John Smith or Joan Smith, or Sanchez, or whatever the name happens to be, and it turns out that these youngsters have made great progress, you may be beating them away from your door someday.

Mr. CHOATE. We hope so. There is obviously a limit to the size that a private organization can be, and the minute something like this was financed by public funds, it would lose a lot of its humanity and a lot of its human touch. We do not know what is going to happen. Just like we have Boy Scout troops, we may have four or five Careers for Youth around the city in these difficult areas, to bring the children up and get them motivated.

Commissioner HESBURGH. I gather you are trying to sell this as a community project in which all of Phoenix is concerned?

Mr. CHOATE. Very definitely. Yes; we are paying for the ailments of this part of town—whether it is in health costs, or welfare costs, or crime costs, we are paying in one way or the other. If you have a hot-water faucet that does not turn out hot water, you hardly ever blame the faucet. You go back and find out what is wrong with the hot-water heater. We say it is very foolish to keep blaming the public, or blaming a certain segment of our citizens for a health, welfare, and education cause, or crime cause. We say, "Let us go back and find out why they are failing, why they are not measuring up to our standards, and cure it at the source."

Commissioner HESBURGH. Thank you. This sounds very good. I wish you all the luck in the world.

Commissioner GRISWOLD. We have heard very little reference to juvenile delinquency. I think only one person has mentioned it. You

are working with youth, which is the group involved. Do you encounter much in the way of juvenile delinquency?

Mr. CHOATE. No; we don't run into very much of it. It might be an interesting observation for you gentlemen that in our 300 students, 100 of which are Negro, 100 of which are Spanish-speaking, and 100 of which are Anglo, we find the best deportment, the best manners, and the best attention amongst the non-Anglo students. In the matter of juvenile delinquency, I do know that in Maricopa County 57 percent of the juvenile entries on the books are of adolescents who are out of school prematurely, and there must be an overlap in these areas that have a tremendously high dropout rate, and the juvenile offenses.

Commissioner GRISWOLD. Is there any agency in Phoenix which is especially concerned with juvenile delinquency?

Mr. CHOATE. The police department is doing quite a job on it.

Commissioner GRISWOLD. Yes; of course. I meant socially.

Mr. CHOATE. I think if one could make a loose statement—you would find that social welfare in that part of town, from every possible direction, is insufficient for the demand.

Commissioner GRISWOLD. Are there gangs and so on?

Mr. CHOATE. Not the type of gangs that we hear about in New York or Chicago. We have a wider open town, with more space between houses. We have very few buildings over two stories high. There isn't the tension in this town that you find in a major city. I think there will be in the next 12 years.

Commissioner GRISWOLD. You do not have a group of Negro boys raiding a Spanish section, breaking windows, and hitting them on the head with sticks, and then running back, and vice versa?

Mr. CHOATE. Not generally; no. You might find an exceptional occurrence, but very seldom.

Commissioner GRISWOLD. One other thing along this same line. A witness has referred to the fact that the incidence of tuberculosis is very high in this area. Having come from a place where the last report I had was that the temperature was five below zero, it is obvious to me that it is not lack of fresh air or sunshine which produces the tuberculosis there. That leads me to think that malnutrition must be a considerable factor. Are there families in this area which simply do not have enough to eat?

Mr. CHOATE. There are. We consistently run into families who don't have enough to eat—children who go to school with what you and I would not describe as shoes on. There is a very good TB report in existence in the Phoenix area which indicates where TB is highest and perhaps what causes its continuation from year to year. This might become part of the record because it is one more of the ailments of this community that you are talking about.

Mr. BERNHARD. Are these Career Clubs established both in the elementary and high schools?

Mr. CHOATE. In both the elementary and high school. They run in the seventh and eighth grades in the elementary schools, because our elementary schools here go up to the eighth grade; and then they are also in the high school.

Mr. BERNHARD. In the course of this work—and I know you have been present during our testimony today—there has been considerable discussion about the dropout rate, particularly with the Mexican-Americans and the migrant. Have you devoted any attention to that, or had an opportunity in the short time of the existence of your program to notice any difference?

Mr. CHOATE. We have recently finished a survey of non-high-school graduation. We took the U.S. census of 1960 and broke it down tract by tract. We also went into the high schools to find out where children lived that graduated in 1960. We did this on the basis that a child of approximately 18 years of age should be graduating from school. We summed up the total of 17-, 18-, and 19-year-olds and divided it by 3 to come up with this mythical figure we call the average "graduatable" student. We find that the area north of the river, which was described here, graduates 40 percent of its students. We found that the area south of the river graduates 41 percent of its students.

If you go into individual census tract by census tract, the lowest census tract in the city, other than the downtown area, which is probably a false figure—we have census tracts with as low as 15 percent graduating rate, which means that 85 percent of its students of 18 years of age are not high school graduates. In total, we worked out an extension of these percentages the other day, and I personally believe that we are producing 1,256 adolescents per year in this downtown trouble area who are going to face a bad employment future by virtue of their short education—1,256 per year—and yet we hear people wondering why our health and welfare costs rise.

Commissioner RANKIN. Is that equal for girls and boys—an equal number of girls and boys?

Mr. CHOATE. We didn't break it down that way, and I don't think I would be able to guess, but I think it is worse for boys than girls. We think that boys are tougher to keep in Career Clubs than girls.

Mr. BERNHARD. As part of your attempt to analyze the dropout rate, have you tried to find out how many dropouts are from Elementary School District No. 1, as compared with any other district?

Mr. CHOATE. No. Our finances are extremely limited and we only focused our attention on these two elementary districts, Phoenix No. 1 and the Roosevelt District. We would love to have some figures from

other areas of the city. We believe that the average for the city as a whole is up around 65 and even 70 percent graduation.

Vice Chairman STOREY. We are grateful for this presentation, and we appreciate your dynamic leadership. We know that you have stimulated this organization and we trust you will continue to enlarge and extend it.

Now, in preparation for the panel, which will be another interesting event of the afternoon, let us take a 15-minute recess, and be back promptly.

(Recess.)

Vice Chairman STOREY. Mr. Bernhard, you have some business to introduce, and then will you introduce the panel please?

Mr. BERNHARD. Previously I wished to recognize the presence of certain members of the Mayor's Committee on Human Relations in Tucson. They are all now here, and I wish they would stand when I mention their names. The chairman is Mr. Charles Wright. Then there is Mr. James Durban, Mr. Benjamin Brook, and Mr. Thomas F. Jordan.

Additionally, we have certain members here from the previous State advisory committee to our Commission. There is the vice chairman, Mr. William P. Mahoney, Mrs. Forrest C. Braden, and Dr. Edward Spicer. Also, there is Mr. Frank McGrath, a former member of the Kentucky committee.

The next part of the hearing has to do with a panel discussion, in which certain distinguished members of the city of Phoenix will attempt to sum up problems in the city. We have been fortunate in just securing the additional membership on this panel of the mayor, who has kindly volunteered to stay and make some further observations. The other members—and I wish they would stand when called—are Mr. Thomas Tang, the vice mayor; Joseph Stocker, of the Arizona Education Association; William P. Reilly, vice president, Arizona Public Service Co.; H. B. Daniels, attorney; Herbert Ely, president, Phoenix Council of Civic Unity; and Frederic S. Marquardt, editor, Arizona Republic. I would like to call upon Mr. Stocker, first, to make a 5-minute presentation. In view of the fact that we have not given the mayor very much time to prepare, I will give him an opportunity to listen to the six panel members and then invite him to make any comments he would like to contribute.

