Quest and Response
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Published by University Press of Kansas


President Truman's Executive Order 9981 of July 26, 1948, which called for the establishment of equality of treatment and opportunity in the armed forces, had resulted in the most dramatic civil-rights victory of his administration. Its companion order, 9980, designed to achieve the same results in federal civilian employment, was less spectacular and less successful. The order reaffirmed the federal policy of employment without discrimination because of race, color, creed, or national origin and called for the appointment of a fair employment officer in each executive agency, who would receive complaints, establish operating procedures, and redress legitimate grievances in consultation with the agency head. The order also established a Fair Employment Board in the Civil Service Commission, whose functions were to synchronize the program, to serve as a watchdog, and to provide a court of last resort. Although the FEB lacked enforcement powers, which distressed civil-rights advocates, it could appeal directly to the president when an agency refused to reverse or to alter a policy of obvious discrimination. Primary responsibility for the operation and success of the program, however, rested with each department or agency, while the FEB's main function was appellate.¹

From the beginning of its operations, the FEB contained congenital weaknesses, as a comparison with the Fahy Committee reveals. Although both were largely advisory in nature and had to rely primarily upon persuasion, the similarities ended there. For one thing, discrimination in government agencies, except for certain segregated facilities and agencies in the South, was hard to uncover, much less to prove. As the FEB pointed out, “Actual discrimination may be so subtly disguised under ostensibly correct procedure that it is difficult
to identify or clearly establish." On the other hand, the military's policy of discrimination—particularly segregation of troops, limited specialty training, and observance of a racial quota—was there for everyone to see. In short, the Fahy Committee's task, though admitted difficult, was clear-cut, while the FEB had to establish procedures to eliminate discrimination that supposedly did not exist.

Moreover, the Fahy Committee had to negotiate only with representatives of the three services, while the FEB had to contend with scores of departments and agencies. The very size of the federal bureaucracy, with its amorphous character, complicated the board's task in suggesting procedures for the hearing and disposition of grievances. Yet the FEB may have compounded the problem. For example, the board rightly concluded that the diversity of the federal establishment required some flexibility, but its suggested operating procedures were unduly complicated. The board recommended that an employee initiate his complaint with his supervisor. If dissatisfied, he should present his case in writing to the deputy fair employment officer in his organization and, if still unhappy, then to the fair employment officer of the department, thence to the head of the department, and finally to the Fair Employment Board itself. Such a procedure was not only cumbersome but one that would tax the patience of Job. The board, however, did permit departments to reduce the number of appeal steps.

Although this procedure carefully preserved the chain of command, the FEB might have adopted the less tidy but more effective approach of the 1960s, which permitted a complainant to appeal directly to the board. The FEB eventually realized the complicated nature of the process of appeal, and in May 1951 it simplified the procedure. At the same time, it established procedures for disposition of complaints filed by civil-rights organizations representing numerous employees and applicants.

In contrast with the Fahy Committee, the FEB also labored under almost complete ignorance about the number of Negroes and other minorities employed in federal civilian agencies. As a result of military studies involving the most efficient utilization of manpower, the Fahy Committee had no dearth of statistical evidence. But there were no corresponding figures or studies relating to civilian employment for the period since the end of Roosevelt's FEPC in 1946, a gap which the FEB considered one of its "greatest obstacles."

There were still other differences between the Fahy Committee and the FEB. The former, for example, was determined from the out-
set to do something about segregation in the military, while the latter never declared its outright opposition to segregation in civilian agencies, unless it adversely affected the “equality of economic opportunity of such segregated employees.” Admittedly, segregation in federal employment in the South was a more difficult problem than segregation in the army, for no single board could possibly scrutinize all government agencies nor could it hope to secure compliance in the South of the late 1940s and early 1950s. Yet the report of the board in December 1951 conspicuously failed to mention or discuss segregation in any way. And when the report used the word “integration,” it meant only the integration of minority personnel into new job classifications. In November 1951 the board sought to determine the presence and extent of segregation in sixty-two federal agencies. Forty-five reported no segregation whatever, although these reports were not necessarily reliable. The remaining seventeen revealed a checkered pattern of segregation, ranging from one to several segregated units consisting primarily of messengers, mailmen, and chauffeurs. There was progress, but segregation in federal civilian employment existed as late as 1965.6

The Fair Employment Board also differed both in its modus operandi and its type of personnel from the Fahy Committee. The members of the latter had been appointed by the president and reported directly to him, which insured the continual involvement of the White House staff in the Fahy Committee’s running battle with the army. The Civil Service Commission, however, appointed the members of the FEB, which meant that the White House received reports from the board only after they had cleared the Civil Service Commission.

Moreover, the personnel differed in degree of commitment. Men with a mission composed the Fahy Committee, while the FEB appointees, although prominent, seemed less certain of where they wanted to go. Guy Moffett, a government personnel expert, was the first chairman of the board. The other members included Fred C. Croxton, a former conciliator in the Labor Department; Daniel W. Tracy, former assistant secretary of labor and president of the AFL Brotherhood of Electricians; Dr. Ethel C. Dunham, former medical research director of the Children’s Bureau; Judge Annabel Matthews, formerly a member of the Board of Tax Appeals; Eugene Kinckle Jones, general secretary of the Urban League; and Jesse H. Mitchell, president of the Industrial Bank of Washington.7 Although both Jones and Mitchell were Negroes, their counterparts on the Fahy Committee—John Sengstacke and Lester Granger—were much more involved in the civil-rights struggle in the postwar years.
Certain members of the White House staff were never happy with the FEB’s performance. For example, in December 1950 the Fair Employment Board came up with a self-satisfied report, contending that the civil-service record on fair employment was “extremely good” and that “considerable progress has been made and that continuing progress may be expected.” David Niles could not have disagreed more. “Last year we had a similarly mild and ineffectual report,” he complained to fellow White House assistant Donald Dawson. “Could we let the board know that next year we will be wanting a report with enough substance to become a public document?” Niles further suggested that the board ought “to plan some more affirmative steps of its own.” Philleo Nash and Martin L. Friedman concurred with Niles’s evaluation of the report and urged Dawson not to make it public.\(^8\)

Inexplicably, however, Dawson misinformed the president in a memorandum of December 28. In describing the report, he neglected to mention the distress of Niles, Nash, and Friedman and raved about the “considerable progress” and the “extremely good” record of the federal civil service. Indeed, Dawson’s memorandum was more enthusiastic than the FEB report itself, and the president could be forgiven when he subsequently praised the board’s performance in several public addresses. The following year the FEB did prepare and publish a report on *Fair Employment in the Federal Service*, which was superior to past reports, though Martin Friedman still maintained that “they don’t have much to brag about in my opinion.”\(^9\)

The FEB seemed to approach its task both gingerly and leisurely. In March 1949, for example, the board issued comprehensive instructions to federal departments and agencies concerning regulations and operating procedures. But when it reported to the Civil Service Commission in September, the board noted, without expressing dismay, that some agencies were still involved in revising their procedures in response to the directive of March.\(^10\) At that pace, some agencies would accomplish nothing.

