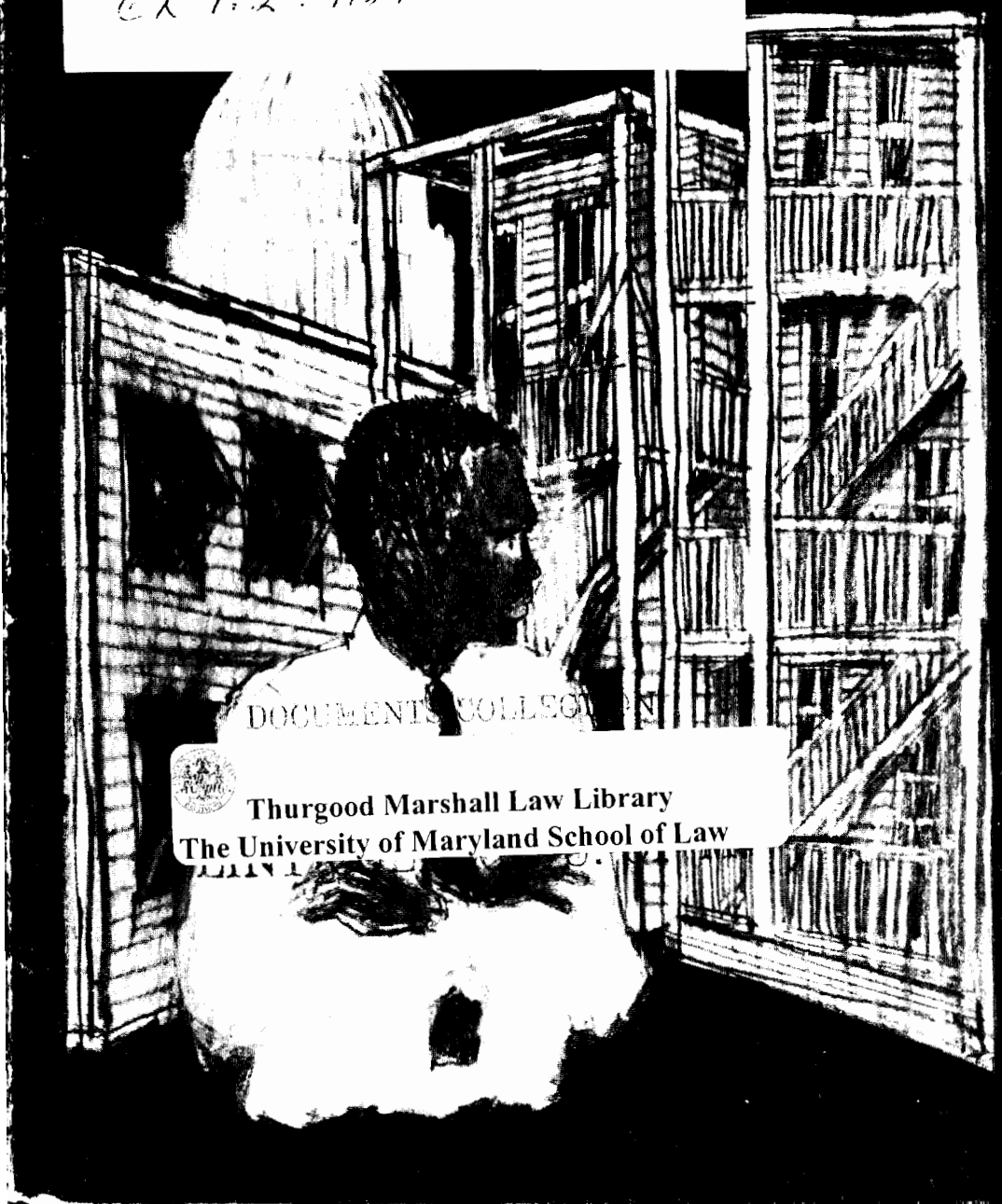
CIVIL RIGHTS U.S.A./

Housing in Washington, D.C.



CIVIL RIGHTS U.S.A.

HOUSING IN WASHINGTON, D.C.

THE UNITED STATES

COMMISSION ON CIVIL RIGHTS

Members of the Commission

JOHN A. HANNAH, *Chairman*
ROBERT G. STOREY, *Vice Chairman*
ERWIN N. GRISWOLD
REV. THEODORE M. HESBURGH, C.S.C.
ROBERT S. RANKIN
SPOTTSWOOD W. ROBINSON, III

Staff Director, BERL I. BERNHARD

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington 25, D.C. - Price 25 cents

contents

APPENDIX—Continued

letter of transmittal

THE UNITED STATES COMMISSION ON CIVIL RIGHTS
Washington, D.C. September 20, 1962

THE PRESIDENT
THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

SIRS: The Commission on Civil Rights submits to you its report on housing in the Washington, D.C., metropolitan area. This report together with our findings and recommendations is made pursuant to Public Law 85–315, as amended, and is based upon a detailed survey of the status of equal housing opportunity in the Nation's Capital. This work culminated in public hearings conducted by the Commission on April 12 and 13, 1962. You have received copies of the transcript of these proceedings.

We believe that this report deserves the careful consideration of all Government officials. It has been made with the conviction that our devotion to democracy requires that we translate our principles into concrete evidence of our genuine respect for human dignity. For all of us this is a matter of priority and urgency.

Respectfully yours,

JOHN A. HANNAH, *Chairman.*
ROBERT G. STOREY, *Vice Chairman.*
ERWIN N. GRISWOLD.
Rev. THEODORE M. HESBURGH, C.S.C.
ROBERT S. RANKIN.
SPOTTSWOOD W. ROBINSON, III.

BERL I. BERNHARD, *Staff Director.*

introduction

In certain sections of our city persons are still denied equal access to housing, for no reason other than that of their religion or the color of their skin. With the emergence of a score of independent African nations, the problems of African diplomats in finding housing has added a new dimension to what is already a matter of concern.[1]

Washington as our Nation's Capital enjoys the distinction of portraying to the world the extent to which the day-to-day practice of democracy in America conforms to the principles of our Declaration of Independence and our Constitution.[2] It is the one city in the United States in which every American has a share, a symbol of America both at home and abroad. With this in mind the Commission set out to study the scope of equality of housing opportunity for area residents and the extent to which it is yet denied.[3]

The problem is one that cannot be discussed in terms of the central city of Washington. It must be viewed in its metropolitan context. But as we examine the problem and search for solutions, we do well to recall these words of Commissioner Tobriner:[4]

> When we talk of housing, we must not lose sight of the fact that we are talking of homes, homes for the families of our community. Stability of family life, the rearing of children, security for our

---

[1] *Hearings in Washington, D.C., Before the U.S. Commission on Civil Rights, Housing* 8 (1962) (hereinafter cited *D.C. Housing Hearings*) (testimony of Hon. Walter N. Tobriner, President, District of Columbia Board of Commissioners).

[2] See ch. VI, *infra.*

[3] It is the duty of the Commission to—

* * * * * * *

(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

Civil Rights Act of 1957, secs. 104(a) (2) and (3), 71 Stat. 635, 42 U.S.C. secs. 1975c(a) (2) and (3) (1958).

[4] *D.C. Housing Hearings* 7. As Robert C. Weaver, Administrator of the Housing and Home Finance Agency, put it: "In the central city of Washington, opportunities for living have increased significantly for minority groups. In the suburban areas which surround Washington, there has been little, if any, improvement over the situation which existed a quarter of a century ago; yet the housing market of the central city is part and parcel of the total housing market of the metropolitan area." *Id.* at 34. See ch. I, *infra.*

> aged citizens—all depend on the quality and the availability of homes. When housing is not available or when available only in deteriorated, overcrowded conditions, family life becomes difficult, if not impossible. Juvenile delinquency does not exist in a vacuum in our community. Slums are its breeding ground. Juvenile delinquency and family instability will persist as long as families are forced, because of discriminatory housing practices, to crowd into whatever limited housing is available.

On April 12 and 13, 1962, this Commission held hearings on discrimination in housing in the Washington, D.C., metropolitan area. Forty witnesses were heard and 14 additional statements were submitted.[5] Conflicting testimony was received on the questions of responsibility for existing housing patterns and on the method of effecting change.

The housing industry placed responsibility on the public.[6] Members of the public placed it on the housing industry,[7] government,[8] and apathy by "others."[9] Representatives of the Federal Government stated that they were doing all that was within their power and indicated that the responsibility lay with private industry and the general public.[10] Housing and Home Finance Agency Administrator Robert C. Weaver summed up:[11]

> I think this is like trying to say whether it is the chicken or the egg. I think these things are interdependent, and I think it's very easy to discover a definite ill, but I think they are all part and parcel of a whole situation.

In this report the Commission examines some of the communities within the Washington area in which housing is available to all on equal terms and some in which discrimination is an admitted and formidable problem. As an integral part of this examination, it explores the role played by Government and the constituent parts of the housing and home finance industry in providing or hampering equal opportunities for housing.

---

[5] Efforts were made to hear representatives of the suburban housing industry. They declined to appear. See *e.g.*, *D.C. Housing Hearings* 111, 115, 116, 118, 243, 244.

[6] See *e.g.*, real estate brokers—*D.C. Housing Hearings* 118; builders—*id.* at 244; mortgage lenders—*id.* at 467.

[7] See *e.g.*, *D.C. Housing Hearings* 199–200, 349.

[8] See *e.g.*, *id.* at 70.

[9] See *e.g.*, *id.* at 19, 96, 420.

[10] See *e.g.*, *id.* at 35–36, 245.

[11] *Id.* at 36. See chs. II–V, *infra*.

During the course of its hearings and investigations in Washington, the Commission received several suggestions for remedial action to eliminate housing discrimination. The report examines some of these from the viewpoint of possible effectiveness. Finally the report states the Commission's findings and recommendations with respect to equal housing opportunity in the Washington area.

This is a summary report. For the full text of the Washington proceedings and for a more comprehensive treatment of Federal Government programs affecting housing, the attention of the reader is directed to the transcript of the Washington hearings and to prior publications of this Commission.[12]

[12] *D.C. Housing Hearings* (1962); 4 *1961 Report of the U.S. Commission on Civil Rights: Housing* 336–554 (1961).

I. a metropolitan problem

More than two million people live in the Washington metropolitan area. Within 40 years it is expected that more than five million will live in this urban region. The national government, two state governments, six counties, and sixty incorporated cities and towns share the responsibility of governing and planning the development of this area. There are also many special-purpose agencies. Storm water and sewage, commuters and criminals, urban blight and suburban sprawl do not respect the artificial political boundaries which divide the area.[1]

Washington, D.C., the only major American city to have a Negro majority,[2] is the central city of a standard metropolitan statistical area (SMSA) comprehending Montgomery and Prince Georges Counties, Md., Arlington and Fairfax Counties, Va., and the independent cities of Alexandria and Falls Church, Va.[3] Unlike those of most American cities, Washington's suburbs are situated in two other States which differ from the District and each other in laws, mores and housing patterns.

The Washington, D.C., SMSA covers 1,485 square miles of land. The central city contains 61 square miles, less than 5 percent of the SMSA land area.[4] On these 61 square miles live 763,956 people, more than 34,000 to each square mile of residential land.[5] The 1,424 suburban square miles house the remaining 1,237,941 metropolitan area residents. (See table I.)

---

[1] Washington Metropolitan Regional Conference, *1961 Regional Annual Report.*

[2] U.S. Bureau of the Census, *U.S. Census of Population: 1960, General Population Characteristics*, final reports PC(1)2B–52B.

