

MONTHLY REPORT OF LABOR SECRETARY

April 3, 1950

Outlook on FEPC in the Senate

As yet, we have not been advised that the pledge made by Senator Scott Lucas to consider FEPC legislation after disposing of four other measures will not be kept.¹

There have been a number of rumors that FEPC will not be taken up until after the Florida primary, thereby, giving assistance to Senator Claude Pepper in his campaign for reelection. Senator Lucas has been out of the city, but his office denies that FEPC will be postponed until after the Florida primary.²

There now remain only a Flood Control measure and the Displaced Persons Bill before FEPC. We hope that by the time this report is read, the Displaced Persons³ legislation will be disposed of, and possibly the Flood Control measure also.

The representatives of organizations working in Washington have met to study the chances of obtaining cloture on a filibuster against FEPC.⁴ We have divided the senate into those members for, those probably for, those doubtful, those probably against, and those against. We have concluded that we can be certain of only 36 votes for. There are 22 probably for and 6 doubtfuls. We count 11 probably against and 21 definitely against.

In order to get the required 64 votes, we must pick up the votes of all persons probably for and the doubtfuls. Since some of those that we consider definitely for may be absent, we must also try to get some of the persons who are probably against.

A detailed report on this has been submitted to the Acting Secretary.⁵

Rumor on Poll Taxes

Recently, there has been a rumor in Washington that Senator Kenneth Wherry would team up with Senator Garrett Withers and Senator John Stennis to push for a constitutional amendment to repeal the poll tax. We talked to Senator Wherry on this matter and he denies that he has such a plan. However, he did say that, if the bill is reported out of committee and appears to face defeat on the floor, he would vote for a constitutional amendment.

District of Columbia Employment Service

In February, a number of unemployed colored men were arrested and charged with incommoding the sidewalk while seeking work in the vicinity of the United States Employment Service at 5th and "K" Streets, N.W., in Washington. The police captured them by wearing civilian clothes [over their uniforms] and offering them work. When the men boarded a [furniture] truck which was supposed to take them to the job, they were taken to the police station instead. They were fined \$1.00 to \$5.00 each.

Congressman Adam Clayton Powell, Jr., has been working with us on this matter. Mr. Gerhard P. Van Arkel, Counsel for the Senate Committee of the District of Columbia, arranged a meeting on this problem. Those present included Mr. William S. Tyson, Solicitor of the Department of Labor; Major Robert J. Barrett, Superintendent of Metropolitan Police; representatives of the national and local employment service; labor organizations, and the policemen who actually made the arrests.

The meeting revealed a number of serious problems affecting unemployed persons in the District of Columbia. For example, job seekers are not permitted to wait in the employment service after 10:00 a.m., although frequently calls for workers come in after that hour. In the meeting, it was agreed that applicants would be permitted to wait until they received a reasonable offer of employment. Although hundreds of people use the employment service during the day, there are no lavatory facilities in the building. Steps are to be taken to correct this problem.

The Police Department refused to concede that the arrests made were improper. With Mr. Frank Reeves, legal representative of the NAACP in Washington, we warned the Police Department that future arrests of this kind would be challenged in court by the NAACP.⁶

Anti-Discrimination Ordinance

The Labor Secretary has prepared an anti-discrimination ordinance for the Baltimore Branch. This ordinance is for the purpose of requiring that construction contracts in the City of Baltimore carry a non-discrimination clause. It appears that some of the city agencies will support the Association's proposal.

Federal Aid to Education

The NAACP has been asked by the CIO to state whether it opposed the Lucas Bill, H. R. 1551, and the Burke Bill, H. R. 5939, because these proposals do not contain anti-segregation clauses. The Lucas Bill would give Federal funds to states for the construction of schools and the Burke Bill would provide funds for teachers' salaries.

We have advised the CIO that we are opposed to both bills as presently written because they do not offer protection against segregation. Congressman Adam Powell has advised that he will introduce a non-segregation amendment for the NAACP on the Burke Bill. We have not discussed the Lucas Bill with him.⁷

Social Security Legislation

This month, the Labor Secretary represented the Association before the Senate Committee on Finance. We urged the inclusion of domestic and agricultural workers in the new Social Security Bill (H. R. 6000).⁸

Speaking Engagements

The Labor Secretary spoke for the Mid-Atlantic Youth Federation at the All Souls Unitarian Church, Washington, D. C., March 4; for the Men's Day Program at Payne Memorial Church, Baltimore, Maryland, March 12; and for the Catholic Conference on Industrial Problems, Charlotte, North Carolina, March 19.

MS: NAACP II A-537, DLC.