STATEMENT OF MR. JOSEPH STOCKER

Mr. STOCKER. Phoenix has made some progress in civil rights, but it has been agonizingly slow. There has not been nearly enough of it to warrant the smugness of some of our local leaders and mass media. It has had to be secured in almost all instances under the duress of

litigation or the threat of legislation. And, most emphatically, discrimination still exists. It exists extensively in employment. There is almost total segregation for the Negro in housing. There is still a measure of social discrimination against the Jew. There is uncertainty for the Negro and perhaps other minorities in public accommodations—the uncertainty that constantly poses the vexing question, “Will I be welcome here or not? Will I be humiliated here or not?”

I believe the time is long past due for Arizona to enact enforceable civil rights laws. I would like to see such laws enacted in all the affected areas—employment, housing, and public accommodations. We are far behind in this area of social progress. While we continue to heed the conservative voices which say, over and over again, ad nauseam, that “you can’t legislate morality,” that “you can’t force a man to like another man,” that law is no answer, our sister States have found that law is an answer. Not the total answer, but an important part of it, very probably the most important. Even our neighbors, on all sides of us, have shaken loose from dead and stultifying tradition and have enacted civil rights laws. New Mexico has a public accommodations law. Colorado has a fair employment practice law. California has a public accommodations law and FEP.

In all, 17 States have enacted enforceable FEP laws. Approximately half of the States of the Union have public accommodations laws. Five States have enforceable fair housing laws. Do they work? Yes, of course, as this Commission doubtless knows, and as many enlightened and informed Arizonians are aware, they work very well. I was in New York City recently and saw literally scores of Negroes in jobs largely denied to Negroes in Arizona. In California I have seen Negroes enjoying all manner of public accommodations, and enjoying them matter-of-factly, not furtively or hesitantly, wondering whether they had chanced into a place which was “voluntarily” desegregated or still “voluntarily” segregated.

Education still is needed. But law is itself educational. This has been demonstrated repeatedly. When, by legislation or administrative fiat, discrimination is forbidden in employment, in the Armed Forces, in public housing, people of various races are brought together, often with initial reluctance. But then, out of their day-to-day contact, they get to know each other as individual human beings with similar interests, problems, and capabilities. And in this kind of interaction racial stereotypes are weakened and dispelled.

I believe, with William P. Rogers, Attorney General of the United States under former President Eisenhower, that laws express “the conscience and moral code of a free people and, with their sanction, state their sense of the fitness of things and the rightness of relationships.” Of course, as Mr. Rogers said, “the law alone is not enough

to make man moral or honest or tolerant or understanding. But because our laws have a moral foundation, they serve to teach, to mold attitudes and outlooks, and to crystallize public opinion in support of concepts which are fair and just."

Vice Chairman STOREY. Thank you, Mr. Stocker.

Mr. BERNHARD. The next speaker will be Thomas Tang, the vice mayor of Phoenix.

STATEMENT OF THOMAS TANG

Mr. TANG. I appreciate very much the opportunity of speaking before the Commission. I take it, however, that I was asked to appear on the panel, not so much because I am vice mayor, but rather because I happen to be also of Chinese ancestry. Today, in the testimony before the Commission, there has been no word thus far concerning the position, or the status, of the Oriental here in the city of Phoenix and in the State of Arizona. I was asked if I would make a brief statement concerning the position of the Oriental here in Phoenix. My remarks, however, concerning the oriental will be specifically within my knowledge of the Chinese population, although what is said would probably be true concerning the Japanese, Korean, and any other of the oriental races.

Has there ever been any prejudice, any violation of civil rights, so far as orientals are concerned? I think the situation would be very much parallel to the situation as outlined by Mr. Marin, when he talked about the Mexican people. There was a time when, in the area of swimming pools, places of recreation, and housing, there was a definite restriction. However, today, here in the city of Phoenix, here in the State of Arizona, the oriental enjoys a very fine position. I believe that the feeling here of the oriental people is that they enjoy as good a position as in any place in the United States. The fact that within recent years a Chinese person has been named Phoenix Man of the Year, and in the neighboring city of Tucson a Chinese lady was named Woman of the Year, the fact that orientals have been elected to the State legislature, that they have run in elections without any untoward incidents because of their race, I think, speaks well.

Now, are there any problems remaining? I think there are two definite cases where there are violations of civil rights. They may not look so large in importance, but they are nevertheless two areas that should be cleared up. One of them relates to the law of miscegenation—the prohibition of marriage between the whites and the colored people, the Chinese and the orientals, specifically. There are also on the statutes of the State of Arizona the alien land laws. Those are two definite areas which I believe constitute a violation of civil rights here in this State of Arizona.

Now, if there has been this great amount of progress within the last 15 and 20 years here in the city of Phoenix, so far as the oriental is concerned, what are some of the factors that have contributed? What has brought it about? I do not know, necessarily, but these are some of the possibilities. One of them is the fact that the oriental peoples are not large in numbers, so far as the total population is concerned. There may be 2,000 or 3,000 Chinese here in the Valley of the Sun, here in the surrounding valley. There is no such place as a Chinatown anymore. They are not restricted to any particular area. There is no ghetto type of situation. The Chinese people, the oriental peoples, have been decentralized, and have lived in the community with their neighbors, so that their neighbors get to know them as people, as individuals.

Then, also, this is a possibility to be considered—the economic position and the situation of the oriental peoples. Here in the State of Arizona they have fared economically very well, so they have not been in positions of threat to the general economy, there being generally in the area a prosperous economy. Another factor that could be considered is the matter of the educational status and standards of the people of oriental extraction. Through their cultural background there has been a desire to learn, and so you will find that most of them in school apply themselves diligently to their studies, so that they do have a fair standard of education in comparison with the average. Generally, also, they tend to go in for professional education. That also helps. Because of these various reasons—these factors—I believe that there is that foundation whereby the orientals have been able to live in the community and become a part of it.

Now, turning away from the problem of the orientals, specifically, I think the problems of civil rights and the minorities here in the Phoenix area vary depending on the group. I think that has been borne out and shown by the evidence that has been presented to the Commission today. Worst off, I would think—it is my impression—would be the area of the Negro people, and, to a lesser degree, that of the Mexican people. We find that the Mexican people, having a sufficient educational background, have been able to be assimilated into the community. Appearing before the Commission today was Mr. Roy Yanez, who holds a position with the Housing Authority of the city of Phoenix. Our city assessor, Mr. Alex Cordova, is a man of Mexican extraction. Our city auditor, Mr. Tony Vicente, is also a man of Mexican background. At the present time, on the council, we have Mr. Ray Pisano, who is also of Mexican background. They have equipped themselves here with the necessary background to enable them to integrate and contribute to the community.

Now, generally speaking, it is my feeling that there are two areas that have to be explored, seeking solutions to these problems here in

our community. It is a two-way street. One of them has to do with community leadership. There has to be, definitely, an encouragement for better human relations on the part of the leaders of our community—civic, governmental, business, social. There has to be a recognition of these problems. Given that leadership, however, it will go for naught if the minority peoples, on their part, are not ready to assume their responsibility. I think Grace Gil-Olivarez put her finger right on the problem. Not only are there rights; there are definitely obligations and responsibilities that are involved, also, on the part of the minority peoples. When you have a balance of both of these phases of the problem, I think that you then possibly have a solution to these problems.

Vice Chairman STOREY. Thank you very much.

Mr. BERNHARD. Next is Mr. William P. Reilly, vice president, Arizona Public Service Co.

STATEMENT OF WILLIAM P. REILLY

Mr. REILLY. I appreciate the opportunity to be here with you, and with the rest of the people in the Phoenix area. There is only one regret that I have, and that is that I follow Tom Tang, because he made my speech—except for the reference to the oriental element. But I believe, with Tom Tang, progress for minorities will come from the efforts that they make in their own behalf, by preparing themselves and getting themselves ready to accept their place in the community—the place that is available to them.

