

739-2

FAIR EMPLOYMENT PRACTICES ACT

HEARINGS

BEFORE A

**SUBCOMMITTEE OF THE
COMMITTEE ON EDUCATION AND LABOR
UNITED STATES SENATE**

SEVENTY-EIGHTH CONGRESS

SECOND SESSION

ON

S. 2048

**A BILL TO PROHIBIT DISCRIMINATION IN EMPLOYMENT
BECAUSE OF RACE, CREED, COLOR, NATIONAL
ORIGIN, OR ANCESTRY**

—————
AUGUST 30, 31, SEPTEMBER 6, 7, AND 8, 1944
—————

Printed for the use of the Committee on Education and Labor



**UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1944**

COMMITTEE ON EDUCATION AND LABOR

ELBERT D. THOMAS, Utah, *Chairman*

DAVID I. WALSH, Massachusetts
JAMES E. MURRAY, Montana
CLAUDE PEPPER, Florida
ALLEN J. ELLENDER, Louisiana
LISTER HILL, Alabama
DENNIS CHAVEZ, New Mexico
JAMES M. TUNNELL, Delaware
HOMER T. BONE, Washington
JOSEPH F. GUFFEY, Pennsylvania
SAMUEL D. JACKSON, Indiana

ROBERT M. LA FOLLETTE, Jr., Wisconsin
ROBERT A. TAFT, Ohio
STYLES BRIDGES, New Hampshire
GEORGE D. AIKEN, Vermont
JOSEPH H. BALL, Minnesota
KENNETH S. WHERRY, Nebraska
SINCLAIR WEEKS, Massachusetts

PAUL BADGER, *Clerk*

CONTENTS

AUGUST 30, 1944

Statement of—	Page
Senator Dennis Chaves.....	1
Rabbi J. X. Cohen, Chairman, Commission of Economic Discrimination of the American Jewish Congress.....	9
Bishop G. Bromley Oxman, Federal Council of Churches of Christ....	19
Clarence E. Pickett, executive secretary, American Friends Service Committee.....	24
Rev. Francis W. McPeck, chairman, legislative committee of the Council for Social Action of the Congregational Christian Churches.....	30

AUGUST 31, 1944

Statement of—	Page
Rt. Rev. John A. Ryan, D. D., National Council for Permanent Fair Employment Practices Commission.....	35
Rev. William H. Jernagin, chairman of the executive board and director of the Washington Bureau, Fraternal Council of Negro Churches.....	42
Mrs. Emery Ross, assistant executive secretary, the United Council of Church Women.....	45
Miss Charlotte K. May, National Association of Colored Graduate Nurses.....	48
Miss Helen Raebeck, educational secretary, National Council of Jewish Women.....	51
Dr. Emily Hickman, chairman, Public Affairs Committee of the National Board of the Young Women's Christian Association.....	53
Miss Milly Brandt, national chairman, Legislative Action Committee; Women's Division, executive secretary, commission of law and legislation, American Jewish Congress.....	55
Arnold Aronson, chairman, division of employment, Chicago Council Against Racial and Religious Discrimination.....	64
Robert B. Beach, executive secretary, National Association of Building Owners and Managers.....	72
George L. P. Weaver, director, National Congress of Industrial Organizations committee to abolish racial discrimination.....	76
Kermit Eby, assistant director of Research and Education, Congress of Industrial Organizations.....	79

SEPTEMBER 6, 1944

Statement of—	Page
Robert Parker, cochairman, Philadelphia Metropolitan Council for Equal Job Opportunity.....	82
Clarence Anderson, executive secretary, Metropolitan Detroit Council on Fair Employment Practice, Detroit, Mich.....	87
Miss Thelma Stevens, executive secretary, Womens Division, Christian Service of Board of Missions and Church Extension of the Methodist Church, New York, N. Y.....	98
Rev. Aron S. Gilmartin, chairman, executive board, Workers Defense League, and official representative of American Unitarian Association, New York, N. Y.....	100
George Marshall, chairman, National Federation for Constitutional Liberties.....	106

SEPTEMBER 7, 1944

Statement of—

Dorothy Detzer, national secretary, Women's International League, Washington, D. C.....	Page 112
Dr. Frederick E. Reissig, Washington Committee on Interracial Relations, Washington, D. C.....	115
James B. Carey, executive secretary, Congress of Industrial Organizations, Washington, D. C.....	116
Prof. James H. Sheldon, chairman, New York Metropolitan Council on Fair Employment Practice, New York.....	122
Mrs. Agnes Waters, unofficial representative Mothers of America, Washington, D. C.....	129
Russel Smith, legislative secretary, National Farmers Union.....	162
Mrs. Helen Loeffler, National League of Women Shoppers.....	166
William Kohn, president emeritus, Upholsterers International Union of North America.....	167

SEPTEMBER 8, 1944

Robert C. Weaver, representing Mayor Kelly's Committee on Race Relations, Chicago, Ill.....	171
Malcolm Ross, chairman, Committee on Fair Employment Practice.....	181
Dr. Carlos E. Castaneda, special assistant on Latin-American problems to the chairman of the President's Committee on Fair Employment Practice.....	205
Al. Barnes, Metropolitan Detroit Council on Fair Employment Practice.....	212
Broadus Mitchell, acting chairman, Post-war World Council, New York, N. Y.....	214
Mary McLeod Bethune, National Council of Negro Women, Washington, D. C.....	219
Mrs. Anna Arnold Hedgeman, executive secretary, National Council for a Permanent Committee on Fair Employment Practice.....	220
R. J. Thomas, international president, United Automobile Workers of America, Congress of Industrial Organizations.....	192
Alonso S. Perales, chairman, Committee of One Hundred, San Antonio, Tex.....	203
Walter White, secretary, National Association for the Advancement of Colored People.....	196
W. C. Hushing, chairman, national legislative committee, American Federation of Labor.....	194

FAIR EMPLOYMENT PRACTICES ACT

WEDNESDAY, AUGUST 30, 1944

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON EDUCATION AND LABOR,
Washington, D. C.

The subcommittee met at 10:30 a. m., pursuant to call, in room 357 Senate Office Building, Senator Dennis Chavez (chairman of the subcommittee) presiding.

Present: Senators Chavez and Aiken.

Also present: Senator Capper.

Senator CHAVEZ. The committee will come to order.

We are extremely sorry that other members of the subcommittee are unable to be present; they have duties elsewhere, but we have been assured that we will have a larger committee representation at future hearings.

I want to thank Senator Aiken for his interest in coming to the meeting.

It is my purpose, first, to give an outline of the proposed legislation for the benefit of the committee and the public.

We are here to consider today a bill which was introduced by its sponsors in the best of faith and for what is considered to be the best interests of the country. S. 2048 is designed to promote in peace the same national unity we have achieved in war, to give body to our declarations of freedom from want and freedom from fear, to raise the standard of living and purchasing power of our people, and finally, but not least, to confound our enemies who hope by dividing us class by class, race by race, group by group, to snatch from us all permanent gains out of winning the war.

We have not won final military victory as yet, but we have won the battle of production which will make final victory possible. Faced as we were in the battle of production with the forced labor of the dictatorships, aided by the conscripted labor of the work slaves of their conquered countries, we won the battle of production without sacrificing the principles of democracy, without a labor draft at home, precisely because we adopted a national policy of full utilization of all available manpower in the United States without discrimination because of race, creed, color, or national origin.

We are all familiar with Executive Order 8802, June 25, 1941, and its amendment, Executive Order 9346, May 27, 1943, prohibiting discrimination because of race, creed, color, or national origin in the Government service, defense industries, and in the war effort, and we know the thousands of skilled workers which those Executive orders added to our industrial might. But some of us are not so thoroughly aware that these Executive orders have a peacetime base which is

founded on more than temporary emergency and rests on the basic democratic principles reflected in our Government itself.

On 23 different occasions in the last 10 years the Congress of the United States has outlawed racial and religious discrimination in legislating for public works projects, the Civilian Conservation Corps, unemployment relief, civil service classification acts, the training of civilian aircraft pilots, the National Youth Administration, the Selective Service and Training Act, the training of defense workers, the building of public works necessary to the defense program, and the Cadet Nurses Corps for Government and civilian hospital service. (Remarks of Hon. Thomas E. Scanlon, House of Representatives, June 23, 1944.)

We approach the problem of discrimination in employment, therefore, from the fundamental proposition that the full utilization of manpower is just as much a problem of the peace as it is an emergency of the war, that discrimination in employment against properly qualified persons by reason of their race, creed, color, national origin or ancestry foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production, depresses the standard of living, cuts down the purchasing power of the population; and that it is the duty of the National Government to eliminate such discrimination in all employment relations which fall within Federal jurisdiction or control (sec. 1).

The right to work and to seek work is a basic right of every person within the United States, and S. 2048 declares it to be an immunity of all citizens protected under the Constitution and laws of Congress against abridgment by any State or instrumentality of a State (sec. 2).

Jurisdiction in the bill is based in part on the commerce clause of the Constitution. It was not felt necessary to define the limits of interstate or foreign commerce, but we have preferred to leave the definition to the courts and Congress, handling other matters in order that there be no new area of jurisdiction created and no conflict with existing jurisdiction (sec. 4).

In order to eliminate uncertainty, the scope of unfair labor practices within the purview of the bill has been strictly defined (sec. 3). The bill takes away nothing either from management or from organized labor which either can rightfully claim. The unfair labor practices are all prohibitions; no positive action of any kind is required either of management or labor. Management is left free to set its hiring practices, adjust its internal plant-control policy, to discharge according to any standard or standards so long as there is no arbitrary discrimination because of race, creed, color, national origin, or ancestry. In the same way, organized labor is free to manage its internal affairs according to its own light, except in substance it cannot claim to organize a closed shop and exclude workers in the shop or in the same field because of race, creed, color, national origin, or ancestry.

We do not consider this bill an interference with the internal affairs of a labor union. Labor has received recently at the hands of the Federal Government potent protection in the organization of workers and improvement of working conditions. Witness the National Labor-Relations Act and the Wages and Hours Act, to mention only two instances. These acts were designed to aid all workers. They were not designed to create any favored class of workers, or to establish a monopoly of special privilege for any

selected group of workers. Therefore, this bill merely translates into practice and makes effective the democratic principles behind progressive, social labor legislation by prohibiting labor unions within the scope of the bill from discriminating against their fellow workers on the ground of race, creed, color, national origin, or ancestry.

For reasons of practical administration the lower limit of employment has been placed at a business employing more than five persons or a labor union having five or more members in the service of one or more employers covered by the bill (sec. 4). Enforcement is obtained through a Fair Employment Practice Commission of seven members, who shall devote full time to the administration of the legislation (sec. 5). The supervisory jurisdiction of Congress over policy is insured first by making appointment to the Commission subject to the consent of the Senate and by annual reports by the Commission to the Congress (sec. 6). Upon the establishment of the Commission and appointment of its members, the present Committee on Fair Employment Practice established by Executive Order 9346, May 27, 1943, shall cease to exist and the Committee employees, records, property, and unexpended funds shall be transferred to the new Commission (sec. 8).

The Commission is given investigatory powers, including power of subpoena, production of evidence, and inspection of records, and administration of oath, as indispensable tools to effective and sustained work (sec. 11). Refusal to obey a subpoena of the Commission may be reached through application by the Commission to any United States district court, where the party aggrieved would have his day in court. Due process, notice, and opportunity to be heard are carefully preserved in the standards set out for Commission procedure on charges; and the right of appeal to the circuit courts of appeals of the United States is expressly reserved both for the Commission to obtain enforcement and the party complained of to obtain relief (sec. 10).

Federal Government contracts and Federal Government departments, bureaus, and agencies are included under the bill, recognizing that the Government is the largest employer in the United States (secs. 4 and 12).

If this bill is enacted and becomes law, willful violations of its provisions shall be subject to penalties exactly as disobedience of any Federal law is subject to fine, imprisonment, or both. The permanent Fair Employment Practice Commission, as envisaged in the proposed bill, will no longer be an advisory body, as provided under the President's order. It will be a vital part of American law and on an equal footing.

The veterans will soon be coming home in ever-growing numbers. They will represent all elements of the population. There has been no favored class among them. They have shared the same risks and made the same sacrifices. Both on the casualty lists and the lists of decorations and honors every race, every creed, every color, every source of national origin and ancestry is honorably represented. If we owed a duty to no other section of the population, we owe it to these veterans to see that their opportunity to work is on the same democratic base as their obligation to serve.

It is the purpose of the committee, in holding these hearings, to hear as many of the good citizens of the country who are interested in this legislation, for or against, as will be possible within the limited time and within the proper consideration of this subject matter.

We will insert a copy of the bill in the record at this point.
(S. 2048 is as follows:)

[S. 2048, 76th Cong., 2d sess.]

A BILL To prohibit discrimination in employment because of race, creed, color, national origin, or ancestry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

FINDINGS AND DECLARATION OF POLICY

SECTION 1. The Congress finds that the practice of denying employment opportunities to, and discriminating in employment against, properly qualified persons by reason of their race, creed, color, national origin, or ancestry, foments domestic strife and unrest, deprives the United States of the fullest utilization of its capacities for production and defense, and burdens, hinders, and obstructs commerce.

It is hereby declared to be the policy of the United States to eliminate such discrimination in all employment relations which fall within the jurisdiction or control of the Federal Government as hereinafter set forth.

RIGHT TO FREEDOM FROM DISCRIMINATION IN EMPLOYMENT

Sec. 2. The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry is declared to be an immunity, of all citizens of the United States, which shall not be abridged by any State or by an instrumentality or creature of any State.

UNFAIR EMPLOYMENT PRACTICES DEFINED

Sec. 3. (a) It shall be an unfair employment practice for any employer within the scope of this Act—

(1) to refuse to hire any person because of such person's race, creed, color, national origin, or ancestry;

(2) to discharge any person from employment because of such person's race, creed, color, national origin, or ancestry;

(3) to discriminate against any person in compensation or in other terms or conditions of employment because of such person's race, creed, color, national origin, or ancestry.

(b) It shall be an unfair employment practice for any labor union within the scope of this Act—

(1) to refuse membership to any person because of such person's race, creed, color, national origin, or ancestry;

(2) to expel from membership any person because of such person's race, creed, color, national origin, or ancestry; or

(3) to discriminate against any member, employer, or employee because of such person's race, creed, color, national origin, or ancestry.

(c) It shall be an unfair employment practice for any employer or labor union within the scope of this Act to discharge, expel, or otherwise discriminate against any person because he has opposed any practices forbidden by this Act or because he has filed a charge, testified, or assisted in any proceeding under this Act.

SCOPE OF ACT

Sec. 4. (a) This Act shall apply to any employer having in his employ more than five persons, who is (1) engaged in interstate or foreign commerce; (2) under contract with the United States or any agency thereof; or (3) performing work, under subcontract or otherwise, called for by a contract to which the United States or any agency thereof is a party.

(b) This Act shall apply to any labor union which has five or more members in the employ of one or more employers covered by the preceding paragraph.

(c) This Act shall apply to the employment practices in the United States and of every Territory, insular possession, agency, or instrumentality thereof, except that paragraphs (3) and (f) of section 10, providing for petitions for enforcement and review, shall not apply in any case in which an order has been issued against any department or independent agency of the United States; but in any such case the Fair Employment Practice Commission established by section 5 of this Act may petition the Attorney General of the United States for the enforcement of such order, and it shall thereupon be the duty of the Attorney General to take such measures as may secure obedience to any such order. Every official who willfully violates any such order shall be summarily discharged from the Government employ.

FAIR EMPLOYMENT PRACTICE COMMISSION

SEC. 5. For the purpose of securing enforcement of the foregoing rights and preventing unfair employment practices on the part of employers and labor unions, there is hereby established a commission to be known as the Fair Employment Practice Commission, which shall consist of a chairman and six additional members to be appointed by the President, by and with the advice and consent of the Senate, who shall serve for a term of seven years except that the terms of the members originally appointed shall expire seriatim at intervals of one year. Any member of the Commission may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. Four members of the Commission shall at all times constitute a quorum.

REPORTS

SEC. 6. The Commission shall at the close of each fiscal year make a report in writing to the Congress and to the President concerning the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the Commission, and an account of all moneys it has disbursed, and shall make such recommendations for further legislation as may appear desirable.

SALARIES

SEC. 7. Each member of the Commission shall receive a salary of \$10,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment.

TERMINATION OF COMMITTEE ON FAIR EMPLOYMENT PRACTICE

SEC. 8. Upon the appointment of the members of the Commission, the Committee on Fair Employment Practice, established by Executive Order Numbered 9346 of May 27, 1943, shall cease to exist. All employees of the said Committee shall be transferred to and become employees of the Commission. All records, papers, and property of the Committee shall pass into the possession of the Commission, and all unexpended funds and appropriations for the use and maintenance of the Committee shall be available to the Commission.

LOCATION OF OFFICES

SEC. 9. The Commission shall hold its sessions in the District of Columbia and at such other places as it may designate. The Commission may, by one or more of its members or by such referees, agents, or agencies as it may designate, prosecute any inquiry or conduct any hearing necessary to its functions in any part of the United States or any Territory or insular possession thereof.

PROHIBITION OF UNFAIR EMPLOYMENT PRACTICES

SEC. 10. (a) The Commission is empowered as herein provided to prohibit any person from engaging in any unfair employment practices within the scope of this Act.

(b) Whenever it is charged that any person has engaged in any such unfair employment practice, the Commission, or any referee, agent, or agency designated by the Commission for such purposes, shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect and containing a notice of hearing before the Commission or a member thereof, or before a designated referee, agent, or agency at a place therein fixed not less than ten days after the serving of said complaint.

(c) The person so complained of shall have the right to file an answer to such complaint and to appear in person or otherwise, with or without counsel, and give testimony at the place and time fixed in the complaint.

(d) If upon all the testimony taken the Commission shall be of the opinion that any person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair employment practice and to take such affirmative action, including hiring or reinstatement of employees with or without back pay, as will effectuate the policies of this Act. If, upon all the testimony taken, the Commission shall be of the opinion that no person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue an order dismissing the said complaint.

(e) The Commission shall have power to petition any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia) or, if all the circuit courts of appeals to which application might be made are in vacation, any district court of the United States, within any circuit or district, respectively, wherein the unfair employment practice in question occurred, or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court to which petition is made a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and the order of the Commission. Upon such filing, the court to which petition is made shall conduct further proceedings in conformity with the procedures established by law governing petitions for enforcement of the orders of the National Labor Relations Board.

(f) Any person aggrieved by a final order of the Commission granting or denying in whole or in part the relief sought may obtain a review of such order in any circuit court of appeals of the United States (including the United States Court of Appeals for the District of Columbia) within any circuit wherein the unfair employment practice in question was alleged to have occurred or wherein such person resides or transacts business by filing in such court a written petition praying that the order of the Commission be modified or set aside. Upon such filing, the reviewing court shall conduct further proceedings in conformity with the procedures established by law governing petitions for review of the orders of the National Labor Relations Board.

INVESTIGATORY POWERS

SEC. 11. (a) For the purpose of all hearings and investigations which in the opinion of the Commission are necessary and proper for the exercise of the powers vested in it by this Act, the Commission, or its duly authorized agents or agencies, shall at all reasonable time have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question. Any member of the Commission shall have power to issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question, before the Commission, its member, agent, or agency conducting the hearing or investigation. Any member of the Commission, or any agent or agency designated by the Commission for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

(b) In case of contumacy or refusal to obey a subpoena issued to any person, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(c) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpoena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

RULES AND REGULATIONS

SEC. 12. The Commission shall have authority from time to time to make, amend, and rescind such regulations as may be necessary to carry out the provisions of this Act. Such regulations shall be effective sixty days after transmission to the Congress unless the Congress has in the interim amended or nullified such regulations by appropriate legislation. If the Congress has adjourned within ten days after the submission of such regulations. Such regulations shall set forth the procedure for service and amendment of complaints, for intervention in proceedings before the Commission, for rules of evidence to be applied by the Commission, for the taking of testimony and its reduction to writing, for the modification of the findings or orders prior to the filing of records in court, for the service and return of process and fees of witnesses, and with respect to the seal of the Commission, which shall be judicially noticed, the payment of expenses of members and employees of the Commission, the qualification and disqualification of members and employees and any other matters appropriate in the execution of the provisions of this Act.

GOVERNMENT CONTRACTS

SEC. 13. (a) All contracting agencies of the Government of the United States shall include in all contracts hereafter negotiated or renegotiated by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, national origin, or ancestry, and requiring him to include a similar provision in all subcontracts.

(b) Unless the Commission shall otherwise determine and state in its order, no contract shall be awarded by the United States or any agency thereof to any person found by the Commission to have violated any of the provisions of this Act or to any firm, corporation, partnership, or association in which such person has a controlling interest, until three years have elapsed from the date when the Commission determines such violation to have occurred. The Comptroller General is authorized and directed to distribute a list to all agencies of the United States containing the names of such persons.

OFFENSES AND PENALTIES

SEC. 14. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Commission or any of its referees, agents, or agencies, in the performance of duties pursuant to this Act, shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than one year, or both.

SEPARABILITY CLAUSE

SEC. 15. If any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of such Act or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

DEFINITIONS

SEC. 16. (1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

(2) The term "employer" includes any person acting in the interest of any employer, directly or indirectly.

(3) The term "labor union" includes any organization in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning the terms or conditions of employment.

(4) Unless otherwise specified, the term "Commission" means the Fair Employment Practice Commission created by section 5 of this Act.

(5) The term "Committee" means the Committee on Fair Employment Practice established by Executive Order Numbered 9346 of May 27, 1943.

(6) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or Territory or the District of Columbia or any foreign country.

SEC. 17. This Act may be cited as the "Fair Employment Practices Act."

Senator CHAVEZ. The committee invited many citizens to appear before it, and amongst them Dr. Everett R. Clinchy of the National Conference of Christians and Jews, Inc., 381 Fourth Avenue, New York. Dr. Clinchy was unable to appear personally at this time, but he did write out his views, which he addressed to me as chairman of the committee, and I am going to ask the clerk to be so kind as to read it so the committee and the persons present will know the views of Dr. Clinchy.

(The clerk read the communication, which is as follows:)

THE NATIONAL CONFERENCE OF CHRISTIANS AND JEWS, INC.,
New York, August 23, 1944.

The Honorable DENNIS CHAVEZ,
Senator from New Mexico,
United States Senate, Washington, D. C.

DEAR SENATOR CHAVEZ: I am grateful for your invitation to appear before the Senate committee considering proposed legislation for a permanent Fair Employment Practices Committee. I regret deeply that because of prior engagements I shall be unable to accept your kind invitation. I should like, however, to submit this letter as my statement to the committee.

Those of us who work in the field of improving human relations consider the President's Committee on Fair Employment Practices an important forward step in our history. Continuation of activity of this nature into the years of peace will advance us still further.

The religious bodies of the Nation are clearly on record for equality of economic opportunity for all Americans, irrespective of race, creed, or national background. Protestants, Catholics, and Jews all adhere to the basic conviction that all men are children of God and that, therefore, one of the major responsibilities of democratic government is to assure all men and women their God-given right to earn for themselves and their families a decent standard of living.

The Federal Council of Churches of Christ, the Roman Catholic Church, and the Synagogue Council of America, as well as various individual religious denominations have time and again stated this principle in one way or another. There is no disagreement about it.

The American way of life, deriving from the Judeo-Christian tradition, contains no more fundamental aspect than this principle of justice and equality of opportunity. Whenever any person is denied the right to livelihood because of race, religion, or national background, both our democracy and our religious principles are violated.

It seems to me that there is an urgent and immediate obligation on the part of our Federal Government to formulate legislation which will make real these principles which have always been part of our tradition. Now that so great a portion of our economic life transcends State lines, it is essential that we have Federal legislation of this nature.

No one should believe, of course, that the mere passage of such legislation is adequate to insure complete equality of economic opportunity. Any such legislation must be undergirded by the awareness of all Americans of our interdependence and by a program of education which will make widespread that awareness. My associates and I give you our assurance that we will direct our energies toward this objective.

Law and education in civic responsibility are both necessary. Neither is complete without the other. It is imperative, however, that legislation become

part of the law of our land to restrain those who would betray our democratic way of life through discrimination against members of minority groups so that education for improved human relations will not be rendered futile and ineffective.

I am confident that the members of your committee will give careful consideration to this proposed measure and I urge you to report it favorably to the Senate for further action by that body.

Sincerely yours,

EVERETT R. CLINCHY.

P. S.: I shall be happy to have this statement made part of the record and, if you so desire, released to the press.

E. R. C.

Senator CHAVEZ. Rabbi J. X. Cohen, will you come forward, please?

STATEMENT OF RABBI J. X. COHEN, CHAIRMAN, COMMISSION ON ECONOMIC DISCRIMINATION OF THE AMERICAN JEWISH CONGRESS, NEW YORK

Senator CHAVEZ. Doctor, will you be so kind as to identify yourself for the record?

Rabbi COHEN. I am Rabbi J. X. Cohen, a member of the rabbinate of the Free Synagogue of New York, of which Dr. Stephen S. Wise is the chief rabbi, and I serve as chairman of the Commission on Economic Discrimination of the American Jewish Congress, of which organization Dr. Stephen S. Wise happens at this time to be the president.

Senator CHAVEZ. Are you acquainted with the purposes of the legislation proposed in Senate bill 2048?

Rabbi COHEN. Yes, sir, I am. I have read the bill and heard the admirable statement just made by the chairman.

Senator CHAVEZ. Would you care to make a statement before the committee?

Rabbi COHEN. I would be very glad to, sir, and appreciate the opportunity to do so.

Senator CHAVEZ. You may proceed.

Rabbi COHEN. It is heart warming for one who for the past 15 years has been dealing actively with the problem of economic discrimination and seeking to awaken the public conscience with respect to the evil effect upon the American community and upon American economic life, to find that the problem of discrimination in employment is being discussed in so affirmative and constructive a fashion before so august a body as this Senate committee.

I appear before this committee, Mt. Chairman, as an American and as a Jew, and as an American Jew I represent the American Jewish Congress, which, as I have stated, through its Commission on Economic Discrimination, has been at work for a decade and a half in an attempt to ameliorate the situation insofar as it affects Jews. We have found in all of our work that the removal of the bars of discrimination against any one minority group is not limited in its benefits to that minority group but affects beneficially all other groups as well.

In the pre-war period—and I want to emphasize the pre-war period because most of us are properly afraid that the post-war period may follow in intensified fashion the pre-war period as a pattern of economic discrimination—Jewish individuals suffered very serious disadvantages

in many areas of economic activity. The work of our commission in this decade and a half has produced some ameliorative results, but I must declare that following the growing spread of the network of Nazi propoganda in the United States as part of its vast global propoganda against the Jewish people, that that work of the Commission on Economic Discrimination has been hampered and, in many areas, nullified by the Nazi anti-Jewish propoganda.

I could take a considerable amount of time, but in your graciousness, naturally, you cannot give me more than a few moments, but I would like to indicate some of the implications and applications of this commission as they have occurred in the pre-war period as a pattern, as I have said, of what we may anticipate in the post-war era if there is no barrier to the continuance of economic discrimination.

In the finding of a job in the pre-war period the basic act of an individual, the first step he or she would take would be to look at the classified "Help wanted" advertisements of our daily newspapers. We in the Commission on Economic Discrimination have for years been studying these classified "Help wanted" advertisements, and, to cite one illustration, we studied the advertisements appearing in the New York Times and the New York Herald-Tribune on Sunday mornings during the month of April 1941. Sunday morning advertisements are the best to study, because they carry a larger volume of "Help wanted" advertisements than the daily issues and also because the types of jobs that are available are broader in scope on that particular day.

In April of 1941 we found 2,950 "help wanted" advertisements which specifically expressed religious preferences, out of 10,051 advertisements that appeared during that month in the newspapers that I have mentioned. That was 29 percent of all of the advertisements. The intensification of Nazi propoganda and the general effect of growing anti-Semitism brought about even during the period when we were the arsenal of democracy, when we were building the instruments whereby others would achieve freedom in the world from the tyrant's rule, brought about an increase in jobs but a growth in the anti-Jewish advertisements. For instance, in the month of November 1941, just before Pearl Harbor, our analysis showed that there were 5,883 "help wanted" advertisements which specified religious preferences other than Jewish, as contrasted to the 2,950, almost double in number precisely, and that there were 17,839 advertisements, nearly 18,000 advertisements during the month of November 1941, "help wanted" ads, 32 percent of these being the 6,000 I have cited which were definitely discriminatory in America.

Individuals who seek jobs in normal times—now they are sought and have been for some time—either turn to the "help wanted" classified ads in the newspapers or to the employment agencies directly, and our records, our experiences, and our voluminous files disclose that employment agencies continuously in the pre-war period refused to register Jewish applicants and would not, as one agency manager after another would say, "waste a processed application from" on an individual who was unplaceable; or in order not too seriously to aggravate an interviewed individual, they might fill out a preliminary type of application and then either consign that, after the individual left the employment office, to the wastebasket or to the dead file. Employment agency managers told our staff members that they

could not register Jewish applicants because these Jewish individuals were, to a large extent, what they would call unplaceable. As a matter of actual fact there was one agency which posted a sign in its office which read, "No Jewish applicants until further notice." That sign was removed by order of the commissioner of licenses of the city of New York, because all employment agencies are licensed by that municipality.

I personally made a study of one large employment agency that served many important industrial, financial, and fiduciary organizations in the metropolitan district of New York, an area that goes beyond just the State of New York, that embraces New Jersey and Connecticut as well. Of the 400 firms listed in that agency's file, 400 firms that were clients, 89 of the cards were marked "X," and those who know the meaning of that symbol know that "X" means "Christian," and an "X" with an asterisk means not "Christian preferred" but "Christian only." There were 359 out of those 400 firms that would not employ a Jewish individual if they could obtain some other person to fill the vacancy.

One of the most disastrous illustrations of the use of symbols was their utilization by State employment agencies, agencies of the State of New York, and in many other areas in the United States. State governmental agencies carried the symbol in one corner of their card, "PCJ," so that the interviewers, when asking the applicant about his various qualifications, could quickly record whether the individual had replied to the question, "What is your religion?" by stating "Protestant," he could put a circle around the "P," or a circle around the "C" if he said "Catholic," or around the "J" if he responded "Jewish." The American Jewish Congress for years has been at work, and in at least 14 States in the pre-war period we had succeeded through the effort of like-minded organizations in having the State employment agencies remove those symbols and to cease asking the question, "What is your religion?" of an applicant. Of course, following the issuance of the Presidential order and the merging of the State employment agencies into the U. S. E. S., a changed situation developed, but individuals who applied for jobs, not through the employment agencies or through the avenue of the classified "Help wanted" advertisements but went direct to the factory door, to the personnel office, found if they were Jewish they were frequently—not always, that must be made clear—they were frequently faced with an anti-Jewish policy.

As part of my duties as the chairman of the Commission on Economic Discrimination, I have, from time to time, checked up the work of the members of the field staff of the commission. In one case I personally applied to the personnel office of a large public utility where, under the law, it was prohibited that that personnel officer should ask an individual, "What is your religion?" and the question does not appear on the application blank. I was, nonetheless, personally asked in a nonchalant, offhand way, "And what is your religion?" and a symbol was placed in the coded part of the application blank when I made a response. I did declare at the time I did not see how my religion entered into the question of my capacity as an engineering draftsman, for which job I was applying. It happens, incidentally, that I am qualified for that particular position. It happens that I am a licensed engineer in the State of New York, that for many years I

was a practicing engineer, a consulting engineer, for a time the president of the Syracuse Chapter of the American Society of Civil Engineers, and after acquiring a very modest competence I retired from the engineering practice, spent 4 arduous years in a seminary preparing for the Jewish ministry and for community service, so I can see this problem from the point of view of both sides of the desk. I worked in all types of technical activity and attempted to be of community service as well. I talked with the vice president of one of the large public utilities engaged in interstate activity without question, the central office being in New York City, and I said to this individual, "You employ about 45,000 persons in your organization. Why is it that you have a minimum number of Jewish girls, practically none, in your employ?" His answer was—and this is no hearsay, sir—his answer to me, in the presence of two witnesses, was that "we cannot employ Jewish girls to handle our large office equipment because their arms are too short."

Now, we have beneficially dealt, as I have said, in ameliorative fashion to a limited degree, with economic discrimination as it affects Jewish individuals, through our national headquarters in New York and through our branch and affiliated offices in Boston, Chicago, Cleveland, Philadelphia, and other cities, but this work of combating economic discrimination against any minority group in the United States is not the work of a private agency. It should not be the function of private citizens banded together to perform a governmental activity, it should be carried on, as it was for a while under Executive Order 8802 and its amendments, by an organization such as the F. E. P. C.

But even after Pearl Harbor, even after the existence of F. E. P. C., with its limitations, a great deal of discrimination existed. I could cite many instances of discrimination that were practiced in war industries after Pearl Harbor. I will cite just a few typical companies. They are the Fairchild Aviation Corporation, the Dow Chemical Co., the Ford Instrument Co., the Pratt & Whitney Corporation, and the Sperry Gyroscope Co.

Senator CHAVEZ. In what respect were they discriminating?

Rabbi COHEN. Discriminating against Jewish applicants for employment or making difficult their upgrading if through their superior qualifications they were able to overcome the barriers and enter employment. We cited these companies and others to the F. E. P. C. and public hearings were had in New York City in February 1942, February 15, to be precise, and as a result of the public and private hearings affirmative beneficial action followed with respect to these and other companies. So there has been considerable progress.

We have also worked on municipal and on State plans, to obtain legislative action that would help to reduce economic discrimination. We find, however—and this much I will say now—that laws which are enacted without a clause which indicates a fine or some other form of deterrent—

Senator CHAVEZ. A penalty, in other words.

Rabbi COHEN. A penalty. Thank you, sir. Laws without a penalty are of little avail, except for the educative effect that the law makes possible. A statement in that respect, and in other respects, has been made by Dr. Stephen S. Wise, as the president of the American Jewish Congress, before the House Labor Committee, and I think it would be of help if the members of this committee who have not yet seen that statement should take the opportunity to examine it.

In conclusion I would say that the post-war industry will present acute problems during the reconversion and transition to peace. If we do not handle this problem with statesmanship, with economic statesmanship, there is a possibility that there will be a hysterical scramble for jobs. Certainly there will be much social tension that might break out in undesirable forms. We made the mistake, many of us right here in Washington, of not preparing for war in time of peace; we should not repeat that mistake by not preparing for peace in time of war. Therefore we ought to convert the Fair Employment Practice Committee to a Fair Employment Practice Commission. The Commission is essential for all-out peace production as the Fair Employment Practice Committee has been essential and helpful in obtaining all-out war production.

I want to express again my gratitude for the opportunity to present the views of the American Jewish Congress to this committee, and I request permission, which I hope will be granted, to submit for the record a memorandum that will amplify my remarks, which I prepared on the train coming to Washington and is now in process of being typed.

Senator CHAVEZ. The committee will receive the memorandum.

Are there any questions?

Senator AIKEN. You mentioned the "Help wanted" advertisements which appeared in the papers just previous to the war, the high percentage of those which specified race or religious desires. I suppose those were all types of employers?

Rabbi COHEN. Yes, sir, every type.

Senator AIKEN. Have you read this bill enough so that you know whether it would affect advertising of that nature or not, whether it will make it illegal under this bill to specify religious preferences?

Rabbi COHEN. I think it would, sir, because many offices in New York City are national offices, that is, of companies carrying on national activities. They are the headquarters of organizations that conduct interstate commerce.

Senator AIKEN. And is it your understanding that there is nothing in this bill which would affect the hiring of domestic labor, such as a cook, or hiring a doctor or a dentist of one's choice?

Rabbi COHEN. Yes, sir, that is very clear.

Senator AIKEN. There is nothing in here to prevent it, in your opinion?

Rabbi COHEN. No, sir, there is not.

Senator AIKEN. I am asking this because I freely confess I have not studied the bill enough myself to know whether it does or not. I assume the witnesses have given it a very thorough examination.

Senator CHAVEZ. Thank you very much, Dr. Cohen.

Rabbi COHEN. Thank you, sir.

MEMORANDUM SUBMITTED BY RABBI J. K. COHEN, CHAIRMAN, COMMISSION ON ECONOMIC DISCRIMINATION OF THE AMERICAN JEWISH CONGRESS, TO THE SUBCOMMITTEE OF THE SENATE COMMITTEE ON EDUCATION AND LABOR, HON. DENNIS CHAVEZ, CHAIRMAN, AT ITS HEARING AUGUST 30, 1944, ON THE CHAVEZ BILL, S. 2048, TO PROHIBIT DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, CREED, COLOR, NATIONAL ORIGIN, OR ANCESTRY

Mr. Chairman and members of the committee, it is a recurring paradox of history that the gains made in one period are all too often lost in the next. It is as if we expected to develop society by taking one step forward and then one or more steps backward.

We made a forward step, a genuine social and economic advance, in creating a wartime committee to safeguard democratic principles of free opportunity in employment. To disband the President's Committee on Fair Employment Practice on V-day, with its fine record in the reduction of discrimination in employment against any persons because of race, creed, color, or national origin, would be sad retrogression; two steps backward, in fact.

One of the sacrifices which we were called upon to make during the war has been the sacrifice of race prejudice. This luxury of racial and religious prejudice is manifestly just as much out of place in the coming difficult era of peace as it is in the travail of war. It is imperative that in the post-war period we keep open the gates of economic opportunity to all the peoples who make up America. Otherwise serious group tensions will ensue, and in our multi-group society group tensions represent a danger to the whole community.

I come here to plead for the passage of legislation which will give permanent statutory form to the Fair Employment Practice Committee; in short, for the legislative conversion of the wartime committee to a peacetime commission to prevent old-new barriers being raised in employment because of race, creed, or color.

I come here, not alone as an American interested in the principles of human dignity and economic fair play, but also as a Jew—as a representative of one of the minority groups in our multigroup society; as a spokesman for a group which has acutely suffered discrimination in our economic life. A distinguished American Jew, my teacher and colleague, Rabbi Stephen S. Wise, has said: "Racial and religious discrimination in the field of employment is a denial of democracy; it is of the essence of fascism." If one may be permitted to refer to a magazine article of mine which has been included in the United States Congressional Record of May 18, 1944, under extension of remarks of the Honorable George H. Bender, of Ohio, I said there "that we will need the Fair Employment Practice Committee, or an equivalent agency, during the demobilization period, to ameliorate and control the tensions that will surcharge the transition from war to peace; to assure equitable distribution of the limited employment opportunities available in that period."

Coming down from general principles I should like to discuss some concrete matters. Take the matter of employment application blanks, the primary step in obtaining a job. It has been the rule rather than the exception that application forms include queries on religion, race, and national origin. The reason for this practice may be presumed to be overt or latent prejudice. But, drawing from the experience of the commission on economic discrimination of the American Jewish Congress, we have found that this pattern of discrimination is frequently followed as a habit. Our investigators have been told by some employers that they were not even aware that their application blanks contained the discriminatory question. They explained that a routine form, adopted many years ago, was reordereed without review. Under the Fair Employment Practice Committee such discriminatory query is forbidden in war industries. We consider it a real contribution to the ultimate elimination of discrimination in all employment that the Fair Employment Practice Committee, in industries over which it has jurisdiction, has barred the question of religion or race.

Here is the beginning of a good habit which non-war industries are beginning to imitate. We often have been told, in recent days, by concerns of all sizes, after we pointed out the un-American implications of the inquiry, that "the question of religion is being deleted from our application forms." We can credit much of this change to the educative effect of the work of the Fair Employment Practice Committee. Certainly there are broad changes toward liberalizing the labor market clearly visible in some quarters.

In pre-war days, the application blanks of many of the State employment services carried the symbols "P-C-J." The interviewer marked the applicant

as Catholic, Protestant, or Jewish, in accordance with the answer to the question, "and what is your religion?" This practice was discontinued, after years of effort on the part of the American Jewish Congress, when Executive Order 8802 was finally effectuated. A ruling recently adopted by the United States Employment Service, in which all State employment services are now merged, gives more than token evidence of this trend. In an interpretation of its nondiscrimination policy and procedure, the United States Employment Service cited a non-profit-making organization, identified with a certain religious faith, which had applied for kitchen help and had specified its own faith. The decision of the United States Employment Service was that the specification was discriminatory because the vacant job is "not ordinarily one which has to do with the teaching or propagation of the faith."

In the days when America was the "arsenal of democracy" discrimination was rife in defense industries. Our Commission contended that the plowshares beaten into swords to fight for freedom must be forged in an arsenal where democracy ruled. From the extensive files of the commission on economic discrimination may we cite a few illustrations of un-American procedure uncovered by the Commission and ameliorated by the Fair Employment Practice Committee?
Fairchild Aviation Corporation.

An employment agency advised our commission that job orders placed by the Fairchild Aviation Corporation clearly indicated that Jewish workers would not be considered. Other reports stated that Jewish workers were being turned down repeatedly, although non-Jewish applicants for the same type of work were being engaged.

The matter was referred to the Fair Employment Practice Committee; the investigation showed conclusively that this company discriminated against Jews and Negroes. Examination of personnel records revealed that among the rejectees the proportion of Jews was 12 to 15 times as great as among those who were hired.

Ford Instrument Co.

The Commission on Economic Discrimination learned that a job order issued by the Ford Instrument Co. for 100 machinist apprentices specified "W-X" (White-Christian only). The source of our information advised us that this company continually "specified non-Jewish when calling for help." The employment application blank of this company at this time (1942) sought knowledge of the applicant's religion. We presented this case to the Fair Employment Practice Committee, which conducted private hearings.

Republic Aviation Corporation.

It was reported to the Commission on Economic Discrimination very frequently during 1941 and 1942 that job orders were being placed by the Republic Aviation Corporation with employment sources called for "W-X." Jewish applicants applying at the company's personnel office were being rejected in favor of non-Jewish applicants with identical experience. This case, when referred to the regional representative of Fair Employment Practice Committee in New York, developed a finding that whereas some rather significant things were unearthed in connection with the company's general policy, the restricted employment of Jews was found to be better than that of other aircraft companies in the same area.

Sperry Gyroscope Co.

Numerous complaints were received by the commission on economic discrimination regarding the Sperry Gyroscope Co.'s hiring policy and employment procedure. In 1941 they continued to ask "religion" on their application blank. Jewish applicants were being turned down repeatedly. A certain employment agency carried an advertisement in the New York Times for 500 boys on behalf of this company. It specified "X-American." The New York State employment offices carried on their clearance sheets job openings with this company for 100 machinist apprentices. Only "Male-W-X" were acceptable. A group of Jewish and non-Jewish boys, all graduates of the same technical high school, filed applications with this company. None of the Jewish applicants were accepted although they were told they had passed the qualifying tests.

Brewster Aeronautical Corporation.

Beginning with 1939 and extending through 1943, complaints continued to reach our commission concerning this corporation, varying from direct refusal to accept qualified Jewish graduates of vocational high schools or Jewish applicants qualified

and referred by State employment offices, to the rejection of Jewish applicants after physical examination by company physicians on the ground of "potential hernia," despite certificates from other doctors to the contrary. After the initial investigation by the commission on economic discrimination and our inability to negotiate a satisfactory change in hiring procedures, the entire case was turned over for official investigation to the Fair Employment Practice Committee.

As is well known, the Brewster Corporation was subsequently, for a time, taken over by the Federal Government. It was found that the company employed a number of foremen and other supervisory employees who were apparently in sympathy with the Nazi policy toward Jews and that these had made it difficult for Jews to obtain or retain jobs with the corporation.

Wright Aeronautical Corporation.

A complaint came to the commission that Jewish workers were unable to get into this plant. Despite the shortage of skilled workers, an experienced Jewish machinist was told repeatedly that there were no openings. A licensed Jewish aviation engine machinist was unable to obtain employment with the company. This case was included in the brief we presented at the New York public hearing of the Fair Employment Practice Committee on February 16, 1942.

Thereafter, the corporation circulated a memorandum to each of its 900 supervisory officers, emphasizing the provisions of the Executive order and stressing compliance with its provisions. The Committee directed the corporation to give written notice to all employment agencies to which it submitted orders, advising that the plant would accept applicants for all classifications of employment without regard to race, color, creed, or national origin.

Federal Shipbuilding Co.

From 1939 through 1942 repeated complaints reached the Commission concerning the discriminatory hiring policy of the Federal Shipbuilding Co. Instances included an experienced Jewish chipper and caulker being refused employment repeatedly despite the fact that non-Jews doing similar work were being engaged continually. A private employment agency advised us that this firm consistently indicated either a preference for non-Jews or a definite policy against hiring Jews. The case was turned over to the Fair Employment Practice Committee. A representative of the Fair Employment Practice Committee together with a representative of the commission, met with the company's industrial relations manager. The manager agreed to make a thorough investigation of the complaints submitted. Previously all that was effected was a complete denial of a discriminatory employment policy.

Beneficial results followed every intercession by the Fair Employment Practice Committee in the cases above cited, and in many others listed in the commission's files which may not be mentioned here because of space limitations.

The efforts of the commission on economic discrimination of the American Jewish Congress have been directed for the past 15 years toward correcting un-American hiring practices in private industry, in defense plants immediately prior to the war, and in war industries since Pearl Harbor. In all this work we have been partially successful in awakening employers to the wisdom of maintaining American fair play in employment.

One major aid in recent years has been new legislative enactments designed to reduce discrimination. Where the commission's findings brought to light flagrant job discrimination, due either to established employment policy, ingrained prejudice on the part of employment interviewers, or arising from inertia, indifference, or lack of understanding, our mission became one of breaking down the existing discriminatory barriers through an extended educational program.

Following the establishment of the Office of Production Management during the defense period, and the subsequent Federal agencies created by the President's Executive order stipulating that hiring shall be done without regard to race, color, creed, etc., our commission noted a considerable improvement in employer reaction to our private efforts to achieve a fair employment policy.

The private and public hearings of the President's Committee on Fair Employment Practice held from one end of the country to the other, at which violations of the Executive order were considered were of immense benefit in translating the order into reality. Our Commission's relationship with the regional directors of the Fair Employment Practice Committee have been most satisfactory. The results obtained through their intercession on matters we referred to them are the highest recommendation for the continuance of this Government function and the

establishment of a statutory commission to help reduce discrimination in employment in the post-war period. The present Fair Employment Practice Committee is only a war agency. It will pass out with the end of the war—but the problems it handled will not end with its termination. On the contrary they will continue in aggravated form, to plague the Nation and our minority groups. After military victory abroad Americans must prepare for another war, namely, against depression and unemployment on the home front. We must prepare to overcome massive forces tending to create depression and unemployment at home. Though we demobilize on the military front, we will face new battles on the home front. Discrimination against minority groups curbed and checked by wartime controls and labor shortages will survive and revive after the war to appear in even more complex and catastrophic forces.

(Cherne p. 279): "Frayed tempers, escapists from reality, scapegoat seekers—all these 'will provide the faggots, but economic conflict will light the fire.' It has been well said: 'If we resented the Negro when we needed him, how will we feel when we don't need him?' To Negro, one may well add Jew."

In the transition from the war economy national economic insecurity may affect some American Jews with special stringency. General economic insecurity may well mean a greater degree of insecurity for the Jewish worker, storekeeper, businessman, professional man. Communal tensions have been subordinated while all were fighting a common enemy. They will seek to spring forth after the war, or as soon as the specters of joblessness and economic insecurity stalk the land. Fascist-minded groups will seize upon the confusion and the despair nurtured by economic depression. Seeds of discord are being cultivated by those whose business it is to fatten upon national disunity. To quench these hatreds, to calm these pre-peace fears we should strengthen our governmental statutory structure in part by creating a permanent support against economic discrimination: viz, the Fair Employment Practice Commission proposed in Senate bill, 2048.

The Commission on Economic Discrimination of the American Jewish Congress has been advocating legislation restricting employment discrimination for the past 15 years. It has been serving as a sort of miniature Fair Employment Practice Committee. Now progressive legislation generally follows this pattern: A private agency discovers a need, seeks to correct the situation, meanwhile trying to educate the public to take governmental action. Finally Government steps in and established an agency to perform the work. That the 15-year effort on the part of the A-J-C may help, even in small measure toward the creation of a Fair Employment Practice Committee would be a cause for rejoicing amongst those who know that discrimination against Jewish workers was practiced before the war. The C-E-D has published a number of reports covering some of its labors in reducing discrimination against Jews seeking jobs. From one published in 1937 a few paragraphs are cited to present a pre-war picture that may reappear in intensified form in the post-war era.

"Office positions and other types of white-collar work are now most frequently filled through the intermediation of employment agencies, both public and private, the latter charging a fee for their services. Needless to say, these intermediaries have in the course of their activities accurately gaged the prejudice of their patrons against Jews; they are not, as a rule, reticent in admitting its scope and effect. One Christian investigator, who cooperated with our Commission, interviewed the managers of 13 New York City agencies whose normal daily load is 6,000 applicants; all of them readily granted that anti-Jewish prejudice is very high.

"* * * One executive had discovered that she could readily clear a waiting room full of applicants by the simple device of a general announcement: 'There are no jobs available for bookkeepers—or Jews.' Another agency went somewhat further by giving those who entered the office a prepared statement reading: 'We cannot accept applications from Jewish bookkeepers, typists, clerks, and other classes of office workers, as we do not get calls for them.

"The ultimate of this sort of line may be seen in a sign displayed in the office of an employment bureau reading: 'No Jewish applicants until further notice.' It was removed on order of the New York City Bureau of Licenses. * * *

"* * * Do the employment agencies which handle Jewish applicants unfairly reflect an existing prejudice, or do they create and stimulate it? Our investigations have convinced us that a good part of the responsibility must be placed squarely on the shoulders of certain agency managers. While it is no fault of theirs that many employers request Christians only such requests do not justify their raising the issue where otherwise it would never have been raised.

The vice president of a great national tobacco company reported to us that the agencies with which he deals always ask his religious preference. This may be nothing more than a bit of routine procedure, but rarely will it fail to bring out to the fullest degree latent possibilities for discrimination. Worst of all, however, is the insidious agency manager who attempts to 'flatter' his client by insinuating, 'Of course, you don't want a Jewish stenographer.' Rarely will he get the only decent response to that kind of subtle insult, such as came from a packing-house superintendent who fired back: 'What the hell do I care about her religion.' Send me a good stenographer."

"* * * Another Congress investigator applied to employment agencies for a total of 100 jobs as stenographer, secretary, accountant, and auditor. He had to report that, 'In 91 cases I was told that a Jew would be unacceptable.' If this ratio holds, it follows that in a city where the Jews form nearly 30 percent of the population, the chances against a Jew's obtaining employment would be more than 10 to 1."

"* * * Is the attitude of the employer himself more helpful than that of the employment agencies which serve him? In an effort to find an objective answer to this question the writer went through the files of an agency serving many important companies and tabulated the records involving more than 400 firms in New York City. Of these, 89 percent, or 359, declared that they 'preferred Christians.'"

"* * * In the light of these observations and findings it is no exaggeration when the head of an important placement bureau declares that in general Jews must be classified as "marginal workers." Only when the demand for workers exceed the supply of qualified applicants are they considered for jobs. In the present situation, with widespread unemployment in the white-collar fields, a Jew's opportunities are restricted in a menacing and un-American fashion. * * *

"* * * The experience of a Jewish teacher with a high school some 50 miles from New York City is instructive with regard to appointive positions. This man had completed his professional training at Teachers' College (Columbia University) and held 2 other university degrees. He received the appointment as principal of the high school in question. After all arrangements had been made, including living quarters for his family, a short time before the opening of the school term he was called on the long distance telephone. The caller was a member of the school board. 'Are you Jewish?' he asked. When the principal-elect said 'Yes,' he was told that it would be impossible to employ him. He and his family were stranded at a time when other places that he might have filled were no longer open.

"The commission on economic problems of the American Jewish Congress was called into this situation. In the course of our investigation, we came upon a proposed amendment to the civil rights law buried in the judiciary committee in Albany, which prohibits any inquiry concerning the faith or religious affiliation of any applicant for employment in the public schools of the State. The amendment was revived and finally passed. It is now on the statute books as chapter VI, sections 40A-41 of the consolidated laws * * *

"Shame and deep resentment because Jewishness throws one into a lower caste, regardless of all personal qualities, is a sadly recurrent and established phenomenon among thousands of American Jews.' In an effort to traverse the vicious barrier many consciously and systematically drop Jewish associations. Those who have 'passed' live as twentieth-century Marranos, in dread of discovery * * * in their frantic efforts toward economic adjustment, moral and social consequences of catastrophic scope may ensue * * *

"The program of our commission includes the following activities:

- "(1) Investigation and adjustments of complaints.
- "(2) Job placement through established agencies.
- "(3) Cooperation with Christian leaders and agencies.
- "(4) Education of employers through conference.
- "(5) Legislative work for remedial measures.
- "(6) Research in the economic contribution of the Jewish community."

Paragraph (5) above, part of the commission's program for 15 years reaches an apex of endeavor in its efforts to assist in the enactment of Federal legislation for a Fair Employment Practice Commission. What we saw in 1937 holds true with even greater force in 1944, as we face the post-war era.

"We have now reached the time when legislation must be enacted in order to assure that American men and women will be able to secure jobs according to their ability and qualifications and not according to their race or their religion.

It is a fundamental American ideal—the freedom of opportunity and fair play—that will be furthered by Federal legislation to insure the right of every person to a job without discrimination.

“* * * Economic pogroms in our midst must cease. They cry to heaven of a great injustice. If we were but fully awake to the moral disaster as well as economic distress which follows in the wake of this injustice, our reaction would be, we must bring it to an end.

“We must expose this hideous, un-American creation of darkness to the light of truth. We must also engage in a program that will enlist the aid of Christian liberals, and industrial leaders generally, to help remove the unjust disabilities which bring grievous—yes, incalculable—hurt to our people.

“Discrimination against Jewish persons in the economic field in the United States is a paramount issue confronting American Jewry. Its existence is a challenge to all right-thinking Americans. Its continuance is a threat to democracy itself. We dare not leave that threat unheeded, that challenge unanswered. We will, we must work untiringly for the maintenance of true democracy and fair play for Jews in all fields of economic activity. Only in that way can we make our best contribution to the American commonwealth.”

In “a full employment peace economy” the American Jew should have ample and unhindered opportunity to make his contribution to the American commonwealth, and thus help to heal the wounds of an era whose terrifying tragedy for the Jew will not be forgotten as long as time endures.

Senator CHAVEZ. Bishop Bromley Oxnam, will you please come forward?

STATEMENT OF BISHOP G. BROMLEY OXNAM, FEDERAL COUNCIL OF CHURCHES OF CHRIST, NEW YORK CITY

Senator CHAVEZ. It is the committee's understanding that you would like to make a statement with reference to Senate bill 2048.

Bishop OXNAM. That is correct, Mr. Chairman and members of the committee. Will you allow me to say at the beginning I appreciate very much the privilege of appearing in this particular hearing. I am here to represent the Federal Council of the Churches of Christ in America.

Senator CHAVEZ. Will you identify yourself for the record?

Bishop OXNAM. My name is G. Bromley Oxnam. I am one of the bishops of the Methodist Church. My residence is 150 Fifth Avenue, New York.

Senator CHAVEZ. You may proceed.

Bishop OXNAM. Thank you, sir. I am representing, as I said, the Federal Council of the Churches of Christ in America, and likewise representing the Methodist Church. In the matter of representing the Federal Council of the Churches of Christ in America, may I read a letter from Dr. Samuel McCrea Cavert, who is the general secretary of the Federal Council. It is dated August 24, 1944, in New York.

DEAR BISHOP OXNAM: I understand that you are being invited to testify at the Senate hearing on the Fair Employment Practice Committee on August 30 or thereabouts. I send this note to say that I very much hope that you can do this. If you find it possible to go, I hope you will represent the Federal Council as well as the Methodist Church, for, as you know, the Federal Council has definitely gone on record as favoring permanent provisions to achieve the aims of the Fair Employment Practice Committee.

Will you allow me to say also, I am a member of the executive committee of the council and a member of the advisory committee, which is the committee to which all matters of policy are referred before action in the executive committee.

One word regarding the Federal Council. The Federal Council is composed of 25 of the leading Protestant denominations in this

country, with a membership of 25,000,000 worshipping in America, 150,000 churches and congregations. The membership of the Federal Council is chosen by the respective denominations in their highest governing bodies.

The Federal Council has taken the following actions, which I would like to read for the purpose of the record if you will allow me. The first was taken on June 13, 1941, a general statement:

The executive committee of the Federal Council of the Churches of Christ in America has great concern about the grievous discrimination shown in the exclusion of Negro workers or the workers of other minority groups from defense industries, with a few creditable exceptions, and from opportunities and facilities for training for employment in such industries. We consider this question of such paramount importance that we ask for the largest and fullest cooperation on the part of the churches in order that we may prevent a continuance of this injustice against Negroes and other minorities in defense industries, and that the relations of these workers and employers may be improved.

Later on, on September 15, 1943, the executive committee acted specifically, and I quote:

As Christians each of us—

this was a message to all of the churches of the Protestant persuasion—

As Christians each of us should give active support to the Fair Employment Practice Committee against discrimination in employment in industry.

Then again, on May 21, 1944, the executive committee passed this resolution, and I quote:

Discrimination in employment because of race, creed, or national origin is one of the great moral issues before our Nation today. The right of a worker to be employed and paid solely on the basis of his character and ability is so clear, just, and Christian that it should be protected by law. This right should be provided by appropriate legislative and administrative provisions. Be it further

Resolved, That the Federal Council of Churches urge our Government to establish permanent procedures for securing the objectives which have been sought by the Committee on Fair Employment Practice.

Mr. Chairman, I have presented these official actions so that the committee might know that the large percentage of Protestant churches of this country as represented in the Federal Council are on record not only on the general proposition but on the specific matter that is now before this body, and on record favorably.

A word regarding the Methodist Church. I shall be very brief. I am secretary of the Council of Bishops of the Methodist Church. Our membership is 7,955,000, approximately 8,000,000 members. Our membership is counted somewhat differently to that, let us say, of the very strong Roman Catholic Church which lists some 22,000,000 members in the country, as I believe will also appear in the testimony of one of its representatives here. We do not count our children, of course, until they join the church of their own volition. I only mention this to show the opinion that is back of the statement I am about to make. In the choice of chaplains for the Army of the United States of America, the Methodist Church is called upon to furnish 20 percent of all of the chaplains of the Army, and the Roman Catholic Church 25 percent of them. Therefore I speak for a substantial opinion when I make this statement. No one can speak for the Methodist Church except this general conference, which meets quadrennially, a body in which representatives come from all over the world, composed of

about 600 persons. At the last conference in 1944 in Kansas City this action was taken:

We make the following proposals for action—
and then under the head of "Negro" they state:

We stand for the recognition of the rights of the Negro. To this end we urge:

1. The foundation within our schools and colleges of special courses and activities promoting racial understanding.

2. Equal opportunity in employment, upgrading and conditions of work; in the exercise of the full right of citizenship; in excess to professional and business careers; in housing; in transportation and educational facilities.

Now may I particularly stress this:

We endorse the principles underlying the Fair Employment Practice Committee and urge all agencies involved in the administration of the act to improve that administration.

There are four statements I would like to make, Mr. Chairman, in conclusion. The first is this:

The religious forces and I believe the democratic forces of the United States face a fundamental problem here, and that is finding concrete means to translate our ethical ideals into the realities of economic justice and racial brotherhood. We preachers find it easy to make general statements in the realm of brotherhood, but it is hard to find specific means to make that brotherhood real.

It is our opinion, and I think I am speaking for the churches in this, that this right to work is elementary, and within the realm of the right to work certainly a man's opportunity ought to be based upon his character and capacity, it ought not to be determined by his color or his creed. We feel this grows right out of religious principle, and that is the reason the churches are seeking to represent themselves as strongly as possible on this.

Will you let me say, Mr. Chairman, that we feel it is necessary to have an act that can be enforced, so that the abstract right becomes a right in fact in this particular field.

The second statement I would like to make is this: If you will pardon me for saying so, both of my sons are in the Army. One was wounded at Cassino, and went in with the first troops in the Anzio beachhead. I receive many letters and I am quite certain that the soldier does not ask whether the man beside him is an American white man or an American black man, or an American Catholic or an American Jew, he is an American and he is a soldier.

Senator CHAVEZ. Is it not also correct, that the enemy, whether he be Japanese or German, does not differentiate in color, race, or creed?
Bishop OXNAM. Not at all.

Senator CHAVEZ. In fighting the American soldier.

Bishop OXNAM. Precisely, sir. I believe very deeply that the American soldier of any race and of any creed, who has gone abroad to restore liberty, must not come home to find freedom denied, and the churches seek to stress that.

The third item is this: This committee is fully aware and I need not add that racial tensions exist in our great centers of population, serious tensions. I spent 10 years on the east side of Los Angeles, I am familiar with what happened there recently. Just before being assigned to New York I was bishop in Boston and we had our anti-Semitic situations there, and in Detroit. We hope that legislation

of this kind may be an evidence of the fact that religion, education, and law will unite to do things finally in removing the causes that lead to these tensions instead of awaiting the time when people will be led by an occasional demagog and seek to do by methods of violence that which cannot be done that way and which does not become this country of ours.

Lastly, Mr. Chairman, I think we have made up our minds that our sons' sons are not going into another war a generation hence if we can help it, but we should not delude ourselves into thinking that the matter of discrimination between races in this country is a matter that is not brought to the forefront in the lands across the sea, not only among our enemies but people of other colors, asking the question again and again, "Is this democracy?" I had the privilege of serving upon a commission that studied education in Japan. I have been in all their universities, all of our Christian institutions, and no single question was raised by the students oftener than the Negro question in the United States. Similarly in China, and likewise in India.

I have said enough, Mr. Chairman. I simply wish to reiterate my appreciation of the privilege of coming here and to say I speak with authority when I say that I believe the churches are over-whelmingly interested in legislation that will give effect to the object of this particular bill.

Thank you very much, sir.

Senator CHAVEZ. Senator Aiken, do you care to ask any questions?

Senator AIKEN. I do not think so. I would like to ask someone the question as to whether racial discrimination is accentuated according to region or not. I know it is generally believed that discrimination against Negroes centers largely in the South. There has been a migration of Negroes all over the country, and I was wondering whether that discrimination has been removed as they moved north or east.

Bishop OXNAM. Frankly, sir, I wish I could say that is true. I had one bishop sent to my own church, a Negro church. He came to Boston, with all the background in Boston in days gone by, and I sought to find a room for him in a respectable hotel, and I had to go to many before I could find a room for a highly educated Christian gentleman. That was in the city of Boston. I do not think, sir, this is a sectional problem, this is a national problem that we face, and that is why the church nationally is interested in it.

Senator AIKEN. Have you found that it does not matter particularly whether the Negro or the Jew is in the city or the country? Is it a rural or urban problem? Is it accentuated in cities?

Bishop OXNAM. The studies we have made in the University of California show that this is related to the question of density. It has to do with numbers. You may, for instance, have in southern California, as we did for a time, a certain number of Japanese, and then you have a larger number, and before long, when the number increases, then you have your racial tensions. We seem to get along with 10 or 12 people, but when you get 10,000 or 12,000 it seems to be more difficult. I do not know whether that is the answer. I would not like to give that as a studied opinion.

Senator AIKEN. The desire that all people have is to obtain security, and some people think the only way we can obtain security is by taking a certain degree of security away from someone else.

Bishop OXNAM. I do not know. You notice it among the nations, and I rather fancy we have to solve the problem internationally, thinking in terms of living standards for everyone everywhere. That is the way we can progress.

Senator AIKEN. I have noticed, particularly since I have been here in Washington, that some people believe they can only make themselves secure by making some one else less secure, and for some reason a country feels it can only increase its own prosperity and wealth by taking it from another section.

Bishop OXNAM. I do not think that is true in the field of economics.

Senator CHAVEZ. Bishop OXNAM, let me ask you a question, if I may. Of course you receive reports from the chaplains of the Methodist Church who are now in the Army.

Bishop OXNAM. I do; yes, sir.

Senator CHAVEZ. In all the branches of the service.

Bishop OXNAM. Yes.

Senator CHAVEZ. Have you received any information from those chaplains as to the attitude of other religious groups or other chaplains or other churches in regard to a soldier of a different racial background or different denomination?

Bishop OXNAM. Yes, I have received a number of letters, and I think one of the most heartening signs of the moment is the fact that men sense their unity when they face a great problem such as now confronts us. I know of Jews who have taken care of Protestants and Catholics, and I know of Protestants and Catholics who have taken care of Jews.

Senator CHAVEZ. Of course they took care of them when they were dying.

Bishop OXNAM. Yes.

Senator CHAVEZ. And the converse is true, I suppose.

Bishop OXNAM. Yes. I have received from the chaplains some criticism relative to certain discriminations in the Army itself as regards the Negro, let us say, but generally when men are together in a great cause, these matters go into the background. That is why I stress that a man's opportunity ought to be on the basis of his character and his capacity, regardless of his color or his creed.

Senator CHAVEZ. If he is good enough to make the supreme sacrifice, if necessary, why should he not be the recipient of the benevolent laws of the land and all of the benefits of the land in the way of opportunity, regardless of whether he is of Jewish extraction or whether he is of Spanish extraction or of Irish extraction?

Bishop OXNAM. There is no question about that in my mind, Mr. Chairman. I think the problem now is to give effect to the ideal by procedures that really mean it. When labor had the abstract right to organize, that was one thing; when it was enforceable in law it became similar, to my mind, to the matter of protecting my property; it was something I could really protect.

Senator AIKEN. Bishop OXNAM, before you came into the room, Rabbi Cohen expressed concern that during the post-war period, with its resulting reconversion months and the unemployment which, to a certain extent, might come, there would be an intensification of racial and religious discrimination. Do you share that concern? Is that discrimination more accentuated in times of unemployment than it is in times of reasonably full employment?

Bishop OXNAM. I cannot speak from evidence; I speak from impression, one who from experience has seen the fact that when there is unemployment, employment is generally given to the white man, or to, let us say, in Protestant communities and Catholic communities, people of that particular persuasion. It is unfortunate, but I think it is there, and that is the reason I think for an act of this kind.

Senator CHAVEZ. Thank you, Bishop.

Bishop OXNAM. Thank you very much, Mr. Chairman and members of the committee.

Senator CHAVEZ. Mr. Clarence E. Pickett, will you come forward, please.

**STATEMENT OF CLARENCE E. PICKETT, EXECUTIVE SECRETARY,
AMERICAN FRIENDS SERVICE COMMITTEE, PHILADELPHIA,
PA.**

Senator CHAVEZ. Do you desire to make a statement before the committee on the proposed legislation?

Mr. PICKETT. Yes, Mr. Senator, I would be very glad to make a statement.

Senator CHAVEZ. I wonder if you would be so kind as to identify yourself for the record?

Mr. PICKETT. I am Clarence E. Pickett, executive secretary of the American Friends Service Committee.

Senator CHAVEZ. Can you explain to the committee the functions of the particular committee which you represent?

Mr. PICKETT. This committee has a variety of functions. The one which has particular bearing here has to do with relief operations abroad, and particularly dealing with the refugee situation in Germany preceding our entrance into the war, and also dealing with ambulance service in China, and with the Japanese-American students and others in this country.

What I want particularly to point out is the function of the Government in relation to these acute minority situations. I think citizens have a continuing heavy responsibility as private citizens, as voluntary groups, but one does not have to watch and be a participant in the handling of the results of maltreatment of minorities very long to find that the attitude of government, the actions of government, are very important.

From 1933 to the present time our committee has had dealings with the refugees, principally Jewish, who have been compelled, many of them, to leave central Europe, particularly Germany, and I myself and my colleagues have watched the process develop with the beginning of the present regime in Germany. First you had the limitation on the practice of law by Jewish lawyers. They could not be judges, and then they were not permitted to take certain of the more lucrative types of cases, and finally were eliminated from the practice of the law entirely. The same is true in the practice of medicine and in the teaching profession.

Basic to the whole problem of the refugee, what we think of as the refugee from Germany, has been economic discrimination. I myself know a great many Germans who gave hostage in their homes, who furnished food when the food supplies of Jewish people living as neighbors to them were exhausted because they lost their jobs. It

was my studied judgment that it was not the uprising of the German population against the Jew, although there is no doubt there was anti-Semitism in Germany on the part of many individuals, but when the Government stepped in and took a specific anti-Semitic attitude by decrees and so-called laws, it took the lead in initiating a program of restricting the economic opportunities, until finally it became impossible for the Jewish population of Germany, with some exceptions, to live. It was opposed, as far as it could be, by individuals of good will, neighbors of Jews, but the action of the Government was much more powerful than the action of individuals or groups in the country who tried to resist that action.

I point that out because it seems to me very important that the Government of the United States should recognize, as it has by Executive order but now as it is proposed by legislation, its full responsibility in taking a definite position concerning particularly economic opportunity for minority groups in this country. One only has to watch the gradual growth and the devastating effect on both the non-Aryan and Jewish population of Germany to have very deep-seated convictions that it is a thrust at the very roots of civilized society when governments take a positive attitude fostering and furthering discrimination in employment. And the counterpart is, I think, equally true.

I would like to say a few words also about our experience in China. At the present time we and the British Quakers have an ambulance unit in China of about 100 men. It has not been easy to obtain access to China for that unit, not because they did not want the unit, not because they dislike us as a group of people, but because principally, I would say, of Japanese propaganda expressing fear of the domination of the white race over the colored races, and over and over again from Chinese officials and individuals that question has come up. I think finally these men, because they have been willing to go and do a very difficult and trying job, they have not entered into the problems of the political life of China at all, have done jobs the Chinese wanted done and could no otherwise get done, these men have won their place. But there is no doubt about a continuous flow of propaganda on the part of the Japanese to the effect that the attitude of the West is to dominate the East on the basis of color.

It is even more pronounced in relation to the way in which we have dealt with the people of Japanese ancestry in this country. I am not here to discuss the merits or demerits of the evacuation of people of Japanese ancestry from the west coast, but there can be no doubt that a great deal of advantage was taken of that situation by Japanese propagandists in the Far East to point out that the white man was the enemy of the colored man, that it was only the just and right obligation of the oriental, the man of color, to take his position alongside his fellows of the oriental races and not to ally himself with the white races.

As a member of this staff of this same committee, I have participated in setting up a council which undertook to relocate the students of Japanese ancestry who were in colleges and universities on the west coast, in other institutions outside of the prohibited areas, and over the period from the evacuation to the present time we have relocated about 2,500 or 2,600 students of Japanese ancestry in universities and colleges in the Middle West and now in the East as well. There are

actually more students of Japanese-American ancestry in colleges and universities now than there were when evacuation took place. There were about 2,000 students in the west coast universities and colleges, and there are 2,500 or 2,600 in the institutions of higher learning at the present time. As that process has gone on it has impressed me that the support of two Government agencies has been specifically centered on it and has made it possible for a private agency to do this kind of work. We have had the continuing support of the War Relocation Authority and also of the War Department.

I have here and would be glad to submit for the record a letter from the Assistant Secretary of War, Mr. McCloy, approving of the relocation in institutions of higher learning outside the prohibited areas of men and women of Japanese ancestry, and also a letter from Mr. Eisenhower, Director, War Relocation Authority.

Senator CHAVEZ. They may be inserted in the record.

(The letters referred to are as follows:)

WAR DEPARTMENT,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, D. C., May 21, 1942.

Mr. CLARENCE E. PICKETT,
American Friends Service Committee,
Philadelphia, Pa.

DEAR MR. PICKETT: Mr. M. S. Eisenhower, Director of War Relocation Authority, has sent me a copy of his letter of May 5 to you, regarding the working out of a program of university education for Japanese-American citizens who are now being evacuated from the Pacific coast. He has suggested that you and your committee would find it helpful to receive from me an expression of approval of a properly conceived and carefully executed program in this respect.

Accordingly, I take pleasure in advising you that I am in complete sympathy with the suggestions made by Mr. Eisenhower in his letter to you of May 5. Anything that can legitimately be done to compensate loyal citizens of Japanese ancestry for the dislocation to which they have been subjected, by reason of military necessity, has our full approval. In particular, the suggestion for the establishment of a committee of distinguished educators to work out a program of university education in other parts of the country for Japanese-American citizens evacuated from the Pacific coast meets with my hearty approval.

I am happy to know that this committee is being formed under your sponsorship and that of the American Friends Service Committee.

Sincerely yours,

J. J. McCLOY,
Assistant Secretary of War.

WAR RELOCATION AUTHORITY,
OFFICE OF THE DIRECTOR,
Washington, May 5, 1942.

Mr. C. E. PICKETT,
American Friends Service Committee,
Philadelphia, Pa.

DEAR MR. PICKETT: The American Friends Service Committee can make a significant contribution to the program of the War Relocation Authority.

As you know, evacuation of Japanese aliens and American-citizen Japanese is now under way on the Pacific coast. Most evacuees will move from the prohibited zone to relocation centers managed by War Relocation Authority. At these centers we shall be able to provide for elementary and high-school education. We cannot, of course, establish new universities.

Many eminent educators have urged that university students in the prohibited zone be permitted to transfer to midwestern colleges and universities where they may continue their education. Certainly I agree that this would be desirable.

It is not feasible for the War Relocation Authority to undertake such a university program for American-citizen Japanese, but this in no way detracts from the desirability of such an accomplishment. Consequently, I should like to ask that you establish a committee which would aid you in formulating a set of policies and program. Such a program will involve the selection and certification of

students at assembly or relocation centers. a phase of the task that must, of course, be handled by the Federal Government. It will involve transportation of students from the prohibited zone to a designated university, a function which I think may also be handled by War Relocation Authority, just as it transports all evacuees from the prohibited zone to their war-duration homes. It involves the development of true understanding of this whole problem in many universities as a prerequisite to the students and faculty of those universities making arrangements for the reception of American-citizen Japanese. Finally, it involves either work opportunities or non-Federal funds for the support of students at the universities.

I should like to have you not only to bring together a committee to formulate a program but also to do the necessary follow-through work which will be necessary if this program is to be realized. Let me emphasize that the Federal Government for the protection of the students themselves and to reassure the public will make individual examinations and give individual certifications. This, however, is only half of the matter. It is equally necessary to see to it that difficulties would not develop in the new locations to which the students would go.

I handed to Mr. Morris the roughest sort of suggested press release. I am anxious that some announcement be made early this week so that the people on the coast who are concerned about this problem will not be completely discouraged.

Sincerely yours,

M. S. EISENHOWER, *Director.*

Mr. PICKETT. Over and over again we have had occasion to seek the support and have had the support of the officials in the War Department, and continuously of the War Relocation Authority. No private agency could have carried forward this program had it not had the backing and approval, the stated approval in writing, in the public press, of influential agencies of the Federal Government.

I want to say for the record that of all these 2,600 students that were relocated, the average grade for the first year in all of our institutions was B-plus, and that there was not one single case of discipline of any consequence. I do not think that record could be duplicated probably by any other group of students in the country. Now, we tried to publicize that fact. It has had a good deal of offsetting influence, I imagine, certainly with the Japanese-Americans, people of Japanese ancestry in this country, against Japanese propaganda. It is the kind of thing, I think, which is essential if we are to offset the growing tension that is purposely augmented, particularly by Japanese propaganda, that the orientals and western races cannot get along together, that they are essentially different, and that the East should consolidate against the West.

