

UNITED STATES EMPLOYMENT SERVICE



HEADQUARTERS, ARMY SERVICE FORCES  
WASHINGTON 25, D. C.

*File in 49c*

SPGC-L  
095 Olson-Assemacher-Rokahr Co.

CWR  
29 April 1944

MEMORANDUM TO THE DIRECTOR OF CIVILIAN PERSONNEL AND TRAINING,  
OFFICE OF THE SECRETARY OF WAR  
(Attention: Mr. Truman K. Gibson, Jr. Civilian Aide)

SUBJECT: Alleged Racial Discrimination - Olson-Assemacher-  
Rokahr Company.

1. In response to your request in your memorandum of  
27 April 1944, I am inclosing the complete file on the above-  
named case for your perusal and return to this office.

For the Director, Industrial Personnel Division:

*John K. Collins*  
JOHN K. COLLINS

Lt. Colonel, General Staff Corps  
Chief, Labor Branch  
Industrial Personnel Division

1 Incl:  
File on the above-named case.

*[Faint circular stamp]*

**SAVE**

3 May 1944

MEMORANDUM

TO: The Commanding General, Army Air Forces

SUBJECT: Violation of Executive Order #8802

1. An investigation report furnished this office through the Labor Branch, Industrial Personnel Division, Army Service Forces, shows that Major J. H. Rearden, Commanding Officer at Fairmont Air Field, Fairmont, Nebraska, on 24 March 1943, negotiated a contract with the Olson Construction Company, W. J. Assenmacher Company and George O. Rekehr, for the use of four officers' barracks (OQUAT), one mess hall and two latrines providing housing and messing for some two hundred workers employed by the Contractors. One of the conditions of this lease was that:

"No Negroes will be quartered or allowed on the base."

2. At the time this contract was entered into, Executive Order #8802 of June 25, 1941, reaffirming the policy of the United States that "there shall be no discrimination in defense industries or Government because of race, creed, color or national origin," was in effect and ordered that:

All contracting agencies of the Government of the United States shall include in all defense contracts hereafter negotiated by them a provision obligating the contractor not to discriminate against any worker because of race, creed, color, or national origin: (A similar provision is contained in Executive Order #9346 amending Executive Order #8802)

3. It appears that inclusion of the provision prohibiting the quartering or messing of Negro workers in the leased quarters and failure to include an anti-discrimination provision in the contract entered into by Major Rearden with the Olson-Assenmacher-Rekehr Company were violations of Executive Order #8802. It is, therefore, recommended that appropriate disciplinary action be taken against him.

USFC

The Commanding General  
Army Air Forces  
3 May 1944

Page - 2 -

4. There are enclosed herewith copies of the investigation report contained in the 4th Indorsement of the District Engineer and the 12th Indorsement of the Real Estate Division, Office of the Chief Engineers, and a copy of the contract in question.

Truman K. Gibson, Jr.  
Civilian Aide to the Secretary  
of War

Subject: Complaint Concerning Executive Order 9346. (9-22-43)

230.145 (Fairmont Airfield)MRDH

4th Ind. 503

U.S. Engineer Office, 1709 Jackson Street, Omaha, Nebraska, 21 October 1943.  
To: The Division Engineer, Missouri River Division, Omaha, Nebraska. Attention: Labor Relations Section.

1. Relative to instructions contained in the foregoing 3rd Indorsement, an investigation has been made and the following information and report submitted.

a. During the period of initial construction at the Fairmont Air Base, some fifteen hundred employees were used, of which approximately 5% were colored workers who were housed principally at the town of Exeter, Nebraska, which is located six miles east of the Air Base on U. S. Highways No. 6 and 34. The population of Fairmont before this period was 881 and the population of Geneva was 1881 but upon completion of this construction period, Fairmont had increased to approximately 1000 and Geneva to 2100 residents, all of which were considered more or less in a permanent status. This increase was attributed to civilian personnel and their families employed at the base or employed in private industry at these two communities which had been stimulated because of the construction program and maintenance of the Base. This condition rendered these farming communities completely unable to cope with the demand for additional housing for workers when the second construction program was approved at the Air Base some three months later. Approximately 1300 additional employees were required for this work.

b. The paving contractor, Peter Eiewit Sons' Co., took advantage of the fact that colored workers had been housed at Exeter, Nebraska, as mentioned above, and arranged for the housing of some sixty five colored employees engaged by this contractor in the second phase of the construction program in this town. The Olson-Assemacher-Rokahr Company also housed a small number of Negro employees in this community.

c. The building contractor, Olson-Assemacher-Rokahr Construction Company, was then faced with the problem of housing the bulk of their employees who arrived at a later date. Appeal after appeal was made to the residents of the three communities to open their homes and take in one or more of the construction workers, but the situation steadily grew worse instead of correcting itself and it was extremely difficult to persuade construction workers of the various crafts to go to the Fairmont project because of this condition.

d. The project Manager for the Olson-Assemacher-Rokahr Construction Company then appealed to the Commanding Officer of the Fairmont Air Base for the use of any empty barracks that he might have in which they could temporarily house a portion of their employees necessary for the completion of the Base.

e. The Commanding Officer's immediate cooperation was secured as he made available to the contractor the only buildings not occupied on the base, namely, four officers quarters, OQUAT, one mess hall and two latrines, providing housing and messing for some 200 workers. It was understood by everyone concerned that even this arrangement would only partially relieve the critical housing problem for white employees which represented approximately 95% of all the workers employed at the Air Base.

f. A lease was drawn between the Commanding Officer and the Contractor wherein certain agreements and conditions were set forth (See Inclosure No. 1). Relative to the clause concerning the housing and messing of colored workers in the buildings referred to above, it is the opinion of this office, in view of the facts outlined above in preceding paragraphs, together with the fact that there were no recreational facilities for white or colored workers either on the base or its vicinity, and messing facilities were very limited, that it was not the intent of any one concerned to prohibit the employment or housing of colored workers on the base, but rather to minimize the possibility of a recurrence of a previous disturbance.

2. In view of the facts outlined above, it is the opinion of this office that the contractor has not violated any provision of Executive Order 9346 in the employment of workers for construction of additional facilities on the Air Base at Fairmont, Nebraska.

/s/ Delbert B. Breeman  
/t/ Delbert B. Breeman,  
Lt. Col. Corps of Engineers,  
District Engineer

CE 600.1 General SPELT

12th Ind.

SUBJECT: Complaint concerning Executive Order 9346

Office: C. of E., 19 April 1944.

To: Headquarters, Army Service Forces, Labor Branch, Industrial  
Personnel Division, The Pentagon, WASHINGTON, D. C.

The lease to which reference is made was entered into without authority from this office. The inclusion of the objectionable clause is not authorized. It is not included in leases prepared under the direction of this office.

For the Chief of Engineers:

JOHN J. O'BRIEN  
Colonel, Corps of Engineers  
Chief, Real Estate Division

AGREEMENT FOR RENTAL

This agreement made and entered into this 24th day of March, 1943, between the United States Government, represented by the Commanding Officer, Fairmont Airfield, Fairmont, Nebraska, party of the first part; and Olson Construction Company, W. J. Assenmacher Company, and George E. Rokahr, party of the second part,

WHEREAS, an extreme housing and messing emergency now confronts the Party of the Second Part,

WHEREAS, available source of housing and messing are not now available, and,

WHEREAS, it has been determined to be in the best interests of the Government, in order to facilitate the construction program and thereby assisting in the War Effort, to allow the Party of the Second Part to occupy certain Government-owned buildings at the Fairmont Airbase:

NOW, THEREFORE, the Party of the First Part for and in the consideration of the sum of One Dollar (\$1.00), the sufficiency of which is hereby acknowledged, does by these presents, convey to the Party of the Second Part, full use of the following buildings at the Fairmont Airbase, Fairmont, Nebraska:

One (1) Mess Hall	MLT	No. 321
Two (2) Lavatories	LBT	Nos. 213 and 214
Four (4) Officers' Barracks	OQUAT	Nos. 217, 218, 219, 220

The following conditions shall govern the use of the afore-mentioned buildings:

1. No liquor will be permitted on the base.
2. No cameras or firearms will be allowed on the base.
3. No Negroes will be quartered or messed in any of the above buildings.
4. Mess Hall, Barracks and Latrines shall be thoroughly cleaned when returned.
5. Mess Hall, Barracks and Latrines shall be in as good physical condition when returned as when first occupied. Base Commanding Officer and Area Engineer shall be the judges as to the condition of the buildings.

6. Coal for stoves shall be furnished by the Party of the Second Part.
7. Automobiles shall be parked in the parking lot provided therefor, and will not be used on the Base except for ingress and egress.
8. In case of need for these buildings, the Party of the Second Part agrees to turn them over for Army use within eight (8) hours after notice is given to vacate the same.
9. Caretakers shall be on duty for fire protection and to maintain heat in latrines twenty-four hours per day.
10. The above buildings shall be vacated immediately upon completion of construction of new buildings, which will be provided by the Party of the Second Part for the above purposes.
11. The Party of the Second Part does hereby agree to hold, save, protect and relieve the Party of the First Part from any damages resulting from and in connection with the use of the above described property, and further agrees that he is bound by all terms and conditions of his Prime Contract, in regard to such damages.

In Witness Whereof, we have hereunto set out hands this 24th day of March, 1943.

WITNESS:

THE UNITED STATES OF AMERICA,

/s/ Sidney L. Price

By /s/ Major J.H. Rearden  
Commanding Officer

OLSON CONSTRUCTION COMPANY,  
W. J. ASSENMACHER COMPANY,  
AND  
GEORGE E. ROKAHR

/s/ Ira E. Taylor

By /s/ John Hyer Miller  
Attorney in Fact

WAR DEPARTMENT  
ARMY SERV. FORCES  
MEMO ROUTING SLIP

W. D., A. G. O.  
Form No. 0115  
April 7, 1943

To the following in order indicated:

GPO 16-34260-1

	(Name or title)	(Organization)	(Building and room)	(Initials)
1	Mr. Louis R. Lautier	OSW	4 E 945	
2				(Date)
3				

SPGC-L

Olson-Assenmacher-Pokahr Co. - AGREEMENT FOR RENTAL

WDOSW Ex. 2431  
TKG/res

27 April 1944

MEMORANDUM

TO: The Director, Industrial Personnel Division  
Army Service Forces  
Attention: Chief, Labor Branch

SUBJECT: Olson-Assemacher-Rokahr Company - Alleged Racial  
Discrimination.

1. Reference is made to your memorandum of 22 April 1944 forwarding to this office a report contained in the 4th and 12th indorsements in the above case.

2. May copies of the indorsements which were not forwarded be furnished this office in order that I may be informed of all the facts and be in position to make any recommendation I may consider appropriate?

Truman K. Gibson, Jr.,  
Civilian Aide to the Secretary  
of War.

CSK S  
Same

26 April 1944

Mr. Will Maslow  
Director of Field Operations  
President's Committee on Fair Employment  
Practice  
Standard Oil Building  
Third and Constitution Avenue, N. W.  
Washington, D. C.

Dear Mr. Maslow:

Reference is made to your letter of 14 August 1943 forwarding to this office a copy of a report from the United States Employment Service dated 1 April 1943 in which it is alleged that Olson-Assenmacher-Rokahr Company, Contractors, who constructed the Army Air Bases at Harvard and Fairmont, Nebraska, had instructed the Employment Service not to recruit any Negro laborers for the project at Fairmont. You also advised that the Committee had received a letter from the Contractor dated 27 July 1943 stating that the Army had vacant barracks and mess halls at the Air Base at Fairmont which the Contractors leased for the housing and messing of their workers but under the terms of their lease no Negroes were to be housed in the leased barracks.

An investigation discloses that the lease did contain a restrictive clause. However, the lease in question was not entered into with the approval of the Office of the Chief of Engineers and the inclusion of the objectionable clause was not authorized under date of 18 April 1944. Circular Letter No. 2957 was distributed directing attention to the fact that inclusion of anti-discrimination clauses and leases, rights of way and so forth was mandatory. A copy of this Circular Letter is inclosed.

The report indicates that the circumstances surrounding the negotiation of this contract were as follows:

a. During the period of initial construction at the Fairmont Air Base, some fifteen hundred employees were used, of which approximately 5% were colored workers who were housed principally at the town of Exeter, Nebraska, which is located six miles east of the Air Base on U. S. Highways No. 6 and 34. The population of Fairmont before this period was 881 and the population of Geneva was 1881 but upon completion of this construction period, Fairmont had increased to approximately 1000

Mr. Will Maslow  
26 April 1944

Page - 2 -

and Geneva to 2100 residents, all of which were considered more or less in a permanent status. This increase was attributed to civilian personnel and their families employed in private industry at these two communities which had been stimulated because of the construction program and maintenance of the Base. This condition rendered these farming communities completely unable to cope with the demand for additional housing for workers when the second construction program was approved at the Air Base some three months later. Approximately 1300 additional employees were required for this work.

b. The paving contractor, Peter Kiewit Sons' Co., took advantage of the fact that colored workers had been housed at Exeter, Nebraska, as mentioned above, and arranged for the housing of some sixty five colored employees engaged by this contractor in the second phase of the construction program in this town. The Olson-Assenmacher-Rokahr Company also housed a small number of Negro employees in this community.

c. The building contractor, Olson-Assenmacher-Rokahr Construction Company, was then faced with the problem of housing the bulk of their employees who arrived at a later date. Appeal after appeal was made to the residents of the three communities to open their homes and take in one or more of the construction workers, but the situation steadily grew worse instead of correcting itself and it was extremely difficult to persuade construction workers of the various crafts to go to the Fairmont project because of this condition.

d. The Project Manager for the Olson-Assenmacher-Rokahr Construction Company then appealed to the Commanding Officer of the Fairmont Air Base for the use of any empty barracks that he might have in which they could temporarily house a portion of their employees necessary for the completion of the Base.

e. The Commanding Officer's immediate cooperation was secured as he made available to the contractor the only buildings not occupied on the base, namely, four officers quarters, OQUAT, one mess hall and two latrines, providing housing and messing for some 200 workers. It was understood by everyone concerned that even this arrangement would only partially relieve the critical housing problem for white employees which represented approximately 95% of all the workers employed at the Air Base.

Mr. Will Maslow  
27 April 1944

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Inasmuch as the contract has been completed there is no action that the War Department may take toward accomplishing the employment of a larger number of Negroes on these projects. The facts regarding the negotiation of the contract will be brought to the attention of the Army Air Forces with recommendation that disciplinary action be taken against the responsible officer.

Sincerely yours,

Truman K. Gibson, Jr.,  
Civilian Aide to the Secretary  
of War.



HEADQUARTERS, ARMY SERVICE FORCES  
WASHINGTON 25, D. C.

SPGC-L  
095 Olson-Assenmacher-Rokahr Co.

LLF:cwr  
22 April 1944

MEMORANDUM TO THE DIRECTOR OF CIVILIAN PERSONNEL AND TRAINING,  
OFFICE OF THE SECRETARY OF WAR  
(Attention: Mr. Truman K. Gibson, Jr. Civilian Aide)

SUBJECT: Olson-Assenmacher-Rokahr Company - Alleged Racial  
Discrimination.

1. An investigation of the above-named case was made, and a report, contained in the attached 4th and 12th Indorsements, and also a copy of Circular Letter No. 2957, Real Estate No. 19 on Inclusion of an Anti-discrimination Clause in Leases, Grants or Easements, were received from the Office of the Chief of Engineers.

2. Should your office feel that this report is unsatisfactory or incomplete, we shall be glad to direct a further investigation.

For the Director, Industrial Personnel Division:

  
JOHN K. COLLINS  
Lt. Colonel, General Staff Corps  
Chief, Labor Branch  
Industrial Personnel Division

3 Incls:

Cy 4th Ind. U.S.E.O. Omaha, Nebraska to  
Division Eng., Omaha, Nebraska, 21 Oct. 43.  
Cy 12th Ind. OFE to Hq. ASF, IPD, 19 April 44.  
Cy Circular Ltr No. 2957, OCE, 18 April 44.



SPGC-L  
095 Olson-Assenmacher-Rokahr Co.

LLF:cwr  
22 April 1944

MEMORANDUM TO THE DIRECTOR OF CIVILIAN PERSONNEL AND TRAINING,  
OFFICE OF THE SECRETARY OF WAR  
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SUBJECT: Olson-Assenmacher-Rokahr Company - Alleged Racial  
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For the Director, Industrial Personnel Division:

JOHN K. COLLINS  
Lt. Colonel, General Staff Corps  
Chief, Labor Branch  
Industrial Personnel Division

3 Incls:

Cy 4th Ind. U.S.E.O. Omaha, Nebraska to  
Division Eng., Omaha, Nebraska, 21 Oct. 43.  
Cy 12th Ind. OFE to Hq. ASF, IPD, 19 April 44.  
Cy Circular Ltr No. 2957, OCE, 18 April 44.

Subject: Complaint Concerning Executive Order 8806. (S-22-43).

230.145 (Fairmont Airfield) - L

4th Ind. 503

U. S. Engineer Office, 1709 Jackson Street, Omaha, Nebraska, 21 October 1945.  
To: The Division Engineer, Missouri River Division, Omaha, Nebraska. Attention: Labor Relations Section.