Someone may ask, “Do we have this civil rights problem in Phoenix?” We would be silly to say, “We have no problem.” Of course we have a problem, but we have problems with streets, and we have problems with taxes; we have problems with many areas of our community that need working on constantly, and I think civil rights is one of them. However, I would point out that as I listen here today I find that I am a little bit proud of the progress that Phoenix has made, in relation to other places. We have heard members of the Commission say that we are better off in many ways than some of the other communities in what was termed, maybe, the “low area,” as I recall the expression—in voting and some of the other civil rights that have had to be fought out so hard.

As a businessman, I would like to confine the rest of my remarks to what I think are the opportunities for employment. I do not think that the lack of the basic civil right keeps people from being employed. Rather, I think it is employment unfairness on the part of people. Speaking for our own company, our company has not always been the leader in hiring colored people. It has not always been the leader in hiring the Mexican-American people, or the orientals.

There are lots of reasons for that. I think we, here in this room, as maybe leaders in this particular question, can agree to most anything; but the problem goes deeper. It goes down below the leaders. We find that a company can have a good management policy, and the men who are taking the fellows into their various departments have the prejudices—and that is where the progress of people is stymied. It is not always the boss who directs the lives of the people, but the supervisors at lower levels who have men's lives in their hands—to promote, or fail to promote, or even hire. A person will come in and apply for a job and will be referred to a certain department. At that point that boy or girl becomes competitive with all of the applicants. There is a choice. It is not a question of whether you are going to take one person or leave him, but each person that comes in is competitive with some other one, two, or more people. We had an experience in our company that I would like to relate. I would like to have other employers know about this.

We have a department of janitors in our company. Now, I heard somebody say today that we hired mostly janitors. A few years ago we had a janitorial staff of 14 colored people. At that particular time the supervisor in charge of the operation looked at it and found he could save money for the company by contracting the work, rather than by employing these people, and we had a possible layoff of 14 people. Well, one of the boys did not think that was quite right, so he came in and discussed it at management level with the company and said, "Look, there are 14 fellows going to lose their jobs. Why aren't they permitted to be reassigned?" Company policy, in our company, is that, if a department is eliminated, each person is allowed a year to bid back according to his qualifications, in any job that opens in the following year. He said, "Do we have that privilege?" They were given that privilege. These were 14 fellows who were janitors, getting in the neighborhood of \$210 a month, or something like that, which is barely the minimum that I heard mentioned today for this area—\$2,900 to \$4,900, in that section of town.

By giving those fellows the opportunity, one of them today works in the art shop as an artist at \$400 a month or thereabouts. Four of those men are now meter readers—tall ones and short ones, Mr. Brooks—and one or two of them are here in the room today—colored meter readers with our company who are above, in their earnings, the maximum that you mentioned for that area. Others are machine operators. One is a laborer. I think another is a helper, but every one of them is employed at a higher level than he was, and on the way in our company to providing himself with the opportunity of bidding for any job for which he is qualified, on his merit, in competition with everybody else. I think the boys have to understand that they are not being promoted, or being hired, because they are Negroes

or because they are whites. They are hired and promoted because they have the qualifications to carry out the work.

In our company, the Mexican-American has a longer history of development, and they are part of our management. We have—I don't know for sure—approximately 175 names of Mexican extraction. Regardless of another comment that I heard today, we really don't know who these people are; we don't have lists that show who is a colored person, who is a Mexican person, and so on. When somebody raises a question, we have to go and find out. That is an honest statement. We do not know. We will have a bunch of cards, and are prevented from putting on a card a man's nationality, or his religion, or anything else; so, if we wanted to go out and hire 50 Catholics, we couldn't do it; or if we wanted to go out and hire 50 Negroes, we couldn't do it, from our records. We just don't know that. In regard to the Mexican-American group—and I hate to hyphenate it—because, as we work every day we don't recognize it, and we have good employees of all these extractions—as I say, we have management people in our company of Mexican-American extraction. The foreman is only two levels removed from the vice president. He is part of management.

I would say this: the greatest thing that could happen to, let us say, the colored element would be to do the same kind of a job for themselves, and set good examples, and be the leaders, having other people proud of them. Other fellows come in and do the same kind of a job as the Mexican-Americans in our company. We have a local manager, newly promoted, who runs the town of Miami from a utility standpoint. We have in the city of Phoenix a young Negro boy who is a manager of our local office down there. We want to promote these people as they have the ability to be promoted. We have not done as good a job as we should, but neither are all the streets repaired here, as they should be. However, I think that with the spirit and the willingness of all of us working together—and I mean Mr. Choate's group and Mr. Harlins' group, and every other group, working together, we in Phoenix can make this the ideal place it ought to be for minorities.

Vice Chairman STOREY. Thank you, Mr. Reilly.

Mr. BERNHARD. Next is Mr. H. B. Daniels, a practicing attorney in Phoenix.

STATEMENT OF H. B. DANIELS, ESQ.

Mr. DANIELS. I cannot say that I agree wholeheartedly with what Mr. Tang had to say. I will agree, however, with Mr. Stocker in everything that he has said with respect to this business of civil rights in Phoenix. However, I would like to make some comments, also, at a later time in the discussion here with respect to Mr. Reilly.

At this time I just want to give you, and read to you, a brief summary which I have made on this subject of civil rights in Phoenix, Ariz. Phoenix has made some progress. There is no question about that. I think all day today we have heard individuals state categorically that we have made some progress. There has been some progress, of course, in education, and this was necessarily brought about by legislation and court decisions. Since the legislation and court decisions, there has been a great measure of success at the pupil level of education. However, on the teacher level of education we find a sad lack, both in the elementary and the secondary. There has been a faulty hiring policy—and I might add that this is a public agency and there is a law which could prevent them from doing just what they are doing.

In the field of public accommodations there has been some measure of success, or advancement on the basis of what I understand to be a volunteer or open door policy. These few swanky hotels serve a limited number of Negroes who can afford \$10 rooms, but the mass of the Negroes, who need \$5 and \$4 rooms are much greater in number. I do not think that this answers the question, as far as the Negroes are concerned, in public accommodation. In the areas of employment and housing, you have heard the testimony of the witnesses here today. It is a sad picture, and much needs to be done. The basic problem, I think, however, is employment. It makes no sense to say that a man can use hotels, or that he can buy a house, when he doesn't have a dollar with which to buy either. Unless we afford him employment, so that he can have the dollar with which to buy, and qualify for these things, we cannot expect a solution to the problem.

In my judgment, there are two factors really responsible for such improvements as we have had in Phoenix. One is that people of Phoenix—I don't mean the leadership of Phoenix, but the people—wherever certain gains have been made have been willing to accept these as something that is long past due. On the other hand, much of the credit for the progress must go to the leadership of certain pressure groups. They have continued to exert force in an intelligent and sane way. They have been able to use strategy in such a way as to be able to convince the more conservative element in the community, and not raise the ire of the more rightist and reactionary group in the community, who hate to divest themselves, or get rid, of the old belief that there should be racial distinctions in the community.

There, again, the question of the most pressing problems that now exist and remain are twofold. One is employment, and the other is housing. I think the way to resolve the employment problem—and, of course, it is a responsibility upon both groups, both the minority

and the majority—is to train the Negro in order to qualify him for jobs. Unless he is qualified, he cannot expect to obtain employment. This is the responsibility of the community. It is the schools' responsibility to see that those children who go to school, both Negro and white, are qualified for jobs. One of the problems that have come to the attention of your speaker is that in the high schools there is a grave lack of guidance among the teachers with respect to the Negroes. We have been told, and we have some evidence, that the guidance program has been such as to discourage young Negroes from going into certain fields, because "this is not a Negro field."

