

(Dictated over the phone)mbh

Letter from FSA, January 15, 1953, to Mrs. Anna Rosenberg

I have received your letter of January 10, 1953, with respect to the education of Negro children who reside on Federal military reservations. It seems to me that we might profitably discuss this matter as did our staffs in the early days of the program when the present policies were established. Pending such a discussion, however, it may be well to set forth my understanding of the situation since your letter would indicate that you have not been fully advised of all the aspects involved.

It is proper under Public Law 874 to provide Federal assistance to school districts for burdens imposed upon them by the Federal Government represented primarily by children who resided on non-taxable Federal property or whose parents were employed on such property. It is made very clear both in the Act and the Committee's Reports thereon that wherever possible education should be provided by the state and local school authorities under Section 3 in accordance with state laws and that only in exceptional cases does the Commissioner have authority to make arrangements under Section 6 for providing free public education for children living on Federal property.

Section 6 of Public Law 874 authorizes the Commissioner of Education to make arrangements for providing free public education for children living on Federal property when and only when "non-tax revenues of the state or any political subdivision thereof may be expended for the free public education of such children; or its judgment of the Commissioner, after he has consulted with the appropriate state educational agency, that no local educational agency is able to provide suitable free public education for such children."

In the case of children who are being educated by the local authorities, it is sometimes found necessary for the convenience of the children that their education be conducted on the Federal property. In such situations, the local educational agency, if otherwise eligible, would be entitled to receive a payment under Section 3 of Public Law 874, but the Commissioner of Education has neither authority nor responsibility to direct the type of education which is provided. If the policy of the Federal agency in control of the Federal property does not allow segregation on the property, it may be that some local educational agencies will be unable by reason of their own state law to educate the children living thereon.

In the event no local educational agency is able to provide free public education for the children residing on Federal property, the Commissioner then has the responsibility of making arrangements to provide education for the children as a Federal responsibility. In these cases, of course, the policy of the Office of Education is to conduct the schools, in so far as practicable, in accordance with the policy established by the agency in control of the property.

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Letter from FEA to Mrs. Rosenberg (continued)

The Commissioner has found it necessary to make arrangements for providing free public education under Section 6 in 18 cases in the United States and territories. In all but two cases, these are Military, Naval, and Air Force installations. In these instances, funds are transferred to the Department of Defense for the operation of on-base schools under the supervision of the Post Commander and a committee selected from the personnel of the Post acting as a local Board of Education. In all but three instances, the on-post schools thus operated by the Post Commander as agent for the United States Commission of Education are integrated schools, the determination being made by the Post Commander whether or not it is practicable to operate racially integrated on-post schools based on the conditions existing on the Posts.

If it is the policy of the Department of Defense not to permit segregated education on any property within its control, whether that education be by local school agencies under Section 3 or by the Commissioner of Education operating under Section 6, this agency would, of course, be guided by such a policy. It would be necessary in that event to determine in each case whether any local educational agency which is now providing education on a segregated basis is able to provide such education on an integrated basis. In any case, in which the local educational agency is not able to provide education on an integrated basis, the Commissioner would then be under the necessity of making other arrangements for education of such children.

I trust that this explanation will make clear my desire to cooperate with the Department of Defense in every respect.



/s/ Earl J. McGrath
U.S. Commissioner of Education