The FEB’s policies seemed to compound endemic difficulties. In February 1950, for example, a Denver field representative of the Budget Bureau reported that the performance of the civil service, which had made “no headway under the stimulus of Executive Order 9980,” contrasted sharply with the advancement of civil rights in the armed services. Part of the problem was procedural, he contended, and he suggested that the Civil Service Commission appoint regional fair employment officers to scrutinize the policies of area agencies and to
receive complaints directly from applicants for or employees in federal employment.\textsuperscript{11}

Although this proposal had some virtue, the FEB was apparently more concerned with the niceties of the organizational chart than with a full-scale assault on discrimination. The board replied that any interposition of authority on its part would "dangerously" weaken the "chain of direct responsibility." The FEB did concede, however, that the use of the same person as fair employment officer and chief personnel officer in an agency created "embarrassing problems of split objectives and responsibilities" and recommended that the fair employment officer be relieved of all other duties.\textsuperscript{12}

There were also problems over which the FEB had no control. The board had to contend with the "rule of three," a civil-service regulation that permitted the appointing officer to select one of the top three applicants from the Civil Service register. In the application of this rule, the board warned, "lies a vast potentiality of discrimination unless it is used with sole regard to merit and fitness"; and in one case involving several Negroes, the board found a clear-cut example of racial discrimination. But such examples were difficult to prove.\textsuperscript{13}

Perhaps the most critical limitation on the board's ability to function properly was its meager budget, which had to be sliced from the operating funds of the Civil Service Commission. The budget restricted the board in the number of days that it might meet, so that by the end of 1951 it had met formally only 121 times since its organization in October 1948. Its expenditures were even more revealing. In four years of operation, the FEB spent slightly over $100,000, a figure that included all salaries and expenses not only for regular members but also for an executive secretary, an examiner, and a clerk-stenographer. Confronted with this financial straitjacket, the FEB was never able to establish effectively a "constructive" or "preventive" program. Therefore its major contribution was "corrective" in hearing the appeals that survived the arduous climb up the chain of command.\textsuperscript{14}

Despite these limitations and weaknesses, the board and various agencies functioned effectively in many instances. In December 1951, the FEB reported that 488 complaints had been filed in the twenty-seven agencies that employed 97 percent of the total personnel in federal service. In nearly 60 percent of the cases, no discrimination was found to exist. The FEB itself heard sixty-two appeal cases, finding discrimination in thirteen. The board and the fair employment program continued to function in the Eisenhower administration, and by July 30, 1954, the number of formal complaints had reached 865, of which 12.6
percent required corrective action. Thus, Truman's executive order provided some machinery—however inadequate—for a fair employment policy and insured its continuity into another administration.

The statistics of the Truman administration tell only part of the story, for the very existence of the presidential order and the Fair Employment Board prompted some agencies to comply. Some agencies responded to the spirit of the order and diligently worked for a nondiscriminatory policy, while others responded when civil-rights organizations, armed with the presidential statement demanding a fair employment program, applied pressure. The Post Office Department was a case in point. Early in 1948 Senator William Langer and the NAACP demanded a Senate investigation of discriminatory practices in southern postal facilities, and an investigator subsequently found several instances where eligible Negroes were passed over for appointment and promotion. The FEB quickly issued a directive to correct the situation. Following its own hearings, the FEB also advised post offices in New Orleans, San Antonio, and Memphis to employ Negroes as clerks.

The presidential order also precipitated the end of segregation in the cafeteria of the Government Printing Office, the last federal agency in Washington to integrate such facilities. Although the cafeteria committee of the Printing Office balked and voted against integration, the public printer, observing that segregation conflicted with the announced policies of the administration, took the matter in hand and ordered the integration of cafeteria facilities effective July 25, 1949. Thus ended a bitter struggle that had begun during the administrations of William Howard Taft and Woodrow Wilson.

There were less happy results elsewhere. The commissioners of the District of Columbia ignored the presidential directive, apparently with the acquiescence of the FEB, which interpreted 9980 as inapplicable to the District. The Department of Agriculture remained generally unreceptive to pleas for the employment of blacks in positions with higher ratings in its Washington office, thereby preserving its poor record in regard to race relations. Field officers of the Department of the Interior in Alaska apparently refused to hire Negroes except when other labor was unavailable, although the department's overall record was often praiseworthy.

In 1950 the Afro-American indicted the Census Bureau on six counts of racial discrimination, which included not only its discriminatory hiring policies and its overall operations in the South but also the terminology the bureau employed in taking the census and its defini-
tion of what constituted a Negro. On the other hand, both the FEB and the Bureau of the Budget insisted upon the elimination of photographs and other identifying devices (unless necessary for statistical purposes) on employment forms, and the Bureau of Immigration and Naturalization also abolished the practice of stamping "black" on the passports of Negro Americans.\textsuperscript{19}

One of the toughest problems concerned the Treasury's Bureau of Engraving and Printing, which had traditionally discriminated against minority groups. Although the bureau employed some twenty-five hundred Negroes in 1949—which represented 50 percent of its total work force—fewer than twelve worked in clerical, supervisory, or administrative capacities. But that was only part of the picture. From 1938 to 1950 the bureau recruited seventy-five apprentice plate printers. Although Negroes competed in the examinations, they received no appointments, despite having higher scores than some whites who were subsequently appointed. In fact, in the entire history of the bureau, no Negro had ever served either as an apprentice plate printer or as a journeyman, and the future promised more of the same.\textsuperscript{20}

Yet, the shortage of plate printers was as obvious as the discrimination, and in 1949 civil-rights advocates turned a spotlight on the darker side of the bureau's operations. As a consequence, the Fair Employment Board held hearings in January and February 1950 to investigate the growing pyramid of complaints. Reporting on February 23, the FEB held that discrimination did exist and recommended that the Bureau of Engraving and Printing should not only hold its competitive examination, which it had recently scheduled for March 15, but should also inaugurate a continuous in-service training program.\textsuperscript{21}

At this point, the Bureau of Engraving and Printing was prepared to agree with the FEB, but Congress now complicated the picture. In February 1950 bills were introduced in both houses to limit competitive apprenticeship examinations to veterans and to permit any veteran in the country to participate, whereas the Treasury Department had restricted the examination to those already employed in the Bureau of Engraving and Printing. Although the congressional bills seemed innocuous enough, being ostensibly designed to favor veterans and to checkmate the closed-shop approach of the bureau, the real purpose seemed to be an attempt to preserve the lily-white complexion of the journeymen and the printer's union, which, incidentally, supported the legislation. Congressional advocates even made the bill retroactive to March 1 in order to nullify the results of the bureau's March 15 examination, which, given the number of eligible Negroes, would al-
most surely have resulted in black appointments. The House Committee on Post Office and Civil Service moved with indecent haste to gain passage of the bill, which Congressmen Dawson and Marcantonio denounced on the floor. Amid charges of discrimination and bigotry, the bill passed the House on May 1 but died later in the Senate.22

In the meantime the White House and the Treasury Department had agreed upon a policy of delay. The department held the exam on March 15, then sat tight, waiting for Congress to adjourn before announcing the results and the new appointments.23 The strategy worked, and in January 1951 seventeen Negro veterans began apprenticeship training in the Bureau of Engraving and Printing. It was a victory definitely worth boasting about, but apparently the results were not permanent. In November 1953 the Pittsburgh Courier devoted a scathing editorial to the bureau—which still “resolutely sets its face toward the fading sun of Kluxism”—for terminating the apprenticeship program in May 1953, thus restoring the all-white complexion of the printing crew.24

There was, however, steady and permanent progress in the Department of State, again as a result of Executive Order 9980 and black pressure. Throughout the postwar period, civil-rights advocates had repeatedly agitated for more prestigious appointments, for the chronic complaint centered around the low ratings of most Negroes in federal service. And if one sought prestige, the Department of State was the place to serve. The pressure campaign on the Department of State began in earnest in 1950, when Professor Rayford W. Logan of Howard University published a series of articles in the Courier. Logan made one thing very clear. The department's policy was one of near exclusion, particularly in the Foreign Service, where there were only thirty-three Negroes serving in any capacity.25