I listened today to some of the speakers, as they expressed themselves about the program with respect to training the individual in certain skills—union skills, crafts. Negroes have been excluded continuously from those kinds of programs. This is the kind of thing that, of course, lends itself to the statement, "Well, we don't have any Negroes qualified for it." You can't have them qualified if you don't afford them the training. Now, once we have the Negro trained, and he has shown in the past that once he is trained he is able to produce, we feel that he can get the job. Upon getting the job he can buy the things that are necessary, be it public accommodation, a house, medicine, education, and all the other things that decent Americans are entitled to. This, I think, will be a job that each of us in Phoenix—the Negro as well as the white—must dedicate himself to doing.

I might say in closing that at this stage the young Negro is very anxious about his full rights. He is tired of listening to words. For years we have been sitting down and talking about how we are going to resolve this great Negro problem. We have written many books on it. We have had meetings such as this, attempting to resolve it. I think at this time both groups—both the young groups, white and Negro—have come to the realization, "I am tired of talking. I am acting." So, today you have in the Deep South young Negroes taking the matter into their own hands. Today, in Phoenix, Ariz., you have a demonstration which I am sure was not put on just for your benefit. It was put on because, actually, it was needed in this community. I don't know whether you know it or not, but once before the young Negro took the bull by the horns and had his own sit-in demonstration in this community. It is my judgment that, unless we come to a fast decision as to what we are going to do about this race problem, the young people of this community and of this Nation are going to decide it for us.

Vice Chairman STOREY. Thank you, Mr. Daniels.

Mr. BERNHARD. The next speaker will be Mr. Herbert Ely, president, Phoenix Council of Civic Unity.

STATEMENT OF HERBERT ELY

Mr. ELY. It is my contention that governmental participation by the city of Phoenix is essential today in the field of civil rights and human relations. If the progress that has been reported on is to continue, and if the problems upon which no progress has been reported at all, such as housing, are to be met, and have some solution, this city participation is indispensable. It is my further contention that, by citing the very progress that has been reported on, and other inroads which have been made in the field of civil rights and human relations, the chief instrumentality for the success of this progress has been the application of the rule of law, be it through the legislature, or be it through the judicial branch, or the threat of the application of the rule of law. A few examples from Phoenix's recent past: in 1944 when the city of Phoenix owned the bus company, Negro busdrivers could not get jobs. One Negro tried doggedly to secure a position. Finally, after pointing out that the civil service law and regulation then in existence precluded the employer from hiring him on anything but his qualifications, he was then, and only then, able to secure a position.

In 1954, the State legislature passed a modified fair employment practices law, modified and limited because it only affected public institutions and public facilities, but, as a direct result of this law, jobs were open, particularly on a county level, to Negroes, that had never been open before. In the field of education, in 1953, it took a judicial decision, a rule of law, to state that a statute was unconstitutional, and that is what desegregated our schools, at least de facto, and, as the mayor pointed out in his opening remarks, law-abiding citizens and fairminded people will obey the law, and so the people of Phoenix obeyed that law.

In the field of housing, that is, public housing, Mr. Yanez reported that there was integration, at least to a certain extent. That was because of the U.S. Supreme Court decision, which gave public housing an impetus to integrate, at least on a limited basis. The field of private housing today in Phoenix is not open. It is virtually totally restricted, particularly to Negroes, in the north part of town, but a few Negroes have been able to walk in. Mr. Reilly talks about individuals. Many have tried, and they have come with a downpayment and qualifying for FHA, but have been refused. Partially, the explanation why some of them have been able to move in is because of the threat of judicial action, and also because there are no written restrictive covenants recorded in the city of Phoenix—because of the 1948 *Shelley v. Kraemer* decision of the U.S. Supreme Court, which precludes that. It is significant to me that when one buys a home in the city of Phoenix and goes to a title insurance company, generally

speaking, there is insurance against the fact that there is no such restrictive covenant recorded since 1948.

Now, in the field of public accommodations, where the most progress has been reported today, one of the first openings in the field happened about 1951. The city owned the airport restaurant—which it still does—and leased it out to a private entrepreneur. For years that entrepreneur had engaged in a non-open-door policy, and when the city attorney, due to pressure groups, pointed out that it was illegal to so operate on this type of policy, forthwith that entrepreneur changed the policy and from that day on has had an open-door policy. That was one of the first openings in the otherwise restricted area of public accommodations. Now, it has been testified to that in December of 1960 the Arizona Restaurant Association issued a statement in which it said that it would continue to have an open-door policy. This is true, but, as Mr. Aden candidly told you gentlemen, this was not a spontaneous thing that came about from the entrepreneurs. It must only be considered in the context of the total history, and the recent history that preceded it in Tucson.

The focal point of civil rights for the State of Arizona has been the securing of a public accommodations law through the State legislature. This has gone on for a decade. We have failed time and time again. Two years ago we secured 40,000 signatures and presented them to the Governor and the legislature for the purpose of enacting such a law. Perhaps even more important than the law itself was the educational process that resulted, and the molding of favorable attitudes on the part of much of the public.

In the year 1960 an organization by the name of IMPACT was formed in the city of Tucson, and they were about to secure the passage of a public accommodations ordinance for that city. When the owners of public accommodations recognized that they were about to secure a law, and only then, they decided on voluntary compliance, which has proven to be—at least at that date—soon after—some 90 percent effective. There followed almost immediately thereafter the statement by the Arizona Restaurant Association which affected, of course, the Negroes of the area. I would also like you gentlemen to keep in mind that in August 1960, a few months before the open-door policy, sit-in demonstrations were conducted in the city of Phoenix which opened up downtown Upton's and other stores in the Phoenix community.

In my opinion, the gravest problem remaining in the city of Phoenix is the problem of employment. This is the nexus, as has been testified to, of all other civil rights problems. Ted Garneski is on the Phoenix College staff. He is director of testing and placement in Phoenix College. He is a clinical psychologist. He has a vocation. He has

no ax to grind in this. On November 23, 1961, he issued a press release in which he said that part of his duties consisted of attempting to place students on a part-time basis with employers throughout the city of Phoenix. The gravest—the No. 1—problem that he was faced with was that employers, literally by the hundreds, would not take a member of a minority group—a Negro, and, in many instances, a Spanish-American, and many of these jobs were of a manual nature.

Now, what is the solution, specifically, to these problems? I would propose a public accommodations ordinance, a fair employment practice ordinance, an ordinance that would open the housing once and for all for Phoenix, but perhaps, this being also a statewide problem, the State could do it as effectively as the city. But the city cannot escape its minimal responsibilities in this field. I would specifically propose that the city, at this time, have a human relations commission modeled after the one in Tucson that has proved so successful. Mr. Reilly has stated that the city has done something; that there is work to be done in the field of taxes and streets. We have a good city government, and an efficient and progressive city government, in many fields, but it has been oblivious to the field of civil rights.

It is significant to me, gentlemen, that the first dialogue that we are able to have on an open and public basis—and that will, I hope, prove to be of some merit—with a public body has been with an agency from Washington. Gentlemen, in the final analysis this is not your problem to solve. It is ours. These types of hearings could be multiplied many times, by a human relations commission which would be responsible to the mayor or the city council; people would become acquainted with the facts.

People would know where the restrictions were, and fairminded people of this community, once they know that many of their fellow citizens are daily being denied equal opportunity will not countenance this and will react against it. This is the importance of such a commission.

In conclusion, I think it is an illusion to suggest that Phoenix has progressed in the field of civil rights and human relations because, or in spite, of the fact that there have been laws. The antithesis of this statement is closer to the truth. The statisticians tell us that Phoenix is the No. 1 city in the country today in growth, but to me, gentlemen, the most important criterion, the most important statistic, is not how fast this city grows, but how well it grows. And in the field of civil rights it has not grown well.

