

For a study such as that proposed by the President, the authority to hold public hearings, to subpoena witnesses, to take testimony under oath and to request necessary data from executive departments and agencies is obviously essential. No agency in the Executive Branch of Government has the legal authority to exercise such powers in a study of matters relating to civil rights.

II. Civil Rights Division in the Department of Justice.

In 1939 the present Civil Rights Section was created in the Criminal Division of the Department of Justice. Its function and purpose has been to direct, supervise and conduct criminal prosecutions of violations of the federal constitution and laws guaranteeing civil rights to individuals. As long as its activities were confined to the enforcement of criminal laws it was logical that it should be a section of the Criminal Division.

Recently, however, the Justice Department has been obliged to engage in activity in the civil rights field which is non-criminal in character. An example is the recent participation of the Department, as *amicus curiae*, in a civil suit to prevent by injunction unlawful interference with the efforts of the school board at Hoxie, Arkansas, to eliminate racial discrimination in the school in conformity with the Supreme Court's decision. The non-criminal activity of the Department in the civil rights field is constantly increasing in importance as