I want to say a word also about the effect of that kind of propaganda on the Negro group. Those of us who have intimate acquaintances among the Negro group know how shaking have been the thoughts that have gone on in that group as to whether the Japanese were right. It is to be said to the eternal credit of the Negroes in this country that only in rare instances have they lent themselves to acceding to and acting upon the basis that the Japanese propaganda was true. I know of relatively few, in fact no responsible leadership in the Negro group that has lent itself to that insistent and continuous propaganda.

On the other hand, it is tempting. There are many more people of color than there are white people in the world. The treatment in the Army and Navy, the treatment in industries during the period of the war, while some improvements have been made, have yet left a great deal to be desired, and it seems to me of supreme importance, if we are concerned that we should not have to repeat the processes through which we are going now, the World War, that the Government shall align itself with the people of good will in this country in supporting

officially by law a thing on which we can unite, I believe, and that is that people ought to be employable not on the basis of race or color or religion but on the basis of their character and ability. It does not raise the moot question of social equality, it raises only the question—and that is the question primarily raised as this thing has grown intense in Germany—it raises only the question of the right to a job and to earn a living.

In conclusion, let me say it seems to me we are very much at a testing point, as to how genuinely we believe in the processes of democracy. We hear a good deal about white supremacy, but it seems to me to be no evidence of supremacy when we refuse to give equal opportunity to minority groups. Supremacy is based on character, ability and achievement, and its attainment is open to all, and a white civilization does not show supremacy but fear if it denies the right to aspire to supremacy to any group.

On the basis of the desolating effect which the discrimination against people on the basis of race and religion has had, not only in Germany but also in the Orient, I want to bring out of our experience this little body of testimony and to say that the American Friends Service Committee which I represent is deeply concerned that the Government shall assume its full responsibility in giving backing and substance to the work of private groups and church agencies, men and women of good will throughout the country, and that we believe that the proposed act very largely accomplishes that purpose, so far as a legal enactment can accomplish it.

I want to express my appreciation to you, Mr. Chairman and members of the committee, for permission to make this statement. (

Senator CHAVEZ. Thank you, sir. Senator Aiken, would you care to ask any questions?

Senator AIKEN. Yes; I would like to ask a few questions.

What is the population of the Japanese-Americans in this country, of American-born Japanese?

Mr. PICKETT. About 72,000 or 73,000.

Senator AIKEN. That is all?

Mr. PICKETT. Yes.

Senator AIKEN. Do you expect that they will occupy an unenviable position after the war?

Mr. PICKETT. So far as employment goes, I think real progress has been made in their ability to get jobs. We find in dealing with them, as they become older people, of employable age, as they come out of camps, we have had a great deal to do in finding jobs for them, and under the pressure of the war they have found jobs easily, and have almost universally made very enviable records, magnificent records. I think that fact itself bids fair to enable them to continue, probably. Perhaps, in fairness, one has to say as Bishop Oxnam said a while ago, that the density of minority populations raises new problems of scattering them over the country so that there will be only a few in any one place. In some places they have more opportunity for employment than they had before. Some of them have had 2 years in college and have had, I believe, little or no difficulty in securing employment. That does not, however, apply to some of the professions. It is a little difficult for the Japanese to get into a medical school, for instance.

Senator AIKEN. Most of the Japanese-Americans are located on the

Pacific coast, or were located there. Do you think many of them have lost their homes?

Mr. PICKETT. Yes; some of them have and some of them have not, and some do not know what has happened.

Senator AIKEN. In that population there are about 72,000 American-born Japanese?

Mr. PICKETT. The American-Japanese citizen population is about 72,000. I think it runs to about 110,000 including the Japanese nationals.

Senator AIKEN. As I understand it, they have acquitted themselves very well in the Army. Are they being drafted in the Army?

Mr. PICKETT. Before the evacuation they were drafted the same as anybody else. Then, after the evacuation, there was a period when they were not permitted even to volunteer, and they were not drafted. Then, the next step was the setting up of a combat team, which was a segregated Japanese unit in the Army. Now they are drafted the same as anybody else. It is a slow process.

Senator CHAVEZ. I have noticed a statement in the press in the last few days from Italy as to the assignment of the Japanese-Americans in combat duties.

Mr. PICKETT. Yes.

Senator CHAVEZ. It seems they did a fairly good job.

Mr. PICKETT. Yes; I think they have brought credit to themselves as members of the armed forces.

Senator AIKEN. I suppose the Government has not felt like emphasizing the good work that has been done by the Japanese-Americans in our Army for fear it would create too much sympathy for the entire Japanese problem. I think some of us have known for a long time about the work the Japanese have been doing in the armed forces in Italy but have not said much about it. I understand they have suffered exceptionally high casualties, running as high as 85 percent in some battalions, which is just about as high as they can go without being completely wiped out.

Mr. PICKETT. Yes.

Senator CHAVEZ. Senator Capper, do you care to ask Mr. Pickett any questions?

Senator CAPPER. Mr. Chairman, I listened with great interest to Mr. Pickett's statement. He made a very strong presentation as to the merits of the legislation. I have studied the bill carefully and I am very much for it. I think the legislation is timely and will be helpful, and I hope the committee will decide to report favorably upon it. I have received a good many appeals from every part of the country, a good many letters expressing an interest in this legislation and in this program, and hoping that we will pass it.

Senator CHAVEZ. It is the hope of the committee to try to get as much public opinion throughout the United States back of it as possible. We do not want to make this a regional proposition, we want to make it an American proposition, a national proposition.

Thank you, Senator Capper, and thank you, Mr. Pickett.

Rev. Francis W. McPeck.

STATEMENT OF REV. FRANCIS W. McPEEK, CHAIRMAN, LEGISLATIVE COMMITTEE OF THE COUNCIL FOR SOCIAL ACTION OF THE CONGREGATIONAL CHRISTIAN CHURCHES, WASHINGTON, D. C.

Senator CHAVEZ. Will you identify yourself for the record?

Reverend McPEEK. Mr. Chairman, I am Rev. Francis W. McPeek, and I appear before you this morning as chairman of the legislative committee of the Council for Social Action of the Congregational Christian Churches.

The Council for Social Action is a body formed within our denomination for the purpose of informing the church on matters of moral and social reference. It is also empowered to make public expression of its views on such matters.

The legislative committee, which I especially represent this morning, is one of the standing committees of the council, and has as its responsibility the duty of examining proposed Federal legislation and of recommending to the denomination actions which it believes consistent with the principles of Christianity and of democratic citizenship. When the several members of my committee are of a unanimous opinion on any particular legislative issue, we are authorized to make public representation of it.

In June of this year, at its annual meeting, the council endorsed in principle and in fact the bill that is now known as the Fair Employment Practice Act. This step, which climaxed long and thoughtful consideration within many of our denominational group, reflects the strong sentiment of support existing throughout our denomination.

Speaking for the Legislative Committee, which has followed with closest attention the progress of the Fair Employment Practice Committee over the past several years, I may summarize our agreements as follows:

1. We believe that the right to work is the least common denominator of democracy. Comprehended in this phrase, "the right to work," is something more than the involuntary servitude in which so many members of our minorities find themselves. In its fullest sense it means the right to equable education, and training, to fair competition for jobs on the basis of endowment and acquired skills, and to secure tenure of employment. It means the right to live, the right of the principal wage earner to support his family decently, the right to move and act as freeman and as an American citizen.

It is incredible to us that anyone should attempt to justify job discrimination on anything that remotely resembled moral grounds. Deprivation of the right to work, from whatever cause, is the worst and bitterest deprivation a man can suffer; and when it depends upon the hue of skin, the accidental fact of ancestry, or upon cherished forms of religious devotion, it is a thousand times worse. In these instances the raw cruelty of being shoved out of the workaday world cannot be explained by mysterious, impersonal forces, but rather by the only too obvious savagery of fellow men.

The right to work is the first and minimal right of mankind everywhere. And in our Nation, with its heritage of Christian principles and of the ideals of good sportsmanship, this is so particularly.

2. In the second place, Mr. Chairman, we believe that the preservation of the family as the primary unit of society is the fundamental duty of the Government, and the basic principle in Christian social welfare.

As students of family we know something of the terrible costs of job discrimination in terms of home disruptions among the minority groups.

Where the right to work is denied to fathers, the mothers are compelled to assume whole or partial support of the family, and this to the detriment of their normal duties to their children; 12,845,000 women over the age of 14 were gainfully employed in 1940, and the majority of these were contributing a large proportion of their earnings to the upkeep of relatives and families. Of especial interest to us is the fact that mothers of minority groups were more frequently forced to assume double loads. That this is historically the case has led some sociologists to refer to families of the minorities as "economic matriarchies." The woman, rather than the man, is the stable wage earner.

The children, of course, bear the brunt of this. As a former chaplain of some of our State and Federal institutions for the mentally ill and for criminal offenders, I can testify personally to the appalling effects of disorganized family life. The rising peacetime crime rates, and rates of mental illness, clearly disclose the increase in family disintegration. We must act decisively for family security, and in many ways, if we are to arrest the growth of problem personalities.

Generally speaking, certain of our minority groups contribute far more than their reasonable share of persons who eventually require public care. The best conservation measure—the ounce of prevention—is the guaranty of their right to work at jobs that return enough for adequate family support.

The passage of this bill, we believe, is one of the many steps necessary to assure to normalcy and stability of family life among racial and religious minorities.

3. In the third place, my committee believes that legislation and education go hand in hand in the solution of any social or economic problem. To rely upon one method only, especially in a problem so threatening to the democratic process, can be a disastrous mistake. The question is not now whether this legislation is necessary; it is whether this is the kind of legislation which will have the sanction and support of the majority of the people.

We are sure that it has, and that it will be, to those who are critical of it, an instrument of instruction. The outspoken approval by representatives of millions of our citizens plainly shows that as a Nation we are finally ready to abide by this long-overdue law.

Opponents of the bill have stressed the fact that progress in the employment of minority workers has been made through education and persuasion alone. Progress has been made in some respects, no doubt, but it is far too little and far too uneven. A study of national employment statistics over the period of 1910 to 1940 will leave no further question about this in the minds of clear thinkers, and study of the relevant chapters in Dr. Gunnar Myrdal's *An American Dilemma* will accomplish the same end. In a number of occupations and industries it is safe to say that the employment situation of some minority groups is far less favorable than a generation ago.

In addition to this, if opponents of this legislation to guarantee the right to work are convinced that laws are superfluous, it is our feeling that they should establish their argument by repealing many of the laws in their own districts which have the effect of guaranteeing the opposite.

4. In the fourth place, Mr. Chairman, we believe that this bill provides for perfectly fair treatment of all parties.

It assures that the complainer and the complained against shall have their proper chance to state their case, not only once but as often as there may be reasonable grounds for obtaining renewed consideration.

Restraints are placed equally on the activities of labor unions and on those of management. There is no suspicion of class interest in the functioning of the Fair Employment Practice Commission, as described, for it treats everyone and every group alike. Only the guilty will get hurt, and in the public interest they must be.

We wish to make this very clear. We would not, as a church group, endorse any legislation which, in our opinion, differentially affected the legitimate interests of the classes. Our endorsement therefore carries with it our conviction that labor unions, when they practice discrimination based on color, creed, or ancestry, should be subjected to the same punishments as the employers.

5. Finally, we believe that the enactment of this bill is a moral necessity, as well as an expedient and prudent measure.

It is surely God's will that men shall work and shall have opportunity to exercise most fully His gifts to them. He who would deny their right to do so places himself in opposition to the divine ordering of human life and society.

That it is expedient and prudent is as self-evident.

Intergroup antagonisms have grown in pitch. There are wide cleavages between some of us and others. So long as this is the case, there will be the temptation to exploit these differences by those whose political objectives are subversive to our cherished form of government.

The responsible people can act now, and are ready to act. If by some mischance they do not, it will be no great wonder if the irresponsible seize their opportunity.

My committee believes, Mr. Chairman, that a deeply concerned and informed Congress will quickly enact this bill as a part of conservative statesmanship. We urge this Congress to do so without delay.

And we pledge to you, as a church group, we shall do everything in our power to support the Fair Employment Practice Commission in its operations; for we shall consider, that having directly appealed to you for it, we share with others the solemn obligation of helping to create the respect for it that is due any truly American institution or law.

Thank you very much for permitting me to testify in behalf of my committee.

Senator CHAVEZ. Thank you, Dr. McPeck.

Any questions, Senator Aiken?

Senator AIKEN. No.

Senator CHAVEZ. Senator Capper, do you care to ask Dr. McPeck any questions?

Senator CAPPER. No.

Reverend McPEEK. A question, Senator, was asked here a moment ago relative to the extent of the discrimination in the North.

Senator CHAVEZ. That is right.

Reverend McPEEK. If it pleases you, I shall be glad to read a few paragraphs from Dr. Gunnar Myrdal's *An American Dilemma*, which is considered a very authoritative source in this matter, or I can cite the pages to you and they can be reviewed by you.

Senator AIKEN. I would like to have that information. I did not follow up my questioning any further because I did not want to stir up any unnecessary feeling between sections, but I have had the feeling that discriminatory practices were not confined wholly to the South.

Reverend McPEEK. You are perfectly correct, sir.

Senator AIKEN. If you have any information on that, I would like to see it.

Reverend McPEEK. I would be glad to submit to you later on the citations here. I think they will disclose, because they are based on census studies, the facts in the case relative to differential positions.

Senator CHAVEZ. You may submit it for the record if you desire.

Reverend McPEEK. Thank you.

Senator CHAVEZ. The committee will stand adjourned until tomorrow morning at 10:30.

(Whereupon, at 12:10 p. m., the committee recessed to 10:30 a. m. of the following day, Thursday, August 31, 1944.)



FAIR EMPLOYMENT PRACTICE ACT

THURSDAY, AUGUST 31, 1944

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE
ON EDUCATION AND LABOR,
Washington, D. C.

The subcommittee met at 10:30 a. m., pursuant to adjournment, in room 357, Senate Office Building, Senator Dennis Chavez (chairman of the subcommittee) presiding.

Present: Senators Chavez and Aiken.

Senator CHAVEZ. The committee will come to order. Monsignor Ryan.

STATEMENT OF RT. REV. JOHN A. RYAN, D. D., NATIONAL COUNCIL FOR PERMANENT FAIR EMPLOYMENT PRACTICES COMMISSION, WASHINGTON, D. C.

Senator CHAVEZ. Monsignor, I believe we sent you an invitation to appear before the committee to express your views on the pending legislation which is for a permanent F. E. P. C.

Right Reverend RYAN. Yes.

Senator CHAVEZ. Will you kindly identify your self for the record and then make your statement?

Right Reverend RYAN. I am Rt. Rev. John A. Ryan, D. D., professor of political science of Trinity College, and social ethics of the National Catholic School of Social Service, and I am representing the National Council for Permanent Fair Employment Practices Commission.

Senator CHAVEZ. Thank you. You may make your statement to the committee.

Right Reverend RYAN. Mr. Chairman and members of the committee: For the last 42 years, I have taught the principles and rules of morality to various groups of students, comprising priests, seminarians, nuns, laymen, and laywomen. It is from that point of view, the point of view of moral right and moral wrong, that I wish to advocate briefly the enactment of the bill which is the subject of this hearing.

Among the grievances suffered by certain minorities in our population the most grave and the most fundamental are those which we call economic. There are many occupations from which the Negro is excluded because of the color of his skin. Sometimes the offender is the employer; sometimes it is the employees. When an employer refuses to hire Negroes because he dislikes to have them in his presence or to come into constant contact with them, his reason is clearly racial, or if you prefer, psychological. When an employer excludes

all Negroes because he has found some of them unreliable his motive is economic, but he acts unfairly when he penalizes a whole group on account of the faults of individuals. When he refuses to employ Negroes because his white employees will not work beside them, his motive is economic, and in the circumstances it may be excusable. When his refusal is dictated by the assumption that Negroes should be kept in menial occupations, his conduct is uncharitable and contemptible.

In all these cases, the human dignity of the Negro is outraged and the virtues of justice or charity, or both, are violated. The Negro worker is not treated as a man possessing a natural right to reasonable intercourse with his fellows, nor as a brother having the same needs and claims as the white employer and the white employee.

Sometimes the Negro is excluded from certain occupations by the rules and practices of labor unions. This is even more reprehensible than exclusion by employers; for the wage earners have themselves been the victims of oppression by stronger economic classes. It must be noted, however, that the majority of those unions which refuse to admit Negroes are moved, not by racial prejudices, but by practical economics. The unions desire to keep the jobs for their own members or for their relatives and friends. This is clearly illustrated in the case of the 2,400 Negro firemen in the South who, through an agreement between the railroad managers and the Brotherhood of Locomotive Firemen and Enginemen, have been denied promotion to the position of engine drivers.

Even the economic motive does not justify the exclusion of Negroes from employment. Job scarcity should be dealt with in some other way than through the exclusion of a whole class. The sooner the unions discard this practice, the sooner will they bring about a rational and ethical solution of this very real difficulty. My conclusion, then, is that those discriminations by the unions are nearly always against charity and frequently against justice.

The most recent and one of the most flagrant instances of job discrimination was perpetrated a few weeks ago on the lines of the Philadelphia Rapid Transit Co. Practically all the employees of that concern went out on strike against the promotion of less than 10 Negro employees to the position of motormen on the busses and streetcars. It was particularly flagrant because it deprived several hundred thousand citizens of transportation and prevented the production of an enormous amount of vital war materials. Apparently the responsibility for the strike was shared in a secondary degree by the officials of the Philadelphia Rapid Transit Co.

In passing I should like to bring to your attention a historical event that I think contains a lesson in this whole situation of racial and other intolerances, when 100 years ago, in the same city of Philadelphia, there occurred a much more deadly and devastating race conflict than the one that occurred in Philadelphia a few weeks ago. That conflict was carried on not against the Negroes but Irish Catholics. In the course of the rioting at least one Catholic Church and several Catholic convents were burned. Now, it is not certain but it may well be that two of the leaders of the recent strike, bearing distinctive Irish names, are descendants of persons, Irish Catholics, who suffered in that rioting in Philadelphia a century ago. At any rate, the thing

contains a lesson, I think, for us in regard to all racial or other discriminations and intolerances.

Senator CHAVEZ. May I interrupt, Monsignor Ryan? What is to me extremely confusing is that people who have suffered intolerance do not themselves become tolerant. I am not saying that this is true in regard to all of them, but we all know that throughout the years the people of Ireland have suffered from intolerance, and many persons of Irish extraction left Ireland to come to the United States in order to get away from that intolerance, and I cannot understand why one who has suffered, or whose people have suffered intolerance, should come to the United States, accept the privileges that are afforded them here, and then practice intolerance themselves.

Right Reverend RYAN. Unfortunately, Senator, that seems to be human nature. It is manifested not only by the Irish who have come to this country, as you say, and have become intolerant to others, but that is manifested by the Czechs with regard to the Slovaks, and by the Poles with regard to the Lithuanians. It seems there is in all of us a strong sense of what a distinguished British economist, John A. Hobson, characterized many years ago as the "passion for distinction." If you haven't distinction generally in the community, you can find some group over which you can lord and you have that distinction.

Senator AIKEN. Monsignor Ryan, are you familiar enough with the Philadelphia situation to know whether the promotion of the 8 or 10 Negroes at this time was necessary to the orderly operation of the Transit Co.'s business or not?

Right Reverend RYAN. I think that is a matter of relative unimportance. The company did want more motormen and it was going to upgrade these men who were already employees in other capacities of the company, upgrade them to the position of motorman.

Senator AIKEN. I notice you do not hold the Transit Co. wholly without blame in this matter.

Right Reverend RYAN. No.

Senator AIKEN. I was wondering whether the Transit Co. promoted these Negroes at this time, realizing that it would precipitate the labor crisis.

Right Reverend RYAN. I do not know. I should not like to say that. The immediate factor there was the order of the President's Fair Employment Practice Committee to the company to upgrade these men, to put them in the position of motorman.

Senator AIKEN. How would the company be partly to blame for the situation then?

Right Reverend RYAN. I said apparently, and the grand jury probably will report on that when it reports, but the reason for that assumption is that the company did not make very great effort to settle the strike, or certainly not to put other persons in the positions of the strikers, and it did provide the facilities in the barns, light, and so on, for the meetings of the strikers.

Senator AIKEN. The company had previously refused or neglected to advance Negroes?

Right Reverend RYAN. Well, it had not been doing it. I suppose it was the custom, as it is in many other places.

In passing, I should like to note that the street railways in Los Angeles only a few days ago decided to follow the directive, if that

is what it is called, of the Fair Employment Practices Committee and employ Negroes as motormen. So that something has been done, but there is a lesson in this Philadelphia thing of 100 years ago. I heard that lesson drawn something over 50 years ago in a debate between a distinguished citizen of my own State, Ignacius Donnelly, and a Mr. Sims, who represented the A. P. A. The debate was over A. P. A. Donnelly, the man I am speaking of, was born in Philadelphia, he was brought up there, and he said to Sims at one debate, "I stood on the roof of my mother's house in Philadelphia and saw the sky red with the flames of burning Catholic churches and convents. No, Mr. Sims," he said, turning to Sims, "we don't want a revival of this religious prejudice."

Well, we can have the same things happening on account of economic discriminations, and this economic discrimination was prominent in the Philadelphia religious riot. The persons who started the rioting feared that these "ignorant Irish"—that is the way they looked upon them—would take their places in the economic scheme.

Senator AIKEN. Monsignor Ryan, do you anticipate that the condition will be aggravated as unemployment increases?

Right Reverend RYAN. Oh, I think there is no doubt about that.

Such discrimination, whether practiced by employees or by employers, is definitely immoral. It is immoral because it violates the moral precepts of charity and justice. The precept of charity is expressed in the command: "Thou shalt love thy neighbor as thyself." This injunction is a part of the moral law of nature; it was proclaimed by God Himself to the Ancient Hebrews; it was reaffirmed and perfected by Christ for all mankind. According to the teaching of Christ, the neighbor, whom we are commanded to love, comprises the whole human race. However, this precept does not bid us love the neighbor as much as we love ourselves. It commands us to love him in the same way as we love ourselves, as a fellow human being who possessed the same nature and needs; to love him as a person who has intrinsic worth, as a person who is our equal because, like us, he possesses an immortal soul. This is true of every human being, be his skin white, black, brown, yellow, or any combination or mixture of these colors.

The Christian precept of brotherly love is not satisfied by mere well-wishing, nor benevolent emotion, nor sentimental yearning. It requires action, action which assists the neighbor who is in need. Now, the need of a job or of a better job is as great in the case of a Negro or a Mexican as it is in the case of a white American. By the precept of brotherly love the white American is morally obliged to assist Negroes or Mexicans or any other minority group to get employment whenever he can do so without unreasonable or disproportionate inconvenience. That is, this obligation arises whenever there is a reasonable proportion between the need of the employee and the inconvenience, if any, that would be experienced by employer or fellow employees. Of course, no one is obliged to give up his own job to any other man, nor to provide him with employment at great personal sacrifice. Nothing of this sort is involved in the demand that the white employer or the white employee refrain from practices of discrimination; for the employer merely refrains from refusing to employ competent Negroes or Mexicans, while the employee merely

works with them in the same shop or establishment. The inconvenience, or hardship, which this course would impose upon the former is so slight as to be negligible. The same man who sometimes refuses to hire Negroes in his store or factory willingly employs them in his kitchen and dining room. His discriminatory practices are entirely illogical. They are due to prejudice arising from irrational customs and traditions. In some cases the refusal of white employees to work beside Negroes derives from the same irrational and un-Christian prejudices. Insofar as their attitude arises from fear that Negroes will take their jobs, it is exaggerated or reflects a desire to maintain a selfish and unjust monopoly. This extends much further than the racial question. Unions have indulged in such practices. It is understandable, but we do not want a monopoly anywhere. In a word, neither employers nor employees are justified in practicing discrimination on the ground of disproportional or unreasonable inconvenience. Consequently, they violate the precept of charity or brotherly love. Their conduct is definitely immoral as if they committed theft or murder.

So much for the precept of charity. The economic discrimination of which I have been speaking is likewise contrary to the precept of justice. When God created the earth and commanded man to get a living therefrom by the "sweat of his brow," He did not exclude any race or group from either the benefits or the burdens of this arrangement. Hence every human being has a natural right of access to the bounty of nature and the opportunity of getting a decent livelihood. This right is a necessary means to life and reasonable self-development. And it inheres equally in all the children of men. When, as is the case today, political and economic society is so organized that some men can enjoy this right only through contracts for the sale of their labor, then they have a right to obtain these contracts on reasonable terms. The employer who refuses such contracts to any group, when he could do so without unreasonable inconvenience to himself, definitely violates this right. The employee who refuses to work beside a member of any group, or excludes him from a labor union, likewise violates the right of his fellow men to access to the bounty of the earth on reasonable terms. As I have stated above, neither the employer nor the employee who discriminates against Negroes or Mexicans would suffer unreasonable or disproportionate inconvenience by refraining from such discrimination. When either of them is guilty of such conduct he violates not only charity but justice.

The foregoing argument may strike some of you as technical and metaphysical. It is that, but all moral arguments must ultimately rest upon such a foundation. While I do not belittle arguments which are drawn from the traditions associated with our Bill of Rights or from human sentiment or human sympathy, I maintain that the most solid and scientific arguments are those based upon the moral law.

The saddest feature of the situation is that the opposition to the pending bill derives, not from reason and knowledge, but from irrational custom, evil tradition, and palpable ignorance. It is asserted that the Negro "must be kept in his place," namely, in menial occupations and in a condition of servile dependence. This theory is based on the evil tradition which began in the days when the Negro

was a human chattel. It has no warrant in either divine revelation or the law of Nature. The assertion that association with Negroes in work places would be distasteful and intolerable is refuted by the peaceful association of the two races in other relations of life; and by testimony before the President's Fair Employment Practice Committee to the effect that Negroes and whites do get along amicably together in many industrial establishments. Those who honestly maintain that the thing cannot be done are simply ignorant of the facts. They do not know what has been accomplished and they imagine difficulties that do not exist. Those who have had the experience of working with Negroes find that their previous fears and imaginings were without factual foundation.

The problem of white working side by side with Negroes is no more difficult than that involved in the association of the two races in the schoolroom. Some 10 years ago, I directed the members of my class in social ethics at the National Catholic School of Social Service to put down on paper their opinions concerning the proposed admission of Negro students to that institution. All the students of N. C. S. S. S. are college graduates. A small minority of those who engaged in this exercise were unfavorable to the proposal, on the grounds that it was distasteful and would not work. A short time later Negro girls were admitted to the classes of N. C. S. S. S. without any opposition or excitement on the part of the white students. If I were to assign a similar task to the students today, I doubt that even one of them would condemn the existing arrangement. For several years now, I have had three or more Negroes in my own class. I have seen white and Negro girls sitting side by side in the class room and associating in periods of recreation. There has been no friction, no tension, nor any avoidance nor attitude of superiority manifested by either group. Some of the Negro students are not Catholics. Yet the members of both races treat all their fellow students, without distinction of color according to the principles of Christianity, right reason, and genuine Americanism. There is no reason whatsoever why the same attitude and spirit should not prevail among members of the two races in the realm of industry.

Senator CHAVEZ. Monsignor Ryan, you have spoken of the divine right of the human, and you have spoken of several other rights that the human is entitled to, but, as I recall, you did not touch on the right under the law of the land.

Right Reverend RYAN. No.

Senator CHAVEZ. The Constitution, as I recall it, does not differentiate as to who is an American when it comes to racial ancestry. It does not say that the American must be one whose ancestors came from England or Ireland or Mexico. It appears to me that the proposed legislation would be in keeping with the Constitution and the laws of the land.

Right Reverend RYAN. Oh, absolutely, but I do not think the Constitution, or the law of the land as now implemented, would cover this situation. May I say I read the bill with a great deal of interest and I think it is very ingenious, very well suited to obtain the ends sought, because it bases itself on the interstate commerce clause of the Constitution. That is clear.

Senator CHAVEZ. The Constitution defines certain rights, but those rights would have to be implemented by basic law.

Right Reverend RYAN. Surely.

Senator CHAVEZ. It was with that purpose in mind that the sponsors of the legislation drafted this bill.

Right Reverend RYAN. There is no doubt that the spirit of the Constitution and of general legislation throughout our history sponsors this kind of thing, but the definite implementation is wanting, and I think that is provided adequately in this bill.

Senator CHAVEZ. And it is also true that in times of emergency, a condition such as we are going through now, when the boys have to do some fighting either against the Japs, Germans, or any common enemy, this discrimination seems to fade away on the battlefield. Isn't that true, Monsignor?

Right Reverend RYAN. Oh, surely. I suppose those considerations are at the basis of the President's Fair Employment Practice Committee. You know better than I do that it has only limited authority, but that is what it is based upon, the emergency.

Senator CHAVEZ. I have a particular instance in mind. There lived in New Mexico a family by the name of Martínez. Due to circumstances they had to go to Colorado, to the beet fields. Well, the war came along and John Martínez was one of the soldiers that landed at Attu, Aleutian Islands. He was killed. He was the first private to receive the Congressional Medal of Honor. But in the same State of Colorado his sister would be deprived of a job. He could be decorated or honored after he died, and the only decoration he has over his body is a white cross, but, nevertheless, through intolerance his sister would probably be deprived of even working in a restaurant. Those things do not seem to me to be American. Something should be done.

Right Reverend RYAN. Yes. Surprisingly few Americans realize the grievances suffered in this matter of job discrimination. That applies to a great many Mexicans and perhaps others of Spanish descent, and, as testified here yesterday, to Jews, but I confine myself mostly to Negroes. I remember at one of the first hearings by the Fair Employment Practice Committee under the chairmanship of my friend and former pupil, Monsignor—now Bishop—Haas, a young man 18 or 19 years of age, who graduated from a high school in Nebraska, born in Nebraska, or at least born in the United States, testified that he could not get a job because he was a Mexican. Well, when Bill Jeffers, the president of the road, heard about that, he hit the ceiling; he said, "There will be no more of that on the Union Pacific Railroad," and it was on the Union Pacific Railroad that this man was seeking employment.

Senator CHAVEZ. There were several instances in connection with Irishmen on the same railroad, and I want to say right here that every time they came up the wrong has been rectified.

Do you have anything further today?

Right Reverend RYAN. Nothing further.

Senator CHAVEZ. Thank you.

Dr. Jernagin.

STATEMENT OF REV. WILLIAM H. JERNAGIN, CHAIRMAN OF THE EXECUTIVE BOARD AND DIRECTOR OF THE WASHINGTON BUREAU, FRATERNAL COUNCIL OF NEGRO CHURCHES, WASHINGTON, D. C.

Senator CHAVEZ. Please identify yourself for the record.

Reverend JERNAGIN. I am Rev. William H. Jernagin, pastor of Mount Carmel Baptist Church, Washington, D. C.; president, National Sunday School and Baptist Training Union Congress; chairman of the executive board and director of the Washington bureau, Fraternal Council of Negro Churches in America.

Mr. Chairman, just before I start I just wanted to present the ministers of the Gospel, leaders from Philadelphia, Baltimore, and Washington that are here. I will ask them just to stand, with their laity that have come with them here. I just want us to bow our heads a moment in silent prayer that this bill will pass.

Thank you.

Senator CHAVEZ. In your statement you will present what you consider the views of the persons present?

Reverend JERNAGIN. Yes, sir.

Senator CHAVEZ. Proceed.

Reverend JERNAGIN. Honorable Chairman and gentlemen of the committee, I am speaking today as a representative of the Fraternal Council of Negro Churches in America, which organization is a federation of 11 affiliated denominations with a constituency of more than 6,000,000 members.

The authority has been vested in me by the United Negro Church to appear before you today to speak in behalf of the Chavez-Downey-Wagner-Murray-Capper-Langer bill, S. 2048, for a permanent Fair Employment Practice Committee.

In pointing up this piece of legislation, I shall speak far less, I trust, as a Negro than as a representative of the Christian Church, whose duty it is to uphold the Christian ideals and to work for their realization with the belief that the conventions and customs of society can be changed by the persistent pressure of Christian influences.

As churchmen, we have respect for government and believe that reasonable, intelligent administration can achieve results "if the spirit is right."

At this hour of crisis the church is concerned specifically with economic distress which deepens as the world crisis develops. When the war ends, jobs will disappear for from one to twenty million workers in war production in the United States. To these within a few months will be added 10,000,000 servicemen who will return to civilian life. Already the Labor Department figures show more than 12,000 unemployed. It is needless to say, minority groups will suffer most due to manpower surplus.

Jobs and security must be provided for all our citizens if we expect our institutions of freedom to survive. The protection of minorities is a sacred trust for our democracy. Our democratic institutions cannot endure if we condemn 15,000,000 or more of our citizens to want and insecurity. Fear of poverty and the threat of insecurity and unemployment are the seeds out of which fascism springs and before fascism those sporadic outbreaks of insurrection which stimulate police violence and race riots.

Already we have seen evidences of this fear in the recent transit strike in Philadelphia where white worker was pitted against black worker, and the old rule of divide and conquer, of dog eat dog, was put into effect. These conditions pose problems of unprecedented magnitude. There is no hatred and strife more bitter than that which can come when people of different races compete for too little food and too few jobs.

We would be morally derelict in our Christian duty if we failed to call attention to the unethical basis of an order which permits this kind of distress to continue. The church must exert its influence to eliminate the causes of economic distress and also to help to set in motion those administrative and legislative measures which must be taken as a preliminary to the establishment of a just social and economic system.

A Fair Employment Practice Committee established as a permanent function of the Federal Government is one of the best agents for a just society that we know.

The purpose of this Committee, as it exists at present is to defend the economic rights of minorities among whom are Negroes, Jews, Spanish-Americans, Chinese, Japanese, Filipinos, American Indians, Seventh-day Adventists, Jehovah's Witnesses, and Catholics. All these groups have suffered and are suffering economic discrimination in the war effort. It has been a hard and tedious fight to get them integrated into American industry at any time upon a truly democratic basis.

These minorities are denied equal opportunity in both public and private employment. They are discriminated against in training, placement, upgrading, and wages in war industries. Sometimes this is true when the Government itself is the employer. Moreover, 33 international labor unions bar Negroes from membership.

If this condition prevails now when the Nation is infinitely in need of manpower to successfully prosecute the war, how much greater the difficulty becomes and how much more acute the situation will be when the war is over and the Nation settles down to peacetime employment.

As Christians we are committed to the belief that no one person more than another shall be debarred from the opportunity or means to a satisfactory life. This race myth, upon which discrimination against Negroes is organized and maintained, offers a superiority open on equal terms effortless to all white men. Through the very fact of birth white men belong to this superior entity. There is one highest right to which it is assumed God has elected them and that is the right of the superior to rule the inferior.

This mystical concept of racial destiny is employed to conceal the actualities of economic exploitation. For based on this racist propaganda certain persons have been and are still being indoctrinated with the idea that there are certain jobs and certain job classifications that belong exclusively to white men and certain others that belong to black men; that the black man has no rights that a white man is bound to respect and that the Negro was somehow ordained from the beginning of things to be a drawer of water and a hewer of wood and capable only of being a servant to a white master class. This discrimination denies the Negro his standing as a human being, shuts him out of the family, and deprives him of the moral dignity with which God clothed him.

Jim Crow and isolation breed distrust, suspicion, and fear. It first confuses and then divides Negro against poor white and poor white against Negro and prevents the common unity of the great mass of American workers that should normally be united together to meet a common situation.

This racist propaganda is out of all step with our belief as Christians. It is contrary to the findings of science and the principles of reason and religion. For our Government to continue to put its stamp of approval upon it by its failure to take any positive step to outlaw it is but to invite the tragic destruction of our democratic institutions.

The United States Senate must pass this bill making freedom from discrimination in employment based on race, creed, color, national origin, or ancestry a policy of the United States Government.

We cannot rest the case for economic security of minority groups in this country solely at the mercy of private and public enterprise. We cannot expect one individual employer to have the moral integrity to stand out against or defy an unjust economic system when our Government and its lawmakers lack the moral courage to resist it or to establish any laws to abolish this discrimination.

Our privileged position as representatives of a minority group makes it painfully easy for us to see the tragedy that would befall our Nation if she should lapse once again into that state of mass frustration and economic depression that immediately preceded her entry into this war and which precipitated the promulgation of Executive Order No. 8802 by the President.

In presenting this argument I speak not only for the "gentlemen of the cloth" but also for the 6,000,000 or more Negro worshippers who make common cause with us and who look to us for spiritual guidance and for Christian statesmanship. The awakened masses of our people have begun to rise and demand their democratic rights. The church is called upon for greater faith and greater courage than it has ever needed before.

The church cannot survive if its membership is dying from poverty, fear, and insecurity.

In response to a mandate issued by the Negro people calling upon the church to present their cause to our Government and its lawmakers, and on April 18 and 19, 1944, Negro clergyman from all denominations and representing 27 States gathered in Washington for the National Conference of Christians for Religion, Democracy, and Building a World Community. Here they promulgated a manifesto setting forth the grievances of our people and establishing our demands for justice. This document was signed by 1,000 Negro pastors of churches and included the following proposal on employment and I quote:

We urge:

1. A progressive public program for full post-war employment without discrimination on account of race, creed, or color, or national origin. Federal legislation guaranteeing freedom from discrimination in employment because of race, creed, or national origin.

2. An end to the efforts on the part of high Government legislative officials to nullify the effectiveness of the Fair Employment Practices Committee.

3. An adequate appropriation of funds to make permanent the work of the Fair Employment Practice Committee.

And again on June 1, 1944, at the annual meeting of the Fraternal Council of Negro Churches in America, convening in St. Louis, it was

voted to send this manifesto to the President of the United States of America, Members of Congress, Governors of States, mayors of all large cities, and to the resolutions committee of each of the major political parties in convention assembled.

It is the feeling of the church that our Government must have the moral courage to set in motion that kind of political and economic machinery that will enable all its citizens to have the right to life, liberty, and the pursuit of happiness.

We cannot continue to accept this discrimination and degradation even though submission to it seems to have certain initial advantages and resistance may bring suffering upon us. But neither can this Government continue to permit practices of discrimination that have brought not only us but white men as well to this sorry pass and the continuance of which can only lead to greater woe. The situation must be met frankly and squarely.

We can conceive of no more disastrous world misfortune than for our divinely favored Nation to forfeit its claim to moral world leadership at this tragic and critical moment in human history, for, following this war—even as during it—we shall stand before the bar of public world opinion to defend our claim to world faith and confidence as a truly democratic commonwealth. Injustice and exploitation do not work. The world and human beings are so made that you cannot organize life securely or permanently on injustice and oppression.

Let us then face our common problem together, both church and Government, each of us having the courage to meet opposition with love and with the determination to build a new America in which you and I may stand and walk as free men in a free country. As professed Christians, can we not break over the boundaries of race and act in the spirit of common brotherhood?

We want to take the opportunity to commend this committee and its chairman for the magnificent spirit with which it is conducting these hearings. We want again to commend to your attention the Senate bill 2048 and pledge to this committee the wholehearted support of the Fraternal Council of Negro Churches in America in getting this piece of democratic and Christian legislation passed.

We feel that this bill really has the force in it that it is going to take to bring this situation about. The Government in some way or other must take a firmer stand than ever before, because these millions of Negroes that have had such strong faith in the Government are looking to their own Government, that they have never betrayed, to come to their rescue and not allow conditions as they are to continue when it comes to their rights as American citizens.

Mr. CHAVEZ. Thank you, Doctor.

Mrs. Ross.

STATEMENT OF MRS. EMERY ROSS, ASSISTANT EXECUTIVE SECRETARY, THE UNITED COUNCIL OF CHURCH WOMEN, NEW YORK, N. Y.

Senator CHAVEZ. Will you kindly identify yourself for the record?

Mrs. Ross. Senator Chavez, I am Mrs. Emery Ross, assistant executive secretary of the United Council of Church Women. I am here today representing the committee on social, industrial, and race

relations of the United Council of Church Women and the national board of the United Council of Church Women.

Senator CHAVEZ. Would you care to make a statement to the committee?

Mrs. Ross. Yes. Thank you very much, Senator Chavez.

First I would like to express our gratitude for the opportunity to make the statement, because we of the United Council of Church Women, with all denominations represented in our group, which is a group united for action, we have some 66 denominations of Protestant Christian women represented within our group, and through these denominations 10,000,000 Protestant church women. I cannot speak for every one of those 10,000,000 women, naturally, but I do speak with authority for our committee on social, industrial, and race relations, whose chairman is Miss Louise Young, of Nashville, Tenn., and for our national board, which, at its meeting in June in Evanston, Ill., passed the following resolutions which I would like to read.

Senator CHAVEZ. Where was the meeting held?

Mrs. Ross. In Evanston, Ill.

Senator CHAVEZ. And representatives from the entire United States were there?

Mrs. Ross. That was the national board, and representatives from the entire United States were there; yes, sir.

Senator CHAVEZ. Thank you.

Mrs. Ross. The principles came to us from the committee on social, industrial, and race relations and were adopted by the board June 14, 1944.

Those areas in community life, local and national, which affect individual growth in Christian citizenship and the building of a Christian community, are the concerns of the committee on social, industrial, and race relations. In the United Council of Church Women are represented the needs, experiences, and resources of a wide and varied group—women who spend their lives making homes; women who work in offices, shops, industries, and the professions; women who are leaders in community life; women of different races and nationalities. The problems of any one group are the concern of all. Joint study will promote a better understanding of the problems that restrict our expression of Christian citizenship through community living, and concerted action will be more effective in bringing about needed changes than will the limited approach of denominational groups acting alone. Our belief in the Fatherhood of God and the brotherhood of man means that we must all work together in our communities to establish freedom, opportunity, and justice for all racial, cultural, and economic groups. To this end the following principles are proposed as a basis for study and action by local and State councils:

1. Democratic planning for economic security and the abundant life is an instrument for the realization of our Christian ideals. This means cooperation between industry, labor, and Government in planning so that every adult who desires it may exercise the right of working for a livelihood in useful employment, under fair labor standards, and without restrictions based on sex, creed, race, or nationality.

2. Social security for all workers must be provided for in a Christian democracy. An adequate plan should include provisions for unemployment, old-age retirement, health and medical services, maternity allowance, and child protection.

3. The principle of collective bargaining must be maintained in a Christian democracy.

4. No community can be Christian unless the families of which it is constituted provide the basis for creative Christian nature of its children. Constructive measures for the protection of the home and family include the provision of adequate housing and wholesome living conditions, which help to remove the causes of family tensions and prevent delinquency; and the provision of standards of living commensurate with human needs and self-respect. Such standards are inseparably related to such conditions of work as are set forth in the preceding principles.

5. The welfare of all children is accepted as basic in a program of Christian living, and will be served by all the means already set forth. We must further assume responsibility for the protection of children from exploitation in the labor market; and for the provision of equal educational opportunities, adequate and constructive recreational and leisure time activities, and the special community facilities and services for disadvantaged groups, without distinction as to race, creed, culture, or economic status.

6. An essential means of making the foregoing principles operative in our society is legislation. We should therefore study legislative proposals, work for the enactment of laws in line with these principles and support their enforcement and effective administration.

7. The principle of cooperation is basic in the building of a world Christian community. In our communities every local council should include within its full fellowship church women of all racial, cultural, and economic groups in the community—working together on a basis of complete equality and mutual respect.

I would like to say that as we passed these resolutions we realized that we had begun carrying these out in our own households, that from the inception of the United Council of Church Women our whole practice had been that of nondiscrimination. We have as our third vice president a very prominent Negro woman, very active in all of our work. On our board are various races. Scattered throughout the Nation, on the executive committees and the boards, and working committees of our local councils, are women of all races.

The very principles on which our lives are based demand that we support such a thing as this bill for fair-employment practices. We feel, as a Christian nation, among which nations America stands first in the eyes of the world, the least we can do in this chaotic moment is to work for the right of all peoples to work and thus to live decently.

We do believe in education, and we are working hard on that. We are working just now toward our annual World Community Day, the theme of which is the price of an enduring peace, and we realize that that price is the realigning of our ideas, the doing away of all prejudices, and realizing that some of the sacrifice that we have to make is remembering that we are not a super race as a white race, that the very thing that our men are dying for on the battlefield today is to overcome this idea of a super race, and that unless we can, as a nation, realize that all men must have the right to work, the least thing they can have is the right to work and thus to live decently, that we, as a nation, fail.

We are working toward our biennial assembly in November, and women across the Nation are preparing commissions to be presented at that time and to be discussed. Among these commissions are Prejudice—Its Cause and Cure, being prepared by the city of Boston and its area. Another commission is Our Profession versus Our Behavior, being prepared by our women in Detroit and that area. Another one is the Colored Problem the World Around.

We are doing all we can for education constantly, daily, but we feel that in addition to education, basic law is necessary to implement our Constitution, which gives to all people the right and freedom to work. We, as a board of Protestant church women, are anxious to see these laws that will bring about a means of enforcement of the right which our Constitution gives to all people, because we believe, unless this is done, ere education can take effect, another war will ensue and there will be more chaos in our own country.

My own experience and background has been that of teaching in the State of Mississippi, and then for 16 years on the continent of

Africa in the Belgian Congo, where we have seen Negroes in their home country, some of them only first and second generations from cannibalism, who rose to the point where they are in charge of sawmills, running the most intricate machinery, captains and engineers on the some 600 boats plying the Congo River, engineers, conductors, trainmen, ticket agents, on the railroads in that land. We have seen them using the adding machines and typewriters in the offices in the Belgian Congo. We have seen them at the microscope searching the blood streams of black and white alike, the red blood. We have seen them as doctors' assistants and nurses and teachers in the schoolroom and pastors, thousands of them as pastors in churches where they are the uplifting, guiding influence on their people. We have seen them as supervisors in great industrial and commercial plantations. We have had enough evidence to prove that, given the opportunity, the Negro is capable of anything. So I add this personal testimony to that of the Board of the United Council of Church Women.

Senator CHAVEZ. Mrs. Ross, I want to congratulate you and the group that you represent.

Mrs. Ross. Thank you very much.

Senator CHAVEZ. To me the most encouraging thing that is happening in the country at the moment is to see persons of all denominations getting together for social progress in the interest of the country.

Thank you very much.

The next witness that I have on the list for this morning is Miss Helen Raebeck. I want to ask her to indulge us for a moment, because Miss Charlotte May, who follows Miss Raebeck, is supervisor at a hospital and she has to return to her work, so I will ask Miss May to come forward.

STATEMENT OF MISS CHARLOTTE K. MAY, NATIONAL ASSOCIATION OF COLORED GRADUATE NURSES, NEW YORK, N. Y.

Senator CHAVEZ. Will you be good enough to give your name and background to the reporter?

Miss MAY. I am Charlotte K. May, professional nurse, representing the National Association of Colored Graduate Nurses.

I would like to express my appreciation for the opportunity of appearing before this committee. I would like to express the views of the association to the members of this committee relative to the urgent need of the passage of the F. E. P. C. bill, S. 2408. It will aid individuals in maintaining the health of their families and to reach certain goals and objectives and, therefore, find their happiness; in other words, to live in the democratic way for which we are struggling today. How often has the public health nurse visited the homes of the underprivileged and found conditions existing that without a doubt reflected on discriminative practices.

How can parents inject a feeling of interest in the education of their children when they themselves are frustrated in their undertakings? It does not take much imagination to realize that it is not the color of one's skin that controls attitudes or capacities. One's environment is a controlling factor in his attitude. What, may I ask, contributes to a good or bad environment? First, poor housing conditions, limited food and clothing caused by low wages and undesirable working conditions; second, I might mention frustration in the desire

to perform certain kinds of work for which one has intense interest, and not only an interest but a capacity for doing an excellent job if he were given the chance.

Many other factors enter into the formation of one's attitude in relation to his environment but we are primarily interested in the right of every man to participate in every type of work for which he is capably fitted. It is not for man to say how far-reaching it would be in this land of ours for every man to exercise the right to work in any capacity in which he has a major interest. A bit of mind-conditioning on the part of many would certainly go a long way to make a reality of our democratic structures.

One of man's greatest besetting sins, if I may call it such, is that he is a human being endowed with capacity for learning, endowed with emotions that may or may not be to his advantage, yet he has not been able to accept of a social world with a fair and open mind, which has resulted in social antagonism. Man is keenly emotionally sensitive.

Accomplishments of such people as Henry Ford, George Washington Carver, Thomas Edison, and many others were not attained because of color—black, brown, or white—but because of potential qualities within their make-up. Their contributions to the world have been great. Who knows how many great people exist today, if but given the chance, can make equally as great contributions to our cause, whether it be in industry, in some profession, or recreational activity? It was not the purpose of our Creator to instill into one man the right to curb the latent qualities of another. God made all men free and equal to enjoy himself to the fullest of his accomplishments. He can do that only if he is permitted his rightful heritage in participating in all manner of work or industry for which he is prepared.

Man cannot make man. This is a world made by the great Creator, who alone can endow men with those qualities and potentialities that produce results.

It goes back to those minute particles in man's make-up called genes, so small that they are not discernible, so small that they cannot be identified. You cannot see the color, black or white, but the energy is there. Is it the right of one man to crush that energy of another, to defeat accomplishments that may mean much to this country of ours?

Coming back to the nurse and how discrimination affects her: Nursing knows no difference in color, race, or creed. It is the mortal being with whom she is concerned. Discrimination of any nature does not fit in with the total care of the sick and afflicted.

Right at the present time there has been a glaring situation in the Army Nurse Corps due to the discrimination as to the nurses service in the United States Army. Of the more than 10,000 Negro nurses in the United States, a mere 217 Negro nurses are assigned to military duty. This, mind you, in the face of the continuous call for recruitments through various publicity methods, as the press and radio.

I wish to quote from some of the letters received by some of our nurses.

We are extremely sorry to inform you that there are no openings for colored nurses at present. We shall keep your name on file, and when we are requested to assign more colored nurses, we shall communicate with you. Thanking you for your offer to be of service, I am—

and so forth

This is another example of how certain nurses have been denied the privilege of contributing to the cause of democracy:

We are extremely sorry to inform you that there are still no vacancies for colored nurses in the Army Nurse Corps. We have your name on file, and when we receive a request to assign more colored nurses, we shall be happy to communicate with you. Thanking you for your willingness to be of service to your country, I am—

et cetera.

Think of women who earnestly want to render service to help get this war over with as soon as possible and to aid suffering men in order to restore them to normal lives, and all they get is a thank you. Can anything be more detrimental to morale than this? Full integration would do away with quotas and there would be nurses to help our wounded soldiers in times of distress. And if this is not distress in our present situation, I do not know what you would call it.

At the same time that the Army was recruiting nurses, the Navy Nurses Corps was also recruiting and urging nurses to enlist at the rate of 500 nurses per month. Up to this day there has not been a single Negro nurse admitted to the Navy Nurse Corps. It is quite evident that qualifications were not the cause for rejection of the Negro nurse from the Navy.

I quote here from a report prepared by Pearl McIver, senior consultant, U. S. P. H. S., April 1943:

The accomplishments of the Negro nurse in the total war effort should thrill all who are concerned with the promotion of health.

Miss McIver also states that the number of Negro nurses in the Public Health Service has increased 50 percent within the last 5 years. In total war, protection of civilian health is equally as important as the protection of the armed forces. She further states that—

the Negro nurses will undoubtedly make as great a contribution to the establishment of a lasting peace as they are now making to the winning of the war.

Discrimination as to appointment of Negro nurses to jobs would go far to interfere with results just stated, because her service will be needed equally as much during those reconstruction days to come when the wounds of the world must be healed, for she will undoubtedly make as great a contribution to the establishment of a lasting peace as she is now making to the winning of the war.

The few nurses that are assigned to military service are but a drop in the bucket to the scores that are needed to nurse our wounded soldiers. The Nurses Cadet Corps recently inaugurated into the many schools of nursing throughout the United States will increase the 10,000 Negro nurses by several thousand in the next few years. In order to facilitate recruiting the 65,000 student nurses needed to supply the needs of military and civil demands, some schools have integrated Negroes and whites and have had no friction or misunderstandings. One school director commented that white and Negro students had been accustomed to working together in high school.

Many times the problem arising from integration of the various groups comes from a mental conditioning, and not from actual barriers. People are just not accustomed to working with members of other groups and refuse to allow themselves to think that they can. Simply a mind conditioning.

Negro nurses were far better integrated in World War I than they are today. They were assigned to northern camps for soldiers of both groups—in fact, to any group, and they did a grand job.

In the coming post-war period there will be much need for nursing service in the rehabilitation program. The public health nurse will be needed to cover vast areas.

We are engaged now in post-war planning. Pray let us see to it that we keep our Nation with a free and open mind to the end that it will be well supplied with all kinds of all good workers to keep our Nation well and to be able to use all the resources at its command. Let us see to it that no one suffers on account of discriminatory practices, either in the Army or Navy or in civilian life. Let us not forget that our democratic principles forbid us to lose sight of our objectives. One of the chief is to keep the Nation well, physically, morally, and mentally.

The passage of this bill will aid materially not only in providing ways for jobs for nurses but for workers in all walks of life, thereby preventing frustrations and mental disturbances which can only lead to social upheaval.

Senator CHAVEZ. Thank you very much.

The senate will convene at 12 o'clock, so it will be necessary for us to adjourn. The committee will meet again at 2:30, and until then we will stand adjourned.

(Whereupon, at 12 noon, the committee recessed until 2:30 p. m. of the same day.)

AFTER RECESS

(The hearing was resumed at 2:30 p. m., pursuant to recess.)

Senator CHAVEZ. The meeting will come to order.

Miss RAEBECK, will you come forward, please?

STATEMENT OF HELEN RAEBECK, EDUCATIONAL SECRETARY, NATIONAL COUNCIL OF JEWISH WOMEN

Senator CHAVEZ. Will you kindly identify yourself for the record?

Miss RAEBECK. I am Helen Raebeck, educational secretary of the National Council of Jewish Women.

Senator CHAVEZ. Where are your headquarters?

Miss RAEBECK. 1819 Broadway, New York City.

Senator CHAVEZ. Do you care to make a statement?

Miss RAEBECK. I do.

Senator CHAVEZ. You may proceed.

Miss RAEBECK. The National Council of Jewish Women, which has a membership of 65,000 in 215 communities throughout the country, strongly supports the passage of S. 2048 to establish a permanent Commission on Fair Employment Practice.

The program of the National Council of Jewish Women is a twofold one of education and service. We hope that we are helping to make America a nation where all people can enjoy freedom and economic security. But America cannot be completely free or its people economically secure so long as any group is prevented from making a living because of race, religion, or national origin.

In our work in our communities, we of the council have seen the results of discrimination in employment. We know that the slum areas of our towns and cities generally contain large numbers of people who belong to a racial or national minority. We know that their children do not have adequate medical care, recreational facilities, or educational opportunities. We know that if their living conditions were improved, our whole community would be healthier and more prosperous.

We are working hard within our own organization to promote better racial and religious understanding. Our sections join with other community groups in the common consideration of their joint problems. They provide welfare services such as nurseries or neighborhood centers on a nonsectarian basis. But while we, and the many other organizations with which we work, are making definite progress, we know that we can never succeed completely until the economic roots of prejudice are eliminated.

As individuals, also, our members are well aware of employment discrimination. Most council members have children who want to make their contribution to American life to the utmost of their capabilities. We all know that today certain avenues of education and employment are closed to young Jewish men and women. We feel, as do other so-called minority groups, that discrimination of this kind is not only unfair to us, but also that it deprives the Nation of talents and abilities it cannot afford to lose.

We, in the National Council of Jewish Women, have followed the work of the present Committee on Fair Employment Practice very closely. With a very small staff and without coercive power, the Committee has succeeded in reversing discriminatory practices in employment agencies, business, and industrial firms and unions. But the present Committee has been set up to deal only with war industries. Discrimination is not only a problem of the war emergency. By depriving the Nation of needed manpower, employment discrimination is as much a hindrance to post-war reconstruction as to the war effort.

Aided by an expanding labor market and the need for manpower, the F. E. P. C. has made an important beginning in the fight against employment discrimination. If, in the post-war period, job opportunities are no longer so plentiful, there is danger of a revival of discriminatory policies. Now is the time to establish a permanent commission on F. E. P. C., prepared to maintain the gains of the war period and to establish the principle of equal opportunity as an integral part of American life.

The war that we are now engaged in is being fought by freedom-loving people all over the world. No one asks their race, their religion, or their nationality. The men in our own armed forces are fighting for the chance to build a better world and a better America. Their job will not be over when the last shot is fired. They will return home to work in factories or on farms or in offices to bring greater security to their families and greater prosperity to the Nation. They must not find doors closed to them because of their color or their beliefs. The men of all races, creeds, and colors who fought side by side to keep America free, must be allowed to work side by side to build its strength.

The National Council of Jewish Women has 50 years of experience of working in communities. Our members know that the problem of any one group in a community is the problem of all. The question of discrimination is not a minority problem. Although the most serious discrimination is against Negroes, that does not make it a Negro problem. We, of the council, are most closely touched by discrimination against Jews, but we do not believe it to be a Jewish problem. We hope that America will never have a minority problem. The tradition of America as a "melting pot" for the people of all nations is one that we are proud of. The opportunity to earn a living must be held the right of all, regardless of race, religion, or national origin.

We hope that one day discrimination and prejudice will be totally eliminated through education and understanding. But until that day comes, the only way to assure freedom of economic opportunity to all is by setting up a Government agency to enforce fair employment practice.

Senator CHAVEZ. Is that your statement, Miss Raebeck?

Miss RAEBECK. Yes; it is.

Senator CHAVEZ. Do you care to express any other opinion?

Miss RAEBECK. No, sir.

Senator CHAVEZ. Thank you very much.

STATEMENT OF DR. EMILY HICKMAN, CHAIRMAN, PUBLIC AFFAIRS COMMITTEE OF THE NATIONAL BOARD OF THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION

Senator CHAVEZ. Be seated, Dr. Hickman. Will you kindly identify yourself for the record and name the group that you represent before this committee?

Dr. HICKMAN. I am Emily Hickman, chairman of the public affairs committee of the national board of the Y. W. C. A.

Senator CHAVEZ. Where are the headquarters of your board?

Dr. HICKMAN. In New York City.

Senator CHAVEZ. Can you tell us more or less, or give us an estimate of, the number of persons who comprise the Y. W. C. A. throughout the Nation?

Dr. HICKMAN. The membership runs over 2,000,000. The constituency runs to over 5,000,000.

Senator CHAVEZ. Thank you, Doctor. Do you care to make a statement before the committee?

Dr. HICKMAN. I do.

Senator CHAVEZ. You may proceed.

Dr. HICKMAN. The Young Women's Christian Association includes all kinds of people within its constituency. Large numbers of its women and girls stem from the dominant native and religious groups in this country; that is, they are native-born or second generation white people, and Protestants. Our latest national reports show that, in addition, our membership includes 7,443 foreign-born white people, 49,202 Negroes, 4,505 Indians and orientals—

Senator CHAVEZ. May I interrupt you? When you say "Indians," do you mean American Indians?

Dr. HICKMAN. We mean American Indians.

Senator CHAVEZ. And then you differentiate and go to the orientals, which might be from some place in Asia?

Dr. HICKMAN. Yes, sir; largely Japanese.

Religiously we number 5,219 Jews and 60,000 Roman Catholics.

These membership figures represent only a small part of our total constituency; within our groups of volunteers and participants in Y. W. C. A. service, education, and recreation programs throughout the country are numbered many other women and girls, many of them from the minority groups.

The concerns of these people are, and must be, the concerns of the Young Women's Christian Association. Therefore, our interest in the bills to "prohibit discrimination in employment because of race, creed, color, national origin, or ancestry" is no academic interest. It is a living, vital interest which roots in the daily lives of thousands of the people for whom and through whom we exist. We are concerned about all the facets of a full, abundant life for every individual we touch. We are at base a Christian organization with deep concern for the spiritual welfare of our constituents; but we realize that just as man cannot live by bread alone, neither can he live without bread. For many years the public affairs program adopted by our national conventions has included a section on economic welfare, which has given our national movement a charter to support proposals for the solution of our Nation's basic economic problems, and to secure for Negroes and other minority groups an equitable share in economic opportunities.

We know from actual experience that there are many among the participants in our program today who are denied employment because of their race, religion, or nationality. Employment policies which limit opportunities to "white Christians" deny a fundamental right to many of our own members. Chief Justice Hughes in 1915, in a case involving immigrants, said:

The right to work for a living in the common occupations of the community is of the very essence of the personal freedom and opportunity that it was the purpose of the fourteenth amendment to secure. * * * [The contrary] would be tantamount to the assertion of the right to deny them entrance and abode, for in ordinary cases they cannot live where they cannot work.

We call this to your attention in connection with the bill your committee now has under consideration (S. 2048, introduced by Senators Chavez, Downey, Wagner, Murray, Capper, and Langer) because we are convinced that a Committee on Fair Employment Practice, given legislative sanction and set up on a permanent basis, is one of the surest safeguards to the personal freedom and opportunity for which the United States of America traditionally has stood. We believe that without such a safeguard, our country is all too sure to return, when the hostilities between nations have ceased, to a system which hires last and fires first the people of minority groups; and we shall have lost on our home front the struggle to make all the men in all the lands free people.

In addition to our desires to see our democracy maintain equal economic opportunities for all of our people, we are anxious to avoid the disastrous consequences of not doing so. To refuse economic opportunities to any group is to compel that group to remain at a low standard of living, and to perpetuate for them bad housing conditions, high sickness and death rates, inadequate food, clothing, and

education which sooner or later result in delinquency, and even criminal conditions and the possibility of race riots.

There is no need for the continuance of such conditions in our American life for our American citizens. They can be made largely to cure themselves if we will secure for the people involved adequate economic opportunities. In our opinion these bills will go far to insuring that members of minority groups shall find economic opportunities and we shall be enabled to improve their standards of living. Furthermore, the bills would help to remove from our democracy the practice of economic discrimination against our own citizens.

I would like to add that another type of work which the National Y. W. C. A. is interested in is education, and we are trying to educate along the lines of what we consider both the lines of democracy and Christianity, and at present we cannot carry conviction to young people who are aware of the serious discriminations in ordinary American life.

Senator CHAVEZ. I understand education is absolutely necessary, but you do feel that basic law is just as essential?

Dr. HICKMAN. Essential immediately. Education is a slower process.

Senator CHAVEZ. Is there any further statement you care to make?

Dr. HICKMAN. Nothing more.

Senator CHAVEZ. We thank you very much.

STATEMENT OF MILLY BRANDT, NATIONAL CHAIRMAN, LEGISLATIVE ACTION COMMITTEE, WOMEN'S DIVISION, ALSO EXECUTIVE SECRETARY, COMMISSION ON LAW AND LEGISLATION, AMERICAN JEWISH CONGRESS

Senator CHAVEZ. Miss Brandt, will you kindly identify yourself for the record?

Miss BRANDT. Mr. Chairman, I am Milly Brandt, the national chairman of the legislative action committee of the women's division of the American Jewish Congress, and also the executive secretary of its commission on law and legislation.

Dr. Stephen S. Wise is the president of our organization and Judge Nathan D. Perlman, a former Congressman, is now the chairman of the committee on law and legislation.

Senator CHAVEZ. Are you familiar with the proposed legislation being considered by the committee?

Miss BRANDT. Yes, Mr. Chairman.

Senator CHAVEZ. Do you care to make a statement?

Miss BRANDT. The women's division—

Senator CHAVEZ. Is it confined to any particular region or the entire country?

Miss BRANDT. Mr. Chairman, we have branches throughout the country. Our organization, both the women's and the men's divisions, wishes to go on record as fully endorsing the Chavez bill S. 2048 to provide for a Fair Employment Practice Commission.

The women of our organization are Jewish women and have met with this problem face to face in their homes and everyday life.

They have taken much care in the upbringing of their children, have made great sacrifices in order to give them a good education.

I know my own parents were poor people and they worked very hard to give me the education which I received. I am a graduate of Columbia University and have a B. A. and M. A. degree in the teaching of English, and when I made an attempt to register myself at teachers' agencies in New York City I was invariably met with the answer: "We do not register Jews."

It is part of my work to go through the country speaking on minority problems—

Senator CHAVEZ. May I interrupt you there? Do such conditions prevail now in New York City? Is there discrimination?

Miss BRANDT. To my mind the condition is even worse than it has been in New York City.

Senator CHAVEZ. You mean in officialdom?

Miss BRANDT. Not in officialdom.

Senator CHAVEZ. For instance, the school board?

Miss BRANDT. Not the school board. They do not discriminate, apparently.

Senator CHAVEZ. What kind of schools do discriminate?

Miss BRANDT. The small schools of the State and also private schools.

Our organization does not only work for the rights of the Jewish people, but it works for the rights of Negroes and other minorities. We feel when one minority is oppressed, so are all minorities oppressed.

And when I speak on the question of discrimination on account of race, color, or religion or national origin and ancestry, I notice an eager interest on the part of the listeners, and when I am through speaking the women get up and testify out of the depths of their own experience as to discrimination they or their families have been met with. Their families frequently are engineers or do airplane work, and so forth, and when they seek employment they are met with great discrimination.

Some people say, "Well, we must educate the people. If we educate the people to the wrongness of this situation, I am sure that they will improve."

But we know very well, gentlemen, that the people who discriminate largely are well-educated people. The man who asked me what the name of my mother and father was in order to find out whether or not I was Jewish was a very well educated person and I think most of the people who discriminate in America are well educated.

Perhaps, shall we say, they are wrongly educated, and I think education is very necessary but, as the previous speaker said, it is a very long-range problem and a painful process, and here we are in this country in the midst of a crisis and we are putting forth all our efforts to win this war, and when the war is over we expect that racial troubles will arise and discrimination in employment will be on the increase, however much we hope that it will not be.

And we feel something must be done as quickly as possible in order to help the future of our country.

And the American Jewish Congress, both men and women, believe that law is necessary.

Most people in our country are well-behaved people, not criminals. Yet we do need law for certain people who murder or rob and commit other crimes. And I consider that to discriminate against a person

and to prevent him from earning a livelihood because of his race or religion or color is a crime, and we feel that there must be some good laws against this situation.

Now, the women of our legislative action committee are civic minded. They want to know all about government. They want to know about the issues of government and we meet together very often and discuss these questions, and discrimination in employment is a question of vital interest to them.

We have supported in New York State and in other States of the country, antidiscrimination legislation. Yet we realize that none of the laws that have been enacted do any good—I should not say they do not do any good—but they do not do any real good, because they haven't any real enforcement provisions.

The commission on law and legislation of the American Jewish Congress in 1942, and as late as this year, wrote to all the State legislatures throughout the country in order to ascertain what constitutional provisions or laws they had on their statute books to provide against discrimination in employment on account of race, color, or religion, and we had replies from the 48 States and we discovered that 13 of the 48 States have such laws on their books.

Some are good and some are worse, but very few of them have laws with real teeth in them, laws where you could really prosecute discrimination when you found it to exist.

The commission on law and legislation, of which I told you Judge Nathan D. Perlman is chairman, took some time the early part of this year to fashion what they called a model State bill to set up a State board of fair employment practice in every State of the Union. I have a copy of that model bill here and I should like, with the permission of the chairman, to insert it in the record.

Senator CHAVEZ. Permission will be granted.

Miss BRANDT. Thank you.

(The document referred to follows:)

PROPOSED BILL TO ESTABLISH A BOARD OF FAIR EMPLOYMENT PRACTICE, PRESCRIBING ITS FUNCTIONS, POWERS, AND DUTIES; MAKING THE EQUAL OPPORTUNITY TO SEEK EMPLOYMENT A CIVIL RIGHT; TO DECLARE CERTAIN EMPLOYMENT PRACTICES AS DISCRIMINATORY AND UNFAIR AND TO FORMULATE AN EDUCATIONAL PROGRAM TO PREVENT DISCRIMINATORY EMPLOYMENT PRACTICES

(Drafted by American Jewish Congress, Commission on Law and Legislation, Judge Nathan D. Perlman, chairman; Milly Brandt, executive secretary)

SECTION 1. FINDINGS AND POLICY.—It is hereby declared as the public policy of this State that it is necessary to protect and safeguard the right and opportunity of citizens of the United States and of this State to seek, obtain, or hold gainful employment without discrimination or abridgment on account of race, color, or religion. It is also recognized that both justice and the public interest and the maintenance of a true democratic form of government call for a policy which would give each person of equal ability, regardless of race, color or religion, a fair chance in the struggle for life.

It is likewise recognized that the employment policy of some employers prohibiting employment to persons of equal ability solely because of their race, color, or religion fosters community intolerance and substantially and adversely affects the interests of employees, other employers, and the public in general. It is also recognized that such deliberate discrimination tends to destroy the privileges or immunities of citizens of the United States and of this State.

All of the provisions of this article shall be liberally construed for the accomplishment of this purpose.

This article shall be deemed an exercise of the police power of the State for the protection of the public welfare, prosperity, health, and peace of the people of the State of _____.

SEC.—. DEFINITIONS.—. When used in this article:

1. The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy or receivers.

2. The term "employer," except as hereinafter provided, includes any person regularly employing five or more persons, or any person acting in the interest of such employer, directly or indirectly, with or without his knowledge; but a labor organization, or any officer or agent thereof, shall only be considered an employer with respect to individuals employed by such organization; employment bureaus or agencies charging or receiving, directly or indirectly, any fee or compensation for obtaining help or employment; the State or any political or civil subdivision thereof, or any person having authority or control over or discretion in the selection or appointment of persons for employment in the civil service of the State or of any of its civil divisions or cities or over the promotion or fixing of compensation or dismissal of persons in such service; all persons, agencies, bureaus, corporations or associations employed or maintained to obtain or aid in obtaining positions for teachers, principals, superintendents or other employees of the public schools of the State of _____. The term "employer" shall not include a charitable, religious, communal or fraternal organization.

3. The term "employee" shall include any person seeking employment and shall not be limited to the employees of a particular employer and shall include any individual whose work has ceased as a consequence of, or in connection with, or because of any discriminatory labor practice, and who has not obtained any other regular and substantially equivalent employment, but shall not include any individual employed by a charitable, religious, communal, or fraternal organization, parent or spouse, or in the domestic service of any person in his home.

4. The term "labor organization" means any organization which exists and is constituted for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

5. The term "discriminatory labor practice" means any discriminatory labor practice listed in section _____ of this article.

6. The term "board" or "State board of fair employment practice" means the State board created by this article.

SEC. —. BOARD OF FAIR EMPLOYMENT PRACTICE.—1. There is hereby created a board to be known as the _____ State Board of Fair Employment Practice, which shall be composed of five members, who shall be appointed by the Governor. Each member of the board at the time of his appointment shall be a citizen of the United States and a resident of the State of _____, and shall have been a qualified elector in the State for a period of at least 1 year next preceding his appointment. A member of the board during his period of service as such shall hold no other public office. One of the original members shall be appointed for a term of 2 years, two for a term of 4 years, and two for a term of 6 years, but their successors shall be appointed for terms of 6 years each, except that any individual chosen to fill a vacancy shall be appointed for the unexpired term of the member whom he is to succeed. The Governor shall designate one member to serve as chairman of the board. Any member of the board may be removed by the Governor for inefficiency, neglect of duty, misconduct, or malfeasance in office, and for no other cause, after being given a copy of the charges and an opportunity to be publicly heard in person or by counsel.

2. A vacancy in the board shall not impair the right of the remaining members to exercise all the powers of the board, and three members of the Board shall at all times constitute a quorum. The board may adopt an official seal and prescribe the purposes for which it shall be used, which official seal shall be judicially noticed.

3. The board shall at the end of every year make a report in writing to the Governor, stating in detail the work it has done and the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the board, and an account of all moneys it has disbursed.

4. Each member of the board shall receive a salary of \$7,500 a year and shall devote his entire time to the duties of his office and shall not engage in any other business, vocation, or employment.

5. The board shall appoint an executive secretary and such other employees, and fix such salaries or other compensation therefor, as it may from time to time

find necessary for the proper performance of its duties. The board may establish or utilize such local or other agencies and utilize such voluntary and uncompensated services as may from time to time be needed.

6. The board shall confer, advise with, and seek the cooperation of volunteer organizations and agencies concerned with problems of fair employment practices.

7. The principal office of the board shall be in the city of -----, but it may meet and exercise any or all of its powers in any other place in the State of ----- The board may by one or more of its members or by such agents or agencies as it may designate, prosecute any inquiry necessary to its functions in any part of the State of ----- A member who participates in such inquiry shall not be disqualified from subsequently participating in a decision of the board in the same case.

8. The board shall have authority from time to time to make, amend and rescind such rules and regulations as may be necessary to carry out the provisions of this article. Such rules and regulations shall be effective upon publication in the manner which the board shall prescribe.

SEC. —. RIGHTS OF EMPLOYEES.—Employees of equal ability, who are citizens of the United States, shall have the equal opportunity to seek, obtain, or hold gainful employment without discrimination or abridgment on account of race, color, or religion. The right herein guaranteed shall be deemed a civil right subject to the provisions of this article and the constitution of the State of -----, it being the purpose of this article to protect a person seeking employment or employed from disadvantage in his means of livelihood solely because of his race, color, or religion.

SEC. —. RIGHTS OF MEMBERS OF LABOR UNIONS.—Persons equally qualified shall have the equal opportunity to become members of any labor organization as defined in this article, and shall be entitled to equal benefits and equal treatment with all other members in any designation of members to any employer for employment, promotion or dismissal by such employer without discrimination or abridgment on account of race, color, or religion.

SEC. —. DISCRIMINATORY EMPLOYMENT PRACTICES BY AN EMPLOYER.—It shall be a discriminatory employment practice for an employer:

1. To refuse to employ any employee otherwise qualified or to discharge any employee on account of the race, color, or religion of such employee.

2. To discriminate on account of race, color, or religion of any employee in regard to tenure of employment or any term or condition of employment.

3. To deny to any employee promotion or increase in wages or salary solely by reason of the race, color, or religion of the employee.

4. To publish, disseminate, circulate, or place before the public, directly or indirectly, in any newspaper, magazine, or any other publication or in the form of notice, circular, or pamphlet any advertisement, announcement, or statement of any sort, or by radio broadcast or any other oral announcement, offering employment to employees, which advertisement or announcement contains any assertion or representation calculated to discriminate against any employee solely because of the race, color, or religion of the employee or makes any distinction or discrimination between employees on account of the race, color, or religion of the employee.

5. To adopt or enforce any rule, regulation, employment policy, personnel plan, or classification of employees which discriminates between employees on account of their race, color or religion.

6. As a condition or prerequisite of employment to inquire into or seek any information, directly or indirectly, as to the race, color, religion, or ancestry of any employee.

7. To penalize or discipline any employee solely because of his race, color or religion.

8. In carrying out the provisions of the civil service laws of the State of -----, to deny to any employee any employment, promotion, or increase of salary or to dismiss or suspend such persons from employment solely by reason of the race, color or religion of the employee.

SEC. —. DISCRIMINATORY LABOR PRACTICES BY LABOR ORGANIZATIONS.—It shall be a discriminatory labor practice for a labor organization, directly or indirectly, by constitutional or bylaw prescription, by tacit agreement among its members, or otherwise to deny to an employee membership in its organization by reason of his race, color, or religion, or by regulations, practice, or otherwise to deny to any employee by reason of race, color or religion, equal treatment with all other employees in any designation of members to any employer for employment, promotion, or dismissal by such employer.