Vice Chairman STOREY. Thank you, Mr. Ely.

Mr. BERNHARD. I would like now to call upon Mr. Frederic S. Marquardt, editor of the Arizona Republic.

STATEMENT OF FREDERIC S. MARQUARDT

Mr. MARQUARDT. Dean Storey, and distinguished members of the Commission, Phoenix is honored by your presence here, and we all applaud your judgment in choosing to visit Phoenix in February instead of in August. Certainly, the State that could produce both Barry Goldwater and Stewart Udall is worth looking into.

Phoenix is known best for its tremendous growth. Since World War II it has led the Nation in growth in 10 of 12 generally accepted economic criteria. It has been second in the other two; but it also has done a fine job in safeguarding the civil rights of its citizens with a minimum of regulatory laws.

You have heard a lot of testimony today, and I shall not presume to undertake the job of assessing it. Speaking strictly for myself, however, I should say the following is a fair summary of civil rights in Phoenix in the situation today. There is no discrimination of any sort in voting. The only problem is in getting the minorities to go and vote. Every year, every election, we have very determined "Get Out the Vote" campaigns by our newspaper and all the other media of communications in this city.

There is no discrimination in the schools. Children go to the schools in their districts in which they live, regardless of color, creed, or national origins. Faculties and student bodies of all high schools are integrated. Grade schools are integrated, and families of both races live in the district. The change from segregation to integration was accomplished without an incident prior to the U.S. Supreme Court's ruling in *Brown v. The Board of Education*. It is my considered opinion that we would find it much harder to accomplish now than we did then.

Three, there is no discrimination in elected public office. The first Chinese-American to win an election to a State legislature in the United States came from Phoenix. There are Negroes in the Arizona Legislature. The chief justice of our supreme court is a Jew, and, I believe, he is the only Jew to hold that high post in a Western State. As you know, a Chinese-American is vice mayor of Phoenix. There are many Americans of Mexican extraction in our legislature. There is one on our city council. May I interpolate, in regard to the testimony of Mr. Ragsdale, that he would not run for office without finding out how the newspapers felt about him; that we have endorsed Negroes for public office; we have endorsed Mexicans; and we have endorsed Chinese.

Fourthly, so far as I know, there has been no discrimination in non-elective public office. Our police and fire departments are integrated. One Negro fireman stands second on the current promotional list. He should get the command rank of captain in 6 months. I have no statis-

tics on city hall, the courthouse, or the capitol building, but I have seen Negroes working in all three of them.

Fifth, our record on the public accommodations problem is good. There is no segregation in tax-supported public housing. President Kennedy has not issued his long-awaited Executive order integrating housing, but Phoenix got the job done years ago. There is no segregation in bus stations, railroad stations, or the airport. The great majority of our eating places and most of our hotels and motels are nondiscriminatory. The plush inns are more restrictive, both as to Negroes and Jews, but bars have recently been removed in this sensitive area. I am told there is some restriction in private housing, but one of the Negro witnesses here today had no trouble buying a home in an all-white neighborhood. Negro and Chinese-American and Mexican families all live in my neighborhood.

Sixth, we have a law against miscegenation on our statute books, but it has been declared unconstitutional by the trial court. The only question now is whether it will be repealed by the legislature before it is knocked out by the Supreme Court.

Seventh, public parks, swimming pools, and golf courses are non-discriminatory. Enough for the specifics. Do I paint too rosy a picture? I think not. How did Phoenix get that way? I'm not sure I know, but I have some ideas. We are a part of the Old West, where people had to get along with each other but managed to maintain their individuality. We are blessed by the most devoted civic leaders I have seen in any city. They are proud of Phoenix, and they want to make it a better city. They will do it on a local basis if they continue to get a chance. They want to work out their own problems, and I believe the record shows they are doing just that.

I don't believe we will move any faster—in fact, I think we will move slower—if a flock of laws are passed. There is nothing automatic or self-perpetuating about the comparatively good conditions existing in Phoenix. We have in our midst today one Elijah Mohammed, who has been holding meetings exhorting his followers to drive out the whites. Fortunately, the responsible Negroes of Phoenix—including the Negro ministers—have exposed him for the agitator he is.

We have in Phoenix some labor leaders who would repeal the right-to-work law, which makes it illegal to establish membership or non-membership in a union as a requisite for hiring. On three occasions the voters have refused the pleas of these labor leaders to change the right-to-work law. We have some citizens who think a public accommodations law should be passed by the State legislature. It is my own opinion that such a law is both unnecessary and unwise.

It wasn't coincidence that desegregated our schools, integrated our housing, and eliminated discrimination in public hiring, put most

public accommodations on a nondiscriminatory basis, desegregated public housing—that we did all these things without being told to by the Federal Government. We did them because they were the fair, the decent, the American thing to do. And we did them without the sword of Federal compulsion hanging over our heads.

Vice Chairman STOREY. Thank you, Mr. Marquardt.

Mr. BERNHARD. Lastly, the Commission and I have specifically requested Mayor Mardian to participate in the panel. I don't know whether he has had time to prepare any comments that he would like to make, but if he has some, we would very much like to hear them.

COMMENTS BY MAYOR SAMUEL MARDIAN, JR.

Mr. MARDIAN. Thank you. I assure you that this will be brief because I made my opening remarks at the beginning of the hearing, and filed a very lengthy written statement with the Commission as well. First, I would like to assure the Commission that we are working on the streets with limited funds. I don't think anything has been said about discrimination against women. We have a law in the State of Arizona that, I think, is very discriminatory against women. It limits them to 8 hours of work per day. This makes it rather difficult for many women to hold responsible positions.

Now, a question was asked about juvenile delinquency. I think at that time a very good answer could have been that we have many organizations in the city, working on—not juvenile delinquency—but juvenile decency. Among these are the Boy Scouts, the Girl Scouts, the YMCA, the YWCA, the boys' clubs, the girls' clubs, the service clubs that have high school organizations, such as Rotary and Kiwanis, and so on. I think this is probably the reason why we have a lack of juvenile delinquency in our city—at least, as we compare ourselves to other cities. We are still not unaware that there is a certain amount of juvenile delinquency that needs to be dealt with continuously.

I think in this area of civil rights we have to try to determine—and I think this is a decision that is rightfully made when one gets beyond Federal laws which, naturally, apply everywhere in the country—the kind of local laws that we in the local community want. I think that the responsibility of our local government is to create the proper atmosphere for people to live in, to work in, to play in, to worship in, and so forth. Beyond that, I think it is the responsibility of each individual to make his own way.

I remember my father-in-law saying many times—I think it is a quotation from someone, and I do not know the author—that, "life is earnest; life is real." I don't think life was ever easy since the beginning of time, and we cannot simply go to the Government and ask for certain laws that are automatically going to make things easy.

I believe that if we had all the laws everyone ever wanted it would still be difficult, because of the very economics of living, to go out and raise a family and earn a livelihood.

A statement was made that our city government was oblivious to civil rights, and we have spoken about the rights of certain minority groups. You have heard mention made of the position of our city council. Now these are the people that are elected by the people of the city of Phoenix to represent them. Just retiring from the city council was David Busch. He is Jewish. Bob O'Malley is Catholic. Dick Smith—

Mr. STOCKER. He is a Methodist.

Mr. MARDIAN. He is a Methodist.