[3] *Id.* at 10B. A standard metropolitan statistical area contains at least one city of 50,000 inhabitants or more and its adjoining counties which are essentially metropolitan in character and socially and economically integrated with the central city. *Ibid.*

[4] Nine hundred and seventy-eight square miles of the Washington, D.C., SMSA are located in Maryland; 446, in Virginia.

[5] Approximately 28 square miles of District land are subject to the jurisdiction of the Zoning Commission (excluded are streets, alleys, and federally-owned land). About 80 percent of this (or 22.4 square miles) is zoned for residential use. District of Columbia Government, Office of the Zoning Commission, *Existing Zoning, Proposed and Approved Zoning for all Zoned Land in the District of Columbia*, May 12, 1958. See Zoning Regulations of the District of Columbia, May 12, 1958 (rev. July 1, 1960), as amended.

While Negroes account for one-quarter of the metropolitan area population, more than four out of every five live in the central city. In 1950 the situation was much the same except Negroes then made up only about one-third of the central city's population.[6] (See table I.)

Between 1950 and 1960 the white population of the District decreased by one-third while the suburbs' white population increased 91 percent. During the same period Washington's Negro population grew by almost one-half while the Negro suburban population increased by only about one-third.[7] One witness pointed out:[8]

> What has happened is that Negroes have grown largely within the confines of the District of Columbia, while the white population has spread to all of the surrounding suburbs.

The result is that Washington, which housed over one-half of the area population in 1950, houses less than 40 percent of this population today.

In the District of Columbia 54.8 percent of the people live in 44.1 percent of the homes.[9] They own about one-third of the homes they occupy, rent about two-thirds. They are Washington's nonwhite residents (over 98 percent Negro). Over 45 percent of the members of this group live in areas which are over 90 percent nonwhite.[10] Over two-thirds live in areas which are more than three-quarters nonwhite.[11] Few live west of Rock Creek Park.[12] District housing is segregated in a very real sense.

The suburbs are more segregated than the city. About nine-tenths of white suburbanites reside in census tracts

---

[6] In 1890 it was a little less than one-third. *U.S. Census of Population: 1960, op. cit. supra* note 2, table 15 at 10–11.

[7] Today 6.1 percent of the suburban population is Negro. See table I.

[8] *Hearings in Washington, D.C. Before the U.S. Commission on Civil Rights, Housing* 13 (1962) (hereinafter cited *D.C. Housing Hearings*).

[9] In the suburbs the 6.5 percent nonwhite population occupies 4.7 percent of all dwellings. Compare tables I and II.

[10] Compiled from U.S. Bureau of the Census, *U.S. Census of Population and Housing: 1960, Census Tracts*, final report PHC(1)–166, table P–1. Almost 45 percent of District whites live in areas which are over 90 percent white. *Ibid.*

[11] *U.S. Census of Population and Housing, op. cit. supra* note 10. About three-fifths of District whites live in areas which are over 75 percent white. *Ibid.*

[12] *U.S. Census of Population and Housing, op. cit. supra* note 10. About one-third of 1 percent of District Negroes live west of Rock Creek Park, a natural barrier which divides the city. Almost one-fifth of the District's other nonwhites live in the area. Over one-quarter of the District's whites live there. *Ibid.*

which are over 90 percent white. More than two-fifths of suburban census tracts contain less than 1 percent nonwhites (over 45 percent of suburban whites live in these tracts).[13]

During the last decade nonwhites were sold 2.2 percent of the metropolitan area's new houses. They were rented less than one-tenth of the area's new rental units. New housing is not readily available to almost one-quarter of the area's population. (See table III.)

Nonwhites occupy over one-half of the metropolitan area's deteriorating housing, some two-thirds of its dilapidated housing. In the city of Washington the situation is worse. (See table IV.)

The suburbs contain 57.3 percent of the area housing inventory. Less than 4 percent of suburban housing is deteriorating, a little more than 1 percent is dilapidated.[14] Over 320,000 sound units are occupied.[15]

Over 47 percent of Washington's nonwhite families (excluding unrelated individuals, about one-tenth of the District's nonwhite population) earn more than $5,000 each year.[16] According to the Federal Housing Administration the average value of new section 203 insured one-family homes owned by mortgagors earning between $400 and $449 each month is $12,330.[17] The median value of area nonwhite homes is $13,600. Almost two-thirds of area homes valued between $10,000 and $15,000 are located in the suburbs.[18]

---

[13] Compiled from *U.S. Census of Population and Housing, op. cit. supra* note 10, table P–1.

[14] Almost 8 percent of the District's housing inventory is deteriorating, 1.3 percent, dilapidated. See table IV.

[15] The District's figure is 229,256. See table IV.

[16] Compiled from U.S. Bureau of the Census, *U.S. Census of Population: 1960, General Social and Economic Characteristics, District of Columbia*, final report PC(1)–10C, table 65 at 10–45.

[17] Housing and Home Finance Agency, *Fifteenth Annual Report: 1961*, table III–54 at 121.

[18] U.S. Bureau of the Census, *U.S. Census of Housing: 1960*, vol. I, *States and Small Areas, District of Columbia*, final report HC(1)–10, table 17 at 10–18 and 10–19 and table 39 at 10–21.

Dr. Robert C. Weaver, Administrator, Housing and Home Finance Agency, concluded: [19]

> [The market] is not a housing market of the central city, but a metropolitan housing market, and it seems to me you have to have, if you're going to deal with a metropolitan problem, a metropolitan approach.

---

[19] *D.C. Housing Hearings* 37. In such fields as transportation, water supply, regional land use planning, public health, and public safety the metropolitan nature of the community has been recognized. The Washington Metropolitan Regional Conference, representing the entire Washington area, was established in 1957 to deal with problems common to the metropolitan area. To date this organization has not undertaken to look into the problems of housing availability caused by discrimination. *Id.* at 8.

II. housing patterns: a question of choice

People have moved to the suburbs so that they could live with the people that they want to live with, and if we're going to have integrated housing out there, they'll move farther out. Is there no end to it? I mean, don't we have the freedom of living where we want to and who we want to live with? [1]

A Negro native of Washington reminisced: "As I look back upon Washington, the Washington I knew as a boy and as a young man, I see many significant changes." Public schools have been desegregated. Employment opportunities have widened. Governmental facilities and public accommodations have been opened for Negro use. But in the field of housing he found that less progress had been made.[2] The various factors responsible for housing segregation were discussed by other witnesses.

Economic factor.—George W. DeFranceaux, president of the Washington Board of Realtors, told the Commission the "average price of new houses today ranges from about $17,000 up. FHA and VA will require a monthly income of roughly $600 in order for a purchaser to qualify for the $17,000 home." [3] Over 25,000 Washington Negro families have a monthly income of roughly $600 or more. (See table V.)

Between 1950 and 1959 more than 45,000 one-family homes valued at less than $17,500 were built in the metropolitan area. Less than 3,000 of all new homes built during that period (over 120,000) are occupied by nonwhite owners.[4]

Sterling Tucker, executive director of the Washington Urban League, stated: [5]

---

[1] *D.C. Housing Hearings* 349 (testimony of Harry P. Bergmann, vice president, Riggs National Bank).
[2] *Id.* at 34.
[3] *Id.* at 187.
[4] U.S. Bureau of the Census, *U.S. Census of Housing: 1960*, vol. IV. *Components of Inventory Change*, final report HC(4), part 1A, No. 18, table 1 at 21.
[5] *D.C. Housing Hearings* 40.

> If tomorrow we were able to produce enough housing to achieve the conceptual goal of the Housing Act of 1949—decent, safe, and sanitary housing for every American family—the people who need housing the most would be least able to afford it. And Negroes in this group are legion.

He concluded: "The solution to our housing problem can only be possible within a setting of economic opportunity for all."[6]

Economic disadvantage is one factor contributing to Washington's housing patterns. But it is not the major factor responsible for these patterns. One witness pointed out, "in Washington * * * the Negro population is more prosperous than in most cities."[7] He noted that while the nonwhite family's income is more than one-third lower than the white family's income it is "still sufficient to give many nonwhite families the economic capacity to afford housing in many areas of the District of Columbia."[8] Yet many District areas and most suburban areas which are within the means of these nonwhite families are almost entirely white.[9]

Migration factor.—The rapid migration of Negroes from the rural south to the urban north began during World War II.[10] George Grier, sociologist and author

---

[6] *Ibid.* More than 56,000 District nonwhite families reported incomes of less than $5,000 for 1959. See table V.

[7] *D.C. Housing Hearings* 18. The national median income for urban nonwhite families is $3,711. U.S. Bureau of the Census, *U.S. Census of Population: 1960, General Social and Economic Characteristics. United States Summary,* final report PC(1)–1C, table 95 at 1–225. The median income for Washington's nonwhite families is $4,800. U.S. Bureau of Census, *U.S. Census of Population: 1960, General Social and Economic Characteristics, District of Columbia,* final report PC(1)–10C, table 65 at 10–45.

[8] *D.C. Housing Hearings* 19. Over 47 percent of Washington's nonwhite families earn more than $5,000 a year. U.S. Bureau of the Census, *U.S. Census of Population: 1960, General Social and Economic Characteristics, District of Columbia,* final report PC(1)–10C, table 65 at 10–45. See table VI.

[9] For example, in the Glover Park area, just north of Georgetown, the average values in many blocks are $16,000 to $18,000. A section of southeast Washington just below Pennsylvania Avenue contains many houses whose average values range as low as $12,000. Neither of these areas has more than small percentages of Negroes. On the other hand, in one tract between 16th Street and Rock Creek Park, where the average value of houses is $30,000, 40 percent of the families are nonwhite. But on the other side of Rock Creek Park, where there are areas with substantially lower values, fewer than 2 percent of the residents are Negro. U.S. Bureau of the Census, *U.S. Census of Housing: 1960,* vol. III, *City Blocks,* series HC(3), No. 105; *U.S. Census of Population and Housing: 1960, Census Tracts,* final report PHC(1)–166. See *D.C. Housing Hearings* 19.

[10] *D.C. Housing Hearings* 18. About 57,000 represented the net inmigration of nonwhites to the District of Columbia during the decade 1950–60. E. Grier, Washington Center for Metropolitan Studies, *Understanding Washington's Changing Population* 29, (1961).

of studies in the field of minority problems in housing, explained to the Commission:

> Newcomers throughout America's history have traditionally taken up residence in the older central areas, and they have done this in part because the housing there is cheaper and their incomes at first are low and uncertain in many cases, and also partly because they usually find others of the same origin present to give them support while they become adjusted to their new surroundings.

But, he added, this "doesn't explain why there hasn't been more dispersion of Negroes whose ancestors were here a hundred years ago." Historically the dispersion of most other urban minority groups has been well underway by the third generation. He concluded: [11]

> Today there are Negroes in Washington who are members of the fourth, fifth, and even sixth generations, and instead of becoming more dispersed, they are becoming more concentrated.

Mrs. Kathryn H. Stone, a member of the Virginia House of Delegates, added: [12]

> Educated Negroes of the professional classes, those from whom leadership and community spirit could be expected, some of them whose families have been in Virginia for generations, are moving inward to the central city.

Resignation.—Mr. Grier suggested that another factor is the acceptance of the inevitability of segregation by Negroes; they will often seek neighborhoods containing a substantial number of Negroes. He told the Commission that in interviewing a large number of Negro families in a number of cities he had frequently been told: [13]

> I don't want to pioneer. I want a nice house and a pleasant neighborhood, but I don't care to break any racial barriers in doing it. I just want to be left alone. I want to be in peace. I don't want my children to be hurt.

---

[11] *D.C. Housing Hearings* 18.