SEC. — PREVENTION OF DISCRIMINATORY EMPLOYMENT PRACTICES.—1. The board is empowered, as hereinafter provided, to prevent any employer or labor organization from engaging in any discriminatory employment practice. This power shall be exclusive and shall not be affected by any other means of adjustment or provision that has been or may be established by agreement, code, law, or otherwise.

2. Whenever a charge has been made that any employer or labor organization has engaged in or is engaging in any discriminatory employment practice, the board shall have the power to issue and cause to be served upon such employer or labor organization a complaint stating the charges in that respect, and containing a notice of hearing before the board or a member thereof or before a designated agent or agency at a place therein fixed, to be held not less than 7 days after the serving of said complaint. Any such complaint may be amended by the board, or its agent conducting the hearing, at any time prior to the issuance of an order based thereon. The employer or labor organization so complained of shall have the right to file an answer to the original or amended complaint not less than 5 days after the service of such original or amended complaint, and to appear in person or otherwise to give testimony at the place and time set in the complaint. In the discretion of a member or agent conducting the hearing, or of the board, any other person or agency may be allowed to intervene in the said proceeding and to present testimony. In any such proceeding the board or its agent shall not be bound by any technical rules of evidence prevailing in the courts of law or equity.

3. The testimony taken at the hearing shall be reduced to writing and filed with the board. Thereafter, in its discretion, the board upon notice may take further testimony or hear argument. If, upon all the testimony taken, the board shall be of the opinion that any employer or labor organization named in the complaint has engaged in or is engaging in any discriminatory employment practice the board shall state its findings of fact and shall issue and cause to be served on such respondent an order requiring such respondent to cease and desist from such discriminatory employment practices and to take such affirmative or other action as will effectuate the policies of this article, including, but not limited to (a) awarding of back pay; (b) reinstatement with or without back pay of any employee discriminated against in violation of this article; (c) reinstatement with or without back pay of any employee whose work has ceased, or whose return to work has been delayed or prevented as the result of any discriminatory employment practice. Such order may further require such respondent to make reports from time to time showing the extent to which he has complied with the order. If, upon all the testimony taken, the board shall be of the opinion that no respondent named in the complaint has engaged in or is engaging in such discriminatory employment practices, then the board shall state its findings of fact and shall issue an order dismissing the said complaint.

4. Until a transcript of the record in a case shall be filed in a court, as hereinafter provided, the board may at any time upon reasonable notice and in such manner as it shall deem proper, modify or set aside in whole or in part any finding or order made or issued by it.

SEC. — JUDICIAL REVIEW.—1. The board shall have the power to petition the _____ court of the State of _____ within any judicial district wherein the discriminatory employment practice in question occurred or wherein such respondent transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court a transcript of the entire record in the proceeding, including the testimony and pleadings upon which such order was entered, and the findings and order of the board. Upon such filing, the court shall cause notice thereof to be served upon such respondent and thereupon shall have jurisdiction of the proceeding and of the questions determined therein and shall have power to grant such temporary relief or restraining order as it deems just and proper to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as modified, or setting aside in whole or in part the order of the board. The findings of the board as to the facts, if supported by the evidence, shall be conclusive.

2. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the board, its member, agent, or agency, the court may order such additional evidence to be taken before the board and to be made a part of the transcript. The board may modify its findings as to the facts or make new findings by reason of additional evidence so taken and filed, and it

shall file such modified or new findings of fact which, if supported by evidence, shall be conclusive, and shall file its recommendations, if any, for the modification or setting aside of its original order.

3. The jurisdiction of the ----- court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the court of ----- on appeal by either party, irrespective of the nature of the decree or judgment or the amount involved.

4. Any person aggrieved by a final order of the board granting or denying, in whole or in part, the relief sought, may obtain a review of such order in the ----- court by filing in such court a written petition praying that the order of the board be modified or set aside. A copy of such petition shall be forthwith served upon the board and thereupon the aggrieved party shall file in the court a transcript of the entire record in the proceedings certified by the board, including the pleadings and testimony and order of the board. Upon such filing, the court shall proceed in the same manner as in the case of an application by the board and shall have the same exclusive jurisdiction to grant to the party such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying and enforcing as so modified, or setting aside in whole or in part the order of the board; and the findings of the board as to the facts shall in like manner be conclusive.

5. The commencement of proceedings under the subdivisions of this section shall not, unless specifically ordered by the court, operate as a stay of the board's order.

6. When granting appropriate temporary relief or a restraining order, or making and entering a decree enforcing, modifying and enforcing as so modified, or setting aside in whole or in part the order of the board, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by acts pertaining to equity jurisdiction of courts.

7. Petitions filed under this article shall be heard expeditiously and shall be considered and determined upon the transcript filed, without requirement of printing. Upon the filing of a record in the ----- court, the case shall be heard with greatest possible expedition, and shall take precedence over all other matters except matters of the same character.

SEC. —. INVESTIGATORY POWERS.—For the purpose of all hearings and investigations, which, in the opinion of the board, are necessary and proper for the exercise of the powers vested in it by the sections of this article:

1. The board, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purposes of examination, and the right to examine, copy, or photograph any evidence, including pay rolls or lists of employees, personnel plans, employment policies, classification lists, applications for employment of any employer or labor organization being investigated or proceeded against, which relates to any matter under investigation or in question. Any member of the board shall have the power to issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence which relates to any matter under investigation or in question before the board, its member, agent, or agency conducting the hearing or investigation. Any member of the board, or any agent or agency designated by the board for such purposes, may administer oaths and affirmations, examine witnesses, and receive evidence.

2. If any witness resides outside of the State, or, through illness or any other cause, is unable to testify before the board or its member, agent, or agency conducting the hearing or investigation, his or her testimony or deposition may be taken, within or without the State, in such manner and in such form as the board or its member, agent, or agency conducting the hearing may by special order or general rule prescribe.

3. In case of contumacy or refusal to obey a subpoena issued to any person, the ----- court, upon application by the board, shall have jurisdiction to issue to such person an order requiring such person to appear before the board, its member, agent or agency, there to produce evidence, if so desired, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

4. No person shall be excused from attending or testifying or from producing books, records, correspondence, documents or other evidence in obedience to the subpoena of the board, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on

account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

5. Complaints, orders, and other process and papers of the board, its member, agent, or agency, may be served either personally or by registered mail or by telegraph or by leaving a copy thereof at the principal office or place of business of the respondent required to be served. The verified return by the individual so serving the same, setting forth the manner of such service, shall be proof of the same, and returned post office receipt or telegraph receipt therefor, when registered and mailed or telegraphed as aforesaid, shall be proof of service of the same. Witnesses summoned before the board, its member, agent, or agency, shall be paid the same fees and mileage that are paid witnesses in the courts of this State, and witnesses whose depositions are taken and the person taking the same shall severally be entitled to the same fees as are paid for like services in the courts of this State.

6. All process of any court to which application may be made under this article may be served in the county wherein the person or persons required to be served reside or may be found.

7. The several departments, commissions, divisions, authorities, boards, bureaus, agencies, and officers of the State or any political or civil subdivision or agency thereof, shall furnish the Board upon its request all records, papers, and information in their possession relating to any matter before the Board.

SEC. — EDUCATIONAL PROGRAM.—For the purpose of eliminating discriminatory employment practices and for the purpose of fostering a comprehensive educational program to create and maintain better community understanding and equal opportunity, the board is hereby authorized to formulate and adopt a comprehensive educational program, with the cooperation of the Department of Education of the State of ----- and Federal and local authorities, calculated to instill into the minds of the pupils of the public schools and colleges of this State and all other residents of this State the purpose and meaning of this article and the importance of establishing and maintaining a truly democratic form of government, free from discrimination against any citizen because of race, color, or religion. The board is hereby authorized to accept contributions from any private persons or private organizations, which funds are to be used in its discretion to carry out the purposes of this section, and may seek and enlist the cooperation of private persons or of public or private charitable, religious, labor, civic, and benevolent organizations or agencies for the purposes of this section.

SEC. — GENERAL POWERS OF THE BOARD.—For the purpose of eliminating discriminatory employment practices and for the purpose of carrying out the policies of this article, the Board is hereby authorized:

1. To make a thorough going and impartial investigation, study and evaluation of the scope and extent of discriminatory employment practices in the State of -----

2. To collate, interpret, and publicize statistics and reports relating to such discriminatory employment practices.

3. To call upon the head of any department of the State or of any subdivision thereof for cooperation in the preparation of special surveys undertaken by the board.

SEC. — PUBLIC RECORDS AND PROCEEDINGS.—Subject to rules and regulations to be made by the board, the complaints, orders, and testimony relating to a proceeding instituted by the board under the sections of this article may be made public records and be made available for inspection or copy.

SEC. — PUNITIVE PROVISIONS.—Any person who shall willfully resist, prevent, impede, or interfere with any member of the board or any of its agents or agencies in the performance of duties pursuant to this article, or who shall in any manner interfere with the equal opportunity of employees for gainful employment regardless of race, color, or religion, shall be guilty of a misdemeanor.

Miss BRANDT. We think that bill is a good bill and it follows very closely the lines of the Chavez bill, S. 2048.

Now, we feel that if those bills are introduced in the various State legislatures that they would do a great deal toward eliminating discrimination in employment in the general field of employment.

But we of the American Jewish Congress feel that the Chavez bill, S. 2048, to provide for the Federal Commission on Fair Employment

Practice, is absolutely essential in order to take care of discrimination in the field of employment coming within the Federal jurisdiction, such as interstate commerce, civil service, shipping, railroads, and so forth, and we feel it is an excellent bill because that bill has teeth in it and has good enforcement provisions, and we stand squarely behind that bill and hope it will be enacted into law.

Senator CHAVEZ. May I interrupt? How would you consider a bill that would prohibit unfair employment practices if it did not have penalties on account of offenses?

Miss BRANDT. Mr. Chairman, we think it would be absolutely useless. It might have a certain amount of moral upbuilding effect, but it would have no effect in curing the problem.

We have found the New York State laws inefficient for that reason. And we think if that bill were enacted into law, besides being efficient and effective in helping to meet the problem, it would be a fine morale builder for the rest of the Nation.

Even though the States do enact State laws, even those who believe in States' rights believe in the power of the Federal Government and the example of the Federal Government, and we believe the Federal Government should certainly set the example, not only to our own States, but other countries throughout the world.

After all, this is the finest country in the world and it is the greatest country in the world.

Mr. Chairman, I would like to tell you of an incident that happened to me at the lunch hour. It is a little off the track of this bill. It is a case of discrimination that I would like to tell you about. Not discrimination in employment, but discrimination in what we will call public accommodation.

I left this room with members of the National Committee on Fair Employment Practice to have lunch, and with us was a member of the colored race, a woman. There was a representative of the Protestant churches and I was there, a member of the Jewish race. We sought to enter the Senate dining room in the Senate Office Building and we were refused. We sought to enter the dining room of the Senate Building and we were refused. I felt deeply hurt at the outrage that I felt was committed against this colored person and, although it is not a question, as I said before, of discrimination in employment, it is a question that I think makes the colored people of the country very bitter and made me very bitter, too.

We finally had to go to the Supreme Court Building, where we were served lunch. The Supreme Court Building is a very beautiful building and above the building is this inscription—I saw this and was very proud of it—the inscription was: "Equal justice under law."

I think that is a very beautiful proverb or saying, and I should like to have truth go with that beauty, and I should like to make this bill a law of the land, so that the beauty of this idea and the truth should go together.

I thank you very much.

Senator CHAVEZ. I want to ask you one question. From your general observations and from your studies of the particular problem that we are trying to remedy by this bill, do you not find it a fact that citizens of the United States within the first or second generation,

appreciate the theory of our government in many instances more than those of us who have lived a long time in the country?

Miss BRANDT. I think you are absolutely right, Senator. I know, for instance, German refugees who have managed to come to this country who won't speak a word of German, and they can't stop talking about this democracy and the wonderful America. And I know how much my parents and I appreciate the freedom we are living in. The conditions are better than they are in any other country in the world, but we want this to be the best country in the world.

Senator CHAVEZ. I have noticed among persons who have come from Europe, say in the last 20 or 30 years, that due to the fact that they suffered immensely on account of some condition in their own country, they have come over here and actually appreciate the freedom and opportunity of this country even more so than many of us, and my folks have been in the United States for almost 300 years. But nature has been good to us and the Lord has been fine to us and the Government has been good to us. But we forget those things while these people who have come from elsewhere, due to the sufferings they have had in their own home countries, comes here and really appreciate what they have here.

Miss BRANDT. I think you are right, Mr. Senator.

Senator CHAVEZ. Thank you.

Miss BRANDT. Thank you.

STATEMENT OF ARNOLD ARONSON, CHAIRMAN, DIVISION OF EMPLOYMENT, CHICAGO COUNCIL AGAINST RACIAL AND RELIGIOUS DISCRIMINATION

Senator CHAVEZ. Mr. Aronson, will you kindly identify yourself for the record?

Mr. ARONSON. My name is Arnold Aronson. I am chairman of the division of employment of the Chicago Council Against Racial and Religious Discrimination and chairman of the Chicago branch of the National Council for a Permanent F. E. P. C.

I am also director of the Bureau on Jewish Employment Problems, although I am representing that agency today only in so far as it is a member of the council.

Senator CHAVEZ. Will you kindly explain to the committee the functions of your organization?

Senator AIVEN. Is the Chicago council a division of some other organization or is it an independent organization in itself?

Mr. ARONSON. It is a federation of organizations concerned with various aspects of the problems of minority groups.

Senator AIVEN. How is it sustained, by memberships or gifts?

Mr. ARONSON. It is sustained by contributions from affiliated organizations.

Senator AIVEN. And they in turn receive contributions from whoever they can get them from?

Mr. ARONSON. The council itself has no individual membership. It is an organization of organizations and as such we do not have contributions from individuals.

I think that it does indirectly represent a considerable number of individuals by virtue of the individual membership of the various affiliated organizations.

Senator AIKEN. What I was asking for is to find out if it is an organization, a parent organization, you might say, either of the church or a labor organization.

Mr. ARONSON. No. It is a community organization, including labor organizations, social agencies, church organizations, and so forth.

Senator AIKEN. And it comprises all groups, classes, colors, and religions?

Mr. ARONSON. That is right.

Senator CHAVEZ. You may proceed.

Mr. ARONSON. I have a prepared statement here which I should like to read.

Senator CHAVEZ. May I make one inquiry, and it is not personal? Will you give us a little something about your own background, training, and so forth?

Mr. ARONSON. I have had experience in industry myself as an employer. I am a graduate of Harvard College and the School of Social Service Administration of the University of Chicago. And I have worked in the employment field from the point of view of placement and occupational guidance.

Senator AIKEN. Then your work is social work, full-time social work?

Mr. ARONSON. That is right.

Senator CHAVEZ. Proceed.

Mr. ARONSON. I was going to comment before reading my statement on one or two things that impressed me particularly at the hearings here this morning.

I struck up a conversation with a reporter who was covering these hearings and I was told by him that he had been assigned to these hearings by the Office of War Information for the purpose of sending a report of what was happening to countries throughout the world, and I couldn't help but think of what the reaction would be in these countries throughout the world, countries of our allies, Latin-American countries, Burma, China, and I was wondering what their reaction would be as they read the testimony that was presented here this morning, and I wondered particularly what their reaction would be to our claims to democratic leadership when they read of the incident that occurred in the Senate Office Building, the citadel of our democracy.

The thing that amazed me and puzzled me is this. I am puzzled by the fact that a discussion of this bill, a bill that seems to me to get down to basic democracy, which involves a discussion of things for which we are fighting this war, because the essence of the war is the ideas that will govern us after the war, has brought out only two Senators who were able to find the time to participate in these discussions.

Senator CHAVEZ. That is due to the work of the Senate. Nearly every Senator belongs to five or six, or maybe seven committees, and at times it is impossible for the individual Senators to attend the many committee meetings that are going on the same day. I think you will find, however, that they will read the hearings.

You may proceed with your statement.

Mr. ARONSON. Chicago is one of the great industrial centers of our Nation. It is often referred to as "hog butcher to the world;" it is the mail order center of the world; it is one of the greatest railway centers in the world, and it is one of our chief war production centers. I have no desire to appear as an agent of the Chicago Chamber of

Commerce, and I cite these facts simply because the problem of employment discrimination is, I believe, not a minority-groups problem, or a problem on the social plane, but rather a problem in industrial relationships. Our experience and sentiments in Chicago, therefore, are probably somewhat similar to the experience and sentiments of most industrial areas, and it is those areas that will be most directly and immediately affected by post-war economic dislocation and industrial strife unless adequate safeguards, including the establishment of a permanent Fair Employment Practice Commission, are provided for by Congress.

Chicago, like most industrial centers, and perhaps even more so, is a melting pot. In terms of national stock, it combines a German city larger than Bremen, an Italian city larger than Venice, a Polish city nearly half the size of Warsaw, a Russian city larger than Stalingrad, and an Irish city nearly twice the size of Cork. In addition, Chicago is the second largest Negro city in the world, the third largest Bohemian city in the world, the third largest Norwegian city in the world, and the fourth largest Swedish city in the world. It contains the largest Lithuanian, Croatian, and Greek settlements in the United States, the second largest Jewish settlement, it has upward of 30,000 Mexicans, and a populous Chinatown.

The Chicago Council Against Racial and Religious Discrimination, which I have the privilege of representing here today, is a federation of thirty-odd organizations whose membership is drawn from practically all of those diverse groups. The organizations affiliated with the council include church bodies and trade-unions, civic groups, and social agencies. Among our officers are labor leaders and the head of a large brokerage firm, a college president, and a municipal court judge. We have lawyers, educators and social workers, Jew and gentile, white, Negro, Mexican, and Japanese-American. And we have representation from the one group which truthfully can claim to be full-blooded Americans, a group which, nevertheless, has itself felt the sting of employment discrimination, the American Indian. I mention all this in order to emphasize that our appeal for a permanent Fair Employment Practice Commission, adequately staffed, adequately financed, and with adequate powers of enforcement, does not stem merely from the minorities which are discriminated against, but is the expression of a broad cross section of public opinion in Chicago which believes that since discrimination in employment because of race, creed, color, or national origin corrodes democracy as a whole, it must be fought by democracy as a whole.

As further evidence of the widespread support which the principle of nondiscrimination enjoys in Chicago, you may be interested to learn that on June 25, the third anniversary of the Executive order which gave birth to the F. E. P. C., the mayor issued an official proclamation setting aside that date as Fair Employment Practice Day.

I won't read the proclamation, but it is simply pointed out that as a result of the activities of the F. E. P. C., employment had been secured for thousands of workers in jobs which previously had been closed to them, and that these workers had greatly increased the production of war materials and that the war industries of today are the peace industries of tomorrow.

That proclamation was reprinted in the press, it was broadcast on the radio, and it was read and discussed from pulpits of all denominations. The principles and objectives expressed in that proclamation, which are the principles and objectives of the bill we are discussing here today, were publicly endorsed by leaders of public opinion from all walks of life, including the archbishop of Chicago, the president of the Church Federation of Greater Chicago, the president of the Chicago Rabbinical Association, the official spokesmen for the Chicago Industrial Union Council, and the Chicago Federation of Labor, and the heads of two of our largest industrial establishments. I shall not take the time to read these endorsements to you but, if I may, I should like to submit them for the record.

Our religious teaching demands the recognition of the rights of all men, and charity urges us to exert ourselves particularly in securing the enjoyment of their rights for those who in the past have been unfairly discriminated against in the matter of employment or the enjoyment of social advantages.—Samuel A. Stritch, Archbishop of Chicago.

The Fascist countries have indicted democracy as a decadent philosophy that is slow moving and ineffective. It is the task of democratic nations to accept this challenge by making democracy a functioning rather than a theoretical principle. I therefore greet with satisfaction the celebration of Fair Employment Day in Chicago. When labor and business management will unite to disavow discrimination in the employment of workers because of race, creed, color, or national origin, we will have reasonable assurance that the present war, which we are now fighting for this very principle, will attain for us a great victory and an abiding peace.—Rabbi Benjamin Birnbaum, president of the Rabbinical Association of Chicago.

A recent investigation among American minorities revealed that the first desire was for fair employment. Many of our racial tensions in America can be solved by giving men and women the right to make an honest living.—Dr. Harrison Ray Anderson, president of the Church Federation of Greater Chicago.

To believe in democracy is to believe in the right of every individual to work in accordance with his ability, without regard to race, creed, or color. As one who believes in democracy, I am heartily in sympathy with the objectives and the program of the President's Fair Employment Practice Committee.—Meyer Kosetnbaum, president of Hart, Schaffner & Marx.

The International Harvester Co. has employed for many years men and women of different races and creeds. We have felt that this was our responsibility as an American institution, and at present, of course, of primary importance in winning the war. The company expects to continue this policy in the years of peace as far as it is within its power to do so.—Fowler McCormick, president of International Harvester.

The Congress of Industrial Organizations has a peoples' movement, stands four-square for equality of opportunity regardless of race, creed, color, or national origin. Discrimination in employment is a characteristic of our Fascist enemy, and has no place in American life. The Congress of Industrial Organizations heartily endorses the Fair Employment Practice Commission and mayor's proclamation of Fair Employment Day, and pledges its continued and unceasing efforts to secure for every man and woman the right to work to the full measure of his ability.—Albert Towers, president of the Chicago Industrial Union Council of the Congress of Industrial Organizations.

The Chicago Federation of Labor heartily endorses the objectives of Fair Employment Day and of the President's Committee on Fair Employment Practice. Substantial progress has been made toward eliminating racial and religious discrimination, but there still remains the obligation to expand the good work so that the principle of industrial equality for all men will be firmly established.—Anton Johannsen, vice president of the Chicago Federation of Labor.

Today in Chicago, as in most sections of the country, Mexicans, Jews, Negroes, and members of other minorities, are experiencing little difficulty in securing employment. This is not to imply that discrimination has been eliminated. On the contrary, there is all too little evidence of basic changes in the preconceived prejudices and stereotypes generalizations about minority groups. Resistance persists in many industries; in many others, the barriers have been removed from the hiring front, only to be resurrected at the scene of upgrading and training.

Senator CHAVEZ. May I interrupt, please?

• Mr. ARONSON. Yes.

Senator CHAVEZ. An instance was called to my attention when I was in Chicago about a month ago. It appears that the Irish and Poles couldn't get together in appointing a chaplain for the police, and it was settled by appointing a priest.

Mr. ARONSON. I think that is the unfortunate part of the whole problem. The minorities affected are themselves seeing the problem from a narrow perspective of their own interest, without recognizing that this is a common American problem.

Today's employment is largely the product of expedience. To meet the ever-mounting need for manpower, employers have had to forego many of the idiosyncrasies which governed their peacetime personnel standards. Just as the barriers against women, the aged, and the inexperienced have been gradually, albeit grudgingly, lowered, so too, the artificial barriers imposed by racial and religious restrictions are luxuries which now can ill be afforded.

Early this year, a subcommittee of the mayor's committee on race relations conducted a survey on Negro employment in the Chicago area. The chairman of that subcommittee was James S. Knowlson, president of the Stewart-Warner Corporation, and the rest of the committee was composed of the presidents and personnel managers of the following 16 firms: Acme Steel Co., Armour & Co., Chicago Bridge & Iron Co., Chicago Surface Lines, Chicago Civil Service Commission, James B. Clow & Sons, International Harvester Co., Marsh & McLennan Insurance Co., Pullman Co., Pullman-Standard Car Manufacturing Co., Shure Bros., Stewart-Warner Corporation, Studebaker Corporation of America, Swift & Co., Western Electric Co., and Wilson & Co., Inc.

This committee of representative employers canvassed 94 firms employing over half a million workers, about one-tenth of whom were Negroes. I should like to quote some of the significant data from that survey:

1. Firms employing Negroes for many years say they began the practice because of conditions of the labor market (particularly the labor shortage during the First World War); or because they simply followed the developing community pattern. Firms with more recent experience reported that they began hiring Negroes because of the requirements of Government contracts; community pressure; and efforts to mobilize for total war.

2. If the proper groundwork is laid, it is the general experience in this area that a nonsegregated pattern can be followed in locker room, lunchroom, toilet facilities, and work relationships.

3. With proper selection and training, production showed no appreciable difference between Negro and white employees.

To those who say that minority groups cannot be successfully integrated into industry, therefore, this study says, it has been done—and it works. We need only to compare the present situation with that of 2 or 3 years ago to recognize that given the economic necessity and the will, we can solve this problem of employment discrimination.

In August 1942 only 36 percent of the job orders received by the employment division of the Chicago Welfare Administration were open to Negro applicants; in January of this year 61 percent of such orders were open to those applicants.

Senator AIKEN. Mr. Aronson, at this point, do you think the background for most of our racial discrimination is economic? Do you think that religion is sometimes used as an excuse rather than being the reason for the discrimination?

Mr. ARONSON. I think that in most instances what is given as a reason for failure to employ a member of the minority group is a pretext and a rationalization.

I think basically in the field of employment opportunities, which is the specific field under discussion today, the basic element certainly is economic and the competition for an inadequate number of jobs to go all around.

Senator AIKEN. Really isn't the religious and racial situation by itself better than it used to be, particularly the religious situation, the fact that so many denominations appear here today in a mutual cause and you find religious differences and religious lines getting better or less disturbed in different parts of the country?

They used to be pretty well accentuated when I was a boy, and they seem to have disappeared. I can remember when the Congregationalists and the Baptists in my town were hardly on speaking terms. Certainly the ministers were not whether the congregations were or not. And finally they couldn't support three churches in the town and the Congregationalists, Baptists, and Methodists had to get together and hire one minister and for many years they had a Quaker minister.

It seems to me that condition is infinitely better than it used to be, particularly in my part of the country, and I am inclined to think that it is a question of job preservation and seeking security, and saying who is going to get what jobs there are, and fear of unemployment that aggravates the situation.

Mr. ARONSON. I agree with you, Senator. I think it is very encouraging that so many church groups have expressed themselves in favor of this bill, and I think if what you have said about the diminution of religious prejudice were true, if all of us were truly religious we would not have the discrimination that we are trying to prevent by this bill.

Surveys conducted among the commercial employment agencies in our city about 2 years ago revealed that many of those agencies refused even to register Negro, Mexican, or Jewish applicants, while many more accepted their registrations only to place them immediately in the inactive file. A study of job orders restricted against Jews in five

representative agencies revealed that the smallest proportion of discriminatory orders in any of the agencies was 29 percent while in one agency fully 80 percent of the orders were barred to Jewish applicants. In July of 1942, 4.8 percent of those employed in Chicago's war industries were nonwhite. By July of 1943 that figure had risen to 8 percent, and in July of this year over 10 percent of those engaged in war work were nonwhite. Yes, quantitatively at least, we have made considerable progress, but much more remains to be done.

If we analyze the reasons for this progress, I think that we may perhaps better be enabled to chart the direction we must follow if the gains we have achieved are to be maintained and extended into the post-war period. I think we would probably all agree that the major impetus for these gains has derived from the acuteness of the manpower shortage. And from this observation we can, it seems to me, safely conclude that the future status of minorities and their integration into the industrial fabric of our Nation will be determined first and foremost by the degree to which we succeed in maintaining full employment after the war.

Although full employment will thus set the condition for the elimination of discrimination, it will not of itself solve the problem. The survey to which I have already referred indicated that one of the prime reasons for the introduction of Negro workers was the requirements of Government contracts. For these achievements no small credit is due the present F. E. P. C. I recall the public hearings conducted by the F. E. P. C. in Chicago in January of 1942. I recall particularly a case involving one of our largest manufacturers of airplane engines. The company was at that time in the process of getting into production, and in order to meet its needs for skilled technicians, special courses were introduced at the Illinois Institute of Technology; 908 men of all races and creeds responded to the appeals that were made for students. Many of those men gave up jobs since the training was intensive and demanded full time. And at the conclusion of these courses, courses which were paid for by the United States Government at a cost of about \$200 per man, this is what happened. The students were asked to fill our application forms on which inquiry was made as to their race and religion. Of the five Negro students, none was hired, despite the fact that a Negro led the entire class and was subsequently employed as an instructor by the Illinois Institute of Technology. Only 16.8 percent of the 185 Jewish students were accepted for employment, although many of them, too, ranked high in the class, whereas 77.5 percent of the white gentiles were accepted by the company. All of this occurred, mind you, despite the proved qualifications of most of the students and in spite of the company's desperate need for thousands of workers. Today, as a result of those hearings and the subsequent directives issued by the F. E. P. C., upward of 10 percent of the employees of that company are Negro, and members of all minorities are successfully working together to produce the tools of victory.

There were other firms found guilty of discrimination in those hearings; firms which despite a critical need for manpower, for one reason or another refused to employ members of certain minority groups. Today, as the result of Government intervention they, too, have found that skin color or form of divine worship is no criterion of a man's ability. Many of the firms which were most resistant have

issued statements expressing their satisfaction with the production record and working habits of those same groups whose hiring they had previously so bitterly contested. During the past 11 months, the Chicago office of the F. E. P. C. has satisfactorily adjusted 97 such cases involving many thousands of workers. It seems to me that no better demonstration need be made of the need and the efficacy of Government action to solve this problem than the fact that the present F. E. P. C., with all its inadequate resources, with an annual budget that is less than the hourly budget of some Government agencies, and with the absence of any enforcement power was able through persuasion alone to compile such an impressive record.

Any attempt to project into the future involves speculation. Enough evidence has been accumulated, however, to make it abundantly clear that the problem of demobilization and reconversion present a challenge which the Special Senate Committee on Post-war Economic Policy and Planning in its report of June 12, 1944, termed "almost as grave as the challenge of the war." We are faced with the prospects of 10,000,000 servicemen, and upward of 20,000,000 displaced war workers who will be seeking jobs. The minorities have achieved their greatest gains in precisely those industries, such as shipbuilding and aircraft manufacturing, where employment will be most drastically curtailed. Past discrimination has operated to give minorities the least amount of protection under seniority rules. Having been the last to be hired, through no fault of their own, they will be the first to be fired. Are we then to leave the solution of these problems to chance? Of all the alternative approaches to a serious situation this is the one approach that requires absolutely no guts. It is the one that inevitably fails. Burying one's head in the sand leaves a large part of the anatomy exposed to a swift kick.

In our complex industrial society, efficiency does not come about automatically or easily, in any field. Traffic has to be carefully regulated if we are to avoid hopeless tangles. Health has to be protected by sanitary codes. Streets and highways have to be wisely planned and systematically maintained. It is high time that we realized that it is as important to plan for human relations as for material needs.

George Santayana once said: "Those who cannot remember the past are condemned to repeat it." I am not an alarmist. It would be well, however, for us to remember that in the years immediately following the last war, riots occurred in Chicago and throughout the country as whites competed with Negroes for a declining number of jobs. Whether we be members of majority or minority groups, it would be well for us to remember, too, that race hatred fanned in the crucible of unemployment constituted the ladder upon which Hitler climbed to power in Germany. When children are locked up for any length of time with nothing to do, they are quite likely to start pulling the house down. When grown men and women, solely because of their race or creed, are long deprived of useful work for their hands and minds, they are just as likely, if there are enough of them, to start pulling down the social order in which they live.

Today we are united in a common cause—the liberation of humanity and the survival of democracy. What are we to say to the million Negroes now in the armed forces, to the thousands of Mexicans and Filipinos captured in the heroic defense of Corregidor, to the company

of Japanese-Americans recently cited for bravery by General Clark? What are we to say to the countless others who are giving their lives not as Jews, Catholics, Poles, or Italians, but as fellow Americans? Are we to say: "You are good enough to fight and die for our cause, but your skin color, or nose angle, or foreign accent says you are not good enough for an equal chance at a job when that cause is won?" Are we to say: "You have secured economic freedom for the peoples of the world, but it is to be denied you here at home?"

We cannot thus isolate ourselves from our own moral ideas. We cannot afford to tolerate in the workshops of America the selfsame practices which we denounce in our enemies. Discrimination in employment because of race, creed, color, or national origin is either right or wrong. If it is right it should be justified. If it is wrong we should have the courage to say so and we should take immediate steps to eliminate it. The organization for which I speak stands firmly behind the proposition that employment discrimination is wrong, that it is unjust, inexpedient, and un-American. We believe that the elimination of such discrimination is a democratic imperative, and to that end we urge the speedy establishment of a permanent Fair Employment Practice Commission.

Senator CHAVEZ. Thank you very much, Mr. Aronson.

STATEMENT OF ROBERT B. BEACH, EXECUTIVE SECRETARY OF THE NATIONAL ASSOCIATION OF BUILDING OWNERS AND MANAGERS

Senator CHAVEZ. Mr. Beach, will you give your name and address for the record?

Mr. BEACH. Robert B. Beach. I am executive secretary of the National Association of Building Owners and Managers, the office of which is in Chicago.

Senator AIKEN. What kind of an organization is this, Mr. Beach?

Mr. BEACH. It is a trade organization representing the office buildings of the country and to a considerable extent the other commercial buildings of the country.

Senator AIKEN. A national organization that has State organizations also?

Mr. BEACH. No. It is a national organization. Within its membership are 50 member associations in the larger cities of the country, New York, Boston, San Francisco, and so on.

Senator AIKEN. And it is a dues-paying organization?

Mr. BEACH. It is a dues-paying organization.

Senator AIKEN. Are the dues based upon the amount of business done like most trade organizations?

Mr. BEACH. No; the dues are based upon the rentable area of the buildings represented.

Senator AIKEN. Are you representing the organization or speaking for yourself?

Mr. BEACH. The organization, and speaking for it.

I appear on behalf of the National Association of Building Owners and Managers to suggest an amendment to the bill under consideration.

This association represents, by a very high percentage of rentable area, the office buildings of the country in which governmental

agencies are leasing in excess of 35,000,000 square feet of office space. It also represents, in a substantial way, loft buildings and other commercial properties which lease such space for Government use.

Senator CHAVEZ. You refer to such as the Mart in Chicago, where the Government has taken over practically the entire building?

Mr. BEACH. It has a pretty large part of the space in that building; yes.

We have accordingly had a good deal of experience with the requirement in Executive Order 9346 as applied to Government leases. This has brought to our attention certain difficulties and much confusion which should be avoided in the legislation you are now considering.

Our position is that a lease is not a contract in any proper sense, and certainly not the kind of contract contemplated in the Executive order.

This point has been made with the Fair Employment Practice Committee, and they have recognized our position to the extent of certain administrative interpretations that overcome some of the difficulties encountered.

In the interest of clarification, and the avoidance of further confusion on this point, we propose and recommend that leases be excluded from the coverage of the contemplated act by adopting the following amendment:

After section 13a insert: "Provided that leases of real or personal property shall not be considered as Government contracts."

Not being a lawyer myself, I will have to leave it to the legal profession to argue the point whether or not a lease is a contract in a strictly legal sense.

Senator CHAVEZ. Will you try to justify your argument?

Mr. BEACH. Yes. I am told that a lease is, in fact, a conveyance and that the contractual features are incidental. It is, therefore, not a contract in any proper sense, any more than a deed is a contract.

Aside from this more technical point, it is perfectly obvious that in drafting the Executive order, those who may have prepared it were speaking of contracts in the accepted sense and were not considering leases. That observation applies to the similar language in section 13a before you.

Take, for example, the reference to subcontracts. In the case of an ordinary office building lease, there is no subcontract in any comparable sense, and the requirement is accordingly irrelevant. This, I might add, has been recognized by the Fair Employment Practice Committee in its administrative rulings.

There are other and even more significant distinctions. A contractor who is producing for the Government has one primary obligation, to deliver the goods.

Senator CHAVEZ. That being the case, why can't the Fair Employment Practice Commission regulate as to that without changing the basic law?

Mr. BEACH. I think I will make that clear if I may proceed.

A lessor, on the other hand, has this same primary obligation, which in his case is to maintain the services and operate the facilities of his property. But at the same time has another obligation, which is to satisfy his tenants. The tenant, like the proverbial customer, is always right; and that rule prevails whether you agree with him or not.

Senator CHAVEZ. That is more so when Uncle Sam is the tenant.

Mr. BEACH. Thus the landlord's employment problem goes beyond technical qualification for the work to be done and involves suitability. An elevator operator who might be highly efficient in the operation of his cab but who was discourteous, or inattentive, or merely lacked the art of meeting the public, would be unsuited to the job.

Senator CHAVEZ. Where is there anything in the bill that provides that that type of person should be—

Mr. BEACH. There is not, but there is a problem. The manager of a building has to be much more "discriminating" than a contractor who considers only his product.

So in addition to maintaining that a lease is not the kind of contract to which the present regulation was intended to apply, we submit that the so-called nondiscrimination clause is not the kind of provision which should go into a lease. It does not belong.

The function of a lease is to avoid misunderstanding by covering all conditions in express and specific terms. Nondiscrimination is a matter of good faith, which cannot be reduced to express and specific terms. For this reason, in itself, the nondiscrimination clause is objectionable. The same objection would apply to writing in the Golden Rule.

A more tangible objection is that one tenant in a building—even though that tenant be an agency of the Federal Government—has no right to impose conditions in its particular lease, which affect other tenants, entitled to equal consideration, whose wishes are not consulted. That you will appreciate is a very real consideration, involving conditions the building manager must live with every day.

It should be borne in mind that insisting upon the nondiscrimination clause does not mean that the lessor has to accept it. Yet his refusal to accept—in which he is entirely within his rights—may seriously inconvenience the agency which desires accommodations. It is true that under war powers the space can be condemned, but condemnation would not accomplish the purpose that is sought.

It should be made quite clear that the reasons advanced for eliminating leases from the coverage of the proposed act are entirely removed from any criticism or disapproval of the principle which underlies this measure and is inspired by no desire to impair or lessen its usefulness. The fact is that commercial buildings, depending on their availability, come very close to employing workers of every race, color, creed, and national origin. I cannot think of any field of employment where qualification for the job rates higher, and racial prejudice is less pronounced. The names on the average building pay roll are as unpronounceable as some of those in our fighting forces overseas—and as diversified as to ancestry.

As I have said, the lessor must consider the suitability of each employee for each particular job. If colored girls are employed to run elevators, the building would probably employ only colored girls. Technically that would be discrimination against the white race. Actually there would be no discrimination because of race, but only discrimination on grounds of suitability in the interest of accomplishing the best results.

The practical objection to the requirement of a nondiscrimination clause in Government leases is that it presents difficulties that are disproportionate to the benefits sought.

The experience of Government leasing agencies is that it has been a source of constant embarrassment and trouble. For entirely valid reasons, which I have tried to make clear, insistence on this provision is regarded with disfavor and sometimes with resentment. Time is wasted and inconvenience suffered; and this is not an occasional discomfiture but a situation that comes up again and again.

These difficulties have been recognized by the Fair Employment Practice Committee with whose executives we have conferred on various occasions in a mutual and fairly successful effort to work out some of these complications.

I believe I can say that the committee appreciates the reasonableness of our position. We in turn appreciate the fair attitude of the committee. From their approach the lease problem is distinctly a side issue. Comparatively few employees are involved and in a field where, to the best of my knowledge, there has been no complaint of discrimination whatsoever.

It is our opinion that adopting the proposed amendment would not impair the effectiveness of the work in which the committee is engaged, but would, on the contrary, relieve it of a source of annoyance and embarrassment. This opinion, if supported by the committee, would be equally relevant to the operations of the contemplated commission.

Of course I have no right to say—since the committee is in a position to speak for itself that Mr. Ross and his associates would concur in our recommendation, but I am inclined to think they will find no reason to oppose. I am quite certain the amendment would be welcomed by the leasing agencies, every one of which, if they were to speak their minds frankly, would support the amendment.

Summarizing, we submit—

1. That the nondiscrimination clause is not an appropriate lease provision.

2. Insisting on its inclusion results in more harm than good.

3. Its elimination will not lessen the effectiveness of the proposed legislation but will, on the contrary, avoid misunderstandings and confusion.

4. The purpose to be accomplished has already been recognized by the Fair Employment Practice Committee and in part furthered by the modification of administrative rulings.

5. We believe our proposal would be favored by Government leasing agencies and doubt that it would be opposed by the Fair Employment Practice Committee, which is fully conversant with the difficulties we have pointed out.

On all counts we submit that such an amendment as we offer should be incorporated in the proposed legislation, if enacted.

We accordingly invite your favorable consideration.

Senator CHAVEZ. We want to thank you, Mr. Beach.

Mr. BEACH. Thank you for your attention.

Senator AIKEN. Mr. Beach, the amendment that you offer to this bill, of course, only applies to the building owners with whom the Government has contracts?

Mr. BEACH. Just that one section 13 (a) which says that Government contracts and obligations shall be included.

Senator AIKEN. Will you read that amendment again?

Mr. BEACH. It reads:

Provided, That leases of real or personal property shall not be considered as Government contracts.

Of course, you could say:

Provided, For the purpose of this Act.

Senator AIKEN. You said "leases of personal property"?

Mr. BEACH. Real or personal property.

Senator CHAVEZ. Where would the personal property be involved? Quote us an instance, please. Do you mean the furniture in the building?

Mr. BEACH. Yes. Some leases include both real and personal property. Of course, there are leases of personal property. They are only incidental, however.

Senator AIKEN. Personal property could include machines?

Mr. BEACH. Yes, personal property could include machines.

STATEMENT OF GEORGE L. P. WEAVER, DIRECTOR, NATIONAL CONGRESS OF INDUSTRIAL ORGANIZATIONS COMMITTEE TO ABOLISH RACIAL DISCRIMINATION

Senator CHAVEZ. Mr. Weaver, will you identify yourself, please?

Mr. WEAVER. My name is George L. P. Weaver. I am director of the National C. I. O. Committee to Abolish Racial Discrimination.

Senator CHAVEZ. Do you have a statement you desire to make?

Mr. WEAVER. Yes, I do.

Senator CHAVEZ. You may proceed, Mr. Weaver.

Mr. WEAVER. We appear here today in support of S. 2048, a bill designed to promote fair employment practices, by eliminating discrimination in employment because of race, creed, or color. This bill declares it to be the policy of the United States Government that the right to work and seek work shall be guaranteed without discrimination because of race, creed, color, national origin, or ancestry, and that this principle should be embodied in the body of the United States statutes, with enforcement machinery to insure that it will become more than a pious platitude. We have won the battle of production without a compulsory draft of labor, at home. One of the basic reasons we have achieved this victory of production is because we adopted a national policy of full utilization of all available manpower in the United States without discrimination because of race, creed, color, or national origin.

The successful results achieved during the last 4 years must be carried over into our peacetime lives. This can be more easily accomplished with the type of legislation under consideration. The essential weakness of the present Fair Employment Practice Committee is its lack of enforcement powers. Having no power to enforce its orders, it can operate effectively only where the main social forces of the community favor a fair treatment of minorities. It can point up weak spots in our industrial life but cannot change the industrial pattern of the community, State, or section, unless it has the overwhelming support of the important community forces.

The Congress of Industrial Organizations met this problem four-square in the early days of its organization. We realized then that

the strength of America rests on its ability to extend equal opportunities to every citizen. Organized labor has proved that it is the most powerful force in the struggle to preserve the basic rights and privileges which American democracy guarantees. Labor's long and successful struggle to improve the economic standards of millions of wage earners, to secure for them some measure of security and humane consideration, is ample evidence of the soundness and practicality of its objectives. We have achieved progress, but the ultimate goal has not been reached. The C. I. O. has proven to thousands of workers that the democratic process of work in the labor movement makes no distinction of race, religion, color, or national origin. We feel that America can ill afford to fail to utilize all the human skills and productive resources of every American worker in the post-war period.

We contended, and do contend for the post-war period, that if America refuses to rid herself completely of the blind prejudices that deny people who are "different" a fair deal, we undermine the strength of our country and threaten the hard-won gains achieved during the last few years. How America acquits herself under pressure of post-war tension may well be the yardstick by which is determined the prosperity and stability of the rest of the world.

The present F. E. P. C. is a war agency. When the war is over, it will be out of existence. This agency has been of untold value to the war effort. A brief glance at the record will show that the present F. E. P. C. has closed more than 2,200 cases during the last year with 879—approximately 40 percent—resulting in satisfactory adjustments, eliminating the discriminatory practices involved. It is also significant that more than 98 percent of the cases closed were settled by negotiations and mutual cooperation among representatives of unions, management and field examiners from the F. E. P. C. Nearly all of these cases involved vital war production. Commendations have been received by the committee from the War Department, Mexican Government, for its work with Mexican Americans of the Southwest.

The Philadelphia Transit case demonstrates to us that with the coming of peace and all its attendant problems, America will be very much in need of a permanent commission with statutory enforcement powers to aid the transition from wartime economy to peacetime economy. Our experience in the Philadelphia Transit walk-out demonstrates this need very clearly. The Philadelphia Transit Co., like many other companies in that tight labor market area, is experiencing an acute manpower shortage. Well over a year ago, the F. E. P. C., after hearings, directed that car and bus operating positions on the lines be opened up to Negro employees in order to relieve the manpower shortage. This order was evaded and ignored for over a year, thereby weakening the influence and power of the Federal Government. The situation had deteriorated to a point that when the order was put into effect, we witnessed one of the most disgraceful episodes of American history. If the F. E. P. C. had possessed statutory enforcement powers a year ago, the same final results could have been achieved without the blot on American history and the incalculable aid this incident gave to Fascist forces throughout the world.

There will be tremendous difficulties in the reconversion to peacetime production, transfer of workers from one industry to another, from one section of the country to another, in the placement of jobs of 10,000,000 determined servicemen. We must avoid the confusion and strife that would result from discharging workers in wholesale lots for no better reason than that they are black, brown, Catholic, or Jewish. In addition to being a violation of all standards of decency, this would be economically stupid. When we put millions of minority workers and their families on relief, we have to pay for it in another coin. We pay for it in poor health standards—remember, slums and rickets are no respectors of race. We pay for it in a depressed economy where the purchasing power of millions is drastically lowered.

A permanent F. E. P. C. cannot alone stave off a depression, but it can insure in the post-war period of job transfers that minority workers will get the same treatment as any other workers; that a man's seniority and ability are the yardstick whether he holds a job or gets another and not the fact that his skin is dark, his father came from the old country, or he worships God in a Catholic church or Jewish synagogue.

We in the C. I. O. have been forced to meet this problem four square. President Philip Murray, in his report to the sixth constitutional convention in Philadelphia last November, said:

From the time of the establishment of the first Committee on Fair Employment Practices, the Congress of Industrial Organizations has given strong support to the work of eliminating discrimination. It was instrumental in obtaining the issuance of Executive Order 8802 (which was the first Executive order on this matter). It pressed for vigorous and consistent enforcement without fear or favor. It has urged full and prompt investigations of hearings in all situations where discriminatory practices have taken place.

President Murray urged and the convention resolved that the present F. E. P. C. should be continued and that there be set up by Congress "a permanent statutory agency empowered to prevent discrimination of the kinds being dealt with by the committee."

Senator CHAVEZ. Thank you very much.

Senator AIKEN. I gather from your testimony, Mr. Weaver, that you think no time should be lost in expediting action on this bill.

Mr. WEAVER. I do. I am director of the national C. I. O. committee to abolish racial discrimination, which deals with these matters on somewhat the same basis as the F. E. P. C., and at present we are experiencing cut-backs with all the attendant evils and racial tensions which we believe will be with us after the war.

Senator AIKEN. I believe if the bill is to be enacted into law that it should be enacted into law before the time comes when it will be necessary. It does seem to me that we should report this to the full committee, Mr. Chairman, and get action on it as quickly as we can.

Senator CHAVEZ. That is the opinion of the chairman of the committee. Of course, I do not want the committee to be accused of not giving opportunity to anyone who might want to appear before the committee. We have not as yet received any requests from anyone who might be opposed.

I wish the members of the press would make a notation of that.

Senator AIKEN. You may recall that during the debate on the George bill it was assumed there would be 2,000,000 people drawing unemployment compensation by the end of this year. I checked

with the Social Security Board and there were only 79,000 the middle of this summer. That indicates that the assumption is correct that there may be 2,000,000 people laid off between now and January, in which event these acts to alleviate the stress should be ready to be put into operation.

Personally, Mr. Chairman, I think we should spend a great deal more time on devising ways and means to prevent unemployment, although I agree thoroughly that it is necessary to have these different acts ready to put into operation if in spite of us unemployment does come.

So I for one hope that we may get prompt action by the committee and by Congress.

Senator CHAVEZ. That is the hope of the Chair.

Thank you very much.

STATEMENT OF KERMIT EBY, ASSISTANT DIRECTOR OF RESEARCH AND EDUCATION, CONGRESS OF INDUSTRIAL ORGANIZATIONS

Mr. EBY. My name is Kermit Eby, assistant director of research and education of the C. I. O.

The bill before this committee, S. 2048, has the wholehearted support of the Congress of Industrial Organizations, because it would create a permanent Fair Employment Practice Commission in place of the temporary war-time Fair Employment Practice Committee, and would make the guaranty of the right to work without discrimination because of race, creed, color, national origin, or ancestry a declared policy of our Government.

During the war the Fair Employment Practice Committee has served a valuable function in assuring the full utilization of the Nation's skills and manpower for the prosecution of the war effort. As we move into the period of transition from war to peace, the full utilization of all the Nation's resources will be necessary if our country is to remain peaceful and prosperous.

In the transition period the question of full employment will be the determining factor in problems of discrimination. In the absence of full employment, discrimination will tend to become a serious problem, because members of minority groups are the first to be laid off, last to be rehired; first to be downgraded and last to be upgraded.

This process, if unchecked, would deprive many people of economic rights, achieved for the first time in many cases, because the Nation needed their services for war.

It would, by downgrading to unskilled and menial jobs, deprive the Nation of the full use of the skills of its people.

Only through achieving full employment can the problem of discrimination in the right to a job be solved. In a period of job scarcity, all kinds of discriminations tend to be exercised, and not only minority groups but the whole Nation suffers in the resulting lowering of standards and the pitting of one group in the Nation against another.

The Congress of Industrial Organizations has, from the beginning, realized that discrimination against any one group of workers harms not only those directly discriminated against but all workers. It has, therefore, again and again enunciated its policy of the equality of all workers, regardless of race, creed, or color.

But full employment alone cannot solve the problem of discriminations in the right to a job. Even during the war when all our Nation's resources had to be expended, every skill utilized, it was necessary to have the Government, through the Fair Employment Practice Committee, insist that all workers, regardless of race, creed, or color, be allowed to share in the war effort to the extent of their skills and ability. Even in labor-shortage areas, employers had to be persuaded that a worker's race, nationality, or religion were no criteria of his ability to perform a certain job.

If, during the war, it was necessary to have the Government assure fair employment practices to its people, it will be all the more necessary to have that assurance continued in the post-war period—particularly in the period when we are shifting from military to civilian production with all the strains that such a shift will impose on our economy.

It is, therefore, not only for the protection of minorities, although common decency and ordinary American democracy should make us rebel at the thought of denying the right to work to anyone because his race, religion, or national origin differs from that of the majority of Americans—but for the protection of all the people of this country, that we urge a declaration of national policy on the right to work without discrimination because of race, color, creed, or national origin and the creation of a Fair Employment Practices Commission to implement that policy. Under the proposed bill the detailed procedure through which those charged with unfair employment practices may present their case is based upon a great deal of experience. This procedure has been tried and tested under the National Labor Relations Act. It is up to the courts to determine whether a restraining order shall issue against an unfair employment practice complained of by the Commission. The aggrieved party has ample opportunity to appeal to the courts on his own behalf.

It is well for us to remember that any coercive powers under this bill rest in the courts and not in the Commission. The committee has demonstrated how far it is possible to go with methods of persuasion and conciliation in securing compliance.

The committee has not, and under this bill the Commission would not, interfere in employment practices except on the basis of complaints and; of course, does not place workers in jobs. Discrimination problems outside the field of employment are not within its jurisdiction. We stress these matters in order to emphasize the strict construction placed upon the function of the Commission.

The C. I. O., as is well known, bases its arguments for this legislation upon the premise that all workers in this country must be aided in their efforts to secure a job at decent wages. This is the cornerstone of our American society, in all its aspects, and not merely of our American economy.

Senator CHAVEZ. Thank you very much, Mr. Eby.

The committee will now stand adjourned until Wednesday next in the same room.

(Whereupon, at 4 p. m., the committee recessed until Wednesday, September 6, 1944.)

FAIR EMPLOYMENT PRACTICES ACT

WEDNESDAY, SEPTEMBER 6, 1944

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON EDUCATION AND LABOR,
Washington, D. C.

The subcommittee met at 10:30 a. m., pursuant to adjournment, in room 357, Senate Office Building, Senator Dennis Chavez (chairman of the subcommittee) presiding.

Present: Senators Chavez and Aiken.

Senator CHAVEZ. The committee will come to order. Before proceeding with the hearing of testimony on Senate bill 2048, I want to read into the record a letter received by me from the Most Reverend Robert E. Lucey, D. D., Archbishop of San Antonio Catholic Church. This letter is dated August 30, 1944, and is addressed to the Honorable Dennis Chavez, chairman, Subcommittee on Education and Labor, United States Senate, Washington, D. C.

DEAR SENATOR CHAVEZ: Thank you very much for your letter of August 22. I wish very much that I might make a substantial contribution to the passage of S. 2048 but unfortunately I have just returned from a 5 weeks' trip to Mexico and I am buried under a frightful load of work. However, I am enclosing herewith a brief statement of my views on this problem and I hope that it will arrive in time to do some good.

Thanking you for your kindness in this matter and with best wishes, I remain,
Very sincerely yours,

Most Rev. ROBERT E. LUCEY, D. D.,
Archbishop of San Antonio.

This is the statement:

STATEMENT OF ARCHBISHOP ROBERT E. LUCEY, SAN ANTONIO, TEX.

The Fair Employment Practice Committee, whose life now hangs on the thin thread of an Executive order, should be given full statutory recognition with power to enforce its decisions. In no other way can a substantial measure of economic justice be procured for men and women of color. The white problem in our country cannot be solved in any reasonable time without the aid of civil law. Many so-called white men hate and despise their fellow Americans whose skin is dark. It is not the men of color who ignore our Constitution, reject our Declaration of Independence, and perpetrate acts of racial bigotry. It is not the Mexican or the Negro who would deprive his fellow citizens of God-given natural rights. Only the alleged white man does that.

Men of color are pouring out their good red blood on many battlefields today to defend the lives and property of those very racial bigots who hate and persecute them. Men of color have a right to pity their white brothers who thus debase themselves. The Fair Employment Practice Committee should be made a permanent institution of our country to stand forever as a symbol of human liberty and good government.

ROBERT E. LUCEY,
Archbishop of San Antonio.

Is Mr. Robert Parker here?

Mr. PARKER. Yes, sir.

Senator CHAVEZ. Please come forward.

STATEMENT OF ROBERT PARKER, COCHAIRMAN, PHILADELPHIA METROPOLITAN COUNCIL FOR EQUAL JOB OPPORTUNITY, PHILADELPHIA, PA.

Senator CHAVEZ. Kindly give your name and background to the reporter for identification purposes.

Mr. PARKER. My name is Robert Parker. I am the cochairman of the Philadelphia Metropolitan Council for Equal Job Opportunity. I should add that my full-time occupation is as area director of the National C. I. O. War Relief Committee in Delaware and eastern Pennsylvania.

Senator CHAVEZ. Are you affiliated now with the C. I. O. organization?

Mr. PARKER. Yes; I am; but I am here officially representing the Philadelphia Metropolitan Council for Equal Job Opportunity.

Senator CHAVEZ. Will you give the reporter a little of your own personal background for the record?

Mr. PARKER. Yes; I will be glad to. I have been connected with the labor movement for about 15 years now, starting as a worker in the various plants, various types of auto plants, and machine shops. I have also been active in workers' education and for the past 4 or 5 years have had various positions in the labor movement. I have been in my present job with the C. I. O. War Relief Committee for 2 years now.

I have a prepared statement, Senator, and if I may, I would like to read it.

Senator CHAVEZ. You may proceed.

Mr. PARKER. As I said, I am here to testify in favor of the bill to create a permanent Fair Employment Practice Commission and I am here officially representing the Philadelphia Metropolitan Council for Equal Job Opportunity.

You will be interested in learning what the council is and what it represents. Twenty-two important community organizations are members of the council, which was organized more than a year ago. These organizations are the American Jewish Congress, Anti-Defamation Council, Armstrong Association (which is the local unit of the National Urban League), Association of Philadelphia Settlements, Catholic Interracial Council, A. F. L. Central Labor Union, Chamber of Commerce and Board of Trade, Chester U. S. O. Interracial Committee, Delaware County C. I. O. Industrial Union Council, Philadelphia Federation of Churches, Federation of Negro Women's Clubs, Fellowship House, Interracial Discussion Group, Labor Education Association, Lawyers Guild, National Association for the Advancement of Colored People, National Conference of Christians and Jews, Philadelphia C. I. O. Industrial Union Council, Swarthmore College Student Assembly, Young Men's and Women's Hebrew Association, Young Women's Christian Association, and the Youth Committee for Democracy.

I especially call your attention to the fact that both great labor organizations—A. F. L. and C. I. O.—and the chamber of commerce and board of trade are active participants in the work of the council.

The council believes that the creation of a permanent F. E. P. C. is essential to the future well-being of our Nation. We are now fighting a world-wide war. If we are fighting it in defense of the principles of democracy, then it becomes our responsibility to provide a democratic way of life to our own people before we can offer it to the rest of the world. The tenets for which we have mobilized the vast productive power of America and sent 11,000,000 of our men and women into every corner of the earth make it mandatory that in our own back yard we give every American an equal opportunity to get a job at his highest skill, without regard to race, creed, or color.

We in Philadelphia are especially interested in the enactment of this measure since the recent evilly inspired work stoppage by the employes of the Philadelphia Transportation Co. The events that occurred in connection with this stoppage were too well publicized to make it necessary for me to go into the details of what happened; I shall be glad to answer any questions which the members of the committee may have. But certain conclusions can be drawn from this incident which relate to the advisability of and necessity for a permanent F. E. P. C.

The plans for the stoppage were extremely well laid. The complete effectiveness of the strike, and the few hours which were required to stop the operation of every streetcar, bus, subway, and elevated train in the Philadelphia area, make it evident that this was no spontaneous affair. I have had enough experience in my work with the labor movement to know that you cannot completely shut down a far-flung enterprise like the P. T. C. without many, many hours of careful planning. Had there been in existence a fair employment practice commission established by act of Congress, with definitive powers to enforce its rulings, the strike might well have been prevented. But the fact that the F. E. P. C. ruling on the upgrading of Negroes on P. T. C. and its authority was questioned and defied by the same elements which brought on the strike made it possible for them to force a delay in the application of the F. E. P. C. directive and gave them adequate time to make their plans.

How was the transportation system finally forced back into operation? Only through the concerted and forceful action of governmental agencies and the pressure of public opinion, backed up by the might of the Army. If we are to break down discrimination in employment because of race, creed, or color, we must have, in addition to the very important educational process, the legal and policing authorities of the Federal Government.

The third conclusion is that the majority of the people of Philadelphia have no objection to the employment of Negroes as motormen and conductors. This was evidenced by the almost universal disapproval of the action of the strikers as expressed by resolutions of protest, public statements, and letters to the editors of the press. Immediately following the end of the stoppage, two of the daily papers took a poll on this matter. The majority of those questioned stated their support of the right of Negroes to have a chance at these jobs.

Yes; the people of Philadelphia want democracy and fair play in their city. They look about the country and see Negroes employed, without any untoward incident, on the transportation systems of New York, Detroit, San Francisco, Chicago, Buffalo, Cleveland, Tulsa; Winston-Salem, and Flushing, Long Island. They want no discrimination against the members of any minority group. Give everyone an equal opportunity, they say. They say it when organizations representing more than a half a million people join hands in a joint endeavor like the Council for Equal Job Opportunity to fight employment discrimination. They say it when 9 leading industrialists send a letter to the mayor of Philadelphia stating their opposition to such discrimination and urging him to issue a forthright statement on the subject. With your permission, Senator, I would like to read this letter to you, the signers of which include the heads of 2 large department stores, of an electrical manufacturing company, of a shipyard, of a steel company, of a hat-manufacturing company, and of 3 other large factories in the Philadelphia area. These 9 concerns employ more than 80,000 workers. I now quote from the letter, which is dated August 28, 1944.

Hon. BERNARD SAMUEL,
*Mayor of Philadelphia,
 City Hall, Philadelphia, Pa.*

DEAR MAYOR: Whether or not it is customary for you to issue an annual Labor Day statement, it would seem that recent occurrences in Philadelphia make such a statement highly appropriate this year. The welfare of our citizens and the interest of our commercial and industrial enterprises call for a strong and forthright enunciation from your office that will serve to develop and maintain the best possible employer-employee relations during the months and years to come.

We have, therefore, respectfully drafted the following declaration that might be endorsed by you as the official head of the city or you may care to issue a somewhat similar statement, incorporating the broad principles set forth as follows:

"That all individuals are entitled to an opportunity to work and to receive all other benefits of our economy without any regard whatsoever to race, creed, color, or national origin. Racism and discrimination are abhorrent to all patriotic Americans. The ability to educate one's children, to provide a family the essentials of a decent and normal life and the right to worship as one sees fit shall be guaranteed to each and every citizen. The officials of the city of Philadelphia join with those of the State of Pennsylvania and the Federal Government in proclaiming that these principles shall be safeguarded."

As businessmen of this community we are deeply interested in its future welfare as we know you are, and it is only in this spirit that this letter is being sent to you.

As another evidence of the reaction of the people of Philadelphia to the P. T. C. strike, I would like to read the following editorial in the September 2, 1944, issue of the Saturday Evening Post. It is entitled "The Home Front," and it is as follows:

As this issue of the Post was being prepared, Post employees, like all working Philadelphians, were getting to and from their jobs on foot. Trolley-car, bus, and elevated employees, defying their union leaders, were on strike to prevent the Philadelphia Transportation Co. from complying with a War Manpower Commission order to employ Negroes as operators.

The strike was probably a good thing for coddled editorial legs. To vital war industries of the Philadelphia area, including the Philadelphia Navy Yard, it was a body blow, markedly slowing the national war effort. Translated in plain terms, that means that more American youths will lie for the rest of time in graves far overseas.

That is serious enough, but it is not the most serious implication of the walk-out. The wasting of the Nation's precious time strikes at the lives of American fighting men; the cause of the walk-out strikes more terribly at the things they are fighting for—things we had hoped would some day add up to a citizenship of human beings.

Many American Negroes have died in battle. We cannot speak for them nor say what things in this homeland of theirs they found so precious that they laid down their lives to defend and preserve them. We may guess, we think, that they died for that sometimes nebulous and so often crucified idea we call democracy. Democracy, nailed to one of its crosses, is the right of white men to strike against sharing employment with their Negro fellow Americans. It is a bitterly ironic thing that a symbol of that right is the unknown Negro G. I. who lies beneath the sod of a Normandy or Saipan, his big stilled feet pointing tirelessly toward the stars.

Now, Senator, if I may, I would like to insert this in the record to show while we think the P. T. C. race strike was evil that perhaps some good could have come from it. I am quoting from the Chicago Defender, a Negro paper published in the city of Chicago, the issue of September 2, 1944. This article has a byline by John LeFlore, Mobile, Ala.

The millennium or a reasonable facsimile thereof reached this city in the deep South this week!

Consider these sensational developments in this traditionally Confederate stronghold:

1. For the first time in the city's history a white man was given a stiff fine of \$100 for slapping a colored woman "without provocation."

2. Four white men who brutally assaulted several Negroes without provocation were arrested and charged with assault with intent to murder.

Behind the sudden change in law-enforcement tactics in Mobile is the feeling of leading white citizens that this Alabama city was grievously libeled by Northern newspapers which recently referred to the Philadelphia race-hate strike as something to be expected in Mobile rather than in the City of Brotherly Love.

Furious because Philadelphia's anti-Negro transit strikers were compared with lawless race rioters in Mobile, law-enforcement officials here launched an unprecedented race-rights drive to prove that "it can't happen here."

Sheriff William H. Holcombe, who announced the arrests of the four white men charged with promiscuously attacking Negroes, warned against such practices and said:

"These arrests were made after a thorough investigation in which it was shown the Negroes were grossly mistreated. Such a thing will not be tolerated in Mobile—despite statements to the contrary by the newspapers of New York and Washington."

Sheriff Holcombe's remarks were aimed at editorials published in Washington and in New York concerning racial trouble in the Philadelphia traction strike. The newspapers in identical editorials, said:

"No doubt some way will be found of restoring the traveling facilities of the city [Philadelphia] so that war-production schedules can be resumed. That is important, but there is another aspect to the strike that is of much wider significance. That is the rather frightening flare of race prejudice that might be expected of Mobile, Ala., but not of Philadelphia."

To prove to the Nation that racial attacks will be handled here, the sheriff's department declared that the full force of the law would be thrown against race haters in Mobile.

We of the Council for Equal Job Opportunity are particularly concerned with this problem as it will be affected by the post-war situation. Today Philadelphia is designated by the War Manpower Commission as a critical labor shortage area. There is little unemployment. Practically all able-bodied men are at work and many women. In September of 1943, for example, there were only 17,602 Negroes employed in this area, out of more than 250,000. But by March 1944, according to W. M. C., this number had grown to 68,436. But what will happen to those workers when cutbacks become the order of the day? Events on the military front are moving so rapidly that it is almost impossible to keep abreast of the news of our Army's advances. But the closer we come to victory over the Fascist forces overseas, the more acute becomes this problem—what happens to the

Negroes and members of other minority groups, who have finally managed to get decent jobs only because of the severe shortage of labor?

The answer, in my opinion, is twofold. One, we must have a fair employment practice commission created by legislative action, with adequate finances and enforcement powers. Second, it becomes the responsibility of all of us to see to it that a program of full employment is achieved in the post-war period. We have mobilized undreamed-of productive power for destruction; can we do any less to provide jobs for all our citizens and build a world fit for humans to live in?

The present President's Committee, operating as it has under continual criticism, with inadequate funds and surrounded by suspicion and enmity, has nevertheless been able to do an extremely effective piece of work. I am sure that other sources will have presented to you in detail the story of just what the F. E. P. C. has been able to accomplish. From my own experience, I know that it has been able, in addition to safeguarding the rights of minorities, to aid materially in keeping war production operating at full blast. In the Jones and Laughlin plant at Aliquippa, Pa., and in the Carnegie-Illinois plant at Clareton, Pa., some months ago, disturbances over the employment and upgrading of Negroes caused work stoppages. The United States Conciliation Service was called in and failed to adjust the situation. Navy Procurement and Army Ordnance also failed; and then the F. E. P. C. was called in. Where all other forces were unsuccessful, F. E. P. C. was able to work out a schedule of advancement which satisfied all parties concerned, and work was resumed. So valuable has been the work of the F. E. P. C. that I understand representatives of the Army have officially commended the Committee for its success in maintaining production.

We have come a long way in the past few years in recognizing the need for specific agencies to handle especially acute problems of human relationships. The growth of such agencies as the National Labor Relations Board, the United States Conciliation Service, and many others, has proved that the expert handling of such problems by agencies skilled in their particular fields results in an accumulation of social gains and the elimination of group tensions.

This problem of job discrimination affects not only Negroes. It affects Jews, Catholics, Mexican-Americans. The evil of discrimination spreads out in all directions and assumes many forms. If America is to be a democratic nation, it must fight this disease, wherever it appears, by every means at its disposal. Basically, those of us who discriminate against fellow Americans must be taught that every one of us, regardless of the color of our skin or the place of our birth or our religion, is entitled to a job at our highest skill, without discrimination. Most of us believe this now; the rest will learn in time. But until they do learn, we need an act of Congress which will say: The might of the Government of the United States is firmly behind the quest of each of its citizens for a job; let no one interfere with that right under penalty of the law.

Yours is a great responsibility, gentlemen. By approving this bill and recommending its adoption by Congress, you can show oppressed persons throughout this entire earth that America firmly believes in the "four freedoms"; you can arouse among millions of Americans

an even greater love for our institutions; you can help assure that out of this terrible war will come a finer world for all the people who live in it.

Senator CHAVEZ. Any questions, Senator Aiken?

Senator AIKEN. No.

Senator CHAVEZ. Thank you very much, young man, for your statement.

Mr. PARKER. Thank you, sir.

Senator CHAVEZ. Mr. Clarence Anderson.

**STATEMENT OF CLARENCE ANDERSON, EXECUTIVE SECRETARY,
METROPOLITAN DETROIT COUNCIL ON FAIR EMPLOYMENT
PRACTICE, DETROIT, MICH.**

Senator CHAVEZ. Do you care to make a statement before the committee on the F. E. P. C. bill?

Mr. ANDERSON. Yes, Mr. Chairman and gentlemen of the committee, I have a prepared statement here that I should like to read.

Senator CHAVEZ. That contains your identification?

Mr. ANDERSON. Yes, it does. Possibly not as much as you required of Mr. Parker. There is nothing in here about my personal background. Is that what you are asking something about?

Senator CHAVEZ. Yes. You are a native American?

Mr. ANDERSON. Yes, I am. I was born in this country. I dropped out of high school before I was through and I worked at a number of different types of occupation in the last 8 years, including automotive assembly lines. I attended a university and I taught sociology and social problems for 3½ years.

Senator CHAVEZ. What university?

Mr. ANDERSON. The Wayne University in Detroit. I am now in full employment of the council, and I have been for the last 13 months. I am here to speak in support of S. 2048, a bill to abolish discrimination in employment because of race, creed, color, national origin, and ancestry.

Senator CHAVEZ. Can you give the committee some information as to the functions of the council?

Mr. ANDERSON. I am coming to that now.

Senator CHAVEZ. What are its functions?

Mr. ANDERSON. That is also included in my statement, so I will proceed, if I may.

Senator CHAVEZ. I am sorry.

Mr. ANDERSON. Quite all right.

The Metropolitan Detroit Council on Fair Employment Practice is a representative local citizens group which was organized early in 1942 for the purpose of implementing Executive Order 8802 and cooperating with the President's Committee on Fair Employment Practice in order to combat the widespread discrimination that was then rampant against minority group workers in Detroit.

Today 19 of the nearly 100 organizations represented by the council have, by virtue of their membership on our executive board, a continuing hand in determining that the policy of the council shall be consistent with the official point of view of their own organizations.

Senator AIKEN. Mr. Anderson, what is the nature of the organizations which comprise the council?

Mr. ANDERSON. That follows now. Among these are the following local organizations: The Association of Catholic Unionists, the Christian Social Relations Department of the Episcopal Diocese of Michigan, Consumers League of Michigan, Detroit Y. W. C. A. Public Affairs Committee, Detroit Council of Churches, Detroit Urban League, Detroit Council for Youth Service, Department of Guidance and Placement—Detroit Public Schools, Detroit Federation of Teachers—Local No. 231, Detroit and Wayne County Federation of Labor, Detroit and Wayne County Industrial Union Council, International Union U. A. W.-C. I. O., Jewish Community Council of Detroit, Jewish Vocational Service, Jewish Social Service Bureau, Michigan Branch of National Women's Party, National Council of Jewish Women—Detroit Section, National Association for the Advancement of Colored People—Detroit Branch, League of Women Voters—Detroit Branch, War Manpower Commission in Michigan.

The chairman of the council is Prof. Edward W. MacFarland, a well-known Michigan citizen and an economist at Wayne University. Serving as vice chairman are Dr. T. T. Brumbaugh, Father J. Lawrence Cavanaugh, and Rabbi B. Benedict Glazer.

The Metropolitan Detroit Council on Fair Employment Practice functions as a nonprofit, nonpolitical organization. Its financial support is derived from the War Chest of Metropolitan Detroit. It is incorporated under the laws of the State of Michigan for the purpose of furthering the training and assuring the full utilization of every worker at his highest skill without regard to race, creed, color, national origin, or ancestry. Thus our purpose is to translate into employment practices at home the democratic principles for which we are fighting abroad.

In order to realize our purpose of economic equality of opportunity for members of minority groups, the council has seven functions around which centers the core of its activity. One of these relates to community education, the other to securing State and National fair employment practice legislation. We regard education and legislation as supplementary approaches, which are indispensably interrelated, to the solution of the difficult problem here under discussion.

The right to work is the right to live. To refuse equality of opportunity in employment practice to large groups of qualified and employable workers for no other reason except that of prejudice toward their religious customs, the country of their birth, or the particular color of the pigment in their skin, is to refuse to these fellow Americans and their children a number of other rights. They are refused the right to have robust and healthy bodies; the right to a harmonious family life, the right to secure the type of education that will enable them to cope with the demands of modern living whether in war or in peace, and the right to provide for themselves the type of environment that permits the development of desirable moral character and a wholesome attitude toward life. These rights are denied to persons who are denied the means of an adequate income because of being discriminated against in employment in the specific ways outlined in Senate bill 2048.

To continue to deny such basic rights to one-fifth of the Nation is not only unjust to those so victimized; it is contrary to the public interest; it is to court an inevitable national disaster. No nation that disregards the economic basis of the physical, intellectual, and moral development of one-fifth of its population can hope for long to maintain a dominant role in the affairs of the world.

Approximately one out of every five persons in the United States is potentially subject to the types of discrimination in employment dealt with in the bill under consideration. I am referring to possibly 400,000 American Indians, our earliest Americans, and to 2,500,000 Mexicans, 5,000,000 aliens, 5,000,000 Jews, 13,000,000 Negroes, and the smaller religious, national, and racial minorities.

Senator CHAVEZ. When you referred to the 5,000,000 aliens, did you refer to such people as Poles, Italians, and so forth?

Mr. ANDERSON. Exactly. In this instance this is the 1940 figure. There are many people, as we know, who have become naturalized since 1940 and perhaps that figure of 5,000,000 does not account for them. We do not know exactly how many, but I will touch briefly on that later. I have specifically in mind discrimination against people who are different simply because they are regarded so.

To take the time of the gentlemen of the committee to point out how the balance of our people who are not consistently discriminated against in employment actually foot the bills for all of the social problems associated with the inadequate incomes of those, who because of discrimination are "ill-housed, ill-fed, and ill-clothed" would be exceedingly presumptuous on my part. This aspect of the problem is, however, one not to be overlooked.

Neither shall I undertake to point out at length the corrosive effects of discrimination upon religious beliefs and human personality. Psychologically, it is incompatible for persons to attempt to believe in the doctrine of brotherly love and the fact that "God hath made of one blood all nations of men for to dwell on all the face of the earth" while simultaneously witnessing or even participating in irrational practices which condemn the easily recognized members of minority groups to a substandard existence. This aspect of job discrimination as it relates to our religious and moral life has, I am told, been dealt with already before this committee by those who are far more competent than I to call attention to this schizophrenic character of our national life. As is well known, the major religious organizations in the United States have unequivocally recorded themselves in opposition to discrimination in employment.

The practice of discrimination in employment likewise runs counter to the political ideals to which we in America tenaciously cling and for which we are today sacrificing our blood on foreign soil. Our constitutional guaranties against discrimination on the basis of race, creed, or color have not been overlooked by our Congress. On several occasions, as is well known, particularly in the last 10 years, our Nation's constitutional guaranties against discrimination have been incorporated in legislative enactments of the Congress.

Several times the voice of the Supreme Court has condemned discrimination in employment. In *Hirabayashi v. United States*, Chief Justice Stone, speaking for the Court, said:

Distinctions between citizens solely because of their ancestry are by their very nature odious to a free people whose institutions are founded upon the doctrine of equality. For that reason, legislative classification of discrimination based on race alone has often been held to be a denial of equal protection.