Since the onset of the cold war, the department had been extremely sensitive to the charge of discrimination, particularly where neutral and underdeveloped nations were concerned; and the Korean War increased the department's sensitivity. Black leaders decided to exploit this vulnerability. On February 28, 1951, twelve prominent Negroes, headed by Walter White and A. Philip Randolph, presented the president with six “requests,” two of which called for additional black appointments to policy-making positions at home and to diplomatic posts abroad.26

On April 13 a smaller Negro delegation met with Secretary of State Dean Acheson and found him somewhat responsive to the group's requests. During the conference he outlined the department's employ-
ment policy at great length and balked only at the committee’s request for the appointment of a black assistant secretary of state, explaining that the earlier offer to Ralph Bunche had been based entirely on his ability, not on the color of his skin. He also invited the group to discuss the department’s employment policies in greater detail with the director of the Office of Personnel. 27

The last suggestion may have been a political improvisation, but it turned out to be one of lasting benefit. The group met with Haywood P. Martin, director of personnel, on April 19, 1951; and the discussion led to regular conferences thereafter with Martin and his successor, E. N. Montague, which continued into the Eisenhower administration. In March 1952 A. Philip Randolph wrote to Acheson, thanking the secretary and his subordinates for their “splendid attitude” and “cooperative efforts” during the conferences and for the promises of additional appointments. Randolph was usually hard to please, as the president had discovered long before. 28

Perhaps the most significant appointment was that of John A. Davis in May 1952 as consultant to the State Department’s personnel office. Other appointments, however, signified the department’s intention to brighten its image both at home and abroad. By June 1952 thirty-four American blacks were working abroad in the Point Four program, although twenty-six were concentrated in Liberia, the traditional “home” for Negroes on foreign service. The department’s personnel director, however, continued to labor diligently to overcome resistance both from within the State Department and from other countries to the appointment of skilled black personnel. “We are on a spot,” Montague confessed at one point to Joseph C. Green, the American ambassador to Jordan, in stating his desire to appoint more Negroes to Arab nations. 29

In a progress report of March 1953, Montague summed up the results of the department’s efforts over the past two years to attract more Negroes. Nearly sixty Negroes were employed in prestige positions in the Foreign Service, seventeen of whom were serving in traditionally noncolored posts. One held the rank of ambassador, predictably to Liberia. There were also seven Orientals in the service. Moreover, the department had at least fifteen blacks in positions of high rank in the Washington office. It was not nearly enough. Indeed, it was only a beginning, and Montague indicated that he would keep pushing ahead. “The cold war and the present Korean war,” he contended, “both make it incumbent upon the department to make sure
that racial issues are not allowed to confuse the basic issues of totalitarianism vs. democracy."\(^{29}\)

Other government agencies, under less pressure from Negro leaders, were less responsive to the spirit of the president’s order. Some indulged in tokenism. In August 1951, for example, the Justice Department added a third black lawyer to its staff of thousands. Others seemed more concerned. In the fall of 1951 Secretary of Labor Maurice Tobin reminded the annual convention of the National Council of Negro Women that the number of black federal employees was approximately 300 percent greater than in 1940. That statistic, however, might have been less impressive if it had been computed on the basis of 1945, the end of the war.\(^{31}\)

The president, too, sent in some distinguished nominees, including a few white liberals, to sensitive positions. Although the NAACP had petitioned the president to name a Negro to the vacancy on the three-man Board of Commissioners for the District of Columbia, Negroes were nonetheless pleasantly surprised with the civil-rights performance of his white appointee, F. Joseph Donohue, who took a forthright stand against segregation in the District. They applauded, too, when Truman named Governor Luther W. Youngdahl of Minnesota as a judge of the District Court for the District of Columbia. They had not forgotten the governor’s staunch fight to integrate the Minnesota National Guard and to enact FEPC legislation in his home state.\(^{32}\)

The president also chipped in a few black appointments in 1951. In September he named Dr. Chamning Tobias as an alternate delegate to the United Nations and Earl W. Beck, former head of the Jackson County, Missouri, home for Negro children, as recorder of deeds—the traditional slot for Negroes in the District of Columbia. Truman had worked with Beck when he was an administrator in Jackson County, and the appointment of his old colleague seemed to present no problem. The nomination, however, hit a snag when the Senate hearings revived old charges of Beck’s mismanagement of the children’s home; and Beck’s feeble testimony only aggravated the problem. Under fire, Truman refused to withdraw the nomination, and the upshot was a stinging defeat for the president. Not only did the Senate refuse to confirm Beck’s appointment but, more important, Congress subsequently passed a bill that invested the District commissioners, rather than the president, with the power to appoint the recorder of deeds.\(^{33}\)

Truman also came under fire for other appointments in 1951. When he named Robert Ramspeck as chairman of the Civil Service Commission in March 1951, civil-rights advocates were dismayed. As a
former congressman from Georgia, now to be responsible for supervising the operations of the Fair Employment Board, Ramspeck was suspect, to say the least. Apparently, most critics failed to examine his credentials. As chairman of the House Civil Service Committee, Ramspeck had fashioned a reputation for concern with the merit system in federal employment. Indeed, the act of 1940, which provided for extensive reform of the civil service, not only bore his name but also included a provision prohibiting discrimination in federal employment. As it turned out, Ramspeck was one of the administration's happier appointments.\footnote{34}

Ramspeck might not have become an object of public controversy had it not been for the appointment of another southerner, Millard F. Caldwell, Jr., to head another key operation—the administration's civil-defense program. Lumped together, the appointments suggested that Truman was pursuing a policy of southern appeasement. As a former governor of Florida, Caldwell had gone beyond the usual requirements of southern politics in matters of race relations. He had consistently championed segregation, to the point of disagreeing emphatically with the Supreme Court's decision outlawing the white primary and of masterminding the southern regional-schooling concept to circumvent the Supreme Court ruling on jim-crow colleges.\footnote{35}

At the very least, the appointment of Caldwell was politically inept, for it sparked the heaviest concentration of fire from civil-rights advocates of any appointment during the Truman administration. Nearly every major Negro paper in the country devoted blistering editorials to the subject. In a manner reminiscent of the early 1960s, it also prompted worried queries concerning the priorities governing various bomb shelters. Some wondered if Caldwell would insist upon segregation, and the \textit{Defender} warned that “any racial nonsense in a life and death crisis could create far more trouble than an atomic bomb dropped by those mad Russians.” One critic pointedly noted the absence of any centrally located bomb shelter in Harlem and the ineffectiveness of the warning sirens in the area.\footnote{36}

Caldwell's appointment also aroused the ire of the NAACP, which had been in Truman's camp since 1947. On February 21, 1951, the association dispatched a public letter to the president, in which it conveyed the unanimous vote of the board of directors in favor of dismissing Caldwell. And on February 28, when Walter White and other black leaders met with the president, White used the occasion to indicate their displeasure over the appointment. In his letter inviting civil-rights organizations to a meeting in May, White confessed his distress
over the administration’s apparent desire to appease “discredited Dixiecrats and other reactionaries.” Furthermore, one member of the NAACP’s board of directors resigned from the New York Advisory Council of Civil Defense to protest the appointment of the “white supremacy” advocate.37

Partly because of his appointments and partly because of his refusal to create a Korean War FEPC by executive order, the president was in the most serious trouble with the disciples of civil rights that he had been in since 1946, when he had responded with the appointment of his Committee on Civil Rights. The response in 1951 was less dramatic and less successful, although it eventually stilled some of the criticism. In March, Caldwell spoke in Philadelphia, where he assured his audience of the impossibility of constructing “an effective civil defense on the basis of race, creed, or color. . . . We must get down to brass tacks with the folks next door, whoever they are. An A-bomb does not discriminate.” In April he invited the NAACP and the National Urban League to participate in a conference on civil defense. The NAACP rejected the offer, however, to the dismay of some Negroes, whose fears about Caldwell were slowly dissipating. President Truman also sought to reassure the black community when he appointed Mary McLeod Bethune to the civilian-defense council that advised Caldwell.38