[12] *Id.* at 421. By 1960 under 18,500 area nonwhites were professionals, managers, etc. (See table VII.) Just over 18,000 had completed 4 years of college or more. (See table VIII.) Mrs. Stone has indicated that their inability to move upward in housing has been partially responsible for their inward movement. *D.C. Housing Hearings* 421. The effect of this loss is difficult to assess. Frank J. Luchs, executive vice president of Shannon & Luchs and past president of the Washington Board of Realtors, stated that in his opinion "open occupancy in housing will work with a minimum of upheaval at the upper income level. * * * Stiffest opposition comes at the lower economic, social, and educational levels." *Id.* at 135.

[13] *D.C. Housing Hearings* 19–20.

Discrimination.—"Overriding all these factors, of course, is outright discrimination," concluded Mr. Grier. He added:[14]

> * * * as long as [discrimination] continues rampant in this area, segregation will remain prevalent as well.

That outright discrimination exists in many areas of the city and most areas of the suburbs, the Commission cannot doubt.[15] Housing patterns create the inference;[16] incident after incident compel the conclusion.[17] It is reflected throughout the housing industry.[18]

To some extent the causes of discrimination interact with the mechanisms of discrimination, each reinforcing the other. To that extent the causes are difficult if not impossible to ascertain.[19] But certain facts stand out.

1. Members of the housing industry maintain that whatever their part, they respond as businessmen to public demand.[20]

2. The two attitude surveys brought to the attention of the Commission indicate that many people, if they have to take a position, will say they favor open occupancy,[21] as will members of the public who are members of the housing industry.[22]

---

[14] *Id.* at 20.

[15] The first witness to appear at the Washington hearings on housing was Walter N. Tobriner, president of the Board of Commissioners of the District of Columbia. Said Commissioner Tobriner: "In certain sections of our city, persons are still denied equal access to housing for no reason other than that of their religion or the color of their skin." *D.C. Housing Hearings* 8.

[16] See ch. I, *supra.*

[17] *D.C. Housing Hearings* 99–103, 107–8, 149, 152–59, 159–69, 228.

[18] See ch. III, *infra.*

[19] Housing and Home Finance Administrator Robert C. Weaver testified: "I think these things are interdependent, and I think it's very easy to discover a definite ill, but I think they are part and parcel of a whole situation." *D.C. Housing Hearings* 36.

[20] See, *e.g.*, *D.C. Housing Hearings* 95–96, 101, 111, 118, 209–10, 228, 244.

[21] *Id.* at 206–208, 357–80.

[22] See, *e.g.*, *id.* at 170, 186, 244–45, 332, 336.

3. The attitude of individuals, when confronted with the necessity for taking action, is not the same as when they are called upon to make a statement.[23]

Mrs. Stone concluded:[24]

> The housing issue, in contrast to the [education and employment issues] * * *, is one in which any individual citizen may become involved. Here the wall of prejudice is hardest to break down. Here the defenses of custom are most difficult to breach. The suburbanite's most personal family situation is affected. Yet it has not been brought home to the privileged white suburbanite that this should concern him as a moral issue.

In a democracy, where a man lives *is* a question of choice. The issue is: *whose* choice?

---

[23] See, *e.g.*, *id.* at 96, where Rev. Charles N. Mason, Jr., past chairman of the Silver Spring Ministerial Association's Social Action Committee testified: "When our association put out the statement [condemning the community for its participation in an incident of housing discrimination], we had many people ask us: 'Why did you raise the question? You're creating a problem. Negroes haven't been trying to come out. You're really making an invitation. They will try to come out now. Let's keep quiet. Let's not think about the problem. Let's not approach it at all. Everything's been real nice.'"

[24] *D.C. Housing Hearings* 422. Rev. Charles N. Mason said, "the problem that we feel * * * [is] not being squarely faced by the people in the suburbs * * * is the general collusion among the whole community, all the agents of the community—not real estate agents, but the whole community, a collusion on the part of the whole community—not to face up to its responsibility in the maintaining of the segregated pattern of housing * * *." *Id.* at 93.

III. the mechanism of discrimination

The group prejudices of the white population provide a basis and support for the segregation of minority groups, but the actual controls and sanctions are administered largely by the housing industry. It is the real estate brokers, builders, and mortgage finance institutions which translate prejudice into discriminatory action.[1]

A family setting out to buy a home is largely dependent upon the services of the members of the home building, real estate and mortgage lending industries. A Negro family in the Washington metropolitan area may receive special treatment at their hands.

Builders.—Many Washington area builders appear to believe their reputations and profits depend upon their ability to bring about cultural and racial similarity in new developments. Consequently they exclude Negroes.

The most effective and widely used method of exclusion is the simple refusal to sell. This practice is followed in Belair, a development owned by Levitt & Sons of Levittown, New Jersey.[2] The Commission was given several statements by Negroes who had applied at Belair and were told "we don't sell houses to colored." One of the applicants asked whether he qualified as a buyer except for his race. He reported that the salesman looked at his salary scale, his ability to meet the monthly notes and the cost of the home he wanted to buy, and told him he was qualified except for his color.[3]

Another method is the covenant not to sell to members of minority groups. Many people disregard these covenants which frequently appear in Washington area deeds.[4] But builders in at least 13 Washington area communities

[1] Report of the Commission on Race and Housing, *Where Shall We Live?* 22 (1958).
[2] *D.C. Housing Hearings* 244.
[3] *Id.* at 235.
[4] *Id.* at 76.

still make effective use of them.[5] That they are effective is evident from the racial composition of the census tracts in which these communities lie.[6] Why they continue to be effective although judicially unenforceable[7] is less obvious. One reason may be that some homeowners are not aware that these covenants cannot be enforced. Another may be that a person who has executed one of them feels under a moral pressure to keep his agreement. As Charles A. Horsky, past president of the Washington Planning and Housing Association pointed out, "Americans are not accustomed to the making of promises which they do not keep."[8]

But perhaps the best explanation for the effectiveness of these racial and religious exclusionary clauses is that simple exclusion is used to carry out the policy they declare. The Commission was told that one of these builders, the W.C. & A.N. Miller Development Co. of Washington, D.C., uses the following clauses together with its exclusionary covenant:[9]

> *Fourth.* No lot or property * * * shall be occupied, leased, rented, conveyed, or otherwise alienated * * * without the written consent of the W.C. & A.N. Miller Development Co. [unless a majority of neighbors consent].
> *Fourteenth.* * * * in order to facilitate operation of the covenant numbered "Fourth" * * * the grantee covenants * * * that in the event, at any time he * * * shall desire to lease, rent, or sell to another * * * he * * * will appoint the said W.C. & A.N. Miller Development Co., agent for such purpose.

The net effect of these clauses, for all practical purposes, is to give the Millers control over the race and religion of all subsequent owners and tenants. This control the Mil-

---

[5] *Id.* at 58, 61. Irving M. Engel, former president of the American Jewish Committee, identified these communities as Beacon Hill, Berkeley, Brookdale, Colony Hill, Hamlet, Kent, Kenwood, Spring Valley, Springfield, Sumner, Wesley Heights, Westmoreland Hills, and Woodacres. He testified that the typical covenant used in these areas reads: "No part of the land hereby conveyed shall ever be used, or occupied by * * * Negroes, or any person * * * of Negro blood or extraction, or * * * any person of the Semitic race, blood, or origin, which racial description shall be deemed to include Armenians, Jews, Hebrew, Persians, and Syrians. * * *" *Ibid.*

[6] See U.S. Bureau of the Census, *U.S. Census of Population and Housing: 1960*, Census tracts, final report PHC(1)–166.

[7] *Shelley* v. *Kraemer*, 334 U.S. 1 (1948); *Hurd* v. *Hodge*, 334 U.S. 24 (1948); *Barrows* v. *Jackson*, 346 U.S. 249 (1953).

[8] Statement of Charles A. Horsky before the members of the Board of Directors of the Redevelopment Land Agency, Oct. 25, 1961, p. 8.

[9] *D.C. Housing Hearings* 62.

lers have used to exclude nonwhites and Jews from some areas.

Real estate brokers.—The real estate broker is licensed by a State or local government which, in the public interest, requires him to maintain ethical standards in his behavior that are not imposed on the business community at large. The majority of Washington area brokers are either realtors or realtists. Washington realtors are members of the Washington Board of Realtors, an affiliate of the National Association of Real Estate Boards. Its membership is all white.[10] Realtists are members of the Washington Real Estate Brokers Association. The membership of the association, while predominantly Negro, includes some whites.[11]

The code of ethics of the National Association of Real Estate Boards provides:[12]

> The Realtor should not be instrumental in introducing into a neighborhood a character of property or use which will clearly be detrimental to property values in that neighborhood.

Many area realtors appear to believe that selling to a Negro in a predominantly- or all-white neighborhood will be clearly detrimental to property values.[13] One witness testified that she had been told by a Montgomery County realtor that he could be put out of the Montgomery County Board of Realtors for selling to a Negro.[14]

George W. DeFranceaux, president of the Washington Board of Realtors testified that it isn't unethical for a

---

[10] *Id.* at 190, 209. There are three other area affiliates, the Montgomery County Board of Realtors (*id.* at 111), the Prince Georges County Board of Realtors (*id.* at 117), and the Northern Virginia Board of Realtors (*id.* at 118).

[11] *D.C. Housing Hearings* 190. The association is affiliated with the National Association of Real Estate Brokers. *Ibid.*

[12] *D.C. Housing Hearings* 112. Prior to 1950 the provision read: "A Realtor should never be instrumental in introducing into a neighborhood a character of property or occupancy, members of any race or nationality, or any individuals whose presence will clearly be detrimental to property values in that neighborhood." *Report of the U.S. Commission on Civil Rights, 1959* at 514.

[13] *D.C. Housing Hearings* 191, 210. But see *id.* at 172, 192, 246, 343, 420. Experience has shown that this does not happen. *Id.* at 241–42, 386–88. See also Laurenti, *Property Values and Race* (1960).

[14] *D.C. Housing Hearings* 101. A Montgomery County minister testified that "one of our men privately talked to a member of the Real Estate Board and got a private opinion of his that it was the policy not ever to sell, to negotiate this kind of transaction, where a Negro buys into a white area, on the basis that this is introducing inconsistent and undesirable elements into the neighborhood and this would be professionally unethical * * *" *Id.* at 96. See also *id.* at 458 (Arlington County) and 191 (District of Columbia).

realtor to show a house in a white area to a Negro if "the people in that area * * * want to sell to Negroes." [15] The question of whether it is unethical for a realtor to *refuse* to show a house to a Negro if the owner and the people of that area have no objection or if the owner alone has no objection remained unanswered. The fact is few realtors do show homes in these areas to prospective Negro buyers.[16]

"Blockbusting" is an offspring of restricted occupancy. The blockbuster enters a white area, sells a few homes to Negroes, and then stimulates panic selling by other residents. He relies upon underlying racial prejudice which he intensifies and distorts for his own use.

Blockbusting techniques have been used in at least one Washington neighborhood.[17] Homeowners have been assailed with junk mail, phone calls and door-to-door solicitations asking them to sell. It was alleged that reputable brokers have largely abandoned the area.[18]

Four years ago area homeowners formed Neighbors, Inc. Its members, white and Negro, meet to discuss community problems and act to resolve them. Their efforts have reduced racial tension and helped to stabilize the neighborhood.[19]

Mortgage lenders.—In the Washington metropolitan area Negro families have little difficulty financing homes if the security and location is acceptable and the borrower's credit position is satisfactory.[20] But a location in a predominantly- or all-white neighborhood is not generally acceptable.