Concurring in the same case, Mr. Justice Murphy, who incidentally is a native and former Governor of the State of Michigan, said:

Distinctions based on color and ancestry are utterly inconsistent with our traditions and ideals. They are at variance with the principles for which we are now waging war. We cannot close our eyes to the fact that for centuries the Old

World has been torn by racial and religious conflicts and has suffered the worst kind of anguish because of inequality of treatment for different groups. There was one law for one and a different law for another. Nothing is written more firmly into our laws than the compact of the Plymouth voyagers to have just and equal laws.

And in *New Negro Alliance v. Sanitary Grocery Co.*, Mr. Justice Roberts, speaking for the Court, stated:

The desire for fair and equitable conditions of employment on the part of persons of any race, color, or persuasion, and the removal of discrimination against them by reason of their race or religious beliefs is quite as important to those concerned as fairness and equity in terms and conditions of employment can be to trade or craft unions or any form of labor organization or association. Race discrimination by an employer may reasonably be deemed more unfair and less excusable than discrimination against workers on the ground of union affiliation.

We in Detroit, however, are not merely concerned with the religious and American political principles which this bill aims to translate into industrial practice; we are also, as earlier suggested, concerned about the high financial cost of discrimination against minorities in industrial employment for which indirectly we as American taxpayers foot the bill.

Furthermore, the economic practicability to industry of employment of minority group workers is no longer a matter of doubt. Referring to Negroes, constituting our largest minority, the American Management Association stated:

Industry's pressing need for the service of able-bodied persons—irrespective of the color of their skin—effectively and happily removes the problem from the province of social reform, paternalism, or other sentimental considerations * * *. Consideration for the Negro rests on the solid base of enlightened selfishness * * *. It is a question of the total health and strength of the Nation.

In 1943 the National Industrial Conference Board circulated a questionnaire on experience with Negro workers. One hundred and two employers replied. Eighty-five stated that Negroes produced as satisfactorily as whites; 5 that the production of Negro workers was higher; 12 that it was lower.

In a leaflet put out by the Ford Motor Co. entitled "Ford Summer Hour," under the date line of August 3, 1941, appears the following statement:

Henry Ford has always believed * * * that the right to work is a sacred privilege of every law-abiding resident of this country * * * he considers that a man's color, religious belief or nationality is less important than his ability and willingness * * *.

It will also be of interest to the gentlemen of this committee to hear that we have 1,600 colored platform men and women operating our municipally owned transportation system in the city of Detroit. That the great majority of Detroiters are well satisfied, despite their wartime nerves and the incredible overcrowding of their equipment, to have public contact with and to entrust their own and their children's safety to Negro motormen, bus drivers, and conductors, is, I think, a significant fact. It should be considered by persons who have distorted notions of the willingness of most Detroiters to be fair with Negroes. In this regard, it is noteworthy that the accident rate of our colored bus drivers and motormen is proportionately lower than their total representation in the labor force.

In this reference it is also pertinent to point out that the great majority of the citizens of Detroit do not in any way wish to be identified with the inhuman, Hitlerian, master-race principles emanating from the convention of the America First Party in Detroit last week. This is not to say that Detroiters are without anti-Semitic and anti-Negro prejudice, and prejudice toward other minority groups. Of course they are prejudiced, in varying degrees, generally speaking.

They are, however, aware of the problem of greed and prejudice. They are working in many ways to solve this complex dilemma. We yet are not agreed on all the answers; but we are united on the basic need of legislation such as this bill proposes for the purpose of mitigating our own interracial problems. The agreement on the need of this solution is so widespread that the Republican Party in the State of Michigan at its 1944 convention not only pledged support of its national body's platform plank to establish a permanent F. E. P. C., but in addition pledged the establishment of a State Fair Employment Practice Commission.

Moreover, as citizens of Detroit and of the United States, we are vitally concerned about the future peace of the world. Two-thirds of the 2,000,000,000 people in the world are not light-skinned. One-half of them are Asiatics. They have many faiths. These are facts that have important implications.

That light-skinned peoples themselves constitute a minority in a world which as a result of invention is rapidly tending to become one large community, is of great significance for the future. For the greater safety of our children and of our children's children it would seem only expedient and practical to prove to the entire world that we have the capacity to deal justly and amicably with people in our midst who have faiths and colors unlike our own. As a predominantly white nation constituting a minority in the world, we don't want a race in 20 years or in 40 years, or at any time. The least we can do now is to attack our complex minorities problem in the area of employment where experience shows that advances which are wholly practicable and equitable can be made through legislation.

We are well aware, as we know the gentlemen of this committee to be, that Axis propoganda has exploited among the other peoples of the world the discrimination we practice against our own citizens of minority group origin.

Senator CHAVEZ. May I interrupt right there?

Mr. ANDERSON. Yes.

Senator CHAVEZ. I would like to tell you a little about a personal experience. Early in January or February of 1942, in cooperation with the Coordinator's Office on Inter-American Affairs, I made a radio talk over short wave to Latin America in Spanish. I tried to point out our position in the world. A week after that Berlin answered to Latin America and brought out all of the things that you are talking of.

Mr. ANDERSON. That speech that you gave, Senator, I feel you should be complimented on, because few people in the country were aware of the great need at that time for doing exactly that type of thing. Incidentally, this problem that you have just referred to augurs ill for the plans for world peace which are even at this moment being discussed not far from here. In fact, our discrimination against

those minority workers who are of Mexican origin, even endangers our relationships with our neighboring republics to the south. Convincing evidence of this was also reported by Mr. Ernesto Galarza, chief of the labor section of the Pan American Union, in hearings before the House Committee on Labor last June 2. In similar vein, Mr. Sumner Welles, former Under Secretary of State in a feature article appearing in the Detroit News on February 16, 1944, in which he discussed employment and other types of discrimination against Mexicans in this country, stated that—

Unless these discriminations are obliterated, and obliterated soon, the term "good neighbor policy" will lose much of its real meaning.

We, in Detroit, in urging Congress to establish a permanent fair employment practice commission with adequate powers of enforcement as provided in this bill are, however, not solely concerned with the mere winning of the good will of our neighbors throughout the world to which the establishment of such a commission would contribute. Our interest does not stop there. We have some motives that may, frankly, be regarded as community selfishness. Detroit is the automobile center of the world; and as soon as the first lush rush of post-war business on the domestic market begins to slow down, we will as Mr. Eric Johnson, president of the United States Chamber of Commerce, put it, "be just kidding ourselves if we think we can get along without foreign trade." When business begins to slow, we will also, like other industrial centers, begin asking why millions of potential American consumers are unable to purchase our products and thus keep the wheels of industry rolling. In cases where the inability of consumers to purchase the fruits of our industry is directly traceable to discrimination in employment, we consider that the purpose of this bill will provide a rectifying mechanism in that direction. In like manner we feel that it will provide a wider and more equitable distribution of the staggering tax burden of this country.

Today in Detroit we are on the crest of the wartime wave of full employment. The employable workers in our largest minority are now, with certain exceptions, all in jobs of one kind or another. In general it may be said that the employment of nonwhites compares favorably with their proportional representation in the population of Detroit. Of a total of 575,791 employees of the 421 plants in Detroit which report nonwhite data to the War Manpower Commission, 62,743 or 10.7 percent are listed as nonwhite.

These figures which represent a picture of full employment do not, however, indicate the extent of under-employment of minority group workers below their highest skills—a type of discrimination which varies with different plants—and which, according to the American Management Association, is a form of under-utilization of labor not confined to the Detroit area. From the standpoint of the war effort, this means that we are not getting the possible maximum production out of our full employment. It means further that the morale and efficiency of minority group workers so discriminated against are dangerously impaired—and that is occurring despite the gigantic publicity in which this Nation has recently engaged in order to define explicitly the meaning of our way of life. For a skilled truck mechanic with 18 years of experience to be compelled to work as a sweeper for

no other reason except that a union prevents him from repairing war-essential transportation equipment, is neither good for his morale nor for the war effort.

Failure to utilize the industrial skills of colored workers affects Negro women in particular. A great many of these who spent several hundred hours securing training in skills at Government expense, having failed to secure industrial employment, are now operating elevators and working as waitresses in the service trades.

Looking forward to the post-war period, we in Detroit are nervous. We get the jitters. We feel that we are sitting on a powder keg. Our race riot of last summer is still fresh in our memories. When we contemplate the coming reconversion and the curtailment of production, we shudder at the thought of discrimination and strife which may arise in the consequent lay-offs and rehiring if we are then without a Fair Employment Practice Commission to maintain equitable order.

Whatever measure of racial harmony we enjoy today in our industrial racial relationships in Detroit is largely attributable to the work of the present F. E. P. C., the W. M. C., the U. A. W.—C. I. O., the Civil Service Commission and other groups, including many employers who are more concerned with production than with prejudice.

The attempt to attribute more credit to one group rather than to another for the existing harmony in industrial racial relationships today is not easy. It is, however, common knowledge that neither the U. A. W.—C. I. O., the War Manpower Commission, the Civil Service Commission, nor those employers which have rigidly insisted upon equality of opportunity in labor utilization could have succeeded in employment and integration of minority group workers to the degree they have without the present F. E. P. C. created by Executive orders—and this despite its woefully inadequate staff—35 field workers throughout the 48 States of the country—and its lack of even any semblance of authority to enforce its directives.

In Detroit the U. A. W.—C. I. O. was credited by Attorney General Biddle for the absence of racial strife within our plants during the riots of June, 1943. The top leadership in the U. A. W.—C. I. O. has done a remarkable job in educating the rank and file regarding the country's wartime labor policy as expressed in Executive Order 9346, as well as in informing its members of the practical utility to unionism of nondiscrimination in economic opportunity.

However, a clamorous and articulate minority within the union membership stands ready to foment racial discord at the first promising opportunity. These are persons who teach principles similar to those of the followers of Gerald L. K. Smith and the America First Party as quoted by the Detroit News on August 31, 1944. Two of these quotations are as follows:

All Jews should be deported to a later-designated area if they do not leave America voluntarily within 5 years. All those who remain shall be sterilized, thus solving the American Jewish problem for all time.

Specifically we advocate a 10-20 year resettlement program involving only young Negroes of 18-35 years and their families with optional immigration of those above that age, said program to be financed by the United States Government and conducted in a scientific and enlightened manner.

Senator AIKEN. Does he say where we are going to send them to?
Mr. ANDERSON. Not in the portion quoted, but the assumption is Africa.

Senator AIKEN. Does he give any indication as to what a scientific and enlightened manner would be?

Mr. ANDERSON. I have difficulty appreciating what this group means by "scientific" myself.

Such ruthless and inhuman thinking may well be utilized to spread havoc in Detroit's industry and community in the post-war period if we are without the friendly and conciliatory yet firm hand of the Federal Government to maintain order in the basic industrial racial relationships as contemplated in this bill.

Our problem grows more complex the more one studies it. Approximately 200,000 men have left our assembly lines for the armed services. About 19,000 have already come back. Most of the remainder will return. Their seniority rights have been accumulating while in service. Meanwhile, 3 out of 10 of all our employees are women. Over 62,000 are Negroes. Who is to be laid off or refused future employment? The Negroes? The women? Certainly not ex-service-men. What about our ex-servicemen who are colored? Or those who are Jewish? What about Jewish workers who are at present efficiently assembling the materials of war? What about those workers who have polysyllabic names that end in "ski"? What about those workers?

To believe, however, that the orderly procedure of abiding by the rules of seniority will be adhered to in the gigantic changes which will occur in the composition of Detroit's labor force without an established F. E. P. C. on the job is to tax one's credulity.

Already, as a result of some cut-backs, we have certain events which foreshadow what to expect and what to prepare for. In one Detroit plant colored and white workers were laid off; the white workers were recalled without regard to seniority. In another instance, a colored veteran of this war with an honorable discharge—who before the war received the Carnegie medal for rescuing a white woman from drowning and who was previously a Y. M. C. A. assistant secretary—after having driven all types of Army transportation equipment in this country and in Europe, was, however, recently denied the opportunity of employment by a trucking concern in Detroit. This company, which is engaged in the transportation of vital war materials and which has the equipment standing idle, would have employed this experienced truck driver—except that its closed-shop contract with a discriminating union prevented it.

Four colored women machine operators with experience and training who were laid off at one plant applied at other plants advertising for their type of skill. Here they witnessed white women with lesser qualifications being accepted for the advertised openings while they were told that there were no such jobs as those advertised. The preceding cases of which I have personal knowledge and which were referred to the Detroit F. E. P. C., are at present, I am told, being negotiated.

I wish to cite just one more case, one which was quickly settled by the F. E. P. C. office in Detroit, and which involved a colored veteran who was discharged for alleged inefficiency by his immediate superior after only 1 day's employment. After preliminary investigation, F. E. P. C. contacted top management with the result that unwarranted discrimination on the part of a minor official was readily admitted and the complainant reemployed.

This case illustrates what we have found to be a common condition, namely, where industry discriminates, it is frequently traceable to subordinate employees who give full vent to their own prejudices without the knowledge of top management. It likewise is another illustration of the reason that fair employment practice legislation is regarded by members of minority groups as a second Magna Carta, symbolical of the good faith of their Federal Government.

Gentlemen, the cases I have just mentioned are forerunners of the type of discrimination we will face in the future. We in Detroit do not like to be pessimistic about the community problems we are headed toward. We are trying to prepare for them as best we can.

Senator CHAVEZ. And of course you consider a government has responsibility in that respect.

Mr. ANDERSON. That is exactly why we are here today, literally pleading for the immediate establishment of a permanent Fair Employment Practice Commission. That is the only reason. The tradition of hiring Negro workers last and discharging them first holds true for Detroit as for the rest of the country. There, as elsewhere, in past periods of declining employment, colored workers have been frozen out of even the most undesirable jobs. Today, many colored workers have little seniority; some have a considerable amount. Whether, however, their job tenure has been long or brief, colored union members expect rigid adherence to the seniority provisions of their unions. All that they are asking now, and will ask, is that these rules be adhered to.

Incidentally, that means they expect no favoritism.

However, if those rules are thrown aside as they are likely to be if we have no Federal policy to assure the equal protection of seniority rights for minority group workers, we expect trouble. Colored workers and the nearly a million colored veterans, as well as other minority group members, who have worked or fought through this war for the "four freedoms" will not supinely accept the disregard of seniority rules. They expect, as citizens of America, to receive what is rightfully due them—no less, and no more.

Without a Federal commission, as outlined in this bill, to which to turn for orderly redress of their grievances, they will, as colored workers did in similar instances before the present Fair Employment Practice Committee, turn to their own pressure organizations in a last desperate hope of redress—and the tactics used by such pressure organizations to secure redress, although used justifiably as a result of desperation, are not such as most communities deem desirable. In addition the pressure organization cannot, even on a local scale, hope to achieve the desirable and permanent ends to be accomplished by Federal legislation.

For the great majority of the citizens of Detroit and of the United States are always ready to comply with the laws which are passed and enforced by the Federal Government, the regulations of their unions, or the rules of their employers.

In conclusion, I wish to state that we in Detroit who are today urging the gentlemen of this committee to leave no stone unturned in securing the immediate passage by Congress of this legislation, do not, however, expect that its adoption will automatically end discrimination in industrial employment overnight.

We know of no law in history that ever received 100 percent compliance. Lawbreakers are always with us. The majority of people,

however, are law-abiding. Furthermore, from law they receive a support for their way of life which gives meaning to existence and emotional security in the rightness of their Nation's religious, political, and economic values.

Passage of legislation such as the type intended in this bill will undoubtedly encounter some amount of resistance before it wins the customary automatic acceptance. This was true in analogous instances where the Congress stepped in to provide orderly procedure in industrial relationships which otherwise would have been fraught with perpetual strife and chaos, such as for example, in the instances of the Wagner Labor Relations Act and the Fair Labor Standards Act. Both of these enactments met with resistance not only during the course of their passage through the Congress but also during the early days of their enforcement and application. At this date, however, resistance to either of these is the exception to the rule, and their desirability is no longer questioned by anyone.

In reference to the legislation here under discussion, we feel that this, however, could be enforced with even less opposition from the beginning than that which the afore-mentioned enactments encountered shortly after their passage. In fact, we feel that compliance with the principles laid down in this bill would be even more popular and more rapidly granted. A broad base of education in the principles of fair employment practice has already been laid. Likewise, the people of the Nation are today more keenly sensitive to the vital need of giving lifeblood to our democratic and Christian principles than at any time heretofore in our history. Today they stand in need of the legislative support that their Federal Government can provide through S. 2048.

Senator CHAVEZ. Any questions, Senator Aiken?

Senator AIKEN. I want to commend Mr. Anderson on the presentation of his case. He has anticipated practically every question that I intended to ask of him. As I listened to his testimony, he has presented to us the enormous extent of the problem which we are likely to be confronted with in a comparatively short time. But although he has anticipated all my questions, he did not present us with the answers to quite all of them.

You mentioned once or twice the woman war worker. Besides the woman war worker there comes to my mind the disabled war worker who has perhaps to support himself and his family, if he has one, for the first time in years. What is going to happen to him? Under this bill are only those covered because of their race, creed, color, national origin, or ancestry? Has the witness any idea as to what is going to happen to the capacity for work of the disabled war worker? What is the solution of all the jobs for women war workers? Are they going to be willing to give up their jobs? Are the employers going to be required to discharge the woman war worker in order to keep a man employed?

Mr. ANDERSON. Positively not. I am not here going to advocate to compel anyone to discharge someone, as I see it, in order to make room for someone else. We are simply interested in employers who are hiring people not discriminating against people who are qualified in every way possible.

Senator AIKEN. Perhaps I am diverging from the subject a little bit. Inasmuch as Mr. Anderson seems to have touched on the Detroit

situation I would like to ask him to tell us what is going to happen to all of these women that have war jobs. Do you think they are going to be willing to go back to what they were doing before, or not, or are they going to want to keep on spending money? Of course, we know that some went for purely patriotic reasons. Some did not have to work; some did not go to work because they thought they ought to; there is a large number who went to work to make money.

Mr. ANDERSON. Senator, not having made any specialized study of this subject, I do not know all of the answers, but on the basis of my personal experience I would agree with your statement, that undoubtedly a large majority of them are going to attempt to remain in their jobs. That problem will be solved, but how it will be solved I yet do not know. I know a great many people are giving great consideration to it.

Senator AIKEN. But that situation will intensify that problem.

Mr. ANDERSON. Yes.

Senator AIKEN. I suppose it is a matter that will work itself out over the period of some years.

Mr. ANDERSON. What of course concerns us in Detroit, the people whom I represent, is that a colored worker shall not be discriminated against. Now, it is possible, in terms of the chaotic situation that we may have, that some groups may insist on keeping white women who have no responsibilities of supporting a family, keeping those women on the job in preference to breadwinners of colored families. That is the kind of situation we are particularly interested in. That is not conceivable at all.

Senator AIKEN. Do you think this law would help in that situation?

Mr. ANDERSON. Very definitely.

Senator AIKEN. You believe under this law if one of the manufacturers that had a Government contract discharged Negroes with large families to support and kept on, we will say, white women with very little responsibility, that that would constitute discrimination?

Mr. ANDERSON. Pardon me, Senator, but if I read this bill right, the bill says nothing about that subject whatsoever. We are not here talking about responsibilities that workers may have to families. That is not even suggested in this bill. Certainly by no previous statement of mine did I intend to imply that this bill was more concerned with the family breadwinner and worker with responsibilities than the worker without responsibilities.

Senator AIKEN. I did not think you did.

Mr. ANDERSON. I just wanted to make certain.

Senator AIKEN. I was just wishing for a little information, because the problem is so vast that it seems to me every little bit of hope we can get or any suggestion for coping with it is worth getting, and as long as you seem to know the situation very well, I was just fishing for a solution to some of the accompanying problems.

Mr. ANDERSON. The only thing that I pretend to know anything about at all is this subject that I have been testifying on. There are so many related industrial problems and each of them is in itself so complex that it is very difficult to keep correctly informed on the answers in each of these fields. Many people in Detroit, whom one comes in contact with, feel that women who just came into industry during the war emergency will undoubtedly have to go. That is, that a great majority of them will go, but that there will be many

who will remain in specific cases, such as where, due to changes in their families, they are now breadwinners, perhaps they are widowed as the result of having lost a husband in the Army, and possibly they are women with children.

Senator AIKEN. Have you noticed any reluctance on the part of the Detroit war workers who came from the States, particularly the Southern States, where the compensation of the workers is very low, a reluctance to return to those States from which they came? Michigan has a high unemployment-compensation rate, one of the highest in the country.

Mr. ANDERSON. I have only an opinion answer on that, and that is to the effect that most of the workers, whether colored or white, who have migrated to Detroit in the last few years, will choose to remain there rather than return to the State from which they came.

Senator AIKEN. They will stay where, in case they are unemployed and get in trouble, they will receive the most liberal treatment?

Mr. ANDERSON. Undoubtedly.

Senator AIKEN. And if they are employed again, they will receive the highest wages.

Mr. ANDERSON. Yes.

Senator CHAVEZ. I want to thank you, Mr. Anderson. You made a very fine statement.

Mr. ANDERSON. Thank you, gentlemen, for the opportunity.

Senator CHAVEZ. Miss Stevens.

**STATEMENT OF MISS THELMA STEVENS, EXECUTIVE SECRETARY,
WOMEN'S DIVISION OF CHRISTIAN SERVICE, OF BOARD OF
MISSIONS AND CHURCH EXTENSION OF THE METHODIST
CHURCH, NEW YORK**

Senator CHAVEZ. Do you have a statement that you want to make to the committee?

Miss STEVENS. Yes, Mr. Chairman. I am Thelma Stevens, executive secretary of the department of Christian social relations department of the women's division, Methodist Church, and I am here to make a statement representing the Methodist women who are concerned with this issue that is being discussed in this committee.

Senator CHAVEZ. Where is the headquarters?

Miss STEVENS. The headquarters of the department that I represent is in New York City.

Senator CHAVEZ. You may proceed.

Miss STEVENS. I am not sure that this group is aware of the fact that the official law-making body of the Methodist Church, the general conference, that was in session in May of this year, went on record as approving the principle of a Fair Employment Practice Committee and urged that steps be taken immediately to implement that committee so it might give more effective service.

Senator CHAVEZ. Is this association that you represent in any way connected with the service of Bishop Oxnam?

Miss STEVENS. Yes, Bishop Oxnam is one of the bishops of the Methodist Church. It just happens that I am secretary of the women's division, which is one of the divisions of the Methodist Church.

Senator CHAVEZ. Thank you.

Miss STEVENS. The statement that I shall make is not any attempt to go into any details, because we have had ample facts presented to us; it is simply an attempt to state the principle on which Methodist women are working today and to show those particular concerns that we are giving attention to what relate to this topic under discussion.

The Christian ideal, when translated into a practical program of action—

seeks to build a Christian democracy in which there is the widest equality of opportunity for every man of every race and group to give his best to society, and receive the best which society can give to him.

Such a democracy will insure the opportunity for every individual to work with unhampered freedom and security.

The women's division of Christian service of the Methodist Church, representing 1½ million organized women, is working toward this goal. The official action taken by this body in March 1944 urges Methodist women in all sections of the United States to work for the enactment of adequate legislation for increasing the services of the Fair Employment Practice Committee. This group of women recognizes the importance of congressional authorization of such a committee and urges this subcommittee of the Committee on Education and Labor to recommend favorably S. 2048, which will—

prohibit discrimination in employment because of race, creed, color, national origin, or ancestry.

If we are to demonstrate to the peoples of the world that we believe in the democratic ideal for all peoples, the law-making body of the land must take the lead and act in such a manner that partisan and sectional political and social patterns will give place to fair, unbiased programs of action that include every racial and religious group in the United States without any discriminatory governing patterns.

Methodist women want the United States Senate to enact this legislation that will insure a fair deal to the Mexican worker in Texas or California, the Japanese citizen or loyal alien from a relocation center, the Jew, Catholic, or Protestant from whatever section, the foreign-born, and the Negro in Mobile, Ala., Pascagoula, Miss., Detroit, Mich., or Brooklyn, N. Y. Unfortunately we live in a land where social patterns and traditions and prejudices determine the practices in our communities. Even many leaders in the Congress of the United States act largely in this new day in the light of old patterns and traditions. Without help from you unfair employment practices will continue in my State and yours.

The demobilization process is under way. It is imperative that every safeguard be provided to insure a fair distribution of jobs to returning service personnel regardless of race, creed, or national origin. We want the Congress of the United States to approve this principle of fair-employment practices, and such action will help make it possible for the returning Negro soldier in my State of Mississippi to stand the same chance of getting a decent job as his white brother.

There is grave danger that Negroes or other minority groups will be the first to lose their jobs in this transition period. Public opinion at this point needs the stimulation of Federal support. The church can build that public opinion more effectively with Federal legislative backing.

We boast of the "four freedoms" for the peoples of the world, and yet in thousands of homes in the United States not only is there the lurking specter of Want, but also his bodyguard and bedfellow, Fear. The church is concerned with its Christian ministry to the family. This concern must include plans for job security. Adequate employment with wages commensurate with services rendered mean good houses for the family, wholesome recreation, education for the children—good citizenship. Methodist women want these necessities for all families, not just for a privileged majority. When we insure job opportunity without discrimination to all peoples, then we remove fear and want.

We are also concerned in this great organized body of church women, that we show the nations of the world that Christian democracy can include all peoples on a basis of equality. When missionaries come home from India and make comparisons of practices in India and the United States, when we hear of employment practices in South Africa or the Belgian Congo, or when Mexico protests discriminatory practices against Mexicans in the United States, the Christian mission of the church is greatly handicapped. This is no time to publicize among other nations any superiority complexes that may be rooted in one section or another. The peoples of the world are looking to the United States for courage and renewed faith in the ideal of brotherhood. Platitudes are no good. We must voice our belief in democratic practices through legislative action, and we must practice that faith in law enforcement now that some day will stem from men's hearts without fear.

Methodist women everywhere are grateful to the courageous statesmen who sponsored S. 2048. We want this bill passed. We want fair employment practices legislated into being by the United States Senate at the earliest possible date.

Senator CHAVEZ. Is that your statement, Miss Stevens?

Miss STEVENS. That is my statement.

Senator CHAVEZ. I want to congratulate you and the ladies that you represent. To me the most encouraging thing in this hour of strife in the United States is to see Christian people, people who believe in the Supreme Power, working together for the benefit of man. Thank you so much.

Mr. Donald Henderson, president, United Cannery, Agricultural Packing and Allied Workers, Philadelphia, Pa., was to be here this morning but he sent a wire due to circumstances beyond his control he was unable to attend.

We will now call on Rev. Aron S. Gilmartin, if he is present.

STATEMENT OF REV. ARON S. GILMARTIN, CHAIRMAN, NATIONAL EXECUTIVE BOARD, WORKERS DEFENSE LEAGUE, AND OFFICIAL REPRESENTATIVE OF AMERICAN UNITARIAN ASSOCIATION, NEW YORK CITY

Senator CHAVEZ. Will you kindly identify yourself for the record, please?

Reverend GILMARTIN. Yes, sir, Senator Chavez and honorable Members of the Senate.

I come before you in a dual capacity: as chairman of the national executive board of the Workers Defense League, with offices at 112

East Nineteenth Street in New York City, and as the official representative of the American Unitarian Association with its headquarters at 25 Beacon Street, Boston, Mass.

For your further information, I am a Unitarian minister, and serve the Church of Our Father, Unitarian, in Newburgh, N. Y. In that city, I have been for 3 years the chairman of the interracial committee of the Newburgh Ministerial Association. In addition, I am the elected chairman of the Workers Defense League, national non-partisan agency for defense of the rights of labor.

Both organizations for which I speak are wholeheartedly in favor of the establishment of a permanent Fair Employment Practice Committee. The Workers Defense League, by its constitution, is committed to the end of all discrimination. We hailed the President's Executive Order No. 8802, which made specific the Federal Government's opposition to discriminatory practices in employment for reasons of race, creed, color, or national origin. We have been encouraged by the record of accomplishment of the F. E. P. C. which that order brought into being. The Workers Defense League was among the first to suggest F. E. P. C. be made a permanent branch of the Federal Government.

The American Unitarian Association has also gone on record—recently as its last annual meeting in Boston on May 24, 1944—in favor of a permanent F. E. P. C. I do not want to take your time to read the full resolution which bears the general title "Race Relations." The significant thing, gentlemen—and I was a delegate to the meeting which adopted this resolution, and know the association was fully cognizant of this significance—is that in this resolution, the F. E. P. C. is singled out for special mention and direct action.

This is the resolution they passed:

8. Race relations:

Whereas the annual meetings of the American Unitarian Association in 1942 and 1943 have gone on record as affirming and implementing our historic tradition of the struggle for the rights and liberties of racial minorities; and

Whereas the past year has seen significant gains in the position especially of the Negro people, as in the commissioning of Negro officers in the merchant marine and the Navy, the use of Negro airmen in the Mediterranean theater of war, and the recent decision of the Supreme Court outlawing "white primaries" in the South; and

Whereas the past year has also seen an increase of violence against minority groups, as in Detroit, Mich., Beaumont, Tex., and Boston, Mass., indicating the need for continuing vigilance by all groups interested in democracy: Therefore be it

Resolved, That the American Unitarian Association in its one hundred and nineteenth annual meeting declares its support of all steps which have been taken toward the goal of racial democracy, and that it affirms its support of all groups within our fellowship who have contributed, and will contribute toward interracial good will through effective community action, and commends the following of their example to all our churches and societies; and warns all members of our fellowship to be on guard against the intensified anti-Semitic, anti-Negro, and other divisive propaganda which now directly threatens our national unity; and be it further

Resolved, That the association record its support of the continued and strengthened activity of the Fair Employment Practice Committee, favor the establishment by act of Congress of a permanent Fair Employment Practice Committee, and send a copy of this resolution to the chairman of the present committee, and to the President of the United States.

I quote the final clause of the resolution:

Be it further

Resolved, That the association record its support of the continued and strengthened activity of the Fair Employment Practice Committee (and) favor the establishment by act of Congress of a permanent Fair Employment Practice Committee * * *

The present F. E. P. C. was an emergency body to meet a wartime need. This has made, and continues to make, unprecedented demands upon American industry. Never before has it been asked to produce so much, and in so short a time. The great expansion program which became necessary threw hundreds of thousands into the factories and the shops. Added to this was the constant calling of men into the armed services. When labor shortages resulted, no one was surprised. But one fact stood out; There was a large reservoir of manpower which was not being touched—the Negro. It was hampering our war effort, it might even defeat it. The use of this Negro manpower—both available and necessary—became imperative. Hence, the Executive Order No. 8802, and the F. E. P. C. to encourage compliance with its provisions.

The Industrial Commission of New York State, where I live, wrote of that period:

America is engaged in an all-out war on the economic, psychological, and war fronts. All must participate. Unless they do, we shall be in a tough spot. Negroes form 9.8 percent of the population and 20 percent of the relief rolls. It is incumbent upon us to employ this important part of the population * * *

The failure of industry to employ Negroes did not originate with the war and its needs. Rather, the need created by the war economy served to highlight and bring to general attention a condition which had long been prevalent. Industry was doing nothing new. In refusing to employ Negroes, industry was continuing "an established custom and practice which had existed in peacetime."

We are already beginning to look toward a return to peacetime. Talk of reconversion of industry is in the air everywhere. We shall all be glad to have peacetime production again—and all the things we have gone without for so long.

Shall we also reconvert to prejudice? Shall we reconvert to bigotry and discrimination in employment practices?

Those who are opposed to the establishment of a permanent (or peacetime) F. E. P. C., apparently would have us reconvert to prejudice and inequality of opportunity.

Beulah Amidon, writing a few years ago in the Survey, said:

Traditionally, Negroes have been restricted to hard, menial, dead-end jobs with wages below the earnings of white workers performing the same type of work in the same community.

Shall we reconvert to that?

A study by the Bureau of Employment Security in September 1941 disclosed that of 282,245 prospective openings in defense industry, 144,583 (51 percent) have been barred to Negroes as a matter of policy. This policy goes back to peacetime—it is not a product of the war.

The Negro was not the only group thus affected. The Mexican was similarly handicapped. In the last 6 months of 1943, the present F. E. P. C. handled cases including "racial discrimination," creed,

alienage, and national origin. I speak mainly of the Negro only because I am most familiar with him and his problem.

The Associated Industries of Cleveland reported in 1941 that two-thirds of all the concerns in that city with defense contracts have no Negroes in skilled or semiskilled work, and do not intend to do so. This explains, perhaps, why in Cleveland, Negroes compose 40 percent of the relief cases, and formerly 30 percent of the people on W. P. A., and 22 percent of all those registered at the Public Employment Service.

The traditional peacetime policy of discrimination in employment because of race became sharply defined in the case of the aircraft industry in the early stages of the war. Again using 1941 as the time, one company (Vultee of Nashville) said:

We do not believe it advisable to include colored people in our regular working force. We may at a later date be in a position to add some colored people in minor capacities such as porters and cleaners.

Or take another aircraft company—again in 1941 (North American Aviation, Inc.):

We will receive applications from both white and colored workers. However, the Negro will be considered only as janitors and in other similar capacities. * * * It is against the company policy to employ them as mechanics or aircraft workers. * * * There will be some jobs as janitors for Negroes. Regardless of their training as aircraft workers, we will not employ them * * *.

Mr. Donald Nelson, at one time, characterized such willful discrimination as tantamount to "treason."

The first year and a half of F. E. P. C. saw many changes.

Senator CHAVEZ. When was the date of the North American case? Reverend GILMARTIN. 1941.

The first year and a half of F. E. P. C. saw many changes. Negro employment increased in commercial shipyards from 6,952 to 12,820; in Navy shipyards from 6,000 to 14,000; and in aircraft from zero to 5,000.

Senator CHAVEZ. May I interrupt you again?

Reverend GILMARTIN. Yes.

Senator CHAVEZ. What is the status of conditions in the North American at this time, do you know?

Reverend GILMARTIN. I attempted to get that but was not able to, Senator. I don't know.

Senator CHAVEZ. Thank you.

Reverend GILMARTIN. I do know that in a report published by the State War Council of New York by its subcommittee on discrimination in employment they attempted to bring to the attention of employers the good practices of other companies in order to help them, as they called it, to integrate Negroes in industry. They cited many aviation corporations as examples of good practices, but I looked in vain for Vultee and North American in that particular publication. That does not mean necessarily that they have not changed their policy. I do not know.

In 1942 in New York City, for example, although the Negroes formed approximately 6.1 percent of the population, they still comprised 26 percent of all unemployed persons. In Buffalo, where they are around 3 percent of the population, they form 20 percent of the unemployed. These are official New York figures.

At the end of 1943, the F. E. P. C. was adjusting cases at the rate of two per day. The number of cases for 1944 has shown an upward trend. Although this trend may stop—or even reverse itself—there will still be need of a F. E. P. C. after the war as well as now.

Willful discrimination in employment of Negroes, or any other group, will still be treason, whether there is a war or not. It will be treason to the ideals of America and the purposes for which this war has been waged.

If there is no F. E. P. C. after the war, and we reconvert to prejudice and discrimination, we can expect a wave of violence and terrorism against the Negro, the Mexican, and so forth, many times worse than that of 1919.

Fundamental in our present day industrial society is the simple right of every human being to earn a living. "Jobs for all" is one of the crucial problems which confronts us as we look beyond this war. Whether we shall be able so to rearrange and maintain our economy as to provide jobs for all—and I mean all—remains to be seen. We all hope so. Even if we should succeed in doing this, there would be need of a F. E. P. C. to make sure that members of minority groups were not discriminated against in the kind of jobs available to them. If we should not succeed, and this is the great fear in the hearts of people, there would be urgent need of a F. E. P. C. to prevent the minorities from being evicted entirely, or almost so, from the remunerative work picture of American economic life. The Negro has already been the last to be hired. We must not complete the old saying by making him also the first to be fired.

As a matter of fact, jobs are the basis of the Negro's whole problem. The American Youth Commission, which conducted extensive studies, concluded that—

inability to find employment is the basic cause for the Negro's high rate of crime, delinquency, tuberculosis, pellagra, rickets, malnutrition, and broken families.

It has become an American dogma that the Negro question is insoluble. It may be so, although I doubt it. But it seems to me that the F. E. P. C. is a new approach to the problem and one which goes very close to its roots.

Gunnar Myrdal, the noted economist, who has recently completed a definitive study of the American Negro, reaches the conclusion that some new legislation, national in scope, is necessary to deal with the problem. I venture to say that this bill for a permanent F. E. P. C. if passed, might well mark a turning point for the Negro and all minorities in America.

The members of this committee should know that there is an increased discontent among minority groups, a discontent which springs from the current talk that no action can be expected on this bill until after the election. Negro leaders especially want action now, not promises, from either or both parties, of post-election action. As a matter of fact, their faith in both political parties is strained to the breaking point, by what would seem to be "playing politics" with the simple rendering of justice to American minority groups. Failure to pass this bill now for a permanent F. E. P. C. will surely break that faith on election day for countless Negroes of Republican and Democratic persuasion.

Let me say one more thing in conclusion. Because this problem of discrimination has been with us so long, we are very apt to exaggerate the difficulty of doing anything about it. I do not say it is easy, for it is not. But the splendid record of achievement to date—partial as it is—demonstrates clearly that it can be done. The work of the present F. E. P. C. and, in my own State, of the Committee on Discrimination in Employment, indicates that the obstacles are not insurmountable.

I believe the people themselves are more aware than ever before of the underlying purposes and principles for which this war has been fought. They are not content to have an American application of the Nazi doctrine of racial superiority. They are ready and willing aggressively to expand and extend democracy—not only to the peoples of the world, but to all the peoples within our own borders.

A permanent F. E. P. C. now would assure nearly a million Negroes in the armed services that reconversion to peacetime production will not mean reconversion to prejudice. Passage of the fair employment practice bill now, as reconversion begins, would establish policy for all new employment. It would be a decisive step toward a freer and happier tomorrow.

Senator CHAVEZ. Thank you, Dr. Gilmartin. May I make this observation before you leave the chair: I believe that I voice the sentiments of the Senator, my colleague, who has listened very patiently to the testimony on this bill, and I can express my own feelings.

I am extremely sorry that, due to circumstances we could not help, other members of the committee have not been present, but it is our hope to present this bill to the full committee at the earliest possible moment for action.

Reverend GILMARTIN. It is very nice to know that, Senator.

Senator AIKEN. I want to say there is no difference of opinion among the members sitting on the subcommittee in that respect, but it is one thing to desire prompt action and another thing to get it. The business of many of the members of the subcommittee at this time has kept them away from this hearing. I can appreciate the desire of those having contests at home to be at home and not let their opponents do all the campaigning. It has been very difficult to get them here just before election.

Reverend GILMARTIN. We appreciate the difficulties.

Senator AIKEN. You may be sure we will do all we can to get action on it as soon as we can because, as I said the other day—I do not think you were here—if this is needed, if this law is needed it is needed before the time comes when we will have to use it in earnest, you might say, before the situation has got so bad that laws might not have the effect of controlling the discrimination as they would be if they were available to be used when they are needed.

Reverend GILMARTIN. I am very appreciative of both your expressions of interest in the bill and your desire to push it as quickly as possible. I know there are difficulties in the way of getting prompt action however much one desires it, but I do repeat again I feel that the matter is urgent and that the groups concerned feel a sense of urgency about the matter.

Senator CHAVEZ. I have always been of the opinion that basic law is more important than political pronouncements from any department.

Reverend GILMARTIN. Thank you.

Senator CHAVEZ. Mr. Marshall.

STATEMENT OF GEORGE MARSHALL, CHAIRMAN, NATIONAL FEDERATION FOR CONSTITUTIONAL LIBERTIES

Mr. MARSHALL. My name is George Marshall. I am appearing as chairman of the National Federation for Constitutional Liberties, which is a national civil rights organization having the cooperation of professional, trade-union, farm, church, Negro, Jewish, and civic organizations and leaders in some 46 different States.

Senator AIKEN. Does your organization have any connection with the Constitutional Liberties League or Civil Liberties League?

Mr. MARSHALL. Well, I am not sure which organization you mean, Senator. It is not the Gannett organization to which we are strongly opposed, if that is the one you mean.

Senator CHAVEZ. I think Mr. Hayes is connected with it.

Mr. MARSHALL. The American Civil Liberties Union?

Senator CHAVEZ. Yes.

Mr. MARSHALL. No; that is a different organization. The National Federation for Constitutional Liberties considers the right to work and to advancement regardless of race, color, creed, or national origin as a fundamental, constitutional liberty for which Americans have fought and died since the beginning of our country's history, and for which Americans fight today. The whole basis of the American democratic tradition has been the judging of a person solely on the basis of what he is, what he does, and what he is capable of doing, regardless of his race, religion, or ancestry.

The antithesis of this American outlook is the Nazi doctrine of race superiority. This has led to the exclusion of Jewish people from most employments in the Nazi countries, to their segregation in ghettos, to the progressive annihilation of more than a million Jews. During the past few weeks the press has published snatches of the shocking story of the wholesale slaughter of many national minorities in the human abattoirs of the Nazis in Poland.

The Nazi racist policy has been likewise directed against the Negro people. One of their leading propagandists, Julius Streicher, stated at Nuremberg in 1941:

The liberation of the black slaves was one of the two great crimes committed in the last two centuries.

This vicious doctrine of racial and national superiority was an integral part of the Nazi strategy and program of world domination which plunged the world into this terrible war. The sensational progress now being made by our armed forces and that of our allies in smashing the armed power of the Nazis must be accompanied by the elimination of the Nazi doctrine and practice of race hatred and discrimination from our country. This is particularly important in the field of employment. Although the Nazis are being smashed on

the battlefields of Europe, it is well known that they are already making plans for a new attempt at world domination involving a third world war and the spreading of racial and religious antagonisms in preparation for it.

It is therefore particularly dangerous for us to permit the continuance of racial and religious discrimination in our country, particularly in the all-important field of employment.

Although discrimination is contrary to the best American democratic tradition, unfortunately there are a number of individuals and organizations which consciously foment racial and religious hatred and discrimination. They include the Ku Klux Klan, the Christian Americans, Gerald L. K. Smith and his organizations, the Christian Front, and the 29 persons now on trial in Washington for sedition. It is my firm belief that the activities of these and similar groups, playing Hitler's game in America, have been in large part responsible for the insurrection in Detroit in the summer of 1943 directed against the Negro people, the outbreaks against Jewish people in Boston, and the riots against American Mexicans in Los Angeles, and the recent Philadelphia transit strike. All of these outbreaks interfered with war production and shattered morale. The activities of these organized race-hate groups, together with the activities and prejudices of diehard white supremacists and anti-Semites, have been in large part responsible for creating the atmosphere and social pressures which have resulted in the continuance of discrimination in employment in many areas.

With these forces at work, discrimination in employment will not vanish by itself. The consistent effective functioning of a Government agency devoting its energies to education, persuasion, and enforcement is essential.

The President's Fair Employment Practice Committee has, with limited resources and authority, and against sharp opposition from certain quarters, has made major advances in doing away with discrimination in employment. The story of its remarkable accomplishments is told in part in a report of the F. E. P. C.'s Division of Review and Analysis entitled, "The President's Committee on Fair Employment Practice, Its Beginning and Growth and How It Operates," published in March 1944, and in the testimony of Malcolm Ross, Chairman of the F. E. P. C., before the House Committee on Labor considering the Dawson-Scanlon bill, which is the companion bill to S. 2048.

I do not wish to take your time in repeating here the statistics and facts contained in these documents; however, I should like to point to the F. E. P. C.'s recent victories on the Philadelphia and Los Angeles transit systems, and to its continuing quiet work of breaking down discrimination in employment and upgrading in establishment after establishment throughout the country.

Its mere existence and the ability of those discriminated against to appeal to it constitutes an important pressure against discrimination.

I should also like to point to the very wide approval that the F. E. P. C. has received from leaders from all parts of the country and from all occupations and faiths, and with your permission I would like to introduce a series of statements which we received at the time

that the present F. E. P. C. appropriation bill was up for consideration in June of this year. These statements are from people including Archbishop Lucey, whose message was read here this morning; Rev. Father Ford; Rev. Frederick May Eliot of Boston; Bishop Walter Mitchell, of Arizona; Mr. William Green, president of the A. F. of L.; Mr. Philip Murray, president of the C. I. O.; Mrs. Louis D. Brandeis; Rabbi Stephen S. Wise; Mr. Roscoe Dundee; Mr. James Egert Allen, president, New York State Conference of N. A. A. C. P. Branches; Mr. Ferdinand C. Smith, secretary of the National Maritime Union, which has done so much to abolish discrimination in employment; Mr. James G. Patton, president of the National Farmers Union; Mr. C. B. Powell, editor and publisher of the New York Amsterdam News; Robert W. Searle, general secretary of the Greater New York Federation of Churches; Dr. Max Yergan, secretary of the Council of African Affairs; Mr. Rex Stout; Mrs. J. Borden Harriman, former Minister to Norway; Rev. W. J. Jernagin, who I believe appeared before this committee; Mr. Henry Monsky, president of B'nai B'rith; and others, and if you wish that entire list of statements included in the record I shall be glad to leave it with you.

Senator CHAVEZ: The statements will be received by the committee, but the committee will decide whether or not it should go in the record in its entirety or whether reference will be made to it only.

Mr. MARSHALL: Thank you.

The value of the Fair Employment Practices Committee in helping solve the war manpower problems through bringing more minority groups into industry and into higher skills, and in strengthening national morale and unity, has been proved. It is now time that the F. E. P. C. be placed on a permanent basis through legislation.

This will have a number of important results.

1. It will strengthen our country's policy against discrimination in industry based on race, creed, color, or national origin. The mere fact that Congress passed a bill enunciating these principles and implementing them would have a tremendous effect throughout the country.

2. Graduating the F. E. P. C. from its present tenuous basis, would protect it from many of the attacks of its enemies which have continuously interfered with its work and which at one time brought it to a standstill.

3. The bill now under consideration, through providing sanctions, powers of enforcement, and through giving the F. E. P. C. a wider scope, would greatly strengthen its effectiveness. It would change it from an agency that depends largely on education and persuasion and occasionally through certifying actions to the President to an agency that could act on its own authority of enforcement. Presumably an agency of this scope, set up by Congress, would receive a larger appropriation for a staff of adequate size to handle the tremendous volume of work which it would face in the coming years.

4. The stronger basis provided by S. 2048 would enable the F. E. P. C. to perform its duties more effectively during the final critical phases of the war.

5. In view of the fact that our allies among the United Nations are composed of more than 300 nationalities, the majority of whom are

colored people, a strong antidiscrimination policy with a strong F. E. P. C. to enforce it would greatly strengthen the unity of the United Nations and the new international peace organization which is being formed. It would also increase the respect of our allies for our country. It is a necessary answer to Hitler and all he stands for.

6. Our country itself is made up of many minorities. There is really no group in our country which can call itself a majority. For example, according to statistics of the World Almanac, largely based on the United States census, there are in our country some 132,000,000 people; of these there are about 13,000,000 Negroes, 1,000,000 other minority races, about 5,000,000 Jewish people, 11,000,000 foreign-born, and more than 22,000,000 Catholics and, in addition, over 23,000,000 Americans having at least one foreign-born parent.

All of these groups in one way or another have been discriminated against during the past years. They total some 82,000,000 people. This leaves a remainder of some 47,000,000 Americans. We must also consider the fact that there are some 256 different religious bodies in continental United States.

Well, it is very easy to imagine what would happen if the discrimination that has come down so heavily against the Negro people spreads, as it has spread in many cases, to each of these different minorities. If the whole Hitler policy of divide and conquer takes even more effect than it has already taken and all these groups are gotten into a position of fighting one against the other, then the position of our country would be an extremely disastrous one.

So it seems to me essential that it be thoroughly realized that discrimination against any one group is not only a matter of denying the basic democratic rights of that group itself, but that it endangers the whole Nation. We should not think in terms of this minority as against the rest of the country or that minority against it. Our country itself is made up of many different groups which have learned to work together. Without the interference of Hitlerlike organized groups and ignorant people who foment race prejudice and race hatred leading to discrimination in employment and civil rights, our country can go forward rapidly in solving the great problems it faces during the coming years in the spirit of democracy.

7. A permanent F. E. P. C. and the policy which it stands for would be a great liberating force. The removal of the constant practice and threat of people being treated as second-class citizens will enable countless members of minorities and creeds who are now disgusted with their treatment and who are doing work far below their capacities, to work with enthusiasm at their top abilities and skills. The tremendous contribution resulting to our country's welfare can only begin to be estimated.

8. The F. E. P. C. is an essential agency for the period of reconversion. The policy of treating minorities as a labor reserve must be broken down. In other words, the policy that when more workers are needed, we can call on Negro people, or Jewish people, or foreign-born people, or one or another special group, and then throw them into unemployment and lower skills when peak of production ends, must be terminated. Negroes and other minorities which were given new job opportunities during the war should not be the first to be laid off during

the reconversion, and if there is unemployment they must not be the first to be put out of work. The F. E. P. C. must be on hand with full powers to prevent any such unjust policy in dismissals and rehiring and reclassifying skills. It must be on hand to overcome frictions resulting in the change from wartime to peacetime employment. If there is full production after the war, exceeding the level of wartime production, as we all hope there will be, then the F. E. P. C. will continue to be needed in solving the manpower problem as well as the problems of national morale and unity, as well as the protection of the democratic rights of all Americans. Based on the speed of our armed forces abroad, little time is left to plan for reconversion. I, therefore, wish to urge you to report S. 2048 promptly to the full Committee on Education and Labor with a strong, favorable recommendation.

Senator CHAVEZ. Thank you.

The committee will stand adjourned until tomorrow at 10:30.

(Whereupon, at 12:30 p. m., an adjournment was taken until 10:30 a. m. of the following day, Thursday, September 7, 1944.)

FAIR EMPLOYMENT PRACTICES ACT

THURSDAY, SEPTEMBER 7, 1944

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON
EDUCATION AND LABOR,
Washington, D. C.

The subcommittee met at 10:30 a. m. pursuant to adjournment, in room 307, Senate Office Building, Senator Dennis Chavez (chairman of the subcommittee) presiding.

Present; Senators Chavez and Aiken.

Senator CHAVEZ. The committee will come to order. Amongst the persons invited to appear personally before the committee to make statements was Archbishop Edwin V. Byrne of the Archdiocese of Santa Fe, N. Mex., possibly the oldest diocese of the Catholic Church in the United States. I have received a letter from Archbishop Byrne, dated September 6, 1944, which I desire to insert into the record at this time, together with a short statement, pertaining to Senate bill 2048. This letter is dated Santa Fe, N. Mex., September 5, 1944, and is addressed to myself. It states:

DEAR SENATOR: In answer to your request for a statement on Senate bill 2048, I am forwarding the enclosed.

With all good wishes, I am,
Sincerely yours,

EDWIN V. BYRNE,
Archbishop of Santa Fe.

His statement is as follows:

Senate bill 2048, To prohibit discrimination in employment because of race, creed, color, national origin or ancestry, seems to stress the innate dignity of man and the welfare of human beings. Its passage, therefore, would be an instrument of purposeful protest against ruthless intolerance, and would be a dyke to discrimination on the part of employers against certain minority groups.

It is a sad indictment of the people of the United States that racial prejudice exists in our country. The Declaration of Independence emphatically declares that all men are created equal with certain inalienable rights and that all have the right to life, liberty, and to the pursuit of happiness. Unfortunately many employers do not apply this spirit to all of their countrymen. Each human being, no matter what his race, color, creed, or origin may be has a soul, has the instinct of self-preservation, and has the right and skill to survive—and to live on a plane that his soul, his skill, and his intelligence dictate.

It seems to me that the purpose of the proposed legislation is to alleviate the difficult situation in which minority groups have to struggle and to eradicate gradually racial prejudices in our United States. Any project doing these things merits our endorsement and aid.

EDWIN V. BYRNE,
Archbishop of Santa Fe.

Is Miss Detzer in the room?

**STATEMENT OF DOROTHY DETZER, NATIONAL SECRETARY,
WOMEN'S INTERNATIONAL LEAGUE, WASHINGTON, D. C.**

Senator CHAVEZ. Will you kindly tell the committee what your name is and whom you represent?

Miss DETZER. My name is Dorothy Detzer and I am the national secretary of the Women's International League, 1734 F Street, Washington, D. C.

Senator CHAVEZ. Will you kindly tell the committee what the functions of the Women's International League are?

Miss DETZER. Mr. Chairman it is a peace organization as well as an organization working for civil liberties.

Senator CHAVEZ. Just what, specifically, does it do?

Miss DETZER. It is an organization working for both peace and civil liberties, with its international headquarters in Geneva. It has had sections in 24 countries in the world, most of which, of course, have been smashed by the advance of the German armies through Europe.

I am the American secretary of the United States section.

Senator CHAVEZ. It is organized in this country?

Miss DETZER. It is organized in this country, although it is both a national and international organization. It has had sections as I say in various countries. It was originally organized by Jane Addams of Hull House in Chicago in 1915. It was born in the beginning of the last war, as a matter of fact. At that time, at the very beginning, it had only 12 national sections, but, as I say, around 1930 there were about 24 sections.

Senator CHAVEZ. The personnel of the organization is composed of American members?

Miss DETZER. Composed of American members.

Senator CHAVEZ. Do they have any particular profession?

Miss DETZER. Oh, no; just any American citizen, any women who believe in the aims of the league and pay the prescribed dues.

Senator CHAVEZ. What are the aims of the league?

Miss DETZER. I do not happen to have with me the statement in which the aims of the league are written out, but as the name implies, we believe that it is impossible to have peace without freedom or real freedom without peace, that the two are twin sisters that must go together. Therefore, in working for a peaceful world, we do work always on the whole problem of freedom as it relates to races, classes, creeds, and so forth.

Senator CHAVEZ. Have you prepared a statement?

Miss DETZER. Yes; I have.

Senator CHAVEZ. You may proceed.

Miss DETZER. I should like first of all, Mr. Chairman, to submit a resolution passed by our organization favoring this legislation. The resolution is as follows:

RESOLUTION—FAIR EMPLOYMENT PRACTICES COMMISSION

To Members of Congress:

The National Board of the Women's International League for Peace and Freedom, meeting in Detroit, January 28-30, 1944, conscious of the fact that discrimination in employment practices on account of race, creed, national origin,

or ancestry is a denial of democratic principles, calls upon the Congress of the United States of America to enact H. R. 3986 prohibiting such discrimination and establishing a Fair Employment Practices Commission.

Senator CHAVEZ. May I interrupt you?

Miss DETZER. Yes.

Senator CHAVEZ. How many people are connected with this organization?

Miss DETZER. About 50,000, I think. It is difficult to give an exact number. It fluctuates.

Senator CHAVEZ. Is it regional or national?

Miss DETZER. It is national. It has State branches and local groups.

Senator CHAVEZ. In how many States?

Miss DETZER. There are about 26 organized States, but there are members in every State in the Union.

Senator AIKEN. Do they pay dues in the organization?

Miss DETZER. Yes.

Senator AIKEN. Do you have contributions besides dues?

Miss DETZER. Yes. I think, Mr. Chairman, there is very little that anyone can add today to the testimony which has already been presented to this committee in favor of the legislation, but I merely want to underline a single aspect of the problem which has already been touched on by others, but which I feel has not been sufficiently emphasized—namely, the international value of this pending legislation.

I suppose most of us would agree that the single most important problem after the war will be the problem of race. Mrs. John Gunther in a recent article made a very interesting observation. She said that after 25 years since the last war, we can see the real significance of that war was the coming of the Russian revolution; and that perhaps 25 years after this war we shall be able to look back and see that the real significance of it is the coming Indian revolution. I think Mrs. Gunther narrows it too much by limiting it to the Indian revolution, but I think most of us who are aware of the stirring, awakening, growing movement of peoples realize that there is a "racial" revolution taking place in the world. I am using the word "revolution," of course, in its original, basic sense by meaning that a fundamental change is taking place. Now, such great tidal movements in history cannot be stopped, as we all know. They may be retarded but not stopped. I always like to think of what Victor Hugo said about such movements in history:

There is one thing mightier than armies, and that is an idea when its time has come.

It seems to me, from the remarks of members of this committee, it is quite obvious that the time has come for the realization of the idea of equality among the races.

Senator CHAVEZ. Of course, when you are referring to equality you are referring to equality of opportunity.

Miss DETZER. Yes, equality of opportunity. Of course, I happen to believe too in all equality, but I am speaking to this bill and this bill is limited to equality of opportunity.

As an American, I am very proud that our country has demonstrated its moral leadership in taking already two steps in the way of

equality—namely, the action of the Congress in this last year in abrogating the Exclusion Act as it relates to China and the action of our Government in regard to putting forward the date of Philippine independence. Now, these two acts relate to races outside our borders. Yet only when our country gives substance to these international gestures by providing equality of opportunity within our borders does it seem to me that the sincerity of those acts will be actually confirmed.

We want this bill to become law because we believe that it is in line with the finest American tradition and because it is a pure matter of justice. But it is for more than this that we urge its passage. Our country has demonstrated its capacity as a leading economic power in the world today, but history in a sense is merely the monotonous record of the collapse and passing of civilizations and cultures which have depended alone on the fact of power or of political skill and ignored the necessity of moral values.

This pending legislation recognizes, we believe, a basic value, so we urge its passage because in America it is a matter of justice. But we urge it also because we are profoundly convinced that this act of justice would have a psychological and moral effect throughout this world which cannot be measured.

I want to say a word too in regard to this legislation, in its effect on our Jewish citizens. The strange and degrading phenomenon of anti-Semitism, of course, has existed in the world for some time, but as far as I know and as far as I have been able to find out, never before until the Nazis came to power was this particular evil used as a national policy. This deliberate policy is perhaps as barbarous a thing as any government has ever done in the history of the world. Almost anybody can recognize that this national sin of commission is one of the greatest evils that the world has ever known, but there are also national sins of omission. We believe if our Government fails to act affirmatively about this problem as it relates to Jews in our country that we will be guilty of a sin of omission that will not, of course, be equal to what the Nazis have done, but will differ only in degree if not in kind. So from the point of view of our Jewish citizens, it seems to us that this bill is the kind of action that America must take—an affirmative act which will show not only that America repudiates the kind of thing that has happened abroad, but can deal creatively with such a problem.

Senator CHAVEZ. May I interrupt? I am trying to follow your reasoning so I can understand it. What you have in mind, notwithstanding the fact that there might be and probably will be from now until doomsday individual prejudices and individual discrimination, you do not want governmental sanction of that prejudice and discrimination.

Miss DETZER. Yes. We not only do not want governmental sanction of prejudice and discrimination but it seems to us that a government which possesses real moral leadership must act affirmatively in regard to prejudice and injustice.

Senator CHAVEZ. It accepts the responsibility.

Miss DETZER. It accepts the responsibility. That is all I have to say, Mr. Chairman.

Senator CHAVEZ. Thank you very much.

Dr. Reissig.

STATEMENT OF DR. FREDERICK E. REISSIG, WASHINGTON COMMITTEE ON INTERRACIAL RELATIONS, WASHINGTON, D. C.

Dr. REISSIG. Mr. Chairman and Senator Aiken, my name is Frederick E. Reissig. I am vice chairman of the Citizens Committee on Race Relations of the District and chairman of the executive committee. This committee is made up of 80 leading white and colored citizens organized about a year ago. I have before me the first printed annual report of this committee.

Mr. Chairman, I am here just for a moment to say that this committee would like to go on record as favoring this bill, and also I would like to give just one illustration of how discrimination works in a professional group locally. I refer to the Gallinger Hospital, which is a municipal hospital, in which there are over 1,000 patients and 70 percent of these patients are colored, and outside of seven graduate colored nurses in this hospital it has no colored nurse, no visiting colored physician is allowed in this hospital. No colored patient who goes to this municipal hospital can have a colored physician to attend him. I just want to give this one illustration as to how discrimination works locally among a professional group.

That is the only statement, Mr. Chairman, that I wish to make.

Senator CHAVEZ. That is a bad feature of the whole thing.

Dr. REISSIG. Yes.

Senator CHAVEZ. Now, can you tell us why this bill should pass?

Dr. REISSIG. In order to remedy the condition.

Senator CHAVEZ. In order to remedy the condition which you have outlined?

Dr. REISSIG. Yes; we hope this bill will help this condition.

Senator CHAVEZ. Have you read it?

Dr. REISSIG. I know it in principle.

Senator CHAVEZ. Will you state to the committee then your ideas as to the principle?

Dr. REISSIG. That there should be no discrimination in industry or in labor or business, in employment of any kind. I take it that is the principle of it.

Senator CHAVEZ. Yes. Of course, there is a school of thought—very substantial, too—that maintains that individual business and individual persons should act with all kinds of freedom. Do you feel that it should go to the extent of having that freedom developed in public institutions such as the Gallinger Hospital?

Dr. REISSIG. Well, I should think so. It would seem so. I do not know why it should not. This is largely a race issue that we are trying to overcome.

Senator CHAVEZ. The point I want to make, Dr. Reissig, is this: Of course, we cannot control the millions of individual instances which we face.

Dr. REISSIG. That is right.

Senator CHAVEZ. We are going to have individual race prejudice and individual race discrimination, but do you think a government should have institutions tolerating discrimination in races?

Dr. REISSIG. No, indeed.

Senator CHAVEZ. Thank you, Doctor. It appears that there are some witnesses who were to appear and who are not present at the

moment, and there are some witnesses that were down on the list and that have other business to attend to, so I shall try to accommodate them.

Is Mr. Carey here?

STATEMENT OF JAMES B. CAREY, EXECUTIVE SECRETARY, CONGRESS OF INDUSTRIAL ORGANIZATIONS, WASHINGTON, D. C.

Mr. CAREY. My name is James B. Carey. I am secretary-treasurer of the Congress of Industrial Organizations. I appear here to testify in behalf of President Murray, of the Congress of Industrial Organizations.

I come before your subcommittee to urge a favorable and early report on S. 2048, a bill to make the Fair Employment Practice Committee a permanent Government agency.

I urge this favorable report in the name of more than five and one-half million American men and women of all racial and national origins who comprise the membership of the Congress of Industrial Organizations.

The principles of our organization are the very opposite of discrimination on grounds of race, color, creed or nationality. This is more than a matter of simple justice with us, though the application of just treatment to all is one of America's cornerstones.

It is a matter of practical common sense. The unions that are affiliated to the C. I. O. have found that discrimination against any minority of our citizens results in damage to the interests of all. We have found this true in practical, day-to-day application, and considerable of the success of the C. I. O. in building powerful unions for mutual protection is due to the recognition of that truth.

The Nation as a whole, due in large measure to the excellent work of the Fair Employment Practice Committee, and to the impact of a great war, has made the same discovery. War production has demanded the end of discrimination on the job as a wasteful and highly dangerous habit that must be ended to secure maximum output through maximum national unity.

The soldier at the front does not inquire into the color or beliefs of the worker who makes his weapons. All he requires is the assurance of a sufficient supply to enable him to do his job. Only by breaking down racial barriers on the job have we been able to secure that supply in sufficient quantity and of sufficiently high quality to be worthy of our fighting men.

The soldier at the front has further required the assurance that decency and fair play still obtain at home. The struggle against discrimination in the United States has contributed in direct ratio to its success to the achievements of the fighting forces. Our successful fight against nazi-ism, fascism, and Japanese militarism has been immeasurably aided by the degree of success we have achieved in the fight against racism here at home.

Now that military victory is approaching rapidly, we come closer to new problems that will require ever greater national unity for the solution. The role of our Negro citizens, of citizens of other minorities and origins in the solution of these problems becomes even greater than before.

After the victory we shall have the gigantic problem of reconverting our war economy to peacetime uses. The C. I. O. has advanced the program of full employment at production work, with decent wages, as the solution to this problem. Full employment means exactly what it says—jobs for all, barring none for reasons of race, color, or origin.

Without such a program, our country can easily slip back into a depression so terrible that it will dwarf all our previous tragic experiences. During these experiences, our Negroes and other minority groups have suffered especially keenly. This must not happen again. We must never permit our people or any section of them to go through the misery and dislocation of the Hoover era.

Putting the F. E. P. C. on a permanent basis will be a long step toward averting unfairness and invidious treatment of any groups in the future. The F. E. P. C. has functioned well in the war period. It must be allowed to continue functioning for the good of the Nation in the post-war adjustment.

Even after the military defeat of the two remaining powers of the Axis, we will still have enemies of full democracy at work in our country as well as abroad. If they can point to discrimination, either economic or social, against minorities within our borders, we shall have thrown away part of our victory.

The Negro people and other minority groups have made their contribution to victory in the war. Their record in the armed forces and on the home fronts is second to none. Are we to allow them to slip back now into the category of second-class citizens that our racists would like to see them occupy?

The Fair Employment Commission proposed in this bill is a strong answer to this antidemocratic proposition. There is nothing in the bill that runs counter to any American freedom. On the contrary, everything that it provides will serve to strengthen that freedom by strengthening the unity of the people who partake of it.

The C. I. O. has consistently opposed discrimination and Jim Crow of any kind. In line with this traditional and successful policy of more than five and one-half million American men and women, I urge you to render an early and favorable report on the measure before you.

Senator AIKEN. I should like to ask Mr. Carey a question in the hope of getting an answer that I was unsuccessful in getting from Mr. Anderson, of Detroit, yesterday. The purpose of this bill is to prevent discrimination against minority groups, particularly as between race, color, national origin, or ancestry. That is all right as far as it goes, but it seems to me it falls short of meeting the immense problem which we may have after this war.

We all hope we will not have this great depression which everybody is talking about and not enough people are doing anything about, but it appears to me there are other minority groups, too, that are going to be seriously affected if we have a great degree of unemployment, and that is the class of war worker who perhaps has been supporting himself for the first time in his life, for the first time in many years, and will be returned perhaps to the relief rolls. Then you have got an employee that is a little bit overage for the purposes of most industrial plants, maybe 55 or 60 years old. It seems to me that he may go out in favor of some younger man who can earn more for the employer and

will not cost more to hire. But the group which I am particularly thinking about is the woman war worker. It is my understanding there are 2,000,000 of them. I do not know how many; I presume you know. Some of them will undoubtedly want to go home, as some of them will take up other employment, perhaps, like school teaching. They will earn less money, but will be willing to do so. But it appears there is a substantial number that will want to retain their jobs, in competition with the men, in some of these war plants. They are earning their own living, perhaps for the first time in their lives, they like it and they do not see why they should not have an equal opportunity with men. What position are they going to hold in this post-war readjustment period in the event it becomes necessary to lay off quite a lot of the employees from those plants? What do you think we ought to do about it?

Mr. CAREY. There is no sound reason why everyone that is able and willing to work should not have employment, regardless of sex, color, national origin, or any other reason. Now it is necessary that we should adjust some economic problems that have been confronting this country for quite some time regarding that question. This Nation has been blessed with an abundance of raw materials, it has the brains and people to use the raw materials, and it has tremendous resources of manpower and womanpower. There is no reason whatever that we should not continue full employment as it exists today, in fact increase the efficiency of the use of our resources. Certainly we have made great gains, and there is no reason why we should not. I think if we meet these problems one at a time, or all together when we can, we can work out our difficulties.

I think the war itself has eliminated a great deal of the prejudice against women working in industry. I think it has eliminated the prejudice against Negroes in large part. Unfortunately, I suppose a Negro woman would have the combination of the prejudice as a woman, as well as the prejudice because she is different as to race, but at a time of full employment it is much easier to meet the problem and find a solution.

After this war, if we do face a depression, which is the real fear in the minds of working people, we will have but few jobs. We will have an increase of the emphasis on these race questions. There will be a scramble, the men will be pointing against the women because there will be but few jobs, perhaps, or whites against the Negroes, gentiles against the Jews, and finally we will reach the point where some people will claim a prior right to a job because their grandparents came over on a boat a little earlier than somebody's else grandparents. Since we operate on that basis, I think we should take the step necessary to reduce the ills that grow out of the scarcity of employment.

I think we have gotten over some of our old notions. We were told sometime ago that Japan could not fight a war because it did not have gold. We were also told our Nation would be bankrupt if our national debt went over 45 billion, yet our national debt is today \$250,000,000,000, in the midst of a war against very powerful enemies, and the people of this Nation have faith in its future to the extent of purchasing War bonds and give it the support that our Nation deserves.

I think when you give people a better stake in democracy you make better patriots of them. We have to do that especially with the Negroes, because in their case the difference is easily recognized.

It was a similar situation in regard to other groups. Even the Irish were opposed at one time in this country, I understand in 1848, but they are easily assimilated. With the Negroes it is a different question entirely.

I think steps will have to be taken to meet the problem of women, to see that they have opportunity for employment. I think that is true of all other groups. In the case of the Negro women particularly, they are going to suffer more than all the others, simply because they have the combination of prejudice against them as women and prejudice against them as Negroes. I suppose if we find a Negro woman who is Jewish, that would even make it that much worse. But the Negroes do carry the characteristics of the race in terms of their skins being quite different.

Our people in American industry found that the color does not come off; when they work with them they find they can get along with them, and they do quite well. A great part of the feeling against Negroes grows out of the fact that they have not had educational opportunity, that their economic conditions have not been such that they can live on a par with other people. That is unfortunate in a democracy, and I believe steps will have to be taken, and the practical step that we recommend is the early enactment of the fair employment practices bill that would make it a permanent agency. It has a splendid record, I would think as well if not better than any other Government agency, dealing with a very complicated and difficult problem. The experience that that staff has gained in this period of war, a very trying period, should be utilized in the future.

I think the Negro question, the question of women in industry, the question of other minorities having employment in American industry is tied up in the question of full employment, as I indicated in my statement. I think we will have to make certain that it is more expensive to keep a person unemployed than to keep a person employed.

I think the Government will have to take far more extensive steps than it has ever taken on the question of conserving its human resources. That applies to all groups, men, women, people of different nationalities, and different religious beliefs. I think it is all tied up together. I think the same people that attack human beings because they are Jews attack them because they are Negroes.

We all have prejudice. It is just in a democracy that we try to play it down. In the Fascist set-up they emphasize and make prejudice part of their patriotism.

I think we have to keep faith with the Negro people; we have to realize that they are able and willing to make contributions that are equal to the contributions of any other group.

With the enactment of this bill, with the reporting of it even to Congress, it is certain that it will give a feeling of confidence to them, a feeling that their Government is responding to their needs, and that they have hope for the future. I think the committee has a big responsibility in immediately reporting this bill to Congress and putting it on the calendar. That is the way democracy works, and I think the people in this Nation will respond to it.

We have had some practical experience in American industry. We know of the serious consequences of the race riots in Detroit, not being the people were Negroes and the Whites reacted against them, but there the whole city was set up with utilities and transportation facilities and all there is to carry a certain load, but during

this period of war hundreds of thousands of people came into Detroit, they crowded the streetcars, they crowded the schools and all the facilities there, and there was irritation, because of the background of the war, and naturally you have explosive factors. The only thing about that whole situation in Detroit is there was not a single blow struck in any industrial plant in Detroit where the C. I. O. has jurisdiction, where the C. I. O. follows the practice of no discrimination whatsoever based on race, creed or national origin.

Senator CHAVEZ. Mr. Carey, may I interrupt you? Have you found—when I say “you” I mean the C. I. O.—this condition that generally the prejudice, the discriminations that take place are not so much racial as they are economic?

Mr. CAREY. They are economic. It grows out of the fear that they may not have employment, that they will have to compete with someone else. They fear that their chance for employment will be reduced because of competition. We have the discrimination against women because there is the feeling that the woman should be in the home, and in the case of the Negro the Negro should be in his place, or somebody should be back in the old country. We have to solve the economic questions in order to eliminate this fear.

Senator CHAVEZ. If we were to eliminate hatred on the theory of sending them back to the old country, we would be in an awful fix, would we not?

Mr. CAREY. I am sure of that.

Senator CHAVEZ. I want you to develop, for my information at least, the following: I believe that I understand the philosophy of the organization of the C. I. O., but I want you to tell for the record, if you will, whether you do not think the idea is basically American.

Mr. CAREY. The idea is basic American, it is democratic in its objectives and its methods. I might say our people have prejudices. We have members from the South, we have members from the North and we have members from the far West.

Senator CHAVEZ. That is individually.

Mr. CAREY. That is individually. We have different races, different nationalities, we have all the groups, and of course they express their prejudices from time to time, but when they have been required to follow the practices of the majority to eliminate discrimination they have been able to work together and live together. Despite all our shortcomings we have democracy in operation, we have people with all their differences living together, working together, with a high degree of harmony. In fact, the way we work together seems to set up some fears on the part of others.

Senator CHAVEZ. Do you find any color distinction, for instance, when you receive a casualty list from the War Department? You have Americans of Irish extraction, you have Americans of Polish extraction, of Jewish extraction and Mexican extraction, every race that has been posing as an American citizen on those casualty lists: Does that not have some influence on the make-up of the membership of the union that you represent, in trying to live up to those ideals?

Mr. CAREY. It does; yes, sir; very much so.

Senator CHAVEZ. This thought comes to my mind: I have always been under the impression that one of the reasons why this country is great is because of the fact that people have left Europe and elsewhere to come here to accept the privileges of this country and its

responsibilities, and the American population is composed of many races.

Mr. CAREY. Composed of minority groups.

Senator CHAVEZ. Yes, composed of minority groups, and all contribute in emergencies or in peacetimes to the welfare of the country. An American in Wisconsin of Swedish extraction, your American in Nebraska of Czechoslovakian extraction, or your American in New Mexico of Spanish extraction, all contribute to the standard of American citizenship, and in wartimes they all die, if need be, so why should not they at this time be the recipient of an American fair deal?

Mr. CAREY. I think what you said, Mr. Chairman, represents the real thinking of the American people. That is what this country was built on. We not only have people from all parts of the world but we have got the best of them from all parts of the world.

Senator CHAVEZ. Have you ever heard of any instances in wartimes, at the battle front, when the common enemy will say, "I am not going to shoot him because he happens to be of German ancestry from Pennsylvania or Spanish ancestry from New Mexico, or Swedish ancestry from Minnesota"? Does the enemy differentiate as to races?

Mr. CAREY. No; he does not. In hunger and misery, and all of those things, this failure to differentiate between races is evident. I think the question is, of course, whether or not we are our brother's keeper and whether this is a brotherhood of man under the Fatherhood of God. I believe anyone that believes in this Nation as a Christian nation believes in taking steps to eliminate the artificial differences that we have made, that were put there to separate people. I would like to emphasize the very practical aspects of it. When the C. I. O. adopted this policy of no discrimination, there was expressed opposition to it. We were told if we start to organize in the Southern States of this country we would have to modify our policies. We found it is not well to do that. We do it only to the extent required by law. We recognize that it is part of our responsibility to take steps to change the laws that discriminate against people. We are very successful in that, but our results in the very practical level, have indicated to us that we can take steps to eliminate the discriminatory practices. It will not all be done in 1 day, but certainly in public institutions, and certainly in legislative halls there should be a feeling that we have to make our Nation responsive to the needs of all the people. I certainly hope and pray now, especially during this period when both political parties are in support of steps to eliminate discrimination, that steps be taken to actually apply these principles.

Senator CHAVEZ. Now, from the standpoint of need, the acute situation that we know is bound to come after the conversion, and under the circumstances of the war status for the moment, do you not feel that now is the time to take action, to try to get ready for the conditions that we will have to meet?