You have heard mention of our vice mayor, Tom Tang, who is of Chinese ancestry. He received the highest number of votes of anyone running for public office in the last city election. I might say that, as far as the mayor is concerned—speaking of myself, and not really doing this personally, but simply to call attention to the fact—my father migrated to this country, significantly, in 1912, which was the year of statehood. We are celebrating our 50th anniversary. He did not speak English when he came to this country, and I think this is pretty good progress. Fifty years later his son is the mayor of a city of 500,000 people. The Armenian people have never been spoken of as a minority, probably because there aren't enough of them to even call them a minority group, but I know that as I grew up I was simply taught that I made my own way, and this, I think, is a good American tradition.

Something was said of the city's employment practices. We made a little study of this, and it is included in the material which I have submitted. Some 4.8 percent of the population of this city is made up of Negroes, yet 8.9 percent of the city's employees are Negroes. So, I think that the city has done very well. Now, I am sure that, since these figures are given, the first reaction on behalf of those who might be trying to prove that the Negroes aren't being hired by the city will be that they are hired for certain menial jobs.

My answer to that is this, and I say this in all honesty—that we will not discriminate knowingly against someone simply because of race or religious background. It depends on their ability to hold a certain job. We will not discriminate in favor of a person simply because of race or religious background. This also can be done—and I am afraid is done in many cases. A person is selected simply because he is a Negro, or because he is a Mexican-American—and I think we can take pride in the fact that we have placed emphasis on ability. Where people can show ability, they are hired. Now, I am sure that exceptions can be shown in many cases, yet I think the important thing is that we are striving to eliminate these things that create injustice.

But we will never eliminate all of these things. Life is earnest, life is real—and this will continue for the next thousand years.

Vice Chairman STOREY. Thank you, Mr. Mardian. I am sure I express the sentiments of the Commission when I say that we have not only enjoyed, but have profited by, your discussion. I understand, in addition, that you are going to ask questions of each other, as well as receive questions from the Commission. You are, in effect, in charge—telling us what you think about things here in Phoenix—and you have already done a good job. I wonder if a member of the Commission wishes to begin by putting a question that will provoke discussion. Dean Griswold?

Commissioner GRISWOLD. I have only one thought that might be considered to be a little captious, and I do not intend it that way. I am very much in favor of voluntary action in this area, whenever it can be achieved. On the other hand, Mr. Ely was very eloquent in suggesting that much of the progress has actually occurred because there has been something legal in the background. Now, Mr. Marquardt referred to a great many elements of progress, including desegregation of the schools, and said it was done entirely, in Phoenix, without any Federal participation. Now would I not be right in thinking that it was done as the result of a court decision here in Phoenix in 1953?

Mr. MARQUARDT. Obviously, we had a segregation law on the books. This came down from territorial days. The only way it could be knocked out was by the court decision. It was knocked out, however, sir, with the complete sympathy, willingness, and support of the community.

Commissioner GRISWOLD. Wasn't that court decision based on the 14th amendment to the Federal Constitution?

Mr. MARQUARDT. Well, it was based both on the Federal and the State constitutions. I don't believe it went quite so far as the *Brown v. The Board of Education*.

Commissioner GRISWOLD. I do not mean to be the least bit unappreciative of what has been done here. I am wondering if there aren't ways and means by which general national interest can help the local participation, and by which we can make more progress—if there is a certain amount of legal element in the picture—to encourage and induce local people not merely in Phoenix—where, certainly, in terms of the average, the progress has been very good indeed—but in many cities throughout the country; whether the national outlook isn't really an important part of the overall picture which leading, I would hope, to great progress on the local level?

Mr. MARQUARDT. Let me say that in the segregated schools the Mexican—and I use the word "Mexican" because the Mexican-American community here calls itself that—the Mexican schools were segre-

gated on account of the language barrier. The difficulty of a boy speaking Spanish at home and English at school held back his progress. Of all the segregation, this went first. Then the Negro schools were desegregated. The Federal Government had nothing to do with this, sir, except insofar as the basic law of the country obviously is the Constitution. Again, I believe that had we waited until after the U.S. Supreme Court decision in this matter, it would have been much more difficult. We desegregated in stages, over a 3-year period, and it went smoothly without any difficulty whatsoever. I think if you tried to do it today the extremists on both sides would be making a lot of trouble.

Commissioner HESBURGH. It seems to me that we have had a kind of dichotomy in the presentations here, and it has made it very interesting. I think we would have had a dull meeting if everybody had agreed with everybody else, so I am not bemoaning the fact that we have had a dichotomy, but we have had one. We find it everywhere we go: that, on the one hand, there is a stand—and it is a very legitimate stand—that if there is a local problem, it ought to be solved by local, responsible, community action, preferably by interracial action involving leadership from both groups. On the other hand, there is always a stand that since we represent, in a sense, a kind of Federal Government conscience in this matter, the only way to solve these things is by passing a law with certain teeth in it: “You either do what you are supposed to do or go to jail and be fined,” or something of that sort.

I think both of these points of view are legitimate. I think, historically, you can prove that both of them have worked. I would, however, be willing to take a step further and say that, while I believe in laws being educative, I think that for the long haul of humanity, and for the longtime growth of the community, the education has to come from within. A man has to educate himself—in the face of law, if he will. He has to follow it up, not because he is going to be put in jail if he does not, but because it makes sense to him.

What I am trying to stress here is a point of discussion that you gentlemen made yourselves, and I would like to add one other thing: I think it is easy for white people to say what ought to be done about Negroes, or Negro employment, or Negro this, or Negro that. I think we are at times a little bit arrogant about the way we discuss what Negroes want, or should want. I would think we might all, including myself, pick up a little bit of humility if we were just to think for a moment—if we had been Negro—I am speaking now for the white men and women in this room—if we had been born Negro, which we have nothing to do with, really, because we are born as God wants us to be born—how many of us would have the job we have today? How many of us would have had the education we have had? How many

of us would have had the kind of employment we have? How many of us would have lived where we live today, or have lived?

I think this is a very honest question, and I do not think that many of us honestly could say we would be where we are today if we had started out with exactly the same handicap that our Negro brothers have started out with. Therefore, and I only say this one thing: that, given the society we live in, given this kind of historical arrogance of white superiority—which I think is a lot of nonsense, but there it is, just the same—given all these simple facts, which we honestly recognize, maybe we ought to do a little bit extra to give a lift to that part of our community which always seems to be in the worst conditions, which always seems to have the lowest level of income, which always seems to get the poorest teachers and the poorest schools, which always seems to be the last one hired and the first fired, which always seems to have the lowest aspirations, because that is all they can legitimately aspire to.

If all this is true, well, then, maybe we ought to work a little bit harder as white men—I am speaking as a white man—to understand the Negro point of view and the Negro life in its true reality, and then try to work a little harder on all levels, by law, by community action, by interaction, to try to come to a realistic solution of this. Now, as I say, I am not trying to make a speech. I am merely trying to put this out as a point of discussion, growing out of my understanding of what you gentlemen have said to each other from one side or the other of this dichotomy.

Mr. MARQUARDT. If I may, Father Hesburgh, I think that is an excellent statement. I think we would all agree with it. We all want better conditions. The question is whether the better way is to get them through legal compulsion or not. I lived in the Philippine Islands for many years prior to independence. Constitutionally, I had the right to vote and hold office. I did neither, I can assure you. Nor did any other American. The question, though, of racial tolerance, and your plea for it was excellent, was reflected here today by a Mexican-American girl who said that the reason she did not feel inferior was that she lived in a village where they would not allow the Anglos to come in. This is a sort of reverse intolerance which I am sure you are just as well acquainted with as I am. I am sure that the white community in Phoenix is every bit as willing to welcome and make more effort—at least, just as much effort—to make integration work as is the Negro community.

Commissioner HESBURGH. The problem is to get together?

Mr. MARQUARDT. Yes; I think so.