In a statement submitted on behalf of the Mortgage Bankers Association of Metropolitan Washington, John C. Holzberg wrote: [21]

---

[15] *D.C. Housing Hearings* 210.
[16] *Id.* at 96, 98, 155–59, 191, 247–48, 426, 432–33, 459, 461–62.
[17] The area runs from Ingraham Street north to the District line, from Rock Creek Park east to Blair Road. *Id.* at 386.
[18] *Id.* at 380–414. See also *id.* at 32, 475.
[19] *Id.* at 380–81, 386–87.
[20] *Id.* at 316–17, 332–33, 336–38, 467.
[21] *Id.* at 467.

> Applications from minority groups are not generally considered in areas that are not recognized as being racially mixed, on the premise that such an investment would not be stable and attractive to institutional lenders.

Harry P. Bergmann, vice president of Riggs National Bank testified that Riggs has "loans in fringe areas or all-white areas on the verge of conversion. Where our survey would reveal that the conversion is just a matter of time away, we would make the loan." Mr. Bergmann indicated that he believes making a loan to a Negro who wishes to buy in an all-white area would create ill will for the bank. He admitted the criticism would die away, but anticipated an initial loss of business.[22]

Perpetual Building Association, the District's largest building and loan association, does make loans to Negroes who seek to buy in predominantly- or all-white neighborhoods. Ernest A. Thomas, its vice president and treasurer, testified that this practice has never resulted in a loss of business to Perpetual.[23]

The Federal Housing Administration.—A lower down payment, a longer term and lower monthly payments are the reasons why many a purchaser cannot buy unless he gets a mortgage insured by the Federal Housing Administration (FHA). In the Washington area FHA insures about one out of four small home mortgages.[24]

Since 1954 it has been FHA's policy to encourage open occupancy when it is acceptable to the area. In the Washington area it can point to one "open" development of 150 houses in Seat Pleasant, Md. The 4,500 house "closed" development, Levitt's Belair, Md., is also an FHA-insured project. FHA's policy is to leave the final choice of a buyer to the sponsor or owner, a policy which frequently results in discrimination.[25]

---

[22] *Id.* at 342.
[23] *Id.* at 348.
[24] *Id.* at 222.
[25] *Id.* at 223, 244–45. *Message From FHA Commissioner To Be Read by Insuring Office Directors at NAHB Local Meetings Relating to Providing Homes Available to Minorities*, No. 118130, June 16, 1954. Repossessed homes (125 at present), being owned by the Federal Government, are open to all qualified families. They are sold through local brokers. Although a qualified Negro family turned down by a broker may purchase directly from the local FHA office, there is no procedure to assure that local brokers will not discriminate. *D.C. Housing Hearings* 223, 246–48.

The combination.—The housing industry comprehends building, brokerage and mortgage lending. Many Washington firms are active in more than one phase of this industry. Many operate in the suburbs as well as the city. At least one broker and one lender, and sometimes a builder, are usually involved in the sale of every Washington home.

Area housing patterns are sharply defined along racial lines. Most members of the housing industry appear to respect them. Although it is unlikely that these patterns are determined by formal agreement, it is probable that they are maintained by tacit understandings. Several witnesses have suggested that by these understandings the members of the housing industry have restrained themselves and each other from selling to Negroes outside of changing or Negro areas—that they are engaging in a concerted refusal to deal. This, they assert, is in violation of the antitrust laws of the United States.[26]

Whatever else may be said, one thing seems certain: Without cooperation by and among the members of the housing industry, there could be little discrimination in housing.

---

[26] *D.C. Housing Hearings* 60, 64–68, 205, 433.

IV. an opportunity for leadership

Finally, of course, there is the key role of Government, which is very much involved in most of the housing activities, although not in all of them, and here it seems to me there is an opportunity for leadership.[1]

Nowhere in American housing is government action more apparent than when Federal and local agencies pool their efforts to eliminate slums and provide low-rent housing. In urban renewal and public housing, States must authorize municipalities to participate in projects and create local public agencies to carry them out. States and municipalities exercise their power of eminent domain. Public funds, regulation and control are fundamental. Under the U.S. Constitution this government action must not arbitrarily discriminate between groups of citizens.[2]

The suburbs.—In the Washington suburbs two localities take part in the federally aided urban renewal and public low-rent housing programs. In both, participation is limited. One of them, Alexandria, plans two urban renewal projects. A witness told the Commission that these, together with the widening of U.S. Highway No. 1, will reduce Alexandria's Negro housing in 2 years by more units than have been constructed in the past 10.[3] The Alexandria Citizens Advisory Committee on Minority Housing, a biracial committee required by Federal regulations for all communities seeking urban renewal grants, has unanimously charged the city with "consciously or unconsciously" using city planning and urban renewal

[1] *D.C. Housing Hearings* 36 (testimony of Robert C. Weaver, Administrator, Housing and Home Finance Agency).

[2] *Barnes* v. *City of Gadsden*, 268 F. 2d 593 (5th Cir. 1959), *cert. denied*, 361 U.S. 915 (1959); *Tate* v. *City of Eufala, Alabama*, 165 F. Supp. 303 (M.D. Ala. 1958); *Detroit Housing Commission* v. *Lewis*, 226 F. 2d 180 (6th Cir. 1955); *Banks* v. *Housing Authority of San Francisco*, 260 P. 2d 668 (Cal. Ct. App. 1st Dist. 1953), *cert. denied*, 347 U.S. 974 (1954).

[3] *D.C. Housing Hearings* 109, 466. It is also anticipated that approximately 663 families, many of whom are nonwhite, will be displaced through code enforcement in the next 2 years. *Id.* at 466.

projects to squeeze Negroes out of the community.[4] The Housing and Home Finance Agency has advised Alexandria that until housing for displaced families is found its application for Federal funds will be held up.[5]

Urban renewal in the District of Columbia.—With one exception (Columbia Plaza), Washington's eight urban renewal projects are in areas of heavy Negro concentration.[6] In Southwest, the only project where urban renewal housing has been completed, apartments and houses are available on an open occupancy basis.[7] W. B. Reynolds, consultant to Webb & Knapp, the first private redeveloper of the new Southwest, testified:[8]

> When Webb & Knapp entered into this program, they were fully cognizant of the inertia of open occupancy of dwelling units. The company looked upon this not as a deterrent to a successful rental and sales program, but as an opportunity to help create a new balanced community in what will soon be one of Washington's most desirable neighborhoods. The results to date have fully confirmed this opinion. Others now have reached the same conclusion, since there are several other large development firms involved in the overall project after spirited competition for the various sites offered.

The most difficult phase of urban renewal as it concerns minority groups is relocation of former residents. Mr. Philip Doyle, executive director of the District of Columbia Redevelopment Land Agency (RLA) stated "if we don't get this problem solved, I think we're going to have to call off the urban renewal program."[9] Basic to the solution are equal access to housing in the metro-

---

[4] Northern Virginia Sun, June 4, 1962, p. 1.
[5] Washington (D.C.) Post, June 7, 1962, p. 3D.
[6] *D.C. Housing Hearings* 47.
[7] *Id.* at 241–42, 248–49. In October 1961 the Redevelopment Land Agency adopted a policy of open occupancy in all urban renewal project areas. *Id.* at 43. Under this policy, antidiscrimination clauses are inserted in contracts between the Agency and private redevelopers. *Id.* at 294, 300. (Such a clause is not now required in these disposition contracts by the Federal Urban Renewal Administration where no antidiscrimination housing law is in effect in the jurisdiction. *Id.* at 311.) Dr. G. Franklin Edwards, testifying for the Washington Planning and Housing Association, criticized the contractual provision as inadequate because the Agency lacks effective enforcement machinery. *Id.* at 293–94.
[8] *D.C. Housing Hearings* 241.
[9] *Id.* at 279.

politan area and an adequate supply of low- and middle-income housing.[10]

Relocation.—According to Dr. G. Franklin Edwards of the Washington Planning and Housing Association, RLA has done a "creditable job" in relocation.[11] But only 27.5 percent of the 10,611 families expected to be displaced by government action between 1961 and 1965 will be displaced by urban renewal.[12] For more than 6 years community organizations have urged the D.C. Board of Commissioners to meet the total community need by establishing an adequately staffed central relocation service for *all* families displaced by government improvement programs.[13] On April 12, 1962, David A. Sawyer, executive director of the District Commissioners' Council on Human Relations informed this Commission that he had just left "a meeting and heard the Commissioners accept a program for setting up a central relocation service."[14] As of June 11, 1962, a special bill to estab-

[10] *Id.* at 34, 286, 385. It has been alleged that Southwest's relatively high rents in effect bar former residents and those of comparable economic status from residing in the area. *Id.* at 84–85. There is no middle-income housing in the project. By 1959, 735 public low-rent housing units had been completed and more than 174 were under construction in project B and the National Capital Housing Authority's Greenleaf Gardens project. District of Columbia Redevelopment Land Agency, *1959 Annual Report* 5, 15. In September 1960 the District Commissioners' Council on Human Relations investigated this charge and concluded, "with the concurrence of the community groups, that [it] * * * was false in terms of the objectives of urban renewal." *D.C. Housing Hearings* 84–85.

[11] *D.C. Housing Hearings* 291. RLA has also helped reduce dislocation by changing program emphasis to smaller projects (which will not involve large-scale demolition and displacement) and rehabilitation and conservation. *Id.* at 289, 290.

[12] *D.C. Housing Hearings* 47, 51, 293. Highway construction will uproot the largest number—3,811 families. The remainder will be displaced by such public improvement programs as schools, parks, code enforcement, the condemnation of unsanitary dwellings, and public housing. *Id.* at 51, 292, 293.

[13] *D.C. Housing Hearings* 47, 287–88, 292–93, 296. The District Commissioners' response to early requests was to create a system of interagency referrals in July 1957. On Feb. 19, 1960, they transferred relocation to the Department of Welfare. *Id.* at 47, 297. The Washington Housing and Planning Association characterized this experiment as "a failure of considerable magnitude." *Id.* at 297. In March 1961 the Federal City Council, after a study and survey of the District's urban renewal program, recommended that the "function of assisting the relocation of all families displaced by public activities in the District of Columbia should be centralized * * * and the present relocation functions in the Department of Welfare should be abolished." *Hearing on an Urban Renewal Program for the District of Columbia Before the House Committee on the District of Columbia*, 87th Cong., 1st Sess. at 19, 22 (1961).

[14] *D.C. Housing Hearings* 80, 81.

lish this service was awaiting approval by the Board of Commissioners before being forwarded to the Congress.[15]

The Federal Housing Administration's section 221 relocation housing program has been used sparingly in the Washington metropolitan area.[16] Although most displacees in the area are nonwhite, Negroes occupy but 20 percent of section 221 rental units.[17] This program may one day offer a partial answer to the problem of relocation. But the statistics "have not yet been particularly impressive."[18]

Public housing in the District of Columbia.—The National Capital Housing Authority (NCHA) manages 57 public low-rent housing developments. As of February 28, 1962, the 8,000 dwelling units under its management were occupied by 7,444 Negro and 376 white families, nearly 40,000 persons.[19]

At one time NCHA allocated units on the basis of race or color with four units Negro for every one unit white. Since June 1953 District low-rent housing has been available on an open occupancy basis. NCHA believes that racial balance is desirable. It rejected the use of occupancy controls or quotas to implement this view because of the high rate of displacement of Negro families by government action, the lack of an open private housing market both in the city and the suburbs and the lack of equal opportunity for economic advancement by Negroes.[20]

One problem confronting NCHA is demand. Some 8,045 families (7,997 nonwhite) are presently on its wait-

---

[15] Washington (D.C.) Post, June 12, 1962, p. 1B.