Mr. CAREY. I would think so. It is more a continuation of the action already taken. We have the Fair Employment Practice Committee with a splendid record.

Senator CHAVEZ. Yes; but that is a war proposition; that is only for the emergency.

Mr. CAREY. When we adopt a program that we find is successful in time of war we might consider that in its application in time of

peace. In the period of war we have pressures on the labor market for full employment, and that in itself helps to reduce the discrimination. The Nation needed the contribution of the Negroes in American industry, needed the contribution of American women in American industry, needed the contribution of all the groups, and readily called upon them. Whether or not they are rewarded for that contribution by having to go back to their homes is the question I think that is in their minds. We have a real fear that there will be unemployment. We think perhaps a certain amount of unemployment is inevitable, that is, unemployment during the reconversion period, but certainly they should not use the question of race, or sex, or origin to determine whether this fellow has a better chance for a job than that fellow. It should be based on their contribution over a period of time, what we call seniority, and their ability to perform rather than on the basis of parenthood, national origin or race, or any other question, especially those questions that have to do with natural differences, that are God-made differences, they are the questions that certainly should not be used to place one man on a lower level or in a lower category than someone else.

Senator CHAVEZ. Thank you, Mr. Carey. Have you any questions, Senator Aiken?

Senator AIKEN. No. I want to say I always enjoy discussions with Mr. Carey, because he invariably discusses matters intelligently, and even sometimes when he is on the other side, he is very sincere in the position which he takes.

Senator CHAVEZ. You can never doubt his sincerity of purpose.

Senator AIKEN. I appreciate he is one of the most sincere and men among the labor unions today.

Mr. CAREY. Remember, Senator—if I may take the time, Mr. Chairman—the first time we met was in a debate in Williams College in Massachusetts. After I heard Senator Aiken, who was then Governor of Vermont, I believe, I thought it was no wonder that he was elected to his high office, but if he expressed the views in the Republican Club in New York City that he expressed in Williams College, I think he would have been thrown out, he might have been charged with being a C. I. O. man, or something, and that is a lot, Senator.

Senator CHAVEZ. Thank you, Mr. Carey. Professor Sheldon.

STATEMENT OF PROF. JAMES H. SHELDON, CHAIRMAN, NEW YORK METROPOLITAN COUNCIL ON FAIR EMPLOYMENT PRACTICE, NEW YORK, N. Y.

Mr. SHELDON. Mr. Chairman, I want to thank you for changing my time from yesterday to today. I was sick yesterday and only barely able to get here today.

Senator CHAVEZ. I hope you have improved.

Mr. SHELDON. Thank you very much for the change of schedule.

I am appearing here as chairman of the New York Metropolitan Council on Fair Employment Practice for the purpose of recording the Council's strong support of the proposed measure for creating a permanent F. E. P. C. or similar set-up, and for the purpose also of urging that the more quickly such steps can be taken the better.

Senator CHAVEZ. Dr. Sheldon, in your prepared statement do you have an explanation of the council?

Mr. SHELDON. Yes; I have. Shall I go over that now?

Senator CHAVEZ. Yes.

Mr. SHELDON. I will abbreviate it. The New York Metropolitan Council on Fair Employment Practice represents approximately 50 of the leading civic agencies and organizations in New York concerned with employment or placement problems, and with related civic and social questions. It includes Protestant, Catholic, Jewish, Negro, labor, interfaith, civic, patriotic, vocational, and other types of groups. I shall not read the entire list of associated groups since a great many of them have already made separate appearances, and because yesterday, in hearing from a corresponding council in Detroit and another in Philadelphia, your committee will have had a pretty good picture of the set-up which has been established among the social agencies, labor and civic groups in several of our leading cities of the country, including the two which I mentioned, and New York. Some of the leading groups in this field affiliated with the council have already appeared here and in the case of the New York Federation of Churches and National Council of Jews and Christians, American Jewish Congress, and so on. Among the other organizations represented in the Council are the New York Urban League, National Association for the Advancement of Colored People, Greater New York C. I. O. Council, New York Council of Church Women, Loyal Americans of German Descent, City-Wide Citizens Committee for Harlem, Federation Employment Service, Brotherhood of Painters, Common Council for American Unity, Non-Sectarian Anti-Nazi League, Brotherhood of Railway Carmen of America, Joint Council of Dining Car Employees of New York, the Y. M. C. A., various branches, Y. W. C. A., various branches, National Council of Jewish Women, and many other similar well-established and responsible institutions, including leading employment agencies and vocational counseling groups, as well as civic and religious bodies.

These various organizations got together some 3 years ago, for the purpose of pooling their common information and efforts, in order to make every potential worker in New York available to the war effort, regardless of his religious or racial background and regardless of his previous economic or vocational difficulties. The council has cooperated very closely with official agencies, including the War Manpower Commission, the President's Committee on Fair Employment Practice, the Governor's Committee on Discrimination in Employment—a New York State agency—the New York State War Council, the Office of Mayor LaGuardia of New York, and other public and private agencies.

I am able to say, as my first point, that the overwhelming majority of thoughtful, well-considered opinion, among people close to employment and vocational problems in New York City, is that the Committee on Fair Employment Practice should be continued as an official agency of the United States Government and should be made permanent. Further, that steps for this continuance should be taken immediately, so as to be effective well before any steps are taken for demobilization of our armed forces now in Europe or for the large-scale transfer into peacetime industries of the millions of men and women at present employed in war plants.

Because I know there are Senators on your committee who come from parts of the country with problems radically different from those of New York City, I hope you will let me take a moment to indicate to you some of the unique but vitally important problems of a huge metropolitan community like New York City in relation to this matter before us today.

New York City has a population of just under seven and a half million persons. These seven and a half million are in a very real sense a cross section of all the different kinds of people in the world. When Hitler made war on the democracies, he declared that America would be one of the easiest of all countries to conquer, because, said Hitler, divided against herself in terms of race, religion, and nationality America can be made an easy prey for the divide and conquer propaganda which has been the most effective weapon in the hands of the Nazis all over the world. It is a great tribute to American democracy that our country as a whole and New York City in particular, which is a cross section of all peoples of the world, have stood firm and have been of one purpose during this war, despite the impact of that very cleverly conceived propaganda.

New York City includes amongst her seven and a half million souls so many different groups which Senators from other parts of the country and visitors to New York might call minorities that in New York the minorities are actually the majority. Thus, in New York City there are fully one-half million Negroes. There are more than 2,000,000 adherents to the Jewish faith. There are considerably more than a million persons who are of Italian descent, and our mayor comes from that group. There are almost one-fifth of a million New Yorkers who are of Spanish or other Iberian descent, almost one-fifth of a million, 127,000, who count Spanish as their mother tongue, and if you add the group which falls into the second generation or third generation but still considers itself as of Spanish-American background, it comes to about one-fifth of a million.

I may observe in passing that I had the pleasure the other day of speaking to the Confederated Spanish Societies of New York and happened to mention to one of their officers that I would be here in Washington on this matter, and I was directed to convey to the chairman the hope that he would soon come and speak in New York. I put that in as an aside, not particularly for the record.

In New York there are even enough people of Chinese and Japanese extraction—15,000 of them—to make up a good sized town in a State like my home State of Massachusetts.

So the problem in a place like New York City is to be sure that the old American principle that every man is entitled to a fair chance means even a little more than it does in some other parts of the country, because if people were permitted to discriminate against others because of their skin or religion in a city like New York, the whole structure of life would soon break-down. It has been said in a very true sense that the great majority of New Yorkers belong to some minority group or other.

So this is the second point that I want to make to you today: That in an urban area like that for which I speak here, it is more than desirable, it is basically necessary that government should provide safeguards so that all Americans may enjoy equal opportunities regardless of their race or their religious beliefs. In these days I do not

need to labor the point by showing that equal opportunity is a meaningless phrase unless it means equal opportunity to work and to earn one's living.

Now, Mr. Chairman, the groups which make up our council have followed very closely and with a great deal of interest the activities of the President's Committee on Fair Employment Practice. We believe that the methods and purposes of this Committee have, taken in a general sense, justified themselves one hundred percent.

When the F. E. P. C. first came to New York to hold its open hearing there in February 1942, I appeared before the hearing and brought with me the employment forms of a number of concerns which were engaged in making airplanes and bombs and which had their plants in New York City or were recruiting labor there. I have got here photostats of some of the application forms which I presented to this first New York hearing of the F. E. P. C. back in February 1942, at the New York Bar Association Building.

Here, for example, is the application form of the Bell Aircraft Corporation, and if you notice the space I have marked in red, one of the questions which that airplane company, well known to all of you now as the maker of the famous Airacobra and other planes, one of the first questions they put to the prospective employee is: "What is your color?" Another question: "What is your nationality?" That did not mean: Where were you born? But in some cases it meant: Where were your grandparents born? The third question is: "What is your religion?" It is right here, to be filled out in black and white, as the first step of a prospective employee going into their plant.

Here is a similar form from another aircraft plant out on Long Island, the Colgate-Larsen Aircraft Co., where the application form states: "Color" and "Religion."

Here is the Fairchild Aviation Corporation, and their application form is more inclusive in its questioning. They inquire as to the descent of the applicant, "For example, English, Scotch, German," and an applicant was told that Jewish was considered in that category. They have an inquiry as to the religion of the applicant, and they inquire as to a number of similar matters, not related to the applicant's mechanical ability.

Here is a similar form for the Glenn L. Martin Co.

Now, Mr. Chairman, the reason I have brought those photostats out of our 2-year-old archives today is this: Yesterday afternoon I thought that before I appeared before you I should see what progress had been made with regard to situations like this in the aircraft industries around New York. I went to the extent of getting a friend of mine to go and actually apply for work yesterday in those plants, and yesterday he was not asked what was his religion, he did not have to make out a blank stating his descent, there was no mark put on his blank as to his color, and the regional office of the F. E. P. C. answered my inquiry on the point by stating that in their opinion the situation among the aircraft plants and related industries in the New York area was satisfactory today. I put this into the record now because I believe that here is an example of the kind of progress which has been made during the last 2 years as the direct result of the work of the F. E. P. C. in our area.

General MacArthur's brave troops in the Pacific and General Eisenhower's hard-fighting men in France, have never, to my knowledge, sent messages home to the American people saying, "Ship us some more Aryan airplanes or some more Nordic bombs." They have rather called for well-made planes than would go into Tokyo and bring our boys safely back to the base, and for bombs that would destroy the Nazi robot emplacements. In fighting a war of this kind no manufacturer has a right to say to a potential machinist, or even to a prospective janitor, "I will not hire you because I do not like your religion, or because I do not like your color." That is the principle on which the Nazis have been fighting the war, but it is not the principle on which America fights.

Now, on this matter of discrimination in war plants—take the aviation industry around New York as an example—the F. E. P. C. has put in a splendid record of performance. They have done a good job and have justified the methods and procedures which they have worked out and enforced. I believe they justified those methods enough to make us draw the conclusion that generally similar approaches to this problem will work in the post-war period, will deal effectively and in a way not calculated to create trouble with these same problems as they arise during the period when our soldiers are coming home.

Last spring the New York Metropolitan Council on Fair Employment Practice held its annual conference, as it does every year, and heard the progress report from a lot of employment agencies and others around New York on this general problem, and as the result of that progress report the New York Times, I think one of the most conservative and generally reliable papers in the country and the most representative of the opinions and needs of the people in the city and State of New York, wrote an editorial, and I quote from the Times editorial of May 3:

More than one employer in the New York region continues to reject job applicants because of their color or creed. The Metropolitan Council of Fair Employment Practice has analyzed 1,094 complaints received in the first 3 months of this year. Every such complaint may not be justified, but there must be many unrecorded cases.

Negroes are the chief sufferers from refusal to hire, refusal to upgrade to better work and pay, and dismissal on the ground of race. Jewish workers are sometimes victims of various arbitrary devices. Imprints stamped or penciled on their application set them apart as surely as the arm bands which the Nazis compel their fellows in Europe to wear.

Happily, such prejudice, though many instances come to light, does not characterize New York employers in general. Only a few would deny a fellow-American the right to earn a living. Only a few are so ignorant or so pervert as to play Hitler's game against the well-being of America. A hopeful sign is that Negroes employed in the Nation's war industries this year make up 7.3 percent of the total, whereas in 1942 their proportion was only 3 percent.

That is the end of my quotation from the Times, and I have inserted it here because I wanted to have in your record a reflection of opinion as to how the F. E. P. C. has functioned in New York from a source which we would all acknowledge as being conservative in the good sense and reliable.

Now, I do not want to go into a lot of details as to whether the particular procedure of the F. E. P. C. in every little case has been good or bad, but the point that I do want to make is this: that this

over-all approach has been successful and that these improvements have been accomplished in an orderly way, with no hard feelings on anyone's part.

Now, there is just one other point that I want to make. We are coming to a period where people talk more and more about the change-over from war production to peacetime production. I need not tell you gentlemen, who are in constant touch with public opinion, that millions of Americans are badly worried about what would happen to our whole economic structure if the war were to come to a sudden end, say next week. Of course, I see no reason to expect such a sudden end as that, but it is increasingly clear that the end is coming sooner than we had expected some months ago, and it may come before we are fully prepared for it.

What kind of jobs are there going to be available for our millions of soldiers who have given the best part of their life to fight for America? What is going to happen to our millions of war workers, many of whom have large families of children dependent upon them for support? Are we going to be able to accomplish the coming reshuffling of jobs in a peaceful way, and in a way which will not cause grave injury to the population of the United States?

It is just at this time of readjustment that the problems of discrimination become most important—in fact, in a city like New York, it becomes the most important of all problems having to do with the change-over from war production to post-war peacetime economy. The problem of discrimination becomes twice as bad in a time of changing or contracting employment opportunities. It is hard enough for a Negro to get a job in an airplane shop any time; but it is going to be doubly hard for him to keep such a job in times of rapidly changing employment. The same trouble confronts the Jew, the Italian, the Spanish-American, all minority groups. The problem will be made yet more difficult in this country because of the residue of racist propaganda which will remain after the war, and to which Hitler has subjected us constantly for the last 10 years.

Americans would be more than human if some residue of the anti-Semitic, anti-Negro, anti-Catholic propaganda which Goebbels and his minions have scattered among us did not stick on to plague us, even after we have destroyed the enemy on the field of battle. I want to emphasize this point because, as some of you know, my particular job since the beginning of the war has been to keep track of and expose this kind of propaganda, through the Anti-Nazi League, which is one of the affiliated organizations comprising the Metropolitan Council. So we must prepare, in connection with our post-war planning, not only for a tremendous reshuffling of jobs but we have got also to prepare to make that reshuffling come out properly, in spite of these dangerous factors of employment discrimination and in spite of the fact that Nazi propaganda will have made those factors seem even bigger than they might otherwise have been. This is a fact which we must consider in connection with setting up a permanent F. E. P. C.

If there are any among us who are tempted to say, "Oh, well, let Nature take its course," I believe that even those persons will have to consider, when they stop to think that if job opportunities are not provided, irrespective of race or religion, to our present soldiers and

war workers, America is simply going to end up with another Nation-wide relief problem on her hands, and American industries are going to be tempted to start again that terrible spiral of wage cutting and price cutting which leads straight down into depression.

That we are not creating imaginary dangers here may be seen from experience with employment and relief trends during the last decade. My real profession, Mr. Chairman, has been as a teacher of economics and related subjects, so I am going to put into the record here, just as I close, a couple of figures which were prepared under my immediate direction and as to the accuracy of which I can testify. We will take as an example the case of the colored man and look at the situation in my home State of Massachusetts—the birthplace of the abolitionist movement—where the colored man probably has a better break than in most any other part of the country, and if we consider his problems of employment during the last 10 years I think we can get a good picture of what will be his problems at the end of the war. I took the colored man as an example case because I can get figures in that case. The census does not divide employment and unemployment among persons of Italian descent or Spanish descent, and the like, but you can get figures on the matter of the Negroes, because the color factor makes it easy to keep records.

Now, in Massachusetts there was a census of unemployment as of January 1, 1934, and as of that date 50 percent, plus a fraction, 50 percent of the Negro population of the State, the normally working Negro population, was either totally or partly unemployed. On the same date only 34 percent of the remainder of the population, the white population, was unemployed or partly unemployed. That is, a Negro had about $1\frac{1}{2}$, something more than $1\frac{1}{2}$ times as great a chance of being out of work and on relief at the beginning of the depression in Massachusetts, one of the best States, as was the case with the white man in the same State.

SENATOR AIKEN. Are those percentages that you gave of able-bodied Negroes?

MR. SHELDON. Yes; speaking only of persons normally employed.

SENATOR AIKEN. That are employable?

MR. SHELDON. Yes; not counting the physically defective, and so on.

SENATOR AIKEN. Our committee has had testimony presented to it showing the very high percentage of tuberculosis, which might attribute to unemployment among colored people.

MR. SHELDON. Yes; that all enters into the situation. I was just about to give another figure which was intended to separate out those very factors. Toward the end of the depression, in May of 1941, a check was made as to the number of persons certified for relief in Massachusetts as eligible for W. P. A. A check was made as to the racial break-down of that body of persons.

SENATOR AIKEN. What year?

MR. SHELDON. In May 1941. You see, we were coming into the defense production period. At that time the ratio of Negroes eligible for relief employment in proportion to their total in the State was almost exactly twice as great as the corresponding ratio for white persons. In other words, not only had the relief load at the bottom of the depression indicated that the Negro had a much greater problem in finding employment than was the case with the white man, but in May 1941, when people were pretty well back on to work and we were

thinking of liquidating the W. P. A., it appeared, from cold statistics, that the Negro faced proportionately almost twice as great a problem in finding a job as that faced by the white man. The ratio faced by the white man was only 50 percent that of the Negro.

Now, the reason I have burdened the record with these figures was just this: If we are going to shift people from armies and war plants back to peacetime industry without destroying our American way of life, we have got to bear in mind these special problems which everyone of our minority groups does face in connection with such a shift, and we have got to provide apparatus to see to it that all Americans get an even break. Congress should, therefore, pass a permanent F. E. P. C. measure right now to perpetuate the good precedent which has been established by the wartime F. E. P. C.

The passing of this kind of law is just as important as signing a peace treaty. We have not won the war as long as there is a residue of Hitlerism, conscious or unconscious, operating in the minds of the men who run the employment offices of American industry. We might as well face the fact now that although Hitler is clearly losing the war, and losing it badly, he has, nevertheless, won a certain phase of it, to the extent that he has succeeded in leaving many of the worst doctrines of Mein Kampf scattered about the minds of millions of thoughtless Americans. Democracy in this country will not be safe until we have adopted the necessary devices to get rid of this last loathsome evidence of Nazism, and a permanent F. E. P. C. is one of the very first medicines to be prescribed for this purpose.

Senator CHAVEZ. Thank you, Doctor. You made a very fine statement.

Mr. SHELDON. Thank you very much.

Senator CHAVEZ. Mrs. Waters.

STATEMENT OF MRS. AGNES WATERS, MOTHERS OF AMERICA, WASHINGTON, D. C.

Mrs. WATERS. My name is Mrs. Agnes Waters and my address is 3267 N Street NW., Georgetown, Washington, D. C. I am the unofficial legislative representative of millions of American mothers over this Nation who protest against this bill.

Senator CHAVEZ. Why do you say "unofficial"?

Mrs. WATERS. Well, I am without portfolio; we are not an organized group. Our women believe that the only organization they want is the Congress of the United States.

Senator CHAVEZ. Please be seated.

Mrs. WATERS. Yes, sir.

Senator CHAVEZ. You think you represent 5,000,000 mothers?

Mrs. WATERS. Yes, I certainly do, more than that, about 80 percent of the American people.

Senator CHAVEZ. Of course, that is unofficial, also.

Mrs. WATERS. No, I think that is official, through several polls that have been made. I represent millions of mothers who are against this un-American bill to give special privileges to special Negroes and Jews who are Communists. We are against this bill to set up Communists and give them power to wreck our Nation with executive and congressional orders issued by foreigners in Moscow while our boys are fighting and dying all over the earth to make the world safe for democracy.

We are against Red revolution on our soil and against foreign entanglements. I have fought every step to war, and I think the Senator is well aware of the fact that for many years I have appeared before these committees opposing every step to war and opposing every sort of ism that would wreck this Republic.

Senator CHAVEZ. Is that your state of mind at the moment?

Mrs. WATERS. Yes, sir. Let me remind the Senator that Russia has a secret pact with Japan, and we don't know what is in that pact.

Senator CHAVEZ. Is that unofficial?

Mrs. WATERS. Well, now, I think you have given a very fine hearing, a very fine American hearing to the proponents of this bill, you have listened to their testimony, and I think I am entitled to the same treatment.

Senator CHAVEZ. It is the purpose of the committee to give you just as fine a hearing.

Mrs. WATERS. I do not believe, Mr. Chairman, that you should be unfair to me or to heckle me at this meeting. You know I appear here in an unofficial capacity, and I have said so.

Senator CHAVEZ. Mrs. Waters, let us understand ourselves. Neither the committee nor the chairman want to be unfair to any witness.

Mrs. WATERS. Thank you.

Senator CHAVEZ. Irrespective of their views. We respect their views even when we do not agree with them.

Mrs. WATERS. Will you kindly let me proceed?

Senator CHAVEZ. Yes.

Mrs. WATERS. The witnesses for the bill have had hours and days to prepare their case and I hope I have at least a fair hearing and a reasonable amount of time to present the case for the defense, for the American people who are in the majority.

Senator CHAVEZ. The witness will be given ample time.

Mrs. WATERS. Thank you. I am against the enemies of America, Nazis or Communists, both within and without our gates.

I object to this bill on the ground that it sets up and legalizes a Red government in Washington. Let me stress that. I object to the bill upon the ground that it would set up in Washington a Red Moscow government, and that is my main objection to this bill.

I object to it because it is a threat against our national security; that it would violate our constitutional rights and destroy the liberty of both American employer and employee, wrecking American labor interests, American business and industry, American enterprise, individual liberty and initiative, and forcing a Red revolution here in the United States of America.

Now this is a very serious matter. I hope I shall be allowed to present my case, the case against this bill, in a fair, calm, American manner. Before I start my remarks today against this terrible bill, I should like to be assured that the Chair will maintain order and that I may proceed without interruption from the mob here, because I realize that I am appearing here alone and facing a room full of enemies, except for the presence of God and the spiritual presence of more than 80 percent of the American people who are upholding my hands here today and giving me strength to battle alone against unnumbered foes who pack this committee room, and who for hours

and days have presented with many witnesses the case for the bill. I am only asking a reasonable time of at least 1 hour for the presentation of my defense.

I have consistently fought these bills for over 10 years, and I have only just begun to fight, Mr. Chairman. Let me notify this committee I have only begun to fight.

Senator CHAVEZ. I compliment the lady.

Mrs. WATERS. I hope that the Congress will not be deceived by the fact that no one else except myself has chosen to appear here today against this bill, for millions of Americans the breadth and width of this fair land are opposed to it. The fact is that millions of Americans are busy fighting the war and millions more working in defense plants and other essential work, so that they could not come here today to defend themselves. I only pray God I shall be able to present the case successfully. The American people also figure that they elected their Representatives to Congress to act here for them and to defend America against just such vile onslaughts from special interests or so-called minority groups seeking to overthrow this Government while our boys are away, with bills of this character, and they have been doing that for the last 10 years.

Now, I am not alone here, sir. I should like to read some excerpts from the speeches of some able Americans who are Members of this Congress and who are opposed to this bill. They bear me out, they substantiate the facts that I am presenting here today. The statements I am making are borne out by the fact that they were presented to the Congress of the United States by reputable, eminent Americans whose honor is back of every word they say. I am presenting to this committee for due consideration the speech of the Honorable John E. Rankin, of Mississippi, made on the floor of the House Friday, May 26, 1944.

Senator CHAVEZ. If I may say so, young lady, in order for you to do justice to your statement, if you can give us the gist of the speech, we will insert the whole speech in the record.

Mrs. WATERS. Yes, I will give you excerpts of it. I will not read the whole speech of any one of the Members. About half an hour will be consumed in excerpts from Senators' and Congressmen's speeches against this very bill.

Senator CHAVEZ. You may proceed.

Mrs. WATERS. And they were made many months ago, too, before this bill came up.

In May 1944, Mr. Rankin addressed the House and he said:

Mr. Chairman, this is one of the most serious questions that ever confronted Congress. It is one that goes to the very roots of our form of government, our way of life.

This so-called Fair Employment Practice Committee, with headquarters at 1006 U Street, which is in the Negro section of Washington, and which was set up without authority of law, is one of the most dangerous communistic agencies ever created to annoy and harass the white people of this country. It has assumed the powers of a dictatorship by attempting to compel the white people of this Nation to employ people of other races, and to promote them to positions of trust and responsibility, whether they are wanted or not.

It has attempted to force the railroads of the country to place Negroes in positions of conductors and engineers. It is attempting to force business establishments to employ Negro clerks, and even managers, and place them beside, and even over, the white men and white women they have always employed.

Now think of that! The outrage and injustice to the majority of the white laboring class that those who have established positions of years of employment would be superseded and their jobs taken over by Negroes! Could there be any worse outrage against the rights of the majority, or of any minority, in the laboring class of the majority of this country, a white laboring class? This is revolution—and I stressed that to the Senate and House for many years—this is a world revolution for communism to take over this country, and Mr. Rankin said so. [Laughter.]

Now, Mr. Chairman, I have asked for order and I hope it shall be maintained.

Senator CHAVEZ. Yes, we will have order.

Mrs. WATERS. I did not interrupt these witnesses when they were here, and my responsibility is a grave one to this country and even to these other people that are asking for this bill. I want to see that we have order.

Senator CHAVEZ. When you are making statements like that, of course you cannot help getting reactions.

Mrs. WATERS. This is revolution. I shall continue with Mr. Rankin's words:

This is revolution, if you please, and dictatorship of the most dangerous and revolting character, and you have no right to vote money out of the Federal Treasury to support it. If you do, then do not ever let me hear you again complain about bureaucracy or the radicalism of the New Deal.

Now, I am going to end Mr. Rankin's speech and submit the balance of it for the record, except I shall quote this statement on the third page of his speech before the House:

Who is this Fair Employment Practice Committee?

Now, Mr. Chairman, who is this F. E. P. C.? This is the most important statement.

Who is this Fair Employment Practice Committee? Who compose the personnel of this powerful group of radicals who are attempting to reverse the laws of nature by their edicts, at the risk of stirring up a revolution in this country in these critical times, when our white boys, whose people are being harassed and insulted by this outfit, are fighting and dying on every battle front in the world?

And I represent the mothers of those boys.

Who compose the personnel of this group of Negroes, aliens, and crackpots who are fomenting strife, stirring up race trouble, and attempting to wipe out everything for which our brave men are fighting?

Here is the list of its members furnished by its Chairman, Malcolm Ross, only a few days ago:

And Mr. Ross goes on to give the roster to the committee:

Malcolm Ross, Chairman, white; Boris Shishkin, member, white; Milton P. Webster, member, colored; Sara Southall, member, white; John Brophy, member, white; Charles Horn, member, white; Charles H. Houston, colored.

Now I will skip about the salaries and put that in the record with the statement. I want to take another excerpt here:

You will note that on this committee there are two Negroes and four white people, one of whom, at least, Charles Horn, has an American name. One of the white men composing this committee is John Brophy. He has a long list of affiliations with Communist front activities. In August 1938 he wrote an article for a publication called Equal Justice, the official organ of the International Labor Defense, which was cited by Attorney General Biddle as subversive. In 1937 Brophy sent greetings to the National Negro Congress, which organization was

also branded by the Attorney General as subversive. He has been affiliated with a large number of other activities that have been branded as subversive by the Dies House Committee on Un-American Activities.

Another member of this Committee, Boris Shishkin, was connected with what was called the Washington Book Shop, located at Seminary Hill, Alexandria, Va., according to the records of the Committee on Un-American Activities. This Washington Book Shop is known to be a Communist front organization, and was also branded by the Attorney General of the United States as subversive.

Another member of this Committee, Charles H. Houston, colored, has a long record of affiliation with Communist front movements that have been branded as subversive by the Attorney General of the United States, as well as by the House Committee on Un-American Activities.

Members of one of these subversive organizations picketed the White House in protest against our preparation for war during the time of the Stalin-Hitler pact.

Now, let us take the chief employees, the powers behind the throne—the ones who really run the show. Here they are:

And I present a list here of them.

I wish to go over to some more of these Communists:

The Director of Operations, Will Maslow, has been connected with the Consumers National Federation, which was cited as being subversive by the House Committee on Un-American Activities in its report of March 29, 1944, as well as a contributor to a publication called Health and Hygiene, which was founded as an extension of the Communist Daily Worker.

Emanuel Bloch is shown by the records of the House Committee on Un-American Activities to have addressed the citizens committee to free Earl Browder, on March 16, 1942, which committee was cited as subversive by the Attorney General of the United States. Bloch was also one of the sponsors of another organization, the National Federation for Constitution Liberties, which was found to be subversive by the Attorney General of the United States.

Now, I am quoting from the report of the Attorney General of the United States and not from Mr. Dies' report.

One of the Negro members of this operations section, Eugene Davidson, has been connected with at least four activities that have been branded as subversive by the Attorney General of the United States.

So I could go on here for hours quoting here about these subversive members of Communist Party organizations and Communist fronts from Moscow, who come before you today, in the absence of our American boys who are fighting on the front, and demand equal rights. I would like to know why they are not fighting on our fronts. We have 65 different fronts all over the world where men are dying, and why, in the absence of our boys, when our boys are out fighting, why should these men be permitted to come in here, men of draft age, many of them should be drafted and put in the front-line trenches instead of taking the jobs of good American citizens?

I object to this bill. Now I am submitting the speech of Mr. John E. Rankin of Mississippi in toto and I hope it will be printed in the record.

I am also submitting the speech of Mr. John S. Gibson in the House of Representatives on April 14, 1944.

MR. GIBSON. Mr. Speaker, I have been very deeply concerned over the purposes and activities of the organization here in Washington known as the Fair Employment Practice Committee. It is common knowledge that such an organization could have no proper functions in this democracy. It has been my opinion that it was born of the fertile mind of someone in this commonwealth of communistic philosophy and based on its activities I am convinced that my convictions are founded on truth and fact. The Communists some months ago came out with the statement that the South was the black man's country and in substance that they expected to put him in possession of the property of the South and in control of its destiny and people.

I want to pause there to make a few extemporaneous remarks of my own and say that I am the granddaughter of a man who gave his life to free the Negro slaves, that I was born and raised in the shadow of the Statue of Liberty. My mother was one of the most honored women of this United States, the first woman to become a lawyer in the State of New York. Then I saw the arms of the Statue of Liberty, the glorious ideal of my childhood, stretching out to the oppressed people of the world, offering this Nation, this beautiful land of America, as a haven of refuge for the people to build again their fortunes upon the ashes of despair. When I was 13 years old, in 1906, when I was old enough to know what was going on, I witnessed an exodus from Russia of people who had been persecuted by the Czar, that had been persecuted for the reason that they were Red revolutionists, but we took them in, we bound up their wounds, we gave them water, and we gave them more than water, for we gave them the glorious land to become honored citizens of this country with us. They have abused those privileges. Their children today are not in the minority, they are the richest, wealthiest merchants of this land, those lucky peddlers who were able to step up the stairs to the heights of success, of honor and glory, and they are using those riches and wealth to betray the trust that we have placed in them.

I will proceed with Mr. Gibson's statement:

I have recently procured factual information on the personnel of this committee, which I think—

the committee I am speaking about is this F. E. P. C.—

which I think will and should be of vital interest to the membership of this body and for that matter to every taxpayer in the United States. It is, of course, known that Malcolm Ross is chairman of the committee, whose function is reputed to be to see that there is no discrimination in employment account of race or color in this country. It is noteworthy in the organization of his committee this principle is most flagrantly violated.

In his own committee they violate it. Just like they violated in Russia the very principles that they preach, where they murdered over a million people, and many of them were Jews, when they put them to death in Russia, and they come in here like wolves in sheep's clothing and howl about equal rights! They have trespassed on and betrayed the trust that we have placed in these people.

It is noteworthy in the organization of his committee this principle is most flagrantly violated. Over all, there are 106 paid employees—61 Negroes and 45 whites.

Now, imagine that!

Compare that with the percentage of Negroes against the percentage of whites in this country.

So on and so forth. I shall submit this statement of Mr. Gibson's. It is very pertinent to the issue. I shall read one more short paragraph here:

I am wondering if our people have reached the great divide in the path of civilization and have started down the slope to the sunset of the same.

Gentlemen, when they start down that slope of the sunset of the same, it means the end of the road for these Negroes that we have given so many privileges to, and that my forefathers died to preserve and protect.

Now, my grandfather was decorated at the Battle of Gettysburg. There are monuments that stand on that field to his memory, and my granduncle too has a monument there to his valor.

Senator CHAVEZ. May I suggest to the young lady that my people could not be decorated because they were on the other side.

Mrs. WATERS. It is unfortunate that all of us did not come over here sooner. My people came to this country very shortly after the last Stuart, King of England, was exiled to France.

Senator CHAVEZ. I might suggest to the lady that mine were over here 40 years before that time.

Mrs. WATERS. Thank you very much for that. That is very fine. I think the Spaniards have done a good job here.

Senator CHAVEZ. Your grandfather was decorated after the Battle of Gettysburg, you say?

Mrs. WATERS. Yes.

Senator CHAVEZ. My folks could not be decorated because they happened to be on the other side.

Mrs. WATERS. They were on the side of the South. I am particularly stressing the fact that I am a northerner from New York City, but I have lived here 25 years in Washington. My original home was in New York City, and I am a descendant of a member of the Grand Army of the Republic.

I also want to say my grandfather was no carpetbagger, and I want to say to you, Mr. Chairman, that only over my dead body will any carpetbagger again desecrate the South.

Continuing with Mr. Gibson's speech:

The greatest responsibility placed on mankind is to keep his race pure; the greatest destroyer of civilization and Christianity is the mongrelization of races. If this bunch of moral lepers is not stopped the depth to which they will bring our citizenry is unpredictable. God made his people as he would have them be, and if you doubt that the full plan and chart of these communistic rats call for a full race adulteration watch the years that are to follow soon, and your complacency so abundantly enjoyed now will stand before you an ugly skeleton of condemnation. I have in the past and expect to in the future warn my people of these dangers and fight these Communist enemies of America as long as I am able to speak.

I will end there with Mr. John Gibson. I am offering his whole statement in toto for the record. I don't think I ended his other statement when he said that we have started down the slope to the sunset of the same.

I wonder if they have become so spineless—and in this I include the membership of the Congress—and so weak and faint of heart that they will see perish before their eyes all that has made our Nation great, and sleep through the operation being performed on our democratic system of government by the Communists of this country, and let them bury beside the heroes who made the air free for Old Glory to fly, the Stars and Stripes that has stood vigil over their tombs through the years of freedom and progress this Nation has enjoyed.

I want to know if my husband has died in vain. I am the widow of a veteran in the last World War, and I am the mother of a soldier in this one.

Now, are you going to be a party to the overthrow of this Government through insidious, subtle means? Who is raising the issue of race riots? Who is issuing orders to create race riots? Who is issuing orders to foment strikes? Who is talking about the rights of minorities? Why do not all the other minorities come in here? I

want to know. Are there any minorities other than the Jews and Negroes being represented at this "wailing wall" today? I do not see any Spaniards here, and I do not see any Chinese-Americans here, and I do not see any Irish-Americans here. I have got other things in my statement about a reference that was made to the Catholics, because I happen to be a Catholic.

Senator CHAVEZ: You would not consider Monsignor Ryan as being partial to any race, would you?

Mrs. WATERS: I happen to be a Catholic. I am a member of a faith that has 22,000,000 members in America, and I am not coming in here demanding any such minority rights. I am not complaining of any injustices. We have enjoyed the greatest freedom that religion has ever known in this country, and we appreciate it, and we are fighting to keep it. I will make some remarks about Mr Ryan, that I have known for several years. I have seen that Red. He was born in Ireland. He is a Red revolutionist, and he does not represent the Catholics of the United States, and I challenge him to dare to prove it.

Now I want to read some excerpts from a Member of the Senate of the United States, who made these remarks upon the floor of the Senate not so very long ago, and he has been, to my knowledge, a New Deal rubber stamp ever since he came to Congress. He is coming to see the light of day. I only wish to God that every southern Senator had seen the light of day in 1939 when I told them these things would happen.

"Oh," they said, "it could not happen here," and only a few moments ago I heard a witness for this bill say that this bill would be only the beginning of the medicine that is to be dealt out to the American people. Think of it! Think of it!

Now let me give you Mr. Russell's speech, or a part of it. I shall not take your time to give it all to you, but I recommend to every member of this committee, to every member of the Senate and House, to read in toto Mr. Russell's remarks. I am only going to read a few of them:

I am disturbed, Mr. President, as I have never been disturbed before, by the evil which portends for the people of my State, both black and white, in this ruthless drive being made by the F. E. P. C., with their callous disregard of human nature and the realities, to enforce their views on racial relations over the entire Nation. At about the time the F. E. P. C. issued its original order in the Philadelphia case, it likewise issued an order against all of the operating railroads in the South, directing them to employ Negroes as engineers and conductors, as well as in any other job classification with these railroads. In addition, the employees and agents of the F. E. P. C. are now reaching into all other forms of industry in the South, demanding that employers and employees overnight change practices and customs of years' standing and submit themselves to the judgments and policies of the F. E. P. C.,—

who are 65 percent Negro and 35 percent white, and the minority of whites are merely the clerks of the stenographers. Now, are we going to have a Negro dynasty and "Red" dictatorship set over industry and business in America? This does not merely affect the South, gentlemen, it affects every State in the Union. They are even dictating—

who shall be employed and which employee shall be promoted, and to prescribe all of the most intimate relations which shall exist between the employees of the business, whatever may be their race. This agency also asserts the power to force labor unions to accept any person of any race as a member, and has ordered labor unions to repeal provisions of their union constitutions which affect membership of Negroes. I shudder to think of the consequences if the F. E. P. C.

follows its established program and attempts to reenact the Baltimore case, or the Philadelphia story, in any large southern city. I content myself with the statement that if the F. E. P. C. invades the South with its blind determination to enforce its social views upon the southern people, it will not only be disastrous to early victory in this great war, but it will set in motion a train of events that will endanger the future peace and welfare of all the people of the United States.

Now, is that what you gentlemen propose to do? That is the intent and purpose, as proven in the past, of this committee. We are going to be ruled by Red committees. That is the type of government they have in Russia.

Now, Mr. Russell says:

This statement is not in any sense a threat. It is a statement of fact, and an appeal to the conscience and reason of all those who are charged with any responsibility for the operation of the Government of the United States.

So I shall submit the balance of Mr. Russell's statement, and I hope the Senate will read it with a great deal of interest. I do not think I shall take the time of this committee today to read it all. I am trying to be fair, too. I hope it will be printed in toto in the record.

Now, I have a copy of the speech of Senator Bilbo of Mississippi, who took occasion to address a special session of the Legislature of the State of Mississippi on the conditions existing today here in Washington. I shall not go into the entire speech, but I think there is a great deal in it of great interest to the people of the United States as a whole, not simply to Mississippi, and I think that the people of America should become alert to these conditions. I should like to offer this speech for the record and have it printed in toto. I should like to have my copy returned, because that is the only one I have.

Senator CHAVEZ. I do not know what we are going to do about printing it if you want it returned.

Mrs. WATERS. You have taken a great deal of the taxpayers' money and time in permitting these people to submit their case, and they have submitted voluminous statements here, and I think the people of America should be permitted to also present at least statements pertinent to the issue.

Senator CHAVEZ. I agree with you, but you were talking about having the speech returned to you.

Mrs. WATERS. Oh, I beg your pardon. I thought you were fighting with me about getting it in the record. I hope to get it in in toto. I could not stress it enough. I wish I could repeat everything I have to say. I happen to be the only woman candidate for President of the United States, and I am making speeches across the continent about the conditions as I have found them in Washington.

Now, the people who are interested against this bill, were they able to come here, they could not get in this room, but they feel that the American people do not need to set up a lobby or a government within a government here in this committee to fight every one of these damnable bills. We do not see why we have to be put to the trouble of giving up our war effort and our businesses all over America to come in here to protect our rights, the rights that were given to us by the Bill of Rights and by the Constitution. We expect the Senate of the United States to protect our rights and to protect our Constitution against all special interests or all saboteurs.

Now, why should Jews and Negroes be set apart for special favors, before election day, too? Maybe it is politics.

Many of these Jews and Negroes, representatives of the F. E. P. C., are of draft age, and hundreds more that are scheduled to take over white men's jobs are also of draft age. Why should these draft dodgers be coddled by Congress with special privileges for the future? Because they are Negroes and Jews? Or is it because they are Communists? Are they hired tools of Moscow? Are they to destroy this Nation with revolution while they take over our boys' jobs, while our boys go out to fight and die to make the entire world safe for these Reds to destroy this Republic or to hold down soft jobs?

I object to this bill also on the ground that if made a law by Congress it will be administered as now, and as in the past, by Communists who are usurping and using just such executive powers as the so-called Fair Employment Practice Committee under the New Deal which has caused strikes, unrest, and race riots, so as to undermine our Republic and force revolution on our shores.

This bill destroys human liberty because it pits class against class. It would violate the constitutional rights of both the employer and employee. It is un-American, unconstitutional, and is a violation of the Bill of Rights, and even if administered well by Americans of good intent it would destroy free enterprise, because it favors special interests of Negroes and Jews and works a hardship upon the majority of our people, and upon industry, labor, and business, by giving life and death powers to these Negroes and Jews over the majority.

I want to know why it is that an American businessman is not permitted to elect and choose whom he shall employ, and why the Negro and Jew should be permitted by the Government and the law to come and dictate to him as to whom he shall employ. Is that according to the doctrine of Americanism? Is that according to our belief in free institutions? Is it Americanism? It is not. It is communism.

The membership of this so-called Fair Employment Practice Committee reeks with Reds, as I have proven to you in the evidence submitted today, and most of the supporters of this bill and the witnesses here are Communists or members of Communist-front organizations. I challenge these enemies of God and America. They dare to come to Congress to ask to be clothed with the power of our American congressional law to enforce their nefarious Communist schemes to destroy American homes, American lives, peace, and happiness; to destroy industry, business, and labor, and indeed the very lives of our citizens and the Republic too, and to cloak themselves with congressional immunity, power, approval, and support to cover up their past dirty work in Philadelphia and other cities where there were strikes incited by the orders of these Negroes and Jews. Their unjust decrees have caused revolt by labor. I am talking about labor having revolted, white labor, and that is a majority of the American people, and you are sworn in your oath to protect their interests. The order that was issued in Philadelphia came close to wrecking our war effort. Wherever they have had the power to compel strikes and wreck the war effort, they have done so.

Now, the Catholics of this Nation have never been discriminated against. They want no part in any such Red or Jewish assertions or lies or Red pogroms. I am a Catholic, and there are 22,000,000 more Catholics like me. Monsignor Ryan does not represent the Catholics of America.

Senator CHAVEZ. Just a moment.

Mrs. WATERS. I said that once before.

The majority of these Reds who are asking for this bill are Jews, Negroes, liars, and rats, not Catholics, but atheists; they are foreigners. They never have been assimilated as American citizens. They are listed as enemies of this Republic. I do not believe that these rats or liars or Communists represent American labor here. I do not believe these liars or Communists are representing American labor either. I do not believe the rank and file of American labor want Reds and Negroes to take their jobs away from them. They are using American labor as a front for our enemies.

The Communists' main stock in trade always has been the promoting of a class struggle. They are the only minority yelping for rights in wartime. This bill would deliver to them the legalized weapons of congressional power, the legalized authority to promote and force class struggle leading to a Red revolution here in wartime too, with the backing and consent of Congress. Their technique here is to work like rats from within under the guise of so-called fair practices committees. It means government by Red committees. It is just another Trojan horse, with headquarters in Moscow.

Is the Congress of the United States going to be duped into becoming a party to character assassinations, Red intrigues, strikes, race riots, and the murder of innocent Americans under the guise of fair employment practices? The American people do not need these foreign agents in Red committees to enforce "fair" employment practices, and then when they are discovered in the wrong they should not be permitted to seek the sanctuary and security of the law and have their acts ratified, as proposed by this bill. And it amounts to exactly that—a betrayal of the people of the United States to be authorized and made legal by Congress, and then call out the Army to enforce the decrees of our enemies who are signing the death warrants of free American labor, American industry, and American lives. Why, I never heard of anything in the world so outrageous as this bill proposes to do to our American people. Gentlemen, with this bill you are signing the death warrants of free American enterprise, of free American labor, and of free American industry, and of free American lives.

I object to this bill on the ground it is a threat against our national security and engenders strikes, race riots, and Red revolution on our soil. This is a bill designed by Communists to overthrow our republican form of government, and would substitute Red orders from Moscow for American law, and Red anarchy and a dictatorship for private initiative, enterprise, and freedom. It is a bill seeking to obtain the consent of the majority of the governed by an act of Congress to wage a social and industrial persecution, Red revolution and economic warfare against the great majority of the American people, and this bill would have the Congress of the United States of America ratify these vicious orders of bureaucratic Communists against all American business. Imagine that. These sneaky, little, miserable Moscowites come in here under the guise of obtaining the rights of the minority and gaining the consent of the governed to do away with the rights of the majority of the American people.

This bill would ratify all the vicious past acts of the Executive against industry and labor, compelling employers to hire Red laborers to destroy them from within.

It also seeks the power to legally enforce these Red orders and to place Reds in all American businesses, by use of congressional law and authority, and would afford the use of our armed forces to wage Red revolution in our streets and to make war upon any American citizen or corporation these enemies within our gates might choose to persecute who might in any way try to defend themselves or resist.

I did not give you a personal experience of mine that came into my life before I knew anything about this bill, not very long ago. I am a housewife, I am the mother of a family, and I am a widow. I went to the market in my neighborhood. I had been dealing in that store. I might say what store it was, too, it was the High milk store on Wisconsin Avenue near where I live. I was very much hurt by the attitude of the manager, who was ready to weep that day. She told me, "I have been 5 years in this business. I am from South Carolina, but they have placed orders on this store that I cannot run today." I said, "How has it happened?" She said, "I don't know. There is so much red tape in Washington, I don't know how it has been done." She said, "I have got to give up my job. I refuse to stay on this job with Negroes." So she did quit. There was nothing but white people in that store. The store had a fine clientele of white people, Georgetown white people. She left. She had been supporting a family, she had been 5 years in that one store, and she was superseded by a Negro. There were two white girls still there, hoping they could put up with it. One day, when I went in that store, my change was all wrong. I gave the girl a quarter and she was handing me back 30 cents. I told the Negro girl, "You should not be in this store. You don't even know how to count money." A child 8 years old would have given me the right change. I got quite fussed, I was pretty mad. At the end of the day, when a tally was made of everything taken in and the change was counted up, the white girls would have had to make up the loss. There was one change box where all the white girls and colored women had their hands in that till, and they found that the till was short, and the white people would have had to make up the balance of the Negroes' mistakes. So the white help quit. They said they were not going to work at 50 cents an hour, whatever it is, and have to put out the profit of the whole day's labor for the mistakes of the Negroes. Now, the result of that is this: Negroes crowd into the store to buy now, and that neither my young daughter nor myself feel we can ever enter into the store again, because it is completely taken over by Negroes. That store has deteriorated to such an extent that a white person cannot get to be waited on. If you cannot call that discrimination against the white race, I do not know what it is. I am talking about discrimination against the white race.

I would like to quote Mr. Rankin further on that:

Mr. Speaker, I rise to register my protest against the continued persecution of the white people of the South.

The white people of the South are proud people. They supported this war effort to the last ounce of their ability. They are not here presenting any complaint about the discriminations in the South. Well, I am.

We white Democrats of the South who have held the party together for more than 75 years, and who are now struggling to iron out difficulties brought about by these elements in our national life, who would stir up strife among us, are being constantly harassed and embarrassed.

One of the most dangerous of these robots is the so-called Fair Employment Practice Committee, which was created by President Roosevelt through Executive order, and which constitutes one of the most dangerous innovations ever made, and one that can only bring race strife and discontent.

The President should revoke that order at once. It would be the most effective step that could possibly be taken toward restoring harmony.

Imagine the nerve of these Reds in daring to ask Congress to equip them with such powers, and to give them our Army to wage a revolution. It would be empowering a bunch of Reds with authority and setting up the enemies of America to rule us.

This bill is unconstitutional and flagrantly violates the Bill of Rights guaranteeing to every citizen personal liberty against imperialism or oppression of any kind, and freedom from oppressors too. This bill legalizes oppression and persecution. It would set class against class and engender hatreds and revolutions. It sets up special interests of the few over the majority. In fact, it is a bill to create for the special enemies of ours within our gates a revolution upon our soil, using the Congress and the Army to destroy the Republic, and to give to the enemies of the American people the power and the right to put American people to death if they refuse to obey orders that destroy business and despoils the Nation. And with our own Army using its force to enforce the collapse of American interests, and ruin labor.

This bill sets up the Communists within our gates. The Moscow government in Washington cloaks them with both Executive and congressional power, and hands over to them this Republic. It also hands over to our enemies our Army.

I dislike very much to even mention here or discuss the race question but I did not raise it; it was raised here by the proponents of this bill, who admit they are Jews and Negroes. It is very disgusting to me. I never have stressed it, but I always had to do so to refute these charges against the white people in this country by the Negroes. They say we are race haters. Why, we have been the finest, the best friends of the Negro race that any nation ever knew. These Negroes never knew anything as grand as they have today, and especially in Washington that is called Negro heaven. I did not raise that issue here. It was raised by these proponents of this bill, who admit they are Jews and Negroes.

Now, I deny that these Jews and Negroes are discriminated against, for we are using every available person capable of holding a job, regardless of race, creed, or color, and that is the American way of life. They have no kick coming. Why, they are holding the finest jobs in this Nation today in the Government. I have a Government worker in the family. She said she did not object to them sitting down beside her working in the Government. I would like to know how it is that they are discriminated against. They have no case at all. Nowhere upon the face of the earth since the beginning of time have they ever enjoyed so much prosperity, happiness, freedom, liberty, and peace as they have been freely admitted to enjoy on equal terms with all Americans, because my forefather, because my grandfather chose to give his life that they might have freedom. And yet they would destroy American freedom, they would destroy the very Republic that has given them birth, given them everything they have got.

I do not think the colored people are to blame, in fact I am most sympathetic with the colored people. I think they are being used as whipping boys by the Jews and Reds from Moscow who prefer to

stress the conditions of the poor in America, and who prefer to use the Negro question as something that they can continually dig with at the heart or the foundation of this Republic, in order to destroy and bring the building down upon the heads of these poor Negroes. Indeed, I am sorry for them. Indeed, I am. I know it is only through ignorance, through the utmost ignorance, that they are being misled by the enemies of this Republic, who, in the last analysis, would turn upon them and destroy them as they did their own Jews in Russia.

The Jews have no case here. The Jews are the richest merchants in this country. They have been given the grandest opportunities in this country. They came here, as I said, during my lifetime, and I am a little over 50 years of age. I remember those Jews. Why, it is heart-aching to me to think of any Jews who dare to spit upon the very flag that has covered them and protected them and given them all the glorious opportunities in the greatest land on the face of the earth. I say to these Negroes to go home and say to the first foreign-looking face that puts a nose inside their house, to get out of here, and, by God, you are going to fight for our America. This country does not want you to go up against the wailing wall. You have every opportunity that a white man has.

Senator CHAVEZ. Suppose you address yourself to the committee.

Mrs. WATERS. It is very important for me to speak to these Negroes. I have an opportunity today to help save this country.

Senator CHAVEZ. It was the desire of the committee to have the Negroes here.

Mrs. WATERS. The Negroes are present and I want to reach them, I want to appeal to their Americanism, I want to appeal to their sense of justice and to their Christianity. I know they are great Christians and great Americans, because most of our finest Negro soldiers are really loyal Americans fighting for this country. In fact, Hamilton Fish was a colonel in the Fighting Tenth Negro Regiment in the last World War, and these Jews have used every pressure they could bring to bear to humiliate Mr. Fish.

SENATOR CHAVEZ. I am very fond of the Congressman.

Mrs. WATERS. It is one of the worst outrages that has ever occurred in this country.

SENATOR CHAVEZ. We want to get down to the bill.

Mrs. WATERS. That is a pertinent thing to this issue, Mr. Chairman, very pertinent to this issue that involves the Nation today. They are the questions that appear here before the committee in defense of this Nation and this Republic, and these people have got to be stopped, and I am going to stop them if it takes my last breath. Only over my dead body will they proceed.

Senator CHAVEZ. All right, if you feel that way about it, but suppose you tell us why this bill is either a very good or bad bill.

Mrs. WATERS. I shall conclude shortly. I do not think I can make many more remarks or many more charges against the bill. I think I have completely destroyed this bill, and I hope I have killed it.

Now, these people, these leaders in these Communist movements, never really became Americans and can never really appreciate this country, because they are dedicated to the overthrow of this country.

Now, I deny that these witnesses here represent the minority of Americans. They only represent Communists. It is freely admitted by the proponents of this bill that they are Jews and Negroes and that

the ostensible purpose of this measure is for the protection of Jews and Negroes, who are yelping to be given "special privileges." This is especially stressed in these hearings by the testimony of witnesses for the bill, which would set these people up as "special interests." And the Jews testifying here, like at a wailing wall in Jerusalem, make much of the Negro question, playing up the race issue and making a big handle of it, which is one of their age-old tricks. There is really no real race issue at all in this country. Strangely, they do not include the Greeks and Chinese, but Jews wish to use the Negro and also the poorer Jew as a "whipping boy," to cause bloodshed and Red revolution. These people are enemies of the Negro, and they are enemies of the real Jews too, as well as hidden enemies of all the Christian peoples of the earth.

I would like to see some of the so-called poor white trash of the South these Reds talk about come up here and wail a little bit. We do not see them. I would like to know where they are. They are good old Americans, fighting the fight, giving their sons, raising corn and hogs that are feeding our armies. There are no complaints there.

These people are enemies of the Negro and they are enemies of the real Jews too. They are emissaries of the devil from Moscow. However, they are Reds and they are Jews. True, about 65 percent of all Reds are Jews. Only Jews ever had a "wailing wall." They are working to destroy Christianity, working to build a world government for the Socialist Soviet Republics, working to get us into war, as they did do, and such hell of a mess as we have had, and now into a revolution.

Now, Jews are the most favored people in America, practically owning every store on every Main Street in the United States. And they are owners of most of the theaters, movies, and newspapers. They cannot, with any truth, say they are discriminated against. Why, most of them have become millionaires here. We deal with them without any talk of their nationality, race, or religion. If we wanted to really discriminate against Jews, we could really give them something to yelp about. We could stop dealing at their stores and stop buying their papers or attending their shows, and very shortly starve them to death, and we will do it if they become obnoxious. We women could starve the Jews out any time. I recall our ancestors did that to the British before the Revolution. Some of my ancestors in this country refused to buy gowns or materials for dresses, they made over their old clothes because they would not pay the taxes that the British demanded.

We do not feel there is a Jewish question or a Negro question, but we do not want to be forced to employ anybody because of any "racial issues" at all. Discrimination? That is all poppycock, designed to cover lies. That is camouflage to cover up the real enemy within our gates who is using this means to plant spies in business and who hides behind the barrage he throws up about race hatreds, and so forth, so he can get sympathy and help to overthrow America.

There is no real race hatred in America, only when it is manufactured, as with this bill. Only the Red revolutionists bring in such charges, to bring about bad blood in Negroes, and pour their venom against the innocent white people, seeking to enrage them into pogroms against Jews and Negroes.

The preponderance of those for this bill are Jews and Negroes. These Jews here who do this are not really Jews either, for they are members of the Communist Party and they are world revolutionists. They are destroyers of all religion, having been responsible for the mass murders in Russia and in other lands of millions of Christians and Jews also. Yet they appear here as Jews and Negroes. And they are planning with this very bill just such a terrible massacre right here on our soil. They are the most cowardly traitors in the United States of America, and they should be immediately taken under arrest, tried, and shot if found guilty of treason in wartime. They are not Jews, neither are they Negroes, but they are enemies of all Jews and all Negroes as well as of America and all Christian white people.

Now, another communistic play here is to place blame for strikes, race riots, and every calamity upon the American people.

Now, I do not represent Mr. Gerald Smith, unfortunately, and I am not associated with him, but yesterday I heard him viciously slandered and attacked in this committee by a witness for this bill who charged him, Gerald Smith of Detroit, with having promoted the race riot in Detroit. I know Mr. Smith, and as a friend I will defend him. He is a true American. Mr. Smith is not here to defend himself, but I am.

Senator CHAVEZ. Mrs.—I think I have your name here somewhere—Mrs. Waters—

Mrs. WATERS. You ought to know my name. You have known me for years, Senator.

Senator CHAVEZ. I always look at the face; I do not know the name.

Mrs. WATERS. You should remember, hereafter. Don't forget it. It is a name that is going to be very prominent in the history of America, I hope.

Senator CHAVEZ. Of course you made statements this morning that might be resented by others.

Mrs. WATERS. The witnesses—

Senator CHAVEZ. Just one moment.

Mrs. WATERS. The witnesses for the bill told this committee—

Senator CHAVEZ. Just one moment. They came over here and expressed their views.

Mrs. WATERS. Why did not you stop them from assassinating the character of Mr. Gerald Smith here? If you stop me from rectifying that assassination, that is one thing, but I think I have a right to correct the impression that was given here.

Senator CHAVEZ. You have done pretty well this morning.

Mrs. WATERS. I can do better too, and I expect to do it.

Senator CHAVEZ. You are not going to do it before this committee.

[Laughter.]

Senator CHAVEZ. Suppose we proceed now. We have been extremely patient. You have had more time than any other witness that has appeared here. After all, we are only human and we do get hungry.

Mrs. WATERS. I wish you had mentioned that when these other people were on the stand. I wish you could show more Americanism and fairness than you did. I think you have given altogether too much time and shown too much leniency toward the people who have come here and undermined this Republic.

Senator CHAVEZ. I am sorry you have that idea in mind.

Mrs. WATERS. Don't always crowd me when I come before the committee.

Senator CHAVEZ. Suppose we proceed with the statement?

Mrs. WATERS. I said I am a candidate for President of the United States.

Senator CHAVEZ. I might vote for you.

Mrs. WATERS. My platform is peace and bring home our boys. I want to say this: If I ever get to be President of the United States, woe be to the enemies of this Republic!

Senator CHAVEZ. I imagine.

(Laughter.)

Mrs. WATERS. Now, no one can charge me with promoting race riots or creating strikes as these representatives charge other Americans. And, gentlemen, above all I can say that no one ever heard of the Irish, Greeks, or Chinese yelping about their minority rights, only the Jews and Negroes.

Now, Mr. Chairman, I condemn this bill. Only Jews and Negroes yelp about their status in life. However, I believe that it is the desire of all good Americans to improve the condition of the Negroes. And certainly no American would deliberately promote a race riot or a strike in wartime, even though there might be some good reason for it. This bill would appear to have that objective, to create race riots. How could they dare? Would we be mothers of children to murder our own children by cutting off the means of winning this war? No, sir, and I refute such lies. I refute it. They are covering up their own acts of violence by charging innocent Americans with crimes they never committed. A great many of the 29 people that they mentioned, that were down before the grand jury, or in the sedition trial here, that they are making a scandal out of, I don't know those people, but I will defend their right to speak.

Senator CHAVEZ. Suppose we get down to the bill?

Mrs. WATERS. That is part of the evidence here.

Senator CHAVEZ. We are not going to get mixed up over there with the court of the District of Columbia.

Mrs. WATERS. All right. The poor whites have no lobby here for them. They do not yelp. They work, and they trust the preservation of their lives and liberties, and the preservation of this our beloved Republic to you gentlemen who represent them, and not to any special Jewish interests, or Red committees from Moscow, or Negroes either.

Now, the Jew is rich in America, and the Negro laborer is a valuable asset to the Jew and to America, when he goes about this work peacefully, and he usually has a song in his heart and works hard. This bill creates resentment and plants it in the heart of the Negro, and also against the Negro in all business and industry when it compels a free white employer to obey the unjust orders of a Negro or a Jew in a powerful Government bureau who demands that the white employer accept for employment a Negro or a Jew that he does not want or that tends to disrupt or injure his trade with white people, as the Fair Employment Practice Committee has done.

This bill is against the general welfare of all people, as it deprives American employers of freedom and initiative, and creates hatred in and between the employer, his Government, and his employee. Now,

that is a violation of American principles. Suppose now I was compelled to put in my house a Negro that I did not want for a servant, or any business that I might own, can you imagine the condition of industry situated in a situation like that, backed up by the power and majesty of the law and enforced by the Army of the United States? Why, that is a powerful thing to do—I mean a terrible thing to do to the American citizen.

This bill puts the Negro and the Jew in a hateful light or position, like at a "wailing wall," and breeds revolt in wartime, and brands the Jew as a yelper. It is against the general welfare, and I really think it will do grave injustice and perhaps irreparable damage to the poor loyal American Negroes and Jews, the poor and the rich loyal American Jews of this great Nation as a whole, and would be a grave mistake and injustice to these poor people, and that as a result there will not be a Jew or a Negro left living from New York to San Francisco for the people are getting tired of these complaints.

I want to tell you I am pleading the cause of the poor Negro, of the poor Jew, of a real minority in America, when I appeal to you to kill this bill, because it means there is the handwriting on the wall for all who care to read, if this bill is passed there will not be a Jew or a Negro left living from New York to San Francisco, and I say that from the very depths of my heart. That is what this bill means. If this bill is enacted into law, that is what it means.

Now, in the best interest of the American people as a whole everywhere and to protect the general welfare and national security, I ask that this bill be killed.

Thank you very much.

Senator CHAVEZ. Thank you very much.

(The text of the speeches submitted are as follows:)

THE F. E. P. C.

Speech of Hon. John E. Rankin of Mississippi in the House of Representatives, Friday, May 26, 1944

(The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 4879) making appropriations for war agencies for the fiscal year ending June 30, 1945, and for other purposes.)

Mr. RANKIN, Mr. Chairman, this is one of the most serious questions that ever confronted Congress. It is one that goes to the very roots of our form of government, our way of life.

This so-called Fair Employment Practice Committee, with headquarters at 1006 U Street, which is in the Negro section of Washington, and which was set up without authority of law, is one of the most dangerous communistic agencies ever created to annoy and harass the white people of this country. It has assumed the powers of a dictatorship by attempting to compel the white people of this Nation to employ people of other races, and to promote them to positions of trust and responsibility, whether they are wanted or not.

It has attempted to force the railroads of the country to place Negroes in positions of conductors and engineers. It is attempting to force business establishments to employ Negro clerks, and even managers and place them beside and even over, the white men and white women they have always employed.

This is revolution, if you please, and dictatorship of the most dangerous and revolting character, and you have no right to vote money out of the Federal Treasury to support it. If you do, then do not ever let me hear you again complain about bureaucracy or the radicalism of the New Deal.

You heard that article read from the Dallas News. They had this advertisement in the paper:

"Wanted: Colored man to work at night as a paper handler; an essential industry."

This so-called Fair Employment Practice Committee, with all the arrogance of a Hitler, told that paper it could not publish such an advertisement.

You cannot advertise for a Negro, a Chinaman, a white man, or a native American, according to the Fair Employment Practice Committee. This will prove to be the worst thing that has ever happened to the Negroes of this country. It will cause more of them to walk the streets, or tramp the highways, for want of employment than anything else has ever done. You are not helping them by voting for this appropriation, but you are helping communism to destroy the Government that you swore to uphold.

If you place an advertisement in the paper that you want a Chinaman to do your laundry, that you want a Negro as a truckman, a tenant, or a workman about the house, or that you want a Japanese or a Mexican, or that you want a native-born American, or that you want a white man, you will be subject to prosecution under this edict of this dictatorial committee, called the Fair Employment Practice Committee.

Mr. KEEFE. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. KEEFE. I am wondering if this edict is only applicable to the Dallas News, because I just finished reading the want ads in the local papers and I find hundreds of them advertising for colored help.

Mr. RANKIN. Oh. This is the beginning of a communistic dictatorship, the like of which America never dreamed. They want to dictate to you who shall work in your factory, who shall work on your farm, who shall work in your office, who shall go to your schools, and who shall eat at your table, or intermarry with your children.

It is sponsored by the Congress of Industrial Organizations Political Action Committee, headed by Sidney Hillman, a Russian-born racketeer whom the anti-Communist Americans of his own race literally despise, and who is raising money by the shake-down method with which he is now trying to control our election. He wants to be the Hitler of America.

This is the same element that wrecked practically every country in Europe. Now it is out to wreck or control the United States. This is the same gang that is promoting strikes in our war industries and slowing down the production of the weapons our soldiers need in fighting for their lives, and for the life of this Nation.

Listen to this article from the Dallas (Tex.) News:

"FEDERAL BUREAU ASKS NEWSPAPER ADS OMIT ANY MENTION OF RACE

"The Dallas News has been requested by Leonard M. Brin, regional director, President's Committee on Fair Employment Practice, not to ask specifically for Negroes when advertising for employees.

"The offending advertisement appearing in the help-wanted column under male (miscellaneous), and occupying one-half inch of space, read:

"Wanted: Colored man to work at night as paper handler. Essential industry. See Martin Josch, pressroom, Dallas News, after 7 p. m."

Brin said in part in his letter to the News:

"The Committee on Fair Employment Practice, operating under Executive Order No. 9346, a copy of which is attached, considers that such advertising is in violation of the order. It limits applicants to the narrow field described in the advertisement and automatically bars persons of other race or color from applying, even though these latter may also possess skills needed by your establishment.

"You are therefore requested to take immediate steps to remove from this and from any other advertisement for employees any features which are discriminatory as to race, creed, color, or national origin. You are further requested to advise your personnel office or hiring agent that they should disregard such specifications when considering applicants for employment. This includes the United States Employment Service.

"The need for using all available man and woman power during wartime is great, and becoming greater. By planning along practical lines we believe that there should be no difficulty in utilizing workers on the basis of their skills, or adaptability to training, and we believe that you are willing and anxious to assist in the furtherance of this in the interest of the total war effort."

"DECLINES TO BE INTERVIEWED

"Brin, when called on by a Dallas News reporter in the regional offices of the President's Committee on Fair Employment Practice, 1001 Mercantile Bank Building, said he had received instructions to give no newspaper interviews unless

the questions and answers had been approved in Washington. He suggested that any questions in regard to the plans and policies in applying and enforcing the Executive order be submitted in writing, either to him to be forwarded to Washington, or direct to Malcolm Ross, chairman of the President's Committee on Fair Employment Practice.

"Brin was told that he undoubtedly could answer the questions the reporter had in mind without referring them to Washington and that he should be better acquainted with the local situation than would be a Washington official. Brin replied that he had definite orders concerning submitting to interviews.

"The management of the News said that the want ad followed the News' long-established policy of not running advertising that is discriminatory or misleading.

"The News insists that all advertisements, in addition to being truthful, be specific and fully informative, the management stated. The position of the News is that if a mother wants a white girl to take care of her children that is exactly what she wants, not a Negro, or if she wants a Negro girl, that also is what she wants, and that this rule holds true in all of the categories of things wanted as advertised in the want ad columns.

"The News adopted rules several years ago on personal discrimination. All employees handling advertising were told to discourage advertisers from using any wording or phraseology that might be considered discriminatory toward any sect, race, or creed and to refer to the management any such copy which the advertiser might not be willing so to modify. No discrimination beyond that recognized by law and custom is involved in the usual handling of advertisements differentiating between the white and black races.

"The rule book of the News says that 'all employment ads should clearly indicate the nature of the work and conditions of the applicant.' The News holds that not specifying white or colored for jobs that might be patently for whites or for colored constitutes a very serious form of misleading which would result in a lot of lost motion on the part of the public, loss to the individual or firm advertising.

"EXECUTIVE ORDER

"The News has been criticized at times because a distinction is not drawn in the classification of many want ads between the wants of whites and Negroes. Negroes can advertise in any or all of the various classifications. This is not the case with many papers, the News is informed. There is one classification, "For rent to colored," which has been used for years by whites advertising servant quarters for rent.

"The order establishing the President's Committee on Fair Employment Practice is a wartime Executive order of the President, not backed by any legislation. Its purpose ostensibly is to make full use of manpower. Its letters in the forms of requests have gone to firms with war contracts or engaged in other essential businesses.

"The Dallas Better Business Bureau Bulletin of last March 27 carried the contents of a letter received by a Dallas firm from Brin concerning advertising that Brin said is discriminatory. The Bulletin article was headed, 'Dallas advertisers for essential industry must eliminate color discrimination—says committee.'

"The laws of Texas as approved by the Supreme Courts of Texas and of the United States permit and require segregation of white and Negro races as applied to many activities, legal authorities have informed the News. It is their belief that any Executive order ought to be applied in the light of State segregation laws and embedded social practices.

"In addition to these legal requirements of segregation, a practice of segregation exists in the Southern States that is of long standing and is widely approved by Negroes and whites alike as aiding in satisfactory relations between the two races. Because of that practice, which is a part of the social structure, employers want whites for some jobs and Negroes for others. Whites choose to work in some jobs and not in others, and Negroes likewise. An advertisement which ignores that difference is considered confusing and misleading.

"The want ad to which the President's Committee on Fair Employment Practice objected was run in The News by The News management a second time on May 10. A Negro man was employed on that day, causing the ad to be discontinued."

Who is this Fair Employment Practice Committee? Who compose the personnel of this powerful group of radicals who are attempting to reverse the laws

of nature by their edicts, at the risk of stirring up a revolution in this country in these critical times, when our white boys, whose people are being harassed and insulted by this outfit, are fighting and dying on every battlefield in the world?

Who compose the personnel of this group of Negroes, aliens, and crackpots who are fomenting strife, stirring up race trouble, and attempting to wipe out everything for which our brave men are fighting?

Here is the list of its members furnished by its Chairman, Malcolm Ross, only a few days ago:

Malcolm Ross, Chairman, white; Boris Shishkin, member, white; Milton P. Webster, member, colored; Sara Southall, member, white; John Brophy, member, white; Charles Horn, member, white; Charles H. Houston, colored.

The Chairman receives an annual salary of \$10,000, and the other members of the committee receive a per diem allowance of \$25 per day when working, and according to the Chairman the committee meets about once every 2 weeks.

You will note that on this committee there are two Negroes and four white people, one of whom, at least, Charles Horn, has an American name. One of the white men composing this committee is John Brophy. He has a long list of affiliations with Communist-front activities. In August 1938 he wrote an article for a publication called Equal Justice, the official organ of the International Labor Defense, which was cited by Attorney General Biddle as subversive. In 1937 Brophy sent greetings to the National Negro Congress, which organization was also branded by the Attorney General as subversive. He has been affiliated with a large number of other activities that have been branded as subversive by the Dies House Committee on Un-American Activities.

I will not burden the record with the recital of all those activities, but they are available to any Member who is sufficiently interested in the welfare of his country to look them up.

Another member of this Committee, Boris Shishkin, was connected with what was called the Washington Book Shop, located at Seminary Hill, Alexandria, Va., according to the records of the Committee on Un-American Activities. This Washington Book Shop is known to be a Communist-front organization, and was also branded by the Attorney General of the United States as subversive.

Another member of this Committee, Charles H. Houston, colored, has a long record of affiliation with Communist-front movements that have been branded as subversive by the Attorney General of the United States, as well as by the House Committee on Un-American Activities.

Members of one of these subversive organizations picketed the White House in protest against our preparation for war during the time of the Stalin-Hitler pact.

Now, let us take the chief employees, the powers behind the throne—the ones who really run the show. Here they are:

Office of the Chairman

Name	Title	Race	Salary
Ross, Malcolm.....	Chairman.....	White.....	\$10,000
Bourne, S. Claire.....	Associate fair-practice examiner.....	Colored.....	3,300
Wright, Barbara H.....	Report reviewer.....	White.....	2,600
Alexander, Dorothy E. (Mrs.).....	Secretary.....	Colored.....	2,600
Whiting, Margaret E. (Mrs.).....	Assistant clerk-stenographer.....	do.....	1,440
Sturcivant, Evelyn.....	do.....	White.....	1,620

You will observe that in the office of the chairman there are three white people, the Chairman, a report reviewer, and an assistant clerk-stenographer, and three Negroes. One of the Negroes is the associate fair-practice examiner.

They preside over the destiny of every enterprise in America. Their chief function seems to be to harass the white people, and especially the white businessmen of the Nation.

Now, here is the personnel of the administrative office:

Name	Title	Race	Salary
Jones, Theodore A.....	Administrative officer.....	Colored.....	\$5,600
Douglas, Lela M. (Mrs.).....	Chief, Mail and Files.....	do.....	2,000
Fogge, Harriet A.....	Assistant clerk-stenographer.....	do.....	1,900
Jackson, Rosalee A. (Mrs.).....	Clerk-typist (local).....	do.....	1,620
Hollomon, Irving B.....	Junior clerk—file.....	do.....	1,440
House, Marguerite H. (Mrs.).....	Receptionist-typist.....	do.....	1,440
Gamble, Jessie G. (Mrs.).....	Junior clerk—file.....	do.....	1,600
Mitshell, Regina B. (Mrs.).....	Messenger.....	do.....	1,440
Phillips, Rose Louise Stimms.....	do.....	do.....	1,320
Jeter, Sinclair.....	Administrative assistant.....	do.....	3,200
Baker, Vivian D.....	Assistant clerk-stenographer.....	do.....	1,620

You will note that every single one of them is a Negro. They administer the laws, rules, and regulations laid down by this outfit. No wonder they are stirring up strife among the white people of the Nation. And here is the personnel of the Operations Section:

Name	Title	Race	Salary
Maslow, Will	Director of Operations	White	\$5,500
Mitchell, Clarence M.	Associate Director of Operations	Colored	4,600
Davidson, Eugene L. C.	Assistant Director of Field Operations	do	4,600
Bloch, Emanuel	Senior fair-practice examiner	White	4,600
Metzger, Stanley D.	Fair-practice examiner	do	4,600
Kahn, Alice R.	Junior fair-practice examiner	do	2,000
Blanche, Vida G.	Clerk-stenographer	Colored	1,800
Rogers, Eleanor F.	Assistant clerk-stenographer	do	1,800
Landes, Ruth S.	Fair-practice examiner	White	3,800
McMullan, Lucille S. (Mrs.)	Assistant clerk-stenographer	do	1,620
Smith, Delphis (Mrs.)	do	Colored	1,620
Hart, Evelyn	Clerk-stenographer	do	1,620
Ricks, Rebecca	do	do	1,620

You will note that six of them are registered as white and seven of them as Negroes. Read those names again and see how many of them you would classify as white Americans.

The Director of Operations, Will Maslow, has been connected with the Consumers National Federation, which was cited as being subversive by the House Committee on Un-American Activities, in its report of March 29, 1944, as well as a contributor to a publication called Health and Hygiene, which was founded as an extension of the Communist Daily Worker.

Emanuel Bloch is shown by the records of the House Committee on Un-American Activities to have addressed the citizens committee to free Earl Browder, on March 16, 1942, which committee was cited as subversive by the Attorney General of the United States. Bloch was also one of the sponsors of another organization, the National Federation for Constitutional Liberties, which was found to be subversive by the Attorney General of the United States.