1. Relative to instructions contained in the foregoing 3rd Indorsement, an investigation has been made and the following information and report submitted.

a. During the period of initial construction at the Fairmont Air Base, some fifteen hundred employees were used, of which approximately 5% were colored workers who were housed principally at the town of Exeter, Nebraska, which is located six miles east of the Air Base on U. S. Highways No. 6 and 24. The population of Fairmont before this period was 381 and the population of Geneva was 1881 but upon completion of this construction period, Fairmont had increased to approximately 1000 and Geneva to 2100 residents, all of which were considered more or less in a permanent status. This increase was attributed to civilian personnel and their families employed at the base or employed in private industry at these two communities which had been stimulated because of the construction program and maintenance of the Base. This condition rendered these farming communities completely unable to cope with the demand for additional housing for workers when the second construction program was approved at the Air Base some three months later. Approximately 1300 additional employees were required for this work.

b. The paving contractor, Peter Kiewit Sons' Co., took advantage of the fact that colored workers had been housed at Exeter, Nebraska, as mentioned above, and arranged for the housing of some sixty five colored employees engaged by this contractor in the second phase of the construction program in this town. The Olson-Assemacher-Rokahr Company also housed a small number of negro employees in this community.

c. The building contractor, Olson-Assemacher-Rokahr Construction Company, was then faced with the problem of housing the bulk of their employees who arrived at a later date. Appeal after appeal was made to the residents of the three communities to open their homes and take in one or more of the construction workers, but the situation steadily grew worse instead of correcting itself and it was extremely difficult to persuade construction workers of the various crafts to go to the Fairmont project because of this condition.

d. The Project Manager for the Olson-Assemacher-Rokahr Construction Company then appealed to the Commanding Officer of the Fairmont Air Base for the use of any empty barracks that he might have in which they could temporarily house a portion of their employees necessary for the completion of the Base.

e. The Commanding Officer's immediate cooperation was secured as he made available to the contractor the only buildings not occupied on the base, namely, four officers quarters, OQUAT, one mess hall and two latrines, providing housing and messing for some 200 workers. It was understood by everyone concerned that even this arrangement would only partially relieve the critical housing problem for white employees which represented approximately 95% of all the workers employed at the Air Base.

Subject: Complaint Concerning Executive Order 9346. (9-22-43).

4th Ind. (Cont'd.)

1. A lease was drawn between the Commanding Officer and the Contractor wherein certain agreements and conditions were set forth. (See Inclosure No. 1). Relative to the clause concerning the housing and messing of colored workers in the buildings referred to above, it is the opinion of this office, in view of the facts outlined above in preceding paragraphs, together with the fact that there were no recreational facilities for white or colored workers either on the base or its vicinity, and messing facilities were very limited, that it was not the intent of any one concerned to prohibit the employment or housing of colored workers on the base, but rather to minimize the possibility of a recurrence of a previous disturbance.

2. In view of the facts outlined above, it is the opinion of this office that the contractor has not violated any provision of Executive Order 9346 in the employment of workers for construction of additional facilities on the Air Base at Fairmont, Nebraska.

/s/ Delbert B. Freeman,  
/t/ Delbert B. Freeman,  
Lt. Col. Corps of Engineers,  
District Engineer.

1 Inclosure:  
Incl. 1 - Agreement for Rental  
dated 3-24-43 (in quad.).

CE 600.1 General SPMIT

10th Ind.

Subject: Complaint concerning Executive Order 9346.

Office, C. of E., 19 April 1944.

To: Headquarters, Army Service Forces, Labor Branch, Industrial  
Personal Division, The Pentagon, WASHINGTON, D. C.

The lease to which reference is made was entered into without authority from this office. The inclusion of the objectionable clause is not authorized. It is not included in leases prepared under the direction of this office.

For the Chief of Engineers:

JOHN J. O'BRIEN  
Colonel, Corps of Engineers  
Chief, Real Estate Division.

1 Incl. n/c

ARMY SERVICE FORCES  
OFFICE OF THE CHIEF OF ENGINEERS  
WASHINGTON 25, D. C.

CE 601.53 SPRLY

18 April 1944.

CIRCULAR LETTER NO. 2957  
(Real Estate No. 19)

SUBJECT: Inclusion of an Anti-discrimination Clause in Leases, Grants  
or Easements.

TO: All Concerned.

1. Paragraph 994-A.1 of Procurement Regulations, issued 8 March 1944, provides that the insertion of an anti-discrimination provision is mandatory in leases, grants or easements, right-of-way, etc., to the same extent as required in other contracts.

2. Leases for office space usually require the lessor to furnish janitor and elevator service, maintenance, heat, electricity, and water. The following anti-discrimination provision will be included in such leases, and other leases, licenses, permits, easements, grants, right-of-way, and agreements requiring the lessor, licensor, grantor, or contractor to furnish any of the above or other services, the performance of which involves the employment of persons.

Anti-discrimination.--(a) The lessor\*, in performing the work required by this contract, shall not discriminate against any employee or applicant for employment because of race, creed, color, or national origin.

(b) The lessor\* agrees that the provision of paragraph (a) above will also be inserted in all of its subcontracts. For the purpose of this article, a subcontract is defined as any contract entered into by the lessor\* with any individual, partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity, for a specific part of the work to be performed in connection with the supplies or services furnished under this contract; provided, however, that a contract for the furnishing of standard or commercial articles or raw material shall not be considered as a subcontract.

In accordance with paragraph 325 (4), Procurement Regulations No. 3, whenever the terms of such contract or contracts are to be modified by the execution of a supplemental agreement, and the contract or contracts to be modified do not contain the anti-discrimination clause such supplemental agreement will provide that the contract or contracts are modified to include such a clause.

3. The provision is necessary in the above instruments entered into with private interests, a State Agency, or subdivision of a State, regardless of the amount of money or consideration involved. The provision required does not extend to or cover the activities or business of the contractor which are not related to or involved in the performance of the instrument.

4. The provision will also be included in leases, grants or easements, right-of-way, etc., from the United States for use and occupancy of real property under the control of the War Department where the leasee, licensee,



19 November 1943

Mr. Will Maslow  
Director of Field Operations  
President's Committee on Fair Employment  
Practice  
Tenth and U Streets, N. W.  
Washington, D. C.

Dear Mr. Maslow:

Reference is made to your letter of 14 August 1943 forwarding to this office a copy of a report from the United States Employment Service in which it was alleged that Olson-Asensmacher-Rokahr Company, contractors who were engaged in the construction of army air bases at Harvard and Fairmont, Nebraska, had instructed the Employment Service not to recruit any Negro laborers for the project at Fairmont.

This complaint was forwarded to the Army Service Forces for investigation and report. The investigation developed the fact that the contract was made by the Army Air Forces. I am advised that on 11 November 1943 this case was referred to the Air Forces for action. As soon as a final report is received in this matter you will be advised.

Yours very truly,

Truman K. Gibson, Jr.,  
Civilian Aide to the Secretary  
of War.

67-35

22 September 1943

MEMORANDUM

TO: Director of the Industrial Personnel Division  
Army Service Forces

This office has received from the President's Committee on Fair Employment Practice a copy of a report from the United States Employment Service in which it is alleged that Olson-Assenmacher-Rokahr Company, Contractors who are engaged in the construction of Army Air Bases at Harvard and Fairmont, Nebraska, had instructed the Employment Service not to recruit any Negro laborers for the project at Fairmont.

The Committee states that it received a letter from the Contractors under date of 27 July 1943 stating that the Army had vacant barracks and mess halls at the Airbase at Fairmont which they leased for the housing and messing of their workers but under the terms of their lease with the Army, no Negroes were to be housed in the leased barracks. The Contractors further stated that they had no objections to the employment of Negroes, but could not use them under the circumstances.

May this office have a report on the facts in this case in order that it may be determined:

1. Whether such a provision was contained in the release for the use of the barracks at Fairmont by employees of the Contractors;
2. Whether the lease contained the anti-discrimination clause required by Executive Order 9346; and
3. Whether there has been any violation of Executive Order 9346 by the Contractor in the employment of workers for the construction of the Base at Fairmont.

Truman K. Gibson, Jr.  
Acting Civilian Aide to the Secretary  
of War

SES

*Paulin*

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE FOR EMERGENCY MANAGEMENT  
PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE  
WASHINGTON, D. C. 25

August 14, 1943

Mr. Truman Gibson  
Acting Civilian Aide to Secretary of War  
War Department  
Washington, D. C.

Dear Mr. Gibson:

The President's Committee on Fair Employment Practice has been in communication with the firm of Olsen-Assenmacher-Rokahr relative to a report of the United States Employment Service in St. Paul, Minnesota, a copy of which report is attached hereto for your reference and files.

You will note that the report states that at the time of placing the order with the United States Employment Service, the Recruiter hired three Negroes and was instructed to hire no more because of lack of accommodations in Fairmont; that there they would have to share same quarters with white soldiers.

Under date of July 27, 1943 the Committee received a letter from the representative of the Company, which states that at Fairmont, Nebraska the Army had barracks and mess halls on the Air Base which were idle and which the Company leased. One of the terms of that lease was that no colored employees were to be housed therein, according to said letter.

You are requested to investigate this and inform the Committee of the results of your investigation.

Very truly yours,

*Will Maslow*

Will Maslow  
Director, Field Operations

Enclosure



*copy sent*

Form USES-510  
(7-42)

Federal Security Agency  
Social Security Board  
UNITED STATES EMPLOYMENT SERVICE

Date April 1, 1943

REPORT OF DISCRIMINATORY HIRING PRACTICES

Employer: Olson, Assenmacher & Rokahr Co. Date of Order: March 29, 1943  
Address: 419 1st Natl Bank Bldg. Industry: \_\_\_\_\_  
Lincoln, Nebraska (Check one:  Essential  Non-Essential)  
Head of Firm: Warren Beaman Order Placed By: Clearance  
Title: General Manager Order Received By: Clearance  
Official Interviewed to Secure Relaxation: \_\_\_\_\_ Number of Openings: 800  
Warren Beaman, General Manager Occupational Title  
and Code: Laborer, Construction 9-32.21  
Title: \_\_\_\_\_

Discriminatory Hiring Practices:

Hired three Negroes. Recruiter instructed to hire no more because of lack of accommodations. Seven Negroes now employed and quartered separately in Harvard, Nebraska. No accommodations available in Fairmont, Nebraska. Would have to share same quarters with white soldiers.

Action taken to secure relaxation:

Long distance telephone call from Mr. Beaman who stated that the company has no objections to Negroes but cannot use them under these circumstances.

Result:

No change in decision.

By M. E. Davidson (Signed)  
Manager

April 1, 1943

Olsen, Assemacher & Bokor Co.

March 24, 1943

419 1st Natl Bank Bldg.

Lincoln, Nebraska

Warren Beaman

General Manager

X

Clearance

Clearance

SOC

Warren Beaman, General Manager

Laborer, Construction 9-58.21

Hired three Negroes. Recruiter instructed to hire no more because of lack of accommodations. Seven Negroes now employed and quartered separately in Harvard, Nebraska. No accommodations available in Fairmont, Nebraska. would have to share same quarters with white soldiers.

Long distance telephone call from Mr. Beaman who stated that the company has no objections to Negroes but cannot use them under these circumstances.

No change in decision.

H. E. Davidson (Signed)

File

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE FOR EMERGENCY MANAGEMENT  
PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE  
WASHINGTON, D. C.

October 11, 1943

Mr. Louis R. Lautier  
Senior Administrative Assistant  
Office, Civilian Aide to the  
Secretary of War  
War Department  
Washington, D. C.

Dear Mr. Lautier:

I acknowledge with thanks your letter of September 30 in which you enclosed a copy of a complaint forwarded by Albon L. Holsey, Executive Secretary of the National Negro Business League. I note that the complainant, Belmont Haydel, accused USES in New Orleans of discrimination.

We are referring this matter to our Regional Director for investigation.

Very truly yours,

*Will Maslow*

Will Maslow  
Director of Field Operations



USES

*File*

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE FOR EMERGENCY MANAGEMENT  
PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE  
WASHINGTON, D. C.

September 23, 1943

Mr. Louis Lautier  
Senior Administrative Assistant  
Office of the Civilian Aide  
to the Secretary of War  
War Department  
Washington, D. C.

Dear Mr. Lautier:

Enclosed is a copy of the Manual of Operations for the War Manpower Commission, dealing with utilization of minority groups. You will note in the marked sections on the fourth page an explanation of the present United States Employment Service policy with reference to discriminatory hiring orders.

As I mentioned on the telephone, in Regions II, (New York), and V more advanced policies are in effect.

Sincerely yours,

*Clarence M. Mitchell*

Clarence M. Mitchell  
Associate Director of  
Field Operations

Enclosure



*U.S. Employment Service*

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DESIGNATION: Operating Instruction - Field No. 21  
SUBJECT: Responsibility of the War Manpower Commission in the Utilization  
of Minority Groups

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I. Purpose

The transfer of the President's Committee on Fair Employment Practice from the War Manpower Commission to the Executive Office of the President has occasioned an Operating Agreement between the two agencies. The responsibilities of the War Manpower Commission under this agreement, a copy of which is attached, require a statement of the definition of discrimination, the action to be taken by the War Manpower Commission to secure full utilization of minority groups, and the procedures for handling cases of discrimination.

II. Definition of Discrimination

The following definitions shall be used in implementing the procedures established in this instruction:

A. Discrimination by an employer or anyone acting as his agent or on his behalf, including a labor organization, is defined as:

1. The submission of hiring specifications which exclude from employment, limit employment of, or restrict employment to levels below their best skills or abilities of, occupationally qualified aliens or workers of a certain race, color, creed, or national origin.

2. The refusal to classify properly or to refer or hire, the limitation of upgrading opportunities, or the exclusion from in-plant training programs of, available occupationally qualified aliens or workers of a certain race, color, creed, or national origin; except that the refusal to hire available occupationally qualified workers because of lack of citizenship, in instances where an employer is engaged in production under "classified" or aeronautical government contracts, and where the government contracting agency has refused approval for the employment of such workers, shall not be considered discrimination if an effort to secure written consent for such employment has been denied by the head of the government department concerned.

B. Discrimination by a war production training agency is defined as the failure to admit to training courses available qualified persons because of race, creed, color, national origin, or lack of citizenship. Where separate training facilities for white persons and Negroes are required by state law, the failure to provide training courses for qualified Negro applicants in any occupation

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which is open to white trainees and for which there are Negro applicants shall be discriminatory. In the event that there are facilities for training Negroes in such occupations but the number of training stations available to Negroes is inadequate to absorb a proportion of qualified Negro applicants equal to that of qualified white applicants, the situation shall be considered discriminatory.

III. Action to be Taken by the War Manpower Commission to Secure Full Utilization of Minority Groups

A. Regional, state, area, and local offices shall take specific action to insure that Negroes and other minority groups are reached in all recruitment programs. Because of past employment practices in the community, these groups may not respond readily to recruitment campaigns unless they are assured that their participation is not only desired but imperative to the war effort.

B. Current data shall be maintained reflecting the degree of placement and utilization and the extent of training among non-white workers. These data shall be obtained from local office operating reports, labor market information, and reports of training agencies.

C. In certifying housing needs, consideration shall be given to the existence of a supply of occupationally qualified but unemployed or under utilized aliens or members of a particular race, color, creed, or national origin and to the need for adequate housing for Negro and other minority group war workers, particularly in those areas where their importation has occurred or is imminent.

D. Each employment stabilization program shall contain a specific provision for full utilization of all sources of labor. In the execution of this policy, it shall be the responsibility of the Area and Regional Directors to eliminate any real or imaginary difficulties with respect to the employment of certain minority groups involved in the operation of the stabilization program. Area and Regional Directors shall call upon their Management-Labor Committees, and, when necessary, upon the Regional Director of the Committee on Fair Employment Practice for assistance in handling problems of this type.

E. Care shall be taken to apprise the parties concerned that in cases of alleged discrimination, the ultimate responsibility for determining the adequacy of the adjustment made rests with the Committee on Fair Employment Practice, although the War Manpower Commission assumes the initial responsibility for obtaining the elimination of discrimination.

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F. Adequate liaison shall be established to coordinate the activities of the Commission and the Committee, since it is essential to effective operating relationships and sound public relations between the two agencies that there should not be uncoordinated simultaneous contacts with employers, labor unions, or training agencies on the part of the Commission and the Committee on the same case.

G. There shall be in each region competent staff personnel to establish the liaison mentioned above and to assure adequate attention to problems of minority groups' utilization in the region. Wherever the work load may require it, the state, area and local offices shall assign staff personnel to coordinate programs for minority groups' utilization at the various levels of operation.