The storm eventually blew over, but it left in its wake a readiness, almost an eagerness, to castigate the president on other matters. Black leaders, for example, contended that the president himself was violating the spirit of 1948 when he neglected to appoint more Negroes to important positions. When David Niles resigned as the president’s minority adviser in May 1951, the Chicago Defender, “at the risk of sticking our nose into this situation again,” demanded a black appointment. Truman picked Philleo Nash, a white, but an excellent choice. When Truman appointed a white ambassador to Haiti, blacks complained that no Negro had represented the United States in Haiti since the administration of William Howard Taft.39

But the most consistent criticism centered on Truman’s failure to appoint more Negroes to prestigious judicial positions, particularly to vacancies in New York and the District of Columbia. In his column in the Chicago Defender in June 1951, Walter White summed up all his grievances concerning various appointments and wondered, in conclusion, “if Mr. Truman has completely forgotten his gratitude in 1948 and if he is going to continue to reward those who fought him and ignore those who supported him.” Others felt similarly betrayed, al-
though most critics were generally careful not to forget William Hastie's appointment to the Court of Appeals.\textsuperscript{40}

In fact, the appointments of Hastie and others in 1949 and 1950 provided a partial explanation of the president's problem in 1951. A revolution of rising expectations, prompted in part by Truman's response to the needs of American minorities, was threatening to engulf the administration. Blacks were demanding more of Truman than they had of any previous president. Their complaints, of course, were legitimate, for there were enough qualified Negro lawyers to fill several judicial posts. At this point, however, Truman had no credit in his bank account with the Senate, which had already bounced some of his white nominees for federal judgeships.

Perhaps the most serious threat, however, to the effectiveness of 9980 and the government's fair employment program stemmed from another presidential executive order issued in March 1947. As a result of a rash of charges concerning Communist activity within the federal government and of the growing estrangement of the United States and the Soviet Union, Truman had issued Executive Order 9835 on March 21, 1947, which directed the Civil Service Commission to investigate the loyalty of all employees in the federal establishment. Although the president and the commission attempted to provide procedures to protect the innocent, the investigations that followed inevitably infringed upon the civil liberties of countless employees.\textsuperscript{41}

From the beginning of the loyalty program, black leaders also feared that it would threaten the civil rights of minority employees of the government. The president sought to allay these fears, insisting that the order "was most carefully drawn with the idea in view that the civil rights of no one would be infringed upon and its administration will be carried out in that spirit." But Walter White believed otherwise. In a telegram to the president in November 1947, he expressed the NAACP's regret and surprise over the absence of a Negro lawyer or scholar on the Civil Service Commission's twenty-man loyalty board. Quoting from his telegram to Commission Chairman Harry B. Mitchell, White gave a hint of what was to come when he argued that "prejudiced officials could utilize false charges of disloyalty against minorities to eliminate them from government employment. This is particularly true of the Negro minority since some officials regard as 'subversive' any insistence by a Negro that he be given same rights and opportunities as other citizens."\textsuperscript{42}

Some members of the White House staff were also concerned. "In connection with civil rights," John L. Thurston observed in 1947, "the
attitude is widespread within the government that it is dangerous to have a 'liberal' thought.” By April 1949, Stephen J. Spingarn had decided that “the consuming fear of communism has led many sincere persons into the belief that... change (be it civil rights or a compulsory national health program) is subversive and those who urge it are either Communists or fellow travellers.”

The issue remained submerged during most of the 1948 campaign, but surfaced on the front page of the Courier shortly before election day. The Courier revealed that as a result of the loyalty order, numerous Negro postal employees were under investigation, generally because of past and present activities in the field of civil rights. In particular, one postman in Santa Monica had been suspended because of his association with some suspect organizations while picketing a local store that refused to employ Negroes. The NAACP quickly came to his aid and secured his reinstatement in short order. Others were less fortunate, and Negroes feared a wholesale purge in the Post Office Department. And the chairman of the loyalty board, Seth W. Richardson, was less than reassuring when he admitted that prejudiced persons could institute charges without permitting the accused the protection of regular court procedures.

A pattern of discrimination was soon obvious. Some government investigators considered that an employee was suspect if he possessed recordings by Paul Robeson. One interrogator even had the audacity to ask an employee who was under investigation if she had written a letter to the Red Cross protesting the segregation of blood. In protesting to the president in November 1948, Walter White expressed his dismay with the “increasing tendency on the part of government agencies to associate activity on interracial matters with disloyalty.” In particular, he noted that investigators were asking government employees if they associated socially with other races. Moreover, some Negroes were currently under investigation “because they have actively opposed segregation and discrimination in their places of employment or in their communities.” White urged the president to appoint a special committee to restudy the whole loyalty program.

Another correspondent put his finger directly on the problem. “If the F.E.P.C. order for the federal government is to be enforced it will be necessary for either individual federal employees or their organizations to bring instances of discrimination before the F.E.P.C. Board for review,” he pointed out to the president. “In light of the record established by the loyalty probers, I am afraid that government employees who will have the temerity of bringing such cases of discrimination
will run the risk of losing their jobs under a 'disloyalty' brand.” In short, if an employee utilized Executive Order 9980 to report evidence of discrimination, he might automatically become suspect under 9835. This was particularly possible in the postal department where the personnel chief also served as fair employment officer and chairman of the department’s loyalty board. It was a tragicomedy. While the president preached the cause of civil rights in America, the gnomes of some loyalty boards scurried throughout the bureaucracy equating the issue with communism.

The evidence of discrimination in the Post Office Department continued to mount in 1949. In January an officer of the all-Negro National Alliance of Postal Employees reported that of the 120 to 135 employees facing disloyalty charges, 66 were Negroes and 43 were Jews. Congressman Andrew Jacobs had similar figures, and he wrote to the president in March, asking why 128 of 139 persons suspected of disloyalty were Negroes or Jews. The president’s secretary replied, quoting extensively from an explanatory memorandum from the head of the Civil Service Commission, which denied the insinuation of discrimination but did not dispute the figures. There could be no discrimination, the memo maintained, because employee records contained no mention of race. The answer missed the point, for many Negroes and Jews had once belonged to civil-rights organizations that were ensconced on the attorney general’s list of subversive groups. Moreover, some names and addresses made it possible to identify people as to their race or religion.

No one in the administration seemed to be particularly concerned. In 1950 Carl Murphy of the Afro-American complained in a letter to the president that no Negro served on any of the 150 government loyalty boards, and he requested some black appointments to insure fair procedure and proper questioning. The White House forwarded the request to the Civil Service Commission for a response. The chairman of the Loyalty Review Board, Seth Richardson, could see no reason why a “proper” Negro should not serve on the board, but neither could he visualize any “particular purpose” in such a move, for “any element relating to race which creeps into any loyalty hearing is purely accidental and entirely out of harmony with our procedures and would stand no chance of survival as the program proceeded.” The White House’s response to Murphy, nearly two months after his protest, was clearly a brush-off and emphasized that the commission, not the president, was responsible for appointments to the loyalty boards.