Commissioner HESBURGH. I will say just one last thing: Mr. Tang, you intrigue me on one point you were making about the oriental

community here in the West. I recall that when we were in San Francisco the chief of police there said that in the 20 years during which he had worked on the homicide bureau there had not been a single case of homicide by the rather considerably sized oriental-Chinese community in that city. We asked him why he thought this was so. He thought it was because of parental responsibility; that the Chinese parents kept a pretty good string on their children. They knew how to punish them if they did not come up to expectations; and that a lot of the policing was done in the family, and did not have to be done out in the streets. Is that true in this community?

Mr. TANG. That is still true in this community—however, if they become too Americanized—they might lose it. It is a point of culture. I think that people with diverse cultures have an advantage over those with only one.

Commissioner HESBURGH. We have to be careful not to all become too homogenized.

Mr. TANG. That is right.

Vice Chairman STOREY. Mr. Tang, it was said that in San Francisco your group of orientals, particularly, refused to take public charity and were self-sustaining. We found in other places in the United States, for example in New York, that that is still the custom down in Chinatown, and so on. That is a fine trait.

Mr. TANG. Yes; there is a particular cohesiveness in the Chinese people. They want help, though, and that is part of the problem here; we could get a little bit more. I think that we hinted at it, for instance, when we were talking about Mexican problems. We do have people of Mexican extraction who have made the grade, but someplace along the line, perhaps, they become too assimilated into the community and lose contact, rejecting their own group—they do not want to be identified any longer as Mexican people, so that they even forget to speak Spanish. The minority groups need desperately the required leadership, in order to bring the group as a whole to a point where they can assimilate into the community.

Vice Chairman STOREY. Dr. Rankin has a question.

Commissioner RANKIN. Any member of the panel might care to answer this—Mr. Ely or anyone else. We were talking about these changes that had come about either by law or by voluntary agreement. What has been the public reaction to these changes? Let us take restaurants, 70 percent of which have been integrated. What has been the public reaction—complete acceptance? Has there been any objection? Would any of you care to make a statement on that particular point?

Mr. STOCKER. I think, complete indifference.

Mr. DANIELS. I think they have accepted it. I think the whole State of Arizona has accepted it, beginning with the desegregation of

schools. In the election of 1950, the question of whether we should desegregate the schools was placed on the ballot. It was placed there along with, unfortunately, many other proposals against which there was a lot of sentiment. There were certain measures, however, dealing with other problems in school. That year, through the help of the gentlemen of the press, every measure was defeated, including the question of whether the schools should be integrated.

Now, the two measures which received the highest vote happened to be the school measure, including desegregation, which indicated that the public here in Arizona were willing to receive and accept integrated schooling. On that same question, two Negroes were elected to the legislature, and that was the session of the legislature when the law was changed. Then, in the face of the fact that the legislation had been defeated previously, the conservative element of the legislature was agreeable to changing the law. They went back and apparently they were all elected, which again indicates that the community was ready to accept integration. After that, we filed a suit. As a matter of fact, there were two suits, one in the high school and one in the elementary school. Both of these cases turned out in favor of the plaintiff asking for integration.

Now, these two young judges—who are now both supreme court judges—both declared the statute, which was even giving discretionary power to the board to segregate children, was unconstitutional. Tucson did not have this problem. They immediately went on and integrated, both at the teacher level and the pupil level. Douglas, Nogales, and many other communities in the southern part of Arizona immediately integrated, all of which tends to prove that the people of Arizona, the good people of Arizona, wanted to accept, and will accept, good human relations in this State.

Commissioner RANKIN. Do you all agree?

Mr. ELY. I would like to compliment what Mr. Daniels has so eloquently said. I think on the panel before you gentlemen today there is represented a cross section of opinion, and I think that you find no real bigotry, deep seated, in the city of Phoenix, as you do in many of your southern cities. That is why this area is particularly good for the passage of laws. Mr. Aden said it was a question of "Well, one guy won't do it, so the other guy won't do it." So, in the face of legislation, they had a voluntary compliance. This happened in the field of public accommodations. There is no guarantee that, without laws, it is going to continue at all; that a new management will not change its policy.

There is nothing holding these people to this point of view. My contention is that law—I think we all agree—can be an educative process. That is the reason I give for the implementation of law—as a beginning in the correct educative process. I believe that if laws

were passed in certain fields of human relations, the fairminded people of Phoenix would accept them and abide by them. That is why I say that this would be a good area to pass such laws, to continue the progress that has started, and to deal with problems that there has been no progress on at all.

MAYOR MARDIAN. I would like to add this. An awful lot of effort goes into anything of a community nature, and when we are talking about passing laws in the field of civil rights, it means that a lot of effort is being put into this. Therefore, I would suggest that, if the same effort was put into education concerning the need for self-improvement; we might go further—through the effort being employed in that direction.

COMMISSIONER RANKIN. I was a little disturbed by your statement, Mr. Marquardt, that it would be harder to accomplish these changes today than formerly.

MR. MARQUARDT. I wonder if I could just set the record straight from my newspaper's standpoint. In 1950 I had not been here long, but I was here during the election. There were many initiative measures on the ballot. One of them was to legalize gambling. We found it difficult with the large number to suggest that people vote "Yes" on No. 6, "No" on 7, "No" on 9, and so on. Our suggestion was that they knock out all of these things. It was clear at the time that we would support the efforts for desegregation when it went into the legislature. As Joe Stocker knows, we supported it, and when the bill came up for nondiscriminatory hiring in public places, again we supported this; not that we thought it was particularly important. We thought it was fair; that it was just. We thought the job was being done and could be done better.

My feeling, though, about Federal legislation is that it will simply set up a resistance—and his statement that our reaction was indifferent is, I think, a good one. Once the restaurant owners announced that they were going to open their doors to everyone, there was no problem at all. Had there been a law passed saying, "You must open your doors," I think there may have been some cases where people would not have done it.

COMMISSIONER ROBINSON. I have one or two questions that I would like to address to Mr. Tang. You have mentioned the need for leadership at higher levels, including at the governmental level. What I would like to ask is whether or not the city of Phoenix has any plan or program projected, or underway, that would involve leadership in the three areas that Mr. Ely and Mr. Stocker mentioned—employment, housing, and public accommodations. I am speaking now of official programs.

MR. TANG. Officially, no; not that I know of, in the area that we have spoken about. There was not, on the city level, so far as education,

housing, and employment were concerned. There had been no particular emphasis on these problems. Prior to appearing here today I took a private survey of my own, trying to feel out what some people might think concerning legislation. These were primarily people of oriental extraction. I asked them whether they felt, specifically, that there was any need for a law on public accommodations. The reaction was a mixed one. Some people said yes, and some said no. The reception with regard to a fair employment practices law was also mixed, but more were against than in favor.

In regard to a human-relations commission, I think they all tended to think that that might be a good idea, the feeling being to get away from a compulsory type of legislation, but have an official body of some sort, possibly, which would be the impetus behind good human relations. But officially there has been none.

Commissioner ROBINSON. When I spoke of official programs, I did not necessarily mean legislative programs. I had in mind the establishment of an official body, a body having official sanction, that would be something like the human relations committee that you mentioned. Here, it seems to me, there would be a good opportunity for government to participate in the solution of these problems: to supply leadership of a type that you mentioned; and also to identify responsible leadership among minority groups, which you also mentioned as one of your needs here.

Mr. TANG. I cannot, of course, speak for the council, but personally I think that might not be too bad an idea. It would be a body with official sanction which would be able to throw a spotlight on individual areas.

Commissioner ROBINSON. It seems to me, also, that it might serve the purpose of supplying recommendations with reference to the question on which there has been division among the panel; as to whether legislation is or is not desirable, overall, or in these areas, individually.