[16] This program was created to provide "particularly attractive financing for modestly priced housing which will give a priority to displacees." *Id.* at 291; 12 U.S.C. sec. 1715(1) (1958). Up to 1961 only 180 individual homes and 3 apartment projects (providing approximately 700 units) had been constructed. *D.C. Housing Hearings* 225.

[17] *D.C. Housing Hearings* 287, 291. In one local project of 103 units all occupants are white. In another of 96 units all occupants are Negro. A third project of 500 units houses 40 to 45 Negro families. *Id.* at 291. FHA regulations require sponsors of 221 housing "to accept without regard to race, creed, or color, holders of bona fide certificates evidencing their displacement by governmental action." *Id.* at 223. See 24 C.F.R. sec. 221.527 (Rev. as of Jan. 1, 1962).

[18] *D.C. Housing Hearings* 225.

[19] *Id.* at 253, 259, 261. These 8,000 dwellings represent about 3 percent of the housing inventory of the District. *Id.* at 253, 259.

[20] *D.C. Housing Hearings* 253–54, 260–61.

ing list. (Fiscal year 1961 started with 5,078 applications on hand.)[21] About 40,000 District families live in substandard housing, i.e., housing that lacks running water or a private bathroom or is dilapidated.[22] Some 10,611 families are expected to be displaced by Government action during 1961–65, about one-third requiring public housing.[23] The ever-increasing elderly population contains 32,000 more people who may need help.[24] Under present plans the number of public low-rent housing units will be increased by 2,000 in the next 4 years. For the next 2 years all that will be available is the turnover, a total of less than 2,000 units.[25]

Another problem with which NCHA is faced is site procurement. The land area of the District, to which the activities of the Authority are limited by law, is but 61 square miles (less than 5 percent of the land in the metropolitan area). Of this area less than 23 square miles are earmarked for residential purposes. Only 3 percent of District land is vacant.[26] NCHA has pursued a relentless, but frustrating search for usable sites. The suburbs have these sites.[27]

The dilemmas confronting public housing and urban renewal are largely the consequences of suburban exclusion. They cannot be resolved within the confines of the District. The suburbs must assume their part of the responsibility. Suburban governments have the power to do this.

An opportunity for leadership lies with all levels of government, Federal, State and local.

---

[21] *Id.* at 262.
[22] *Ibid.*
[23] *Id.* at 262. One-third of the families displaced by the Southwest urban renewal development went into public housing. *Ibid.*
[24] *D.C. Housing Hearings* 262–63.
[25] *Id.* at 259.
[26] *Id.* at 263. See ch. I at 1, *supra.*
[27] As of January 1960 Fairfax County had about 275 square miles of vacant land. As of January 1962 Montgomery and Prince Georges Counties had about 790 square miles of vacant land. Part will have to be used for streets, schools, parks, etc. But the majority is available for building.

V. our constitutional ideals: image vs. practice

In our nation's capital the problem is more than assuring equal opportunity to American citizens. When racial discrimination persists here, it sometimes constitutes a personal affront to the diplomats of sovereign nations and always reflects upon our ability as a nation to live up to our constitutional ideals.[1]

The shortage of rental housing for Washington's Negroes has created problems with international repercussions.[2] The obstacles which confront the American Negro in his search for housing also confront the nonwhite diplomat. The Federal Government has demonstrated serious concern about the situation. Some members of the real estate industry have exhibited good faith in trying to ease the problem. The question is how far good faith alone can be relied upon.

Availability of housing to nonwhite diplomats.—In 1961 the Bureau of Social Science Research, Inc., undertook a house-to-house canvass of "luxury" apartment buildings in Northwest Washington to determine the availability of apartments for African diplomats. The canvass showed that of 211 apartment houses and apartment-hotels on which information was gathered, only 8 would definitely accept African diplomats as tenants.[3]

---

[1] Letter from John F. Kennedy, President of the United States, to the U.S. Commission on Civil Rights, Apr. 1, 1962.

[2] Because diplomats generally, and ambassadors in particular, are representatives of their governments they have substantially the same prerogatives and privileges as heads of state. In former days, an ambassador was the personal representative of the king or sovereign, and in law he stood in his place. An affront to an ambassador was an affront to the king. Today it is clear that an affront to an ambassador is an affront to the government and to the nation he represents. This fact alone indicates the importance of the housing discrimination problems of foreign diplomats in Washington. See *IV Hackworth International Law*, sec. 370 (1940–43).

[3] *D.C. Housing Hearings* 165–68. The buildings canvassed were those judged to be suitable as housing for diplomatic personnel by reason of location, price range, and general character of the neighborhood. These buildings contained approximately 24,000 apartments of various sizes. The eight buildings for which African diplomats were clearly acceptable contained 1,241 apartments. Two of these eight buildings were apartment hotels. One of these proposed to charge African tenants daily hotel rates rather than the monthly charge usually made for tenants. *Ibid.*

In March 1962 the study was repeated in order to develop more current information and assess changes in attitudes. The results showed that, although an additional 207 apartments were available, resistance to admitting African diplomats as tenants had increased. The Bureau concluded:[4]

> In general, the availability of apartments for African diplomats is not significantly greater in 1962 than in 1961. If anything, responses have tended to shift in the direction of more definite resistance to making these facilities available to the diplomats. The few tendencies to shift toward a more permissive housing situation seem to be limited to individual action on the part of owners who exercise direct control over the management of their buildings.

Diplomatic status vs. racial discrimination.—A representative of Washington's financial community said that although his institution had never experienced any loss as a result of dealing with foreign diplomats, diplomatic status itself (which carries with it immunity from lawsuit) was one reason for the housing difficulties of foreign diplomats, white and nonwhite.[5]

A State Department representative testified that a diplomat rarely abuses his immunity for he knows that if he does the host government may declare him *persona non grata* and ask for his recall. This may imperil his career.[6]

The Bureau of Social Science Research found that the objection to African diplomats was both their diplomatic status and their color.[7] Nevertheless, State Department

---

[4] *D.C. Housing Hearings* 159–65. Nine buildings with 1,448 units gave a "yes" answer to the question of whether they would accept African diplomats as tenants. This represented less than 1 percent more than the 5 percent of apartments available in 1961 to African diplomats. One hundred and seventy-four buildings with 20,052 units stated that they would not house African diplomats. *Ibid.* This group of buildings represents a 20-percent increase over 1961.

[5] *D.C. Housing Hearings* 333–34. See also *id.* at 134–35.

[6] *Id.* at 185. Pedro A. Sanjuan, State Department Deputy Chief of Protocol, noted that although 5,000–6,000 individuals and families connected with diplomatic missions are housed in the Washington metropolitan area, his office received only 14 landlords' complaints during the past year. Each complaint, Mr. Sanjuan added, was carefully investigated and all but three or four were resolved to the landlord's satisfaction. He concluded: "I think that from 5,000 or 6,000 individuals, when we receive only 14 calls or 14 letters saying there is difficulty with the real estate owners or with the management, we do not believe * * * that there is great trouble with diplomatic tenants." *Id.* at 148.

[7] *D.C. Housing Hearings* 164, 168.

Chief of Protocol Angier Biddle Duke pointed out, "diplomats from nonwhite nations * * * suffer discrimination where diplomats from the European nations, for example, have no difficulty." [8]

Racial discrimination against diplomats has not been confined exclusively to those from African countries.[9] The more serious problem, however, involves these diplomats.[10]

The consequences.—The immediate concern of the State Department is the effect of racial discrimination upon our relations with the countries whose diplomats are discriminated against. G. Mennen Williams, Assistant Secretary of State for African Affairs testified: [11]

> [W]hatever the feeling of leadership might be, on the occasion of any one of these incidents involving diplomats, that

[8] *Id.* at 140. Less than 1 month before the D.C. Housing Hearings, the Secretary of State received a diplomatic note from the Dean of the Diplomatic Corps at Washington (Guillermo Sevilla Sacasa, Ambassador of Nicaragua) asking that efforts to resolve the problem of housing the African diplomatic missions "be intensified if possible * * * inasmuch as I have personal knowledge * * * that it is causing considerable distress to the diplomatic missions affected." *Id.* at 149.

[9] *D.C. Housing Hearings* 159. For example, a second secretary of an Asian embassy stated: "The officers in my embassy have not encountered discrimination in looking for housing in Washington. However, several of our staff members have told me of their difficulties. In each case after seeing the apartment, the manager would explain that it had already been rented, and yet the advertisement would continue to run in the paper. When they would telephone to inquire, they would be given some further excuse." *Id.* at 159.

[10] One Ambassador said: "In spite of the good work this country is doing, personal relations spoil a good deal of the work done in other fields. That is what happens with this housing thing. People feel very hurt when they are treated this way. I had great difficulty getting my house. The owner said he didn't object but the neighbors would. I said, 'Let the neighbors back out if they don't like me.' Finally with ruses, I got the house I wanted. But this is ridiculous. And the neighbors and I get along. The quicker you succeed in overcoming the housing discrimination, the better it will be for the country at large—that is, for foreigners' attitudes toward your country." *D.C. Housing Hearings* 158. For other statements see id. at 155–59.

[11] *D.C. Housing Hearings* 127. One African Ambassador, after having had a door slammed in his face and being told "We don't take any Negroes," informed the State Department: "[I] feel that my time in Washington is going to be completely wasted." He added: "If I have to announce that I am an Ambassador before I enter any establishment or apartment building in this city in order not to be subjected to insults and humiliation, I will request that my Government recall me." The Ambassador wondered how he could reconcile American ideals and justice with housing discrimination. He concluded: "I am * * * considering asking my Government to issue orders placing American diplomats in my country under the same disabilities which we find here in the United States unless this matter can be corrected." *Id.* at 125.

Diplomats who are not directly affected by housing discrimination also feel its effects. One minister stated that before inviting African colleagues to their apartments, members of the diplomatic corps "feel obliged, at all instances, to check and make sure there will be no embarrassment, and no misunderstanding." *Id.* at 159.

> country just goes up in smoke for the time being, and in many instances the press even of friendly countries bristles at anything like this. So, we do get a needless black eye.

The reactions of leading citizens and officials in Africa, he added, "varies from extreme criticism and hostility to a kind of hopeful understanding based on the fact that they recognize that we're doing something about it." Secretary Williams concluded: [12]

> Now, the latter point of view, of course, has only a certain elasticity, and if we don't proceed rapidly to fulfill the promises of our intentions I am sure that the view that they have, which is at least tolerant, will turn again to the criticism that is evident elsewhere.

Mr. Duke pointed out that the diplomat who encounters discrimination in the United States "may turn out to be the next Foreign Minister or Prime Minister or President of his own country." [13]

A counselor of one African embassy summed it up: [14]

> There is something about American policy which cannot be explained. It cuts through all your policy—it is the contradiction between what you say and what you do. You accuse the new countries of a double standard, but there are certain things in this country which seem false. On the one hand, ideals are pitched very high, while on the other, behavior is pitched very low. With never-ending talk of equality there is flagrant racial discrimination—we don't trust this country.

Remedial attempts.—Early in 1961 the State Department formed the Special Protocol Service Section (SPSS) to deal with cases of racial discrimination affecting diplomats. One of the most pressing questions which confronted SPSS was diplomatic housing.

