

Negroes

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U.S. DEPARTMENT OF LABOR
U.S. Bureau of Labor Statistics

NOTES ON THE
ECONOMIC SITUATION OF NEGROES
IN THE UNITED STATES

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Notes on the Economic Situation of Negroes in the United States was originally prepared by the Bureau of Labor Statistics in May 1957 as background material for the use of the United States delegation to the International Labor Conference in Geneva in June 1957. That Conference included on its agenda the topic of discrimination in employment.

This issue of Notes is a revision of the 1957 edition, bringing up to date the statistical tables, and adding material on the Office of the Minority Groups Consultant in the U.S. Department of Labor and on the Civil Rights Act of 1957, which was passed after the first issue of Notes had been prepared.

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Changes in the population,
including armed forces overseas, by color
1950 to 1957

<u>All ages</u>	<u>April 1, 1950</u>	<u>July 1, 1957</u>	<u>Percent change</u>
White	135,343,000	152,464,000	+ 12.6
Nonwhite	15,789,000	18,766,000	+ 18.9

In 1950, Negroes comprised 95.5 percent of the nonwhite population. On this basis, in 1957 there were almost 18 million Negroes, an increase since 1950 of about 19 percent.

Source: U. S. Department of Commerce
Bureau of the Census

Employment Status of Negroes, 1940-57

Long-term trends

Among the most important social and economic developments of the past several decades has been the steady improvement in the status of Negro persons. Although they still lag behind whites in many respects--in education, income, and type and adequacy of employment, to mention a few--the historical differentials between the two have been narrowing.

In terms of labor force participation, almost all men in ages 25 to 54, both white and Negro, are in the labor force. For the other groups--women and younger and older men---the proportions of Negroes in the labor force have traditionally exceeded those of the comparable white population groups. The differences are not so great, however, as they were just a few years ago. This is particularly the case among teenage boys and men 65 years and over. In 1951, for example, the proportion of Negro teenage boys in the labor force was 55 percent compared with 49 percent for white boys. In 1957, the difference was less than 1 percentage point. The continued exodus of Negroes from sharecropping and other small-scale farm enterprises--where the very young and old tend to work in larger proportions than elsewhere--has been a major factor in reducing this gap.

Occupational differentials are still quite large between the two groups, with Negroes predominating in the relatively unskilled fields. Some improvement has been observed in this respect since 1940. About 13 percent of the Negro employed were in professional, managerial, and other white-collar occupations in 1957, as compared with only 6 percent in 1940. Among whites, the comparable proportion (about 45 percent in 1957) has also risen during the same period but to a relatively smaller degree.

The number of Negro men who were professional, technical, and kindred workers almost doubled, as did managers, proprietors, and officials. The number of Negro men employed as clerical workers was more than five times as large in 1957 as in 1940.

In the skilled and semi-skilled blue-collar occupations, there has been no marked change in the past few years, but Negroes have generally held on to the gains made during World War II. Negro men employed as craftsmen were two and one-half times as numerous in 1957 as in 1940 and factory operatives had almost tripled. On the other hand, there was a marked decline in the number of Negro men employed in private household service, as farmers, and as farm laborers.

Changes in the numbers of Negro women employed in different occupational groups between 1940 and 1957 also show a rise in their employment opportunities, and in their ability to take advantage of new openings. By 1957, the number of Negro women employed as clerical

workers had risen to 200,000, more than ten times as many as in 1940. The number of those classified as professional and technical workers doubled and the group of Negro women sales workers was more than 4 times as great. The number of Negro women employed as operatives and service workers not in private households had approximately tripled. During the period, the number of Negro women working as domestic servants in private households remained about the same.

Recent developments

Unemployment rates have historically been higher among Negroes than among white workers. In the economic downturn of the past year, unemployment rates have increased among all groups of workers. The rates for nonwhite men have risen about as much as for white men. About 1 out of 7 Negro male workers was jobless in April 1958, and a large proportion of these men were from unskilled and semi-skilled occupations. These are the occupations where layoffs have been heaviest. In the past year, employment of both white and Negro men in semi-skilled jobs has declined almost 10 percent. In the unskilled group, however, employment has declined more sharply for Negro men than for white men.