Although Truman subsequently became concerned about possible
excesses in the loyalty program and about the deteriorating morale of federal employees, the onslaught of McCarthyism forced the administration into a defensive position. Moreover, no evidence exists of any presidential concern for the fact that Executive Orders 9835 and 9980 sometimes worked at cross purposes. Indeed, Truman may never have realized it. During his news conference of March 2, 1950, his response to a reporter's question concerning a possible conflict revealed his failure to understand the import of the query.49

During the Truman years the number of employees actually fired because of "excessive" zeal on civil rights or because of past or present membership in suspect civil-rights organizations was miniscule. But no one will ever know how many resigned under pressure or out of fear, how many applicants were rejected because of past or present affiliations, or how many employees refused to report examples of discrimination for fear of a counterinvestigation of their own loyalty. These intangibles, these fugitive statistics, suggest a much larger and even less wholesome story.

Although minority-group leaders appreciated the president's appointment of a Fair Employment Board in civil service and although they found large portions of the loyalty program distasteful, they never allowed their appreciation or their concern to divert them from the main goal of securing an FEPC to scrutinize and enforce fair employment practices outside the governmental bureaucracy. A. Philip Randolph, in particular, continued to agitate for what he considered the black man's most important goal—economic equality and opportunity in America. With the refusal of Congress to pass FEPC legislation, Randolph, Walter White, and others shifted their attention to the White House. Although the mass militancy that Randolph had exploited so effectively in 1940 and 1941 was absent in 1950 and 1951, the Korean War seemed to provide the necessary leverage. On July 26, 1950, Randolph wired the president, urging that he "issue an Executive Order similar to President Roosevelt's 8802 . . . as an integral factor in the mobilization of manpower against North Korean Communist aggression." As the military situation in Korea deteriorated throughout the summer of 1950, Randolph, White, and Lester Granger sought to persuade government officials of the necessity for maximum utilization of human resources—which meant the fair employment of minorities in defense industries.50

On August 10, 1950, as UN forces fought a desperate holding action in southeastern Korea, black leaders representing a dozen organizations met with Stuart Symington, head of the National Security
Equal Employment Opportunity

Resources Board, and Secretary of Labor Maurice Tobin to urge a five-point defense program, with a presidentially created FEPC at the top of the list. On August 15 Symington also conferred with Urban League officials, who advocated similar action. Although Symington agreed with the necessity for some sort of manpower policy, nothing happened for over two months, despite Walter White's concerned inquiries. By mid October, White could only assume that the Korean War and the approaching congressional elections had something to do with the delay.61

Actually, from mid August to mid October 1950, the proposal was stalled in the Department of Labor. Suddenly, the department came off dead center, and the last two weeks of October saw a flurry of activity and a series of meetings with Negro leaders. The result was a draft of an executive order that took a manpower rather than an FEPC approach to the problem. The draft was quickly forwarded to the White House, which was reportedly scheduled to issue or say something on October 30.62 Again, nothing happened. Perhaps the forthcoming congressional elections had something to do with the White House decision not to act. It is more plausible that the delay was connected with the continuing war in Korea. For at that moment UN forces were streaming across North Korea, following their dramatic break-out of the Pusan perimeter and their amphibious landing at Inchon in September; and General MacArthur was soon publicly to predict an early end to the war. Indeed, he had already privately assured the president of victory during a conference at Wake Island. And the end of the war would obviate a manpower policy, at least in the administration's eyes.

Meanwhile officials of the Department of Labor held a conference on November 29 with Negro leaders, who "rejected" a proposed executive order because it failed to include any centralized administration or any provision for enforcement. Unhappy with the Labor Department, they planned next to seek an appointment with the president, although they could not have been overly optimistic at that point. Once again, however, the misfortunes of war abroad promised to aid minorities at home, for UN forces in Korea had suffered a drastic reversal as a result of MacArthur's ill-advised rush to the Yalu River in late November 1950. Chinese troops were now flooding into North Korea, threatening to drive UN forces completely from the peninsula. On December 14, as Truman prepared to declare a national emergency, Randolph appealed to him to include an executive order establishing an FEPC in his proclamation. The following day, Truman in-
formed the American people of the "great danger" to the United States as a result of the grave turn of events in Korea and announced the appointment of Charles E. Wilson to head the new Office of Defense Mobilization. And on December 16 he declared a national emergency, without, however, mentioning the FEPC.  

Yet Negroes were hopeful at this point. On December 27, 1950, faced with the prospect of a longer war and with the incessant pressure of civil-rights organizations, the Department of Labor forwarded to the White House a proposed executive order that called for the establishment of a fair employment practices committee with adequate powers of enforcement. In his covering letter, Secretary of Labor Tobin observed that "for some time to come the federal government will be spending billions of dollars for defense purposes. It is unthinkable that the federal government should permit these funds to be expended without imposing on those favored with government business the obligation to refrain from unsocial discriminatory employment practices and without providing effective means of enforcing such an obligation." The National Security Resources Board also submitted its own version of a "Manpower Resources Board," and predictions of early White House action quickly appeared in the Negro press.  

Although encouraged, Walter White, Randolph, and others were also wary, for they were old hands at dealing with the government and its various devices of delay. Moreover, they knew that the White House had referred the Labor proposal, as was customary, to the Bureau of the Budget for approval and that persistent pressure had to be continued. Thus, on January 4, 1951, they met with Stuart Symington and Charles Wilson and received the enthusiastic support of both. Wilson in particular indicated that he would strongly urge issuance of the executive order immediately. The next stop was the president. On January 9 White, Randolph, Tobias, and Granger—indeed, the major Negro leaders of the day—requested an audience to discuss "certain policies for our government to adopt in this war crisis which we consider of vast and vital importance to the unity and strength of our country." But the White House was not receptive and urged a conference with Mobilization Director Wilson, which Randolph rejected. The White House was developing a case of nerves, however, and briefly considered a presidential statement to the people explaining that the Budget Bureau was studying several FEPC proposals and comparing them with existing statutes to determine their legality.  

Instead, on January 17, 1951, Truman issued a National Manpower Mobilization Policy, which called for "the maximum develop-
Among other things, the policy urged all executive agencies to provide assistance to private industry in "promoting maximum utilization of the labor force including women, physically handicapped, older workers, and minority groups" and promised to invoke government manpower controls to assure success of the program. But the program was largely voluntary and was even less satisfactory than an FEPC without enforcement power, for it left to the discretion of various government agencies how and to what extent they would encourage employment of minorities. The policy prompted a question during the president's news conference the following day. Asked if he intended to create an FEPC for war industries, Truman ducked the question with a piece of irrelevancy; then he dispatched a follow-up query with a quip, to the delight of the reporters present.

But Negroes were neither amused with the attempt at humor nor mollified with the manpower policy. Several editorials appeared in the black press, crisply demanding the establishment of an executive FEPC; and the National Newspaper Publishers Association, meeting in executive session in Atlanta, made the sentiment unanimous. Moreover, Randolph and other Negro leaders kept insisting upon an audience with the president, but the White House staff kept referring them elsewhere.

The next step in the administration's campaign of conciliation and circumvention was a series of seven executive orders, issued between February and October 1951. The first order, appearing on February 2, authorized the Departments of Defense and Commerce to exercise their wartime powers in the handling of defense contracts. It also specified: "There shall be no discrimination in any act performed hereunder against any person on the ground of race, creed, color or national origin, and all contracts hereunder shall contain a provision that the contractor and any subcontractors thereunder shall not so discriminate." Six subsequent orders extended these provisions to an additional nine executive departments and agencies.

The orders, however, provided neither for adequate enforcement nor for a committee to oversee the contracts; and thus they were inadequate as means to eliminate discrimination in defense employment. Moreover, although Roosevelt's FEPC had expired in 1946 as a result of the Russell amendment, the requirement in his executive order of 1943 that all government contracts contain a nondiscrimination clause remained in effect throughout the Truman period. At best, Truman's inclusion of a nondiscrimination provision in his executive orders sim-
ply reaffirmed and revitalized the stipulation of 1943 and served as a gentle reminder to executive agencies to do what had been required of them since the Second World War. Politically, it seemed to represent a concession to the politics of civil rights and an attempt to divert pressure and criticism elsewhere.