IV. Procedure for Handling Cases of Discrimination

A. Action to be Taken When Discriminatory Orders or Training Requisitions are Received by Local Employment Offices

1. The local office shall file USES 510 reports for cases in this category. In relation to such cases the local office shall:

a. Receive and record all specifications stated by an employer or anyone acting on his behalf, or a training agency, including specifications based on race, color, creed, national origin or citizenship. Where there are separate United States Employment Service office facilities provided for persons solely because of their race, administrative procedures will be adopted to ensure the simultaneous receipt of placement orders by placement officers in the office serving white applicants and in the office serving colored applicants, and an administrative officer responsible for the placement function shall see that items b through g of this section are carried out.

b. When an employer or anyone acting in his behalf or a training agency places an order which includes specifications as to race, color, creed, national origin, or citizenship of the applicant to be referred and such specifications are discriminatory as defined above, the United States Employment Service representative shall make definite effort to persuade the employer or anyone acting on his behalf or the training agency or anyone acting in its behalf to eliminate such restrictive hiring or training practice.

c. In some instances it may be possible to have the discriminatory specifications eliminated at the time of order-taking. In other cases it may be necessary for the appropriate representative of the United States Employment Service to negotiate with the official of the company, or anyone acting on its behalf, or the training agency which established the policy. Frequently this will not be the individual who initially

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placed the order with the local office. The employer, or anyone acting on his behalf, or the agency should be fully informed concerning the local labor market situation. The qualifications of local persons excluded by discriminatory specifications should be brought to their attention. The policy of the Federal Government as expressed in the President's Executive Order 9346 and the aggravation of community problems such as housing, transportation, and sanitation which would result from importation of labor might be cited to influence the decision.

d. Occupationally qualified workers shall be referred to a job or training opening without discrimination because of race, creed, color, national origin or lack of citizenship and without regard to discriminatory specification.

e. No order which limits or precludes the employment of occupationally qualified workers because of their race, creed, color, national origin or lack of citizenship shall be placed in clearance for recruitment outside the local employment office area.

f. When an employer, or anyone acting on his behalf, or a training agency fails to eliminate discriminatory specifications, or, when no discriminatory specifications are included in the order, but where there is evidence that the employer, or anyone acting on his behalf, or the training agency has discriminated on the basis of race, color, creed, national origin, or lack of citizenship in accepting occupationally qualified persons referred by the United States Employment Service, an immediate report shall be made on Form USES 510. The report shall be prepared and submitted within three days after the effort to obtain elimination of discriminatory practices has been made, and in no case later than ten days after receipt of the order.

g. A separate report will be prepared for each case of discrimination. An original and six copies of this report shall be prepared and distributed as follows: the original to the employer; one copy to the local office files; one copy to the Area Director of the War Manpower Commission if the area has been established; one copy to the State Director; and three copies to the Regional Director of the War Manpower Commission.

2. The Regional Director of the War Manpower Commission shall immediately transmit two copies of the Form USES 510 to the Regional Office of the Committee on Fair Employment Practice. The Regional Director of the War Manpower Commission shall then take specific action to obtain elimination of discriminatory practices through the operations of the area, state, and regional organizations, including the Management-Labor Policy Committees, and shall submit a full report to the appropriate Regional Director of the Committee on Fair Employment Practice on each case.

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In instances where satisfactory adjustments cannot be completed within ten days after receipt of the USES 510 report by the Regional Director of the War Manpower Commission, he shall indicate to the Regional Director of the Committee on Fair Employment Practice the period in which he believes such adjustment can be made and arrange with the Regional Office of the Committee for additional time to make such adjustment. If no request for additional time is made, or if the request for additional time is denied, the case shall automatically come under the jurisdiction of the Committee ten days after it has been referred to the Regional Office of the War Manpower Commission.

B. Action To Be Taken on Complaints or Evidences of Discrimination Arising in Vocational Training for War Production Workers

1. The Regional Office of the War Manpower Commission may receive reports of discrimination on the part of training agencies from sources other than the local employment offices. It shall immediately investigate all reports of discrimination and take steps to have the discriminatory features eliminated.

2. Where separate training facilities for white persons and Negroes are required by state law, the Regional Office of the War Manpower Commission shall take the following action:

a. Review state plans and examine local and state programs to determine whether discrimination as defined in item B of Section II above is permitted or exists.

b. If a state plan does permit such discrimination, or if discrimination exists in the program, prepare a report on Form 42, and take steps to have the discriminatory features eliminated.

3. A separate report for each instance of discrimination described above which affects an individual or group shall be prepared in the Regional Office of the War Manpower Commission on Form 42. Form 42 shall be prepared in five copies, to be distributed as follows: one copy to the files of the Regional Chief of Training; one copy to the State Director; and three copies to the Regional Director of the War Manpower Commission.

4. After a report on Form 42 indicating that an agency training program contains discriminatory features has been filed with the Regional Director of the War Manpower Commission, no like courses in the community affected shall be approved until the Regional Director confirms that adequate training facilities for Negroes have been established.

5. The Regional Director of the War Manpower Commission shall follow the same procedures in processing and in transmitting copies of Form 42 to the Regional Office of the Committee on Fair Employment Practice as were specified under item A 2 in this section for Forms USES 510.

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C. Action To Be Taken on Complaints or Evidences of Discrimination  
Originating from Sources Other Than USES Offices of the WMC Training  
Program

1. If an employee of the War Manpower Commission encounters discrimination or evidences of discrimination by an employer in connection with any WMC utilization program, the Regional Office of the War Manpower Commission shall initially investigate the situation and thereafter act in conformity to the procedures set forth in IV A and B.

2. If a complaint is received from the general public charging discrimination by an employer with whom the War Manpower Commission is not negotiating or conducting any training or utilization program, the complaint shall be referred at once to the Regional Director of Fair Employment Practice Committee. If such a program is being conducted or negotiated, the Regional Director of the War Manpower Commission shall proceed in accordance with Section D 2 of the attached Operating Agreement.

D. Action To Be Taken When Complaints or Evidences of Discrimination Are  
Received from the Committee on Fair Employment Practice

1. Whenever required by Section D 2 of the attached Operating Agreement between the Committee and the Commission, initial contact with the employer or labor union will be made through the Regional Office of the War Manpower Commission after a request for action has been made by the Regional Director of the Committee on Fair Employment Practice.

2. Upon receipt of such a request for specific action, the Regional Director of the War Manpower Commission shall establish a record of the case and refer it to the proper operating official for action. The Regional Director shall, through appropriate staff officers, keep abreast of the developments in the case and shall, when necessary, inform the Regional Director of the Committee on Fair Employment Practice of difficulties encountered in obtaining elimination of the discriminatory practice. Within ten days after receipt of such a request for specific action, the Regional Director of the War Manpower Commission shall submit a report of the action taken to the Regional Director of the Committee. If the facts warrant, the Regional Director may request additional time to secure a satisfactory adjustment of the case. If no request for additional time is made or if the request for additional time is denied, the case shall automatically revert to the Committee ten days after it has been referred to the Regional Office of the War Manpower Commission.

3. When a case has reverted to the Committee, the Regional Office of the War Manpower Commission shall offer every possible assistance to the Committee in its efforts to secure an adjustment.

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V. Action To Be Taken By Employees of the War Manpower Commission

A. Employees of the War Manpower Commission shall:

1. Make a positive effort to obtain the elimination of discriminatory specifications and discrimination, and report all instances of discriminatory specifications which they have not been able to eliminate.
2. Refer a qualified worker to a job or training opening without discrimination because of his race, creed, color, national origin, or lack of citizenship and without regard to any discriminatory specifications. (Where separate training facilities for white and Negro applicants are provided, the filling of requisitions for separate classes of trainees shall not be considered discriminatory.)
3. Classify properly occupationally qualified applicants without discrimination because of race, color, creed, national origin or lack of citizenship.
4. Adhere to and enforce all of the policies and procedures in this instruction.

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Approved: *J. H. Bond* Acting Executive Director  
Effective date: September 3, 1943  
Original filed in office of Chief, Administrative Service

OPERATING AGREEMENT BETWEEN FEPC AND WMC  
ON NON-DISCRIMINATION PROGRAM

Enforcement of policies promulgated by Executive Order No. 9346 of May 27, 1943, hereinafter called the Non-discrimination Order, calls for the closest possible cooperation between FEPC, which is responsible for the formulation and execution of policies under the Non-discrimination Order, and WMC, which is responsible for full utilization of the Nation's manpower in the prosecution of the war.

As the administrative machinery of WMC embraces the fields of training, placement, and utilization of manpower, where discriminatory employment practices are directly reachable in the course of the agency's daily operations, it is imperative that full utilization of the staff and facilities of WMC be made in the administration of Executive Order No. 9346.

It is the purpose of this agreement between FEPC and WMC to define the respective responsibilities of the two agencies and to establish operating procedures which will assure the most harmonious and expeditious enforcement of non-discrimination policies.

A. RESPONSIBILITIES OF FEPC

1. The Non-discrimination Order provides that:

(a) FEPC "shall formulate policies to achieve the purposes of this Order and shall make recommendations to the various Federal departments and agencies, and to the President, which it deems necessary and proper to make effective the provisions of this Order".

(b) "The Committee shall also recommend to the Chairman of the War Manpower Commission appropriate measures for bringing about the full utilization and training of manpower in and for war production without discrimination because of race, creed, color, or national origin."

(c) "All departments and agencies of the Government of the United States concerned with vocational and training programs for war production shall take all measures appropriate to assure that such programs are administered without discrimination because of race, creed, color, or national origin."

(d) "The Committee shall receive and investigate complaints of discrimination forbidden by this Order. It may conduct hearings, make findings of fact, and take appropriate steps to obtain elimination of such discrimination."

(e) FEPC "may utilize the services and facilities of other Federal departments and agencies and such voluntary and uncompensated services as may from time to time be needed. The Committee may accept the services of the State and local authorities and officials, and may perform the functions and duties and exercise the powers conferred upon it by this Order through such officials and agencies and in such manner as it may determine."

2. Pursuant to these requirements of the Executive Order, it is the duty of FEPC to recommend to the Chairman of WMC specific measures to enforce non-discrimination. Such measures shall be carried out after agreement with FEPC on matters pertaining solely to such enforcement of the Non-discrimination Order.

3. It is the duty of the staff of FEPC to cooperate with and assist the staff of WMC in the handling and investigation of cases involving discrimination.

4. It is the duty of FEPC to cooperate with and assist the staff of WMC in the preparation and development of educational programs and materials relating to non-discrimination in the training, placement, and utilization programs of WMC.

B. RESPONSIBILITIES OF WMC

1. WMC has the over-all responsibility for the utilization of manpower.

2. The functions of WMC are in three general fields: training, placement, and utilization.

3. Executive Order No. 9139, establishing WMC, provides that the Chairman of WMC shall "formulate plans and programs and establish basic national policies to assure the most effective mobilization and maximum utilization of the Nation's manpower in the prosecution of the war; and issue such policy and operating directives as may be necessary thereto."

4. After agreement with FEPC, the Chairman of WMC shall establish administrative machinery and issue administrative directives to the regional, State, area, and local offices with regard to their respective duties in securing full utilization and training of manpower without discrimination.

5. It shall be the duty of WMC personnel at all operating levels to cooperate fully with the personnel of FEPC in the enforcement of the Non-discrimination Order, in the carrying out of FEPC policies, and in the

promulgation of such measures and programs on non-discrimination as the Chairman of WMC may authorize, with the agreement of FEPC on matters pertaining solely to enforcement of the Non-discrimination Order in such measures and programs.

6. In the central office of WMC and in each of its regional offices an official shall be designated to be responsible for the coordination of procedures and responsibilities under the Non-discrimination Order within WMC and for cooperation with the related regional or central office of FEPC.

#### C. ADJUSTMENT OF INTER-AGENCY RELATIONS

1. It is expected by the Chairmen of FEPC and WMC that the spirit of teamwork on the part of the personnel of the two agencies will make it possible to attain maximum efficiency and economy in the administration of the Non-discrimination Order, to avoid all duplication of effort, and to prevent all overlapping of jurisdiction.

2. If any inter-agency difference arises in any regional office of either agency and such difference cannot be promptly settled by joint action of the respective regional directors, it shall be referred immediately to the designated officer in the central office of WMC by the WMC Regional Director, and the designated officer in the central office of FEPC by the FEPC Regional Director for adjustment between the two agencies.

3. If any inter-agency difference involving questions of procedures cannot be so adjusted, it shall be referred to the Chairmen of WMC and FEPC for final disposition.

4. If any unadjusted inter-agency difference involves the questions of policy on which no agreement can be reached by the Chairmen of WMC and FEPC, it shall be jointly submitted by them to the President of the United States for final disposition.

5. If any such unadjusted difference involves questions of interpretation of the Executive Orders under which the two agencies are operating, it shall be jointly referred by the Chairmen of WMC and FEPC to the Attorney General for a ruling by which the two agencies shall be bound.

#### D. PROCEDURE

In order to achieve maximum administrative economy in the use of personnel of the two agencies and to give the non-discrimination policies and programs of FEPC the widest possible scope of application, full use of available personnel of WMC shall be made for the handling of complaints and evidence of discrimination received originally by WMC in the normal course of its operations in the fields of training, placement, and utilization of manpower.

At the same time, it is essential to the effective administration of the Non-discrimination Order that the staff of WMC be fully informed of the complaints and evidence of discrimination in the locality, area or region concerned, which have been received and handled directly by FEPC.

For the purpose of cooperative administration and clearly defined jurisdiction, two general procedures are hereby prescribed: (1) complaints of violation of Non-discrimination Order received or evidence obtained by WMC in the course of that agency's activity in the fields of training, placement, and utilization of manpower; and (2) complaints of violation of Non-discrimination Order received or evidence obtained directly by FEPC.

1. COMPLAINTS AND EVIDENCE ORIGINATING IN AND INITIALLY INVESTIGATED BY WMC

(a) Each Regional Office of WMC shall have ten days after receipt of complaint or knowledge of evidence of violation of Non-discrimination Order to adjust the same in accordance with agreed and prescribed procedure, provided, however, that additional time may be allowed after consultation between the Regional Offices of FEPC and WMC. Where there is no adjustment within the time specified or allowed, or where, in the opinion of the Regional Office of FEPC, the adjustment is not satisfactory, the Regional Office of FEPC shall take appropriate steps to make the proper adjustment. The files and records of WMC on cases under investigation shall be available to FEPC and WMC shall within the prescribed and agreed policies and procedures cooperate with FEPC in making a proper adjustment.

(b) With agreement of and in cooperation with FEPC, WMC shall establish procedures relating to the effectuation of the Non-discrimination Order in its training, placement, and recruiting programs to facilitate action to be taken by WMC with respect to matters falling within this category. Until such procedures are agreed upon and put in operation, existing procedures shall be continued.

(c) Training

Procedures shall be established to assure that equal training facilities and opportunities are available to all trainees and prospective trainees without regard to race, creed, color, or national origin. Special procedure shall be established where, because of State or local laws, special training facilities are required for trainees solely because of race.

(d) Placement and Utilization

Procedures shall be established to assure that all workers have equal opportunity for referral to and employment in all classi-

fications of employment regardless of race, creed, color, or national origin. Special procedures shall be established where special USES office facilities are provided for persons solely because of their race. USES 510 reports and the procedures with respect to their preparation and referral shall be revised so as to cover all cases contemplated by the use of such reports.

2. COMPLAINTS AND EVIDENCE ORIGINATING IN FEPC

(a) Upon receipt of each complaint or evidence of violation of the Non-discrimination Order, FEPC shall investigate the same in accordance with the following procedure:

First, examine the files and records of FEPC and obtain from other sources, including WMC, all pertinent information relative to the training or employment practices of the party charged or against whom the evidence exists.

Second, interview the complainant to determine whether there is a prima facie case of violation of the provisions of Executive Order 9346.

Third, make contact with the party charged or the party against whom evidence exists, except where, upon clearance with the Regional Office of WMC, it appears that WMC is at that time conducting or negotiating a training, placement, or utilization program. If such a program is being conducted or negotiated, the FEPC Regional Office shall prepare a report, summarizing its investigation together with a request for specific action, which shall be transmitted to the Regional Office of WMC. The Regional Office of WMC shall report thereon and transmit such report to the Regional Office of FEPC within ten days from the time of the receipt of the FEPC report, unless by agreement such period is either increased or decreased. Personnel of FEPC and WMC shall cooperate in fulfilling their obligations under this agreement. Where, however, in the opinion of the Regional Director of FEPC after consultation with the Regional Director of WMC the urgency of the case requires it, or where the report of WMC described above is not received by the Regional Office of FEPC within a ten-day period, or other period mutually agreed upon, or, where after the submission of the report, in the opinion of the Regional Office of FEPC, such action is deemed warranted, FEPC may make direct contact with the party charged, or the party against whom evidence exists, without following the above-described procedure.

Fourth, whenever the Regional Office of FEPC determines that specific action on a complaint or evidence shall be taken by WMC, the Regional Office of FEPC shall transmit a report, summarizing its investigation and requesting such action, to the Regional Office of WMC. The Regional Office of WMC shall report thereon and trans-

mit such report to the Regional Office of FEPC within ten days of the receipt of the FEPC report, unless by agreement with the Regional Office of FEPC such period of time is either increased or decreased.

WMC shall, in cooperation with FEPC, establish procedures for complying with the requests for action referred to in steps Three and Four above. Until such procedures are agreed upon and put into operation, existing procedures shall be continued.

E. INTERCHANGE OF INFORMATION AND REPORTS ON OPERATIONS

In order to carry out effective enforcement of the Non-discrimination Order, it is essential that FEPC and WMC maintain an interchange of operating reports and information relevant to the effectuation of non-discrimination programs and policies. Such mutual interchange on a definitely prescribed time schedule shall be maintained in each region as well as between the central offices of the two agencies. Such exchange shall be carried out in accordance with the following procedures:

1. REPORTS ON COMPLAINTS AND EVIDENCE ORIGINATING IN AND INITIALLY INVESTIGATED BY WMC

(a) Each Regional Director of WMC shall prepare weekly summary reports of each such complaint or evidence of violation of the Non-discrimination Order and furnish the Regional Office of FEPC each week with two copies of such reports, except that in cases of an emergency character an immediate, full report shall be made to the Regional Office of FEPC. Each such report shall include the name, sex, and address of the complainant, the name, address, and type of and alleged reason for discrimination, the date of the alleged discrimination, the name of the WMC agent to whom the complaint has been assigned, and the date of referral to FEPC. Forms and procedures for this purpose shall be prescribed by WMC by agreement with FEPC.

2. REPORTS ON COMPLAINTS AND EVIDENCE ORIGINATING IN AND INITIALLY INVESTIGATED BY FEPC

Each Regional Director of FEPC shall make a record of each such complaint or evidence and action taken thereon and shall make a weekly report to the Washington office of FEPC. A copy of each such report shall be furnished to the Regional Office of WMC.