Involuntary part-time and part-year work is always more prevalent among Negro than among white workers. To some extent, these differences are probably due to the concentration of Negro workers in the less skilled occupations within each industry group and their lower seniority ratings due to their more recent entry into factory and office work. During the last year, the proportion working part time because of economic reasons has about doubled for both white and Negro men workers.

Percent of the civilian population in the labor force 1/,
by color, age, and sex,
annual averages 1951 and 1957

Age	Male				Female			
	Nonwhite		White		Nonwhite		White	
	1951	1957	1951	1957	1951	1957	1951	1957
Total, 14 and over	83.7	80.8	84.0	82.0	44.9	45.5	32.6	34.7
14-19.....	55.3	46.1	49.2	45.8	28.9	25.8	32.5	31.3
20-24.....	88.7	89.6	88.4	86.7	45.4	46.7	46.7	45.9
25-34.....	95.7	96.1	97.0	97.1	51.1	50.5	33.6	33.5
35-44.....	96.4	96.5	97.6	97.9	55.3	58.8	38.0	41.4
45-54.....	95.1	93.5	96.0	96.6	55.5	56.9	38.0	45.4
55-64.....	84.6	82.2	87.4	87.9	39.8	44.3	26.3	33.7
65 and over.....	49.5	35.9	44.5	37.6	14.0	13.3	8.5	10.3

1/ Excludes persons in institutions.

U. S. DEPARTMENT OF LABOR
Bureau of Labor Statistics

Source: U. S. Department of Commerce
Bureau of the Census

Major occupation group of employed persons by color and sex,
April 1940 and April 1957

Major occupation group and sex	White			Nonwhite		
	Number (in	Percent	: change	Number (in	Percent	: change
	thousands)	: 1940 : 1957		thousands)	: 1940 : 1957	
Total employed men.....	31,021	39,526	27.4	3,081	4,094	32.9
Professional, technical, and kindred workers.....	1,835	4,013	118.7	58	114	96.6
Managers, officials, and proprietors, except farm.....	3,276	5,551	69.4	50	87	74.0
Clerical and kindred workers...	2,204	2,847	29.2	36	201	458.3
Sales workers.....	2,091	2,555	22.2	29	40	37.9
Craftsmen, foremen, and kindred workers.....	4,822	8,111	68.2	136	364	167.6
Operatives and kindred workers.	5,820	7,677	31.9	376	1,032	174.5
Private household workers.....	56	33	- 41.1	90	23	- 74.4
Service workers, except private household.....	1,814	2,189	20.7	383	581	51.7
Farmers and farm managers.....	4,341	2,979	- 31.4	656	255	- 61.1
Farm laborers and foremen.....	2,119	1,065	- 49.7	615	353	- 42.6
Laborers, except farm and mine.	2,340	2,505	7.1	631	1,044	65.5
Occupation not reported.....	303	-	-	21	-	-
Total employed women.....	9,707	18,076	86.2	1,572	2,565	63.2
Professional, technical, and kindred workers.....	1,393	2,201	58.0	67	141	110.4
Managers, officials, and proprietors, except farm.....	415	1,079	160.0	12	37	208.3
Clerical and kindred workers...	2,386	6,010	151.9	16	206	1,187.5
Sales workers.....	780	1,558	99.7	9	40	344.4
Craftsmen, foremen, and kindred workers.....	115	211	83.5	3	16	433.3
Operatives and kindred workers.	1,964	3,004	53.0	104	387	272.1
Private household workers.....	1,049	1,126	7.3	912	1,069	17.2
Service workers, except private household.....	1,095	2,109	92.6	165	514	211.5
Farmers and farm managers.....	115	123	7.0	50	24	- 52.0
Farm laborers and foremen.....	119	594	399.2	201	101	- 49.8
Laborers, except farm and mine.	88	61	- 30.7	15	30	100.0
Occupation not reported.....	190	-	-	17	-	-