Predictably, the order of February 2 did not pacify Negro leaders. Following a conference early in February with Charles Wilson, who agreed to issue a public statement in favor of a strong FEPC but only after presidential approval, they renewed their request for an appointment with the president. Reportedly, the buck-passing stopped at the White House; and by this time, the Negro group was weary from riding the bureaucratic merry-go-round. The White House finally relented and scheduled the meeting for February 28. Truman’s staff prepared carefully for the confrontation, briefing the president on the six points that they expected the group to present. In response to the request for an executive order creating an FEPC, the president would reply that although everyone was demanding such action, only he seemed aware of the problems with regard to authority and budget. When the Bureau of the Budget found the answer to various statutory restrictions, the president would act. As expected, the twelve Negro leaders submitted the six requests to Truman on February 28, and the president presumably responded according to plan.61

Although pressure for an FEPC continued to mount, the White House remained silent and unresponsive. It was painfully clear that the administration was deliberately stalling. For example, when a rumor circulated outside the government that Charles Wilson intended to act shortly on an FEPC, the Bureau of the Budget, which had been “studying” the executive order for at least a month, inquired of the White House if the story was authentic. In particular, the people in the bureau wanted to know if they should “change their signals” or “continue to study” the Department of Labor’s proposed executive order. The White House quickly phoned the Budget Bureau reporting “no change of signals.”62

The “signals” clearly called for indefinite delay, but the reasons for the administration’s procrastination were much less obvious. The ostensible reason was the Russell amendment of 1944, which prevented the president from expending any funds for an agency that had been created by executive order and had been in existence for more than one year, unless Congress specifically authorized or appropriated such expenditures. The amendment was aimed directly at Roosevelt’s FEPC and had contributed to the committee’s demise in 1946. There was, of
course, no direct prohibition against the establishment of such a committee. The critical problem was how to finance it, and this constituted one of the administration’s greatest concerns.63

Civil-rights advocates, who had also studied the amendment, argued that even a strict interpretation of the amendment did not preclude the establishment of a committee for one year, which the president could finance from his emergency fund. Congress, however, kept a tight rein on the emergency fund and repeatedly slashed presidential requests, even during the Korean War. More important, the Russell amendment also stipulated that the one-year provision applied to any newly created committee that performed a function “substantially the same or similar” to that of a previously established committee; and the Department of Labor’s proposed executive order would presumably fall into this category. In other words, the proposed committee apparently had already had its year. Civil-rights advocates also argued that Congress had not challenged the Fair Employment Board’s right to function or to expend funds, but they had overlooked the fact that the limited budget of the FEB, financed from the regular operating funds of the Civil Service Commission, had hobbled the board from the beginning.64 The administration could also have retorted that Congress was much less sensitive to the establishment of fair employment practices in federal civil service than to coercive measures applied to private employers with government contracts.

Certainly there were problems. When Labor Department representatives met with Negro leaders on November 29, 1950, they carefully explained the restrictions to the delegation; but the recital of difficulties failed to convince the black attorneys present, who offered convincing arguments in opposition. Apparently the Negro group converted the Department of Labor, for its proposed executive order sent to the White House on December 27, 1950, provided for a strong FEPC, to be financed either from the president’s emergency fund or from appropriations under the Defense Production Act of 1950. But a presidential assistant, in his analysis of the order—which seemed to contain a tone of irritation with the Labor Department, perhaps because the heat was now on the White House—professed to see statutory as well as financial problems.65

The analysis, apparently written by David Niles, was not encouraging, and Negroes soon blamed “Devious Dave” for the “snail’s pace” of the proposed order. They were convinced that an FEPC was legally and financially possible because of legislation supplemental to the Russell amendment of 1944. This was their best argument, for the
Independent Offices Appropriation Acts of 1945 and 1946 permitted the establishment of interagency committees without congressional authorization or approval if they were engaged "in authorized activities of common interest" that required no additional compensation or appropriation. And it was under the authority of this supplemental legislation that Truman eventually created his Committee on Government Contract Compliance in December 1951.66

So there was a road around the Russell amendment, but the administration chose not to travel it for almost a year after the Labor Department had proposed an executive order. Civil-rights advocates wanted to know why, although they had their own ideas. They were convinced that the administration was deliberately appeasing Dixiecrats in order to unify the party in preparation for the election of 1952. The appointments of Ramspeck and Caldwell seemed part of this pattern, as did the president's subordination of the civil-rights issue in his State of the Union message in 1951. So, too, did restoration of patronage to the congressional delegation from Mississippi.67

Yet the "unity" argument as applied to the campaign of 1952 is not convincing, because Truman subsequently took an even stronger stance on civil rights in 1952 than he had in 1948. True, the administration sought unity in 1951, but primarily because of the Korean War. On December 9, 1950, as UN forces were retreating pell-mell down the peninsula, Under Secretary of State James E. Webb urged the president to alter his tactics in his civil-rights battles with the South. Noting the necessity for "national unity in these perilous times," Webb observed that many southern Democrats expended much of their time and energy in "defensive operations" against the administration's civil-rights program. To enlist southern support during the emergency, he then suggested that the president adopt a "rattlesnake formula"—which meant that in matters disagreeable to the South, the president would not "strike" without warning, thus leaving southern legislators free to consider other matters of vital national interest.68

The unity theme was most obvious in the president's annual message to Congress on January 8, 1951. Speaking at a moment when it was debatable if UN forces in Korea would be able to stem the Red tide, the president devoted the bulk of his message to the war and the alleged Soviet threat elsewhere in the world, and his major legislative requests revolved around the international situation. He closed with a ringing peroration for unity, requesting everyone to "put our country ahead of our party, and ahead of our own personal interests." Presumably as part of his own contribution to national unity, he did not spe-
cifically request the enactment of civil-rights legislation—the first time he had failed to do so since 1948. Yet in issuing a clarion call to freedom-loving people everywhere, he could not completely ignore those who were deprived of it at home. Tucked in near the end of his address was the entreaty that “we must assure equal rights and equal opportunities to all our citizens.”

Truman was keenly aware of the problems that he faced in the winter and spring of 1951, if others were not. In an off-the-record meeting on May 21 with several members of the Americans for Democratic Action—including Francis Biddle, Joseph L. Rauh, James B. Carey, Hubert Humphrey, Arthur Schlesinger, Jr., Reinhold Niebuhr, and Col. Campbell C. Johnson—the president carefully explained the reasons for the delay in creating an FEPC and promised action at the earliest possible date. He emphasized that the civil-rights issue was only part of the liberal program, and that the total program had to survive the campaign of 1952. It also had to survive 1951, as did those measures necessary for the war effort; the president was particularly worried about the pending appropriations and manpower bills. Those in attendance went away convinced of Truman’s continuing commitment to the liberal cause and sympathetic with his political difficulties. “He has his head in the lion’s mouth,” Campbell Johnson noted later, “and this is no time to tickle the lion.”

Truman’s fears were not imaginary, for by May 1951 his program was in deep trouble with Congress. For one thing, he had requested authority for temporary reorganization of federal agencies concerned with the national emergency; but when the bill appeared on the floor of the House, southerners professed to see an administrative maneuver to establish an FEPC by executive order. On March 13 Truman suffered his first outstanding legislative defeat of 1951 when the House rejected the bill. The coalition of southern Democrats with Republicans was at work. Of the 169 votes for the bill, 161 were Democratic, while 181 Republicans and 46 Democrats, mostly from the South, voted against it. The same coalition also reduced his request for low-rental housing from fifty thousand to five thousand units and cut other requests severely. Congress was in a vengeful as well as a tight-fisted mood.