UNIFIED FORMS

Complaint, docket and report forms mutually satisfactory to FEPC and WMC shall be prepared and shall be used at all

stages of enforcement of the Non-discrimination Order.

F. EFFECTIVE DATE

This agreement shall become effective on the date it is signed by the Chairman of FEPC and the Chairman of WMC, and the operating procedures prescribed thereby shall be put in operation as soon thereafter as feasible.

/s/ Francis J. Haas  
Chairman, Fair Employment  
Practice Committee

/s/ Paul V. McNutt  
Chairman, War Manpower Commission

Washington  
August 2, 1943

# THE NATIONAL NEGRO BUSINESS LEAGUE

ORGANIZED 1900

BOOKER T. WASHINGTON, FOUNDER AND FIRST PRESIDENT

## OBJECT

TO PROMOTE THE COMMERCIAL AND FINANCIAL DEVELOPMENT OF THE NEGRO

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TUSKEGEE INSTITUTE, ALABAMA

October 9, 1943

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Mr. Louis R. Lautier  
Senior Administrative Assistant  
Office, Civilian Aide to the Secretary of War  
War Department  
Washington, D. C.

Dear Mr. Lautier:

Thank you very much for your letter of September 30, and for the way in which you handled my correspondence regarding Mr. Haydel. I knew that it would get the proper routing, if I sent it to your office.

This occasion to write to you gives me chance to say how much I enjoy your weekly column in the Afro. It is always constructively informing.

With kind regards, I am

Very sincerely yours,

*Albon L. Holsey*  
Executive Secretary

ALSES

30 September 1943

The Rt. Rev. Mgr. Francis J. Haas,  
Chairman,  
President's Committee on  
Fair Employment Practice,  
Tenth and U Streets, N.W.,  
Washington, D. C.

Dear Father Haas:

Enclosed herewith is a copy of a letter forwarded to this office by Mr. Albon L. Holsey, Executive Secretary of the National Negro Business League. In it Mr. Belmont Haydel charges that the United States Employment Service at New Orleans, Louisiana, is practicing race discrimination in that it requires Negro registrants for essential jobs to enter its offices through a different door than that used by white registrants and that no essential jobs are available to Negroes, the only openings for them being in the unskilled category.

Yours very truly,

Truman K. Gibson, Jr.  
Civilian Aide to the Secretary  
of War

USIS

30 September 1943

Mr. Albon L. Holsey,  
Executive Secretary,  
National Negro Business League,  
Tuskegee Institute, Alabama.

Dear Mr. Holsey:

Reference is made to your letter of 27 September 1943.

Mr. Gibson is out of the city on official business. The War Department has no jurisdiction over the United States Employment Service. I am, therefore, referring Mr. Haydel's letter to the President's Committee on Fair Employment Practice which is authorized to investigate complaints of race discrimination in Government as well as in war industries.

Yours very truly,

LOUIS R. LAUTIER  
Senior Administrative Assistant  
Office, Civilian Aide to the Secretary  
of War

# THE NATIONAL NEGRO BUSINESS LEAGUE

ORGANIZED 1900  
BOOKER T. WASHINGTON, FOUNDER AND FIRST PRESIDENT

OBJECT  
TO PROMOTE THE COMMERCIAL AND FINANCIAL DEVELOPMENT OF THE NEGRO

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TUSKEGEE INSTITUTE, ALABAMA

September 27, 1943

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Mr. Truman K. Gibson, Acting  
Civilian Aide to the  
Secretary of War  
War Department  
Washington, D. C.

Dear Mr. Gibson:

Herewith is copy of a letter which

I have just received from Mr. Belmont Haydel, a  
successful business man, of New Orleans, who is also  
one of the officers of the National Negro Business  
League. The problem which he presents is, I am sure,  
similar to many problems which are brought to your  
attention. However, we would appreciate your sug-  
gestions as to how he may proceed in his efforts to  
adjust his status in the present emergency.

Yours very sincerely,

*Albon L. Holsey*  
Executive Secretary

Enclosure

HAYDEL'S FLOWER SHOPPE

3730 S. Clairborne Avenue

New Orleans, Louisiana

September 20, 1943

Mr. A. L. Holsey, Executive Secretary  
The National Negro Business League  
Tuskegee Institute, Alabama

Dear Mr. Holsey:

I am among the several individuals who have received orders to be in an essential occupation by October 15 or be inducted into the armed services. We were advised that registration was to be made at the U. S. Employment Office.

When I went to the place of registration I entered the section for members of the Caucasian race and was promptly told that thirty-five jobs were open in essential industries. It was stated that I would be interviewed with the purpose in view of determining my qualifications. I then informed the party that I was a Negro. This brought a decided change in the situation. I was told that the Negro section was entered from the other end of the building and I would be taken care of there.

Upon reaching the Negro section I was given an application for work as a laborer without any interview. Answering my request for further information, the party in charge told me that the only jobs open were in unskilled labor.

As you can see, this definitely shows discrimination. The Negroes in this section who are in non-essential occupations face the dubious choice of leaving their businesses for jobs as laborers or being inducted.

Please advise me of the proper channel to take this case up. As you realize, I must take some action to safeguard my business, as well as my personal rights.

Very truly yours,

/S/ Belmont Haydel

22 September 1943

Mr. George M. Johnson  
Assistant Chairman  
President's Committee on Fair  
Employment Practice  
Tenth and U Streets, N. W.  
Washington 25, D. C.

Dear Mr. Johnson:

Reference is made to your letter of 24 August 1943 in which you advised that the Kansas City Quartermaster Depot, Kansas City, Missouri; Independence Army Air Field, Independence, Kansas; Coffeyville Army Air Field, Coffeyville, Kansas; Army Air Forces Supply Depot, Pauline, Kansas and the Pine Bluff Arsenal, Pine Bluff, Arkansas, refused to submit to the United States Employment Service statistical information on the number of Negroes employed by them.

In view of the negotiations now going on among the Civil Service Commission, the Bureau of the Budget and the President's Committee on Fair Employment Practice relative to the submission to the Commission by all Government establishments of periodic reports showing employment by race in such establishments this office doubts the advisability of requiring War Department installations at this time to forward such reports in fragments to the United States Employment Service.

If other War Department installations are forwarding such information to the United States Employment Service from time to time and the Employment Service, in turn, is forwarding copies of it to the Committee the question arises why does the Committee call upon this office from time to time to obtain such information from specific installations?

It appears that several requests for information of this kind cause an unnecessary duplication of clerical work and this practice should be superseded by the arrangement which is now under consideration for the forwarding of such information to the Civil Service Commission, beginning in November. If the Committee differs with this view I shall seek to obtain the desired information from the installations in question.

Yours very truly,

Truman K. Gibson, Jr.,  
Acting Civilian Aide to the Secretary  
of War.

USEJ

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE FOR EMERGENCY MANAGEMENT  
PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE  
WASHINGTON, D. C. 25

August 24, 1943

Mr. Truman K. Gibson, Jr.  
Acting Civilian Aide to the  
Secretary of War  
War Department  
Washington, D. C.

Dear Mr. Gibson:

The President's Committee on Fair Employment Practice has been informed by the War Manpower Commission that the Kansas City Quartermaster Depot, Kansas City, Missouri; Independence Army Air Field, Independence, Kansas; Coffeyville Army Air Field, Coffeyville, Kansas; Army Air Forces Supply Depot, Pauline, Kansas and the Pine Bluff Arsenal, Pine Bluff, Arkansas, refuse to submit statistical information on the number of non-whites employed by them. The reason for refusal, according to the War Manpower Commission, is that they believe the Committee is opposed to keeping such records. The Committee issued the following statement of policy on August 9, 1943:

"On many occasions the President's Committee on Fair Employment Practice has requested employers to remove designations of race, religion or color from applications for employment. This was done in order to prevent discrimination in the consideration of prospective employees. In recent months this request has been cited by war contractors' in justification of their refusal to supply appropriate government agencies with employment figures for non-white workers. The provisions of Executive Orders 8802 and 9346, which establish and outline the responsibilities of this Committee, clearly indicate that the Committee must receive up-to-date information relative to the degree of non-white employment in the various plants which have war contracts. The enforcement of the non-discrimination policy established by these orders makes it necessary that this information be available. The Committee therefore requests that all war contractors maintain such post-employment records as will permit the submission of statistics for non-white employees. The



Mr. Truman K. Gibson, Jr.

-2-

August 24, 1943

Committee's position is that there is nothing inconsistent in its earlier request for elimination of color, race, or creed designations from pre-employment applications and compilation of data broken down by color in post-employment records."

It is requested that you take the necessary steps to have the above named War Department establishments prepare information on non-white employment at such intervals as it is required by the United States Employment Service for the War Manpower Commission. Please inform the Committee of such steps as you take to comply with this request.

Sincerely yours,



George M. Johnson  
Assistant Chairman

13 September 1943

The Rt. Rev. Mgr. Francis J. Haas  
Chairman  
The President's Committee on Fair  
Employment Practice  
Tenth and U Streets, N. W.  
Washington, D. C.

Dear Father Haas:

Under date of 24 February 1943, the Committee on Fair Employment Practice inquired whether the provisions of Executive Order 8802 applied to contracts entered into by the War Department for the housing of Army personnel. The question arose out of a report made to the Committee by the United States Employment Service alleging a discriminatory job specification by the Manhattan Towers Corporation.

In reporting on this matter the Office of the Chief of Engineers stated that it requires:

Inclusion of provisions of the Order in all contracts which involve the hiring of employees or the giving of personal service. In other contracts, however, such as those which involve only the purchase or lease of real estate, it has been considered that inclusion of provisions of the Order would be meaningless and, therefore, unnecessary.

In the case of the Manhattan Towers Corporation, the prime contract was awarded to the Stewart Technical School which awarded a subcontract to Manhattan Towers to provide shelter for a minimum of 325 and a maximum of 575 trainees at a fixed or unit price of \$0.786 per man per day.

The anti-discrimination clause required by Executive Order 8802 was not included in this contract because said Order was considered inapplicable to housing contracts. The Industrial Personnel Division, Headquarters, Army Service Forces, however, does not concur in this view. It gives the following controlling opinion:

Memorandum dated 27 June 1941 from the Under Secretary of War to the Chief of all the Supply Arms and Services entitled "Discrimination because of Race, Creed, or Color or National Origin" specifically directs that all defense contracts will include a provision to the effect that the

*Copy sent*

The Rt. Rev. Mgr. Francis J. Haas  
13 September 1943

Page - 2 -

contractor, in performing the work required by the contract, will not discriminate against any worker because of race, creed, color or national origin. Paragraph 325 of the present Procurement Regulations provides "(1) every contract, regardless of subject matter or amount will contain the following clause without deviation: \* \* \*". The clause referred to is a standard antidiscrimination clause. In view of the plain language of the foregoing, it is clear that the position taken by the Corps of Engineers is contrary to War Department policy. While it may not be necessary to include such a clause in contracts which involve only the purchase or lease of real estate where no personal service of any kind is involved, it is plain that the contract with Manhattan Towers Corporation did call for personal services in the form of janitor, elevator, and maintenance service and, therefore, should have included a clause prohibiting discrimination.

The report in this case was inadvertently delayed because the report of the Division Engineer was misdirected to the Real Estate Branch of the Office of the Chief of Engineers rather than to the Labor Relations Branch.

If any further action is desired in this matter please advise me.

Very truly yours,

Truman K. Gibson, Jr.,  
Acting Civilian Aide to the Secretary  
of War.

La. Lia

Manhattan Towers Corp.

9th Ind.

ms/crp

War Department, Office of the Secretary, CPD  
To: The Acting Civilian Aide to the Secretary of War.

September 9, 1943.

Inviting your attention to preceding 7th Indorsement which was missent  
to Headquarters, Army Service Forces.

  
J. H. Mason, Chief  
Employee Relations Branch

Manhattan Towers Corp.

7th Ind.

ms/crp

War Department, Office of the Secretary, CPD

August 16, 1943.

To: Headquarters, Army Service Forces, IPD, Attn: Civilian Personnel Branch.

1. Forwarded for your attention inasmuch as this office has no jurisdiction over contractor employees. Such matters should be referred directly to the Labor Branch of Army Service Forces.

2. It is recommended however that the Office of the Under Secretary of War be requested to interpret the intent of the regulations cited in preceding 6th Indorsement with reference to the meaning of "Defense Contracts" in Executive Order 8802.

*J. H. Mason*

J. H. Mason, Chief  
Employee Relations Branch

SPGC-L 095-Manhattan Towers Corp. 8th Ind.

War Dept., Hq. ASF, IPD, Washington, D. C., 19 August 1943 - To the Office of the Secretary of War. Attention: Director of Civilian Personnel and Training.

1. Forwarded for transmittal to the Acting Civilian Aide to the Secretary of War and the President's Committee on Fair Employment Practices.

For the Director, Industrial Personnel Division:

*John E. O'Gara*

JOHN E. O'GARA  
Colonel, General Staff Corps  
Chief, Labor Branch  
Industrial Personnel Division

Incl. n/c

SPCC-L 095-Manhattan Towers Corp. 6th Ind.

War Dept., Hq. ASF, IPD, Washington, D. C., 9 July 1943 - To the Office of the Secretary of War, Attention: Director of Civilian Personnel and Training.

1. Reference is made to the preceding indorsements and attachments thereto, and more particularly to paragraph 4 of the 5th Indorsement.
2. This office does not concur in the 1st Indorsement of the Corps of Engineers dated 11 February 1942 to a letter of the Division Engineer dated 5 February 1943, subject, "Letter from President's Committee on Fair Employment Practice," which is attached to the 4th Indorsement of the basic communication.
3. Memorandum dated 27 June 1941 from the Under Secretary of War to the Chief of all the Supply Arms and Services entitled "Discrimination because of Race, Creed, Color or National Origin" specifically directs that all defense contracts will include a provision to the effect that the contractor, in performing the work required by the contract, will not discriminate against any worker because of race, creed, color or national origin. Paragraph 325 of the present Procurement Regulations provides "(1) every contract, regardless of subject matter or amount will contain the following clause without deviation: \* \* \*". The clause referred to is a standard antidiscrimination clause. In view of the plain language of the foregoing, it is clear that the position taken by the Corps of Engineers is contrary to War Department policy. While it may not be necessary to include such a clause in contracts which involve only the purchase or lease of real estate where no personal service of any kind is involved, it is plain that the contract with Manhattan Towers Corporation did call for personal services in the form of janitor, elevator, and maintenance service and, therefore, should have included a clause prohibiting discrimination.

For the Director, Industrial Personnel Division:



JOHN E. O'GARA  
Colonel, General Staff Corps  
Chief, Labor Branch  
Industrial Personnel Division

Incl. n/c

CE 600.1(North Atlantic 5th Ind. Subject: Discrimination  
Division)SPEKL Policy

Office, C. of E., Washington, D. C., 21 June 1943.

To: Headquarters, ASF, Labor Branch, IPD.

1. Your attention is invited to the 4th indorsement which contains the opinion that provisions of Executive Order 8802 are not applicable to contracts for housing Army personnel.

2. It is the policy of this office, pursuant to paragraph 325 of Procurement Regulations, to require inclusion of provisions of the Order in all contracts which involve the hiring of employees or the giving of personal service. In other contracts, however, such as those which involve only the purchase or lease of real estate, it has been considered that inclusion of provisions of the Order would be meaningless and, therefore, unnecessary.

3. In the case of the Manhattan Towers Corporation, the prime contract was awarded to the Stewart Technical School which awarded a sub-contract to Manhattan Towers to provide shelter for a minimum of 325 and a maximum of 575 trainees at a fixed or unit price of \$0.786 per man per day.

4. Reasons for non-inclusion of provisions of the Order in this contract are contained in a 1st indorsement of this office dated February 11, 1943, to letter of Division Engineer dated February 5, 1943, subject, Letter from President's Committee on Fair Employment Practice. A copy of this correspondence is inclosed.

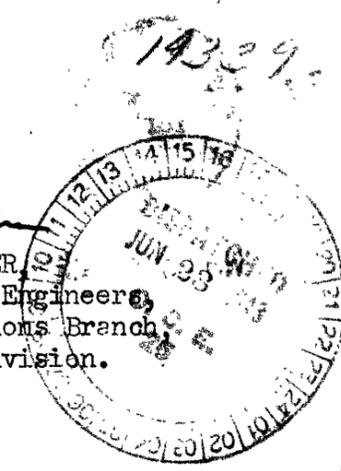
5. A decision by your office with respect to the views expressed in the 1st indorsement referred to in paragraph 4 above is requested.

6. Compliance with the request contained in the 2nd indorsement was inadvertently delayed due to the fact that the report of the Division Engineer was misdirected to the Real Estate Branch of this office rather than to the Labor Relations Branch.

For the Chief of Engineers:

  
C. D. BARKER,  
Lt. Col., Corps of Engineers,  
Chief, Labor Relations Branch,  
Construction Division.

4 Inclosures:  
#1. - n/c  
#2. - Cy. Ltr. 2/19/43  
#3. - Cy. Ltr. 2/5/43  
#4. - Cy. 1st Ind. 2/11/43.



WAR DEPARTMENT  
OFFICE OF THE ASSISTANT SECRETARY  
WASHINGTON, D. C.

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MAR 26 9 55 AM '43

wa 230.033 (had) TRK

March 5, 1943

MEMORANDUM

TO: The Director of Civilian Personnel and Training

The attached copy of a letter from the President's Committee on Fair Employment Practice raises a question of whether contracts entered into by the War Department with the Manhattan Towers Corporation of New York for housing are defense contracts within the meaning of Executive Order 8802 and should carry a provision obligating the contractor not to discriminate against any worker because of race, creed, color or national origin.