Percent distribution of employed persons,
by major occupation group, color, and sex,
April 1940 and April 1957

Major occupation group and sex	White		Nonwhite	
	1940	1957	1940	1957
Total employed men.....	100.0	100.0	100.0	100.0
Professional, technical, and kindred workers.....	5.9	10.2	1.9	2.8
Managers, officials, and proprietors, except farm.....	10.6	14.0	1.6	2.1
Clerical and kindred workers.....	7.1	7.2	1.2	4.9
Sales workers.....	6.7	6.5	.9	1.0
Craftsmen, foremen, and kindred workers	15.5	20.5	4.4	8.9
Operatives and kindred workers.....	18.8	19.4	12.2	25.2
Private household workers.....	.2	.1	2.9	.6
Service workers, except private household.....	5.8	5.5	12.4	14.2
Farmers and farm managers.....	14.0	7.5	21.3	6.2
Farm laborers and foremen.....	6.8	2.7	19.9	8.6
Laborers, except farm and mine.....	7.5	6.3	20.5	25.5
Occupation not reported.....	1.0	-	.7	-
Total employed women.....	100.0	100.0	100.0	100.0
Professional, technical, and kindred workers.....	14.3	12.2	4.3	5.5
Managers, officials, and proprietors, except farm.....	4.3	6.0	.8	1.4
Clerical and kindred workers.....	24.6	33.2	1.0	8.0
Sales workers.....	8.0	8.6	.6	1.6
Craftsmen, foremen, and kindred workers	1.2	1.2	.2	.6
Operatives and kindred workers.....	20.2	16.6	6.6	15.1
Private household workers.....	10.8	6.2	58.0	41.7
Service workers, except private household.....	11.3	11.7	10.5	20.0
Farmers and farm managers.....	1.2	.7	3.2	.9
Farm laborers and foremen.....	1.2	3.3	12.8	3.9
Laborers, except farm and mine.....	.9	.3	.9	1.2
Occupation not reported.....	2.0	-	1.1	-

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Source: U. S. Department of Commerce
Bureau of the Census

Nonwhite employment as a percent of total employment
in each major occupation group, by sex,
April 1940 and April 1957

Major occupation group	Men		Women	
	1940	1957	1940	1957
Total employed.....	9.0	9.4	13.9	12.4
Professional, technical, and kindred workers.....	3.1	2.8	4.6	6.0
Managers, officials, and proprietors, except farm.....	1.5	1.5	2.8	3.3
Clerical and kindred workers.....	1.6	6.6	.7	3.3
Sales workers.....	1.4	1.5	1.1	2.5
Craftsmen, foremen, and kindred workers..	2.7	4.3	2.3	7.0
Operatives and kindred workers.....	6.1	11.8	5.0	11.4
Private household workers.....	61.8	41.1	46.5	48.7
Service workers, except private household.....	17.4	21.0	13.1	19.6
Farmers and farm managers.....	13.1	7.9	30.2	16.3
Farm laborers and foremen.....	22.5	24.9	62.9	14.5
Laborers, except farm and mine.....	21.2	29.4	14.4	33.0

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Source: U. S. Department of Commerce
Bureau of the Census

Employment status of the civilian population, by color and sex,
April 1957 and April 1958