In view of the House vote on executive reorganization, the conservative coalition obviously suspected the president of not operating according to Webb’s “rattlesnake formula”; and some evidence suggests that the administration did plan to strike without warning on an FEPC. In his 1951 budget message Truman requested an appropria-
tion of $25 million for his emergency fund to use at his discretion “for emergencies affecting the national interest, security, or defense which may arise at home or abroad.” The request was a dramatic increase over the usual $1 million appropriation for the fund, and southerners suspected that Truman had an executive FEPC in mind.\(^72\)

They may have been right. Truman’s request for the unusually large appropriation also included the provision that none of the funds could be used to finance a function or project for which the administration had submitted a budget request that Congress had subsequently denied. Interestingly enough, Truman’s budget message included an appeal for congressional establishment of an FEPC, but the budget itself contained no request for appropriations for such a committee, although such requests had been included in past budget messages. Thus, by omitting any request for appropriations for an FEPC, which Congress would inevitably reject, the president could use his emergency fund to finance the committee. If this was White House strategy, the House on the Hill thwarted it. On May 4 the conservative coalition shattered any hope of financing a fair employment committee created by executive order when it slashed the president’s request from $25 million to $1 million.\(^73\)

If the administration harbored a secret strategy, it had to be kept from everyone, including civil-rights advocates. Truman was in a dilemma, for Negro leaders refused to accept the “unity” argument as a satisfactory explanation for inaction on an executive FEPC. Throughout the spring and early summer of 1951, the drumfire of criticism and the application of pressure continued. Telegrams and letters poured into the White House. Civil-rights organizations pleaded for executive action, and the Negro press denounced the president in stinging editorials.\(^74\)

Through it all, Truman remained publicly imperturbable. In his news conference on June 21, for example, he simply refused to comment on the matter. The campaign for an executive order peaked on June 25, 1951, the tenth anniversary of Roosevelt’s issuance of 8802 and the first anniversary of the Korean War. Truman was reminded of both when sixteen national civil-rights, labor, and liberal organizations wired the White House, urging a new FEPC “to assure to every American, regardless of race, religion, or national origin, an equal opportunity to contribute his utmost skills and talents to the production of the tools and weapons so urgently needed by our armed forces, and to demonstrate to the peoples of the world that the United States is the exemplar as well as the exponent of democracy.” Governors of seven
states and mayors of eight cities also proclaimed June 25 as Fair Employment Practices Day.\textsuperscript{75}

It was an impressive outburst of sentiment and unity, but the president refused to respond. Moreover, the volume and tone of the protests dropped off in the fall, particularly after Truman vetoed the bill that would have required segregation of schools for military dependents in southern states. Nonetheless, the administration came off dead center near the end of October when Truman told Charles Murphy to draft an order “along the World War II line” so that he could “issue it as soon as possible.” And on December 3, 1951, after Congress had adjourned and after the Korean War had shown decided improvement, the president issued Executive Order 10308 from his vacation home in Key West, Florida.\textsuperscript{76}

In his covering statement, the president explained that the order was designed to correct a deficiency in the government’s program of nondiscrimination in defense contracts. Although a clause to that effect was included in each contract, the system lacked uniform regulation and inspection. The order thus invested in each contracting agency of the federal government the primary authority to secure compliance from the contractors in the private sector. To oversee the operation, the president created the Committee on Government Contract Compliance, which would “examine and study the compliance procedures now in use and . . . recommend to the department and agency heads changes that will strengthen them.” Truman also explained that “as part of its functions, the committee may confer with interested persons”—a euphemism which meant that the committee could hold hearings but lacked the power of the subpoena.\textsuperscript{77} By investing his new committee with the cumbersome and inelegant title of “Committee on Government Contract Compliance,” Truman was seeking to avoid not only the political onus of the letters “FEPC” but also any comparisons with Roosevelt’s committee because of the statutory restrictions of the Russell amendment.

It took only a glance to reveal the inadequacies of Executive Order 10308. For one thing, it placed primary responsibility on the contracting agency, which meant not only a dispersal of responsibility and authority but also left enforcement to the discretion of federal officials who may have been less than enthusiastic about the program. In this respect, the order paralleled 9980 and the operating procedures of the Fair Employment Board. Similarly, the Committee on Government Contract Compliance (CGCC) had only advisory and recom-
mandatory functions. Without the power to issue cease-and-desist orders, its major contribution would be hortatory and educational.

The scope of the CGCC was also much more restricted than that of Roosevelt’s FEPC. Truman’s committee was authorized to deal only with government contractors and subcontractors, whereas the FEPC had had powers to examine discrimination in transportation, labor unions, and other economic activities. Of course, this was not simply an oversight, for in drafting the new order the administration was extremely careful to avoid anything that might conflict with the Russell amendment. Caution was clearly necessary, for the CGCC could not afford to become ensnared in a legal hassle or placed in political limbo. From the moment of its creation, the committee was suspect—to some because it seemed to promise so little, to others because it lacked congressional approval and seemed to threaten the sanctity of private enterprise.

Finally, the CGCC was financially hampered. Its expenses came from the regular budgets of the five government agencies represented on the committee, and the public appointees on the CGCC served without pay. Furthermore, its staff was too small to engage in effective investigation of complaints. To illustrate the problem, the personnel of Roosevelt’s second FEPC included fifty-six professional people and sixty-three clerks, in contrast with only six professionals and four clerks attached to Truman’s committee.

Yet the CGCC was not completely impotent. It could publicize instances of discrimination through hearings and press releases. It could recommend action to Charles Wilson, director of defense mobilization, and, through him, to the president. The committee could also urge the federal contracting agencies, who held such power, to cancel contracts with private employers who continued to discriminate against minority groups on government projects. Unfortunately, no government contracting agency during the Truman administration ever canceled a contract because of failure to observe the nondiscrimination clause, despite abundant evidence in some cases. In fact, in 1969 the Courier reported that the government had never revoked a contract solely on the grounds of racial discrimination.

The White House, however, did not conceive of the CGCC as an idle gesture or as a political pacifier. Impressed with the success of the Fahy Committee in persuading the military to establish procedures to end segregation in the armed forces, the administration hoped to achieve the same result with the CGCC through cooperation and consultation with private employers who held government contracts. This
expectation, though misplaced, pervaded the White House staff. When press secretary Joseph Short explained the order to reporters in Key West, he noted that it should be compared with the executive order establishing the Fahy Committee, which had “pointed the way toward ending discrimination in our fighting forces.” The hope of similar success in employment was also symbolized in the appointment as chairman of the CGCC of Dwight R. G. Palmer, who had served as a member of the Fahy Committee. In his letter of appointment to Palmer, the president recalled his “significant contribution” to the Fahy Committee and expressed confidence that “the techniques of close cooperation with the departments that you and your associates worked out in that earlier committee will provide a sound basis for the new program.”

Given the obvious weaknesses, both internal and external, of the CGCC, no one could expect unanimous applause from the black community. Actually, the reaction of civil-rights organizations was mixed, while white southern opinion was uniformly critical. To J. William Fulbright of Arkansas, the presidential order appeared as a “diversionary movement” to take the public spotlight off the tax-collection scandals, and to Senator Walter F. George, as the opening gun in Truman’s campaign for reelection in 1952. On the other side of the racial spectrum, the strongest criticism came from leaders of the NAACP. Clarence Mitchell of the association’s Washington bureau was depressed because of the order’s lack of enforcement power, and Walter White contended that the administration could have issued a more effective order. Elmer Henderson of the American Council for Human Rights was similarly disappointed.