Vice Chairman STOREY. I believe Dean Griswold has another question.

Commissioner GRISWOLD. I was wondering, in connection with Federal action, even though a sweeping Federal action might be undesirable and might cause resistance—which I could quite understand, because Washington is far away, though not nearly so far away as it used to be—what about Federal action with respect to Federal programs? Specifically, a great deal of Federal money comes into Phoenix through lending organizations, and has contributed tremendously to the city's growth and development. Would it not be desirable that that Federal money should be affirmatively and effectively made available only on a nondiscriminatory basis?

Mr. MARQUARDT. I think, sir, that what you are asking for by law, we already do. Public housing here, which is supported by Federal money, has been integrated, as you know.

Commissioner GRISWOLD. What of FHA?

Mr. MARQUARDT. Well, there is a considerable question as to whether that is Federal money. This is contributory money. It is insurance that is paid for by the people that take the mortgages. If I could elaborate the reason I feel this about the schools, particularly. The National Conference of Editorial Writers met in St. Louis in November. We had a most distinguished panel of educators and social workers who talked to us about the very bad social problems in St. Louis. They were agreed that there was more segregation in St. Louis schools today than there was prior to the U.S. Supreme Court decision. This is because the Negroes have moved in, in tremendous numbers. The housing laws have broken down. You have 10 families where you used to have 1, and there is more actual segregation. There are more segregated schools, and a larger proportion of all-Negro and all-white schools in St. Louis today than there were prior to the ruling.

Commissioner GRISWOLD. I would guess that that was not a consequence of the segregation decision, but rather of the general economic shift. Would you not think so?

Mr. MARQUARDT. Well, I do not know. No one suggested that there, but the argument could be made that had the level of integration remained where it was, the white people would not have gone to the suburbs in large numbers as they did, and you would not have had the increase in segregation. I am not making the argument. I am merely repeating what was said.

Commissioner GRISWOLD. Is it perhaps not better in a democracy that if there is segregation it be by voluntary action rather than by law?

Mr. MARQUARDT. I hope you won't put me in the position of being in favor of segregation. I never have been.

Commissioner GRISWOLD. Not at all.

Mr. ELY. I can understand why Mr. Marquardt might not want to talk about the housing situation, and get back to education. There is no question, it is undeniable, that there are restrictions in the field of private housing. Let us confine ourselves momentarily to that field. Negroes cannot get private housing. Now, if the President enacts an Executive order pertaining to FHA and VA mortgages, there can be no argument about compulsion. There can be no arguments made with reference, for example, to public accommodations, about compulsion, because there can be no compulsion. All we are saying is that, if a man is qualified, he can move into an area which would otherwise be restricted—because we are using Government money.

The mayor is right, in many areas, in talking about self-improvement, but we cannot talk about areas of self-improvement here, because it is not a question of that. If a man is financially able to buy a home in an area, then that is all that is necessary. As Mr. Ragsdale pointed out, there are 640 Negroes who recently qualified for FHA mortgages, and I would state to the Commission that, with rare exceptions, none of them could secure such a house in the north part of town. I would certainly be in favor of such a law. I do not say that it would solve the problem in Phoenix, but it would go a long way toward solving the problem in Phoenix—and other areas likewise.

Vice Chairman STOREY. Are there any other observations by any member of the panel? I see that the clock is going fast.

Mr. MARQUARDT. Did I say that Mr. Ragsdale got a house in North Phoenix; that in my neighborhood there are Chinese and Negro families living, and it is not a slum neighborhood?

Mr. DANIELS. May I say that Mr. Ragsdale's home was bought at a terrific price. It was not one of the publicly financed houses in the tract. I don't think one can point with any certainty to where any Negro has bought a house in any tract where it has been Government insured.

Mr. STOCKER. Could I point out, also, the isolated character of the incident of Mr. Ragsdale jumping into the sea of white houses. Here we are, 5, 6, 7 or 8 years later—I don't know how long it is since he moved into that area across from the municipal golf course—and we still pride ourselves on the fact that four or five Negroes have moved into the white section of town in a city of half a million, 8 or 9 years after the Supreme Court decision on school desegregation. I don't think this is anything particularly to be proud of.

Vice Chairman STOREY. Mr. Bernhard, do you have any questions or statements to make?

Mr. BERNHARD. Just one. Getting back to something that was raised before, and which I do not think was particularly explored—the question of the desirability of some kind of human relations commission. It seems to me that there was significant testimony about the degree of communication between the various ethnic groups on some of these problems, that there had not been the leadership that some witnesses felt was necessary.

After one short discussion about whether or not this would be desirable, this issue was dropped, and I would like to get some response, for example, from Mr. Marquardt, on whether or not he thinks that a human relations commission would be a desirable entity to provide the leadership and bring together such groups as Careers for Youth, and the various private groups that the mayor referred to.

Mr. MARQUARDT. I think that any such organization is excellent. I would point out that we have a good many working in this field. The mayor mentioned a lot of them. I might also point out that we have got more committees, clubs, luncheon clubs, and groups in Phoenix than you can shake a stick at, and I am not sure how many people would be willing to work on this. Certainly, anything that gets people together, of different races, is a fine thing. No one has pointed out here the good work done by the National Conference of Christians and Jews. There are many of these organizations which are doing a fine job in Phoenix and, again, my feeling is that voluntarism of this sort is just as effective, perhaps more so, than the legal approach.

Mr. STOCKER. May I just make one point on that. I don't want to make this seem like all of us are against Mr. Marquardt. It is only the fellows on this side of the table against him, but I think he will remember that his newspaper did oppose in one editorial the idea of a mayor's committee on human relations, and this has been one of the difficulties. We have had opposition generally from the conservative elements in the community. I think there is one advantage to be had from this, that cannot be had from the National Conference of Christians and Jews, the Council of Civic Unity, and the rest. This represents the final sanction, and the final conscience, of the community.

Vice Chairman STOREY. Thank you, Mr. Stocker, and we are certainly grateful to every member of the panel and to you, Mr. Mayor, and you, Mr. Vice Mayor. Perhaps a little explanation might be of benefit in conclusion. Several of you have asked me what becomes of the testimony, of the statements adduced at the hearing. Of course, in the first place, there will be a complete transcript, which will be included in a complete volume of these hearings. Then we shall take not only the experience in the testimony and the statements from this hearing, but from those in other parts of the United States, and evaluate them. Upon the basis of that evaluation, we shall make appropriate recommendations.

We have been impressed by many things here. One was your many accomplishments in these fields from a voluntary standpoint, the spirit of cooperation between the various elements of the city, and the various ethnic groups. The Commission, at its last meeting before this, authorized a study on the accomplishments, the positive side, in the field of human rights, human relations, civil rights—these terms that are used interchangeably.

We are happy to announce that John Hope Franklin, the very eminent educator—and I see some of you nodding your heads in approval—has been appointed to head this study. It will include a 100-year historical study of what has happened with reference to

the minorities, particularly the Negro minority, and it will be upon a positive, rather than a negative, basis. Next year happens to be the anniversary of the Emancipation Proclamation. There has been a great deal of interest in this, and we are looking forward to the study as a definite contribution to the accomplishments, the positive side of this question.

I am sure that the testimony, statements, and discussions here will contribute to the success of that particular study, as well as give us additional information that will be helpful in making appropriate recommendations. We are grateful to you all. We are grateful to those who have made this wonderful courtroom available, to the marshals, to the judges, to you, Mr. Mayor, and to the other officialdom. The time has come when we must close. We shall covet your continued interest and cooperation. Thank you. We stand adjourned.
(Thereupon, at 5 p.m., the hearing was concluded.)