Employment status and sex	White			Nonwhite		
	Number (in	Percent		Number (in	Percent	
	thousands	change		thousands)	change	
	: 1957 : 1958	: 1957-1958 :		: 1957 : 1958	: 1957-1958 :	
<u>Men</u>						
Civilian population.....	50,358	51,139	1.6	5,488	5,585	1.8
Civilian labor force.....	40,981	41,293	.8	4,448	4,481	.7
Percent of population...	81.4	80.7	- .9	81.0	80.2	- 1.0
Employed.....	39,526	38,455	- 2.7	4,094	3,827	- 6.5
Agriculture.....	4,197	4,096	- 2.4	675	608	- 9.9
Nonagricultural industries	35,329	34,359	- 2.7	3,419	3,219	- 5.8
Unemployed.....	1,455	2,838	95.1	354	654	84.7
Percent of labor force..	3.6	6.9	91.7	8.0	14.6	82.5
<u>Women</u>						
Civilian population.....	55,146	55,926	1.4	6,245	6,352	1.7
Civilian labor force.....	18,791	19,371	3.1	2,732	2,883	5.5
Percent of population...	34.1	34.6	1.5	43.7	45.4	3.9
Employed.....	18,076	18,112	.2	2,565	2,513	- 2.0
Agriculture.....	728	705	- 3.2	155	150	- 3.2
Nonagricultural industries	17,348	17,407	.3	2,411	2,363	- 2.0
Unemployed.....	715	1,258	75.9	167	370	121.6
Percent of labor force..	3.8	6.5	71.1	6.1	12.8	109.8

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Source: U. S. Department of Commerce
Bureau of the Census

Major occupation group of employed persons by color and sex,
April 1957 and April 1958

Major occupation group and sex	White			Nonwhite		
	Number (in		Percent	Number (in		Percent
	thousands)		change	thousands)		change
	1957	1958	1957-1958	1957	1958	1957-1958
Total employed men.....	39,526	38,454	- 2.7	4,094	3,827	- 6.5
Professional, technical, and kindred workers.....	4,013	4,288	6.9	114	125	9.6
Managers, officials, and pro- prietors, except farm.....	5,551	5,509	- .8	87	110	26.4
Clerical and kindred workers....	2,847	2,613	- 8.2	201	178	- 11.4
Sales workers.....	2,555	2,571	.6	40	56	40.0
Craftsmen, foremen, and kindred workers.....	8,111	7,897	- 2.6	364	333	- 8.5
Operatives and kindred workers..	7,677	7,067	- 7.9	1,032	942	- 8.7
Private household workers.....	33	36	9.1	23	22	- 4.3
Service workers, except private household.....	2,189	2,052	- 6.3	581	593	2.1
Farmers and farm managers.....	2,979	2,770	- 7.0	255	242	- 5.1
Farm laborers and foremen.....	1,065	1,152	8.2	353	329	- 6.8
Laborers, except farm and mine..	2,505	2,498	- .3	1,044	896	- 14.2
Total employed women.....	18,076	18,112	.2	2,565	2,513	- 2.0
Professional, technical, and kindred workers.....	2,201	2,437	10.7	141	146	3.5
Managers, officials, and pro- prietors, except farm.....	1,079	1,008	- 6.6	37	48	29.7
Clerical and kindred workers....	6,010	6,041	.5	206	200	- 2.9
Sales workers.....	1,558	1,443	- 7.4	40	35	- 12.5
Craftsmen, foremen, and kindred workers.....	211	202	- 4.3	16	18	12.5
Operatives and kindred workers..	3,004	2,651	- 11.8	387	335	- 13.4
Private household workers.....	1,126	1,278	13.5	1,069	1,010	- 5.5
Service workers, except private household.....	2,109	2,305	9.3	514	549	6.8
Farmers and farm managers.....	123	107	- 13.0	24	19	- 20.8
Farm laborers and foremen.....	594	558	- 6.1	101	130	28.7
Laborers, except farm and mine..	61	82	34.4	30	22	- 26.7

U.S. DEPARTMENT OF LABOR
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Source: U. S. Department of Commerce
Bureau of the Census

Persons at work in nonagricultural industries, by full- or part-time status,
by color and sex, March 1958

(Percent distribution)