On July 6, 1961, a group of real estate owners and managers met with Government representatives to discuss the problem of diplomatic housing. As a result of that meeting the Washington Diplomatic Housing Committee was formed.[15] Since that time the SPSS has been

---

[12] *D.C. Housing Hearings* 127.
[13] *Id.* at 140.
[14] *Id.* at 156. He added: "You must know that this discrimination is a matter of economics. So long as you slight these people, they tend to turn their trade—oh no, not necessarily to Russia, but to Europe, to other places, but to the ultimate disadvantage of the United States." *Ibid.*
[15] *D.C. Housing Hearings* 144–45. The members of the committee are listed at *id.* at 169.

sending weekly lists of diplomatic housing needs through the committee to the Washington Board of Realtors. The Board circulates the list to 70 or 80 of its members who are willing to receive it. Committee members and these members of the Board have reported vacancies for diplomats. But the State Department testified that in the 2 months preceding the D.C. Housing Hearings, the offers of availability had declined to one apartment.[16] Pedro A Sanjuan, State Department Deputy Chief of Protocol, told the Commission that although it has taken as little as 3 days to house a diplomat through the housing committee, it takes an average of 3 months. Some people have remained on the list for 6 months, he added.[17]

Chairman of the committee Frank J. Luchs testified that the committee and cooperating realtors have made 150 to 200 buildings available, averaging 100 to 150 apartments per building.[18] But "we're 99½ percent occupied in Washington apartments today," he added.[19] "[A]s of right this minute," he said, "there are only about four or five names of African diplomats presented to us for apartments that aren't satisfied." [20]

Scope of the solution.—The efforts of the Washington Diplomatic Housing Committee and cooperating realtors have provided much needed assistance. However, Mr. Sanjuan pointed out: [21]

> These few cannot help us solve the major problem. They have not been able to help us eliminate the rebuff, or appreciably shorten the long wait. The few members of the real estate community who have cooperated with us cannot, by themselves, effect the only workable solution—a solution which would allow anyone to seek and obtain accommodations according to his needs and means without restrictions of color or ethnic origin.

Can the problem be resolved for foreign diplomats only? Assistant Secretary of State Williams answered:

---

[16] *D.C. Housing Hearings* 145.
[17] *Id.* at 177.
[18] *Id.* at 171.
[19] *Id.* at 173.
[20] *Id.* at 171.
[21] *Id.* at 143.

"No." He explained: [22]

> First of all, the foreign diplomats would feel this sort of special discrimination almost as much as they do the kind of discrimination they now receive; and the second thing is you can't put a badge on every diplomat and tell him he has to wear it and, as a consequence, our American citizens and the foreign diplomats would be mistaken one for the other. Of course, there are two practical reasons. I think there's a moral reason which is overriding; that just can't afford to do this kind of thing.

"Even when we're successful in placing African diplomats in adequate housing," Mr. Duke added, "these diplomats need only look about to see that they are being singled out for special and isolated treatment and that an American Negro otherwise just as qualified cannot move into the same building." Here, he said, "lies the crux of the problem." He concluded: [23]

> I believe that only with provisions of law along the lines I have outlined can housing discrimination be ended in the District of Columbia. Only with the ending of it can we counter the belief of many key and important foreign diplomats that in questions of equal opportunity the United States professes one policy but lives by another—and, more important, only by eliminating such inequity can we live up to the promises we made to ourselves 180 years ago.

Former Ambassador Carlos P. Romulo, speaking recently before the National Press Club, put the matter more bluntly:

> It is cause for almost hopeless despair among those who love you that at this late date this society is still dragged down by its failure to achieve the most elementary kind of equality of rights for all its citizens.

"The problem," he said, "is not your 'image' but what you are." [24]

---

[22] *Id.* at 128. As one African Ambassador said: "I have been told that I ought to wear my robes when I go out, but no, that's ridiculous. At home I dress the way Americans do, and I am not going to dress specially. After all, it's the man who counts, the person inside the suit. I will not wear clothes in order to be respected as a person. I will be respected regardless of what I wear. When I feel like wearing robes, I will, but if you ask me to do it so everyone will know I am an African, no, I won't." *Id.* at 155.

[23] *D.C. Housing Hearings* 140–41.

[24] Embassy of the Philippines, Press Release, Mar. 6, 1962.

VI. time, education, and law

Where justice is not evident then law must take its stand.[1]

The Commission heard 40 witnesses and received 14 additional statements. All were in agreement that discrimination in housing in the Nation's Capital is an undemocratic practice damaging to the community and the Nation, a situation that must be corrected. They disagreed as to what steps should be taken.

George W. DeFranceaux, president of the Washington Board of Realtors told the Commission that "time and education will take care of the situation." He explained:[2]

> With education you will have the same effect as tossing a pebble into a pond with the circles of water becoming wider and wider until they again settle as part of the pond. This can best take place by orderly process. It is taking place in Washington, even though the pace may seem slow.

Pointing out that years ago housing discrimination against Jews, Chinese, and Filipinos had been prevalent in the Washington area, Mr. DeFranceaux concluded it "has all taken care of itself. There is no problem there, and [discrimination against Negroes] * * * is the next problem, but it takes time. I'm sorry. It takes time." In Mr. DeFranceaux's opinion Washington's problem of housing discrimination against Negroes will be solved within 10 years.[3]

A representative of Washington's financial community thought that the next generation or the generation afterwards will solve the problem. He added:[4]

> Looking at it in the manner in which we have grown up, the segregation that we went through in school—now we're not having segregation in school now. We're having more integrated employment, and it is working toward its solution right now.

---

[1] *D.C. Housing Hearings* 425 (remarks by Rt. Rev. George L. Gingras, pastor, Parish of Sts. Paul and Augustine).
[2] *Id.* at 187.
[3] *Id.* at 213–14. But see ch. 3 at 10–11, *supra; D.C. Housing Hearings* 127, 189, 425–26, 430.
[4] *D.C. Housing Hearings* 350.

Frank J. Luchs, past president of the Washington Board of Realtors and chairman of the Washington Diplomatic Housing Committee, stated: [5]

> I think that it is a gradual process, and I think that it can be accomplished, but it isn't something that you just open wide the city overnight and get it accomplished.

Asked how long he thought it would take, Mr. Luchs estimated 2 or 3 years at the most.

Several witnesses maintained that only with law as an instrument of education will the passage of time be meaningful. Eugene Davidson, former President of the Washington Real Estate Association told the Commission: [6]

> * * * law is the catalytic agent which has brought about, through the centuries, changes in mores and changes in attitudes thus giving morality and justice form and substance.

State Department Chief of Protocol Angier Biddle Duke said the solution for foreign diplomats hinged on additional legal sanctions in the District of Columbia which will guarantee equal access to housing for all.[7]

Representatives of the housing industry contended that law would not provide a solution. "I think the law would create problems, * * * and we'll all be a lot better off and a lot happier if it's done without having it forced down our throats," Mr. Luchs said.[8] Mr. DeFranceaux put it: [9]

> * * * until such time as these owners are ready to accept open-occupancy, rules and regulations are not going to make any material difference. Yes; there will be some few people that will get in some housing, * * * but it [won't solve] the problem.

Isaac Franck, executive director of the Jewish Community Council of Greater Washington, agreed that if things were left alone the problem of housing discrimination would be solved.[10] He told the Commission:

---

[5] *Id.* at 170.
[6] *Id.* at 196.
[7] *Id.* at 141.
[8] *Id.* at 170.
[9] *Id.* at 216.
[10] *Id.* at 432–33. See testimony of Frank J. Luchs (*id.* at 170). See also testimony of George W. DeFranceaux (*id.* at 186–87) and of Harry P. Bergmann (*id.* at 349).

> The evidence is overwhelming, I think * * * that the American people in the Washington area, and in increasingly large numbers, do not demand restricted or racially and religiously segregated neighborhoods and are prepared to accept as neighbors families of good character, irrespective of color or religion.

But the fact is, Mr. Franck went on to say, "things are not left alone and the gravamen of the problems seems to me to reside in the fact that, on the whole, it is the real estate industry that refuses to leave things alone." The question in Mr. Franck's view is "how to get those elements in the real estate industry who practice and perpetuate discrimination to leave things alone." "This," he concluded, "is uniquely a job for Government." [11]

Assistant Secretary of State G. Mennen Williams believes "we should proceed as rapidly as possible to have an open-housing law of one kind or another." [12] Angier Biddle Duke, State Department Chief of Protocol, outlined the provisions that the law should contain: [13]

> There should, I believe, be provisions in the law covering real estate brokers, lending institutions, owners of real property or their agents, and these should eliminate all forms of discrimination in housing because of race, creed, or national origin, including discrimination involving sales, leases, repairs, and restrictive covenants.

A number of witnesses supported Mr. Duke's recommended antidiscrimination housing law for the District of Columbia.[14] Several said that the District Commissioners now have the power to issue a regulation prohibiting discrimination in housing. "No Federal action is necessary to do this" contended Joseph L. Rauh, Jr., a Washington attorney.[15] Former President of the District Board of Commissioners Robert E. McLaughlin had no doubt that the general licensing power of the D.C. Commissioners would provide "considerable help." [16] Mr. Rauh stated the "Commissioners of the District have the police

---

[11] *D.C. Housing Hearings* 432–33.
[12] *Id.* at 127.
[13] *Id.* at 141.
[14] See, *e.g.*, *id.* at 196, 319, 419, 426.
[15] *Id.* at 426.
[16] *Id.* at 435.

power to issue a regulation prohibiting discrimination in housing." [17]

Although many witnesses pointed out that a Presidential Executive Order covering all building, insuring and lending activities of the Federal Government on a national scale is necessary to open housing in Maryland and Virginia suburbs,[18] most believed that it alone would not be enough. A District antidiscrimination housing regulation must also be adopted. Said Walter Lewis, assistant executive director of the Washington Urban League, "we're talking about separate and distinct remedies." [19] Mr. Rauh concluded: [20]

> The need for a D.C. fair housing code is not diminished one iota by the favorable prospects for a Presidential Executive order on housing. Such an order would complement a District of Columbia regulation by helping to open up for Negro occupancy new housing in the great seas of suburban "white only" housing around the Nation's Capital.

From all that has been said, one thing is eminently clear—the problems are complex and difficult. All the forces of Government and the community must work to find solutions and to help make them effective. It will take time. But time must be utilized to some purpose. There must be education. And there must be law, as an instrument of education, to bring about changes in behavior out of which come changes in attitudes.

---

[17] *Id.* at 426.
[18] *Id.* at 436.
[19] *Id.* at 70.
[20] *Id.* at 426.

findings

General

1. Both in 1959 and in 1961, this Commission found that housing is "the one commodity in the American market that is not freely available on equal terms to everyone who can afford to pay." This is true of the Washington metropolitan area in 1962.

2. To a large extent, the Washington metropolitan area is racially segregated in its housing pattern. While several factors contribute to this pattern of segregation, discrimination is the principal one.

3. The District of Columbia and the separate political entities that constitute its suburbs are, in fact, but a single urban community where housing problems are closely interrelated. Similarly, the problems of housing discrimination in the District and its suburbs, while differing in scope and intensity, are metropolitan in character and can be met fully only on a metropolitan basis.

4. Housing discrimination in the Washington metropolitan area is generally based solely on race or color. In addition there are some areas within the District of Columbia and surrounding communities where discrimination is directed against individuals on the basis of religion and national origin.

The District of Columbia

5. The percentage of Negroes in the population of the District of Columbia has increased greatly during the past two decades. Negroes now constitute a majority of the District's population.

6. An overall expansion of housing opportunities for Negroes has occurred in the District of Columbia but expansion has been accompanied by continuing segregation. The market in sales housing, particularly, has expanded for District of Columbia Negroes principally because of the pressure of the rapidly expanding District

Negro population. Adequate rental housing in the District still is largely unavailable to Negroes except in low-rent public housing, for which long waiting lists already exist, and in a few new developments not capable of meeting the demand. Free housing choice does not exist generally in the District, and nonwhites are largely confined to the least desirable housing.

7. The lack of free housing choice for Negroes in the District of Columbia, accompanied by a rapidly expanding Negro population, have been prime contributors to rapid changes from all-white to all-Negro occupancy in many District neighborhoods.