May this office have an opinion on this matter in order that it may advise the Committee?

*Truman K. Gibson, Jr.*  
Truman K. Gibson, Jr.  
Acting Civilian Aide to the Secretary  
of War

OFFICE CHIEF OF ENGINEERS  
MAR 23 1943  
SCOTT

1st Ind.

ms/kva

War Department, Office of the Secretary, C.P.D. March 13, 1943  
To: Headquarters, Services of Supply. Attn: Labor Branch

For report on which to base a reply.

MAR 16 '43 AM



WAR DEPARTMENT  
SERVICES OF SUPPLY  
INDUSTRIAL PERSONNEL  
DIVISION

*J. H. Mason*  
J. H. Mason, Chief  
Employee Relations Branch

13591-18

SPGC-L 095 Manhattan Towers Corp 2nd Ind.

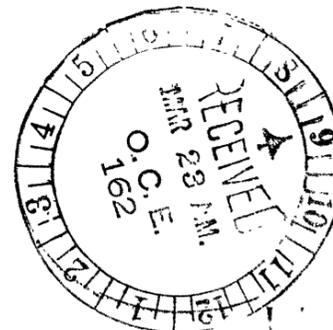
War Dept., Hq., SOS, LPD, Washington, D. C., March 22, 1943 - To the  
Chief of Engineers (Attention: Col. Clarence D. Barker)

1. Forwarded for investigation and report.

For the Director, Industrial Personnel Division:

*John E. O'Gara*  
JOHN E. O'GARA  
Colonel, General Staff Corps  
Chief, Labor Branch  
Industrial Personnel Division

Incl:  
n/c



230,033 -

CE 600.1 (General)  
(Labor) SPEKL

Subject: Discrimination policy.

3rd Ind.

Office C. of E., March 24, 1943.

TO: The Division Engineer, North Atlantic Division, 21st Floor,  
270 Broadway, NEW YORK, NEW YORK.

1. Forwarded for investigation and report.
2. If a War Department contract is involved, an explanation of the omission of the anti-discrimination clause required by Procurement Regulations, paragraph 325 should be furnished.

By order of the Chief of Engineers:

*Robert F. Jacobs*

ROBERT F. JACOBS,  
Major, Corps of Engineers,  
Executive Officer, Labor Relations Branch,  
Construction Division.

1 Inclosure:

#1 - Ltr. dated 2/24/43, to  
T.K.Gibson, Jr., frm.  
L.W.Cramer.

REC'D-OFFICE DIV. ENG.  
NO. ATL. DIV. NEW YORK

MAR 26 1943 8 AM

MAR 24 1943  
O. C. E.  
29

ATE  
3/24/43  
APR 27 AM  
O.C.E.  
1943  
NADMR-2

SUBJECT: Discrimination Policy (3/5/43)

NA 230.033 (NAD)1 4th Ind.

Office, Division Engineer, NORTH ATLANTIC DIVISION, New York City,  
April 24, 1943.

To: The Chief of Engineers, U. S. ARMY.

1. By letter addressed to this office dated February 1, 1943, the President's Committee on Fair Employment Practice requested information as to whether contracts entered into by this office for the housing of Army personnel contained the Anti-Discrimination Clause required by Executive Order 8802.

2. Under basic letter of this office dated February 5, 1943, File: NA 601(NAD)-11-A, such letter was forwarded to the Office, Chief of Engineers, for consideration, and the view was expressed by this office that the provisions of Executive Order 8802 were not applicable to contracts for housing of Army Personnel.

3. By 1st indorsement thereon dated February 11, 1943, File: CE 601.53-SPELD, the views of this office were concurred in by the Office, Chief of Engineers.

4. By letter dated February 19, 1943, addressed to the President's Committee on Fair Employment Practice, copy of which is inclosed, File: NA 601-(NAD)-11-B, this office advised that Anti-Discrimination clause is not applicable in housing contracts.

For the Division Engineer:

2 Incls.  
1 Incl. n/c  
Typed: Inc. #2 (Cy. ltr. 2/19/43)

APR 27 43 AM  
*A. N. Lockwood*  
A. N. LOCKWOOD  
Division Real Estate Officer.

600.1. North Atlantic DE  
Mey, all  
4-29-43  
PBB

O. C. of E.  
CONSTR. DIV.  
REAL ESTATE BRANCH

Misc. - Gen. - Posts

C O P Y

February 24, 1943

Mr. Truman K. Gibson, Jr.  
Acting Civilian Aide to the  
Secretary of War  
War Department  
Washington, D. C.

Dear Mr. Gibson:

Inquiry has been made by the Committee's field representative in New York City as to whether or not the provisions of Executive Order 8802 apply to housing contracts entered into by the War Department. This inquiry originated as a result of the submission of a report by the United States Employment Service of a discriminatory job order by the Manhattan Towers Corporation of New York City.

Mr. Lawson, our field examiner, advises me that Mr. A. N. Lockwood, Division Real Estate Officer attached to the Office of the Division Engineer, North -Atlantic Division, New York City, states that the anti-discrimination clause is not carried in contracts written by his office "because Executive Order 8802 is not considered applicable to such agreements." He was advised, however, by the Navy Department that that department incorporates a non-discrimination clause in its housing contracts.

The question here seems to be whether or not contracts entered into by the War Department for housing are "defense contracts" in the meaning of Executive Order 8802. The fact that the United States Employment Service has submitted a report to the Committee covering a discriminatory job specification by the Manhattan Towers Corporation indicates that that agency regards War Department housing activities as essential to the war effort.

I do not have sufficient information as to the character of the contract in question to be able to refer this matter to the War Manpower Commission General Counsel's office for a legal opinion as to the applicability of Executive Order 8802. Can you give me your own judgment as to the applicability of the Order or at least give me information as to the character of the contracts so that I may request a legal opinion.

Sincerely yours,

Lawrence W. Cramer  
Executive Secretary

Incl #1

COPY

NADMR-6K

NA 601(NAD)-11-B

February 19, 1943.

Mr. Edward Lawson  
Pres. Comm. on Fair Employment Practice  
11 West 42nd St.  
New York, New York

Dear Sir:

With reference to your letter of February 1, 1943, please be advised that the War Dept. housing contracts do not contain the anti-discrimination clause for the reason that Executive Order 8802 is considered inapplicable to such agreements.

For the Division Engineer:

Very truly yours,

A. N. LOCKWOOD  
Division Real Estate Officer

Inc. #2

C  
O  
P  
Y

WAR DEPARTMENT  
Office of Division Engineer  
North Atlantic Division

270 Broadway  
New York, N.Y.

NA 601 (NAD)-11A

February 5, 1943

Subject: Letter from President's Committee on Fair Employment Practice.

To: Chief of Engineers, U. S. Army, WASHINGTON, D. C.

1. This office is in receipt of the attached letter dated February 1, 1943 from the President's Committee on Fair Employment Practice which is forwarded to your office for consideration.

2. It is the opinion of this office that the leases of facilities already entered into by the Government for the housing of Army personnel in this division are not properly classified as contracts pertaining "to the successful conduct of our national defense production effort" nor do they have to do with providing "for the full and equitable participation of all workers in defense industries" as referred to in Executive Order 8802 (Bulletin 17) of the War Department, Washington, July 15, 1941, Section I.

3. It is also the opinion of this office that the same may be said of government contracts with various hotels on a guest basis, where compensation for housing and services is computed at a set price per unit per day.

For the Division Engineer:

A. N. LOCKWOOD  
Division Real Estate Officer

1 Incl.-Ltr. 2/1/43

1st Ind.

CE 601.53 EPTFD  
North Atlantic Div.

SUBJECT: Letter from President's Committee on Fair Employment Practice.

Office, C. of E., February 11, 1943

TO: The Division Engineer, North Atlantic Division, 270 Broadway,  
NEW YORK, N. Y.

1. This office concurs in your opinion that contracts entered into by the Army with hotels for the housing of Army personnel do not fall within the scope of Executive Order 8802 (July 15, 1941). The order in question provides (paragraph 2) that "Whereas there is evidence that available and needed workers have been barred from employment in industries engaged in defense production solely because of considerations of race, creed, color, or national origin, to the detriment of workers' morale and of national unity:".

2. The order further provides that "as a prerequisite to the successful conduct of our national defense production effort . . . there shall be no discrimination in the employment of workers in defense industries or Government because of race, creed, color or national origin and . . . in furtherance of said policy and of this order, to provide for the full and equitable participation of all workers in defense industries, without discrimination . . . all departments and agencies of the Government of the United States concerned with vocational and training programs and defense production shall take special measures appropriate to assure that such programs are administered without discrimination . . . and that all defense contracts hereafter negotiated . . . (shall contain) a provision obligating the contractor not to discriminate against any worker because of race, creed, color, or national origin".

3. The provisions of this order are clearly intended to apply to production contracts whereunder it is anticipated that the contractor will be required to employ workmen. The policy is obviously designed to protect industrial workers from discrimination and there is no evidence that it is intended to apply to contracts negotiated by the Real Estate Branch for housing of troops or other military personnel.

4. Even in those cases where the War Department has contracted for the services of the hotel operators on the basis of a certain amount per man per day or per month, it is the opinion of this office that Executive Order 8802 is inapplicable, since these are merely contracts for the services of going concerns, including operating personnel, and are not production contracts.

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CE 601.53 SPELD  
North Atlantic Div.

1st Ind. to Division Engineer  
North Atlantic Division.

5. In view of the foregoing, the War Manpower Commission should be advised that the War Department's housing contracts do not contain the anti-discrimination clause for the reason that Executive Order 8802 is considered to be inapplicable to such agreements.

By order of the Chief of Engineers:

JOHN J. O'BRIEN,  
Colonel, Corps of Engineers,  
Chief, Real Estate Branch.

PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE  
WAR MANPOWER COMMISSION  
WASHINGTON, D. C.

MALCOLM S. MACLEAN  
CHAIRMAN  
WILLIAM GREEN  
MILTON P. WEBSTER  
LAWRENCE W. CRAMER  
EXECUTIVE SECRETARY

February 24, 1943

DAVID SARNOFF  
EARL B. DICKERSON  
PHILIP MURRAY  
MARK ETHRIDGE

Mr. Truman K. Gibson, Jr.  
Acting Civilian Aide to the  
Secretary of War  
War Department  
Washington, D. C.

Dear Mr. Gibson:

Inquiry has been made by the Committee's field representative in New York City as to whether or not the provisions of Executive Order 8802 apply to housing contracts entered into by the War Department. This inquiry originated as a result of the submission of a report by the United States Employment Service of a discriminatory job order by the Manhattan Towers Corporation of New York City.

Mr. Lawson, our field examiner, advises me that Mr. A. N. Lockwood, Division Real Estate Officer attached to the Office of the Division Engineer, North Atlantic Division, New York City, states that the anti-discrimination clause is not carried in contracts written by his office "because Executive Order 8802 is not considered applicable to such agreements." He was advised, however, by the Navy Department that that department incorporates a non-discrimination clause in its housing contracts.

The question here seems to be whether or not contracts entered into by the War Department for housing are "defense contracts" in the meaning of Executive Order 8802. The fact that the United States Employment Service has submitted a report to the Committee covering a discriminatory job specification by the Manhattan Towers Corporation indicates that that agency regards War Department housing activities as essential to the war effort.

I do not have sufficient information as to the character of the contract in question to be able to refer this matter to the War Manpower Commission General Counsel's office for a legal opinion as to the applicability of Executive Order 8802. Can you give me your own judgment as to the applicability of the Order or at least give me information as to the character of the contracts so that I may request a legal opinion.



Sincerely yours,

*Lawrence W. Cramer*  
Lawrence W. Cramer  
Executive Secretary

13 September 1943

Mr. Will Maslow  
Director of Field Operations  
The President's Committee on  
Fair Employment Practice  
Tenth and U Streets, N. W.  
Washington, D. C.

Dear Mr. Maslow:

Reference is made to your letter of 8 September 1943 inquiring about the results in the investigation into the report made to the Committee by the United States Employment Service that the Sub-office of the Cincinnati Ordnance District at Muncie, Indiana, had refused to hire Negro women as gaugers. A copy of the report of the United States Employment Service, dated 5 November 1942, was not forwarded to this office until 15 May 1943.

The records of this office show that a report of the investigation in this case was forwarded to the Committee on 28 August 1943. Our files contain no letter of 22 July 1943 returning to the Committee a copy of the report of the United States Employment Service.

Yours very truly,

Truman K. Gibson, Jr.,  
Acting Civilian Aide to the Secretary  
of War.

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EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE FOR EMERGENCY MANAGEMENT  
PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE  
WASHINGTON, D. C. 25

September 8, 1943

Mr. Truman Gibson, Jr.  
Acting Civilian Aide  
War Department  
Washington, D. C.

Re: Sub-office of Cincinnati  
Ordnance District  
Muncie, Indiana 6 GR-

Dear Mr. Gibson:

We enclose a copy of a report of discriminatory practices by the Sub-office of Cincinnati Ordnance District, which was received by this office from the United States Employment Service.

This report was originally sent you under date of May 15, 1943, but in your letter of July 22, 1943, returning the copy of the report, no reference was made to it in your covering letter.

Will you be good enough to investigate this matter, and, if the allegations therein are found to be true, to take steps to eliminate the discriminatory practices.

May we have a report on this matter as soon as possible.

Very truly yours,

*Will Maslow*

Will Maslow  
Director of Field Operations

Enclosure



Form USES-510  
(7-42)

Federal Security Agency  
Social Security Board

UNITED STATES EMPLOYMENT SERVICE

Date: 11/5/42

REPORT OF DISCRIMINATORY HIRING PRACTICES

Employer: Sub-office of Cincinnati Ordnance District	Date of Order: 10/19/42
Address: 309 Johnson Building, Muncie, Indiana	Industry: Regular Governmental Establishments 9411
Head of Firm: E. A. Wilson	Check One: <input checked="" type="checkbox"/> Essential <input type="checkbox"/> Non-essential
Title: Personnel Director	Order Placed By: E. A. Wilson
Official Interviewed to Secure Relaxation:	Order Received By: E. R. Hawkins
Above	Number of Openings: 6
Title: Above	Occupational Title and code: Guager I 6-78.672

Discriminatory Hiring Practices:  
See Section I and II of attached inclosure.

Action taken to secure relaxation:  
Following the conversation outlined in paragraph 1 of Section II of the attached inclosure I informed Mr. Wilson that his hiring practices did not conform with Governmental Policies and the President's Executive Order and asked him to reconsider, which he refused to do. For further details see the attached inclosure, Section II, paragraph 2.

Result:  
No relaxation in hiring specifications.

By: /s/ Dawson Price, Manager

### Section I

Refusal to hire Negro women as gaugers as well as the inclusion of discriminatory specifications: Discriminatory specifications were not included in the original order of October 19, 1942; the hiring of whites or non-whites was not discussed at that time, it being assumed by this office that a governmental agency would not violate the President's Executive Order of June 25, 1941. For discriminatory specifications and failure to hire occupational qualified workers referred by the Employment Service see Section II.

It should be noted that the Negroes referred were checked prior to referral from the standpoint of character and their ability to perform the job. Women were referred in two groups: We referred 12 white women and one Negro on October 20, 1942 and the employer hired two women both of whom were white. In the second group referred from October 22 to October 28 inclusive, 6 persons were referred two of whom were Negroes. In the latter group one of the Negroes refused the job; the employer hired two white women and is seriously considering hiring a third.

### Section II

On October 26 I talked over the phone with Mr. E. A. Wilson, Personnel Director, Sub-office of Cincinnati Ordnance District, 309 Johnson Building, Muncie, Indiana. During the conversation Mr. Wilson said, "Say, you sent me a couple of girls I didn't like at all. One of them was named Florence Mitchell, and the other was a colored girl too, but I can't remember her name." I then asked Mr. Wilson what difference it made if the girls were colored. He replied, giving emphasis to the first word in the subsequent quotation, "Well, I know it shouldn't make any difference, but as a matter of fact, we won't place a colored person in a plant where there are not colored persons already working." Later, he said, "She (Florence Mitchell) was all right; maybe we can use her later, but at the present time it would cause trouble if we placed such a person there. (Acme Machine Products Division of Serrick Corporation, Muncie.) We have enough trouble as it is, you know."

On November 2, 1942, Mr. Philip Gentleson, representative of the United States Civil Service Commission, Cincinnati, Ohio, called at our office and talked to me concerning the employment of inspectors in other cities near Muncie. During our conversation I asked him who would hire the persons referred by our offices, and he said that Mr. E. A. Wilson, above, would do the hiring. I then asked Mr. Gentleson if Mr. Wilson had discussed with him the hiring of Negro women as inspectors. Mr. Gentleson said he had discussed this with Mr. Wilson and that Mr. Wilson was very opposed to hiring any Negroes. The Civil Service Representative quoted Mr. Wilson as having said that hiring of Negroes would cause a race riot. Mr. Gentleson then added that he did not agree with this attitude on the part of Mr. Wilson because he knew of many plants where Negroes were hired and there had been no trouble. The Civil Service Representative concluded by saying that he felt there was little use of talking to Mr. Wilson further about relaxing his hiring specifications, because Mr. Wilson had very definite ideas about hiring of Negroes.

May 26, 1943

MEMORANDUM

TO: The Director of Civilian Personnel and Training

There is attached hereto a report of discriminatory hiring practices in which the United States Employment Service alleges that the Sub-office of the Cincinnati Ordnance District, Muncie, Indiana, refused to hire Negro women as Gaugers, solely because of their race or color. This report was forwarded to this office by the President's Committee on Fair Employment Practice.

