

commit the violence because of prejudices based on race, religion, or national origin. The Federal Bureau of Investigation would have the duty of investigating such complaints. Ultimate federal jurisdiction would turn on an issue of fact exceedingly difficult to determine--whether the defendants knowingly in concert committed the violence because of antipathy based on race, religion, or national origin. Such federal interference with local law enforcement would, I fear, greatly exacerbate federal and state relations throughout the country.

Furthermore, it should be remembered that we must depend upon local communities to enforce the laws regarding violence to person and to property--even when federal jurisdiction exists. As we in the Department know by bitter experience, if the local community is not desirous of their enforcement in particular situations federal juries will be as reluctant as state to indict and to convict. The attempt to use the federal law as a routine matter in such cases might well have the additional unfortunate effect of relieving the local communities of any feeling of responsibility in such matters--which would tend to take us away from the ultimate goal of enlightened and responsible local enforcement of the criminal laws in all cases, whether or not racial prejudice is involved.



The vital concern of this Administration is to secure the passage at this session of Congress of a legislative program which is adequate to deal with the most pressing problems before us. We feel that any attempt to press for the antilynching bill at this time would serve only to divert attention from the basic, middle-of-the-road program which we have proposed, to add the weight of substantial constitutional and policy objections to the flood of determined opposition which already exists toward any form of civil rights legislation, and to destroy any chance for affirmative action by the Senate.