One of the Negro members of this Operations Section, Eugene Davidson, has been connected with at least four activities that have been branded as subversive by the Attorney General of the United States.

Now let us take the Review and Analysis Section. Here they are:

Name	Title	Race	Salary
Davis, John A.	Director, Review and Analysis	Colored	\$5,600
Lawson, Marjorie M. (Mrs.)	Associate Director	do	3,800
Golightly, Cornelius L.	Associate compliance analyst	do	2,600
Davis, Joy P.	Report reviewer	do	2,600
Hoffman, Celia B.	Secretary	White	1,800
Welch, Selena E. (Mrs.)	Docket clerk	Colored	1,800
Simmons, Walter L.	Assistant clerk-stenographer	White	1,800
Hemphill, India W.	Junior professional assistant	Colored	2,000
Coan, Carol	do	White	2,000
Dumas, Joan S.	Assistant clerk-stenographer	Colored	1,620

Only three of them are registered as white, and seven of them Negroes. One of the whites is a secretary and another one is an assistant clerk-stenographer.

At least one member of this division, Marjorie Lawson, colored, is shown by the records of the House Committee on Un-American Activities to be a member of a Communist front organization, known as the Washington Committee for Democratic Action, which has been branded by the Attorney General of the United States as subversive.

Now we come to the legal division. Here they are:

Name	Title	Race	Salary
Johnson, George M.	Assistant to the chairman	Colored	\$5,800
Clifton, Jeanne N.	Clerk-stenographer	do	2,000

You see, this division has only two members—both Negroes. They pass on all legal questions that arise concerning the activities of the white people of this Nation as they affect so-called fair employment practices.

But look at this list of hearing examiners:

Name	Title	Race	Salary
Hubbard, Macco.....	Hearing examiner.....	Colored.....	\$5,600
Trimble, Ernest G.....	do.....	White.....	5,600
Crockett, George W.....	do.....	Colored.....	5,600
Reeves, Frank D.....	Associate fair-practice examiner.....	do.....	3,200
Brooks, Mary E. (Mrs.).....	Assistant clerk-stenographer.....	do.....	1,620
Gordon, Jernevieve M.....	do.....	do.....	1,620

This division is composed of five Negroes, including the chairman, and one white man.

This brings us to the regional offices, the ones to which the people in the various sections of the country must appeal, or before which they must appear whenever interfered with or imposed upon by this outfit.

The first one is the New York regional office. Here is its personnel:

Name	Title	Race	Salary
Lawson, Edward.....	Regional director.....	Colored.....	\$5,600
Jones, Robert.....	Associate fair-practice examiner.....	do.....	3,200
Morand, Edward V.....	Associate field examiner.....	White.....	3,200
Jones, Madison S., Jr.....	Associate fair-practice examiner.....	Colored.....	3,200
Risk, Samuel.....	do.....	White.....	3,200
Souffront, Dennis.....	Secretary.....	Colored.....	1,800
Irish, Miriam.....	do.....	do.....	1,800
Bullock, Evelyn J.....	Assistant clerk-stenographer.....	do.....	1,620
Asheps, Titile.....	do.....	White.....	1,620

You will note that it is composed of three white people and six Negroes, including the chairman, a Negro named Edward Lawson, who draws a salary of \$5,600 a year, and who signed the Communist Party petition in New York in 1942, according to the records of the House Committee on Un-American Activities, and was a participant in the All-Southern Negro Youth Conference, which was affiliated with the National Negro Congress, which latter organization was cited as subversive by the Attorney General of the United States.

The only white examiner in this regional office is Samuel Risk, who also was a signer of the Communist petition in New York in 1939-40, according to the records of the House Committee on Un-American Activities.

But let us take the next one, the Philadelphia regional office:

Name	Title	Race	Salary
Fleming, James G.....	Senior fair-practice examiner.....	Colored.....	\$4,600
Manly, Milo A.....	Field examiner.....	do.....	3,200
Greenblatt, Mildred.....	Senior fair-practice examiner.....	White.....	3,800
Bernheimer, John S.....	Fair-practice examiner.....	do.....	3,800
Gorgas, Helen P.....	Assistant clerk-stenographer.....	do.....	1,620
Weitzman, Shirley.....	Junior clerk-stenographer.....	do.....	1,440
Orlinnage, Willard T.....	Fair-practice examiner.....	Colored.....	

You will see that it is composed of three Negroes and four whites; practically every one of the whites has a foreign name. I just wonder what chance an old-line firm of white Americans would have before that group.

You will also observe that the chairman in charge of this Philadelphia regional office is a Negro named James G. Fleming, who receives a salary of \$4,600 a year. According to the records of the House Committee on Un-American Activities, he is a guest lecturer of the Philadelphia School of Social Science and Art, which is a successor to the Philadelphia Communist Workers School.

Here is the Washington regional office:

Name	Title	Race	Salary
Hook, Frank E.....	Principal fair-practice examiner.....	White.....	\$5,600
Evans, Joseph H. B.....	Senior fair-practice examiner.....	Colored.....	4,600
Houston, Theophilus J.....	Assistant fair-practice examiner.....	do.....	2,600
Chisolm, Ruby F.....	Assistant clerk-stenographer.....	do.....	1,620
Saito, Otome.....	Clerk-stenographer.....	White.....	1,620

You will see that it is composed of three Negroes and two whites, and one of them who is registered as a white person is merely a clerk-stenographer, and his name is given as Otome Saito—which sounds Oriental to me. This is the group that presides over the destinies of the people here in the District of Columbia and the surrounding States.

The chairman of this group is Mr. Frank E. Hook, a former Member of Congress from Michigan, whose opposition to the Dies Committee on Un-American Activities is well known to every Member of this House. If any of you have any doubt about Mr. Hook's leanings, read his speech against the Dies committee and also look up a publication called Equal Justice for October 1938, which is the official organ of an outfit called the International Labor Defense, which was cited as subversive by the Attorney General of the United States.

One of the colored members of this group, Theophilus J. Houston, is listed by the Committee on Un-American Activities as a discussion leader of the National Negro Congress, which has been cited as subversive by the Attorney General of the United States.

And here is the Cleveland regional office:

Name	Title	Race	Salary
McKnight, William T.	Regional director	Colored	\$4,600
Wells, Morris	Associate fair-practice examiner	White	3,200
Clare, Lethia	do.	Colored	3,200
Donovan, Daniel R.	Fair-practice examiner	White	3,200
Bressman, Mildred	Clerk-stenographer	do.	1,800
Walker, Lillian B.	Assistant clerk-stenographer	Colored	1,620

You will note that this group is composed of three Negroes and three whites the regional director being a Negro named William T. McKnight, who draws a salary of \$4,600 a year.

He is listed as being a member of the Lawyers Guild, which was cited as subversive by the House Committee on Un-American Activities in its report of March 29, 1944; while another Negro listed with this Cleveland office, Lillian B. Walker, is listed as one of the signers of the petition of the Communist Party in Ohio in 1940, when Earl Browder was running against President Roosevelt.

Here is the subregional office in Detroit:

Name	Title	Race	Salary
Swann, Edward M.	Fair practice examiner	Colored	\$3,800
McClure, Catherine E.	Assistant clerk-stenographer	White	1,620

This is evidently a branch of the Cleveland regional office. You will note the examiner is a Negro, but the stenographer is a white woman.

Now the Chicago regional office:

Name	Title	Race	Salary
Henderson, Elmer W.	Senior fair-practice examiner	Colored	\$4,600
Gibson, Harry H. O.	Associate fair-practice examiner	do.	3,200
Schultz, Joy (Mrs.)	Fair-practice examiner	White	3,200
Zeldman, Penny M.	Assistant clerk-stenographer	do.	1,620
Bell, Minnie L. (Mrs.)	do.	Colored	1,620

This group is composed of three Negroes and two whites—Mrs. Joy Schultz and Penny M. Zeldman. Both of the examiners are Negroes. I just wonder what chance a white American enterprise would have with that group.

One of the members of this group, Minnie L. Bell, colored, is listed as being a member of the American League for Peace and Democracy, which is known to be a Communist-front organization, and which was cited as being subversive by the Attorney General of the United States.

Now, let us move down into the deep South, and take the Atlanta regional office:

Name	Title	Race	Salary
Hunt, Bruce.....	Senior fair-practice examiner.....	White.....	\$5,400
Hope, John, Jr.....	Associate fair-practice examiner.....	Colored.....	3,800
Tipton, James H.....	do.....	White.....	3,200
Bunting, Myra.....	Clerk-stenographer.....	do.....	1,800
Horton, Thelma.....	Colored.....

This is the office that covers the area I represent. You will see that this group is composed of three whites and two Negroes; one of the whites is a clerk-stenographer, while one of the Negroes is associate examiner, with power to harass the white businessmen of the Southern States.

This will explain a great deal of the resentment that now prevails among the white people of the South from the Potomac to the Rio Grande.

The Kansas City regional office:

Name	Title	Race	Salary
Hoglund, Roy A.....	Regional director.....	White.....	\$4,600
Brown, Theodore E.....	Associate fair practice examiner.....	Colored.....	3,200
Anderson, Clara O.....	Clerk-stenographer.....	White.....	1,650
Groves, Lonnetta A.....	Clerk-typist.....	Colored.....	1,490

You will note that this group is composed of two whites and two Negroes—the only examiner being a Negro.

The Dallas regional office:

Name	Title	Race	Salary
Brin, Leonard.....	Regional director.....	White.....	\$4,600
Castenada, Carlos E.....	Senior fair practice examiner.....	do.....	4,600
Ellinger, W. Don.....	Associate fair practice examiner.....	do.....	3,200
William, LeRoy V.....	do.....	Colored.....	3,200
Gutleben, Willetts O.....	Assistant clerk-stenographer.....	White.....	1,620
DuBose, Helen H.....	Junior clerk-stenographer.....	do.....	1,620

This group is composed of five whites and one Negro. Remember that this is the group that prohibited the Dallas News from publishing an advertisement asking for Negro help. I have already given you the comments of the Dallas News on that incident.

Here is an editorial from the Dallas Times-Herald of Friday, May 19, 1944, backing up the Dallas News:

"THE NEWS WAS WITHIN ITS RIGHTS

"The Dallas Morning News was within its legally constituted rights to hire a Negro for a special job which it deemed a Negro best qualified to fill.

"The News was within its legal rights to advertise for a Negro in its own newspaper, even though it is designated as an essential industry.

"The Times-Herald is confident that, in hiring the Negro, the News management had no thought in mind of race discrimination. That management, we are convinced, was engaged in an orderly operation of its business.

"No discerning white Texan is fooled by the fact that the issue was turned around so that it would appear to protect him from discrimination. That of course, is an insult to his intelligence.

"The raising of the race issue at this particular time by a Federal employee on a flimsy technicality bodes no good for either whites or Negroes. Those God-fearing men and women of both races who are trying to solve social problems on a just and tolerant basis are getting no help from thoughtless raisers of incidents which, though small and insignificant in themselves, add to the serious flame of prejudice and hatred.

"The Times-Herald does not hesitate to indorse the stand of its competitor, the Dallas Morning News, on this issue that confronts, not only the Texas press, but the people of both races in Dallas and the entire Southwest.

"THE EDITOR."

Here is the San Francisco regional office:

Name	Title	Race	Salary
Kingman, Harry.....	Senior fair-practice examiner.....	White.....	\$5,600
Rutledge, Edward.....	Examiner in charge.....	Colored.....	3,800
Rogers, Jewel E.....	Clerk-stenographer.....	White.....	1,800
Seymour, Virginia R.....	Senior clerk.....	do.....	1,800
Pestana, Frank S.....	Associate fair-practice examiner.....	do.....	3,200

You will note that this office is composed of four whites and one Negro—the Negro being the examiner-in-charge.

The subregional office, Los Angeles:

Name	Title	Race	Salary
Brown, Robert E.....	Fair-practice examiner.....	Colored.....	\$4,000
Burke, Jack B.....	do.....	White.....	3,800
Calvaruso, Helen.....	Clerk-stenographer.....	do.....	1,800
Vetter, Vera O.....	Junior clerk-stenographer.....	do.....	1,440

This group is composed of one Negro and four whites, all of whom have foreign names. It is true that Jack B. Burke does not sound alien, but the truth is his real name is Jack Burton Burkowitz. I understand he had his nose operated on and his name changed in Pennsylvania, but failed to pay the doctor who did the facial operation; so the physician exposed him by threatening to bring suit against him. He is listed by the Committee on Un-American Activities as a member of the Washington Committee for Democratic Action, and also the Washington Book Shop, both of which were cited as being subversive by the Attorney General of the United States.

These people, Mr. Chairman, constitute the personnel of this so-called Fair Employment Practice set-up that is stirring race trouble throughout the country, exercising the powers of dictatorship, and attempting to force their communistic policies upon the decent people of America.

This outfit is causing strikes instead of preventing them. It is being supported by Sidney Hillman, the racketeering head of the Political Action Committee of the Congress of Industrial Organizations, which is raising money by the shake-down method to try to get control of this country by corrupting the electorate of the Nation. As I said, this foreign-born, alien-minded racketeer wants to be the Hitler of America.

Let me read you an Associated Press article from Detroit, Mich., under date of May 16, 1944:

"STRIKE SHUTS DOWN CHRYSLER PLANT—THREE MANAGEMENT OFFICIALS THROWN OUT

"DETROIT, May 16.—Chrysler Corporation's Highland Park plant was closed, with 3,000 idle today, after a dispute during which, a company spokesman said, three management officials were thrown out of the factory and three union stewards were discharged.

"The company said the dispute was precipitated when employees, members of the United Automobile Workers (Congress of Industrial Organizations), objected to deliveries of soft drinks by a member of the American Federation of Labor Teamsters' Union, which is engaged in a jurisdictional dispute with the Brewery Workers of America (Congress of Industrial Organizations).

"United Automobile Workers-Congress of Industrial Organizations officials made no comment pending an investigation. The plant produces assemblies for Bofors guns, trucks, and bombers."

This gives an account of 3,000 strikers, members of the Congress of Industrial Organizations, walking out because a member of the American Federation of Labor delivered a truck load of cold drinks to the workers in the plant.

This plant was producing guns, trucks, and bombers that are so direfully needed by our soldiers at the front.

I wonder what your boy will think who lies dying upon the battlefield, slain for the want of the very weapons this group of strikers was supposed to produce. Suppose our soldiers at the front should strike because a member of the wrong union was bringing up the ammunition.

And remember, these strikers in this Chrysler plant are the highest-paid workers in the world.

This same article goes on to say:

"A walkout involving 3,800 workers at the Graham-Palge plant, in protest against a War Labor Board ruling, today halted production of amphibian tractors and precision parts for aircraft and marine engines and naval torpedoes."

While our boys are bleeding and dying for the want of these amphibious tractors which are so badly needed in this, the most critical hour of the war, this group goes on a strike and slows down the production of the very instruments our men must have unless untold thousands of them are to die for the want of them.

This same article goes on to say:

"At Flint, Mich., more than 1,400 workers were idle at the aluminum foundry of General Motors' Buick motors division in what a company spokesman described as a 'slow-down that led to a walkout.' The foundry produces castings for aircraft engines."

Think of that. A group of the highest paid workers in the world putting on a strike to slow down the production of airplane parts while our boys are dying in flaming airplanes over Europe, or crashing to their death for the want of this equipment.

But, Mr. Chairman, here is the worst one of all:

"PRODUCTION OF DRUGS HALTED; STRIKE IS STILL ON

"DETROIT, May 24.—Production of blood plasma, penicillin, and smallpox vaccine for the Army and Navy was at a standstill today in two Detroit plants of Parke, Davis & Co., one of the Nation's largest producers of these essential drugs, as 1,900 employes extended their strike its second day.

"The strikers are members of Local 176 of the Congress of Industrial Organizations Gas, Coke and Chemical Workers' Union."

In any other country in the world, under such circumstances, these people who promote these strikes would be shot for treason.

American soldiers, sailors, and marines, are dying all over the world, on every battlefield, on the high seas, and in the far-flung hospitals, for the want of this penicillin or for the want of small-pox vaccine to prevent the spread of that terrible disease.

While this is going on, this so-called Fair Employment Practice Committee continues its communistic drive to harass the white people of America and to stir race trouble throughout the country.

The best thing President Roosevelt could do for his administration, for the American people and for the maintenance of peaceful relations between the races, would be to abolish this so-called Fair Employment Practice Committee at once.

ORGANIZATION OF FAIR EMPLOYMENT PRACTICES COMMITTEE

Speech of Hon. John S. Gibson, of Georgia, in the House of Representatives, April 14, 1944

Mr. GIBSON. Mr. Speaker, I have been very deeply concerned over the purposes and activities of the organization here in Washington known as the Fair Employment Practices Committee. It is common knowledge that such an organization could have no proper functions in this democracy. It has been my opinion that it was born of the fertile mind of someone in this commonwealth of communistic philosophy and based on its activities I am convinced that my convictions were founded on truth and fact. The Communists some months ago came out with the statement that the South was the black man's country and in substance that they expected to put him in possession of the property of the South and in control of its destiny and people.

I have recently procured factual information on the personnel of this committee, which I think will and should be of vital interest to the membership of this body and for that matter to every taxpayer in the United States. It is, of course,

known that Malcolm Ross is chairman of the committee, whose function is reputed to be to see that there is no discrimination in employment, account of race or color in this country. It is noteworthy in the organization of his committee this principle is most flagrantly violated. Over all, there are 106 paid employees—61 Negroes and 45 whites. Compare that with the percentage of Negroes against the percentage of whites in this country. I am a great believer in letting the people know the facts and that with such knowledge they will correct any wrong. When the people are called upon to favor increased taxes I hope you will remember this committee which is not only totally useless, but a vicious bureau that breeds disunity and costs the people each 12 months \$317,160 or approximately \$1,000,000 every 3 years. The 45 white employees draw \$143,600 per annum and the 61 Negroes draw \$173,560 per annum. The employees of this bureau are the highest paid of any bureau or department of the Federal Government, on a per capita basis.

In the central office, where all the policies are made and enforced, here in Washington, there are 13 white employees and 35 Negro employees, the whites drawing \$48,540 per annum and the Negroes \$94,220.

The Chairman is white, his associate fair-practice examiner is a Negro. The office of the Chairman is staffed by 2 other whites and 3 Negroes. His administrative office is staffed by 11 Negroes and no whites. His Operations Section is staffed with 7 Negroes and 6 whites, his Review and Analysis Section has 7 Negroes and 3 whites. His Legal Division 2 Negroes only. Hearing examiners, 1 white and 5 Negroes. The Director of Review and Analysis is a Negro. In fact, the whole set-up is strictly Negro-dominated, with just enough whites to give a slight diversity of color. This is the gang that goes into the South and sets up offices with Negroes and whites working together; to Detroit and sets up an office with one Edward M. Swann, a Negro man, as fair-practice examiner, at a salary of \$3,800 per year, with a white lady for his secretary at \$1,620 per year, the 2 constituting the entire office force. This is the same gang that has told the management of southern railroads they must use Negro engineers and conductors, and union officials that they must accept Negroes in their organizations.

In the capital of my State, Atlanta, Ga., this same gang of Washington Negroes, by the authority of this committee, set up an office with Bruce Hunt, a white man, as senior fair-practice examiner, at \$5,400 per year; John Hope, Jr., a Negro, as associate fair-practice examiner, at \$3,800 per year; James H. Tipton, white, associate fair-practice examiner, at \$3,200 per year; Myra Bunting, white, clerk-stenographer, at \$1,800 per annum; and Thelma Horton, Negro, whose classification and salary was either intentionally or inadvertently omitted. Please note that Hope, the Negro, and Tipton, the white, have exactly the same classification, the only distinction being color, and the Negro gets \$3,800 and the white \$3,200 for the same duties and in the same office, and yet this infernal Committee is designated the Fair Employment Practice Committee.

They were liberal enough to let the regional offices in the deep South have a slight advantage in number of white personnel. In New York, however, the regional office has a personnel of nine, six of whom are Negroes, and three whites. The big boss, head of the office, with the classification of regional director, is a Negro at \$5,600 per year, and the highest paid white in the office is designated "associate field examiner" at \$3,200. His white lady assistant clerk-stenographer gets only \$1,620, while her Negro boss draws approximately three and one-half times this amount.

There are four regional directors in the entire United States, one Negro at \$5,600 per year and one Negro at \$4,600 and two whites at \$4,600 per year. You will note in every instance the Negro has the controlling voice and the higher salary with the same classification.

I am wondering if our people have reached the great divide in the path of civilization and have started down the slope to the sunset of the same. I wonder if they have become so spineless—and in this I include the membership of the Congress—and so weak and faint of heart that they will see perish before their eyes all that has made our Nation great, and sleep through the operation being performed on our democratic system of government by the Communists of this country, and let them bury beside the heroes who made the air free for Old Glory to fly, the Stars and Stripes that has stood vigil over their tombs through the years of freedom and progress this Nation has enjoyed.

The greatest responsibility placed on mankind is to keep his race pure; the greatest destroyer of civilization and Christianity is the mongrelization of races. If this bunch of moral lepers is not stopped the depth to which they will bring our citizenry is unpredictable. God made his people as he would have them be, and if you doubt that the full plan and chart of these communistic

rats call for a full race adulteration watch the years that are to follow soon, and your complacency so abundantly enjoyed now will stand before you an ugly skeleton of condemnation. I have in the past and expect to in the future warn my people of these dangers and fight these Communist enemies of America as long as I am able to speak.

I hope it will be borne in mind that the Congress had no part in establishing this Committee, nor was this body consulted with regard to the advisability of its establishment; nor has the Congress ever appropriated one dime for the operation of this Committee, the money for its operation being taken from the President's emergency fund.

The President created the Committee by Executive Order No. 9346, May 27, 1943, said Executive order providing:

First. All agencies of the Government of the United States shall include in all contracts a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin.

Second. All Federal agencies concerned with vocational and training programs for war production shall take all measures appropriate to assure that such programs are administered without discrimination.

Third. The Committee shall formulate policies to achieve the purposes of this order and shall make recommendations to the various Federal departments and agencies. It 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.

Fourth. The Committee shall receive and investigate complaints of discrimination. It may conduct hearings, make findings of facts, and take appropriate steps to obtain elimination of such discrimination.

Fifth. The Committee shall assume jurisdiction over all complaints and matters pending before the old committee.

Sixth. The Committee shall have the power to promulgate such rules and regulations as may be appropriate or necessary to carry out the provisions of the order.

I have given the full facts as disclosed by the records with regard to this Committee's origin, powers, and functions. I leave it to the verdict of the citizenry who make up these United States of ours—

First. Whether this Committee has any place in the orderly progress of our Nation.

Second. Whether the powers granted this Committee are beyond that which should be vested in a board of Negroes to exercise against the people of the United States.

Third. Whether the effects of the activities of this Committee create unity or discord and, whether the war effort is advanced or retarded by its existence.

Fourth. Whether the expenditures of these great sums of money can be justified when the people are staggering under the tax load they are now carrying.

[From the Congressional Record]

PERSPECTING THE WHITE PEOPLE OF THE SOUTH

Speech of Hon. John E. Rankin, of Mississippi, in the House of Representatives, Thursday, August 24, 1944

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, revise and extend my remarks, and include excerpts from a document that is being distributed and placed on the desk of Government workers with reference to the blood bank, and also to include a copy of a letter written by the War Department on the subject of segregation.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I rise to register my protest against the continued persecution of the white people of the South.

While our young men from the South are engaged in the heroic drives now being made against our enemies abroad, certain elements in this administration continue to hurl robot bombs of dissension into the ranks of the South—bombs are loaded with dynamite or other inflammable elements that are calculated to stir an upheaval of the most embarrassing proportions.

We white Democrats of the South who have held the party together for more than 75 years, and who are now struggling to iron out difficulties brought about by these elements in our national life, who would stir up strife among us, are being constantly harassed and embarrassed.

One of the most dangerous of these robots is the so-called F. F. P. C., which was created by President Roosevelt through Executive order, and which constitutes one of the most dangerous innovations ever made, and one that can only bring race strife and discontent.

The President should revoke that order at once. It would be the most effective step that could possibly be taken toward restoring harmony.

I hold in my hand an incendiary circular now being distributed by certain radical groups in which they attempt to put a stop to the segregation of blood plasma now being prepared for our wounded men in the service.

It is no disgrace to a man to have the blood of his own race injected into his veins; but I submit that it would be an insult to our white men in the service, to have the blood of other races injected into their bodies while they are wounded, helpless, and unable to protect themselves.

I am inserting a copy of a letter which has just come to my attention, and which was issued by order of the Secretary of War, attempting to abolish all racial segregation in busses, trucks, and other transportation facilities owned or operated either by the Federal Government or a governmental instrumentality as well as in motion-picture shows and other recreational facilities.

It reads as follows:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, D. C., July 8, 1944.

Subject: Recreational facilities.

To: Commanding generals, Army Air Forces, all service commands, Military District of Washington:

1. Reference is made to letter A. G. 353.8 (March 5, 1943) OB-S-A-M, March 10, 1943, subject as above, in which it was directed that all personnel, regardless of race, would be afforded equal opportunity to enjoy recreational facilities on each post, camp, and station.

2. While in general the spirit of the above-mentioned letter has been observed, occasional reports indicate that practices exist on some installations that are not in harmony with its provisions.

3. Exchanges: While exchanges and branch exchanges may be allocated to serve specific areas or units, no exchange will be designated for the exclusive use of any particular race. Where such branch exchanges are established, personnel will not be restricted to the use of their area or unit exchange, but will be permitted to use any other exchange on the post, camp, or station.

4. Transportation: Busses, trucks or other transportation owned and operated either by the Government or by a governmental instrumentality will be available to all military personnel regardless of race. Restricting personnel to certain sections of such transportation because of race will not be permitted either on or off a post, camp, or station, regardless of local civilian custom.

5. Army motion-picture theaters: Army motion-picture theaters may be allocated to serve certain areas or units but no theater or performance in any theater will be denied any group or individual because of race.

6. Effective compliance with War Department policies enunciated herein will be obtained through inspection by responsible commanders and inspectors general. Each inspector general will be directed that if, during a periodic inspection, a post, camp, or station, he discovers evidence of racial discrimination or direct or indirect violation of War Department policies on this subject, he will inform the commanding officer of the installation that such discrimination is contrary to War Department policy. If subsequent inspection of the installation indicates that proper remedial measures have not been taken, the commanding general of the service command will initiate action to insure full compliance with the announced policy.

7. The commanding general, Army Air Forces, will bring the contents of this letter to the attention of each unit of his command which is authorized an inspecting general.

By order of the Secretary of War:

J. A. ULIO,
Major General, The Adjutant General.

You will note the order provides that restricting personnel to certain sections of such transportation because of race will not be permitted either on or off a camp, post, or station, regardless of local civilian customs.

In other words, it attempts to wipe out segregation throughout the South, and throughout the countries for that matter, which would probably precipitate race riots and other racial disturbances at a time when they would do the country the most harm.

While our brave men from the South, as well as from other sections of the country, are driving onward in their relentless march toward victory, giving up their lives for American institutions, I protest against these attempts to humiliate them or to stir up race strife among their ranks.

The sooner this administration calls off these unwarranted assaults on the white people of the South, the sooner we are going to have that harmony necessary for victory abroad and for peace at home.

The SPEAKER. The time of the gentleman from Mississippi has expired.

[From the Congressional Record]

LET US NOT INJECT THE BLOOD OF OTHER RACES INTO THE VEINS OF OUR WOUNDED FIGHTING MEN

Speech of Hon. John E. Rankin, of Mississippi, in the House of Representatives, Monday, August 28, 1944

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a circular that is being distributed to Government workers here on the question of the blood bank.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, the gentleman from Indiana (Mr. LaFollette) keeps clamoring for this Fair Employment Practice Committee—F. E. P. C.—and says we ought to all stand up and be counted. If the white people of his district ever find out what that iniquitous proposition is, they are going to count him without his standing up, and I think they will count him out; and they will more than likely count out every other white man who sponsors any such crazy legislation.

This F. E. P. C. would force every enterprise to employ Negroes, Japs, or members of any other race, whether they were wanted or not, and promote them over white people, regardless of the trouble such an arrangement produced. That might suit the gentleman from Indiana (Mr. LaFollette), but I do not believe it would suit the rest of the white people of Indiana.

Right in line with that communistic program is this circular that is being circulated here to outlaw the separation of the blood that is being banked to be injected into the veins of our disabled servicemen of the State of Indiana.

Here is a circular these Communists are circulating among the Government employees here in Washington. It reads as follows:

ON LABOR DAY GIVE BLOOD AND PROTEST PLASMA SEGREGATION

Why?

Fighting men, black and white, are dying each day for democracy. You can save a life and advance democracy at home. All human blood plasma is the same and plasma saves lives. Segregation of plasma is not only senseless, but it is symbolic of a way of life to which we do not want our heroes to return.

GIVE BLOOD WITH A PROTEST!

How?

On Labor Day give blood for our invasion forces accompanied by an individual printed protest against blood segregation to be signed by you. This card will be handed to you as you enter to give your blood.

To secure an appointment Labor Day, write the Blood Donor Committee, 1212 Eighteenth Street NW., or call Ex. 2995, Ex. 0340, Ex. 0657.

GIVE BLOOD WITH A PROTEST!

When?

• Labor Day, Monday, September 4, 1944, preferably 11 a. m. to 1 p. m. and 4 p. m. to 5:30 p. m.

ATTEND MASS MEETING, 12 NOON, LABOR DAY, ON THE STEPS OF ACACIA BUILDING, BLOOD DONOR CENTER

Where?

Red Cross Center, Acacia Building, 51 Louisiana Avenue NW. Sponsored by District Council, United Federal Workers of America, CIO; Washington Industrial Union Council; National Negro Congress; N. A. A. C. P., Washington Chapter; Laborers District Council of American Federation of Labor.

GIVE BLOOD WITH A PROTEST!

Mr. RANKIN. No one can tell what effect injecting the blood of another race into his body would have on a young white man, or his children.

These Communists that are led by Sidney Hillman and his gang are offering here the greatest insult that has ever been hurled at those brave men from Indiana, from Mississippi, and from every other State in this Union, who are carrying our flag to victory.

While they are fighting our battles abroad, for God's sake let us not insult them here at home by forcing this damnable F. E. P. C. upon them, or their families, or by wiping out our segregation laws or preparing to inject the blood of other races into their veins.

The SPEAKER. The time of the gentleman from Mississippi has expired.

EXCERPTS FROM SENATOR RUSSELL'S SPEECH IN THE SENATE AUGUST 9, 1944

I am disturbed, Mr. President, as I have never been disturbed before, by the evil which portends for the people of my State, both black and white, in this ruthless drive being made by the Fair Employment Practice Committee, with their callous disregard of human nature and the realities, to enforce their views on racial relations over the entire Nation. At about the time the Fair Employment Practice Committee issued its original order in the Philadelphia case, it likewise issued an order against all of the operating railroads in the South, directing them to employ Negroes as engineers and conductors, as well as in any other job classification with these railroads. In addition, the employees and agents of the Fair Employment Practice Committee are now reaching into all other forms of industry in the South, demanding that employers and employees overnight change practices and customs of years' standing and submit themselves to the judgments and policies of the Fair Employment Practice Committee, let the Fair Employment Practice Committee prescribe who shall be employed and which employee shall be promoted, and to prescribe all of the most intimate relations which shall exist between the employees of the business, whatever may be their race. This agency also asserts the power to force labor unions to accept any person of any race as a member, and has ordered labor unions to repeal provisions of their union constitutions which affect membership of Negroes. I shudder to think of the consequences if the Fair Employment Practice Committee follows its established program and attempts to reenact the Baltimore case, or the Philadelphia story, in any large southern city. I content myself with the statement that if the Fair Employment Practice Committee invades the South with its blind determination to enforce its social views upon the southern people, it will not only be disastrous to early victory in this great war but it will set in motion a train of events that will endanger the future peace and welfare of all the people of the United States.

This statement is not in any sense a threat. It is a statement of fact, and an appeal to the conscience and reason of all those who are charged with any responsibility for the operation of the Government of the United States.

If it is proposed to turn aside from fighting our enemies and devote all the armed might of the United States to enforcement of the directives of the Fair Employment Practice Committee on the people of the South, of course the Fair Employment Practice Committee will win temporarily. It was demonstrated, in the days of Reconstruction, that the rest of the Nation can, at the point of the bayonet, impose the sort of nominal government they may desire upon the southern people. The Army can operate some of the railroads and some of the

war plants, and some of the employees may conform temporarily in order to avoid starvation for themselves and their families. But I assert, Mr. President, that such a policy will cause incalculable and unimaginable harm, and will be as disastrous in the long run to the peace and welfare and the happiness of the entire American people as the loss of a foreign war.

This political tampering, with the use of armed force, with racial relations in the South, will result in the greatest tragedy of our time. In my State of Georgia, which has a larger Negro population than that of any other State, the races have enjoyed unusually harmonious relations in recent years. For over eight decades the best people of my State, white and Negro, have wrestled prayerfully and fearfully with this great problem of relations between the races. Over this period there have been white men who have imposed upon the Negro, and there have been cases where semicivilized Negroes have committed outrages which have enraged the whites. Racial disturbances elsewhere in the United States have caused difficulties in Georgia. It has not been a smooth path that we have traveled through the years, seeking to work out our problems through the painful process of trial and error. The great majority of both races have sought to travel this rocky road with mutual patience and desire for better understanding.

There are still living Negroes who were born in slavery. In a relatively short period of time, as the life of a Nation goes, we have made the most remarkable progress of any people in all history who confronted a similar problem. Out of the ashes and the impoverishment of the most destructive war ever fought on this continent, we have gone forward. There are Negroes in the South who have accumulated substantial fortunes, and, to their credit, thousands of them own their own homes and are civic-minded citizens. Every year of this 80 has brought improvement in understanding and good relations between the races. Each year has brought better schools and health facilities for the Negroes as well as the whites. Our progress in these directions has not been as rapid as has been made in some other sections, but this has been because we are a poor people, in things financial. According to our means and ability we tax ourselves heavier for these purposes than do our compatriots in any other part of the Nation.

I do not believe that the people of good will of either race in Georgia, and in the South generally, will welcome the operations of any such group of fanatics and reformers as this Fair Employment Practice Committee has proven to be. We are going forward very rapidly in securing the rights and improving the opportunities of both races through the process of evolution. If the Fair Employment Practice Committee undertakes to solve this problem by revolution, it will destroy overnight all the good that has been achieved through the efforts of thousands of men of good will of both races through the past 80 years as they have struggled to establish sound and equitable relations between the races.

Mr. President, I realize that this question is shot through and through with the political implications of a national election. But, aside from the politics of the situation, I assert that common justice and decent treatment among American citizens demand that this issue not be thrust upon us during the course of this great war. No part of this Nation has any monopoly in patriotism, but I can say, without fear of truthful contradiction, that the people of the South have supported the war effort as earnestly as those of any other section, and that the sons of the South are today doing their fair share wherever the conflict rages.

I shall not advert to the stand taken by the Members of Congress from the South in dealing with the legislation to prepare this country for war and to enable us to fight this war. Suffice it to say that if southern Members of the Congress had not voted favorably upon such legislation as selective service, legislation to keep men in the Army after 12 months of service, the lend-lease legislation, all three of those important pieces of legislation would have been defeated in the Congress. The percentage of southern enlistment in the armed forces before the selective-service law was enacted was higher than that of any other section. Southerners have fair representation among the names of those heroes in this war who have performed especially noteworthy acts. We deserve better treatment at the hands of our Government than to have our section wracked by such racial conflicts and labor disturbances as will be brought about in this critical period of our history by the instrumentality of the Fair Employment Practice Committee if they proceed with their plans.

Mr. President, permit me to say that it is never pleasant for me to discuss in this forum matters bearing upon the racial question. In the five State-wide campaigns I have conducted in my own State of Georgia, I have probably made more political speeches than any other living Georgian. Never in a single campaign speech have I sought to make the Negro an issue in order to secure votes. If I had ever resorted to such tactics to win an election, I would be thoroughly

ashamed of myself. The only time I have ever mentioned any phase of the Negro question in any campaign was to reply to attacks made upon me for my constant efforts to secure justice and equality under the law for the Negro citizens of my State. I regret the events which have forced me, in response to what I believe to be a call of duty, to discuss racial matters in two or three recent speeches in the Senate. I do so now in the firm conviction that it is in the best interests of both the white and Negro people of Georgia and the future of this Nation to point out and seek to prevent the dangers impending as a result of the activities of this irresponsible agency of Government.

In conclusion, Mr. President, I wish to reiterate my firm conviction that this Fair Employment Practice Committee is the most dangerous force in existence in the United States today. If it continues to pursue its mad way unchecked, it will create more trouble and do more damage to the supreme effort we are making to win this war than could an army of saboteurs. It is a greater threat to victory than 50 fresh divisions enrolled beneath Hitler's swastika or the setting sun of Japan. It is disturbing and damaging relations between the races to a greater degree than could the extremists of both the white and Negro races if all the extremists were given a Federal license to provoke trouble.

In the interest of early victory in the war, in the name of justice and decency, for the sake of those it was created to help, the President should immediately discharge these marplots. The Congress will fail in its responsibility if it does not take steps to curb the vast powers it seeks to assert. I do not claim to be a prophet, but the predictions I made when opposing the appropriation for this agency in June, that it would not only harass employers and employees but would incite labor and racial conflict, all to the detriment of the war effort, and to the cause of good relations between the races, have been amply borne out by the march of subsequent events. The shadows of the future are clear to any who would see them.

Senator CHAVEZ. We will meet again at 2:30 this afternoon.

(Whereupon, at 1 p. m., the committee recessed to 2:30 p. m. of the same day.)

AFTERNOON SESSION

The subcommittee reconvened at 2:30 p. m., pursuant to the recess.

Senator CHAVEZ. The hearing will come to order.

Mr. Smith.

STATEMENT OF RUSSELL SMITH, LEGISLATIVE SECRETARY, NATIONAL FARMERS UNION, WASHINGTON, D. C.

Senator CHAVEZ. You are the representative of the Farmers Union, Mr. Smith?

Mr. SMITH. That is correct, Senator. I am the legislative secretary.

Senator CHAVEZ. Is it your desire to make a statement before the committee in reference to Senate No. 2048?

Mr. SMITH. Yes, sir.

Senator CHAVEZ. And an invitation was sent to Mr. Patton?

Mr. SMITH. That is correct; and he was unable to appear, and I asked permission to appear in his place.

Senator CHAVEZ. All right, sir. You may proceed.

First of all, identify yourself for the record.

Mr. SMITH. My name is Russell Smith, legislative secretary of the National Farmers Union.

The National Farmers Union endorses without qualification the establishment of a permanent Fair Employment Practice Committee. We believe that the present Committee has done a good job in the face of great difficulties, and that it is wholly desirable that it be continued

indefinitely as the guardian of the right of every citizen to work on an equal footing with every other citizen.

My appearance here is pursuant to action taken nearly 2 years ago by delegates to the National Farmers Union's thirty-eighth annual convention, long before the present independent F. E. P. C. was established. Meeting in Oklahoma City, these farmer delegates said that "Persecution of and discrimination against minority groups violates the Bill of Rights and prevents mobilization of our full strength."

This was not a premise prepared for these farmers by a ghost writer. These words express in terms of today what the National Farmers Union always has stood for, absolute equality of opportunity for every American. Since its founding in 1902 by 10 Texas farmers, the Farmers Union has striven to make living facts of the great statements of liberty contained in the Declaration of Independence and the Bill of Rights.

Today it is as firmly convinced as ever of the value of democracy, and just as firmly convinced that there is no democracy where citizens are denied access to jobs on equal terms with other citizens simply because of creed, race, color, or national origin. To the extent that we do not make good the pledges of our great basic charters as a Nation, by just so much do we fail to realize the great heritage of democracy that they are intended to guarantee.

That reaffirmation of this faith at Oklahoma City on November 19, 1942, stressed "mobilization of our full strength for war." Now it becomes necessary to mobilize our full strength for the transition to peace that will begin soon, and to mobilize it for the peace itself. We believe that the period upon which the United States is now entering is a crucial period of its national life.

In the grinding economic collisions that have followed every major war, discrimination of every kind always has flourished. We have only to recall the terrors of the Reconstruction period following the Civil War, or the growth of the Ku Klux Klan after the First World War, in order to predict accurately the dangers to which our country will be exposed.

The late Senator Huey Long once observed that when and if fascism comes to the United States, it will come under the name of Americanism. Thus, we may expect every sort of appeal to emotion, that sinister cloak of greed, in the name of our institutions, the very institutions that must be our guarantors of liberty. The Klan itself was not an alien importation, yet it was no less fascist because its members wore white sheets instead of brown shirts.

This is the fruit that the tree of poverty bears. When men are afraid for their jobs, afraid for their families, when they see the specter of insecurity around every corner, then they become desperate. Competition for jobs and security was what bred fascism elsewhere. We should have learned the lesson here.

That is why the National Farmers Union has proposed that this Nation turn its back forever on the economic theory of scarcity. As the first step toward a permanent economy of abundance, we have proposed that the people of this country, through their Government, underwrite full employment and full production.

Our president, James G. Patton, has offered to Congress and to the President proposed legislation to that end. In brief, this proposal is

that the Government announce that from this time on it will see to it that enough funds, private and public, are invested every year to insure employment of every person willing and able to work.

Specifically, it calls for an estimate every year of the amount that private business intends to invest during that year. If this sum falls short of the amount that economists find is necessary to produce jobs for all, then the Government would offer, for a stated period, to lend investment funds to private business. If at the end of that stated period the prospective investment still fell short of the necessary amount, then the Government itself would proceed to make the investment through a national works program.

During the war, the Nation has demonstrated a productive capacity far above anything that had been dreamed before. Weapons and materials of war have poured in a tremendous stream from our national industrial and agricultural plant. Yet even this gigantic demonstration of productive power shows that this is not all that we can do. Our national sinews have not been used to full capacity. We could have done even more.

Thus, the people at large know once and for all that there is no reason why this country should not be a land overflowing with comforts and necessities for all. So long as there are families that are ill-fed, ill-clothed, ill-housed, anywhere in the land, they will know that we have failed to make full use of our abilities. We cannot afford, therefore, to allow a repetition of the boom and collapse that followed the First World War.

Farmers have just as big a stake in such action as any other citizens. Inevitably, when depression occurs, the poor of the cities are forced back on the land, and agriculture thus becomes a sort of national poorhouse. The land suffers and the people suffer, and so-called surpluses accumulate. Most of the victims are, of course, members of minority groups, those who have been discriminated against in cities and who have little or no chance of competing with their better-off neighbors in agriculture.

For that reason, as well as because it believes in the simple, profound truths of the Declaration of Independence and the Bill of Rights, the National Farmers Union has fought for nearly a decade for the Farm Security Administration and the ideas for which it stands. In the last few months we have supported surplus disposal measures that would have strengthened Farm Security and would have made it easier for members of any minority group to obtain economic equality in agriculture.

For instance, we have urged upon the Government the desirability of turning over to Farm Security the handling of the farmland disposal phase of this program, so that tenants and family farmers would be established on that land. In the handling of its tenant-purchase program, Farm Security Administration already has demonstrated that it understands the need for protecting the rights of citizens regardless of race, creed, color, or national origin. Thousands of Negro farmers, most of them in the South, have been established on farms of their own, where they are living in amity and harmony with white neighbors. The communities where these citizens have been given

a new start toward independence and dignity are proud of the achievements of white and Negro farmers alike, and this pride is a beacon of hope for the future.

If I may be permitted to speak as a southerner for a moment, I should like to emphasize the tremendous gains that have been made in recent years in race relations. To those of us who have watched with sick hearts the tensions produced by the draining away of natural wealth and human resources, these advances have seemed of special significance. These advances have been particularly marked during the war, for, despite all of the surface indications of friction, prosperity has, in the main, meant a growing understanding and a spreading partnership for the advantage of all. That is why we hope that the Nation will never return to an economy based on scarcity for the many and wealth for the few. We have tasted the bitter fruits of such a condition, and we know that all of the efforts of all of the men of good will—and that means most southerners of whatever race—will hardly be equal to the task of preserving harmony if there is another economic smash.

Continuation of the F. E. P. C. is important not alone to Negroes but to members of all minorities of whatever kind. I shall not soon forget the examples of tolerance and patience presented to me 3 years ago in Albuquerque when I was fortunate enough to be able to attend the annual meeting of the League of United Latin-American Citizens. There I heard story after story of discriminations practiced against Spanish-speaking citizens, of the problems presented by the new war and defense industries of the Southwest, and of the wise and forbearing dignity with which this league of Spanish-speaking citizens was meeting these tests and seeking adjustments.

It will give new heart to all such groups in the South, in the Southwest, in the seething industrial centers everywhere, if Congress will establish the F. E. P. C. as a permanent agency, a branch of government specifically charged with responsibility for holding high the standard of equality of opportunity for all citizens.

In conclusion, I should like to commend this subcommittee, on behalf of the National Farmers Union, for its courage in the face of tremendous difficulties in proceeding with the consideration of this measure. We wish it all success. There is no time to lose.

Senator CHAVEZ. Mr. Smith, where are the headquarters of the National Farmers Union?

Mr. SMITH. Denver, Colo.

Senator CHAVEZ. Is it Nation-wide in its scope?

Mr. SMITH. Yes, sir.

Senator CHAVEZ. Have you some units throughout the Southwest?

Mr. SMITH. I think we have units in all the States of the Southwest except possibly Arizona, Senator.

Senator CHAVEZ. You do have them in New Mexico?

Mr. SMITH. Yes, we do.

Senator CHAVEZ. Texas?

Mr. SMITH. Yes; and Colorado.

Senator CHAVEZ. Is there anything further you care to state?

Mr. SMITH. No, sir.

Senator CHAVEZ. Thank you very much for your statement.

STATEMENT OF MRS. HELEN LOEFFLER, REPRESENTING THE NATIONAL LEAGUE OF WOMEN SHOPPERS, WASHINGTON, D. C.

Senator CHAVEZ. Will you kindly state your name?

Mrs. LOEFFLER. My name is Helen Loeffler and I am here as a representative of the National League of Women Shoppers, whose headquarters are in New York City. I am a member of the Washington League of Women Shoppers.

Senator CHAVEZ. Can you state for the record the functions of that organization.

Mrs. LOEFFLER. That is included in my statement. I start out with that.

The League of Women Shoppers is a nonprofit, nonpolitical consumers' organization which is interested in safeguarding labor standards and working conditions and improving living standards as related to real wages. We have branches in Chicago, Columbus, Denver, Minneapolis, Miami, New Jersey, New York, and Washington.

We believe that the rights guaranteed to citizens of the United States by the Declaration of Independence and by the Constitution belong to all citizens regardless of race, color, or religion. Any man's right to work in order to make a living for himself and his family is an inseparable part of his right to "life, liberty, and the pursuit of happiness." Yet no one living in the country can be unaware that large numbers of our population are denied equal opportunity to participate in the work that needs to be done, not because they are not equipped to do the job but solely because they are the victims of racial or religious discrimination.

This undemocratic practice reduces the noble ideals of our national heritage to hypocrisy, to which all citizens who accept the situation passively are parties. General indifference to this divergence between our professed belief in democratic standards and the daily practice of callous discrimination undermines our moral integrity, softening the very core of our national life. The injustices suffered by the minorities against whom the discrimination is directed are a grave evil, but the shrugging off of this situation by the majority constitutes a serious threat to our institutions of self-government.

Certainly the first step in getting us on the right course is for Congress to declare nondiscrimination in employment to be the national policy. And as the right to equality of opportunity is not self-enforcing, we need a national body, such as is provided in the bill your committee is studying, to correct discriminatory practices in employment in accordance with procedure which will be approved by Congress. The experience of the President's Committee on Fair Employment Practices demonstrates that a large proportion of cases of discrimination will yield to a conciliatory approach. In this connection it may be appropriate to refer to the experience of a committee in Columbus, Ohio, on which the president of the Columbus League of Women Shoppers has been active. This is a volunteer community organization, set up about a year and a half ago with some 34 agencies cooperating. They represent the churches, labor, Negro groups, Jewish organizations, schools, social services, and welfare groups. They call it the Columbus Metropolitan Fair Employment Practices Committee. It is not a Government agency and all necessary expenses come from the cooperating groups. Their case committee

receives complaints of discrimination in employment, which must be made in writing. They use the conference method of approach, making a special effort to be tactful and intelligent. Of the 450 cases which they have investigated, one-half have been successfully adjusted, one-fourth were found not to be valid, and one-fourth were still unsettled at the time when our Columbus president, who is on the Case committee, sent us her summary. They have been cooperating with the local War Manpower committee and have been praised by the Area War Manpower Director.

The Columbus experience shows that a good deal can be accomplished by purely voluntary efforts of public-spirited citizens. However, relatively few communities have such organizations. Furthermore, there are always cases where the persons responsible for discrimination in employment are uncooperative and will yield only if the agency entrusted with the task of combating discriminatory practices has definite powers to cope with the situation. It is significant that the very people who have been fairly successful with conciliatory methods of dealing with the problem of discrimination in employment feel strongly that a national agency with well-defined powers is needed.

The Wagner Labor Relations Act, which the proposed legislation uses as a model, has been successful in practically eliminating discrimination in employment because of union activity. Most employers now readily comply with its provisions. There have been outstanding instances, however, where the Labor Relations Board was compelled to use all the power given to it by the law to force compliance. We believe that a Fair Employment Practices Commission could function just as successfully in the field of discrimination based on race or religion, but it must have the same powers to make its decisions respected for its authority will undoubtedly be challenged.

The end of the war happily promises to come sooner than we dared hope. As the President's Committee on Fair Employment Practice is a war agency, its existence is of limited duration but the work it is doing will be just as acutely needed in the post-war period. It is, therefore, urgent for Congress to set up a permanent F. E. P. C. without delay. The League of Women Shoppers urges your committee to make a favorable report on the bill to set up a permanent F. E. P. C. and to make every effort to have this passed by both Houses of Congress.

Senator CHAVEZ. Thank you.

If you care to make any further statements extemporaneously, we will be glad to hear you further.

Mrs. LOEFFLER. No; that covers our position.

Senator CHAVEZ. Thank you very much.

Mr. Kohn.

STATEMENT OF WILLIAM KOHN, PRESIDENT EMERITUS, UPHOLSTERERS INTERNATIONAL UNION OF NORTH AMERICA, PHILADELPHIA, PA.

Senator CHAVEZ. Please identify yourself for the record and state for the record whom you represent.

Mr. KOHN. Very well. My name is William Kohn, and I am president emeritus of the Upholsterers International Union of North America, affiliated with the American Federation of Labor. Our

union has 170 locals, with a membership of 30,000 of every race, creed, and color, and of varied national origin. For 55 years I have been associated as a member and officer of the union. I am doubly honored of having the privilege of testifying before this able committee on what I believe to be a most critical question of our post-war planning.

The issue, in consideration of the Fair Employment Practices Act, is equality of opportunity to work for all people. To this principle our international union is definitely committed, and we are solidly behind the Fair Employment Practices bill.

We feel it should be passed now, so that there may be no question that the Federal Government intends to continue its policy of fair employment practices after the war is won.

When the war began in 1941, the War Manpower Commission reported that only 3 percent of nonwhites were employed in war industry. A recent report of the War Manpower Commission shows that there were 7.2 percent nonwhites employed in war industry in January 1944. This is an excellent record, for it shows what can be done to establish justice in employment policy.

However, there is grave danger that, with the slackening of employment during the post-war period—even the most optimistic prophets predict an increase in unemployment during the post-war period—undoubtedly Negroes, the last to be hired, will be the first to be fired.

Our union is opposed to any attempt to disrupt hard-won seniority rules in an effort to make it possible to provide for minority groups. We think that such procedure, no matter how well intentioned, quickly would destroy decades of progress on the issue of seniority. However, we do feel that the Fair Employment Practices Act should be passed, so as to make it illegal for anyone to prevent workers from getting equal opportunities to employment when hiring is done. There is no question but that millions of new jobs will be opened up as old ones end. Any employer or trade-union official who discriminates against workers on account of race, creed, color, or national origin in employment, either now or in the post-war period, is paving the way for sharp racial conflicts in the United States, compared to which the Detroit race riot would look like a street brawl. There are nearly 1,000,000 Negroes in the armed services and their auxiliaries now. There is no question that these men, who have fought bravely and have seen their comrades die for their country, will not take it lying down if they ask for employment when they return and are told, "No colored men wanted here." Nor will they accept it if they are told, "We take colored men here as janitors only." The same is true of other minorities—Catholics, Jews, foreign-born. They will accept discrimination no more readily than the Negro will.

We must face frankly the fact that, without a Fair Employment Practices Act, many employers will follow their traditional policies of discrimination against members of minority groups. I regret to say that, in some cases, they will be aided by union leaders who are misguided on this vital question. The American Federation of Labor has always opposed discrimination against workers on account of race, creed, color, or national origin. Our international union lives up to this policy 100 percent.

I want to close with one further note. Our union is bitterly opposed to totalitarianism in all its forms. We have no more sympathy for dictatorship by Communists than we have for dictatorship by Fascists. We want a democratic America. However, we deeply feel that discrimination against minority groups provides fertile ground for the Communist totalitarians of this country to recruit to their ranks those who have legitimate grievances against their country for failing to provide equal protection in employment opportunities. Passage of this legislation would help to take away from the camouflaged Communist Party a favorite propaganda point. It would show members of American minorities that Congress is deeply concerned with their rights.

We recognize that the Fair Employment Practice Act prohibits unfair employment practices by unions as well as by employers. We are not afraid of such prohibitions. We welcome them, for we do not indulge in discrimination and we are happy to see such discrimination made illegal.

There is grave need for passage of this legislation before November 1. I state that date because I have great confidence in Lloyd's of London, which I understand is taking wagers that the war in Europe will be over by that time. We must not face the post-war period without adequate preparation for it. Already, hundreds of thousands of soldiers have been released for medical and other reasons, and that number is certainly going to increase rapidly. We have a duty to those veterans that demands immediate action. They will not understand months of delay on grounds that this legislation needs further study. The House of Representatives has studied the legislation in hearings held June 1 through 16.

I trust that this committee will complete its hearings soon, with the recommendation to the Senate Committee on Education and Labor for favorable and speedy action on a fair-employment-practice bill.

Supplementing this statement, Mr. Chairman, I desire to state that the Upholsterers International Union has at no time had any difficulty or trouble within its ranks between the whites and the blacks. We have in our membership both white organizers organizing colored and colored organizers organizing whites, and we favor the passage of the bill very much.

Thank you.

Senator CHAVEZ. Just one moment, Mr. Kohn, if you please.

I believe that I understood you, and I think that the Chair agrees with you. You said that it was not the desire of the international union that you represent this afternoon to pass any legislation that would in any way interfere with the seniority rights of employed laboring people?

Mr. KOHN. Yes, sir.

Senator CHAVEZ. But, everything being equal, and if a vacancy exists after those with seniority rights have been taken care of, that you want those employees to be obtained without any discrimination whatsoever?

Mr. KOHN. Exactly.

Senator CHAVEZ. Thank you, sir.

Is Mr. Henderson in the hall?

I am extremely sorry that we have no more witnesses for this afternoon, and I believe that we can conclude the evidence, at least, tomorrow.

We shall meet again at 10:30 tomorrow morning to hear from further witnesses.

Until then the meeting is adjourned.

(At 3:05 p. m. an adjournment was taken until the following day, Friday, September 8, 1944, at 10:30 a. m.)

FAIR EMPLOYMENT PRACTICES ACT

FRIDAY, SEPTEMBER 8, 1944

UNITED STATES SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON EDUCATION AND LABOR,
Washington, D. C.

The subcommittee met at 10:30 a. m., pursuant to adjournment, in room 357, Senate Office Building, Senator Dennis Chavez (chairman of the subcommittee) presiding.

Present: Senators Chavez and Aiken.

Senator CHAVEZ. The committee will come to order.

Mr. Weaver.

STATEMENT OF ROBERT C. WEAVER, REPRESENTING MAYOR KELLY'S COMMITTEE ON RACE RELATIONS, CHICAGO, ILL.

Senator CHAVEZ. I understand, Mr. Weaver, that you are here representing Mayor Edward Kelly's Committee on Race Relations in Chicago.

Mr. WEAVER. Yes. I am executive director of that committee.

Senator CHAVEZ. Do you care to make a statement on Senate bill 2048?

Mr. WEAVER. I do.

I am Robert C. Weaver, executive director of the Mayor's Committee on Race Relations, and probably pertinent at this time, because I am going to talk about the history of some of these developments, I was employed on Negro employment and training in the National Advisory Defense Commission, O. P. M., W. P. B., and War Manpower Commission.

Senator CHAVEZ. May I interrupt you right there? I think it would be beneficial, for the committee's information anyway, if you were to give us a little analysis of the Chicago population as a whole.

Mr. WEAVER. Chicago has had a great influx of workers since the defense program. It has been peculiar, perhaps, in that a large proportion of that influx has been made up of Negro workers, particularly since 1942. At the present time approximately 350,000 Negroes, or 10 percent of the population, are in the city. Most of these persons have come in in response to the defense needs of industry, and a large proportion of them are now employed. Prior to 1942, nonwhite employment in defense industries in Chicago lagged materially, and it was one of the chief factors, if not the chief factor, in the racial tensions in the city of Chicago.

Senator CHAVEZ. Well, now, the so-called white population of Chicago as a whole is divided also into national groups?

Mr. WEAVER. Definitely.

Senator CHAVEZ. Can you give us, out of the total population, an estimate of the largest groups that compose the population of the city of Chicago?

Mr. WEAVER. Well, it is very difficult to divide the older in-migrant groups, because they are pretty well integrated into the population. We do have certain groups, however, that do have peculiar problems. They would be the Italian-Americans—I cannot give you an estimate of the number except it is a very large number—the Polish-Americans, and two groups which are far from approaching assimilation. The first are the Latin-Americans, and their problem is particularly difficult, because there is very little organization in the city of Chicago dedicated to dealing with their problems. They are the last arrivals to industry, and the discriminations which have haunted the Negro all along have been more severe in their case. They have linguistic difficulties also, of course.

Senator CHAVEZ. That particular segment is mainly comprised of either citizens originally out of the Republic of Mexico or the first or second generations; is that right?

Mr. WEAVER. Yes, sir. It is largely a group of persons of Mexican ancestry. The proportion of them that are citizens is very difficult to estimate, although I presume, from what I gather, a large proportion of them are citizens of the United States.

Senator CHAVEZ. You may proceed.

Mr. WEAVER. Executive Order 8802 was not a new departure in Federal administration. It had a rather long background in the peacetime and World War II activities of the Government. This is fully stated in the words of the President when he said in his order, "I do hereby reaffirm the policy of the United States that there shall be no discrimination in the employment of workers in defense industries or Government because of race, creed, color, or national origin * * *"

The first overt expression of this policy by an administrative agency occurred in October 1932, when Ogden Mills, then Secretary of the Treasury, in response to repeated charges of discrimination on construction projects financed by his Department, issued a communication to construction engineers of his Department, stating that racial discrimination was not to be tolerated on these projects.

Senator CHAVEZ. That was the time that the Treasury Department handled all of the governmental building construction?

Mr. WEAVER. Yes, sir. This order was a desirable statement of policy but it did little to reduce discrimination. The Public Works Administration, established under title II of the National Industrial Recovery Act, faced a situation similar to that which troubled Secretary Mills. Secretary Harold L. Ickes, Administrator of the Public Works Administration, was urged to act on the matter in the fall of 1933. On September 21 of that year he sent an order to all State engineers directing that "there be no discrimination exercised against any person because of color or religious affiliation."

This order of the Administrator of the P. W. A. was initially as ineffectual as the earlier action of Secretary Mills. It was difficult to define discrimination in a situation where a borrower, a contractor, and a labor union were involved. When discrimination was clearly apparent, as in instances where no colored artisans were used, the employment of a few corrected the obvious abuse, but there were no criteria

which could be used to indicate when discrimination was actually removed.

(NOTE.—Robert C. Weaver, *An Experiment in Negro Labor, Opportunity*, October, 1936, p. 295.)

As time went on, P. W. A. regulations were made more specific, and one of the conditions precedent to the granting of funds under this program was the following statement in the Terms and Conditions of the Loan Contract (pt. IV, sec. 5):

The applicant will require that there shall be no discrimination because of race, creed, color, or political affiliations, in the employment of persons for work on the project * * *

Here, again, it was extremely difficult to prove discrimination. There were, however, instances where the provision in the terms and conditions offered protection to minority groups.

Senator CHAVEZ. May I interrupt you?

Mr. WEAVER. Certainly.

Senator CHAVEZ. The point you are trying to make before the committee is that, as far as Secretary Mills, representing the Government, and Secretary Ickes, representing the Government, were concerned, they maintained that there should be no Government sanctions to discrimination?

Mr. WEAVER. Yes; and that there were earlier precedents for that action, statements of policy which, unfortunately, were not effectual.

In at least one situation, after an investigation, the P. W. A. fined a local school board an amount equal to the wages Negro artisans would have received had they been hired without discrimination.

(NOTE.—W. J. Trent, Jr. "Federal Sanctions Directed Against Racial Discrimination," *Phylon*, Second Quarter, 1942, p. 178.)

The first successful approach to enforcing a nondiscriminatory employment policy on public-financed construction occurred in public housing. Initial projects in this field were executed by the Housing Division of P. W. A. Under this program the Government undertook to develop projects itself, and it could establish terms and conditions which would be binding upon contractors.

Although the occasion for direct action was at hand, the problem was complex. There was a vast surplus of workers in the building trades on the labor market. P. W. A. housing projects were large and involved methods unfamiliar to many artisans accustomed to small-house construction—the branch of the industry in which most Negro mechanics were concentrated. Construction contracts were often held by builders who used union labor, and Negroes were, in the middle 1930's, seldom members of the building craft unions. The need was to maintain job opportunities for minority groups and at the same time prevent the utilization of these groups in the traditional manner—as tools for weakening labor organizations.

(NOTE.—Weaver, "Racial Policy in Public Housing," *Phylon*, Second Quarter, 1940, p. 153.)

Negroes have always been an important factor in the construction industry of the South, where they have been used traditionally as skilled, semiskilled, and unskilled workers. The depression of the 1930's struck the construction industry early and with peculiar force.

By 1935 Negro mechanics had become in arrears in their union dues; they had often lost tools, and occasionally they had lost dexterity.

(NOTE.—Weaver, *Racial Employment Trends in National Defense*, Phylon, Fourth Quarter, 1941, pp. 337-338.)

The problem of translating a nondiscrimination employment policy in public housing from theory to fact was one of regaining for Negro artisans an opportunity to secure skilled jobs in an economy which had insufficient employment opportunities for all trained workers.

In light of earlier experience it was clear that a simple nondiscrimination clause was not enough. With this in mind, the Housing Division of P. W. A. devised an objective criterion for measuring discrimination. Here again, the approach had a historical precedent. The Second Morrill Act of 1890 provided that—

No money shall be paid out under this Act to any State or Territory for the support and maintenance of a college where a distinction of race or color is made in the admission of students but the establishment and maintenance of such colleges separately for white and colored students shall be held to be a compliance with the provisions of this Act if the funds received in such State or Territory be equitably divided * * *

(NOTE.—26 Stat. L. 417 (1890), sec. 1.)

In most instances the State legislatures established the percentage of Negroes in the school population as the basis for an equitable apportionment to the Negro land-grant colleges. Funds expended under this act and under the Bankhead-Jones Act (1935), which has a similar provision for equitable division of funds in those States having biracial school systems (49 Stat. L. 439 (1935), title II, sec. 22b) have always been fairly divided between the races.

(NOTE.—Doxey A. Wilkerson, *Special Problems of Negro Education*, Staff Study No. 12, prepared for the Advisory Committee on Education (Washington 1939), pp. 76-77.)

This development in the field of public education illustrated that objective criteria of nondiscrimination could be developed, and that such criteria are effective in securing equitable benefits for minority groups.

The Housing Division of P. W. A. inserted a clause in its construction contracts stipulating that there should be no discrimination on account of color or religious affiliation. It provided that for the purpose of determining questions of such discrimination as concerns Negro labor, the failure to pay a minimum percentage (based upon 1930 occupational census figures) of the skilled, semiskilled, and unskilled pay roll to Negro workers would constitute prima facie evidence of discrimination. Where union labor was involved, the Department of Labor attempted to secure the acceptance of Negro workers as members or the issuance of work permits (Weaver, *Racial Policy in Public Housing*, op. cit., p. 178).

The United States Housing Authority, which succeeded the Housing Division of P. W. A., adopted a similar plan. It stipulated that local authorities (which received loans from it) require that there be no discrimination because of race, creed, or political affiliation in the employment of persons for work on U. S. H. A.-sided projects. It required that there be a contract provision stipulating that the payment of a certain percentage (based on census data) of the amounts under the contract should be prima facie evidence that the contractor has not discriminated against Negro labor.

(NOTE.—Summary of General Requirements and Minimum Standards for U. S. Housing Authority-aided projects, p. 10.)

As a result of this clause and effective enforcement, Negroes received 13.4 percent of the construction pay roll as of September 30, 1940. Skilled colored workers were paid 5 percent of the total skilled pay roll.

(NOTE.—Weaver, Federal Aid, Local Control, and Negro Participation, Journal of Negro Education, January 1942, note 16, p. 57.)

In 1930 Negro artisans constituted 4.3 percent of those in the building industry.

(NOTE.—The National Association for the Advancement of Colored People, ever vigilant in the field of minority groups' status, had this to say of the U. S. Housing Authority program: "A more fair and equitable racial policy now exists in U. S. Housing Authority than in any other branch of the Federal Government. On the basis of need, Negroes are enjoying equitable benefits from public housing, colored technical men are designing projects and supervisory construction, colored mechanics are employed on construction, and Negro managers are employed for the completed projects." National Defense Labor Problems, The Crisis, October 1940, p. 319.)

The successful experiment of the Housing Division of P. W. A. and of U. S. H. A. was accepted as a model by other Federal agencies. An act of October 14, 1940 (54 Stat. 1125), established the Division of Defense Housing of the Federal Works Agency. The Administrator of the F. W. A. issued orders prohibiting discrimination in employment and established regulations to facilitate compliance fashioned after the P. W. A. Housing Division-U. S. H. A. requirements (Trent. *op cit.*, pp. 180-181).

This was the background of Federal policy and action which existed when the national defense program was initiated. The approaches and techniques which had been developed illustrated that the Federal Government could take effective measures to assure minority groups' participation in Government-financed construction. Yet the defense program—because of its magnitude and its ultimate implications—presented many new problems. As soon as the United States entered the war, it was obvious that ultimately we would have to use each and every American to achieve victory. As early as the spring of 1940, it was clear that war production would require a much larger proportion of trained workers than American industry had ever known. World War II, as all other wars, was a social and economic revolution. New patterns of production and new occupational breakdowns among industrial workers were inevitable.

Because of the success of the prima facie nondiscriminatory clauses in certain phases of public construction, it was suggested that similar provisions be inserted in defense contracts. Sober reflection, however, indicated that we were facing a new situation. This was a total war, and it would ultimately require full utilization of all available manpower. In such an economy, it would be foolish to attempt to base the future participation of any group upon its occupational status in 1930. Then, too, this was not a matter of Negro employment alone. At the beginning of the defense effort there were serious discriminations against Italian-Americans, German-Americans, Jews, Negroes, and Latin Americans.

At the opening of the defense program it was crystal clear that discrimination in employment was a formidable barrier to effective use of American manpower.

(NOTE.—Lester B. Granger, *Barriers to Negro War Employment*, *The Annals of the American Academy of Political and Social Science*, September, 1942, p. 72.)

The National Defense Advisory Commission recognized and attempted to meet this problem. Its efforts, which will be outlined below, were of little effect largely because there was a loose labor market and industry could find adequate supplies of labor without departing from its traditional employment policies—policies which systematically overlooked minority groups or assigned them to unskilled or heavy and dirty occupations.

On August 31, 1940, the National Defense Advisory Commission announced a statement of policy stipulating that workers should not be discriminated against because of age, sex, race, or color, and on September 15 the President cited this policy in a message to Congress (*Minorities in Defense* (Washington: 1941), p. 10). Since the defense program required a large proportion of trained workers, defense training courses, sponsored and financed by the Federal Government, were extremely important in determining the type of labor supply the expanding industry of the Nation would have. In the summer of 1940 the Office of Education, in response to pressure from the National Defense Advisory Committee, issued an order to the effect that "in the expenditure of Federal funds for vocational training for defense, there should be no discrimination on account of race, creed, or color" (*ibid.*). Apparently the "should" was taken literally, for as a matter of fact there continued to be much discrimination. In an appropriation for defense training made in October 1940, Congress inserted a provision that "no trainee * * * shall be discriminated against because of sex, race, or color; and where separate schools are required by law for separate population groups, to the extent needed for trainees of such groups, equitable provision shall be made for facilities for training of like quality" (54 Stat. L. 780 (1940)).

Although these legislative and administrative pronouncements represented significant declarations of policy for federally aided programs of vocational education, they were of little practical value. The proviso that Negroes were to receive training in States with separate schools to the extent needed for trainees of the group, obviously meant little in a regional economy where color occupational patterns eliminated the employment of Negroes and other minorities from most semiskilled, single-skilled, and skilled jobs. Also there were no sanctions to facilitate the enforcement of this nondiscriminatory policy.

(NOTE.—Doxey A. Wilkerson, *The Training and Employment of Negroes in National Defense Industries*, *Journal of Negro Education*, January 1941, pp. 124-125.)

There was only token participation of Negroes in defense-training courses financed by the Federal Government, and results did not approach the requirements of the official policy outlined above.

(NOTE.—Wilkerson, *The Negro and the Battle of Production*, *Journal of Negro Education*, April 1942, pp. 234-239.)

When the Office of Production Management was organized, the earlier policies and efforts of the National Defense Advisory Commission were carried over by the new organization. Results, however, were far from satisfactory. The first major increase in Negro employment under the defense program occurred in the construction of Army cantonments. This was a vast program, ultimately requiring the services

of a large proportion of the local building trades artisans, particularly carpenters. Out of the earlier experience of the Federal Government in securing work opportunities for Negro skilled workers, it was possible for O. P. M. to encourage the employment of Negro mechanics on this construction.

(NOTE.—Weaver, *Racial Employment Trends in National Defense*, op. cit., pp. 352-356.)

At the same time there were evidences of the absorption of Negroes in the iron and steel industry and in shipbuilding (*Ibid*, p. 357).

Negroes, however, were simply finding more jobs in occupations which had been traditionally open to them in an expanding economy. This enlarged employment and the concurrent reentrance of colored workers into service and other nondefense employment did not come to grips with the basic problem of minority group labor's participation in war production. That problem involved the opening of new occupations, new industries, and new plants to minorities in an economy which was changing its types of production and was requiring a larger proportion of trained workers.

On April 11, 1941, at the instruction of the Office of Production Management, Mr. Hillman addressed a letter to all holders of defense contracts requesting them to remove bans against the employment of qualified and competent Negro workers. On June 12, 1941, the President again gave official recognition to the problem, and, in a memorandum to Messrs. Knudsen and Hillman, placed the full support of his office behind the Hillman letter to defense contractors (*Minorities in Defense*, pp. 11-12). Despite these statements of policy and the activity on the part of Federal agencies to effect them, discriminatory patterns persisted. In recognition of this fact the President issued his Executive Order 8802 on June 25, 1941 (*Ibid*, pp. 12 and 16).

The efficacy of the President's Executive order and the Committee established to receive and investigate complaints of discrimination in violation of the provisions of that order are difficult to determine statistically. While it must be admitted that economic forces alone would have occasioned wider employment of minority groups, the color bars in war industries would have relaxed much more slowly than they have had it not been for the Executive order and the Committee it created. The remainder of this statement will concern itself with specific instances which illustrate the strategic importance of the Executive order and the Committee.

Following the issuance of Executive Order 8802 minority groups' participation in defense training increased appreciably. The rate of Negro registration in these courses tripled in the 18-month period from July 1941 to December 1942. In 1943 over 112,000 Negroes enrolled and completed war-production training and related courses.

(NOTE.—Utilization of Reserve Workers, Recently Reported Placements of Negroes in Skilled Occupations, War Manpower Commission (Washington: 1944), p. 1.)

In the North and West, where there were nonsegregated schools, these developments reflected new employment opportunities for Negroes—job openings which were occasioned by local tight labor markets and the efforts of F. E. P. C., O. P. M., and W. M. C. to enforce Executive Order 8802. In the South and border States, where there are separate schools for Negroes, progress was delayed.

(NOTE.—“The South with roughly 80 percent of the Negro population was training 0.2 of 1 percent of that population or 20 percent of the total trainees * * *” Herman Branson, “The Training of Negroes for War Industries in World War II,” *Journal of Negro Education*, Summer 1943, p. 377. There were also grave qualitative racial differentials in the separate schools. *Ibid*, p. 378.)

The wider participation of Negroes in war-training courses in the latter part of 1943 and subsequently was due primarily to the enforcement of the President's Executive order.

It is impossible to review the whole story of Negro employment in World War II in this statement. Suffice it to say here that nonwhite employment (of which about 97 percent is Negro) increased from about 3 percent in January 1942 to over 7 percent in the summer of 1944. The first really significant gains occurred after July 1942. Today there are over 1,000,000 nonwhite workers in war plants. Although the majority are concentrated in unskilled jobs, a sizable proportion are in semiskilled jobs and occupations calling for a single skill only. There are still many plants which do not employ Negroes; upgrading is often denied or limited to certain types of occupations, and in many areas Negro women are still discriminated against in war plants. As late as February 1943 the magazine *Fortune* was able to present the following findings, based upon a survey of 5,000 leading business executives. Less than 30 percent of the plants covered employed as much as 10 percent Negro labor, and over a third did not believe that Negroes could be efficiently used (*Fortune Management Poll*, *Fortune*, February 1943). I have attempted elsewhere to summarize the current situation:

From the point of view of establishing new racial patterns in employment, much progress has been made in the last 4 years; from the point of view of equality of opportunity without color distinction, much remains to be done * * *. Today, when there is virtually full employment of Negroes in our industrial centers, the problem is one of securing in-plant training and upgrading for Negroes already in war plants, transferring trained men from less essential work, and expanding employment opportunities for Negro women in industrial employment (*Weaver, The Employment of Negroes in United States War Industries, International Labour Review*, August 1944, pp. 144).

In many ways aircraft typifies war production. It was a young industry; it was destined to expand at an unprecedented rate; it was largely dependent upon young and inexperienced workers; it planned to train its own labor supply. One large reservoir of potential labor was the Negro; yet, at the start of the defense effort, the industry did not even consider employing colored workers. On August 2, 1940, for example, the director of industrial relations at the Vultee Aircraft Co. in southern California informed a Negro organization that he regretted to say—

That it is not the policy of this company to employ people other than the Caucasian race, consequently, we are not in a position to offer your people employment at this time (extract from a letter addressed by W. Gerald Tuttle to the National Negro Congress on August 2, 1940).