Attention is specifically invited to the second paragraph of Section II of the report concerning the employment of Inspectors in the Cincinnati Ordnance District, in which a representative of the Civil Service Commission is quoted as having stated that Mr. E. A. Wilson, Personnel Director of the Sub-office of the Cincinnati Ordnance District at Muncie, "was very much opposed to hiring any Negroes." During the period this alleged discrimination was being practiced forty-eight of sixty-eight Negro Inspectors on a hired status were on furlough.

May the facts in this case be investigated and, if found to be as represented, may appropriate disciplinary action be taken against the person or persons responsible for the alleged violation of Executive Order 8802 and the directives of this Department prohibiting racial discrimination in Federal employment?

Truman K. Gibson, Jr.  
Acting Civilian Aide to the Secretary  
of War

USE'S

USES-510  
(7-42)

Federal Security Agency  
Social Security Board

UNITED STATES EMPLOYMENT SERVICE

Date: 11/5/42

REPORT OF DISCRIMINATORY HIRING PRACTICES

Employer: Sub-office of Cincinnati Ordnance District	Date of Order: 10/19/42
Address: 309 Johnson Building, Muncie, Indiana	Industry: Regular Governmental Establishments 9411
Head of Firm: E. A. Wilson	Check One: <input checked="" type="checkbox"/> Essential <input type="checkbox"/> Non-essential
Title: Personnel Director	Order Placed By: E. A. Wilson
Official Interviewed to Secure Relaxation:	Order Received By: E. R. Hawkins
Above	Number of Openings: 6
Title: Above	Occupational Title and code: Guager I 6-78.672

Discriminatory Hiring Practices:  
See Section I and II of attached inclosure.

Action taken to secure relaxation:  
Following the conversation outlined in paragraph 1 of Section II of the attached inclosure I informed Mr. Wilson that his hiring practices did not conform with Governmental Policies and the President's Executive Order and asked him to reconsider, which he refused to do. For further details see the attached inclosure, Section II, paragraph 2.

Result:  
No relaxation in hiring specifications.

By: /s/ Dawson Price, Manager

## Section I

Refusal to hire Negro women as gaugers as well as the inclusion of discriminatory specifications: Discriminatory specifications were not included in the original order of October 19, 1942; the hiring of whites or non-whites was not discussed at that time, it being assumed by this office that a governmental agency would not violate the President's Executive Order of June 25, 1941. For discriminatory specifications and failure to hire occupational qualified workers referred by the Employment Service see Section II.

It should be noted that the Negroes referred were checked prior to referral from the standpoint of character and their ability to perform the job. Women were referred in two groups: We referred 12 white women and one Negro on October 20, 1942 and the employer hired two women both of whom were white. In the second group referred from October 22 to October 28 inclusive, 6 persons were referred two of whom were Negroes. In the latter group one of the Negroes refused the job; the employer hired two white women and is seriously considering hiring a third.

## Section II

On October 26 I talked over the phone with Mr. E. A. Wilson, Personnel Director, Sub-office of Cincinnati Ordnance District, 309 Johnson Building, Muncie, Indiana. During the conversation Mr. Wilson said, "Say, you sent me a couple of girls I didn't like at all. One of them was named Florence Mitchell, and the other was a colored girl too, but I can't remember her name." I then asked Mr. Wilson what difference it made if the girls were colored. He replied, giving emphasis to the first word in the subsequent quotation, "Well, I know it shouldn't make any difference, but as a matter of fact, we won't place a colored person in a plant where there are not colored persons already working." Later, he said, "She (Florence Mitchell) was all right; maybe we can use her later, but at the present time it would cause trouble if we placed such a person there. (Acme Machine Products Division of Serrick Corporation, Muncie.) We have enough trouble as it is, you know."

On November 2, 1942, Mr. Philip Gentleson, representative of the United States Civil Service Commission, Cincinnati, Ohio, called at our office and talked to me concerning the employment of inspectors in other cities near Muncie. During our conversation I asked him who would hire the persons referred by our offices, and he said that Mr. E. A. Wilson, above, would do the hiring. I then asked Mr. Gentleson if Mr. Wilson had discussed with him the hiring of Negro women as inspectors. Mr. Gentleson said he had discussed this with Mr. Wilson and that Mr. Wilson was very opposed to hiring any Negroes. The Civil Service Representative quoted Mr. Wilson as having said that hiring of Negroes would cause a race riot. Mr. Gentleson then added that he did not agree with this attitude on the part of Mr. Wilson because he knew of many plants where Negroes were hired and there had been no trouble. The Civil Service Representative concluded by saying that he felt there was little use of talking to Mr. Wilson further about relaxing his hiring specifications, because Mr. Wilson had very definite ideas about hiring of Negroes.

28 August 1943

Mr. George M. Johnson,  
Assistant Executive Secretary,  
President's Committee on  
Fair Employment Practice,  
Tenth and U Street, N.W.,  
Washington, D. C.

Dear Mr. Johnson:

on 15 May 1943, you forwarded to this office a copy of a report of the United States Employment Service alleging that the Suboffice of the Cincinnati Ordnance District, Muncie, Indiana, was engaging in discriminatory hiring practices against Negro women. Enclosed herewith are copies of statements made in this connection by Lieutenant M.E. Aydt, Officer in Charge, Muncie Sub-Area, Mr. Edward A. Wilson, Personnel Director, and Mr. Burnice A. Simons, who interviews applicants in that area.

If the information contained in these statements is deemed inadequate, I shall be pleased to request further investigation.

Yours very truly,

LOUIS R. LAUTIER  
Senior Administrative Assistant  
Office, Civilian Aide to the Secretary  
of War

USE-

WAR DEPARTMENT  
CIVILIAN PERSONNEL DIVISION  
OFFICE OF THE SECRETARY OF WAR  
WASHINGTON, D. C.

August 5, 1943

MEMORANDUM TO: The Acting Civilian Aide to the Secretary  
of War.

1. Reference is made to your memorandum of May 26, 1943, relative to the alleged practice of discrimination against colored women at the Suboffice of the Cincinnati Ordnance District, Muncie, Indiana.
2. There is attached for your information copies of the statements made in this connection by Lieutenant M. E. Aydt, Officer in Charge, Muncie Sub-Area., Mr. Edward A. Wilson, Personnel Director and Mr. Burnice A. Simmons, who interviews applicants in that Area.
3. We trust this information is satisfactory to you.

*J. H. Mason*  
J. H. Mason, Chief  
Employee Relations Branch

Attachment:



WAR DEPARTMENT  
OFFICE OF THE SECRETARY OF WAR  
CIVILIAN PERSONNEL DIVISION  
WASHINGTON, D. C.

June 2, 1943

MEMORANDUM TO: The Acting Civilian Aide to the Secretary  
of War.

1. Reference is made to your memorandum dated May 26, 1943, relative to a report of discriminatory hiring practices in which the United States Employment Service alleges that the Sub-office of the Cincinnati Ordnance District, Muncie, Indiana, refused to hire Negro women as Gaugers, solely because of their race or color.

2. This is to inform you that this office is making an investigation of this matter and a further report will be made to you at such time the necessary information is received.

*J. H. Mason*  
J. H. Mason, Chief  
Employee Relations Branch



*USFC*

13 September 1943

Mr. Will Maslow  
Director of Field Operations  
The President's Committee on  
Fair Employment Practice  
Tenth and U Streets, N. W.  
Washington, D. C.

Dear Mr. Maslow:

Reference is made to your letter of 8 September 1943 concerning the report of discriminatory hiring practices made to the Committee by the United States Employment Service in which it was alleged that the Terre Haute Ordnance Depot had refused to employ Mrs. Clara L. Mitchem as a duplicating machine operator because she is a Negro.

A copy of the report of the United States Employment Service dated 12 November 1942 was not forwarded to this office until 15 May 1942.

The records of this office show that a report in this case was forwarded to the Committee under date of 31 August 1943. There is no letter of 22 July in our files indicating that the copy of the report of the United States Employment Service was returned to the Committee.

Yours very truly,

Truman K. Gibson, Jr.,  
Acting Civilian Aide to the Secretary  
of War.

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EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE FOR EMERGENCY MANAGEMENT  
PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE  
WASHINGTON, D. C. 25

September 8, 1943

Mr. Truman Gibson, Jr.  
Acting Civilian Aide  
War Department  
Washington, D. C.

Re: Terre Haute Ordnance Depot  
Terre Haute, Indiana 6 GR-

Dear Mr. Gibson:

We enclose a copy of a report of discriminatory practices by the Terre Haute Ordnance Depot, Terre Haute, Indiana, which was received by this office from the United States Employment Service.

This report was originally sent you under date of May 15, 1943, but in your letter of July 22, 1943, returning the copy of the report, no reference was made to it in your covering letter.

Will you be good enough to investigate this matter, and, if the allegations therein are found to be true, to take steps to eliminate the discriminatory practices.

May we have a report on this matter as soon as possible.

Very truly yours,

*Will Maslow*

Will Maslow  
Director of Field Operations

Enclosure



Form USES-510  
(7-12)

Federal Security Agency  
Social Security Board

UNITED STATES EMPLOYMENT SERVICE

Date: Nov. 12, 1942

REPORT OF DISCRIMINATORY HIRING PRACTICES

Employer: Terre Haute Ordnance Depot  
(U. S. Army Ordnance)

Date of Order: November 9, 1942

Address: North Fruitridge Avenue  
Terre Haute, Indiana

Industry:

Check One: Essential Non-essential  
Capt. Scher, through John D.  
Order Placed By: O'Malley, Civil Service  
Rep.

Head of Firm: Lt. Col. G. A. Dingee

Order Received By: Elizabeth Higgins

Title: Commanding Officer

Number of Openings: 1

Official Interviewed to  
Secure Relaxation:

Capt. C. H. Scher

Occupational Title  
and code: Duplicating Machine  
Operator-1-25.24,  
and Typist - 1-37.32

Title: Executive Officer

Discriminatory Hiring Practices:

See Attached Sheet

Action taken to secure relaxation:

See Attached Sheet

Result:

See Attached Sheet

By: H. U. Henshaw  
Manager  
2nd Floor - Star Building  
Terre Haute, Indiana

#### Discriminatory Hiring Practices:

Clara L. Mitchem, colored, a well qualified typist with two years recent experience as a duplicating machine operator, was referred 11/10/42 to Captain C. H. Scher. Mrs. Mitchem reported by telephone that she was interviewed, given an application to fill out and that arrangements were made for her to take a physical examination for the position. She was then sent for final interview to Miss Cates, personnel assistant. She states that Miss Cates, looking over her application, apparently observed that she was of the colored race (Mrs. Mitchem's appearance does not reveal this) and thereon told her that they were not looking for anyone in that classification and that she was mistaken in thinking they had placed such an order. Mrs. Mitchem feels that since they had received her and taken her application that the only reason for offering this excuse was that they had discovered that she was of the colored race.

#### Action taken to Secure Relaxation:

We immediately contacted John D. O'Malley, U. S. Civil Service Representative, from whom the order was received. He in turn contacted Captain Scher in regard to possible discrimination in this case. Mr. O'Malley reported to us that there was no other apparent reason for Mrs. Mitchem's being denied employment other than her race and that Captain Scher cancelled the order stating that their equipment was not ready and that they would not hire in that classification until a later date.

#### Result:

Our Form 320, Applicant Referral Card, which was returned to us today indicates that Mrs. Mitchem was not hired. This card was signed by Captain Scher.

11

31 August 1943

Mr. George M. Johnson  
Assistant Executive Secretary  
The President's Committee on Fair  
Employment Practice  
10th and U Streets, N. W.  
Washington, D. C.

Dear Mr. Johnson:

On 15 May 1943 you forwarded to this office a report of discriminatory hiring practices in which the United States Employment Service alleged that the Terre Haute Ordnance Depot, Terre Haute, Indiana, refused to employ Mrs. Clara L. Mitchem as a Duplicating Machine Operator for no other reason than that she is a Negro. The report of the investigation into this complaint states as follows:

A request to the Civil Service representative for a mimeograph operator was made on November 10, 1942, by a member of the staff of the Terre Haute Ordnance Depot, who understood at the time that mimeograph equipment was available at that establishment.

Miss Mitchem was referred to Miss Cates, who is in charge of the civilian personnel office, who correctly informed the applicant that some error had been made, inasmuch as mimeograph equipment was not yet available at that establishment and an operator, therefore, not required. During this interview, Miss Cates, thinking that the applicant was a Filipino, inquired if this were so, and was then apprised of the fact that the applicant was of the colored race. The applicant had already been informed, however, that there was an error in requesting a mimeograph operator, and evidence of racial discrimination was entirely lacking.

I am advised that requests to Civil Service for applicants to fill positions at the Terre Haute Ordnance Depot have been made with the full understanding that it is the policy of that Depot to provide a full and equitable participation for all workers in the war effort without discrimination because of race, creed or color.

MSES  
~~AMH~~

Mr. George M. Johnson  
31 August 1943

Page - 2 -

I am also advised that at the present time, the Terre Haute Ordnance Depot is employing fifty-three colored personnel, sixteen of whom are graded employees, and thirty-seven are laborers, and in the recommendations for promotions that are now under consideration, the names of two of their colored employees are included.

The Committee may wish to check this report with Mrs. Mitchem or the United States Employment Service.

Yours very truly,

Louis R. Lantier,  
Senior Administrative Assistant,  
Office, Civilian Aide to the Secretary  
of War.

WAR DEPARTMENT  
CIVILIAN PERSONNEL DIVISION  
OFFICE OF THE SECRETARY OF WAR  
WASHINGTON, D. C.

August 27, 1943.

MEMORANDUM TO: The Acting Civilian Aide to the Secretary  
of War.

1. Please refer to our memorandum of June 3, 1943, in reply to your memorandum dated May 26, 1943, relative to a report of discriminatory hiring practices in which the United States Employment Service alleged that the Terre Haute Ordnance Depot, Terre Haute, Indiana, refused to employ Mrs. Clara L. Mitchem as a Duplicating Machine Operator for no other reason than that she is a negro.

2. It is indicated in the report of the investigation conducted in this matter that a request to the Civil Service representative for a mimeograph operator was made on November 10, 1942, by a member of the staff of the Terre Haute Ordnance Depot, who understood at the time that mimeograph equipment was available at that establishment.

3. Miss Mitchem was referred to Miss Cates, who is in charge of the civilian personnel office, who correctly informed the applicant that some error had been made, inasmuch as mimeograph equipment was not yet available at that establishment and an operator, therefore, not required. During this interview, Miss Cates, thinking that the applicant was a Filipino, inquired if this were so, and was then apprised of the fact that the applicant was of the colored race. The applicant had already been informed, however, that there was an error in requesting a mimeograph operator, and evidence of racial discrimination was entirely lacking.

4. It is the understanding of this office that requests to Civil Service for applicants to fill positions at the Terre Haute Ordnance Depot have been made with the full understanding that it is the policy of that Depot to provide a full and equitable participation for all workers in the War effort without discrimination because of race, creed or color.



5. At the present time, the Terre Haute Ordnance Depot is employing fifty-three colored personnel, sixteen of which are graded employees, and thirty-seven are laborers. Furthermore, in the recommendations for promotion that are now under consideration, the names of two of their colored personnel are included.)

6. We trust this information is satisfactory to you.

  
J. H. Mason, Chief  
Employee Relations Branch

WAR DEPARTMENT  
OFFICE OF THE SECRETARY OF WAR  
CIVILIAN PERSONNEL DIVISION  
WASHINGTON, D. C.

June 3, 1943

MEMORANDUM TO: The Acting Civilian Aide to the Secretary  
of War.

1. Reference is made to your memorandum dated May 26, 1943, relative to a report of discriminatory hiring practices in which the United States Employment Service alleged that the Terre Haute Ordnance Depot, Terre Haute, Indiana, refused to employ Mrs. Clara L. Mithem as a Duplicating Machine Operator for no other reason than that she is a negro.

2. Please be advised that this office is securing a report in this connection and a further reply will be made to you at a later date.

*J. H. Mason*  
J. H. Mason, Chief  
Employee Relations Branch



*USED*

May 26, 1943

MEMORANDUM

TO: The Director of Civilian Personnel and Training

There is attached hereto a report of discriminatory hiring practiced in which the United States Employment Service alleges that the Terre Haute Ordnance Depot, Terre Haute, Indiana, refused to employ Mrs. Clara L. Mitchem as a Duplicating Machine Operator for no other reason than that she is a Negro. This report was forwarded to this office by the President's Committee on Fair Employment Practice.

May the facts in this case be investigated to determine whether there has been any violation of Executive Order 8802 and the directives of this Department prohibiting racial discrimination in Federal employment? May this office be informed how many Negroes are employed in the Terre Haute Ordnance Depot and in what classifications?

Truman K. Gibson, Jr.  
Acting Civilian Aide to the Secretary  
of War

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6/1/43  
S  
M

Form USES-510  
(7-42)

Federal Security Agency  
Social Security Board

UNITED STATES EMPLOYMENT SERVICE

Date: Nov. 12, 1942

REPORT OF DISCRIMINATORY HIRING PRACTICES

Employer: Terre Haute Ordnance Depot  
(U. S. Army Ordnance)

Date of Order: November 9, 1942

Address: North Fruitridge Avenue  
Terre Haute, Indiana

Industry:

Check One: Essential Non-essential  
Capt. Scher, through John D.  
Order Placed By: O'Malley, Civil Service  
Rep.