Yet there was also impressive support in black editorials, for Truman had surprised many editors who no longer expected or demanded executive action. The Courier, for example, saw it only as “half-a-loaf FEPC” but the best Truman “could do under the circumstances.” The Afro-American, although it also desired a stronger committee, argued that Truman had “again demonstrated the courage and steadfastness of purpose which will characterize his place in history.” Even Lester Granger, who seldom overlooked an opportunity to criticize the president, found much to applaud in the CGCC. Undismayed by the committee’s lack of enforcement power, he contended that the “negotiative and consultative process . . . can often yield more important results than . . . legislative or judicial fiat.” Perhaps he, too, was speaking with the authority of his experience on the Fahy Committee.

Even those who were most disappointed with the order, however,
were willing to concede the possibility of accomplishment if the president appointed the right people to the CGCC. Here, the administration indicated its seriousness of purpose. The committee consisted of ten members, four of whom were ex officio representatives of the Departments of Defense and Labor, the Atomic Energy Commission, the General Services Administration, and the Defense Materials Procurement Agency. In addition to Palmer as chairman, the president also appointed James B. Carey of the CIO; Irving M. Engel of the American Jewish Committee; George Meany of the AFL, who soon resigned because of the pressure of time and was succeeded by Boris Shishkin; Oliver W. Hill, a Negro attorney and former member of the Richmond City Council; and Dowdal H. Davis, general manager of the Kansas City Call. Thus, the six working members of the committee included two Negroes and two Jews, though, typically, an Anglo-Saxon chaired the committee.

Despite the caliber of its membership, no one was inspired with the first six months of the committee’s operation. In June 1952 Clarence Mitchell accused the CGCC of taking no “concrete action on discrimination in employment” and submitted various recommendations to expedite matters. And in fact, the committee seemed to be moving with glacial speed. It did not hold its first meeting until February 19, 1952, at which time Palmer emphasized the advisability of not issuing any press releases and of avoiding all publicity until the committee had gathered extensive data. That decision meant that the CGCC would not use the power of public exposure to prompt conformance with the nondiscrimination clause. Although the committee examined a few complaints of discrimination in the spring, it was not until April that an executive secretary was appointed. And not until November did the committee finally decide upon what size contracts should be to contain nondiscrimination clauses. This seemingly leisurely pace inevitably created the impression of indifference and inactivity.

Actually, the committee clearly understood its function and what it could hope to achieve. Restricted both in authority and by time as to what it could accomplish during the last year of the Truman administration, the CGCC concentrated on the future, attempting to ensure a stronger program through a number of recommendations based on a thorough study of the entire contract process. As far as private contractors were concerned, the CGCC “found the nondiscrimination provision almost forgotten, dead and buried under thousands of words of standard legal and technical language in government procurement contracts.” Although the committee reported that some employers had
attempted to fulfill the spirit of the nondiscrimination clause, most saw it “as just another contractual clause of relatively minor importance and have made little, if any, attempt to adhere to its standards.”

Nor did the government contracting agencies have anything to boast about, for they were partly responsible for the indifference of private contractors. In the course of its year in operation, the CGCC studied the contract and compliance procedures of twenty-eight government agencies and found only two that had made any real effort to determine the extent of compliance. Admittedly, the problem in part was one of inadequate staffing and financing. It was also one of indifference and opposition, for the committee discovered three federal agencies that failed to include nondiscrimination clauses in their contracts, which was in direct violation of all executive orders. That “neglect” was quickly corrected. Moreover, after consultation with representatives of the Office of Defense Mobilization, the Bureau of Employment Security, the Bureau of Apprenticeship, the Maritime Administration, the Office of Education, and the Veterans Administration, the committee confessed only “a meager degree of success in its attempts to persuade these key agencies to establish the principle of equal employment opportunity as one of the basic operating criteria of their programs.” The Office of Defense Mobilization, however, finally promised to include a strong statement against discrimination in its regular policy directives. But the District of Columbia balked, refusing even to include the nondiscrimination clause in contracts, because it claimed to operate under the legislative branch of the government where presidential executive orders had no authority.

Throughout the year the committee also held discussions with official representatives of the twelve states and several cities that had fair employment commissions, discussions that again illuminated the fact that discrimination respected no geographical, industrial, or ideological boundaries. Various members made spot checks across the country, including a visit to Texas to assess the extent of discrimination against Mexican-Americans. Yet the CGCC, as was true of other agencies and organizations involved in attempts to establish equal employment opportunities, concentrated primarily on discrimination against Negroes, for that was where most of the pressure, the numbers, and the problems existed. Seeking advice and information, CGCC members also contacted experts in various universities and municipal commissions and took testimony from several civil-rights organizations.

Discrimination was everywhere, particularly against black Americans, and the statistics told only a small part of the story. From Feb-
uary to December 1952, the CGCC received only 318 complaints, but that was considerably more than the total of 40 received by the government contracting agencies. The committee could only conclude that most workers knew nothing of the nondiscrimination clause or of the procedures for registering grievances and that most contracting federal agencies lacked uniform machinery for handling complaints. The CGCC could not doubt the existence of widespread discrimination after a few of its own investigations. A survey of three industrial plants in West Virginia, for example, revealed only 130 Negroes employed in a work force of 12,000, and most of the 130 were custodial workers.

The Committee on Government Contract Compliance was active, it was concerned, and it did persuade and press some employers to adopt more enlightened hiring policies. The very existence of the committee automatically prompted some compliance. And there were impressive gains in minority employment during this period, which stemmed, however, from influences in addition to the administration’s fair employment policies. Certainly the increased need for civilian and military manpower during the Korean War and the incessant pressure of civil-rights organizations played prominent roles in dropping the unemployment rate of black Americans in 1951 and 1952. In fact, not until 1969—during another war—would the rate again be as low. Yet the major contribution of Truman’s Committee on Government Contract Compliance rested primarily on whatever influence it might exert on the future. This the committee realized from the beginning of its operations, and it designed its final recommendations for the benefit of the next administration.

In its report to the president on January 16, 1953, the CGCC presented twenty-two recommendations for action on the part of federal executive agencies, Congress, local governmental units, private employers, and labor unions. Although the Eisenhower administration implemented some of the committee’s suggestions, others seemed consigned permanently to limbo. Of greater significance was the simple fact that Truman’s establishment of the CGCC made it impossible for subsequent administrations to ignore the necessity for similar programs. In August 1953 Eisenhower created the President’s Committee on Government Contracts, which the Kennedy administration in turn replaced with the President’s Committee on Equal Employment Opportunity.

Truman’s CGCC thus ensured the continuation of a government fair employment program, but it could guarantee nothing else, least of all any improvement. In 1961 the U.S. Commission on Civil Rights
reported that employment patterns of government and nongovernment contractors alike generally reflected the racial mores of the local community or region.\textsuperscript{92} Thus, while minority groups benefited from fair employment in federal civil service and from increased opportunity in the armed services, they continued to suffer from discrimination in the private sector of the economy. In 1969, for example, the Department of Defense awarded contracts to several southern firms, despite evidence that they practiced discrimination and despite reservations on the part of the government’s Office of Federal Contract Compliance.\textsuperscript{93}

The persistence of discrimination on the part of employers and labor unions and the continued indifference of some government agencies throughout the 1950s and 1960s thus provide the perspective by which to judge the actions of the Truman administration. As a result of Truman’s Fair Employment Board and the Committee on Government Contract Compliance, fair employment policy became a permanent part of the federal system. Unfortunately, the government has yet to translate that policy into consistent and meaningful fair employment practices.