[1] At a meeting on March 2, 1950, with Senators Lucas and Myers in which Mitchell participated, Lucas "finally promised that the FEPC Bill would be taken up not later than April 1." Initially, he "was very indefinite about the date and, at one point, mentioned that the FEPC bill might come up in the middle of April." The four pieces of legislation that Lucas said would have to be disposed of first were the Robert S.

Kerr (D-Okla.) oil bill, a flood-control bill, housing legislation, and a “deficiency appropriation” bill that included some phase of the Rent Control Act. Mitchell’s report indicated that another consideration, that of the Florida primary, also had to be kept in mind. Mitchell’s letter to Roy Wilkins, 3/3/50, NAACP II: A-257, DLC. See also Report of the Washington Bureau, 3/31/50, by Perry, NAACP II: A-656, DLC. Subsequently, Mitchell told Wilkins that although everyone insisted the Senate would still take up FEPC on March 24, apparently the date on which an agreement had been reached, he and Violet Gunther, legislative representative of the ADA, were not optimistic. Mitchell’s letter to Wilkins, 3/21/50, NAACP II: A-257, DLC. At a later meeting, Lucas wanted to know whether the civil rights forces would agree to a further postponement of action on the FEPC until after the Economic Cooperation Administration (ECA) legislation was taken up. Mitchell told him that the NAACP board “would undoubtedly vigorously protest any further delay.” Faced with such strong opposition from Mitchell and the other activists who were present, Lucas told them that he would discuss the matter with the president. Mitchell’s memorandum to Wilkins, 4/6/50, NAACP II: A-257, DLC.

Despite his determination to bring FEPC to a vote in the Senate, Lucas felt that “the crux of the question” was breaking a filibuster, which required sixty-four votes under the “so-called compromise” that had been reached in 1949 when the upper chamber attempted to liberalize the cloture rule. He said that as difficult as it was to get sixty-four votes on the question, there was a chance, even though the “odds were about seven and a half to one against getting that much unanimity.” Lucas, “Is There Any Hope for Civil Rights?” 79–81.

[2] Mitchell left the March 2, 1950, meeting “with the impression that Senator Lucas was going into the Easter recess and chances for calling up FEPC after the recess were fifty-fifty. Senator Lucas said he would let the President decide which of these two bills—ECA or FEPC—should come up first.” Minutes, 4/10/50, EC. See 3/3/50 for the defeat of the Powell FEPC bill, HR 4453, in the House struggle.

There was the possibility that the Senate would approve a weak FEPC bill as the House had done on February 23, 1950, but the *Crisis* still felt that the chances of getting a strong bill (the McGrath bill, S 1728) through the upper chamber were favorable. At the very least, the *Crisis* joined Mitchell in believing that even the weak bills kept the FEPC idea alive. “The FEPC Fight,” editorial, *Crisis* 57 (March 1950):

170; "Push FEPC," editorial, *Crisis* 57 (April 1950): 238. See also a report of the broader NAACP struggle, "FEPC," *Crisis* 57 (April 1950): 240-42.

For Wilkins's wire to Truman, see Report of the Secretary to the Board for May, 1950, EC.

[3] See also, in appendix 1, vol. IV, 3/16/48.

[4] This, apparently, was a follow-up to the December 1949 conference. See Report on the NAACP Conference on the Filibuster, 3/10, 11, and 12/49, in appendix 1, vol. IV.

[5] Roy Wilkins, as acting secretary, presented Mitchell's detailed report to the board. Minutes, 3/13/50, EC. This time, without giving Mitchell credit for the detailed report, Wilkins also submitted it to Walter White as a letter on May 23, 1950, a copy of which is in the collection of Stephen J. Spingarn, box 42, Internal Security/Negro File, HSTL.

[6] Mitchell told Wilkins he had scheduled the meeting for March 14, 1950, with the Police Department, the Department of Labor, and the corporation counsel. See Mitchell's letter of 3/10/50 to Wilkins informing him of the arrests, in a "Lodge-Gossett" folder, NAACP WB-126, DLC.

[7] See also, among others, 11/30/46, 11/30/50; in appendix 1, vol. IV, 3/16/48.

[8] 3/15/50, *Hearings* 1928-32; see also, among others, 5/2/49, 5/31/50.

Document Information

Date:

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Report

All People:

Mitchell, Clarence Maurice, Jr.

Reeves, Frank Daniel

Barrett, Robert J.

Gunther, Violet Megrath

Lucas, Scott Wike

Myers, Francis John

Pepper, Claude Denson

Perry, Leslie S.

Powell, Adam Clayton, Jr.

Spingarn, Stephen Joel

Stennis, John Cornelius

Truman, Harry S.

Tyson, William Sherrod

Van Arkel, Gerhard Peter

Wherry, Kenneth Spicer

Wilkins, Roy Ottoway

Withers, Garrett Lee