8. Several private organizations are working in the District toward the objective of neighborhood stabilization on a desegregated basis. These private groups have had some success, but their task is difficult in the absence of any effective legal restriction on discrimination. Their efforts should be encouraged as one of the most promising means of dealing with the problems.

The Suburbs

9. Washington's suburbs, unlike the District of Columbia, have experienced a substantial decrease in the percentage of Negro population. A factor significantly responsible for this percentage decrease has been the lack of suburban housing available to Negroes.

10. Negroes who still reside in the suburbs are generally confined to small enclaves surrounded by the expanding white majority. The housing they occupy, though a disproportionately small percentage of all units, constitutes a near majority of the dilapidated housing.

11. In some instances the result of local governmental action, such as zoning and eminent domain, has been the forcing of Negroes out of established areas. Generally, any new housing erected is not available to Negro families.

The Housing Industry

12. Experience in the Washington metropolitan area substantiates the conclusion of the Commission on Race

and Housing: "It is the real estate brokers, builders, and mortgage financing institutions which translate prejudice into discriminatory action."

13. Most builders of new housing developments in the Washington area—particularly in the suburbs—have excluded Negroes.

14. The Federal Housing Administration, which has been a principal factor in the expanded supply of new housing in metropolitan Washington, has taken no action to assure that builders afford equal access to new housing regardless of race, color, religion or national origin. Those policies designed to encourage open occupancy, which the Federal Housing Administration has instituted on a nationwide basis, have not been adequately implemented in the Washington area.

15. Restrictive covenants, although judicially unenforceable, are still used and recorded in the Washington area, and are often effective in barring members of the proscribed racial and religious groups from occupying homes of their choice and within their means.

16. In the District of Columbia, mortgage credit is generally available to Negroes, but largely only for homes in all-Negro or already "mixed" neighborhoods. In the suburbs, with few exceptions, mortgage financing for Negroes is unavailable.

17. White and Negro brokers in the Washington area belong to separate real estate brokers associations—the Board of Realtors for the former and the Real Estate Brokers Association for the latter. Although the Association has some white members, the Boards of Realtors maintain an all-white membership.

18. Many realtors refuse to deal with Negroes seeking to purchase homes in all-white neighborhoods or communities.

19. Some real estate brokers in the District use "blockbusting" techniques to induce panic-selling by white homeowners and resultant neighborhood instability.

20. Several studies of public receptivity to open occupancy housing in Washington cast doubt on the con-

tention, made by elements of the housing industry, that the Washington metropolitan population demands segregated neighborhoods. Moreover, the few examples of desegregated housing in Washington have been successful ones.

21. There is evidence of a concerted refusal by members of the housing and home finance industry to deal with minorities seeking to live in certain neighborhoods and communities in the Washington area.

Foreign Diplomats

22. Racially discriminatory practices in the District of Columbia, particularly with reference to rental housing, extend to nonwhite diplomats. The prevalence of such practices has become a matter of serious concern to the Department of State, and threatens to interfere with the effective conduct of foreign relations.

23. The problem with respect to nonwhite foreign diplomats cannot be met by securing adequate housing for them alone. It involves the treatment of all nonwhites in the Washington area—including those of American citizenship.

Local Government and Housing

24. The aims of urban renewal and other civic improvement programs in the District are being jeopardized by the failure to secure decent, safe, and sanitary housing for the displacees who are predominantly nonwhite.

25. In the one Washington suburban community where urban renewal is in operation, it is having the effect of forcing Negroes out.

26. While public housing in the District, limited by the scarcity of available land, is faced with a fast-increasing waiting list of families, there is considerable vacant land in Washington's suburbs that could be used for public and other low-income housing of eligible families both from the District and from the suburbs.

recommendations

Preface

It is a basic finding of this Commission that the problem of housing discrimination in Washington is metropolitan in scope. The response to this problem must also be of a metropolitan character. In its *1961 Report* this Commission recommended the issuance of a Presidential Executive Order on equal housing opportunity, relating to governmental involvement in housing and home finance. Such an order on a nationwide basis is needed now as it was then. With respect to the Washington area its issuance is fundamental to a metropolitan solution. The Commission reaffirms its 1961 recommendation as an important adjunct to the recommendations that follow.

Recommendation 1.—That the Board of Commissioners of the District of Columbia issue and effectively implement an appropriate regulation prohibiting discrimination on the basis of race, color, religion, or national origin in the sale, rental, or financing of housing accommodations within the District of Columbia.

The Commission states this recommendation in general terms because it regards the precise scope or coverage of the regulation to be a matter appropriately left to the judgment of the Board of Commissioners. Whether, for example, religious or denominational institutions, charitable or educational organizations which are controlled or supervised by a religious organization, bona fide private or fraternal organizations, or single-family dwellings, should be covered or exempted are questions which the Board of Commissioners would undoubtedly consider in drafting regulations.

Concurring statement to Recommendation 1 by Commissioner Rankin *in which* Vice Chairman Storey joins.—I voted for this Recommendation on the record of

our hearing and investigation which show that a number of builders, real estate brokers and lending institutions have placed racial restrictions on where people may live. Such practices limit the freedom of choice of United States citizens.

As the Recommendation indicates, effective elimination of these practices is a matter which should be handled by State and local boards. However, it is my hope that the District of Columbia Board of Commissioners, should it elect to follow the Recommendation, will not make it applicable to sales and rentals by individual owners of the homes they occupy. To do so would be to trespass on individual property rights. There are many and varied personal reasons, tangible and intangible, which may lead a homeowner to choose to sell or not to sell his house to a particular applicant. The competence of any administrative agency to determine the legitimacy of these motives is subject to considerable doubt. In my view, equal opportunity can be expanded and prejudice combated by regulation which does not tread on this dangerous ground.

Recommendation 2.—That the Board of Commissioners of the District of Columbia require:

(a) The suspension or revocation of any license to act as a real estate broker or salesman issued under the provisions of D.C. Code secs. 45–1401 to 45–1418 (1961);* and

(b) The suspension or revocation of any license to provide housing accommodations issued under the provisions of D.C. Code sec. 47–2328 (1961);

for participating or engaging in any act prohibited by such

*Consideration might be given to prohibiting the following acts (subject, of course, to the limitations in coverage of such a regulation as may be promulgated in accordance with recommendation 1): (a) acceptance of any listings of housing accommodations for sale or rent with restrictions based upon race, color, religion, or national origin, (b) quotation of different prices for the same housing accommodations where the difference is based upon race, color, religion, or national origin, (c) refusal to show or offer any housing accommodations to any prospective purchaser or renter because of his race, color, religion, or national origin, or (d) solicitation of listings on any housing accommodations using as inducement for such listings any statement or representation concerning race, color, religion, or national origin.

regulation as may be promulgated in accordance with Recommendation 1.**

Recommendation 3.—That the Board of Commissioners of the District of Columbia issue a regulation declaring racial and religious restrictions contained in instruments affecting the title to real property to be void and of no effect.

Recommendation 4.—That the National Capital Regional Planning Council, to meet its planning responsibilities, establish a standing committee on minority housing problems to assure that the rights of members of minority groups are protected in regional plans and to work for equal access to housing for all.

Recommendation 5.—That the Congress of the United States authorize the establishment of a central relocation service for the District of Columbia to serve all persons forced out of their dwellings because of highway or school construction, urban renewal, or any other Governmental action. This service should include aiding displacees to find decent, safe and sanitary housing, and providing for financial aid to displaced families in order to facilitate their movement to new homes.

Recommendation 6.—That the President request the Department of Justice to undertake an investigation to determine whether any acts of members of the housing and home finance industry in the Washington metropolitan area constitute a violation of the antitrust laws of the United States; and if so, that the Department institute appropriate proceedings against such members.

**Enforcement of the proposed regulation might well be left to a multimember panel having the following authority: To initiate, receive, and investigate complaints; to attempt to eliminate violations by means of mediation and conciliation; to hold public hearings; and, upon a finding that a violation has occurred, to revoke the licenses referred to in the recommendation and to seek appropriate judicial remedies.

APPENDIX

TABLE I.—*Population characteristics for the Washington, D.C., standard metropolitan statistical area: 1950 and 1960* [1]

Area	Total		White		Negro		Other nonwhite	
	1960	1950	1960	1950	1960	1950	1960	1950
Washington, D.C., SMSA:								
Number [2]	2,001,897	1,464,089	1,502,429	1,121,930	487,183	337,757	12,285	4,402
Percent distribution [3]	100.0	100.0	75.1	76.6	24.3	23.1	0.6	0.3
Percent of SMSA [4]	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Washington, D.C.:								
Number [2]	763,956	802,178	345,263	517,865	411,737	280,803	6,956	3,510
Percent distribution [3]	100.0	100.0	45.2	64.6	53.9	35.0	0.9	0.4
Percent of SMSA [4]	38.2	54.8	23.0	46.2	84.5	83.1	56.6	79.7
Maryland and Virginia:								
Number [2]	1,237,941	661,911	1,157,166	604,065	75,446	56,954	5,329	892
Percent distribution [3]	100.0	100.0	93.5	91.3	6.1	8.6	0.4	0.1
Percent of SMSA [4]	61.8	45.2	77.0	53.8	15.5	16.9	43.4	20.3

[1] Compiled from U.S. Bureau of the Census, *U.S. Census of Population: 1950.* Vol. II, *Characteristics of the Population*, part 9, Dist. of Col.; *U.S. Census of Population: 1960. General Population Characteristics, District of Columbia*, final report PC(1)-10B. Note: The area included within the 1950 Washington, D.C., SMA is the same as the area included within the 1960 Washington, D.C., SMSA.

[2] The number of inhabitants of an area given first as a total and then divided into white, Negro, and other nonwhite (i.e., Indian, Japanese, Chinese, Filipino, etc.) persons.

[3] The proportion of white, Negro, and other nonwhite persons that live in an area (percentages are adjusted to the nearest one-tenth of 1 percent).

[4] The proportional distribution of population: white, Negro, and other nonwhite within the Washington, D.C., SMSA (percentages are adjusted to the nearest one-tenth of 1 percent).

TABLE II.—*1960: Housing characteristics for the Washington, D.C., standard metropolitan statistical area* [1]

A. ALL OCCUPIED DWELLING UNITS

	Dwelling Units	White	Nonwhite
Washington, D.C., SMSA:			
Dwelling units [2]	590,621	463,618	127,003
Percent distribution [3]	100.0	78.5	21.5
Percent of SMSA [4]	100.0	100.0	100.0
Washington, D.C.:			
Dwelling units [2]	252,066	140,876	111,190
Percent distribution [3]	100.0	55.9	44.1
Percent of SMSA [4]	42.7	30.4	87.5
Maryland and Virginia:			
Dwelling units [2]	338,555	322,742	15,813
Percent distribution [3]	100.0	95.3	4.7
Percent of SMSA [4]	57.3	69.6	12.5

B. OWNER-OCCUPIED

Washington, D.C. SMSA:			
Dwelling Units [2]	289,102	244,547	44,555
Percent Distribution [3]	100.0	84.6	15.4
Percent of SMSA [4]	100.0	100.0	100.0
Washington, D.C.:			
Dwelling Units [2]	75,532	39,505	36,027
Percent Distribution [3]	100.0	52.3	47.7
Percent of SMSA [4]	26.1	16.2	80.9
Maryland and Virginia:			
Dwelling Units [2]	213,570	205,042	8,528
Percent Distribution [3]	100.0	96.0	4.0
Percent of SMSA [4]	73.9	83.8	19.0

See footnotes at end of table.