The magazine *Fortune* made an exhaustive survey of aircraft in 1941. It had this to say of racial employment patterns:

The industry also has its prejudices. You will find an almost universal prejudice against Negroes—and in the west-coast plants against Jews. This statement stands the test of observation; you almost never see Negroes in aircraft factories nor do you see Jews in the west-coast plants except in some engineering departments. There is little concealment about the anti-Negro policy (*Half a Million Workers, Fortune*, March 1941, pp. 98 and 163).

Various Government agencies concerned with labor supply attempted to secure relaxations, but they had made little progress until 1942. At that time, in response to growing labor demands in an increasingly tight market and more effective governmental machinery to secure nondiscriminatory employment practices, relaxations occurred. By the summer of 1944 there were over 90,000 nonwhite workers in aircraft.

There are many specific cases which illustrate the efficacy of the President's nondiscrimination order and the F. E. P. C. in breaking down color discrimination in aviation. The most obvious is the fact that, with the exception of a promise of the Curtiss-Wright Corporation to use Negro production workers in the spring of 1941, there was no tangible evidence of color relaxations in aircraft until after the issuance of Executive Order 8802.

At the Boeing Aircraft plant in Seattle, discrimination against Negroes, Latin-Americans, and other nonwhite groups continued long after certain other west coast plants had relaxed their color bars. Management excused its discriminatory employment policy on the basis of union opposition to Negroes. And Local No. 751 of the International Association of Machinists, which has a union membership maintenance contract, assumed this responsibility. Repeated negotiations with management and the union produced no results. It was not until F. E. P. C. cited the case to President Roosevelt, as a violation of Executive Order 8802, that relaxations were secured. As a result of this action, arrangements were made to issue work permits to nonwhite applicants, and they were finally accepted for training and employment. Today there are over 800 nonwhite employees in the Boeing plant; a large proportion of them are on production jobs.

Despite the earlier commitments from officials of the Wright Aeronautical Co., Negro employment at the Paterson, N. J., plant was delayed. O. P. M. did the preliminary work with this establishment, and after the issuance of Executive Order 8802, it was able to secure the acceptance of nonwhites in the training courses operated by the local public schools for Wright. (Prior to this action there had been discrimination against Italian-Americans, applicants of other European extraction, Jews and Negroes.) Even when training was opened, employment of minorities was extremely limited. F. E. P. C. cited the Wright plant and included it among the companies charged with violating Executive Order 8802 at its hearings in New York City. By the fall of 1942 there were 425 Negroes in the Wright plant; today there are 3,500 nonwhite workers, who constitute almost 9 percent of the total labor force.

When, in the summer of 1941, the new Buick Aviation plant in the Chicago area opened, it began to employ trainees and other workers. No Negro trainees were accepted, and few Jews were hired. O. P. M. referred the case to F. E. P. C., and it became the basis of the charges against the plant presented at the hearings of the committee in Chicago. Even after the hearings there was no appreciable change in the plant's racial employment patterns. In the summer of 1943 there were only about 350 Negroes on the pay roll and they were generally restricted to nonproduction jobs. F. E. P. C. and W. M. C. continued to press for fair employment practices; by the summer of 1944 Buick hired about 2,000 nonwhite workers in a variety of occupations.

Other cases of a similar nature, in which the President's Executive order and F. E. P. C. have been extremely effective in breaking down discriminatory employment patterns in aircraft plants could be cited. Although economic factors alone would have occasioned an increase in the amount of nonwhite employment in the industry, had it not been for Federal policy and machinery the extent of this participation would have been less. Without Executive Orders 8802 and 9346, the use of minority groups would have been delayed and there would have been a much more pronounced tendency to restrict them to traditional occupations. This latter development would have limited the numerical extent of nonwhites' utilization, since the bulk of jobs in aircraft are of the type in which it has not been traditional to employ Negroes and other colored groups.

In aircraft, as elsewhere, the existence of the non-discrimination Executive order has offered a basis upon which management has facilitated modifications in its discriminatory hiring practices. Lockheed-Vega Aircraft in California was one of the first companies in the industry to take forthright steps to secure the integration of Negro and other nonwhite workers. When, in August 1942, it was ready to act, the secretary of the two companies addressed a comprehensive memorandum to executives and supervisors and to Aeronautical Lodge No. 727 of the International Association of Machinists. The memorandum opened with these two paragraphs:

I am sending you herewith a copy of an Executive order issued by President Franklin D. Roosevelt which we propose to post on the bulletin boards for the information of all employees. Whole Lockheed-Vega Aircraft Corporation and Vega Airplane Co. have never had any discriminatory policies with regard to race, color, or creed, it is, nevertheless, a fact that no Negroes are now in the employ of either company.

After giving full consideration to this fact, the management of Lockheed and Vega have decided that, in line with their policy of cooperating fully with the Federal Government in the national defense program, special effort will be made immediately to comply with the request of the President and the Office of Production Management that "plans for their (Negroes') training and employment in capacities commensurate with their individual skills and aptitudes should be undertaken at once" (memorandum signed by Cyril Chappellet, secretary of the Lockheed-Vega Aircraft Corporation).

Now that victory is in sight, the Nation is turning its eyes toward post-war adjustments. Without full employment, or a close approximation thereto, there can be little hope of real employment opportunities for any group in the population. The occupational color caste system which exists in this country is such that patterns of exclusion of minority groups from certain types of work become established in a much shorter period of time than is required to institutionalize their acceptance in new types of jobs. Unless, therefore, we maintain minority groups' participation in a wide number of industries and occupations during the transition, patterns of exclusion for minorities will persist long after economic forces have created a situation favorable to their full utilization. If the gains which have been made during the war are temporarily wiped out in many areas, all of the delays and difficulties recently encountered will again present themselves. We shall have to go through the painful process of altering the occupational color caste system again.

If, on the other hand, we preserve minority group representation in a diversity of industries, firms, and occupations, it will be much easier to secure widespread acceptance of the continuation of similar patterns

in the peacetime economy. The transitional period is crucial. It is important, therefore, that Government, through its controls over the allocation of materials and labor, sees that fair employment practices are maintained during this period. Past experiences, sketched above, clearly show that there must be an independent agency operating under a mandate to accomplish this. (The basis for these conclusions is contained in the present writer's *The Employment of Negroes in United States War Industries*, op. cit., pp. 156-159.)

Fair employment in the post-war period may be more difficult to achieve than it was in 1942. Much depends upon the volume of production and employment. But, regardless of these developments, there will certainly be need for a Federal agency, qualified by experience and fortified with legislative authority, to translate into actuality the American ideal of equality of opportunity, regardless of race, creed, or color.

Senator CHAVEZ. That is a very nice statement, Mr. Weaver. I want to thank you very much.

Are there any questions, Senator Aiken?

Senator AIKEN. No.

Senator CHAVEZ. Mr. Ross.

STATEMENT OF MALCOLM ROSS, CHAIRMAN, COMMITTEE ON FAIR EMPLOYMENT PRACTICE

Senator CHAVEZ. Will you kindly state your name for the record?

Mr. Ross. My name is Malcolm Ross. I am Chairman of the Fair Employment Practice Committee.

Senator CHAVEZ. Is that the committee that is carrying out Executive orders on fair employment practices?

Mr. Ross. It is, Senator.

Senator CHAVEZ. Do you desire to make a statement?

Mr. Ross. Yes.

Mr. Chairman, all who have lived close to this question of equal opportunity in industry for minority group Americans must feel, as I do, a deep satisfaction that your committee, distinguished for its devotion to the welfare of the working people of America, has set aside its time in these fast-moving days of war to consider the specialized problem of the barriers which prejudice and thoughtless practice have raised against your fellow citizens, simply because of their creed or color or national origin. I have followed the testimony of previous witnesses and I have been impressed by the fact that many millions of Americans, through their spokesmen, have expressed to you their resolve that the United States must not betray its destiny by permitting the bad habits of the past to divide us as a people during the flowering of the now foreseeable peace which our armed forces are winning for us on battlefields around the world.

I will not attempt to repeat or expand the testimony already offered you. The time is too short to consider the reasons why America, at this moment of its greatest crisis, should be plagued with racial and religious blind spots which disturb our clear view of where we are and where we are going. Yesterday's newspapers brought the statements of responsible officials that the approaching defeat of Germany will permit a 40-percent reduction in war-material production. We are also told to expect a 20-percent cut-back in aircraft production, a

50-percent reduction in Maritime Commission production. Simultaneously the War Manpower Commission and the War Production Board have announced plans to meet these tremendous readjustments. This is good. It marks the beginning of an end to expending American energies and raw materials on war, and the beginning of a start toward patching up the wounds of our allies and supplying our own people with necessities and comforts. But it poses some very steep problems in how to shift American workers from war to peace production.

W. M. C. and W. P. B. have spoken promptly and clearly on their problems, which are over-all and general. Of this specialized problem, the readjustment of minority group workers to sudden employment shifts, we of the F. E. P. C. have some specialized knowledge. I will try to outline the problem as it appears to us, and will hope to supply detailed answers to your questions later.

Discrimination in industry traditionally attaches to identifiable minorities, Negroes, Mexican Americans, American Indians, and to those citizens of foreign origin whose speech identifies them. F. E. P. C. wartime records show that about 20 percent of discrimination complaints involve religious or national origin cases. Cases of discrimination against Jews and other sects are scattered and conform to no set pattern. Discrimination against Mexican Americans will be considered later in the testimony which I believe you are willing to hear from my colleague, Dr. Carlos E. Castaneda. The dilemma of Negro-American citizens, comprising 80 percent of the F. E. P. C. case load and nearly 10 percent of the population of the United States, presents itself as the primary problem which your committee will have to consider. Unlike the Irish, the Slav, and other white-skinned immigrants who on arrival in America fought initial prejudice and won out because of an ability to lose special identity in the general American bloodstream, the Negro (and the Latin-American) are as susceptible to prejudice today as they were when they landed at Jamestown or pioneered the Sierra Nevadas. I am convinced that no white-skinned American, including those closest and most sympathetic to the problem can appreciate fully the devastating moral and economic effects of being thus singled out for denial of the opportunity to make a living according to inherent ability and training. I am as certain that on the industrial plane—with which we are here exclusively concerned—the danger of frustrating one-tenth of our population is a danger common also to the white skinned nine-tenths, and to demonstrate the point I will attempt to give you a brief summary of the experience in industry of American nonwhites prior to and during the war.

In April 1941, 8 months before Pearl Harbor, Negroes constituted 16 percent of all persons on W. P. A. relief. They also (1940 census) comprised a smaller percentage in mining, manufacturing, transportation, and communication than they had 30 years before, in 1910. Negroes in industry generally were the janitors, sweepers, scrubbers, and workers in heavy, hot, and dirty jobs. This lag in industrial status should be measured against the fact that hundreds of thousands of Negroes have in the past quarter century since the last war received college and vocational training which placed them several cuts above their actual work opportunities. A dispassionate and objective analysis of American peacetime manpower in 1941 would have shown a vast under-utilization of Negro workers.

The war did not at once change that picture. As late as 1942, when we were as a Nation well aware that manpower would be decisive in war production, only 3 percent of war industry workers were nonwhites. The credit for the greater use of Negro men and women in the war effort, which began in 1942, belongs to many people and agencies. The War Manpower Commission, War Production Board, the Army and Navy, and the Maritime Commission were all guided by the policy of nondiscrimination laid down by the President in Executive Order 8802 which set up the F. E. P. C. and called on all Government agencies to train and utilize minority group workers to the fullest extent. Those employers and trade unions who accepted that policy at face value contributed to the better use of nonwhite workers, the necessity for which increased month by month. The result was a rise from 3 percent to almost 8 percent of Negroes in prime war industries in less than 2 years. In Government service, too, the trend was consistently upward. At present 12 percent of all employees in the Federal Government are Negroes.

These increases have been essential to war production. They have elevated the morale of Negro Americans. They have given the lie to Nazi and Japanese propaganda. But they must also be reckoned as highly unstable gains in the light of various factors which today the fortunes of war, favorable in other respects, have suddenly brought into play.

The fact is that the war industries in which Negroes have made their most impressive gains are exactly those which must be cut back most deeply in the reconversion to peacetime production.

Senator AIKEN. Did I understand you to say that 8 percent of the war workers were Negroes?

Mr. ROSS. That was in the prime war industries reporting to War Manpower, representing about 14,000,000 war workers. I said "nearly," Senator. It is perhaps 7.8 percent at the moment.

Senator AIKEN. And is 9 percent of the population colored?

Mr. ROSS. Nearly 10 percent.

Senator AIKEN. What about the size of the families? Is the average Negro family larger than the white family?

Mr. ROSS. I haven't specific data on that. I had an impression that that would be the case.

Senator AIKEN. Of course there is a higher rate of disability because of tuberculosis especially among the Negroes. I was wondering if 8 percent of the war workers are Negroes, in view of the fact that a larger percentage of them are probably incapacitated and there is a large percentage of children in the families, whether that does not mean that they are really getting about as many jobs, in proportion to their numbers now, as are the whites.

Mr. ROSS. I should distinguish the fact that Mexican-Americans are also included in that figure. It is a nonwhite rather than a straight Negro figure, the 7.7 or 7.8 percent.

Senator AIKEN. Nine percent probably would cover the Negro population?

Mr. ROSS. Yes, Senator; while the gains from 3 percent to nearly 8 percent are impressive, I think the fact must be considered—which I have already mentioned and will expand upon—that those gains are in the aircraft, shipbuilding, aluminum, and heavy industries, which are logically the ones to be cut back the quickest and heaviest.

Senator CHAVEZ. Is not this also correct, that the gains were made after the directive was issued by the Executive Office?

Mr. Ross. That is true. I think that gain started in 1942, and Executive Order 8802 came out in June 1941.

Senator AIKEN. Up to that time a large percentage of Negroes had been employed in the lower-paying jobs, particularly farm labor, I suppose.

Mr. Ross. That is correct, sir. Mr. Weaver touched on a very important fact that, while Negroes have found entrance into these war industries, and the need for manpower has created a vacuum which has sucked many of them into it, they have not gotten their proportionate share of the skilled jobs. The upgrading problem is one that my Committee has had to consider lately as the most important one.

Senator AIKEN. I am from a State which has virtually no Negroes.

Mr. Ross. Yes.

Senator AIKEN. We have always understood that the Negro was best suited to the land, he loved the land. That applies also to the Pole. Is that being borne out with the present day experience? The Negro in the war plant, is he going to want to continue in the industry in which he has been engaged in the last 2 or 3 years?

Mr. Ross. I think many will return to the land. The trend is toward industry. It happened in World War I.

Senator AIKEN. Is it a matter of wages?

Mr. Ross. It is a matter of wages and it is a matter of more equal treatment in the northern and western cities. I was interested to read a Mississippi newspaper editorial the other day which called on the owners of land to be completely fair to their tenant farmers because the tenant farmers were being drained out of the industry to the North and Northwest. All the history of World War I shows that the Negroes are inclined to stay in the new community.

Senator AIKEN. And this relocation due to the war is likely to become a permanent relocation?

Mr. Ross. To a large extent.

Senator AIKEN. There will be a reluctance to go back to the place where he was employed for low wages and where he was getting low unemployment compensation when he was unemployed, is that correct?

Mr. Ross. That is correct. I think the loss of skilled manpower to those areas is a serious local loss. This is a report that I had while on the west coast recently: Mexicans, or Mexican-Americans, have left the mining regions of the Southwest because of their inability to be upgraded into jobs for which they were capable, and have left where there is a vital need for their services to go to the west coast shipyards, where they were not so much needed and where they added to the complexities of housing and transportation.

Senator AIKEN. Is that due to wages, too?

Mr. Ross. Yes.

Senator AIKEN. And a desire to improve their own conditions?

Mr. Ross. Yes.

Senator AIKEN. To get more money?

Mr. Ross. Yes.

Senator CHAVEZ. In discussing the proposition of the Negro migrant who has gone into industry at the moment and his desire

to get back to the land, does not the question of the Negro feeling in his own mind it might be possible in the future to own 5 acres of land and his own mule, his own plow and three pigs, and so forth, enter into the proposition as to whether or not he goes back?

Mr. Ross. I am sure of that, Senator.

Senator CHAVEZ. I have even heard that here in the city of Washington, talking to some Negro taxicab drivers, all with the idea, the inborn idea of the average human, that he would like to go back to a certain State in the South and own 10 acres of land.

Mr. Ross. Yes. Senator Aiken, it occurs to me I also learned on the west coast that many of the skilled white workers who came to work in the shipyards, have done their stint for a year and a half, are leaving in considerable numbers to go back to their homes, but the Negroes who are there are attracting other Negroes, who are coming in greater and greater numbers, and I think they will wish to stay in their new localities.

Senator AIKEN. Of course a lot of people went into the war industries from my section of the country for different reasons, not simply because they preferred that kind of work. A good many saw a chance of getting out of debt by getting the higher pay, some were saving it, others went in the war industries because they had a boy in the service, they wanted to do something to more directly help than if they stayed at home and others may have had small local businesses that just could not be kept going during the war, so they had to get out. Now, they want to go back and get reestablished in their own permanent line of work. I am surprised that the exodus has not been greater than it has been, in view of the rapid advance of our armed forces in Europe. It seems to me that is a thing that the Congress and the Government should be vitally interested in. That is one reason why I think we should have fair unemployment compensation payments, because if the workman in an industrial plant thinks he is going back to a State where eventually he may get a payment of \$6 or \$8 a week, he is not going to be the last one to get back there and get that unemployment compensation payment, he is going to be one of the first to get one of the jobs that is available. All of this fits into a very expansive map or picture, with ramifications going in all directions.

Mr. Ross. I try to cover some of that in my statement, Senator.

Senator AIKEN. I am afraid I made you digress considerably.

Mr. Ross. May I proceed, Senator?

Senator CHAVEZ. You may proceed.

Mr. Ross. Shipbuilding, aircraft, iron and steel, ordnance; rubber production, other than tires; mining, ammunition; explosives and fireworks are all industries where Negroes have found wartime employment. In addition to the deep cuts these industries must take, the Negro workers in them have in general less on-the-job seniority and will be let off in proportionately greater numbers.

By the same token, Negroes are in double jeopardy in many of the industries most likely to expand quickly to meet peacetime consumer demands. For in the fields of refrigerators, sewing machines, electrical appliances, textiles, leather goods, and in the sale and servicing of products, the Negro has not previously gained much of a footing, and he will be competing there for employment with white workers released from war industries and with returning veterans.

Is this prospect—the quick release of Negro workers from war industries and the resistance to Negro workers in peacetime industries—of any consequence except to the Negroes involved? Your committee, Mr. Chairman, must decide whether this is merely a backwash of war or a deep national concern for the years ahead.

The immediate national danger, I suggest, may properly be deduced from experience following the last World War when, in 1919, the fear of insecurity during cutbacks led to rioting between whites and Negroes in 26 American cities. I am not suggesting that violence is inevitable. I do submit that the potentials today are greater than they were in 1918—due partly to the consciousness of racial antagonism recklessly devised for personal advantage by the Nazis—and I do plead that men of good will must take practical steps now to see that equal opportunity to earn a living is not a niggardly concession but an accepted tenet of American democracy.

How complex this issue is, appears in the briefest glance at any war industry center which has drawn to itself Negro workers in any great numbers. In referring to War Manpower statistics I find that one Midwest town has 7,000 war workers, only one of whom is a Negro. Another war production city has nearly 4,000 Negroes out of 72,000 workers in its largest war industries, but no Negroes in some of its lesser war industries. One deep South shipbuilding city has twice as large a proportion of Negro workers as another neighboring city. There are towns in localities having very many Negroes with none at all employed in the local war industries. One west coast city has six major war industries, with all but 195 of the 6,170 Negroes employed by one single industry. In a very great war center where nearly 60,000 Negroes are employed, there are two primary industries which do not employ a single Negro.

These regional and industrial discrepancies, picked at random, merely illustrate what anyone familiar with the problem knows—that Negro war-work opportunities have been haphazard and planless with war necessity, Government intervention, and employer or union willingness to accept them representing the factors determining where and how Negroes might contribute their skills to the war effort. The identical thing happened during the last war on a smaller scale. Cities with small and stabilized Negro communities suddenly had to house, transport, feed, and generally assimilate vastly greater numbers of Negroes who, after the war, exercised their American right to remain permanently. All this did then, and will again, take place in an atmosphere of emotional anxiety over job security. From what we know of 1919, and what we see in the present, it would seem the part of wisdom to bend every effort to regularize employment opportunity to the point where it must be faced as a general reconversion problem, not a racial problem.

Almost every factor is against the peaceful integration of the newly arrived Negro war workers into the industrial and civic life of centers where war industry cut-backs are inevitable. The long strain of crowded housing, trolleys, busses, parks and stores, plus the native son's nostalgia for the town as it was before the war, plus the competition for jobs, all provide excuses for a sectional attitude which would like to restrict local opportunities to local people who were there before war disrupted the even tenor of their ways. They easily forget that the price of winning the war was that very importation of war workers

whose presence in peacetime competition they are inclined to resent.

In one west coast city thousands of Negroes were attracted into the shipyards. Today, long after imported white workers have done their stint of war work, saved some money, and begun to drift back to where they came from, the Negroes are still arriving in greater and greater numbers. Negroes already there write to friends back home telling of the good wages and living conditions, and so new Negro shipyard recruits arrive without benefit of official urging. The resulting problems for this city, which obviously must either provide, work or relief to the new arrivals who choose to remain after the war, cannot be reckoned as a purely local dilemma. An attempt to evict the late arrivals would be an un-American denial of civil rights. Its success would merely transfer the problem to the communities. The only possible constructive solution is to give thought how the new addition of manpower made necessary for war purposes can be utilized in the general productive capacity of the community in the post-war period. It would seem to me a question to which the Congress, having the widest possible national viewpoint and authority, might well address itself.

In this connection you may wish to hear briefly the experience of the F. E. P. C. in its attempts so far to carry out the national policy against discrimination in war industry. The Committee wishes me to make clear that it advances its experiences in the hope that it may throw some light on a national problem and not out of any desire for self-perpetuation. The make-up of the new Commission, as proposed by S. 2048, itself precludes that contingency. Moreover, this is a field in which any sane, peace-loving American would like to work himself out of a job by the simple process of reducing discrimination to the point where no special agency is required to prevent it.

The Committee on Fair Employment Practice, then, under the Executive order has received and processed complaints of discrimination against Government, war industries, training institutions and unions. Most of the Committee's cases have been settled by negotiation between examiners and the parties charged or through the good offices of the contracting agency. Some few have gone to hearings and two have been referred to the President for his action. During its existence, the Committee has held 16 hearings. Compliance, for the most part, has been good and the Committee has at present only a few situations which appear to be unresolved. The staff of the Committee has also been instrumental in aiding the settlement of 29 strikes which occurred on account of racial factors, either white workers striking against the employment of Negroes, or Negroes striking because of what they felt were intolerable working conditions.

During the last fiscal year, F. E. P. C. handled a total of 5,132 cases. Of these 4,080 were docketed during that year and 1,052 were brought over from the Committee preceding the present one. During this period the Committee has closed 3,030 cases, 1,098 of which were satisfactorily adjusted. Others were closed for lack of jurisdiction, lack of merit to the complaint, withdrawal by the complainant, or insufficient evidence. Two hundred and one cases were dismissed for other reasons. It should be noted that all of these 3,030 cases closed would have been the subject of intense controversy if a third and impartial party had not interceded to deal with the

controversy There are at present 2,102 cases pending settlement. This indicates that F. E. P. C. has barely been able to keep up with the problem. As of July 1944 each examiner had 57 cases assigned to him.

It may interest your committee to know that during last fiscal year 68.2 percent of the cases docketed involved business as the party charged, 25.9 Government and only 5.9 percent unions.

The President's Committee was established by Executive order for the duration of the war and 6 months thereafter. The problem which your committee is addressing will extend far beyond that period. We at the F. E. P. C. have been busy at the practical task of removing barriers to war employment, and so have had neither staff nor time for an exhaustive survey of what lies ahead. We should like to present to you, however, certain underlying concepts which in our opinion put this question of industrial discrimination to the fore as a national, not a sectional, problem.

First, we conceive that economic depression among particular groups or areas must be avoided in order to promote the free flow of commerce between States and the economic prosperity of the Nation as a whole. Studies by the Departments of Commerce and Labor show that the greatly expanded centers of war industries must meet special problems if they are to avoid locally depressed conditions when peacetime prosperity is attained for the country generally. Productive employment, for example, must be found for the wage earners among the 250,000 Negroes in Philadelphia, the 350,000 Negroes in Chicago, the 185,000 Negroes in Detroit, and the 91,000 in Los Angeles. If discriminatory practices prevent the effective employment of the skills of these workers, not only will the economy be denied their production and their purchasing power but the relief payments necessary for their support will constitute a further burden on these communities. The handling of this critical problem is likely to be overlooked amidst the pressure of demobilization and reconversion unless responsibility for it is specifically delegated to a permanent agency of the Government.

Secondly. Action by the Congress to relieve economic depression among particular groups would be but a continuance of the national policy established by the Fair Labor Standards and Social Security Acts. The declaration of policy in the Fair Labor Standards Act states the congressional finding that—

the existence, in industries engaged in commerce or in the production of goods for commerce, of labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well-being of workers (1) caused commerce and the channels and instrumentalities of commerce to be used to spread and perpetuate such labor conditions among the workers of the several States; (2) burdens commerce and the free flow of goods in commerce; (3) constitutes an unfair method of competition in commerce; (4) leads to labor disputes burdening and obstructing commerce and the free flow of goods in commerce; and (5) interferes with the orderly and fair marketing of goods in commerce.

Thirdly. Discrimination puts minority workers in a depressed economic group. One proof of this is the fact that wage rates paid to Negro and Mexican workers are frequently lower than the rates paid to other workers for the same work. Evidence of racial wage differentials was submitted to the Congress from the records of the Bureau of Labor Statistics in support of the Fair Labor Standards Act. This

series was continued through 1942 when the entrance rates for common labor for the Nation as a whole were:

	<i>Cents per hour</i>
Whites, other than Mexicans.....	65
Mexican workers.....	58
Negro workers.....	47

These differences may be said to represent, in part, differences in rates between regions, rather than differentials based upon race or national origin. However, wage differentials are frequently maintained between white and minority workers doing the same work for the same employer and in many concerns the low-wage common labor jobs are all filled by Negro or Mexican workers. When we eliminate regional differences we find that, in the South for example, the average common labor entrance rates were 40 cents per hour for Negro workers and 44 cents per hour for white workers in 1942.

In the same year the average entrance rates for all common labor were 72 cents in the North and 41 cents in the South and Southwest. It can be shown that this regional differential is caused in large measure by the concentration of Negro and Mexican workers in the latter areas. For example, the War Labor Board found in February 1944 that discrimination against Mexican workers resulted in much wider differentials between skilled miners and common laborers in the non-ferrous metals mining industry in New Mexico and Arizona than in the same industry in Idaho and Montana. These lower rates tended to depress purchasing power, standards of living, and economic activity in the Southwestern mining communities as compared with those in the Northwest.

The National War Labor Board ordered the abolition of the classifications "white laborer" and "colored laborer" and reclassified both simply as "laborer" with the same rates of pay for all in that classification in the *Southport Petroleum Company case*, June 5, 1943. The Board's opinion states:

This equalization of economic opportunity is not a violation of the sound American principle of differences in pay for differences in skills. It is rather a bit of a realization of the no less sound American principle of equal pay for equal work as one of those equal rights in the promise of American democracy regardless of color, race, sex, religion, or national origin.

It hardly seems necessary to submit to this Committee additional evidence to show that Negroes and other minority workers constitute depressed economic groups. In 1942 Negroes comprised 65 percent of all persons in the low-wage occupations of domestic service and agricultural labor. These occupations are not covered by either the Fair Labor Standards or Social Security Acts. Their relatively late entry into war industry is indicated by the fact that the percentage of Negroes on W. P. A. rose from 14 percent in 1939 to 18 percent in 1942. Lack of opportunity to develop potential skills is indicated by the fact that 41 percent of Negroes have had less than 5 years of schooling as compared with 7 percent of native whites.

Lastly, Raising the economic status of minority groups to the level of the rest of the economy is vital, not only to the members of these groups, but to the prosperity of the Nation as a whole. Economists, businessmen, and the representatives of labor and Government could all be quoted extensively in support of this thesis. I shall give you only a few sample statements.

Mr. Robert Johnson, president of Johnson & Johnson, manufacturers of surgical dressings and owners of mills in northern and southern communities, testified in June 1937:

The prosperity of all American industry and commerce rests in the final analysis on the buying power of the masses, and therefore we have a direct and selfish interest in the welfare of these people.

Mr. Leon Henderson, now chairman of the board of editors, Research Institute of America, has said:

Maintenance of purchasing power is the key to that economic balance which is necessary if we are to surpass 1929 production * * * If the effective demand for goods and services is to be fortified and sustained, it is necessary not only that the lowest paid workers be afforded additional buying strength, but that the gains so dearly won since 1932 be kept in force.

To sum up these observations, the way out of the economic swamp for minority workers is to raise their productivity to their highest potential level. This requires the removal of all those barriers that are placed in the way of the development and use of their highest skills.

Discrimination in education and training must be eliminated in order that each worker may develop his productivity to the full extent of his potential capacity. An agency of the Government should be given permanent responsibility for eliminating the barrier of discrimination in the training of our national labor force.

Discrimination in employment leaves unused the whole of a worker's productive capacity and requires the Government to pay relief for unemployment rather than permitting the worker to earn his income through productive work.

Discrimination prevents upgrading in accordance with ability and the skills developed through experience are wasted and the product which might be produced by the use of those skills is lost to the whole economy of the Nation. A permanent Government agency should be given responsibility for removing the barrier of discrimination to the full and effective use of the skills of our national labor force.

The lowered living standards resulting from discrimination in economic opportunity reduce the productive efficiency of minority workers. To do his best work, an individual must have a house in which he can enjoy reasonable comfort and security, adequate food, clothing, and medical care, and a reasonable opportunity for recreation. The removal of discrimination will permit minority workers to earn a sufficient income to buy these essentials and will thus raise their productivity as workers.

Workers who have no reason to hope for advancement as a result of good work done and the development of increased skills have little incentive to give their best efforts to the process of production. The simple assurance that an agency has been established on a permanent basis to implement the national policy of equality of economic opportunity to all workers regardless of race, creed, color, or national origin would have an immediate effect on the morale of minority workers and would, in itself, be a major step toward raising their economic productivity and, hence, the prosperity of the Nation as a whole.

That concludes my formal statement, Senator.

Senator CHAVEZ. I would like to ask you one or two questions, Mr. Ross, if I may. In the experience of the committee that you head,

do you find that discrimination in employment is declining, or is it on the increase?

Mr. Ross. We operate on receipt and examination of complaints, Senator, and I can only say that in July 1943, we had 1,000 cases inherited from the former committee. At present we have about 2,200 cases on the docket, so that the cases unsolved have doubled. At the same time, we have settled or closed 3,400 cases during the year, so I would deduce that because our case load is increasing, discrimination per se is increasing.

Senator CHAVEZ. Have you any opinion at the moment on the possibilities of discrimination toward the Negro ex-servicemen in Government work after the war?

Mr. Ross. In Government work?

Senator CHAVEZ. In Government work.

Mr. Ross. Well, 25 percent of our cases involved Government agencies. I would suppose about 900 Government cases arose during the last year. In about 40 percent of all our cases we find there is merit to the complaint of discrimination. So that whereas the Negroes have had opportunities in Government service, the inclination to discrimination is certainly still there in many agencies.

Senator CHAVEZ. What has been your experience with labor organizations, with reference to discrimination against any minority group?

Mr. Ross. Labor organizations represent slightly less than 6 percent of our cases, and yet 9 of the 16 hearings that we have held involved labor organizations. It is a very spotty picture, Senator. Some labor organizations have carried over from their past rituals in which Negroes are completely excluded. We have some very knotty problems with unions who have that tradition behind them.

Senator CHAVEZ. I wonder if you have any information on the following instance that has come to my attention: Last winter it appeared that there was a shortage of manpower in the State of Florida amongst the farmers, to gather their crops, their citrus fruits, and an effort was made to bring in Puerto Ricans. It has been called to my attention, although I have no direct information on the matter, that the labor groups objected to having Puerto Ricans come into that State. Do you have any knowledge on that?

Mr. Ross. I have no direct knowledge on that, sir.

Senator CHAVEZ. Now, there is a definite school of thought in this country that maintains that prejudice and discrimination are of southern origin only. What has been your information as to that particular matter? Is prejudice and discrimination regional and confined to Southern States, or does it apply to the country as a whole?

Mr. Ross. Statistics, perhaps, do not completely tell the story, but we find about 17 percent of our cases originate in 8 Southern States, and that the other 83 percent is north of the Mason and Dixon's line. Now, these are wartime conditions, Senator, and the majority of our complaints come from the clash of workers and employers where non-whites have come in in great numbers and where they are not habitually in the industries. I would not say that the 17 percent arising in the South tells the complete story. The Negro is the main labor supply in the South and has been traditionally used there.

I think the question of upgrading the Negro in the South is of prime importance. He has been upgraded in some of the Gulf shipyards where more than 90 percent of the workers are skilled workers,

and where, if your main labor supply are negroes, they must be used in skilled capacities. I think they have made some gains.

Senator CHAVEZ. In other words, this idea that prejudice and discrimination against the Negroes is confined to the South is not correct.

Mr. Ross. It is not correct, sir. It is Nation-wide.

Senator CHAVEZ. Now, there is also a school of thought that feels that this provision should be made by individual States. Have you any views in that respect?

Mr. Ross. I think it would be complementary to a national law to have the States pass their own nondiscrimination statutes, but the States, for instance, cannot reach Federal Government employees, which is demonstrated to be a large problem.

Senator CHAVEZ. They cannot reach the employees which are within the purview of the interstate commerce laws?

Mr. Ross. Legally they can but no effective action is possible against enterprises with plants in several States. The interstate transportation facilities probably cannot be touched by State laws.

Senator CHAVEZ. Thank you very much.

Mr. Ross. Senator, may I make one announcement that may interest you? My committee yesterday voted to hold hearings in the Southwest on the question of some mining companies where the Mexican-American workers are principally involved.

Senator CHAVEZ. I am very glad to hear the committee took that action.

(The following statement was submitted by Mr. R. J. Thomas, international president, U. A. W.-C. I. O.:

STATEMENT BY R. J. THOMAS, INTERNATIONAL PRESIDENT, UNITED AUTOMOBILE WORKERS, CONGRESS OF INDUSTRIAL ORGANIZATIONS, IN SUPPORT OF S. 2048 AND H. R. 3986.

My name is R. J. Thomas and I am international president of the United Automobile, Aircraft, and Agricultural Implement Workers, an affiliated union of the Congress of Industrial Organizations.

I am told that the United Automobile Workers, Congress of Industrial Organizations, with a membership of more than a million workers, is the largest labor union in the world.

I desire to place our union on record as favoring the passage of Senate bill No. 2048, a bill to prohibit discrimination in employment because of race, creed, color, national origin, or alienage.

It may seem strange to some of you who heard or have read the testimony of Mr. James B. Carey, secretary-treasurer of the Congress of Industrial Organizations, as given at House Labor Committee's hearing on the companion bill, H. R. 3986, that organized labor favors Federal legislation which, among other things, prohibits labor unions from denying membership to any worker because of race, creed, color, or nationality. But I don't think this is strange. I prefer to think that it is just another instance of American trade unionism rising to the demands of their rank and file membership and to the call of real democratic action here at home.

The war and the noble cause for which we soldiers on the Nation's production lines have been fighting, have opened our eyes to a number of shortcomings in our traditional way of life. We are aware now that America can neither speak unashamedly at the peace table nor make sincere promises of freedom and justice to the liberated peoples of Europe, Asia, and Africa so long as we, the dominant group here in America, deny even the simplest rudiments of liberty and equality to our more than 5,000,000 Jews, 13,000,000 Negroes, 21,000,000 Catholics, 3,000,000 Spanish-Americans, and 20,000,000 immigrants of first-generation Americans here at home. That is the primary reason why we of the labor movement favor the enactment of this legislation now. We want to see our country put its own house in order first, then go forward to assist in straightening out the affairs of others.

There is a second reason why we think these bills should be reported favorably and passed by Congress. For many years now organized labor in this country has had to devise ways and means of meeting and coping with management's technic of "divide and conquer." We have seen our local union weakened and almost wrecked by employer-inspired hate strikes. One racial or religious group is pitted by management against another in an effort to silence justifiable union complaints about low wages, long hours, or refusal to bargain collectively.

The United Automobile Workers, Congress of Industrial Organizations, Mr. Chairman, does not ask the color of a man's skin or his race, nationality, or whether he is a worshipper of a minor creed. We ask only that he be a fellow worker in the automobile, aircraft, or agricultural implement industry and a believer in the democratic principles underlying the Congress of Industrial Organizations.

We have found, however, that some unscrupulous employers are using our liberal and racial and religious policies as an argument to dissuade employes from joining or continuing their affiliation with our organization. This technic is comparatively simple for management to use with a new and growing union like ours; and once the seeds of racial or religious discord are planted, the damage is done and it is extremely difficult to repair the wreckage. Within the past 6 months more than 100,000 of our union members have been adversely affected by hate strikes, due in whole or in part to management's fanning the smoldering embers of minority ill-will.

We do not deny that some workers, both within and without the ranks of organized labor, have racial and religious preferences and dislikes. But we do deny the existence of any right on the part of management to capitalize upon these preferences or dislikes based upon race, creed, color, or nationality, when we of organized labor are doing our level best to educate all of our members to the point where they not only will read but will also believe that the founders of our country meant it when they said "all men are created equal" and should have an equal right "to the pursuit of happiness."

Happiness, Mr. Chairman, for the 62,000,000 Americans who make up the minority groups I have mentioned means, in plain everyday English, equality or opportunity to seek, obtain, hold, and progress in a decent job, at decent wages, and without being continually reminded that there are some jobs in this land of the free which only white, Protestant, gentile, fourth-generation Americans may hold.

Our progressive labor organizations are today trying to do a job that Government and many of our social and educational agencies have left undone for the past three-quarters of a century. We are trying to teach and to demonstrate to our membership—and to some employers also—that a man's race, creed, color, or nationality has nothing whatever to do with his ability to operate a lathe or a drill press and to render a satisfactory day's work. We in the automobile, aircraft, and agricultural implement industry have seen that, given the same training and an equal opportunity to do the job, the members of minority groups will become just as efficient workers as those of any other group—and they make good union members, too. The more than 300,000 Negroes, Mexicans, and Japanese-Americans included in our union's membership are giving daily proof of this fact.

But organized labor can't do this job alone.

For, obviously, it does little good for us to distribute educational pamphlets, arrange conferences and conduct summer school courses on discrimination, if the prejudiced minded employers I have mentioned are to be left free first to incite racial and religious ill-will, and then to capitalize upon their nefarious handwork by refusing employment to qualified minority group workers with the flimsy excuse that the members of our unions just will not work with Jews, or Negroes, or Mexicans. The United Automobile Workers, Congress of Industrial Organizations has accepted the responsibility of bringing its members' thinking into line with the American ideal of fair play. We have done this without any urging from the Government. We feel justified, therefore, in asking that our Federal Government accept the responsibility for inducing or compelling those business concerns over which it has jurisdiction to likewise conform to the national policy that there shall be no discrimination in employment because of race, creed, color, or national origin.

Finally, Mr. Chairman, and members of this committee, like all other thinking Americans, the members of the United Automobile Workers, Congress of Industrial Organizations here at home and our more than 200,000 brothers who are in the armed forces, are becoming more and more concerned about the kind of life our country will offer the millions of American doughboys who are now risking

their lives on the battlefields of France and Italy, in the far reaches of the South Pacific, and in the outposts of Burma, China, and India.

I have just returned from a tour of the fighting fronts in France. I have talked with our soldiers there. And I have found that the average American soldier, through his experience, has become more anti-fascist than our average civilian. They have seen more of the forces in the world that threaten democracy. People say that the unions had better look out when the men come home. But I say the antidemocratic forces in America had better look out.

Thousands of these returning veterans will be numbered among the minority groups this legislation is intended to protect. Will they come home to find the doors of employment closed in their faces for no other reason than that they happened to have been born a Jew or a Negro or a first-generation Pole? The answer rests with the Congress, and we think it is adequately summed up in this bill.

AMERICAN FEDERATION OF LABOR,
Washington, D. C., September 7, 1944.

HON. DENNIS CHAVEZ,
Chairman, Subcommittee,
Senate Committee on Education and Labor,
Washington, D. C.

DEAR SENATOR: Your telegram to President Green of September 4, requesting him to make a statement in regard to S. 2048, was referred to me and I am pleased to incorporate hereinafter the report of the executive council of the American Federation of labor to the 1943 convention, which sets forth our attitude.

The report was thoroughly discussed on two separate days of the convention and unanimously approved.

EXECUTIVE COUNCIL'S REPORT TO 1943 AMERICAN FEDERATION OF LABOR CONVENTION ON PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE

"The Fair Employment Practice Committee appointed by the President in June 1941 was transferred in July 1942 to the War Manpower Commission as the agency vested with the responsibility for the enforcement of Executive Order 8802, which provided that 'there shall be no discrimination in the employment of workers in defense industries or government because of race, creed, color, or national origin.' While the Committee was given the authority to enforce this policy, this authority was admittedly limited.

"The committee's procedure was to first attempt voluntary compliance with the policy by the employers and, if no affirmative action was taken to effect compliance, to hold public hearings which would afford all parties concerned the opportunity of presenting publicly the facts involved. Because of the reluctance of the employers to have discriminatory practices in their plants become a matter of public knowledge the threat of a public hearing often proved sufficient to eliminate discrimination in war plants. Toward the end of 1942 several major cases were scheduled for hearing, including that of the southeastern railroads.

"In January 1943, pursuant to a request from the White House, Chairman McNutt of the War Manpower Commission ordered these hearings postponed. It was soon intimated, however, that a complete reorganization of the committee was contemplated and that it would then be free to reschedule such hearings.

"On May 27 the President issued Executive Order 9346, which superseded Executive Order 8802, and established a new Committee on Fair Employment Practice to promote the fullest utilization of all available manpower and to eliminate discriminatory employment practices. The new Executive order reaffirmed the nondiscrimination policy and declared 'that it is the duty of all employers, including the several Federal departments and agencies, and all labor organizations, in furtherance of this policy and of this order, to eliminate discrimination in regard to hire, tenure, terms or conditions of employment, or union membership because of race, creed, color, or national origin.'

"To enforce this policy the order provides that all Government contracts, and subcontracts let under such contracts, must include a provision obligating the contractor 'not to discriminate against any employee or applicant for employment because of race, creed, or national origin.' All agencies of the Federal Government concerned with vocational and training programs for war production are also required to assure that such programs are administered without dis-

crimination. The Committee is empowered to formulate policies designed to enforce nondiscrimination and to make recommendations to other agencies and to the President with respect to steps necessary to make nondiscrimination effective. It is the duty of the Committee to receive and investigate complaints of discrimination, conduct hearings, make findings of fact, and take appropriate action to eliminate discrimination forbidden by the order.

"On July 6, 1943, a new seven-man Committee was appointed to administer the nondiscrimination order, consisting of three labor members, three employer members, and one public member.

"The new Executive order did not change materially the Committee's authority, but set it up as an independent agency responsible directly to the President. The provision in the order, declaring it to be the duty of all labor organizations to eliminate discrimination in regard to union membership, was a new departure in the intervention of the Federal Government in the self-organization among workers.

"The policy of nondiscrimination because of race, creed, or color in trade-union ranks has always been the fundamental policy of the American Federation of Labor. For over half a century the American Federation of Labor, through the actions of its conventions and through the efforts of its officers, has sought to effect universal voluntary adherence to the principle of nondiscrimination among its affiliated union. Notable progress has been made in this direction and a non-discrimination policy has been embodied in the operating laws of the majority of our national and international unions. In a number of local situations, the national and international unions concerned have successfully dispelled intolerance and prejudice on the part of individual members and groups of members, assuring the acceptance of the policy not only in form but also in fact.

"A small number of our affiliates have not yet joined in the positive efforts of the Federation to assure equality of work opportunity without regard to race or color. The executive council reiterates its belief that discriminatory denial of work opportunity to any person because of race, creed, or color is inconsistent with the principles of industrial democracy and trade union practice which the American Federation of Labor has championed since its inception. We recommend that the officers of the American Federation of Labor be authorized to intensify and extend their efforts to secure complete acceptance of our nondiscrimination policy by all affiliated unions.

"The direct and wholehearted participation of the representatives of the American Federation of Labor in the work of the Fair Employment Practice Committee has been based on the recognition of the fact that race discrimination in war employment is inconsistent with the Nation's foremost objectives in a war for the survival of democracy. Such discrimination is not only contrary to individual human rights affirmed by our Constitution and basic to our institutions, but is also a serious threat to national unity during and after the war. Differential treatment of minority groups, and especially Negroes, at the time of maximum employment induced by the war, is bound to establish and perpetuate basic differentials in the Nation's wage structure solely because of race. When employment is curtailed after the war, the creation of a reservoir of cheap labor among Negro workers can only serve to destroy the established wage standards for all labor and result in racial strife. Insistent need for elimination of race discrimination in employment and wage standards is thus dictated, not only by the democratic principle to which the labor movement is pledged, but also by the need to assure economic justice to all workers through stability of wages and employment after the war.

"The executive council does not believe, however, that imposition of any policy, no matter how salutary, through compulsory Government control of freely constituted associations of workers, accords with the basic right of freedom of association among the American people. While it endorses without reservation the policy of nondiscrimination in employment, the executive council takes strong exception to the compulsory imposition upon unions of this or any other policy interfering with the self-government of labor organizations."

If there is any further information I can supply to the committee I shall be pleased to cooperate.

Sincerely,

W. C. HUSHING,
Chairman, National Legislative Committee,
American Federation of Labor

SEPTEMBER 6, 1944.

HON. DENNIS CHAVEZ,
 Chairman, Senate Subcommittee on S. 2048,
 Washington, D. C.

- Deeply regret shortness of notice makes it impossible come to Washington in response your invitation testify on bill to make Fair Employment Practice Committee permanent agency. Have requested our Washington office supply your committee with testimony on similar bill before House of Representatives Labor Committee which I request be made part of record of your committee. Request also you insert this telegram in record as supplement to testimony before House committee. Military developments pointing toward imminent collapse of Nazi Germany gives greatly increased impetus to program of demobilization and reconversion. Immediate cut-backs in industries supplying our armed services, particularly aircraft and shipbuilding industries in which there is heavy concentration of Negro workers, cause these workers to face acute employment crisis. War Production Board statement that on day Germany surrenders airplane output will be cut 40 percent and munitions 50 percent is evidence of this situation. In order that these and countless other thousands of dislocated Negro workers be adequately protected, it is urgent that your committee report immediately and favorably S. 2048 and press for immediate Senate action. Postponement of action through adjournment of Congress until November would, in our measured opinion, be a catastrophe. Experiences of the Fair Employment Practice Committee during past 3 years give ample proof that minority group workers must have protection of Federal legislation if they are to secure equal employment opportunities in post-war period. Vociferous objections of some Members of Congress to "government by Executive order" in this difficult field would come with better grace if Congress would deal with the problem effectively and expeditiously by enacting appropriate legislation. We submit it is imperative that congressional committee having before them such critical legislation as S. 2048 give evidence to American people of their good faith and thereby convince a large and ever-growing segment of the American people that something more than political shadow-boxing is taking place. We, therefore, urge your committee to expedite passage of this vital and necessary legislation.

WALTER WHITE,

Secretary, National Association for the Advancement of Colored People.

TO PROHIBIT DISCRIMINATION IN EMPLOYMENT

HOUSE OF REPRESENTATIVES,
 COMMITTEE ON LABOR,
 Washington, D. C., June 13, 1944.

The committee met at 10 a. m., Hon. Mary T. Norton (chairman) presiding.
 The CHAIRMAN. The committee will please be in order. May I present to the committee Mr. Walter White, secretary of the National Association for the Advancement of Colored People?

STATEMENT OF WALTER WHITE, SECRETARY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

The CHAIRMAN. Mr. White, have you a statement for the record that you would like to submit?

Mr. WHITE. I have a brief statement, Madam Chairman, that I would like to read, if I may.

The CHAIRMAN. We will be glad to hear it.

Mr. WHITE. I speak today specifically for 763 branches, youth councils, and college chapters, of the National Association for the Advancement of Colored People with a paid membership of 350,000 in warm approval of H. R. 3986, H. R. 4004, and H. R. 4005 to make the President's Fair Employment Practice Committee a permanent Government agency. I voice as well the earnest wish of many other Americans, both white and Negro, including 700,000 Negroes serving in the armed forces—some of them now fighting desperately on the beachheads of Europe—who ask the Congress to arm with permanent authority and adequate funds this agency to eliminate employment discrimination in the United States Government and so-called war agencies.

In testifying, I do so on behalf of the principle inherent in these measures. Undoubtedly beneficial changes can be made in the form and substance of the bills.

But out of these deliberations can come, and we trust will come, an unemasculated uncompromising measure which will do the job of eliminating discrimination on account of race, creed, color, or national origin both during the war years and in the possibly crucial and troubled post-war period.

The National Association for the Advancement of Colored People is proud of having played a part in the establishment of the present Fair Employment Practice Committee. When, in 1940, we joined in a conference at the White House with the President and certain members of his Cabinet to ask that some means be found to check the flagrant discrimination from which loyal, skilled Negro Americans were suffering in what were then called defense plants the situation was critical. The morale of 13,000,000 American Negroes, one-tenth of the Nation's population, was at a tragically low ebb. Though they were taxed at the same rate as other Americans to pay for the products being manufactured by these plants, the overwhelming majority bluntly refused to employ Negroes. Establishment of the Fair Employment Practice Committee checked the descending spiral of the Negro's morale more as a symbol that his Government was willing to take this wise step than in the actual results accomplished by the Fair Employment Practice Committee.

I do not underestimate what the Fair Employment Practice Committee has done. When one studies the persistent sabotage of its efforts and the insistent struggle it has had to make for survival in the face of hostile attacks upon it, its accomplishments are phenomenal.

It is our contention, however, that the Fair Employment Practice Committee has only scratched the outer surface. Woefully understaffed, and with neither adequate funds nor sufficient authority, it is tackling courageously what is probably the most complex problem of democracy we face today. It is complex because prejudices and greed are deep-rooted, evasive, and unscrupulous. They are foes it is not easy to combat.

As this committee and the country well know, the problem of discrimination on account of race, creed, color, or national origin is threefold. There is, first, the unwillingness of employers to hire members of the minorities for which the Fair Employment Practice Committee fights. Second, there is the prejudice of some of the craft unions. Third, there is discrimination by the Federal Government itself. It is out of the practices of these three groups that the situation arises where 78 percent of the Fair Employment Practice Committee case load deals with discrimination against America's largest minority—the Negro. That this is true is America's fault, not the Negro's.

I wish to present a few figures to give this committee a partial picture of the causes of unemployment and underemployment of Negroes. The Negro has traditionally been confined to unskilled, low-paid, unattractive, and insecure jobs. This is almost as true today as it was many years ago, which is the reason why the Fair Employment Practice Committee must be made a permanent agency of the Government until these conditions are corrected. Up to 1910, 58 percent of all Negro men gainfully employed were engaged in agriculture; another one-third was in domestic and personal service. Less than 9 percent were employed in manufacturing and mechanical industries, trade, or transportation. During the past 33 years these conditions have caused a steady exodus of Negroes from the South and the farm in efforts to escape such poverty. Between 1910 and 1930 the Negro had thereby gained 480,000 nonagriculture jobs in the North and West. Today the Negro is an industrial worker and he is in northern industrial centers to stay. It is therefore imperative that we recognize this fact and develop a national program of sufficient scope to meet this problem.

Even to achieve this modest gain, the Negro has had to make an unremitting struggle. As the most marginal of American workers the Negro is the last to be hired and first to be fired, and usually the poorest paid and underemployed when employed. The 1937 unemployment census revealed that 42 to 46 percent of the colored males in urban cities with 25,000 population or more were designated as fully employed, while 60 to 63 percent of white males were so designated. As recently as 1940, 41 percent of colored men over 14 years of age were unemployed. Even while public hearings were being held by the Congress last year on compulsory national service legislation, the War Manpower Commission released figures showing that more than 600,000 Negroes who were begging for employment at their proper skills were unemployed, while other millions of Negroes were working at jobs below their maximum skills.

This was not solely a question of skin color. Many short-sighted employers have deliberately sought to preserve the concept of the Negro as industriously inferior for the purpose of paying the Negro a lower wage even when he did the same work as a white man by designating certain jobs as "Negro jobs," by

declaring the Negro generally to be nonpromotable, and by utilization of this large reservoir of cheap Negro labor as a club over the heads of organized labor to depress wages for all workers. Holding up the Negro as a potential competitor or strike breaker, these employers deliberately capitalized on an aggravated fear of Negro labor among white fellow workers. Unintelligent unions accepted this concept based upon prejudice particularly during times of low employment. Constitutional employment, ritualistic practices, and other devices were conceived to keep Negroes out of unions and out of jobs. Fortune magazine recently showed one of the results. Five thousand ranking business executives were queried showing that 86.1 percent of them employed no Negroes, or Negroes constituted less than 10 percent of their personnel. Even after the first year of war, 82.3 percent employed no Negroes, although 64.7 percent admit that they could employ Negroes efficiently.

One of the most vital of war- as well as peace-time industries is shipbuilding. In this industry the Negro has actually lost ground since World War I. At that time 20 percent of the Negroes employed in shipbuilding were skilled; in 1942 only 3.1 percent of Negroes employed are skilled. Twenty percent are semiskilled and 75.2 percent are working at unskilled jobs whatever their training or experience. In large measure this serious decline is due directly to the American Federation of Labor Metal Trade Union which has contracts with most of the major shipyards in the country. This union, along with the machinists, the electrical workers, and the plumbers union of the American Federation of Labor exclude the Negro by ritual or other means. The Boilermakers Union, American Federation of Labor, which has 65 percent of the shipyard workers under its jurisdiction has relaxed its rule slightly but only to the extent of organizing Negroes in so-called auxiliary lodges to be composed of "colored male persons." The Negroes are barred from membership in the regular local lodges by racial restrictions embodied in their ritual. The following requirements are pertinent:

1. Article II, section 14 of the auxiliary bylaws provides that the business agent appointed by and acting for the local white lodge "supervising" the colored auxiliary "shall perform the same duties for the auxiliary lodge as are performed for the supervising lodges, including the dispatching and assigning of members to jobs." Thus Negro members of auxiliary lodges have no voice or vote in the selection, control, or dismissal of the man who is arbitrarily set up as their representative in the most important and fundamental contracts with the employer.

2. The shop committee of the supervising white lodge established under article XIV of the subordinate lodge constitution to handle shop disputes and grievances is designated in article XIII of the auxiliary bylaws to exercise the same functions for the auxiliary lodge. The members of the auxiliary lodge have no voice or vote in selecting or controlling such shop committees.

3. Article VIII of the auxiliary bylaws prohibits the change of classification of the Negro member of an auxiliary lodge from helper to the higher paying grade of mechanic, unless such classification shall be approved by the white "supervising" lodge. Thus, the Negro worker, unlike the white worker, has no voice or vote in the body which exercises a veto power over his upgrading.

4. Article II, section 13 of the auxiliary bylaws provides that the grievance committee of the supervising lodge shall act for the auxiliary lodge as well, yet limits the auxiliary lodge to one member who may function with the committee regardless of the relative size and membership of the auxiliary and supervising lodges.

5. An auxiliary lodge has no voice or vote in the quadrennial convention which is the ultimate legislative authority of the International Brotherhood of Boilermakers, Iron Shipbuilders, and Helpers of America. In contrast, at each such convention, each white local lodge is entitled to voting representation proportional to the number of its members. See article II, section 2, international constitution.

Moreover, Negro workmen and their auxiliary lodges have no security even in their nominal status. Article I, section 4, of the auxiliary bylaws authorizes the international president within his uncontrolled discretion to suspend any auxiliary lodge or any officer or member of an auxiliary lodge, thus arbitrarily depriving the Negro even of limited status within the union. In contrast, the international constitution contains no provision for the suspension of a white local lodge but provides for revocation of the charter of a subordinate lodge only by the international president, in conjunction with the executive council and only after such lodge shall have been proved guilty of violation of the said constitution. Members of white local lodges can be suspended or otherwise disciplined only after formal trial following the procedure prescribed in detail in article XIV of said international constitution.

The next effect of this scheme is to make it lawful for a white local lodge and its business and other bargaining agents at their whim and caprice to permit Negroes to work on union jobs, reserving arbitrary control over their status, upgrading, and even their continuation in nominal good standing. All significant rights of union membership, including all participation in collective bargaining, are denied to the Negro. In substance he pays his dues and gets in return only a work permit revocable at will.

That there is necessity for the Fair Employment Practice Committee to tackle this problem may be seen, however, in the following list of unions which, by one means or another, draw the color line. This information is taken from *Organized Labor and the Negro*, by Herbert R. Northrup, published by Harper & Bros. in 1944.

- "1. Union which excludes Negroes by provision in ritual: Machinists, International Association of (American Federation of Labor).
- "2. Unions which exclude Negroes by provision in constitution:
 - "A. American Federation of Labor affiliates:
 - "Airline Pilots' Association.
 - "Masters, Mates, and Pilots, national organization.
 - "Railroad Telegraphers, Order of.
 - "Railway Mail Association.
 - "Switchmen's Union of North America.
 - "Wire Weavers' Protective Association, American.
 - "B. Unaffiliated organizations:
 - "Locomotive Engineers, Brotherhood of.
 - "Locomotive Fireman and Enginemen, Brotherhood of.
 - "Railroad Trainmen, Brotherhood of.
 - "Railroad Yardmasters of America.
 - "Railway Conductors, Order of.
 - "Train Dispatchers' Association, American.
- "3. Unions which habitually exclude Negroes by tacit consent:
 - "A. American Federation of Labor affiliates:
 - "Asbestos Workers, Heat and Frost Insulators.
 - "Electrical Workers, International Brotherhood of.
 - "Flint Glass Workers' Union, American.
 - "Granite Cutters' International Association.
 - "Plumbers and Steamfitters, United Association of Journeymen.
 - "Seafarer' International Union.
 - "B. Unaffiliated organizations:
 - "Marine Firemen, Oilers, Watertenders, and Wipers Association Pacific coast.
 - "Railroad Shop Crafts, Brotherhood of.
- "4. Unions which afford Negroes only segregated auxiliary status:
 - "A. American Federation of Labor affiliates:
 - "Blacksmiths, Drop Forgers, and Helpers, Brotherhood of.
 - "Boilermakers, Iron Shipbuilders, Welders, and Helpers, Brotherhood of.
 - "Maintenance of Way Employees, Brotherhood of.
 - "Railway Carmen of America, Brotherhood of.
 - "Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, Brotherhood of.
 - "Rural Letter Carriers, Federation of.
 - "Sheet Metal Workers' International Association.
 - "B. Unaffiliated organizations:
 - "Railroad Workers, American Federation of.
 - "Rural Letter Carriers' Association.

"Fortunately for the Negro and for America, not all trade-unions are as vicious in their prejudice against the Negro as those enumerated above. Virtually all of the industrial unions affiliated with the Congress of Industrial Organizations not only do not bar the Negro from membership but welcome him to nonsegregated unions. That is also true of some American Federation of Labor unions and some independent ones, as is indicated by the constitutions of the many unions which contain specific provisions prohibiting discrimination on account

of race and color, or which provide that race shall not constitute a bar to union membership. These unions are—

- "International Airline Mechanics Association, independent.
- "International Federation of Architects, Engineers, Chemists, and Technicians, Congress of Industrial Organizations.
- "United Automobile, Aircraft, and Agricultural Implement Workers of America, Congress of Industrial Organizations.
- "Barbers and Beauty Culturists Union of America, Congress of Industrial Organizations.
- "United Cannery, Agricultural Packing, and Allied Workers of America, Congress of Industrial Organizations.
- "Cigar Makers International Union of America, American Federation of Labor.
- "United Electrical Radio and Machine Workers of America, Congress of Industrial Organizations.
- "United Farm Equipment and Metal Workers of America, Congress of Industrial Organizations.
- "Foremen's Association of America, independent.
- "International Fur and Leather Workers Union, Congress of Industrial Organizations.
- "United Furniture Workers of America, Congress of Industrial Organizations.
- "United Gas, Coke, and Chemical Workers of America, Congress of Industrial Organizations.
- "Federation of Glass, Ceramic, and Silica Sand Workers of America, Congress of Industrial Organizations.
- "Hotel and Restaurant Employees International Alliance and Bartenders International League, American Federation of Labor.
- "Inlandboatmen's Union of the Pacific, Congress of Industrial Organizations.
- "International Longshoremen's and Warehousemen's Union, Congress of Industrial Organizations.
- "National Maritime Union of America, Congress of Industrial Organizations.
- "International Union of Mine, Mill, and Smelter Workers, Congress of Industrial Organizations.
- "United Mine Workers of America, independent.
- "United Cement, Lime, and Gypsum Workers International Union, American Federation of Labor.
- "United Hatters, Cap, and Millinery Workers International Union, American Federation of Labor.
- "American Newspaper Guild, Congress of Industrial Organizations.
- "International Union of Wood, Wire, and Metal Lathers, American Federation of Labor.
- "Progressive Mine Workers, American Federation of Labor.
- "United Office and Professional Workers of America, Congress of Industrial Organizations.
- "American Federation of State, County, and Municipal Employees, American Federation of Labor.
- "United Packinghouse Workers of America, Congress of Industrial Organizations.
- "United Retail, Wholesale, and Department Store Employees of America, Congress of Industrial Organizations.
- "United Wallpaper, Craftsmen, and Workers of North America, American Federation of Labor.
- "United Shoe Workers of America, Congress of Industrial Organizations.
- "Brotherhood of Sleeping Car Porters, American Federation of Labor.
- "State, County, and Municipal Workers of America, Congress of Industrial Organizations.
- "United Steel Workers of America, Congress of Industrial Organizations.
- "United Stone and Allied Products Workers of America, Congress of Industrial Organizations.
- "American Federation of Teachers, American Federation of Labor.
- "United Transport Service Employees of America, Congress of Industrial Organizations.
- "Transport Workers Union of America, Congress of Industrial Organizations.
- "Utility Workers Organizing Committee, Congress of Industrial Organizations.
- "United Aircraft Welders of America, independent.
- "International Woodworkers of America, Congress of Industrial Organizations.

"Moreover, there are many unions whose policy with respect to the Negro is eminently fair even though their constitutions are silent on the matter of race.

But until the discriminatory policies and practices of all labor unions—as well as those of employers—have been banished from American life there is a real and pressing need for a permanent Fair Employment Practice Committee.”

DISCRIMINATION BY THE GOVERNMENT

If there is one area of employment in which the Negro, along with all other Americans, has a right to expect and ask that there be no discrimination it is in the matter of employment by the Federal Government. That is, however, far from being the case. There is no single Federal department in Washington in which cases could not be found of educated, efficient Negroes who have been kept in lower brackets of employment while white Americans with less training and experience have been promoted repeatedly. Thus here in the Nation's Capital and in other parts of the country the Federal Government has contributed toward keeping the Negro in a fixed economic inferiority.

Only a Federal agency armed with authority to investigate and correct such conditions can do the job. This job must be done not only now while war rages but even more acute will be the situation when war production is no more.

It has been my privilege during recent months to visit various war fronts where Negro combat and service troops are stationed. Wherever I went the most frequently asked question by Negro soldiers—some of them now storming the beach-heads of France as this committee sits—is whether or not Negroes on returning home will continue to be confined to bootblack jobs. We ask this committee and the Congress to send word to 700,000 Negro American fighting men on battle fronts around the world that they are not fighting in vain. One of the surest ways of giving such assurance is the passage of legislation to create a strong agency to wipe out this triple discrimination.

But this is asked not alone for the Negro. It is asked for all minorities—racial, religious, and national. The forces of bigotry are industriously at work in this country to increase schisms among the American people. Many of these subversive organizations are following the pattern which Adolf Hitler used with such tragic success in the early days of the Nazi Party in Germany—play race against race, creed against creed. Some of these groups are deliberately fomenting race and other riots after the war is over. It is heartbreaking to me to return from seeing men die on foreign battle fronts to find here a terrifying acceptance of the inevitability of post-war disorder. If this Congress has the courage to face the facts and to take now remedial steps which will wipe out the causes of such riots, it can save us from this terror. If it fails to act, it virtually invites such terror. Should it come, we will have lost the war even though we win it on the battle front. We will have lost it because we have not only left untouched but we will have nourished the seeds of disunity in our own country. And we will thereby say to millions of colored peoples now our allies that we are hypocrites when we say that we are fighting this war for freedom of all men everywhere.

I, therefore, most earnestly urge upon this committee that it speedily recommend to the Congress the enactment of legislation for a permanent, adequately staffed, adequately financed, and an adequately armed Fair Employment Practice Committee to the end that justice be accorded to every man on the basis of his ability.

THE CHAIRMAN. Thank you very much, Mr. White. Do you believe the improvement that has been made—and I take it you believe there has been some improvement—will be lost if we do not establish a permanent Fair Employment Practice Committee as an agency of the Government?

MR. WHITE. Madam Chairman, I am certain not only that it will be lost but that it is conceivable that conditions, as bad as they were when the Fair Employment Practice Committee was established, might even be worsened when the period of low employment comes after the war.

THE CHAIRMAN. Mr. Fisher, have you any questions you would like to ask Mr. White?

MR. FISHER. Only one or two, Madam Chairman.

MR. WHITE. As I understand, you feel that if we do not create this permanent Federal bureau known as the Fair Employment Practice Committee, this war will have been in vain; is that correct?

MR. WHITE. Yes, I do, Mr. Fisher.

MR. FISHER. In other words, we might just as well capitulate and draw our soldiers back unless we pass this bill?

MR. WHITE. That, if I may say so, is an amplification of my statement which I did not intend. I was attempting, before you came in, Mr. Fisher, to state the facts with regard to unemployment among minorities, and particularly the Negro,

and underemployment. I happen to have had experience in various countries where many of our colored allies are having preached to them by the Japanese and German radios, that the United States is not sincere when it says that it is fighting a war for the freedom of everybody, because there is discrimination, there is lynching, there is disfranchisement, there are race riots, and all of the other ills which are perpetrated upon people because of race or color. The point that I made is this. If we have a post-war period of racial friction, of riots, growing out of injustices in the matter of jobs, and the like, it will mean simply that while we will have won the war in a purely military sense, we are going to continue to spread suspicion of ourselves as a Nation and virtually have to prepare for another war. That is what I meant.

Mr. FISHER. You would, then, be opposed to any form of legislation, or any other activity, that might be calculated to promote the very thing you are talking about; would you not?

Mr. WHITE. I would oppose legislation that might be calculated to do what?

Mr. FISHER. To promote disunity, and so forth, that you have just been describing.

Mr. WHITE. I think I see the purport of your question, Mr. Fisher. I think we perhaps disagree on what will promote unity and what will promote disunity.

Mr. FISHER. Apparently so.

Mr. WHITE. I am quite certain of that. I believe that the Federal Government, taking a stand that the Constitution of the United States means what it says—namely, that all men, irrespective of race, creed, color, or national origin, are entitled to opportunity to work, and to justice under the Constitution and under the laws of our country, will promote unity, rather than disunity, because it will correct basic and long-standing ills.

Mr. FISHER. I do not think you could pick an argument with anyone on the application of the Constitution.

Mr. WHITE. I trust I cannot.

The CHAIRMAN. If there are no further questions, thank you, Mr. White. I am sorry that we have not had more time to develop your argument, which is an excellent one. You have been most helpful in presenting facts for our record.

Mr. WHITE. Thank you, Madam Chairman.

Senator CHAVEZ. We will meet again at 2:30.

(Whereupon, at 12 m., a recess was taken until 2:30 p. m. of the same day.)

AFTERNOON SESSION

(The subcommittee reconvened at 2:35 p. m., pursuant to the recess.)

Senator CHAVEZ. The committee will come to order.

The testimony adduced before the committee up to now has been in reference to the discrimination against the Negro population of the country, and against the Jewish population of the country. It is the purpose of the committee this afternoon to listen to testimony with reference to discriminations against other classes of minorities in the United States.

Before we call the witness that is to appear next, I would like to have the clerk of the committee read into the record a letter received by the chairman of the committee from Alonso S. Perales, of the Committee of One Hundred of San Antonio, Tex. I happen to know the witness personally and I am sure it would be quite a contribution to the information before the committee.

Before reading the letter, I would like to have inserted into the record this statement with reference to Mr. Perales' qualifications.

(The statement referred to follows:)

Perales, Alonso S.; lawyer, legal adviser to the United States electoral mission in Nicaragua, 1932. Born in Alice, Tex., October 17, 1898. Married. Graduated from public schools of Alice, Tex., and preparatory school, Washington, D. C. Attended School of Arts and Sciences, George Washington University; graduated from the School of Economics and Government, National University,

A. B.; and from National University Law School, LL. B.; admitted to Texas bar, September 1925. Served with the United States Army in Texas during the World War; 2½ years in the Department of Commerce, Washington, D. C. Served in the Diplomatic Service of the United States as assistant to Hon. Sumner Welles; personal representative of the President of the United States in the Dominican Republic, 1922; assistant to the United States delegation, Conference on Central American Affairs, Washington, D. C., 1922-23; assistant to Inter-American High Commission, Washington, D. C., 1923; attorney and interpreter, United States Delegation, Plebiscitary Commission (Gen. John J. Pershing, president), Tacna-Arica arbitration, 1925-26; special assistant to United States delegation to Sixth International Conference of American States, Habana, Cuba, 1928; attorney with agency of the United States, General and Special Claims Commission, United States and Mexico, 1928; attorney, United States electoral mission in Nicaragua, 1928; special assistant to United States delegation to International Conference of American States on Conciliation and Arbitration, Washington, D. C., 1928-29; special legal assistant, Commission of Inquiry and Conciliation, Bolivia and Paraguay, Washington, D. C., 1929; assistant to United States delegation, Congress of Rectors, Deans, and Educators, Habana, Cuba, 1930; legal adviser to the United States electoral mission in Nicaragua in 1930. At present engaged in the private practice of law in San Antonio, Tex.

Mr. BADGER (reading):

COMMITTEE OF ONE HUNDRED

A STRICTLY POLITICAL ORGANIZATION

SAN ANTONIO, TEX., September 6, 1944.

Hon. DENNIS CHAVEZ,

*Chairman, Senate Committee on Education and Labor,
Senate Office Building, Washington, D. C.*

MY DEAR SENATOR CHAVEZ:

We are indeed very sorry that because of our inability to secure a plane priority, we shall be deprived of the privilege of testifying before your honorable Committee pursuant to your kind telegraphic invitation. However, we wish to avail ourselves of this opportunity to voice the hope that the President's Committee on Fair Employment Practice may be made permanent by our National Congress at the earliest possible date, in fairness to all the minority groups in the United States, including Latin Americans, and for the good of our Nation as a whole.

There is a great deal of discrimination in the economic field in Texas, Arizona, Colorado, and California. There are quite a number of public establishments where persons in Mexican and Hispanic descent generally are not employed, and where they are employed they are not paid the salary or wage that Anglo-Americans receive for the same services. The Committee on Fair Employment Practice has relieved the situation in Government camps and in factories and shops where work is being done for the Federal Government, but in establishments, factories and shops over which said Committee has no jurisdiction, the situation remains the same. Should our National Congress see fit to make the Committee a permanent one, it would serve as a living example to private employers.

We understand Dr. Carlos E. Castaneda will testify before your committee on the 7th instant, and in this connection we wish to state that everything he is going to say to you gentlemen regarding discrimination against Latin Americans is true, and, furthermore, that he enjoys the confidence and respect of the 3,000,000 inhabitants of Mexican descent in the United States.

Referring to the social phase of discrimination in Texas, we are prepared to prove that discrimination exists against persons of Mexican and Hispanic descent, including members of the armed forces of our Nation, in 249 out of the 254 counties in the State, and that said discrimination consists not only of slights and humiliations in restaurants, theaters, barber shops, and other public places of business but also segregation in public schools and residential districts. Not only persons of Mexican lineage are victims of such discrimination. Venezuelans, Hondurans, and Argentinians, some of them members of the Armies of said countries, have also been discriminated against.

For the past 4 years we have been asking the Texas Legislature to pass a law forbidding the humiliation of Mexicans and Hispanic peoples generally in this State, but it has absolutely refused to do so. Among the legislators who have actively opposed the enactment of such a law are Senator R. A. Weinert, of Seguin, and

Representative Frank B. Voight, of New Braunfels, Seguin and New Braunfels are two German-American communities of Texas that have always distinguished themselves for their anti-Mexicanism.

There are some people who opine that the solution of this problem rests in waging an educational campaign among the Anglo-American element designed to show them the merits and qualities of the Mexicans and of the Hispanic race generally, but the overwhelming majority of us contend that in addition to such an educational program there is need for a Federal law prohibiting the humiliation of Mexicans and persons of Hispanic descent generally in any part of our country. A Federal law is necessary in order to put an end to this painful situation immediately. The educational program is useful, but it is very slow, and we have no time to lose. We are at war and in order to win it we need unity among the peoples of the Americas. The best way to show all the inhabitants of Hispanic America that they are respected in our country is to pass a Federal law making it unlawful for anyone to humiliate them here. The citizens of Venezuela, Honduras, Argentina and the other Hispanic American Republics feel just as deeply hurt as the citizens of Mexico when they learn that there are places in the United States where members of their race, and above all their fellow-citizens, are humiliated; more so at this moment when more than a quarter of a million soldiers of Mexican descent are giving their blood for democracy. The resentment of these sister Republics of ours has reached the point where Mexico, for example, has become quite firm in her resolve not to send more workers to Texas until an end is put to these humiliations.

The writer has just returned from the Congress of the Inter-American Bar Association held in Mexico City from July 31 to August 8, at which the matter of racial discrimination, in all its phases, was thoroughly gone into, and you should have seen the attitude of the Hispanic-American delegates upon the subject. All of the Latin-American Republics, except three, were represented, and 47 bar associations from the United States were likewise represented. There were 450 delegates from the Western Hemisphere. The Congress went on record, unanimously, as condemning said discrimination, and they passed a resolution recommending to the Governments of the American Republics that a treaty be entered into by them to the effect that no country will permit the citizens of the other American states residing within its territory to be humiliated by any corporation, institution, society, organization, or person because of race, creed, color, or national origin, and, further, that the states of the Americas establish adequate penalties, through Federal legislation, for all cases in which the provisions of said treaty may be violated. It is thus seen, Senator Chavez, that the problem has become an international problem insofar as the Western Hemisphere is concerned, and one that should be settled by the Federal Governments; and the sooner our Government takes the necessary steps to end the shameful situation existing in our country the better it will be for our Nation. We need the cooperation and good will of all the Hispanic American peoples not only now that we are at war but in the days of peace that are to follow. However, we shall never have their good will and cooperation until we learn to treat them and respect them as our equals. At present our governments are united, but the peoples of the Americas are not, precisely for that reason.