Head of Firm: Lt. Col. G. A. Dingee

Order Received By: Elizabeth Higgins

Title: Commanding Officer

Number of Openings: 1

Official Interviewed to  
Secure Relaxation:

Capt. C. H. Scher

Occupational Title  
and code: Duplicating Machine  
Operator-1-25.24,  
and Typist - 1-37.32

Title: Executive Officer

Discriminatory Hiring Practices:

See Attached Sheet

Action taken to secure relaxation:

See Attached Sheet

Result:

See Attached Sheet

By: H. U. Henshaw  
Manager  
2nd Floor - Star Building  
Terre Haute, Indiana

#### Discriminatory Hiring Practices:

Clara L. Mitchem, colored, a well qualified typist with two years recent experience as a duplicating machine operator, was referred 11/10/42 to Captain C. H. Scher. Mrs. Mitchem reported by telephone that she was interviewed, given an application to fill out and that arrangements were made for her to take a physical examination for the position. She was then sent for final interview to Miss Cates, personnel assistant. She states that Miss Cates, looking over her application, apparently observed that she was of the colored race (Mrs. Mitchem's appearance does not reveal this) and thereon told her that they were not looking for anyone in that classification and that she was mistaken in thinking they had placed such an order. Mrs. Mitchem feels that since they had received her and taken her application that the only reason for offering this excuse was that they had discovered that she was of the colored race.

#### Action taken to Secure Relaxation:

We immediately contacted John D. O'Malley, U. S. Civil Service Representative, from whom the order was received. He in turn contacted Captain Scher in regard to possible discrimination in this case. Mr. O'Malley reported to us that there was no other apparent reason for Mrs. Mitchem's being denied employment other than her race and that Captain Scher cancelled the order stating that their equipment was not ready and that they would not hire in that classification until a later date.

#### Result:

Our Form 320, Applicant Referral Card, which was returned to us today indicates that Mrs. Mitchem was not hired. This card was signed by Captain Scher.

WAR DEPARTMENT  
OFFICE OF THE SECRETARY OF WAR  
CIVILIAN PERSONNEL DIVISION  
WASHINGTON, D. C.

June 2, 1943

MEMORANDUM TO: The Acting Civilian Aide to the Secretary  
of War.

1. Reference is made to your memorandum dated May 26, 1943, relative to a report of discriminatory hiring practices in which the United States Employment Service alleges that the United States Army Air Forces Technical School Post Exchange, 729 South Wabash Avenue, Chicago, Illinois, refused to employ Negro Soda dispensers solely because of their race or color.

2. This is to inform you that this office is making an investigation in this connection and a further reply will be made to you when the necessary information is received.

*J. H. Mason*  
J. H. Mason, Chief  
Employee Relations Branch



CUSES

May 26, 1943

MEMORANDUM

TO: The Director of Civilian Personnel and Training

There is attached hereto a report of discriminatory hiring practices in which the United States Employment Service alleges that the United States Army Air Forces Technical School Post Exchange, 729 South Wabash Avenue, Chicago, Illinois, refused to employ Negro soda dispensers solely because of their race or color. This report was forwarded to this office by the President's Committee on Fair Employment Practice.

May the facts in this case be investigated and, if found to be as represented, may disciplinary action be taken against the persons responsible as it appears that they were fully aware of Executive Order 8802, and the alleged violation of it was wilful?

Truman K. Gibson, Jr.  
Acting Civilian Aide to the Secretary  
of War

USE'S

Form USES-51C  
(7-42)

Federal Security Agency  
Social Security Board  
UNITED STATES EMPLOYMENT SERVICE  
Central Placement Office  
20 N. Wacker Drive

Date: 12/9/42

REPORT OF DISCRIMINATORY HIRING PRACTICES

Employer: U. S. Army Air Force Technical School, Post Exchange  
Date of Order: 11-13-42  
Address: 729 s. Wabash Avenue  
Industry: Check one:  Essential Non-essential  
Head of Firm: Captain Dorman  
Order Placed By: Mrs. Fuller  
Title: Post Exchange Commandant  
Order Received By: J. Greenberg  
Official Interviewed to Secure Relaxation:  
Number of Openings: 6  
Captain Dorman  
Occupational Title: Waitress  
and Code: 2-27.12  
Title: Post Exchange Commandant

Discriminatory Hiring Practices: Employer who refused to employ four qualified Negroesses stated that there are no Negro workers in their employ and would not mix white and Negro workers as it was feared that they would not work well together; that if Negro workers are employed they would be segregated by Departments.

Action taken to secure relaxation: On 12/3/42 Mrs. Fuller, Personnel Manager, stated that no Negroes would be employed as it was a fixed policy of the Post Exchange. On 12/9/42 Captain Dorman, in command of the Post Exchange stated that he was aware of the Illinois Act and President Roosevelt's Order regarding discrimination, but that nevertheless no Negroes would be employed, except that if a change in policy is made, they would be segregated into departments. It was explained that War Production Plants have and are mixing their white & Negro employees with good results and it was pointed out that a Federal agency is in an anomalous position in practicing discrimination, but the elimination of the discriminatory hiring practice was refused and the employer was informed that no further referrals would be made on this order.

Result: Employer requested that this order be closed, which was done in accordance with U.S.E.S. policy and procedures.

Note: 3 Referrals Cards (USES 320) returned showed reason for rejection, "could not use colored waitresses". Signed N. Fuller

APPROVED: /s/ Supervisor

By /s/ Richard Calhoun  
Manager  
Placement Division #2



PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE  
WAR MANPOWER COMMISSION  
WASHINGTON, D. C.

May 15, 1943

Mr. Truman K. Gibson, Jr.  
Acting Civilian Aide to the  
Secretary of War  
War Department  
Washington, D. C.

Dear Mr. Gibson:

I am enclosing herewith two copies each of reports on discriminatory hiring practices forwarded to this office by the United States Employment Service, in which several branches of the War Department are alleged to have violated Executive Order 8802 and corresponding administrative regulations of the War Department.

The offices are as follows:

✓ United States Army Air Force Technical School,  
Post Exchange, 729 South Wabash Avenue, Chicago, Illinois;

✓ Sub-office, Cincinnati Ordnance District, 309  
Johnson Building, Muncie, Indiana;

Terre Haute Ordnance Depot, North Fruitridge Avenue,  
Terre Haute, Indiana.

It is requested that these matters be investigated and a report furnished this office upon completion of the investigation. It is requested further that, if the facts alleged in the reports are found to be true, the War Department take appropriate disciplinary action against the employees concerned.

Sincerely yours,

*George M. Johnson*

George M. Johnson  
Assistant Executive Secretary

Enclosures

USES  
*[Handwritten signature]*

22 July 1943

Mr. George M. Johnson,  
Assistant Executive Secretary,  
President's Committee on Fair  
Employment Practice,  
Tenth and U Streets, N. W.,  
Washington, D. C.

Dear Mr. Johnson:

On May 15, 1943, you forwarded to this office a report of the United States Employment Service alleging that the Army Air Forces Technical School Post Exchange, Chicago, Illinois, had refused to employ Negro soda dispensers solely because of their race or color.

The report of the investigation into this allegation states as follows:

Colored bus girls were first employed in the Exchange Coffee Shop in December, 1942.

Colored waitresses were first employed in the Exchange Coffee Shop in February, 1943. At the present time there are four colored and twelve white waitresses employed by this activity.

Captain William E. Dorman, Air Corps, was relieved as Exchange Officer of this command on February 13, 1943, and was succeeded by Captain Richard C. Ryniker, Air Corps. Captain Dorman submitted his resignation as an officer in the Army of the United States on April 9, 1943.

Yours very truly,

LOUIS R. LAUTIER,  
Senior Administrative Assistant,  
Office, Civilian Aide to the Secretary  
of War.

U-6-

100-10711-100

Mr. George H. Mason,  
Assistant Secretary of War,  
Department of War, Washington,  
D. C.

WAR DEPARTMENT  
OFFICE OF THE SECRETARY OF WAR  
CIVILIAN PERSONNEL DIVISION  
WASHINGTON, D. C.

July 6, 1943.

MEMORANDUM TO: The Acting Civilian Aide to the Secretary  
of War.

1. Further reference is made to your memorandum of  
May 26, 1943 relative to a report of discriminatory hiring  
practice at the Army Air Forces Technical School Post  
Exchange, Chicago, Illinois.

2. An investigation has been made and a copy of the  
report is attached for your information. We trust the  
report is satisfactory.

*J. H. Mason*  
J. H. Mason, Chief  
Employee Relations Branch

Attachment.



230.14 3d Ind C1  
Hq Chgo Sch AAFTC, 730 S. Michigan Blvd., Chicago 5, Ill., 24 June 1943.

To: Commanding General, Army Air Forces, Washington, D.C.

1. Investigation of attached report of discriminatory hiring practices in the Exchange, this headquarters, has been made and the following report is submitted:

a. Colored bus girls were first employed in the Exchange Coffee Shop in December, 1942.

b. Colored waitresses were first employed in the Exchange Coffee Shop in February, 1943. At the present time there are four colored and twelve white waitresses employed by this activity.

c. Captain William E. Dorman, Air Corps, was relieved as Exchange Officer of this command on February 13, 1943, and was succeeded by Captain Richard C. Ryniker, Air Corps. Captain Dorman submitted his resignation as an officer in the Army of the United States on April 9, 1943.

d. Mrs. Noreen Fuller was employed on November 11, 1942, as Exchange Personnel Manager by Captain Dorman, and was discharged by Captain Ryniker on February 16, 1943.

e. Under the present Exchange Officer, no racial discrimination of any kind is permitted, and in carrying out this policy, colored waitresses now are employed and are working side by side with white waitresses in the Exchange Coffee Shop. There has been no evidence of lack of harmony in any way.

1 incl.  
Rpt US Enpl Serv Chgo 12 Sept 43

JOHN P. TEMPLE  
Col, AG  
Comd

16 September 1943

Mr. George M. Johnson  
Assistant Chairman  
The President's Committee on  
Fair Employment Practice  
Tenth and U Streets, N. W.  
Washington, D. C.

Dear Mr. Johnson:

Reference is made to your letter of 24 August 1943 in which request is made for a further investigation of the report made to the Committee by the United States Employment Service in which it was alleged that the Williams Field Post Garage had practiced race discrimination against a Negro who sought employment as an automotive painter.

It is not believed that a further inquiry would be of value in this case. The report of discriminatory hiring practices of the United States Employment Service, upon which the investigation was placed, was inadequate in that it failed to give the name of the man whom it claimed was refused employment because of his race, nor of the personnel officer who refused to employ him.

In the absence from the Post of Captain E. D. Gilmer, through whom the United States Employment Service sought a relaxation of the alleged race discrimination, and without the name of the applicant or his interviewer it does not appear that the personnel records can be checked.

I suggest that the United States Employment Service be asked for another report on hiring practices at the Williams Field Post Garage inasmuch as the personnel officer there has been instructed again to see that no racial or religious discrimination is practiced.

Yours very truly,

Truman K. Gibson, Jr.,  
Acting Civilian Aide to the Secretary  
of War.

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE FOR EMERGENCY MANAGEMENT  
PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE  
WASHINGTON, D. C. 25

August 24, 1943

Mr. Louis R. Lautier  
Senior Administrative Assistant  
Office, Civilian Aide to the  
Secretary of War  
War Department  
Washington, D. C.

Dear Mr. Lautier:

Your letter of July 22 states that the War Department has made an investigation of the charges filed by the United States Employment Service alleging that the Williams Field Post Garage, Chandler, Arizona had practiced discrimination in refusing to employ a fully qualified man as an automotive painter.

It is noted that you state that the report states that "Captain E. D. Gilmer, Post Ordnance Officer, is absent on detached service and the exact facts cannot be ascertained. It is believed, however, that the failure to hire the civilian in question was not due to his color but to the fact that another applicant was considered better qualified for the position."

Under the circumstances, this does not seem to be an adequate explanation. Accordingly, it is requested that some further inquiry be made by the War Department to determine whether there was discrimination based on race. It would seem that some check of the personnel records would reveal what actually happened.

The order which the Employment Service charges was discriminatory was placed by Don Muir a foreman. Although Captain Gilmer was the individual who was asked to relax the discriminatory specification, Colonel Herbert L. Grills was the Commanding Officer at the time. Your letter does not indicate whether Colonel Grills has left the Post, nor does it state whether any check was made with Mr. Muir, the foreman. Accordingly, it is requested that proper inquiry be made.

Please submit a report on this at your first opportunity.

Sincerely yours,

*George M. Johnson*  
George M. Johnson  
Assistant Chairman



22 July 1943

Mr. George M. Johnson,  
Assistant Executive Secretary,  
President's Committee on Fair  
Employment Practice,  
Tenth and U Streets, N. W.,  
Washington, D. C.

Dear Mr. Johnson:

On May 24, 1943, you forwarded to this office a report of the United States Employment Service alleging that the Williams Field Post Garage, Chandler, Arizona, had practiced racial discrimination in refusing to employ a fully qualified colored man as an automotive painter under the pretext that there were no messing or sanitary facilities available for his use. The report of the investigation into this allegation states as follows:

Captain E. D. Gilmer, Post Ordnance Officer, is absent on detached service and the exact facts cannot be ascertained. It is believed, however, that the failure to hire the civilian in question was not due to his color but to the fact that another applicant was considered better qualified for the position.

The qualifications of each applicant, rather than race, creed, or color, are considered in filling positions at that field. In order to avoid any infringement of this policy, the Post Civilian Personnel Officer has been instructed again to see that no discrimination is tolerated.

The Committee may wish to make its own independent inquiry into this matter. If so, I shall be pleased to have any additional information at variance with the report which it may receive.

Yours very truly,

LOUIS R. LAUTIER,  
Senior Administrative Assistant,  
Office, Civilian Aide to the Secretary  
of War.

W. E. J.

WAR DEPARTMENT  
OFFICE OF THE SECRETARY OF WAR  
CIVILIAN PERSONNEL DIVISION  
WASHINGTON, D. C.

July 6, 1943.

MEMORANDUM TO: The Acting Civilian Aide to the Secretary  
of War.

1. Further reference is made to your memorandum of May 28, 1943, relative to a report from the United States Employment Service in which it was alleged that the Williams Field Post Garage, Chandler, Arizona, had practiced racial discrimination in refusing to employ a fully qualified colored man as an automotive painter under the pretext that there was no messing and sanitary facilities available for his use.

2. An investigation has been made and report received in this office. It is learned that Captain E. D. Gilmer, Post Ordnance Officer, is absent on detached service and the exact facts cannot be ascertained. It is believed, however, that the failure to hire the civilian in question was not due to his color but to the fact that another applicant was considered better qualified for the position.

3. The qualifications of each applicant, rather than race, creed, or color, are considered in filling positions at that field. In order to avoid any infringement of this policy, the Post Civilian Personnel Officer has been instructed again to see that no discrimination is tolerated.]

  
G. H. Mason, Chief  
Employee Relations Branch



May 28, 1943

MEMORANDUM

TO: The Director of Civilian Personnel and Training

There is attached hereto a copy of a report of the United States Employment Service in which it is alleged that the Williams Field Post Garage, Chandler, Arizona, had practiced racial discrimination in refusing to employ a fully qualified colored man as an auto painter under the pretext that there were no messing and sanitary facilities available for his use.

May the facts in this case be investigated in order that it may be determined whether there has been any violation of the directives prohibiting racial discrimination in Federal employment.

Truman K. Gibson, Jr.  
Acting Civilian Aide to the Secretary  
of War

USLS  
Civil  
[Signature]

March 23, 1943

Mr. George M. Johnson  
Assistant Executive Secretary  
President's Committee on  
Fair Employment Practice  
Tenth & U Streets, N. W.  
Washington, D. C.

Dear Mr. Johnson:

On January 14, 1943, you forwarded to this office a photostatic copy of a report from the United States Employment Service alleging that the United States Army Engineer Office, Penn Mutual Building, Philadelphia, Pennsylvania, had engaged in discriminatory hiring practices. The report of the investigation into this complaint states as follows:

During the latter part of August 1942, property, equipment and supplies which had been stored in the District Office, were moved to another building in this city. This work required the services of 10 laborers, and was of short duration (two weeks). Telephone request was made of the United States Employment Service to furnish personnel. Seven white men and seven non-white men were furnished. Of the seven non-white, two declined appointment on the ground of the short duration of the job, and two of the white men quit after two days' service.

For the purpose of properly arranging the supplies, property, etc., in the new building, it was contemplated employing two additional men, and telephone requisition was placed September 22, 1942. While no written record has been maintained of the telephone conversation, Mr. John E. Quaille recalls that the employee of the United States Employment Service who took the requisition, inquired as to whether whites would be preferred. There was no objection to the employment of non-whites but the experience with non-whites employed in the latter part of August and continuing through the early part of September was such as to indicate preference for whites. However, neither white nor non-white employees were appointed from this requisition as it was found that the work could be ac-

*[Handwritten signature]*

Mr. George M. Johnson  
March 23, 1943

Page - 2 -

complished by the regular force, and the requisition was therefore cancelled October 14, 1942.

This office has observed the provisions of Executive Order No. 8802 in making appointments, and has not been guilty of discrimination on racial grounds. Mr. Queile has performed his duties conscientiously, is fully aware of the policy on non-discrimination, and in the opinion of this office, should not be subjected to disciplinary action.

In view of the conflict between the reports of the United States Employment Service and the United States Engineer Office at Philadelphia, the Committee may wish to make its own further independent investigation.

Yours very truly,

Truman K. Gibson, Jr.  
Acting Civilian Aide to the Secretary  
of War

WAR DEPARTMENT  
HEADQUARTERS, SERVICES OF SUPPLY  
WASHINGTON, D. C.

SPGC-C 291.2

March 10, 1943.