TABLE II.—*1960: Housing characteristics for the Washington, D.C., standard metropolitan statistical area* [1]—Continued

C. TENANT-OCCUPIED

	Dwelling Units	White	Nonwhite
Washington, D.C. SMSA:			
Dwelling Units [2]	301,519	219,071	82,448
Percent Distribution [3]	100.0	72.7	27.3
Percent of SMSA [4]	100.0	100.0	100.0
Washington, D.C.:			
Dwelling Units [2]	176,534	101,371	75,163
Percentage Distribution [3]	100.0	57.4	42.6
Percent of SMSA [4]	58.5	46.3	91.2
Maryland and Virginia:			
Dwelling Units [2]	124,985	117,700	7,285
Percent Distribution [3]	100.0	94.2	5.8
Percent of SMSA [4]	41.5	53.7	8.8

[1] Compiled from U.S. Bureau of the Census, *U.S. Census of Housing: 1960*, vol. I, *States and Small Areas, District of Columbia*, final report HC(1)-10.
[2] The number of dwelling units in an area first given as a total and then divided into white and nonwhite (i.e., Negro, Japanese, Chinese, Filipino, etc.) occupancy.
[3] The proportion of white and nonwhite occupied dwelling units in an area (percentages are adjusted to the nearest one-tenth of 1 percent).
[4] The proportional distribution of the total, white and nonwhite occupied dwelling units within the Washington, D.C., SMSA (percentages are adjusted to the nearest one-tenth of 1 percent).

TABLE III.—*1950–1959: Components of change in housing inventory for the Washington, D.C., standard metropolitan statistical area* [1]

A. Owner-Occupied Units

	Total	White	Nonwhite
December 1959	298,074	258,166	39,908
Percent distribution [2]	100.0	86.6	13.4
New construction: 1950 to 1959	122,838	120,150	2,688
Percent distribution [2]	100.0	97.8	2.2
April 1950	172,718	147,967	24,751
Percent distribution [2]	100.0	85.7	14.3

B. Tenant-Occupied Units

December 1959	274,875	206,383	68,492
Percent distribution [2]	100.0	75.1	24.9
New construction: 1950 to 1959	71,579	65,257	6,322
Percent distribution [2]	100.0	91.2	8.8
April 1950	232,393	183,495	48,898
Percent distribution [2]	100.0	79.0	21.0

C. All Occupied Units

December 1959	572,949	464,549	108,400
Percent distribution [2]	100.0	81.1	18.9
New construction: 1950 to 1950	194,417	185,407	9,010
Percent distribution [2]	100.0	95.4	4.6
April 1950	405,111	331,462	73,649
Percent distribution [2]	100.0	81.8	18.2

[1] Compiled from U.S. Bureau of the Census, *U.S. Census of Housing: 1960*, vol. IV, *Components of Inventory Change*, final report HC(4), part 1A, No. 18.
[2] The proportion of white and nonwhite (i.e., Negro, Japanese, Chinese, Filipino, etc.) occupied units (percentages are adjusted to the nearest one-tenth of 1 percent).

TABLE IV.—*Condition of occupied housing in the Washington, D.C., standard metropolitan statistical area: 1960* [1]

	Total	White	Nonwhite
Washington, D.C., SMSA:			
All dwellings [2]	590,621	463,618	127,003
Sound: [6]			
Dwellings [2]	550,136	445,505	104,631
Percent distribution [3]	100.0	81.0	19.0
Percent of all dwellings [4]	93.1	96.1	82.4
Percent of SMSA [5]	100.0	100.0	100.0
Deteriorating: [7]			
Dwellings [2]	32,445	15,258	17,187
Percent distribution [3]	100.0	47.0	53.0
Percent of all dwellings [4]	5.5	3.3	13.5
Percent of SMSA [5]	100.0	100.0	100.0
Dilapidated: [8]			
Dwellings [2]	8,040	2,855	5,185
Percent distribution [3]	100.0	35.5	64.5
Percent of all dwellings [4]	1.4	0.6	4.1
Percent of SMSA [5]	100.0	100.0	100.0
Washington, D.C.:			
All dwellings [2]	252,066	140,876	111,190
Sound: [6]			
Dwellings [2]	229,256	134,688	94,568
Percent distribution [3]	100.0	58.8	41.2
Percent of all dwellings [4]	91.0	95.6	85.1
Percent of SMSA [5]	41.7	30.2	90.4
Deteriorating: [7]			
Dwellings [2]	19,597	5,533	14,064
Percent distribution [3]	100.0	28.2	71.8
Percent of all dwellings [4]	7.8	3.9	12.6
Percent of SMSA [5]	60.4	36.3	81.8
Dilapidated: [8]			
Dwellings [2]	3,213	655	2,558
Percent distribution [3]	100.0	20.4	79.6
Percent of all dwellings [4]	1.3	0.5	2.3
Percent of SMSA [5]	40.0	22.9	49.3
Maryland and Virginia:			
All Dwellings [2]	338,555	322,742	15,813
Sound: [6]			
Dwellings [2]	320,880	310,817	10,063
Percent Distribution [3]	100.0	96.9	3.1
Percent of All Dwellings [4]	94.8	96.3	63.6
Percent of SMSA [5]	58.3	69.8	9.6
Deteriorating: [7]			
Dwellings [2]	12,848	9,725	3,123
Percent Distribution [3]	100.0	75.7	24.3
Percent of All Dwellings [4]	3.8	3.0	19.8
Percent of SMSA [5]	39.6	63.7	18.2
Dilapidated: [8]			
Dwellings [2]	4,827	2,200	2,627
Percent Distribution [3]	100.0	45.6	54.4
Percent of All Dwellings [4]	1.4	0.7	16.6
Percent of SMSA [5]	60.0	77.1	50.7

[1] Compiled from U.S. Bureau of the Census, *U.S. Census of Housing: 1960*, vol. I, *States and Small Areas*, *District of Columbia*, final report HC(1)-10.

[2] The number of dwellings in an area first given as a total and then divided into white and nonwhite (i.e. Negro, Japanese, Chinese, Filipino, etc.) occupancy.

[3] The proportion of white and nonwhite occupied dwellings in an area (percentages are adjusted to the nearest one-tenth of 1 percent).

[4] The proportion of total, white and nonwhite occupied sound, deteriorating and dilapidated dwellings in an area (percentages are adjusted to the nearest one-tenth of 1 percent).

[5] The proportional distribution of total, white and nonwhite occupied sound, deteriorating and dilapidated dwellings within the Washington, D.C., SMSA (percentages are adjusted to the nearest one-tenth of 1 percent).

[6] No defects or slight defects which are normally corrected during the course of regular maintenance.

[7] One or more defects which would not be repaired in the course of regular maintenance that must be corrected if the dwelling is to continue to provide safe and adequate shelter.

[8] One or more defects so critical or widespread that the dwelling should be extensively repaired, rebuilt or torn down as it is unsafe and inadequate for shelter and endangers the health, safety or well-being of its occupants.

TABLE V.—*Income*[2] *in 1959 of families*[3] *for the District of Columbia: 1960*[1]

	Total	Under $3,000	$3,000 to $4,999	$5,000 to $6,999	$7,000 and over
All	173,695	30,077	39,248	32,803	71,567
White	82,637	8,463	12,671	15,492	46,011
Percent of All [4]	47.6	28.1	32.3	47.2	64.3
Nonwhite	91,058	21,614	26,577	17,311	25,556
Percent of All [4]	52.4	71.9	67.7	52.8	35.7
Percent of White [4]	110.2	255.4	209.7	111.7	55.5

[1] Compiled from U.S. Bureau of the Census, *U.S. Census of Population: 1960, General Social and Economic Characteristics, District of Columbia*, final report PC(1)-10C, table 65 at 10–45.
[2] Money income before deductions. See *id.*
[3] The combined incomes of all members are treated as a single amount. See *id.* at XXIV. Unrelated individuals accounted for 26.8 percent of the white population, 10.7 percent of the Negro population.
[4] Adjusted to the nearest one-tenth of 1 percent.

TABLE VI.—*Financial characteristics of housing units for the Washington, D.C., standard metropolitan statistical area: 1960*[1]

A. OWNER-OCCUPIED UNITS

Value	Less than $7,500	$7,500 to $9,900	$10,000 to $12,400	$12,500 to $14,900	$15,000 to $24,900	$25,000 or more
The area	8,722	10,755	30,196	46,983	128,643	48,766
Washington, D.C.:						
White	810	1,480	3,879	5,485	15,167	10,391
Nonwhite [2]	1,180	2,778	6,708	11,163	11,458	807
Percent of the area [2]	13.5	25.8	22.2	23.8	8.9	1.7
Maryland and Virginia:						
White	4,414	5,281	18,005	29,227	100,563	37,296
Nonwhite	2,318	1,216	1,604	1,108	1,455	272
Percent of the area [2]	26.6	11.3	5.3	2.4	1.1	0.6

B. TENANT-OCCUPIED UNITS

Gross Monthly Rent	Less than $60	$60 to $99	$100 to $119	$120 or more
The area	30,779	166,270	40,945	55,065
Washington, D.C.:				
White	10,770	58,983	10,911	19,030
Nonwhite	14,627	48,291	5,893	4,632
Percent of the area [2]	47.5	29.0	14.4	8.4
Maryland and Virginia:				
White	3,749	55,768	23,515	30,978
Nonwhite	1,633	3,228	626	425
Percent of the area [2]	5.3	1.9	1.5	0.8

[1] Compiled from U.S. Bureau of the Census, *U.S. Census of Housing; 1960*, vol. I, *States and Small Areas District of Columbia*, final report HC(1)-10.
[2] The proportion which local nonwhite occupied units are of all similar units in the SMSA.

TABLE VII.—*Occupation groups of employed persons for the Washington, D.C., standard metropolitan statistical area: 1960*[1]

Occupation group	Total	White	Percent of total	Nonwhite	Percent of total
Professional, managerial, etc.	223,563	205,100	91.7	18,463	8.3
Other white collar	244,108	205,750	84.3	38,358	15.7
Craftsmen, foremen, etc.	80,916	68,851	85.1	12,065	14.9
Other blue collar	57,930	33,304	57.5	24,626	42.5
Service workers	98,962	36,228	36.6	62,734	63.4
Laborers	29,365	9,186	31.3	20,179	68.7
Not reported	57,077	34,568	60.6	22,509	39.4

[1] Compiled from U.S. Bureau of the Census, *U.S. Census of Population: 1960, General Social and Economic Characteristics, District of Columbia*, final report PC(1)-10C.

TABLE VIII.—*Formal education of persons 25 years of age and over in the Washington, D.C., standard metropolitan statistical area: 1960* [1]

A. Years of School Completed

	Total	White	Nonwhite
College—4 or more years	196,989	178,885	18,104
Percent distribution [2]	100.0	90.8	9.2
College—1 to 3 years	150,799	131,604	19,195
Percent distribution [2]	100.0	87.3	12.7
High school—4 years	291,075	244,362	46,713
Percent distribution [2]	100.0	84.0	16.0

B. School Enrollment

College	46,942	39,494	7,448
Percent distribution [2]	100.0	84.1	15.9
High school	97,198	75,389	21,809
Percent distribution [2]	100.0	77.6	22.4

[1] Compiled from U.S. Bureau of the Census, *U.S. Census of Population: 1960, General Social and Economic Characteristics, District of Columbia*, final report PC(1)-10C.

[2] The proportion of white and nonwhite persons who have achieved the stated level of education or are enrolled at the stated level (percentages are adjusted to the nearest one-tenth of 1 percent).

U.S. GOVERNMENT PRINTING OFFICE: 1962

The United States Commission on Civil Rights