

13 MAR 1981

Honorable John C. Danforth
United States Senate
Washington, D.C. 20510

Dear Senator Danforth:

This is in response to your letter of January 5, 1981, to former Attorney General Civiletti concerning a Washington Post article which reported that the Department of Justice was considering the initiation of metropolitan school desegregation suits in St. Louis and Kansas City, Missouri. Please excuse our delay in responding to your letter.

The Department of Justice has participated in the litigation which has begun the process of remedying the unconstitutional segregation of the St. Louis school system since 1977, when we intervened at the request of the court. The system is now operating under a court-approved desegregation plan developed by the District itself, agreed to by this Department, and approved by the Court of Appeals for the Eighth Circuit. The district court also ordered the development of a voluntary metropolitan plan, a measure also approved by the court of appeals, but has already rejected the first such proposal developed by the State of Missouri and directed it to submit another plan. The Board of Education of the City of St. Louis filed pleadings on January 9, 1981 to transform the present city-only case into a metropolitan desegregation case. This Department is presently considering its position regarding these issues.

With regard to Kansas City, that school system is operating under a desegregation plan which it developed and implemented subsequent to administrative proceedings with the Department of Health, Education, and Welfare. As is the case in St. Louis, the Kansas City school system itself has also initiated metropolitan school desegregation litigation, and that case is now pending before the federal district court. This Department has not determined whether we should seek to become a party to that litigation, but we do presently represent several federal agencies named as defendants therein.

cc: OLA ✓Dougherty
Records Roberts
Chrono Mr. John Wilson

Thank you for sharing your views on these matters with us,
and please do not hesitate to contact us again if you have any
further questions.

Sincerely,

James W. Turner
Acting Assistant Attorney General
Civil Rights Division

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United States Senate

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MICHAEL STERN, STAFF DIRECTOR
ROBERT E. LIGHTHIZER, CHIEF MINORITY COUNSEL

January 5, 1981

Honorable Benjamin J. Civiletti
Attorney General
5111 Justice Building
Washington, D.C. 20530

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Dear Attorney General Civiletti:

I was alarmed to read in the Washington Post on Thursday, January 1, that the Department of Justice is considering filing new school desegregation suits in the next few weeks in order to force metropolitan-wide busing of schoolchildren in St. Louis and Kansas City. I strongly urge you not to approve these proposed suits.

Both the St. Louis and Kansas City school districts are under court order now. In St. Louis, the parties have been asked to submit a voluntary plan by February 2. I believe that new lawsuits by the Justice Department will be counterproductive, exacerbating tensions and taking attention away from constructing a voluntary approach.

Please let me know of your decision in this matter.

Sincerely,


John C. Danforth

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| OFFICE OF LEGISLATIVE AFFAIRS |

Civil Rights

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13 MAR 1981

Honorable William S. Broomfield
House of Representatives
Washington, D.C. 20515

Dear Congressman Broomfield:

The Assistant Attorney General for Legislative Affairs has referred to me your letter of February 18, 1981, inquiring about the status of United States v. City of Birmingham, Michigan. Please excuse the delay in my reply.

On March 7, 1980, the United States filed suit against the City of Birmingham alleging a pattern or practice of racial discrimination in violation of the Fair Housing Act of 1968. A copy of the complaint in this case is enclosed herewith. The parties in this case are currently engaged in the closing weeks of discovery, and as yet no trial date has been set. The Department of Justice is continuing to pursue this litigation in accordance with its responsibilities to enforce compliance with the Fair Housing Act.

I hope that this information is responsive to your request, and that you will feel free to call on me if I can be of any further assistance.

Sincerely,

James P. Turner
Acting Assistant Attorney General
Civil Rights Division

Enclosure:

cc: Records
Chrono
OLA
Field ✓
Roberts

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Congress of the United States

HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

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February 18, 1981

The Assistant Attorney General
for Legislative Affairs
Department of Justice
Main Justice Building, Room 1603
Washington, D.C. 20530

Dear Sir:

With the change in Administrations, I have received several inquiries as to the status of the Department of Justice's housing discrimination suit against the City of Birmingham, Michigan.

Any information you could provide regarding this matter would be appreciated.

Thank you for your attention and assistance in this matter.

Sincerely,

W. S. Broomfield
William S. Broomfield
Member of Congress

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