As regards the thousands of American citizens of Mexican descent who are fighting in the battle fronts, the best way to encourage them to continue fighting with enthusiasm is to pass a Federal law that will assure to them that our Federal Government does not intend to permit anyone to humiliate them or any member of their families, either in Texas or in any other State of the Union, merely because they are Mexicans by blood. Incidentally, it might be said in passing that the casualty lists published in the local newspapers show that from 50 to 75 percent of those from south Texas who are falling, either dead or wounded, are soldiers of Mexican descent. Our Federal Government owes it to these boys to make sure that when they return to the United States they will find the kind of democracy that they have been given to understand they are fighting for. It would be a great disappointment to them, to say the least, to find upon their return that they could not secure employment or that if they found it they could not receive equal wages for equal work merely because of their racial origin, or that the owner of any restaurant, barber shop, or theater could continue to humiliate them as he saw fit just because they were of Mexican descent. In this connection, permit us to cite a paragraph from a letter which we received recently from a young United States Army officer of Mexican descent who took part in the invasion of Normandy:

"The assault boat I was leading was sunk several hundred yards from the beach, but all of my men managed to swim safely ashore. It was a veritable hell. Sniper bullets, machine-gun fire, mortar and artillery shells, and personnel mines took their toll of victims. I saw many of my close friends—officers and men—get shot right through the head by deadly sniper fire.

"When I think of the men left dead on the beaches, I wonder if the people at home understand this tremendous sacrifice. I wonder particularly if those who are charged with the responsibility of framing the peace to come fully realize the cost of victory. I pray that when the fighting is all done, our boys can go back with the utmost assurance that they can live and work in peace and that America still remains the symbol of liberty, justice, and freedom. I have sworn that if ever the combatants of this war are cheated of the things they risked their lives for and for which thousands of their comrades gave their lives, I shall take the stump loud and strong and shall not cease in my condemnation of such fraud."

In conclusion, allow us to emphasize, Senator Chavez, that it is most urgent that our Government make the Committee on Fair Employment Practice a permanent organization and to enact federal legislation at once forbidding all phases of discrimination on account of race, color, creed, national origin or ancestry. This, in fairness to all the minority groups in our country, and as a token of friendship and respect for the peoples of the Hispanic-American Republics.

You may read this letter to the other members of your committee and you may incorporate same in the record of your hearings, if you wish.

Again thanking you for the invitation extended us, and regretting our inability to be present for the reason already stated, we remain

Sincerely yours,

ALONSO S. PERALES, Chairman.

Senator CHAVEZ. I might state that Alonso S. Perales is an American of Mexican extraction residing in the city of San Antonio, Texas. He has a beautiful record of service to his country, not only on the field of battle during the last war, but also in civil work.

I will now call on Dr. Carlos E. Castaneda.

STATEMENT OF DR. CARLOS E. CASTANEDA, SPECIAL ASSISTANT ON LATIN-AMERICAN PROBLEMS TO THE CHAIRMAN OF THE PRESIDENT'S COMMITTEE ON FAIR EMPLOYMENT PRACTICE

Senator CHAVEZ. Does your statement contain some information with reference to your background in the matter of education?

Dr. CASTANEDA. Yes, Senator, a brief sketch of my interest in this problem of discrimination.

Senator CHAVEZ. Does it contain any reference whatsoever to your own personal background?

Dr. CASTANEDA. No, Senator.

Senator CHAVEZ. I wish you would state to the committee, make a brief statement, with reference to your background.

Dr. CASTANEDA. I have been professor of history at the University of Texas since—

Senator CHAVEZ (interposing). That is rather far advanced. Where were you born?

Dr. CASTANEDA. I was born in Mexico. I am a naturalized citizen of the United States at the present time. I served as a volunteer in the other World War. I received my academic degrees from the University of Texas. I have a B. A., M. A., and Ph. D. I have an honorary degree in law from the University of St. Edwards.

Senator CHAVEZ. Let's get this straight now so we might understand. You were born in Mexico?

Dr. CASTANEDA. That is right.

Senator CHAVEZ. You came to the United States?

Dr. CASTANEDA. That is right.

Senator CHAVEZ. You became a naturalized citizen?

Dr. CASTANEDA. Yes, sir.

Senator CHAVEZ. Your training and education was received in the United States?

Dr. CASTANEDA. Yes, sir.

Senator CHAVEZ. You now have an M. A. degree from the University of Texas?

Dr. CASTANEDA. Yes, sir.

Senator CHAVEZ. Where did you get your doctor's degree?

Dr. CASTANEDA. University of Texas in 1932.

Senator CHAVEZ. You have a degree from St. Edwards? Where is St. Edwards located?

Dr. CASTANEDA. In Austin.

Senator CHAVEZ. And you were a soldier in the last war?

Dr. CASTANEDA. Yes; I served as a volunteer in the United States Army.

May I proceed?

Senator CHAVEZ. You may proceed.

Dr. CASTANEDA. For more than 20 years I have been interested in the problems arising from the various forms of discrimination against the Spanish-speaking people of the Southwest. I have been an active member of the League of United Latin American Citizens, Loyal Latin American Citizens, the Catholic Association for International Peace on its Committee on Inter-American Relations, the Southwestern Committee on Latin-American Culture, the Inter-American Bibliographical and Library Association, and other national and international associations interested in the promotion of better relations and understanding between Anglos and Latin-Americans.

I was appointed senior fair practice examiner in region X, comprising the States of Texas, New Mexico, and Louisiana, on August 23, 1943, and was made acting regional director in charge of the Dallas office until December 17, 1943, when I was made special assistant to the chairman on Latin-American problems, in which capacity I have served the committee since that time.

Our Spanish-speaking population in the Southwest, made up almost entirely of American citizens of Mexican extraction and Mexican nationals are ill-dressed, ill-fed, ill-cared for medically, and ill-educated, all because of the low economic standard to which they have been relegated as the result of the general policy of restricting their employment and utilization to the lowest paid, least desirable, and most exacting jobs from the physical standpoint. Not only have they been restricted to the lowest bracket jobs, but even in these jobs they have been paid wages below the minimum of sound and tested going rates in all the various industries in which they have been employed.

In the investigation of complaints filed with the President's Committee on Fair Employment Practice involving discrimination against Spanish-speaking Latin-American citizens of Mexican extraction and Mexican nationals, I have visited the States of Arizona, California, Colorado, New Mexico, and Texas and I have had an opportunity to study conditions at first hand. I have gathered statistics that reveal the magnitude of the problem insofar as it affects what is the largest underprivileged minority group in the Southwest.

In the State of Arizona, according to the 1940 census, there is a total population of 449,261, of which about 30 percent are persons of Mexican extraction. Of the 160,000 Spanish-speaking persons of Mexican extraction, only 24,902 are foreign-born Mexican nationals. The mining industry in Arizona normally employs between 15,000 and 16,000 men. The percentage of Mexicans, that is American citizens of Mexican extraction in the main, is over 50 percent on an average and in many mining centers it runs as high as 80 percent. In round figures there are between 8,000 and 10,000 persons of Mexican extraction employed in the mining industry in Arizona. Their employment is restricted, however, very largely to common labor and semiskilled jobs and even the urgent need of manpower as the result of the war has not broken down the prejudice which bars large numbers of skilled laborers from promotion in order that they might be utilized at their highest skill and thus contribute more fully and more efficiently to the total war effort.

The total population of California, according to the 1940 census, is 6,907,387. The number of persons of Mexican extraction according to the same census is 457,900, of which 134,312 are foreign-born, or Mexican nationals. In the Los Angeles area with a population of 1,673,000, the persons of Mexican descent number about 315,000, or approximately 20 percent. As late as the summer of 1942, more than 6 months after Pearl Harbor, only 5,000 persons of Mexican extraction were employed in basic industries. This figure was ascertained in a survey conducted by the C. I. O. in November 1942, among whose membership there are over 10,000 Mexican-Americans.

Equally revealing as regards the failure to utilize more fully the Mexican labor supply along the west coast of California are the figures given in a study made by the War Manpower Commission as late as April 13, 1943. Out of the 315,000 persons of Mexican extraction, only 10,000 were being employed in the southern California shipyards, 2,000 in the San Diego aircraft industry, and 7,500 in the Los Angeles aircraft industry, making a total of 19,500 employed in essential war industries in the area included between Los Angeles and San Diego. Much better utilization was being made of Mexican labor in the San Francisco area where, with a total population of some 30,000 persons of Mexican extraction, 8,000 were engaged in basic war industries. In percentages, 22 percent of the Mexican-Americans were being employed in San Francisco, while only 6 percent had found employment in basic war industries in the Los Angeles and San Diego area.

The failure to utilize the available Mexican labor supply in California, traceable in a good measure to prejudice, was not limited to essential and war industries. In an institute sponsored by the Los Angeles city and county schools and the Southern California Council of Inter-American Affairs to discuss the problem of "What is the vocational future of Mexican-Americans?", held on February 19, 1944, Mr. Sid Panush, personnel examiner for the Los Angeles County Civil Service Commission, stated that of 16,000 employees, about 400 were of Mexican extraction; that is 2½ percent. Mr. John F. Fisher, director for the Los Angeles Civil Service Commission, explained at the same time that out of 16,500 civil-service employees in the city government about 450 were of Mexican extraction, which makes the percentage the same as that in the county.

The population of Colorado, according to the 1940 census, is 1,123,296. The number of foreign-born Mexicans is given as 6,360. In the southern part of Colorado, where the larger portion of the Mexican-Americans reside, many of them descendants of the first settlers in the area, there are approximately some 50,000 Spanish-speaking Latin-American citizens of Mexican extraction. In Denver, in Pueblo, and in Trinidad itself these Mexican-Americans are restricted in their employment to common-labor jobs in the main. The number of Mexican-Americans employed in the steel industry, in civil-service jobs, in military installations and in other war and essential industries is less than 6 percent of the available Mexican labor supply. Mexican-Americans have been refused employment in clerical and office positions, and they have been denied promotion and upgrading in accord with both seniority and ability in private industry and by military installations in the area.

In the State of New Mexico, with a population of 531,818, there are 8,875 foreign-born Mexicans according to the 1940 census. The number of Mexican-Americans is about 40 percent of the total population. In the southwestern corner of the State there is a large mining area between Santa Rita and Silver City. Investigation of complaints by Mexican-American citizens in this area has shown that from 40 to 60 percent of the men employed by the mining companies are of Mexican extraction; that they are barred from promotion into certain departments and that they are refused upgrading into skilled jobs because of their national origin.

Texas, with a population of 6,414,824, has approximately 1,000,000 Mexican-Americans. According to the 1940 census there were 159,266 foreign-born Mexican nationals in the State, or about one-sixth of the total number of Spanish-speaking persons of Mexican descent were Mexican nationals. Less than 5 percent of the total number of persons of Mexican extraction in Texas are employed at the present time in war and essential industries. Such industries as have given employment to Mexican labor have restricted them to common or unskilled labor jobs largely, regardless of their ability, training, or qualifications. In the oil, aircraft, and mining industries, in the numerous military installations, in the munition factories and shipyards, and in the public-utility corporations, such as gas, light, and transportation companies, their employment has been limited and their opportunities for advancement restricted.

The prevalent idea or belief among employers for the various industries, personnel managers, officials of military installations, and various Government agencies in the Southwest is that the Mexican-American is incapable of doing other than manual, physical labor; that he is unfit for the type of skilled labor required by industry and the crafts. Back of this belief is prejudice.

Mr. A. O. Anderson, personnel department, Lockheed Aircraft Corporation, has stated that in the company's two Los Angeles plants, 10 to 15 percent of the employees are Mexican-Americans; that 80 percent of these are women; that they work principally in detailed assembly, general assembly, and riveting. He added:

Mexican-American women workers have shown that they are capable of adapting themselves to difficult job conditions more readily than others; that is, they are less bothered by physical discomfort, fumes, and varying temperatures.

We have many Mexican-Americans who now perform some of the more complicated assembly jobs and others who have assumed supervisory responsibilities.

This statement, repeated by all those who have had the courage to give the Mexican-American an opportunity to work at other than manual jobs, shows that the Mexican-American can be integrated into American industry and that the failure of the Mexican-American to enter the ranks of industry has been largely due to prejudice. This fact is borne out by Mr. Floyd L. Wohlwend, member W. M. C. Management-Labor Committee and personnel officer in the California Shipbuilding Corporation, one of the largest employers in the Southwest, who stated:

Generally speaking our Mexican workers for the most part have come to us in recent months * * *. They just lately began to filter in and our majority of Mexican employees have come in the last 18 months * * *. The Mexican-Americans are not only capable but the variety of jobs at which they can be utilized is limitless if employers, managers, and general management simply will make a point of using them. Production records indicate that they have an equal aptitude with other groups or other individuals * * *. They are definitely on a par * * * there is no difference.

That the Mexican-American, if given an opportunity, is capable of performing any job in industry was affirmed by Mr. Robert Metzner, president, Pacific Sound Equipment Co., who stated that his company had begun to employ Mexican-Americans in 1942 as the result of the increasing shortage of labor in the Los Angeles area. He declared that—

As the result of training, Mexican-Americans qualified for skilled jobs, inspectors, both class A and class B, radio repairmen, machinists, turret lathe operators, spot welders, and leadmen.

When the Mexican-American asks for equal economic opportunities he is not asking for a favor or privilege. Dr. C. C. Trillingham, superintendent of the Los Angeles schools, stated their case well when he said during the institute at Los Angeles on February 19, 1944:

We are not being asked to grant something to the Mexican-American out of our benevolence if you please, but to grant them that to which they are entitled along with us, certain inalienable rights as human beings. * * *

The belief held by some that certain racial or national groups have different mechanical aptitudes, a conviction that is at the bottom of the prejudice held against Mexican-Americans, is completely unfounded in fact. Mr. Richard Ibanez, member of the city council of Upland, Calif., who is also a member of the board of governors of the California Housing Association, was merely repeating what is well known by students of anthropology, when he said:

Anyone who has taken an anthropology course knows that the Gods gave their skills equally to those of dark skin and light skin.

The urgent need of manpower, in view of the increasing shortage of labor, forced industry to give the Mexican-American an opportunity, but not without the greatest reluctance and misgivings. Wherever he has been given an opportunity he has shown the ability to learn and produce with the same efficiency as members of any other group. To what extent has the President's Committee on Fair Employment Practice enabled war and essential industries to utilize more extensively this neglected pool of labor and given an opportunity to the ready and willing Mexican-American to contribute more fully to the war effort is shown by the following statistics on cases involving Mexican-Americans handled by the President's Committee on Fair Employment Practice during its first year of operation.

In region X, comprising the States of New Mexico, Texas, and Louisiana, 124 complaints were filed and docketed. These included complaints against oil companies, shipyards, public-utility companies, Government agencies, military installations, mining companies, and chemical plants. These different agencies and industries had either refused employment to qualified workers, or denied them proper classification and adequate upgrading in accord with their seniority, experience, and ability, or paid them a differential wage scale because of their national origin. Of the 124 complaints, without having to recur to a public hearing, through interviews and conferences with employers, 68 were settled; that is, 54.9 percent. The settlement of these complaints resulted not only in the correction of the individual complaint but in bringing about a relaxation of general discriminatory policies which resulted in the fuller utilization of available Mexican labor by the industries and agencies involved. The 124 complaints filed, represent about 37 percent of all the cases docketed in region X involving other minority groups.

In region XII, comprising the States of California, Nevada, and Arizona, out of 279 cases filed and docketed involving discrimination 63, or 22.6 percent were complaints by Mexican nationals and Mexican-Americans. Some of these have been settled, but the majority are still being processed.

Bill S. 2048, being considered by your committee to prohibit discrimination in employment based on race, creed, color, national origin, or ancestry will enable 3,000,000 Mexican-American citizens throughout this country, from California to New York and from Illinois to Texas, to secure equal economic opportunities in employment in the post-war era. The President's Committee on Fair Employment Practice is a war agency, designed to secure equal participation in the total war effort by all Americans regardless of race, creed, color, or national origin. During its short period of operation it has done much to integrate Mexican-Americans in war and essential industries and in Government employ. Mexican-Americans have generously responded to their responsibility in the present world struggle for the victory of the democracies. They have unstintedly made the last sacrifice on a world-wide battle front in order that all peoples may enjoy the blessings of freedom and peace. Equal economic opportunities, the right to work and earn a decent living on a par with all other persons regardless of race, creed, color, national origin, or ancestry is a basic principle of American democracy which will be safeguarded by the establishment of such an agency as bill S. 2048 proposes.

Senator CHAVEZ. Dr. Castaneda, in your experience with the regions while connected with F. E. P. C., have you known where Americans of Mexican or Spanish origin have been denied work on account of that origin?

Dr. CASTANEDA. Yes, Senator. There are certain industries in the State of Arizona where Mexican women, wives of men in the service, and sisters of men in the service, who because of having been deprived of the support which they received formerly from the male members of the family, now desire to aid in the war effort and at the same time to be able to keep up their homes, have applied for work and they have been denied. Other women have been employed and Mexican women have been barred from employment.

Senator CHAVEZ. Is that in private enterprise or governmental work?

Dr. CASTANEDA. In the mining industry, which is all under Government contract to supply the two most essential minerals for the war effort, copper and lead.

Senator CHAVEZ. You are stating now a fact as you understand it?

Dr. CASTANEDA. Yes.

Senator CHAVEZ. Now, is there any difference made by industries that discriminate against national origin as between the American of Mexican origin or Spanish origin in Arizona who had been there 300 years and the Mexican citizen himself?

Dr. CASTANEDA. They treat both alike; that is the most regrettable part. They shouldn't discriminate regardless, but certainly those who have been there and who were there before the Anglo-Americans moved west, who really helped to blaze the trails through the desert of Arizona—their descendants are considered foreigners and discriminated against.

Senator CHAVEZ. Now, you are acquainted with the history of Texas?

Dr. CASTANEDA. Yes, Senator.

Senator CHAVEZ. All right, you have been to the Alamo?

Dr. CASTANEDA. Yes, sir.

Senator CHAVEZ. All right, in the halls of the Alamo is there a list of names of those who died at Alamo?

Dr. CASTANEDA. Yes.

Senator CHAVEZ. Does it contain any outside of English-speaking names?

Dr. CASTANEDA. Yes, Senator. All the members of the Seguin Cavalry Company, for whom this little town Mr. Perales referred to is named, where it is now largely German descent population, were of Spanish descent. Seguin was a colonel in the Texas Army. Seguin was the last man to leave the Alamo and carry the message of defeat. He joined Houston's forces and organized a cavalry company and led the charge.

Senator CHAVEZ. Of course, he didn't die. Can you mention to the committee some of the names of those that died? Was there a Navarro there?

Dr. CASTANEDA. Yes.

Senator CHAVEZ. Was Gonzales there?

Dr. CASTANEDA. Yes, there was a Gonzales.

Senator CHAVEZ. Was there a Pocheco there?

Dr. CASTANEDA. No, I don't remember Pocheco.

Senator CHAVEZ. You have seen the listings there and the names of the heroes of Alamo contained names of Spanish-Americans of Mexican extraction?

Dr. CASTANEDA. Yes, sir.

Senator CHAVEZ. Who was the vice president under Houston?

Dr. CASTANEDA. Lorenzo Savala. He was a Mexican from Mexico who joined the Texas revolution and fought for Texas' independence.

Senator CHAVEZ. Anyway, he was on the same side with Austin and Sam Houston, and the rest of the boys, who did the fighting for Texas in 1834. Is that correct?

Dr. CASTANEDA. Right.

When the Alamo fell, the flag that flew over the Alamo was a Mexican flag with the constitution of 1824 written on it, and there were Mexicans and Texans fighting together for the Mexican principles of 1824 who died at the Alamo.

Senator CHAVEZ. Now, the descendants of those boys who died at the Alamo, and who fought for the principles that you speak about, are denied restaurant service and even the right to work?

Dr. CASTANEDA. You are right.

Senator CHAVEZ. Now, during the period of years of the history of this country, after Texas became part of the United States, have those Mexican-Texans participated in the emergencies, dying in the different wars?

Dr. CASTANEDA. Yes, Senator. They took their part in the Civil War. They took their part in the Mexican War. They took their part in the war of 1898 against Spain. And they certainly did their part in the last World War and are doing their part in the present war.

Senator CHAVEZ. They actually appear in the casualty lists that are submitted by the War Department?

Dr. CASTANEDA. In large numbers.

Senator CHAVEZ. In the formal notice, "I regret to advise that J. C. Gonzales, of Houston, Tex., has been killed in action," their names appear there?

Dr. CASTANEDA. Yes, Senator.

Senator CHAVEZ. Notwithstanding that, you still insist that there is discrimination as to jobs in Texas?

Dr. CASTANEDA. Yes, Senator.

Senator CHAVEZ. Anything further you want to state before the committee?

Dr. CASTANEDA. I would like to add one word. The President's Committee on Fair Employment Practice at its regular meeting yesterday authorized a public hearing to attempt to settle cases of discrimination against mining companies in New Mexico, Texas, and Arizona. The date has not been fixed, but the hearing has been authorized.

Senator CHAVEZ. Thank you.

STATEMENT OF AL BARNES, METROPOLITAN DETROIT COUNCIL ON FAIR EMPLOYMENT PRACTICE, DETROIT, MICH.

Mr. BARNES. I am Al Barnes. I live at 635 East Elizabeth Street, Detroit, Mich. I have an older brother who is now serving in the armed forces in New Guinea. My education includes high school and 1 year college at the Winston-Salem Teachers College, Winston-Salem, N. C.

Senator CHAVEZ. Where were you born?

Mr. BARNES. Buffalo, N. Y.

Senator CHAVEZ. How long have you been living in Detroit?

Mr. BARNES. For the past 9 months.

Senator CHAVEZ. What was the reason for you going to Detroit?

Mr. BARNES. The reason was, I wanted to see my mother.

Senator CHAVEZ. She is living in Detroit now?

Mr. BARNES. Yes, sir.

Senator CHAVEZ. Do you occupy any official position with some organization with reference to the matter under discussion now?

Mr. BARNES. The Metropolitan Detroit Council on Fair Employment Practice.

Senator CHAVEZ. How long have you been connected with that organization?

Mr. BARNES. I was selected because I am a veteran.

Senator CHAVEZ. How long have you been connected with that organization?

Mr. BARNES. They got in touch with me day before yesterday.

Senator CHAVEZ. You are new?

Mr. BARNES. Yes; I am new.

Senator CHAVEZ. You think you know the subject matter under discussion?

Mr. BARNES. I think I do.

Senator CHAVEZ. All right; proceed.

Mr. BARNES. During my high-school days I drove the school bus for Carver High School for Forsyth County at Winston-Salem, N. C., for 4 years, during 8 months each year. This involved transporting children from their homes to school, and back again, over county routes. During my attendance at high school I also served as treasurer for 3 years of the Hi-Y Club.

As you know, I come here as a witness to urge you gentlemen of the committee to get this bill for a permanent F. E. P. C. adopted.

In my early work experience, after leaving college, I worked as a truck driver at the Norfolk Naval Base, P. W. D., from October 1942 to September 1943. Here I drove all kinds of equipment, including semitrailers.

I left this job to be inducted into the Navy. After induction I was in the Navy for 2 months and 3 days. In November 1943 I received a medical discharge.

After leaving the Navy I went to work at the Chrysler Corporation in Detroit at the Kercheval gun arsenal. Here I assisted in the manufacture of anti-aircraft guns of Army and Navy types.

While here I was ordered to report to my draft board in Winston-Salem for induction into the Army. The reason for this is that Army physical examinations are not as rigid as Navy requirements. When I left Chrysler for induction I was told that if I didn't pass my physical I could be reinstated. But on my return I was told that I would have to be rehired. That meant losing my seniority and taking a job at less pay, which I did not think was fair to me. They said that the United States Government had passed a law that anyone called to report for induction should not leave the city they are in. This I did not know, or I would have remained in Detroit and had my physical there instead of going to Winston-Salem where my local board is located. However, going to Winston-Salem made it possible for the Chrysler Corporation to say I must be rehired. I felt then I should try for a job somewhere else.

I went to the United States Employment Service office at 112 East Jefferson, Detroit. They gave me a referral card as a semi-trailer truck driver and sent me out to the Fleet Carrier Corporation at 53 East Outer Drive for employment. I immediately went to this company's office. There I was told that they would hire me, but before I could get the job I would have to join the teamsters' union and that the fee would be \$20, if the union would accept me.

I told the interviewer that that would be satisfactory to me, that I would be very glad to join the union. At this the interviewer smiled and said, "If they will accept you, you will have a job." I then asked him whom I had to see in order to join the union. He directed me to see Mr. Hoffa, the business agent of the teamsters' union.

I then went immediately to the union hall on Trumbull Avenue, where I arrived at 3:45 p. m. Here I was told that the office was closing, and that Mr. Hoffa was not in, anyway. I asked if I could see someone else but was told that no one else could take care of membership. They then told me he would be in the next morning at 9 o'clock.

The following morning I was there at a quarter to 9. I then asked for Mr. Hoffa but was told that he was not in. At 9 o'clock I asked again, only to get the same answer, and so on throughout the day. Every time I asked I was told he was not in. Again I was told he was the only person to handle membership for Local 299. During this whole day, and I stayed until 3:30 p. m., I noticed white men coming in and getting consideration without waiting. There were no other Negroes that came into this office. It seemed very strange to me that a big union like this, which has contracts with so many companies, couldn't take care of my membership.

I then returned to the War Manpower Commission and told my story. I also told it to Mr. Anderson at the Metropolitan Detroit Council on Fair Employment Practice, who referred me to the F. E. P. C. office in Detroit to file a complaint, which I have done.

Meanwhile, I heard from other people that I had been wasting time trying to get a job to drive a semitrailer because the teamsters union permits no Negroes in its membership.

For that reason I am again urging you gentlemen of the committee to do your best to get a Fair Employment Practice Commission created.

In conclusion, I want to thank Mr. Anderson and the organization he represents, the Metropolitan Detroit Council on Fair Employment Practice, for assisting me to come here and tell my story. I am also grateful to the F. E. P. C. for accepting my complaint. Last, but not least, I want to thank you gentlemen of the committee for affording me the opportunity to be here.

Senator CHAVEZ. Thank you very much.

STATEMENT OF BROADUS MITCHELL, ACTING CHAIRMAN, POST-WAR WORLD COUNCIL, NEW YORK, N. Y.

Senator CHAVEZ. Kindly state your name for the record.

Mr. MITCHELL. My name is Broadus Mitchell and I am acting chairman of the Post War World Council.

Senator CHAVEZ. What is that?

Mr. MITCHELL. That is a national organization of persons interested in securing a just peace and in American institutions of democracy when the war is won.

Senator CHAVEZ. Is it Nation-wide?

Mr. MITCHELL. Yes.

Senator CHAVEZ. Where are the headquarters?

Mr. MITCHELL. 112 Nineteenth Street, New York.

Senator CHAVEZ. Who is the chairman?

Mr. MITCHELL. Norman Thomas is chairman.

Senator CHAVEZ. You may proceed.

Mr. MITCHELL. I would like to appear, Senator, as a southerner. My father is a Mississippian. My mother was a South Carolinian. I was born in Kentucky and I have lived all my life until 5 years ago below the Mason-Dixon line. My accent has been somewhat contaminated in the more recent years.

Senator CHAVEZ. After you went to New York? [Laughter.]

Mr. MITCHELL. That is right.

Senator CHAVEZ. We can understand that. [Laughter.]

Mr. MITCHELL. Some testimony has been given to the committee conveying the impression that the South is very much opposed to this legislation because it would require employment practices repugnant to southern institutions. I would like to do what I can as a southerner to disabuse the minds of the committee of that idea. The South's intelligence and conscience does not hold with the demagogues who appeal for political support by crying out discriminations against Negroes either in their job opportunities or in their civil rights.

Senator CHAVEZ. Mr. Mitchell, may I interrupt there?

Mr. MITCHELL. Yes, sir.

Senator CHAVEZ. Of course, we are now considering a bill that has to do with the economic feature of all American people. My observation has been that discrimination as a whole, whether it be economic or political, is not confined to the South whatsoever.

Now, for instance, political discrimination. I have heard people of my own political faith in the North say we could not elect a President that comes from below the Mason-Dixon line. I have heard it stated that you couldn't elect an Irish Catholic as Governor of Pennsylvania. I have heard the statement made that you couldn't elect this particular man because he happened to be a Jew, or we couldn't elect this man Senator or Governor of New Jersey because he is an Irish-Catholic. Those things are just as vicious as discriminating in an economic way.

Mr. MITCHELL. That is right.

The discrimination against the Negro in the South, I think, has lessened. This morning when you asked Mr. Ross whether the experience of the President's Fair Employment Practice Committee has indicated a mounting volume of discrimination, he answered very properly from his statistics. But I think he would be the first to agree, if he enlarged on it, that those figures show an accumulating number of complaints coming to the committee are susceptible of a very different interpretation. It is because we have the committee. It is because there is machinery for adjustment that more cases come to life. It is not necessary for me to remind you that the discriminations against Negroes in many Southern States are so inveterate that the opportunity to complain even hardly arises.

We used to say in the South in slavery times that we had less crime than the industrialized North with its free labor, and we quoted police records. If we had been even elementary statisticians or candid, we would have recognized that offenses against the law on the plantations were dealt with in informal ways and that the cases never got in the criminal records.

The larger number of cases coming to the F. E. P. C., therefore, I would interpret as a hopeful and wholesome sign. The labor unions operating in the South, more particularly the C. I. O.—and I hasten to explain that I am connected with a union in the A. F. of L.—have made a campaign against discrimination. And this is making progress. Perhaps I could mention a little incident which explains the progress. My brother happens to be working in Atlanta and was talking recently to a white man in a typical small southern community in which the white people live on one side of the town and the Negroes live on the other side. This white man was saying that his union had recently accepted Negroes and that he was consulting with the Negroes on their union problems, and he pointed out a path running from the white community over to the Negro community. He said to my brother, "You see that path," and my brother said "Yes." This man said, "It got there because when problems arise I go over and talk to Tom Jones about them. I never did that before but now I climb up on his front porch and we talk it out. And the next night, if he has a problem, he comes across this path and gets up on my back porch and we talk about it." There is still a difference between front porch and back porch, but there is the path.

What we need in the South, in my judgment, is a national requirement that we shall live up to American standards. Now, we in the South have been pretty good at pleading that our sectional disabilities suggested that we have preferred treatment. We did that before we had the Fair Labor Standards Act. We wanted to continue low wages of our workers, white and black. We said that we were poor; we had the miserable heritage from the Civil War; we were making progress; give us time and all that. We maintained those differentials until the Nation spoke and we were compelled to conform, and we did it not only without injury to our industries but with great assistance to our labor standards, to the purchasing power of our people, and to our self-respect.

I think that another illustration of it is in the matter of child labor. I do not need to remind you of the eloquent pleas made by southerners for continuance of child labor, particularly in our cotton factories. We defeated the national child labor law and it was declared unconstitutional on cases coming up from North Carolina. When we got the first N. R. A. and then the Fair Labor Standards Act, it was discovered that ridding the mills of children was an essential step toward standards for adult labor and for our general economic well-being in the South. And now no one hears regrets on that score.

Compulsory education was the same thing.

When it was first urged that marriage licenses be required in the State of South Carolina, where I was living at the time, an editorial appeared in the leading newspaper of the State stating that they hoped very much that the legislature would not require marriage licenses, that the absence of marriage licenses in South Carolina was one of the few remaining distinctions that set South Carolina off from the barbarian States around it. Well, we have marriage licenses now and no one thinks it is an indignity to secure one before going to the altar.

Senator CHAVEZ. I suppose they are issued for identification purposes. [Laughter.]

Mr. MITCHELL. It is still true that it is impossible to get a divorce in the State of Carolina.

The abolition of discriminations in the matter of economic opportunity, of course, is basic. This committee is charged in that field alone. But that would be going a long distance toward erecting our Negro minority into full political and cultural citizenship, for much of the prejudice against Negroes, and the South is convinced, is founded on the low economic standards which Negroes are bound to suffer so long as they are systematically excluded from work opportunities, more particularly in the higher paid skilled employments.

Senator CHAVEZ. Mr. Mitchell, doesn't that in addition affect the economic welfare of the white man's economy?

Mr. MITCHELL. Precisely. We are cutting off our noses to spite our faces when we perpetuate these discriminations against Negroes.

Senator CHAVEZ. Wouldn't this be a correct assumption? The white merchant can certainly sell the Negro purchaser more if the Negro purchaser has something to buy with?

Mr. MITCHELL. Precisely.

And the point you mentioned earlier, Senator, should be recalled here; that is, that there is much prejudice in other parts of the country. For example, Negroes may not buy in the best department stores in Baltimore, Md., but a few miles to the South, in Richmond, Va., there is no such distinction. Why? Because Negroes form so large a part of the population of Richmond that if the best department stores did not welcome these customers those stores could not exist. So, the South is really ahead of the rest of the country in some of these matters. Baltimore was battling to get Negro policemen appointed to its force long after certain southern sections had already employed Negroes on their police forces.

Now if we could remove this greatest disability under which Negroes live by national compulsion, it would do more than any one thing that I can think of to step forward not only the Negro population of the South, but the whole population of the South. It would do more than any other one thing to make us what we have not been completely since the Civil War parted America.

Senator CHAVEZ. That is what I had in mind a little while ago in reference to the national political picture—prejudices that have no meaning but do exist. I have heard it stated by people of my own party that we can't elect a southerner below the Mason-Dixon line. I can't justify that myself if he is a good American or good citizen.

Mr. MITCHELL. I would like to mention one other feature and then I am through. One excuse for continuing the present discriminations is that the Negro is not adapted to skilled industrial work. Now, I happen to have made studies some years ago of our largest single industry in the South, that of textiles. At the same time the textile factories were first built in the Southern States, it was freely said in the north in the textile districts, which were then primarily in New England and in the sections around Philadelphia, that you could not teach a southern hillbilly to operate textile machinery. The finest count of yarn we had been able to spin was about 20s which is coarse sewing cotton, let us say.

Well, the hillbillies came to the mills, and the share croppers came to the mills, and the result was that in the period of years we developed some of the most skilled textile operators in the world.

The finest count of yarn that is spun anywhere is spun in Switzerland and that is No. 400. We spin in Gastonia, N. C., 180, I am told, which is a measure of the progress we have made.

Precisely the same things were said about the clumsiness, the inattention, the stupidity of the white workers in the South that are now said about Negroes, and in each instance they are said by people in part who are ignorant, in part who are repeating things they have heard from others, and in which they have no experience, and in large part by persons who have other motives for excluding those men and women from work opportunities.

Senator CHAVEZ. Yes; but as a practical proposition doesn't it happen in this instance like it would in everyday affairs of life? A man might be a very fine lawyer, he might have been prepared for that business, but unless he gets some law cases he does not have an opportunity to illustrate. A man may be a good banker, but if there is not a bank what is he going to do about it? A man may be a fine legislator, but unless he gets an opportunity to go there, how is he going to show? One of your hillbillies from North Carolina, as you say, might have the aptitude to become a good textile worker, but unless you give her the chance, can she become that?

Senator AIKEN. Wasn't the reason the textile mills didn't start operating in the South earlier due principally because they couldn't control the humidity of the factories rather than inability of the people to learn to weave and spin skillfully?

Mr. MITCHELL. Senator, that was stated at the time the textile interests in New England did not want to see the industry migrate, but wanted to keep us supplying them with raw cotton. It was stated that we didn't have spinning climate such as you have in New Bedford, or we didn't have finishing processes because our rivers were so muddy, or that we didn't have the capital, or that we didn't have the skilled superintendence that would be necessary and, most of all, as I have said, we didn't have the labor.

Well, we overcame one of those difficulties after another, and the lateness with which the textile industry was started in the South, I think, was not due, Senator, to the absence of these mechanical appliances to which you refer.

Now, as you know, we are the great center of the spinning industry and of the weaving, with the exception of the very finest fabrics.

Senator AIKEN. How does the wage scale in the South compare today with the wage scale in the North?

Mr. MITCHELL. It is still lower than in the North, but strenuous efforts are being made, as you know, now through the Textile Workers Union to raise them. The Fair Labor Standards Act, of course, has done a great deal to put a floor under our southern wages, so that the differential, which used to be very great, has tended to lessen, and as more and more of the industry drifts to the South, and there is a greater demand for textile workers, that gap closes still further.

I might say that attempts have been made to introduce Negroes into the textile mills with success. In Durham, N. C., they are now making hosiery, very large orders, I understand, for the Army and Navy, entirely by Negro workers. It is not altogether the coarser hose by any means. And so in other instances Negroes have been upgraded with success. That is true in Birmingham in the iron and steel industry, and it has been done without objection on the part of workers or management.

What we need, then, is this little push that will get us over the remaining hump. It would not be received as an offense by the South, but I think in the majority of the Southern States it would be accepted as a proper requirement, and one with which the South would comply gratefully and swiftly.

I thank you very much indeed for your attention.

Senator CHAVEZ. You made a very fine statement, Mr. Mitchell, and I want to thank you.

STATEMENT OF MARY McLEOD BETHUNE, NATIONAL COUNCIL OF NEGRO WOMEN, WASHINGTON, D. C.

Senator CHAVEZ. Will you state your name for the record and identify yourself?

Miss BETHUNE. My name is Mary McLeod Bethune. I was born in South Carolina. I was educated at the Women's College at Scotia, and the Moody Bible Institute of Chicago.

I am president emeritus of Bethune Cookman College, Daytona Beach, Fla., and today represent officially the National Council of Negro Women with headquarters in Washington, D. C.

As president of the National Council of Negro Women, I speak in the interest of 800,000 women and 29 national organizations.

These women feel a particular responsibility for their men serving in the armed forces of the United States. These are the women who daily face the problems of discrimination which have been faced by their men. These women know that their men count on them to help develop a more democratic America—an America which will give to all of her citizens the same fundamental liberty for which our Army of Liberation stands. These women are also concerned that their children live in a post-war world where they may have an opportunity for training, for advancement, and for work on the basis of their ability and potentialities. As I testify here today I represent, not only the women of my race, but all of those Negro soldiers on far-flung battlefields and all of the children who must have their opportunity.

The Executive order, creating the President's Committee on Fair Employment Practice, has been of great significance during this wartime period. It has opened to public view the disgraceful discrimination in employment. It has given hope, not only to Negroes, but to all of the other minorities who have found difficulty in securing employment, training, and upgrading.

America made this great step in war time. This week, through the great General Eisenhower, America has made a pronouncement which will liberate minorities in the newly released European areas. We are proud of this fact. America then must also give full opportunity to all of her people at home if she is to maintain the respect created through her efforts toward liberation in Europe.

The right to work is after all the right to live. The bill for a permanent Fair Employment Practice Commission, which is being considered by your committee, Senator Chavez, is one of the most important of the reconversion bills, for, as we shift from war production to peacetime production, our minorities must not find themselves again handicapped by race, religion, color, or national origin. The experience of the President's committee has taught us that we need a permanent, congressionally constituted agency with enforcement powers. I know that some people have questioned whether

such an agency should have enforcement powers. I remind these people that penalties in any law are there only for those people who are unwilling to give the opportunity to all Americans which American pronouncements have always emphasized. They ought to be penalized.

The National Council of Negro Women with its deep concern, not only for the problems of Negroes, but for problems faced by Spanish-speaking people, by Jewish people, and by every other minority group, urges your committee to report Senate bill 2048 favorably, believing that such legislation must be quickly enacted if we are to keep faith with our fighting men, with great liberty-loving Americans of the past and the present, and with our international statements with regard to new world collaboration. We promise to aid you in every way in your effort to secure the early passage of this legislation. The Congress of the United States must take the lead in abolishing discrimination in employment because of race, creed, and color, or national origin.

Senator CHAVEZ. That is a very fine statement and I want to express our appreciation.

I believe this will close the hearings as far as the intention of the committee goes for the moment. We will have to consult the chairman of the full committee in the future.

I am sorry. My attention has been called to Mrs. Hedgeman who wants to make a statement to the committee, and I neglected to think about it. The meeting will be reconvened.

STATEMENT OF MRS. ANNA ARNOLD HEDGEMAN, NATIONAL EXECUTIVE SECRETARY, NATIONAL COUNCIL FOR A PERMANENT FAIR EMPLOYMENT PRACTICE COMMISSION

Mrs. HEDGEMAN. Senator Chavez and members of the committee, if I may, I should like to outline briefly the conditions which led to Executive Order 8802, forbidding discrimination in Government and in war industries and establishing the President's Fair Employment Practice Committee to insure compliance; the growth of the feeling that if this could be done in wartime it could and should also be done in peacetime; and the establishment, nature and program of the National Council for a permanent F. E. P. C.

Even before Pearl Harbor—in the early days of the lend-lease period when first we dedicated ourselves to becoming the arsenal of democracy—it became apparent that certain industrial habits would have to be changed if we were to produce the guns and the tanks and the planes needed by the United Nations.

Giant want ads appeared. Through press, radio, and platform, leaders of industry, labor, and Government appealed to the patriotic spirit of our men, women, and even youth, to man our machines. Special training centers were set up by boards of education and by industry.

Of course our people responded and production began to step up, but still the barriers of prejudice stood between great segments of our workers and idle machines.

The group which faced the most discrimination was, as is usual in America, the Negro group. Frustration and resentment mounted in

the hearts of a people denied participation in the greatest war effort of history.

Aware of the potentialities for war production of this great pool of willing labor, and sensing the full implication of the growing resentment, Mr. A. Philip Randolph, international president of the Brotherhood of Sleeping Car Porters, called a conference of Negro leadership to devise means of channeling constructively this frustrated energy.

And at this point, Mr. Senator, I should like to say to those individuals who have charged that the F. E. P. C. has fomented strikes that the few strikes which have occurred because of governmental insistence that all manpower be used regardless of race, color, creed, or national origin—that these incidents are child's play compared to the rioting we would have had if these Americans had been denied the opportunity to serve their country in this time of world crisis.

Among those who responded to Mr. Randolph's call in those days of frustration and inadequate productions, were such great Negro Americans as Mr. Walter White, of the N. A. A. C. P.; Dr. Channing Tobias, senior secretary of the National Council of the Y. M. C. A.; Mrs. Mary McCleod Bethune, president of the National Council of Negro Women; Dr. George Edmund Haynes of the Federal Council of Churches of Christ in America and Mr. Lester Granger, executive director of the National Urban League.

These leaders, having exhausted all other democratic means of obtaining action from government and industry, decided to call a March on Washington to call dramatically to the attention of the people of this country the problem of discrimination in employment of the Negro. The response to this call was instantaneous. From all over the country Negroes prepared for this great demonstration.

But there was no need to march, for after a historic conference at the White House the President issued the now famous Executive Order 8802.

Witness after witness has testified here to the beneficial effect of this historic act on morale and on war production. Despite the inadequacy of its funds, its small staff, its lack of enforcement authority, the President's Committee has made an astounding record of compliance and has earned the confidence and respect of the Nation.

But early in the days of its operation, it became apparent that it could not be completely effective because it lacked the authority and stability of a congressionally constituted agency of government. Moved about from one agency or authority to another, subject to the whim of governmental officials not directly answerable to Congress, the F. E. P. C. could not be expected to live up to its full potentialities. Too many, as a result, refused to take it seriously.

Had the F. E. P. C. had the status and authority contemplated in the bill now before the committee, the Philadelphia transit workers would not have dared to strike. There was nothing in the history of the President's Committee to indicate to those strikers that they could be forced to comply with its directives. The public was shocked and aroused by the strike. But it was only intervention of the President in his role of wartime Commander in Chief which sent those strikers back to work and kept the Negro motormen at their jobs.

Yet, even after that dramatic demonstration of what governmental firmness can accomplish, the F. E. P. C. was further handicapped by the August 4 directive of War Mobilization Director Byrnes which reads:

If an area production agency committee, established in a group I or II labor area, certifies that the need for production is immediate, the War Manpower Commission will not delay or refuse to proceed with labor referrals in the area on the ground that proper utilization of labor is not being made.

On the surface, this sounds like a very proper effort to prevent delay in production. Actually it is just another move to hamper the efforts of the F. E. P. C. It must be remembered that these areas are the crucial mass-production centers where minorities find it most difficult to obtain full utilization of their skills and potentialities.

Foreseeing these difficulties, feeling that discrimination in peacetime is no less unjust than in wartime, and looking forward to the post-war reconversion upheaval period, Mr. Randolph again took the initiative and called another conference. This time white as well as Negro leaders—civic, union, and religious—were invited and responded, for this was not only a Negro problem. And out of that conference held in November 1943 grew the National Council for a Permanent F. E. P. C., which I represent here today.

Although Negroes took the initiative which resulted in the establishment of the President's Committee, they are obviously not the only group which suffers discrimination. As Russell Davenport points out in his article *Detroit Develops Peace Nerves*, in *Collier's* for the week of August 26, other minorities too will be affected. He says:

Two hundred thousand men left the assembly lines for the armed services. Already 13,000 are back, having been demobilized, and the great majority of the remainder will come back. Somebody will be displaced. * * * A hundred thousand Negroes have drifted into the Detroit area since Pearl Harbor, bringing Detroit's Negro population to something like 250,000. * * * Must the Negroes step aside? * * * The Negro fears that he'll be sacrificed. * * * He hopes * * * the Committee on Fair Employment Practice will survive and be given power. * * * In addition, servicemen will be returning and will want jobs. Many women will find it necessary to continue work because returning husbands may not be physically able to work for a long period of time. Returning Negro servicemen are full of bitterness at the treatment they have received both at home and abroad. They will not easily accept bread lines, inferior jobs, lack of training opportunities, or relief rolls. Their memories of the depression years after World War I are too keen. Their spiritual suffering in this war has been too great. And remember, other minorities, too—Jewish, Mexican, and in many communities Catholic—can expect to suffer.

Mr. Davenport has stated the case very effectively and when Mr. Randolph called the first meeting of the executive committee of the national council emphasis was placed upon the importance of securing as broad representation as possible for minorities other than the Negro had realized benefit from the Executive order and were interested in permanent legislation. We can report to you today that our national executive committee is interracial, interfaith as well as representative of labor. We have two Spanish-speaking representatives on that board.

On February 1, 1944, this representative National Council for a Permanent F. E. P. C. established an office in Washington, at 1410 H Street, with an interracial, interfaith staff and Spanish-speaking staff members.

Our two objectives are: First, to help interpret to the whole country the need for congressional approval of the appropriation which

had been requested by the President's Committee. Secondly, to aid in the enactment of legislation for the post-war period which would attempt to give minority groups the same equitable treatment in peacetime that we had begun to strive for in wartime.

We, of course, keep the national organizations and the local councils who are interested in enactment of the permanent F. E. P. C. bill continuously informed of developments in Washington.

The caliber of the witnesses who have appeared before this committee to urge enactment of S. 2048, and the scope of the organization they represented, has demonstrated how widespread is the concern among thinking Americans that this Government should outlaw economic discrimination for all time and take serious steps to accomplish that end.

Many of their leaders are active members of the national council. Our honorary chairmen are Senator Robert F. Wagner, of New York, and Senator Arthur Capper, of Kansas. Our working chairmen are Mr. A. Philip Randolph and Rev. Allan Knight Chalmers. National committee members include Mr. William Green, Mr. Philip Murray, Ernesto Galarza, Gilbert Ramirez, Rt. Rev. John A. Ryan, Most Rev. Robert E. Lucey, Mr. Wendell L. Willkie, Rabbi Sidney Goldstein, Mr. Leo Cherne, and Dr. Henry Sloan Coffin. We are attaching to this statement a partial list of our distinguished national committee members.

(The list referred to follows:)

NATIONAL COUNCIL FOR A PERMANENT FAIR EMPLOYMENT PRACTICE COMMITTEE

Honorary chairmen.—Senator Arthur Capper, Senator Robert F. Wagner.

Co chairmen.—A. Philip Randolph, Rev. Allan Knight Chalmers.

Treasurer.—William Jay Schieffelin.

Executive committee.—Sam Baron, Linna E. Bresette, George E. Brown, H. A. Dawson, Thurman L. Dodson, Rabbi Sidney E. Goldstein, Sidney Hollander, George K. Hunton, Thomasina T. Johnson, Nathaniel Minkoff, Rev. James Myers, Mrs. Dorothy Norman Winifred Raushenbush, Alex Rose, Rt. Rev. John A. Ryan, D. D., Monroe Sweetland, Noah Walters, Max Zaritsky, Charles S. Zimmerman.

Trade union conference committee.—Samuel Wolchok, chairman; David Dubinsky, treasurer; A. Philip Randolph, secretary; Sam Baron, Frank Crosswaith, B. F. McLaurin, Abe Miller, Nathaniel Spector, William Wolpert.

National committee (partial list).—Irving Abramson, Raymond Pace Alexander, Devere Allen, Mrs. Sherwood Anderson, George Baldanzi, Roger Baldwin, L. F. Birkhead, Bishop James A. Bray, Louis Bromfield, Dorothy Dunbar Bromley, John Brophy, Hon. Charles A. Buckley, Dr. George Buttrick, Hon. Louis J. Capozzoli, Mrs. Allan Knight Chalmers, Leo Cherne, Mrs. Ethel Clyde, William F. Cochran, Hon. John M. Coffee, Dr. Henry Sloan Coffin, Dr. George S. Counts, George Cranmore, Hon. William Dawson, Dr. John Dewey, Hon. Samuel Dickstein, Hon. John D. Dingell, James Dombrowski, Dr. W. E. B. DuBois, Max Eastman, Clark M. Eichelberger, Dr. Albert Einstein, Sam. B. Eubanks, Prof. Henry Pratt Fairchild, Father George D. Ford, Dr. Charles W. Gilkey, Sen. Guy M. Gillette, Dr. Frank P. Graham, William Greent, Hon. P. W. Griffiths, Sen. Joseph F. Guffey, Bishop Francis J. Haas, Bishop J. Arthur Hamlette, Mrs. Esther Fiske Hammond, Dr. L. O. Hartman, Adolph Held, Carl Holderman, Louis Hollander, Rev. John Hayner Holmes, Dr. Sidney Hook, Fannie Hurst, Dr. Charles S. Johnson, Dr. Mordecai W. Johnson, Helen Keller, Hon. Martin J. Kennedy, Judge Dorothy Kenyon, Freda Kirchwey, Hon. Arthur G. Klein, Judge Anna M. Kross, Father John LaFarge, Mayor Fiorillo H. LaGuardia, Sen. William Langer, Dr. Max Lerner, Marx Lewis, Hon. Robert Morss Lovett, Most Rev. Robert E. Lucey, Eugene Lyons, Horace Mann, Dr. Thomas Mann, James Marshall, Emil Mazy, Dr. Karl Menninger, Homer L. Morris, Bishop Arthur Moulton, Carl Murphy, Philip Murray, A. J. Muste, Reinhold Niebuhr, Louis Nelson, Pres. William A. Neilson, Dr. Henry Neuman, Hon. George E. Outland, Bishop Edward L. Parsons, Bishop C. H. Phillips, Mrs. Cornelia B.

Pinchot, Hon. Justine Wise Polier, C. B. Powell, Bishop R. C. Ransom, Dr. Ira De A. Reid, Rev. Frederick E. Reissig, Victor Reuther, Walter Reuther, Elmer Rice, Hon. Adolph J. Sabath, Hon. George G. Sadowski, Rabbi Abraham Shusterman, Mary K. Simkhovitch, Arthur B. Spingarn, Norman Thomas, R. J. Thomas, Dr. Channing Tobias, Willard Townsend, Oswald Garrison Villard, Milton P. Webster, Hon. Samuel A. Weiss, Dr. Mary E. Woolley, Wendell L. Willkie, James Waterman Wise, Bishop R. R. Wright.

Thirty communities in all sections of the country have established local councils for a permanent F. E. P. C., to work for the enactment of S. 2048. We are especially pleased at the response of the Spanish-speaking groups. They are affiliated actively with our local councils for a permanent F. E. P. C.

National organizations of all varieties have put the full weight of their national strength and local membership behind the program of the National Council.

The National Council for a Permanent F. E. P. C. is extremely grateful to all of those groups which have worked so untiringly on the educational and legislative campaign for a permanent F. E. P. C. We regret that time does not permit all of them to have spokesmen appear before this committee. But all of us realize that the case for this bill has already been more than adequately presented and we are all eager for action.

Before I close, however, I'd like to pay special tribute to the March on Washington Movement and to the Brotherhood of Sleeping Car Porters—some of whose members are in the audience here today—for the vision and initiative which they have displayed in the inspiration of the movement to make F. E. P. C. permanent and to give it the status and powers that other congressionally established agencies of government enjoy.

The National Council for a Permanent F. E. P. C. is appreciative of the opportunity which has been given the supporters and opponents of this legislation to appear here. We hope that the clear case presented for the bill will make it possible for your committee to report S. 2048 favorably and quickly.

That ends our formal report. There is one other comment we would like to make. We do our educational job continuously and we feel it most important that facts reach all America in order that legislative and community education may go hand in hand.

I would like to submit a pamphlet entitled "Jews in America," which was reprinted from an article in Fortune, and finally published in book form by Random House.

Senator CHAVEZ. May I make this comment before you leave? Of course, I am deeply interested in the philosophy of the proposed legislation. To me the significant thing, as I stated before, is that the Christian Americans of every faith have come over here to give reasons for the necessity of the legislation.

Mrs. HEDGEMAN. That has been gratifying to us also. If you could sit in our office and see the mail that comes in from all over the country, you would know we are not speaking for just a few people but for the conscience of Americans interested in democracy.

JEWS IN AMERICA

By the Editors of Fortune

DO JEWS MONOPOLIZE INDUSTRY?

And the fact is this: That there is no basis whatever for the suggestion that Jews monopolize United States business and industry.

First of all, and very definitely, they do not run banking. They play little or no part in the great commercial houses. Of the 420 listed directors of the 19 members of the New York Clearing House in 1933 only 30 were Jews and about half of these were in the Commercial National Bank & Trust Co. and the Public National Bank & Trust. There were none in the Bank of New York & Trust Co., National City, Guaranty Trust, Central Hanover, First National, Chase, Bankers Trust, or New York Trust. Indeed there are practically no Jewish employees of any kind in the largest commercial banks—and this in spite of the fact that many of their customers are Jews. In the investment field, although there are of course Jewish houses, of which Kuhn, Loeb & Co., Speyer & Co., J. & W. Seligman & Co., Ladenburg, Thalmann & Co., and Lehman Bros. are the best known, they do not compare in power with the great houses owned by non-Jews. If these houses are ranked upon the amounts of foreign loans outstanding on March 1, 1935, J. P. Morgan with 19.87 percent, National City Co. with 11.71, Dillon, Read with 11.44, Chase, Harris, Forbes with 8.45, Guaranty Co. with 6.68 percent, Bancamerica-Blair with 6.18 percent, and Lee, Higginson with 4.23 percent all rank above the highest Jewish house, which is Kuhn, Loeb with 2.88 percent. Ranked on the basis of domestic activity, Kuhn, Loeb, which has a long and honorable record of general activity in American business, would of course stand very near the top, but even in the domestic field non-Jewish interests are still far and away the most influential.

Furthermore these so-called Jewish houses are by no means exclusively Jewish. In Kuhn, Loeb, Messrs. Elisha Walker, Bovenizer, Wiseman, and Knowlton, none of them Jews, are extremely active, while control of J. & W. Seligman is now shared with Frederick Strauss by Earle Ballie and Francis Randolph, a member of the proudest family in the Virginia Tidewater.

On the New York Stock Exchange, 252 of the 1,375 members, or 18 percent, are Jews, while 55 of the 637 firms listed by the Exchange directory are Jewish, 24 are half-Jewish, and 39 have dominant Jewish influence.

The absence of Jews in the insurance business is noteworthy. In the insurance-agency field, however, about half the business is Jewish in New York. And the New York insurance-brokerage business is predominantly Jewish although the three or four Nation-wide brokerage houses with New York offices are non-Jewish. Outside New York Jewish representation follows the Jewish population proportion.

If the Jews have a subordinate place in finance, which they are often said to control, they have an even more inconspicuous place in heavy industry. The only outstanding Jews in that field are the Blocks, largely interested in Inland Steel, and Mr. Max Epstein, chairman of the board of General American Transportation Corporation, which manufactures tank cars. Inland Steel is a successful company well liked and much respected in the trade, but its share of the steel business is relatively small. The only exception to the rule that steel is not a Jewish industry is the scrap business. Scrap iron and steel is owned 90 percent by Jews, being an outgrowth of the junk business, which at the end of the last century was in the hands of Russian Jews. It may be added in passing that practically the whole waste-products industry including nonferrous scrap metal (a \$300,000,000 a year business in 1929), paper, cotton rag, wool rag, and rubber, is Jewish.

Something of the same situation exists in automobiles. There are only three Jews of any prominence in the executive end of manufacturing. There are only two Jews in positions of importance on the financial end. And there are few Jews in the new-car distributing business. No considerable number appears until the second-hand trade is reached.

The coal industry is almost entirely non-Jewish. It is doubtful whether the roster of the leading 25 companies would show a single Jew from miner up to the board of directors.

Rubber is another non-Jewish industry. Of the tire manufacturers only Kelly-Springfield was ever Jewish and Kelly-Springfield is now in non-Jewish hands. There are Jewish concerns in rubberized fabric and to a lesser extent in the rubber-heel-and-shoe business but they are not dominant. Neither do they control petroleum. The chemical industry is in a comparable position. Neither in Du Pont, Allied Chemical & Dye, United States Industrial Alcohol, or Air Reduction is there a single Jew in a managerial position. There are two Jewish directors, Alfred A. Cook, of Allied Chemical, and Jules Bacher, of United States Industrial Alcohol. Otherwise Jews appear as researchers and laboratory men, in which positions several of them have made considerable reputations.

Shipping and transportation are equally non-Jewish. There are no Jews of any importance in railroading save Jacob Aronson, vice president in charge of the legal department of the New York Central, and the only notable Jew in shipping is Samuel Zemurray, managing director of United Fruit. There are no Jewish shipbuilders of any kind. In passenger-bus transportation the Jewish interest is minuscule. In aviation the situation is about the same.

A vast continent of heavy industry and finance may therefore be staked out in which Jewish participation is incidental or nonexistent.

To find Jewish participation in industry it is necessary to turn to the light industries. And even there it is necessary to turn from the manufacturing to the distributing end. There is an entire group of industries like wool, silk, cotton, and rayon weaving where the Jewish interest in production is small, being 5 to 10 percent in wool, 15 percent in silk, 5 percent in cotton, and 16 percent in rayon-yarn production. But in these same industries the Jewish interest in distribution is large, half the wool sales agents and jobbers, three-quarters of the silk converters, and three-quarters of the cotton converters being Jews. In the underwear and dress-cutting trades using rayon 80 to 90 percent are Jews. Only in the traditional Jewish balliwick of the clothing industry can any claim for a Jewish monopoly be made. There, about 85 percent of men's clothing and about 95 percent of women's dresses and about 95 percent of furs and almost the whole wearing-apparel business are in Jewish hands.

But the clothing business is the spectacular and outstanding exception to the statement that Jewish industrial interests are generally in the minority. Not even in the liquor business, which was always the prerogative of the Jew in Poland, nor in the tobacco business, in which many a rich Jew made his start, are Jewish interests dominant.

JEWIS IN RETAILING

With the perspective of a broad review such as this it becomes apparent that Jews are most frequently to be found in those reaches of industry where manufacturer and merchant meet. Consequently their predominance in retailing might be expected. It will not be found. The Jewish interest, though easily dominant in New York and in the northeastern cities in general, is not as great throughout the country as is commonly supposed. Department stores are largely Jewish-owned in New York, where Macy, Gimbel, Saks, Abraham & Straus, Bloomingdale, Hearn, all are Jewish—the chief non-Jewish concerns being Stern, Wanamaker, McCreery, Loeser, Lord & Taylor, and Best. But in Chicago the two leading stores are Marshall Field and Carson, Pirie, Scott & Co., one of Yankee origin and the other Scotch. The third in rank, Mandel Bros., is Jewish. And farther west the relative number of Jewish stores of importance further decreases. The department-store chains like May, Allied, Interstate, and Gimbel are Jewish but the five and ten, etc., chains like Woolworth and Kress are 95 percent not. In the food-and-grocery field, where the greatest number of chains operate, 95 to 99 percent including Atlantic & Pacific are non-Jewish. Montgomery Ward in the mail-order field is non-Jewish while Sears, Roebuck has a Jewish history (Julius Rosenwald), but active management of Sears, Roebuck now is in the hands of Gen. Robert Wood. Drug store chains are about 90 percent non-Jewish and apparel-store chains 90 percent the other way. Jews are in a definite retailing minority over the country.

DO JEWS CONTROL OPINION?

By and large, then, the case for Jewish control of American industry falls pretty flat. But the little propagandists have another tune. They contend that, whatever the facts about industry, the Jews control opinion in America through their control of newspapers, publishing, radio, the theater, and, above all, the movies. Even granted, in the face of the notorious inability of Jews to agree and the wide

divergence of their interests, that such a thing as "Jewish opinion" could exist, it would still be difficult to prove that Jewish opinion directs United States opinion.

As to the newspapers the facts are strongly the other way round. Save for the prestige of the *New York Times*, which must rank on any basis of real distinction as the leading American newspaper, the interest of Jews is small. There are only four important Jewish chains in the field. On the basis of daily circulation these four groups total respectively 489,871; 391,209; 289,126; and 198,610. These figures may be compared with the 5,500,000 daily of Hearst who is not a Jew, Patterson-McCormick's 2,332,156, and Scripps-Howard's 1,794,617.

The magazine situation is even more striking. Save for the *New Yorker*, in which the largest stockholder is Raoul Fleischman, but the directing head Harold Ross, the only important Jewish general magazines are the *Esquire* group. And *Esquire* is closely related, through its male-fashion department, to the traditionally Jewish clothing business.

The Jewish participation in advertising may be put at about 1 to 3 percent. Of the 200 large agencies 6 may be Jewish, the most important being Lord & Thomas, of which Albert D. Lasker is president.

So far as book publishing is concerned there were practically no Jews in the business prior to 1915 and today, Viking, Simon & Schuster, Knopf, Covici, Friede, and Random House do not rank in size of annual list with such non-Jewish houses as Macmillan, Scribner's, Harpers, Houghton, Mifflin, Appleton-Century, Doubleday, Doran, and the like.

In radio the Jewish interest is extremely important. Of the two great broadcasting chains one, Columbia, is under Jewish control. The other, National Broadcasting Co., though non-Jewish in management, is headed by David Sarnoff. Of the local stations the vast majority outside New York, however, are non-Jewish.

As to theater, the theater being a New York institution and New York being the largest Jewish city in the world and Jews being drawn to the amusement business and to the dramatic arts, a Jewish monopoly might be expected. In the days of Erlanger and the Shuberts it may have existed. Today, however, a count of active New York producers shows 58 non-Jewish producers and 56 Jewish and an estimate of their relative importance shows them pretty much in balance.

The movies are the chief point of anti-Semitic reliance. And there a persuasive case may be made. Jews were the first exhibitors of movies because the early movie theaters could be operated with little capital: they were commonly empty stores with folding chairs for seats and a derelict piano. Large returns in such ventures tempted them into production. American movies, in consequence, were made for years as Marcus Loew, Adolph Zukor, Sam Goldwyn, Carl Laemmle, Louis Selznick, Louis B. Mayer, Jesse Laskey, and William Fox thought they should be made. That certain of the Jewish producers were men whose influence upon the popular taste was unfortunate no one, least of all the cultivated Jew, will deny. But neither can the Jew-baiter deny that the greatest artist so far produced by the moving pictures is a man named Chaplin, whom all Jews are proud to claim.

Today Jewish control of the great moving-picture companies is less than monopolistic. Three of the eight principal companies are owned and controlled by Jews, two are probably owned and controlled by non-Jews, and in three management and ownership are divided. But though Jews do not monopolize the industry moneywise they do nevertheless exert pretty complete control over the production of pictures. A majority of directors, including such men as Frank Borzage, Howard Hawks, John Ford, W. S. Van Dyke, King Vidor, and Frank Capra are non-Jews. But the directors are subordinate in authority to producers. Of 85 names engaged in production either as executives in production, producers, or associate producers (including independents) 53 are Jews. And the Jewish advantage holds in prestige as well as in numbers.

It is difficult on these figures to conclude that American organs and instruments of opinion are predominantly Jewish. Granted the great power of the movies in the influencing of modern society and the great influence of Jews in the movies, it still remains true that the Jewish interest in journalism and advertising is extraordinarily small and that journalism and advertising also have their persuasiveness.

JEW IN THE PROFESSIONS

There remain for consideration the two related fields of politics and the professions—particularly law and medicine. The anti-Semitic contention is that the Jews have crowded out the rest of the population and are monopolizing all opportunities. Anti-Semites say a third to a half of the lawyers in New York City

and at least a third of the doctors are Jews. One obvious rejoinder is that a third of the population of New York is also Jewish and that the percentage of Jewish lawyers and doctors in other cities with smaller Jewish population is correspondingly smaller.

Another equally obvious reply is that 50 percent of New York lawyers does not mean 50 percent of New York's lawyer power. The most important office law business in America such as the law business incidental to banking, insurance, trust-company operation, investment work, railroading, patents, admiralty, and large corporation matters, in general is in the hands of non-Jewish firms. Jewish legal activity will be found most commonly in litigation. In other words, Jews are largely to be found in those branches of law which do not interest non-Jewish lawyers or in those branches of law related to commercial activities like real estate and textiles where Jews are peculiarly active. It is for that reason that the importance of Jews in trial work is significant. Their presence in the courts means not only that Jews are able trial lawyers but also that non-Jewish lawyers tend to prefer the fat fees and regular hours and routine, solicitor-like labors of their offices to the active, combative, professional service of the law courts.

The medical situation is not unlike the legal. There is the same disparity between numbers of Jewish doctors and extent of Jewish medical influence. New York, for example, has numerous good Jewish doctors and a few very great Jewish doctors. But Jews do not occupy a position of power corresponding to their abilities or their numbers in the profession. Hospital medical boards and the like are apt to be controlled by non-Jewish doctors.

The chief difference between law and medicine is that the feeling between Jews and non-Jews is much stronger in the latter profession than in the former. The reason for that feeling is this: Of approximately 14,000 young men and women attempting annually to enter the 76 reputable United States medical schools 50 percent are Jews, while of the 6,000 more or less who get in only 17 percent are Jews. Non-Jewish doctors cite these figures as proof of the danger of Jewish aggressiveness and commercialism in the profession while Jewish doctors cite them as proof of discrimination. The truth seems to be that medicine is merely the most obvious point of collision between forces set in motion by the peculiar development of Jewish life in America. Given the desire of Jews to see their sons in the learned professions, and given their urbanization and hence their access to free college education, and given the assiduity of Jewish children, a clash was inevitable.

ARE JEWS RADICAL?

The Jewish advantage in the professions, then, is rather shadow than substance. And so, but much more so, is the Jewish importance in politics. Anti-Semites say "the New Deal is the Jew Deal." Second, "all Communists are Jews and all Jews are Communists." As to the New Deal, Jewish influence in Mr. Roosevelt's Washington is minor. Attempts to make it seem important rest on misrepresentations and no amount of political whispering can change that fact. As to Communism, the truth is that of the 27,000 United States Communists,¹ few of the higher officers and only 3,500 to 4,000 of the members of the party are Jews.

The reason for the general impression of Jewish and Communist identity is simple. First of all, as we have had occasion to observe, the Jews are urban and largely concentrated in New York. The radical movement is also urban and largely centered in New York. Secondly, the Jewish members of the Communist Party are very commonly the intellectual and hence the articulate members of the party. And Marxism with its internationalism is eminently fitted to the emotional needs of a people without a fatherland. But most important, Jewish intellectuals are attracted to radicalism because the Jewish intellectual very understandably feels that the "system" is against him. Non-Jews wishing to become teachers and scientists and professional men are able to find more or less open opportunities for the exercise of their talents. Such opportunities are frequently closed to the Jew. In consequence the Jewish intellectual is frequently against the existing order. In consequence he is frequently a radical. And since he is able and idealistic and courageous and articulate he becomes the voice of radicalism.

But because the Jewish intellectual is a formidable member of the Communist Party it does not follow that "the revolution" in America is Jewish. There are two unanswerable reasons why it is not. One is that for every revolutionary Jew there are thousands of Jewish capitalists, shopkeepers, traders, who stand to lose everything in a revolution. The other reason is that the revolution in America is

¹ Estimated as of 1935.

much more likely to come from the native-born Americans of Yankee and Nordic stock in the agricultural regions of the Midwest and Northwest than from the Americans of Jewish stock in New York.

JEW IN AGRICULTURE

The impression that Jews are very far from controlling American life is increased if the eye is permitted to wander over the agricultural scene. No census has ever been made of Jews in agriculture, but even the Jewish Agricultural Society places the total no higher than 80,000 out of a farm population of 30,500,000. Attempts by Jews to move their people out of urban centers and into colonies on the land have not been successful save in the neighborhood of big cities or in special circumstances. The reason probably is the long legal exclusion of the Jews from landowning in Europe. The total of Jews on the land has increased about 100 percent since 1900. But the record of the formal settlements is still discouraging. Major Noah's Ararat on Grand Island in the Niagara River, a half agricultural venture, was an unrealized dream in 1818. Then followed Shalom, which survived from 1837 to 1850 in Ulster County, N. Y. Third in order were the short-lived colonies established by German Jews already in this country to take care of part of the flood of penniless Russian Jews in the eighties. Subsequently, other and luckier colonies were started. The most famous of these is Woodbine in Cape May County, N. J., an agricultural-industrial settlement, with an important Jewish agricultural school. Numerous Jewish farming communities have sprung up in other localities in southern New Jersey. Other States with large Jewish farm populations are New York, Connecticut, Massachusetts, Michigan, and North Dakota.

JEW AND THE MOVIES

It has been repeatedly stated that Jews control the entire movie industry. What are the facts?

Twentieth-Century-Fox: Majority interest is held by Chase Bank. President is Sidney Kent and vice president in charge of production is Darryl Zanuck, neither of them a Jew.

Warner Bros.: There are 30,000 stockholders, but the control of the three Warner brothers, who are Jews, has never been questioned.

RKO: Management and control is divided.

Loew's, Inc. (which owns Metro-Goldwyn-Mayer) is probably controlled by Jewish interests with large holdings in the hands of the Loew family, Nicholas Schenck, and Louis B. Mayer.

Paramount is non-Jewish in management and probably in control.

Columbia: Strongly Jewish in management. However, 75,000 shares of preferred convertible stock were offered to the public and the principal underwriting participation was Hemphill, Noyes, 41,250 shares, Bancamerica-Blair, 11,250.

Universal: Here the management, except for Carl Laemmle, is chiefly non-Jewish.

DO JEWS CONTROL THE NEWSPAPERS?

Save for the New York Times, which must rank on any basis of real distinction as the leading American newspaper, the interest of Jews in the newspaper field is small. There are only four important chains in which Jewish control is important: The Sulzberger interests owning the Times and the Chattanooga Times; J. David Stern, who owns the New York Post, the Philadelphia Record, and the Camden (N. J.) Courier and Post; Paul Block owning the Newark Star-Eagle, the Toledo Blade and Times, the Pittsburgh Post Gazette, and the Duluth Herald and News-Tribune; and Emanuel P. Adler of Davenport Iowa, who owns a string of papers in towns such as Davenport and Ottumwa, Iowa; Madison, Wis.; Hannibal, Mo.; Lincoln, Nebr.

Senator CHAVEZ. I wish to have incorporated in this record a list of names of individuals and groups from whom the subcommittee has received telegrams and letters in support of S. 2048, providing for

the establishment of a permanent F. E. P. C., and representing a stated membership of more than 1,531,560.

(The list referred to is as follows:)

- American Civil Liberties Union, New York, N. Y.
- Back of the Yards Neighborhood Council, Chicago, Ill.
- City-Wide Citizens Committee of Harlem, New York, N. Y.
- Coordinating Council for Latin-American Youth, Los Angeles, Calif.
- Denver subcouncil for Permanent Fair Employment Practice Committee, Denver, Colo.
- Greater New York Congress of Industrial Organization, Council, New York, N. Y.
- Hollywood Women's Council, Hollywood, Calif.
- International Longshoremen's and Warehousemen's Union, Local No. 6.
- Jewish People's Fraternal Order, Albany, N. Y.
- Kansas and Missouri Council for a Permanent Fair Employment Practice Committee, Kansas City, Mo.
- League of United Latin-American Citizens, Alhambra, Calif.
- League of United Latin-American Citizens, San Antonio, Tex.
- Los Angeles Council for a Permanent Fair Employment Practice Committee, Los Angeles, Calif.
- Missouri Council for a Permanent Fair Employment Practice Committee, Kansas City, Mo.
- National Association for Advancement of Colored People, New York, N. Y.
- National Conference of Christians and Jews, New York, N. Y.
- National Council of Students Christian, Associations, New York, N. Y.
- Paseo Young Women's Christian Association Public Affairs Committee, Kansas City, Mo.
- Quad-City Industrial Union Council, Moline, Ill.
- Southwestern Connecticut Fair Employment Practice Committee, Stamford, Conn.
- Spanish-American Citizens Association, Denver, Colo.
- Spanish-Speaking Subcouncil, Los Angeles Council for a Permanent Fair Employment Practice Committee.
- State, County, and Municipal Workers of America, Congress of Industrial Organizations, 13 Astor Place, New York, N. Y.
- Textile Workers Union of America.
- The Vallejo Committee on Interracial Affairs, Vallejo, Calif.
- The Vallejo Council for Permanent Fair Employment Practice Committee, Vallejo, Calif.
- United Farm Equipment and Metal Workers of America, and Locals Nos. 166, 146, 149, 119, 101, 105, 107, 179, 180, 112, 163, 104, 170.
- United Federal Workers of America, Local 21, New York, N. Y.
- United Packinghouse Workers of America.
- United Professional Workers of America, Chicago, Ill.
- Utica Congressional Council for a Permanent Fair Employment Practice Committee, Utica, N. Y.
- Yards Spanish-Speaking Committee for Permanent Fair Employment Practice Committee, Chicago, Ill.
- Massachusetts Citizens Committee for Racial Unity, Boston, Mass.
- Dorothy Baruch, Los Angeles, Calif.
- Ruth Dailey, Los Angeles, Calif.
- Mrs. Norman W. Chandler, Cleveland, Ohio.
- Lactitia M. Conard, Grinnell, Iowa.
- W. E. Garrison, literary editor, the Christian Century.
- Mayor Fiorello LaGuardia, New York, N. Y.
- Loyle Lane, Doylestown, Pa.
- James M. Yard, Chicago, Ill.
- Frank W. McCulloch, director, James Mullenbach Industrial Institute, Chicago, Ill.

Albert Safenstein, Denver, Colo.

Henry D. Jones, Detroit, Mich.

W. R. Jones, Clarendon, Ark.

S. Ralph Harlow, Smith College, Northampton, Mass.

Mr. and Mrs. Edward O. Shaw, Pittsburgh, Pa.

Ignacio L. Lopez, publisher of El Espectador, Ontario, Calif.

Charles W. Hobbie, Cedar Rapids, Iowa.

Sidney Hillman, Chairman, Congress of Industrial Organizations Political Action Committee.

Mary Rosenfield, Los Angeles, Calif.

James Asa White, president, Ministerial Association, Reno, Nev.

J. R. McCarthy, educational director, South Bend, Ind.

Sam A. Swanson, international representative, United Farm Equipment and Metal Workers of America, Peoria, Ill.

Louis E. Martin, editor, Michigan Chronicle, Detroit, Mich.

(Whereupon, at 4:15 p. m., the subcommittee adjourned.)

×