MEMORANDUM FOR THE SECRETARY OF WAR

Attention: Mr. Truman K. Gibson, Jr.

Subject: Discrimination against Negroes at United States  
Army Engineer Office, Penn Manual Building,  
Philadelphia, Pennsylvania.

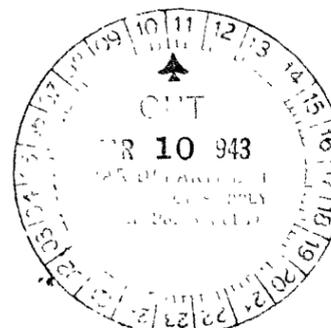
1. Reference is made to your memorandum dated January 15, 1943, relative to the complaints of the President's Committee on Fair Employment Practice, by the United States Army Engineer Office, Penn Mutual Building, Philadelphia, Pennsylvania.
2. This request was transmitted to the Chief of Engineers, Philadelphia, Pennsylvania, and an investigation of this allegation was made as directed. The report of this investigation is attached for your information.
3. Should your office feel that this report is unsatisfactory or incomplete, we shall be glad to direct a further investigation.

For the Commanding General:

*James T. O'Connell*

JAMES T. O'CONNELL  
Lt. Colonel, General Staff Corps,  
Acting Chief  
Civilian Personnel Branch.

- 1 Incl.  
3rd Ind. dated Feb. 27, 1943.



SPGC-C 291.2

March 10, 1943.

MEMORANDUM FOR THE SECRETARY OF AR  
Attention: Mr. Truman K. Gibson, Jr.

Subject: Discrimination against negroes at United States  
Army Engineer Office, Penn Mutual Building,  
Philadelphia, Pennsylvania.

1. Reference is made to your memorandum dated January 15, 1943, relative to the complaints of the President's Committee on Fair Employment Practice, by the United States Army Engineer Office, Penn Mutual Building, Philadelphia, Pennsylvania.

2. This request was transmitted to the Chief of Engineers, Philadelphia, Pennsylvania, and an investigation of this allegation was made as directed. The report of the investigation is attached for your information.

3. Should your office feel that this report is unsatisfactory or incomplete, we shall be glad to direct a further investigation.

For the Commanding General:

JAMES T. O'CONNELL  
Lt. Colonel, General Staff Corps,  
Acting Chief  
Civilian Personnel Branch.

1 Incl.  
3rd Ind. dated Feb. 27, 1943.

3rd Ind.

8-f

U. S. Engineer Office, Philadelphia, Pa., February 27, 1943. - To the  
Chief of Engineers, U. S. Army, Washington, D. C.

1. During the latter part of August 1942, property, equipment and supplies which had been stored in the District Office, were moved to another building in this city. This work required the services of 10 laborers, and was of short duration (two weeks). Telephone request was made of the United States Employment Service to furnish personnel. Seven white men and seven non-white men were furnished. Of the seven non-white, two declined appointment on the ground of the short duration of the job, and two of the white men quit after two days' service.

2. For the purpose of properly arranging the supplies, property, etc., in the new building, it was contemplated employing two additional men, and telephone requisition was placed September 22, 1942. While no written record has been maintained of the telephone conversation, Mr. John E. Quaile recalls that the employee of the United States Employment Service who took the requisition, inquired as to whether whites would be preferred. There was no objection to the employment of non-whites but the experience with non-whites employed in the latter part of August and continuing through the early part of September was such as to indicate preference for whites. However, neither white nor non-white employees were appointed from this requisition as it was found that the work could be accomplished by the regular force, and the requisition was therefore cancelled October 14, 1942.

3. This office has observed the provisions of Executive Order No. 8802 in making appointments, and has not been guilty of discrimination on racial grounds. Mr. Quaile has performed his duties conscientiously, is fully aware of the policy on non-discrimination, and in the opinion of this office, should not be subjected to disciplinary action.

For the District Engineer:

  
N. W. BARTENSLAGER  
Chief Administrative Assistant

C  
C  
Y

2-12-43  
734 - 8th Avenue  
Columbus, Georgia

War Department of Washington, D. C.  
Secretary of War

Dear Sir:

I am writing to ask you about the situation of the way they handle the affairs in the United States employment office. We, Colored people, need defense jobs. But they give all jobs of vital importance to the white race. I am one boy of the colored race who would like to get into a defense plant or in the army to help my country, also to help myself and others. I have been in the army and was discharged for bad blood. My weight is 207 lbs. and am 23 years of age, 5 ft 11 1/2 in. high, and a very strong man. If I am not fit for combat duty against our enemy, you could put me in the army to wash dishes or cut grass or anything that comes to hand. I have a twelfth grade learning and am very apt and quick to learn. My class card is A-F, which you could change. Will you help me please, you can if you will. Expecting to hear from you soon.

Yours respectfully,

/s/ David Franklin

C  
C  
Y

0-2-43

CIVILIAN PERSONNEL DIVISION  
Hdqtrs., Services of Supply

TO: Mr. Truman K. Gibson, Jr., Acting Civilian Aide  
to the Under Secretary of War

For your information.

FROM Lemuel L. Foster  
4-C-512

DATE: March 2, 1943

U2276 CIVILIAN PERSONNEL DIVISION  
Hdqtrs., Services of Supply  
PENTAGON BLDG., SECTION "B", RING "C", 4th Floor  
BAY C 460

COPY

SPGC-L 201-Franklin, David

March 2, 1943

Office of the Executive Director  
War Manpower Commission  
New Social Security Building  
Washington, D. C.

Attention: Mr. Ernest Marbury, Area Coordinator

Dear Sir:

The inclosed letter, which was sent to this Division from the Office of the Secretary of War, is being transmitted to you for action and direct reply to complainant.

For the Director, Industrial Personnel Division:

Yours very truly,

JOHN E. O'GARA  
Colonel, AUS  
Chief, Labor Branch

1 Incl.  
Ltr. (2-18-43)  
fr David Franklin

USES

C  
O  
P  
Y

21523  
734 - 2th Avenue  
Columbus, Georgia

War Department of Washington, D. C.  
Secretary of War

Dear Sir:

I am writing to ask you about the situation of the way they handle the affairs in the United States employment office. We, Colored people, need defense jobs. But they give all jobs of vital importance to the white race. I am one boy of the colored race who would like to get into a defense plant or in the army to help my country, also to help myself and others. I have been in the army and was discharged for bad blood. My weight is 207 lbs. and am 23 years of age, 5 ft 11 1/2 in. high, and a very strong man. If I am not fit for combat duty against our enemy, you could put me in the army to wash dishes or cut grass or anything that comes to hand. I have a twelveth grade learning and am very apt and quick to learn. My class card is 4-F, which you could change. Will you help me please, you can if you will. Expecting to hear from you soon.

Yours respectfully,

/s/ David Franklin

C  
O  
P  
Y

January 10, 1943

MEMORANDUM

TO: The Director of the Civilian Personnel Division  
Services of Supply  
Attention: Mr. Lemuel Foster

Attached hereto is a photostatic copy of a report of discriminatory hiring practices forwarded to this office by the President's Committee on Fair Employment Practice.

This report dated October 2, 1942, states that the Engineer Branch Overseas Supply Division, Port of Embarkation, Oakland, California, placed with the Oakland office of the United States Employment Service through the Civil Service Commission, their open order for Junior Clerk Typist; that a Negro applicant referred by the Employment Service reported for the position; that she believed her application was refused because of her race; that the manager of the Employment Service called upon Major Schultz, who was in charge of the Engineer Branch Overseas Supply Division, Port of Embarkation; that Major Schultz assured her that racial discrimination was not practiced by his office and took her through the warehouse where white and Negro women were working together, and that he told her, the applicant in question was not interested in starting work in the warehouse where all new workers were first put to work in order to familiarize them with the items handled.

The report further states that the next day a form was returned from this same office regarding another Negro applicant for clerical work and on this form it was stated over the signature of the Chief Clerk, that she was not hired because of her race.

May the facts in this case be investigated to determine whether there has been any violation of the directives prohibiting racial discrimination in federal employment? If the facts are as represented, may appropriate disciplinary action be taken against the persons responsible for the alleged discrimination?

Attention is invited to the complaint of Mrs. Elaine Harper alleging that racial discrimination was practiced against her in her effort to secure employment as a Typist at the Oakland Port of Embar-

kation. Request for investigation of her complaint was made in a memorandum to the Director of Civilian Personnel and Training, Office of the Secretary of War, dated October 26, 1942. No report has yet been received. May this office be advised of the status of the investigation into that complaint?

Civilian Aide to the Secretary  
of War

January 15, 1943

MEMORANDUM

TO: The Director of Civilian Personnel Division,  
Services of Supply,  
Attention: Mr. Lemuel Foster

Attached hereto is a photostatic copy of a report of discriminatory hiring practices forwarded to this office by the President's Committee on Fair Employment Practice. This report states that the Quartermaster at Fort Belvoir, Virginia, requested the United States Employment Service on July 13, 1942 to recruit 25 truck drivers and that when the Employment Service inquired as to the type of license required, Mr. Stracka stated that only white drivers would be employed; that the matter was brought to the attention of the Civil Service representative, who checked with proper authorities and informed the Employment Service that the order was open; that the Employment Service consequently referred both white and Negro truck drivers; at approximately 11 o'clock on July 14, the Employment Service was informed that the order was closed; that of the 16 white men referred, two were hired, and of the 7 Negroes referred, none was hired.

May the facts in this case be investigated to determine whether there has been any violation of the directives prohibiting racial discrimination in Federal Employment? If the facts are as represented, may appropriate disciplinary action be taken against the persons responsible for the alleged discrimination.

Civilian Aide to the Secretary  
of War

7565

January 15, 1943

MEMORANDUM

TO: The Director of Civilian Personnel Division,  
Services of Supply,  
Attention: Mr. Lemuel Foster

Attached hereto is a photostatic copy of a report of discriminatory hiring practices forwarded to this office by the President's Committee on Fair Employment Practice. This report states that the Quartermaster at Fort Belvoir, Virginia, requested the United States Employment Service on July 13, 1942 to recruit 25 truck drivers and that when the Employment Service inquired as to the type of license required, Mr. Stracka stated that only white drivers would be employed; that the matter was brought to the attention of the Civil Service representative, who checked with proper authorities and informed the Employment Service that the order was open; that the Employment Service consequently referred both white and Negro truck drivers; at approximately 11 o'clock on July 14, the Employment Service was informed that the order was closed; that of the 16 white men referred, two were hired, and of the 7 Negroes referred, none was hired.

May the facts in this case be investigated to determine whether there has been any violation of the directives prohibiting racial discrimination in Federal Employment? If the facts are as represented, may appropriate disciplinary action be taken against the persons responsible for the alleged discrimination.

Civilian Aide to the Secretary  
of War

January 15, 1943

MEMORANDUM

TO: The Director of the Civilian Personnel Division  
Services of Supply  
Attention: Mr. Lemuel Foster

Attached hereto is a photostatic copy of a report of discriminatory hiring practices forwarded to this office by the President's Committee on Fair Employment Practice.

This report states that the United States Army Engineer Office, Penn Mutual Building, Philadelphia, Pennsylvania, on September 22, 1942, placed an order with the United States Employment Service for two laborers and specified "white only" on the order. It further states that the Employment Service directed attention to Executive Order 8802, and asked the United States Army Engineer Office to relinquish the discriminatory feature of its order, but that office insisted in discriminating against non-whites.

May the facts in this case be investigated to determine whether there has been any violation of the directive prohibiting racial discrimination in federal employment? If the facts are as represented, may appropriate disciplinary action be taken against the persons responsible for the alleged racial discrimination?

Civilian Aide to the Secretary  
of War

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PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE  
WAR MANPOWER COMMISSION  
WASHINGTON, D. C.

MALCOLM S. MacLEAN  
CHAIRMAN  
WILLIAM GREEN  
MILTON P. WEBSTER  
LAWRENCE W. CRAMER  
EXECUTIVE SECRETARY

DAVID SARNOFF  
EARL B. DICKERSON  
PHILIP MURRAY  
MARK ETHRIDGE

January 14, 1943

Honorable  
William H. Hastie  
Civilian Aide  
War Department  
Washington, D. C.

Dear Judge Hastie:

I am enclosing herewith photostatic copies of three reports of discriminatory hiring practices, on the part of certain branches of the War Department, submitted to this office by the United States Employment Service. If the facts contained on them are correct, it would appear that in all three cases racial discrimination has been practiced in direct violation of Executive Order 8802 and administrative orders of the War Department.

It is requested that appropriate steps be taken by the War Department to investigate these matters and, if the facts contained in the reports are true, to secure adjustment with appropriate disciplinary action against the War Department officials involved in the discriminatory acts.

Please furnish us with a report on action taken in this connection.

Sincerely yours,



George M. Johnson  
Assistant Executive Secretary

Enclosures - 3



Form USES-510  
(7-42)

Federal Security Agency  
Social Security Board  
UNITED STATES EMPLOYMENT SERVICE  
FOR THE DISTRICT OF COLUMBIA  
808 E Street, N.W.  
Washington, D.C.

*Please return*  
Date July 23, 1942

REPORT OF DISCRIMINATORY HIRING PRACTICES

Employer: U. S. Quartermaster Date of Order: July 13, 1942  
Address: Fort Belvoir, Virginia Industry: 941  
Head of Firm: U. S. Govt. - QMC (Check one:  Essential  Non-Essential)  
Title: \_\_\_\_\_ Order Placed By: Mr. Stracka  
Official Interviewed to Order Received By: Mrs. Galer - Mr. Morrison  
Secure Relaxation: \_\_\_\_\_ Number of Openings: 25  
Through Mrs. Galer Occupational Title  
and Code: Truck Driver 7-36,250  
Title: Civil Service Representative -  
Fourth District

**Discriminatory Hiring Practices:**

Order was given as an open order, 25 truck drivers, Inter-State. When we checked to find out type of license required, we were informed by Mr. Stracka that they would not hire anything but white.

**Action taken to secure relaxation:**

Informed Mrs. Galer, who is the Civil Service Representative in this office, of the above fact; she checked with proper authorities, called us back, and informed us that the order was open.

**Result:**

Acting upon the open order, we referred white and Negro truck drivers. At approximately 11 o'clock on July 14, we were informed by Mrs. Galer that the order was closed; therefore, we canceled the openings. Of the sixteen white men referred, so far two have been hired; of the seven Negroes referred, none were hired. These men were referred before the order was closed.

By *Edwin H. Jones*  
Manager

Form USES-510  
(7-12)

NAME  
11A  
1008

*Krum*  
*Please return*

Federal Security Agency  
Social Security Board  
UNITED STATES EMPLOYMENT SERVICE  
Oakland Office  
115 12th St.  
Oakland, California

Date October 2, 1942

REPORT OF DISCRIMINATORY HIRING PRACTICES

Employer: Engineer Branch  
Overseas Supply Division, Port  
Address: 14th and Maritime

Head of Firm: \_\_\_\_\_

Title: \_\_\_\_\_

Official Interviewed to  
Secure Relaxation:

Major Schultz

Title: Major

Date of Order: open order  
of Embarkation, U.S. Army

Industry: government service -- 941  
Check one:  Essential  Non-essential

Order Placed By: through Civil Service Commission  
representative.

Order Received By: Mrs. L. V. Cowan

Number of Openings: open

Occupational Title Junior Clerk Typist, 1-3732  
and code: \_\_\_\_\_

Discriminatory Hiring Practices: A negro applicant, referred to position of Junior Clerk Typist, reported that she believed her application was refused because of her race.

Action taken to secure relaxation: I called upon Major Schultz in charge of this particular branch. Major Schultz stated that no discrimination was shown in his division, took me through the warehouse where approximately 6 or 8 white women and four negro women were employed--several working under the supervision of a negro worker. Major Schultz stated that he had begun about three weeks previously the practice of starting all new workers in the warehouse at semi-typing, semi-stock work in order that they might become thoroughly familiar with the items handled. He brought in the Chief Clerk, who gives original interviews, who said that the applicant in this case had not been interested in starting in the warehouse.

Result: On the following day, a form "320" was returned for this same office regarding another negro applicant for clerical work with the entry "of race" following the printed item of "I did not hire because....." signed by the Chief Clerk.

I called Major Schultz regarding this card. It indicated a variance between the policy stated and the actual practice. However, Major Schultz reiterated that the hiring policy was not to permit discrimination.

By \_\_\_\_\_

*Kathryn T. Baugs*  
Manager

OCT 10 1942

Form USES-510  
(7-42)

Federal Security Agency  
Social Security Board  
UNITED STATES EMPLOYMENT SERVICE

Date 10-5-42

*Please return!*

REPORT OF DISCRIMINATORY HIRING PRACTICES

Employer: U.S. Army Engineers Date of Order: 9-22-42  
Address: Penn Mutual Bldg. Industry: Government Service #941  
Head of Firm: \_\_\_\_\_ Check one:  Essential  Non-essential  
Title: \_\_\_\_\_ Order Placed By: Mr. Quaille  
Official Interviewed to Order Received By: M. Ginsburg  
Secure Relaxation: \_\_\_\_\_ Number of Openings: 2  
Mr. Quaille Occupational Title: Laborer  
and code: 9-61.21  
Title: \_\_\_\_\_

Discriminatory Hiring Practices:

Employer specified "white only" on order.

Action taken to secure relaxation:

Mr. Ginsburg called attention to Presidential proclamation against discrimination and asked employer to relax discriminatory feature.

Result:

Employer still persists in discriminating against non-whites.

By: Ledyard H. Heckscher, Acting Chief  
Labor Supply & Promotion Division

*Morton L. Bachman*  
By: Morton L. Bachman, Jr. Labor Supply Officer