

June 21, 2022

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

RE: Presidential Medal of Freedom for Attorney Fred D. Gray, Sr. – Civil Rights Attorney

President Biden:

The Southern Poverty Law Center, hereinafter referred to as SPLC, founded in 1971, as a nonpartisan, nonprofit civil rights organization dedicated to ensuring racial justice and the goals of equality, submits the following statement in support of Attorney Fred D. Gray’s nomination for the Presidential Medal of Freedom. The exemplary career of Attorney Gray and his enormous contributions to civil society propels SPLC forward on the path to ensure the tenets of the Civil Rights Act, Voting Rights Act of 1965 (VRA), and other landmark legislation are upheld and forcefully executed to safeguard the rights of all Americans, with particular attention to communities of color.

SPLC, a national organization, headquartered in Montgomery, Alabama, the birthplace of Attorney Gray and where he opened his law firm in 1954, the same year that Plessy v. Ferguson was overruled in Brown v. Board of Education of Topeka, and in a state with a history of tragedies leading to a civil rights movement filled with hard fought triumphs, recognizes the achievements of Fred Gray in our mission to dismantle white supremacy and advance human rights for all people – a mission Fred Gray devoted his life and career to advance.

Before and since Alabama was granted statehood in 1819, Alabama’s goal was to “establish white supremacy in this State,” as the drafters of Alabama’s sixth constitution in 1901, declared.¹ Poll taxes, literacy tests, and gerrymandered districts, along with Jim Crow era segregation and other discriminatory tactics – including the constant threat of violence and intimidation – were among a host of suppressive measures designed to instill white supremacy and deny people of color full rights of citizenship.

These unjust measures served as the impetus for courageous advocates and civil rights leaders to participate in the historic march across the Edmund Pettis Bridge in what we

¹ Alabama Constitutional Proceedings, 1901, Vol. 1, at 8 (May 22, 1901), http://www.legislature.state.al.us/aliswww/history/constitutions/1901/proceedings/1901_proceedings_vol1/day2.html.

now commemorate as Bloody Sunday, and to push for the passage of the Voting Rights Act of 1965. Attorney Gray filed a lawsuit one day after Bloody Sunday on behalf of John Lewis and others. Though, the first lawsuit filed by Attorney Gray on behalf of John Lewis involved a successful lawsuit against the Greyhound Bus Corporation to desegregate buses throughout the country, another milestone in Gray's career and civil rights legacy.

For over sixty-five years Fred Gray defended not only John Lewis, but other clients such as Martin Luther King, Jr., Rosa Parks, Charles G. Gomillion, Vivian Malone, James Hood, along with a myriad of others denied the right to vote, refused acceptance to predominately white colleges and universities, forced to attend segregated public elementary and secondary schools, refused equal access to public transportation, and victimized by unethical medical standards. Attorney Gray's admirable record demonstrates his commitment to racial justice and an overall better America. His decades-long work to eradicate barriers of discrimination has impacted the lives of past, present, and future generations. Mr. Gray is worthy of recognition and deserving of this prestigious honor. We owe Gray a tremendous debt of gratitude.

Legal concepts fought by Gray in Gomillion v. Lightfoot endure and serve as the precedent that continues to guide Courts and legal advocates today. Recent rollbacks of the Voting Rights Act by the US Supreme Court make Gray's voting rights work even more meaningful as civil rights advocates fight for fair representation during the current redistricting cycle in states where conservative majorities have vowed to maintain majority control by diluting minority voting strength in Black and brown communities. In Gomillion, the Supreme Court held that the reconfigured boundaries of the City of Tuskegee from a simple square shape to a figure with 28 sides, removing Tuskegee Institute and nearly all the 400 Black voters, but practically none of the more than 1,300 white residents violated the Fifteenth Amendment.

Gomillion was an early victory toward the eventual passage of the VRA. Gray's impact helped establish limitations on state and local power and deemed a significant triumph in the civil rights era. It established the precedent that the Fifteenth Amendment prohibits states from passing laws depriving citizens of the right to vote and dismissed the city's appeal of generalities about state authority, signifying that states were not insulated from federal judicial review in the protection of constitutional rights.

Adding to Gray's body of civil rights work is the Tuskegee Experiment, a government-sanctioned medical experiment involving over 400 Black men, all residents of Macon County, Alabama. While the study purported to evaluate the long-term effects of syphilis, it violated bioethical standards and was blatant medical malpractice as some men who enrolled in the study never received treatment for syphilis. The experiment lasted 4 decades. One hundred and twenty-eight participants died of syphilis or related complications. Gray's lawsuit was successful in awarding \$10 million that was split

between survivors and the families of the deceased.

Moreover, Gray's work was instrumental in shaping medical ethics and standards of medical care. The implications of this heinous experiment conducted on Black Alabamians resulted in the 1974 National Research Act that created the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, to develop guidelines which should be followed in biomedical and behavioral research involving human subjects.² Fred Gray's contribution to medical ethics is not only appreciated by Black residents of Alabama, but also by communities of color across the nation and others victimized by unethical medical practices.

Unfortunately, many students may never be exposed to unsung heroes like Gray. The work of Attorney Gray in exposing unethical medical standards in the Tuskegee Experiment, battling racism and discrimination, and ensuring the right to vote could be deemed inappropriate today for elementary and secondary school education given the critical race theory battle raging across the country. Thirty-nine states have introduced over 160 bills in the past year limiting what schools can teach about race, politics, American history, sexual orientation, and gender identity.³ Fred Gray's life - Black history, is American history and must be told. The Presidential Medal of Freedom will preserve Gray's legacy and ensure that people know about this great American who dedicated his life to improving the lives of others.

The foremost U.S. civilian decoration, The Presidential Medal of Freedom, is awarded to individuals who have made "an especially meritorious contribution to the security or national interests of the United States, world peace, cultural or other significant public or private endeavors." Fred Gray overwhelmingly satisfies this criterion. No letter can fully detail the contributions of Gray... civil rights pioneer, patriot, intellectual, author, civil servant, and overall humanitarian.

² Bioethics Research Library The Joseph and Rose Kennedy Institute of Ethics, Georgetown University Washington, D.C., "A Guide to the Archival Collection of The President's Commission for the Study of Ethical Problems in Medicine and in Biomedical and Behavioral Research," <https://repository.library.georgetown.edu/bitstream/handle/10822/559326/A%20Guide%20to%20the%20National%20Commission%20of%20the%20Protection%20of%20Human%20Subjects%20of%20Biomedical%20and%20Behavioral%20Research.pdf;sequence=5>, July 2013.

³ Anya Steinberg, "Lawmakers want to ban discomfort in school. But Black history isn't always comfortable," <https://www.npr.org/2022/02/19/1081987384/teaching-black-history-month-schools-bans-lawmakers-politics>, February 24, 2022.

President Joseph R. Biden
June 22, 2022
Page 4

SPLC enthusiastically endorses the legacy of Fred Gray and encourages his addition to the prestigious class of Presidential Medal of Honor recipients along with other civil rights leaders such as A. Philip Randolph, Barbara Jordan, Roy Wilkins, Shirley Chisholm, Andrew Young, Thurgood Marshall, and A. Leon Higginbotham Jr., among a host of other notable honorees.

Sincerely,

A handwritten signature in black ink that reads "Margaret Huang". The signature is written in a cursive, flowing style.

Margaret Huang
President and Chief Executive Officer