Hours worked, usual status, and sex	White	Nonwhite
<u>Men</u>		
Total at work.....	100.0	100.0
35 hours or more.....	85.6	75.1
1-34 hours.....	14.4	24.8
Usually work full time at present job....	7.7	13.5
Worked part time for economic reasons..	4.2	6.9
Worked part time for other reasons.....	3.5	6.6
Usually work part time at present job....	6.7	11.3
Worked part time for economic reasons..	1.4	5.5
Worked part time for other reasons.....	5.3	5.8
<u>Women</u>		
Total at work.....	100.0	100.0
35 hours or more.....	72.1	61.0
1-34 hours.....	27.8	38.9
Usually work full time at present job....	6.7	8.4
Worked part time for economic reasons..	3.5	4.3
Worked part time for other reasons.....	3.2	4.0
Usually work part time at present job....	21.1	30.6
Worked part time for economic reasons..	2.1	10.3
Worked part time for other reasons.....	19.0	20.3

Note: "Economic reasons" include: Slack work, material shortages, repairs to plant or equipment, start or termination of job during the week, and inability to find full-time work. "Other reasons" include: Labor dispute, bad weather, own illness, vacation, demands of home housework, school, etc., no desire for full-time work, full-time worker only during peak season, and other such reasons.

Wage and Salary Incomes

The difference between median annual earnings of white and Negro persons is large, but the gap is narrower than before World War II. Between 1939 and 1956, the income of Negro wage and salary workers increased relatively more than for whites. In 1956, the average income for Negro workers was 52 percent of the average for white workers compared with less than 40 percent in 1939.

The difference between average income of Negro and white families is not quite as wide as it is for individuals, because a higher proportion of Negro family members are in the labor force. Moreover, the income difference between Negro and white families is even smaller for urban than for rural groups.

Median wage and salary income of white and nonwhite persons,
1939-1956

(Persons without wage or salary income excluded)			
Year	:	:	:
	White	Nonwhite	Nonwhite as a
	:	:	percent of white
	:	:	:
1939	\$ 956	\$ 364	38.1
1947	1,980	863	43.6
1956	3,506	1,830	52.2

U.S. DEPARTMENT OF LABOR
Bureau of Labor Statistics

Source: U.S. Department of
Commerce, Bureau of
the Census

Work-Life Expectancy

As a result of a dramatic reduction in mortality in the middle age range, life expectancy for 20-year-old nonwhite males in the United States increased from 39.8 years in 1940 to 45.5 in 1955--an increase of nearly 6 years. During the same period, work-life expectancy has increased from 36.2 years to 40 years--an increase of almost 4 years.

With these developments, the number of years spent in retirement (the difference between life expectancy and work-life expectancy) has increased from 3.6 to 5.5 years. There are two main reasons for this development:

A much larger proportion of nonwhites lived beyond retirement age in 1955 than in 1940.

Increased liberalization of social security provisions and the continuation of the off-farm movement resulted in earlier retirement.

In this period, increases in both life expectancy and work-life expectancy have been greater for nonwhites than for whites. Life expectancy for 20-year-old nonwhite men has increased 5.7 years compared with 2.4 years for white men. Similarly work-life expectancy has increased 3.8 years for nonwhite men and 1.6 years for white men. Largely because a greater proportion of nonwhite men now live beyond retirement age, the retirement life-expectancy for nonwhites has also increased more rapidly than for white men--1.9 years compared with 0.8 years.

Average number of remaining years of life,
in labor force and in retirement, males,
by color, 1940 and 1955

Age and color	1940			1955		
	Total	In labor force	In retirement	Total	In labor force	In retirement
At age 20						
Nonwhite.....	39.8	36.2	3.6	45.5	40.0	5.5
White.....	47.7	41.8	5.9	50.1	43.4	6.7
At age 40						
Nonwhite.....	25.4	21.3	4.1	28.6	22.8	5.8
White.....	30.1	24.0	6.1	31.7	24.8	6.9
At age 60						
Nonwhite.....	14.6	9.5	5.1	15.4	9.6	5.8
White.....	15.1	9.1	6.0	16.0	9.5	6.5

U. S. DEPARTMENT OF LABOR
Bureau of Labor Statistics

Source: National Office of Vital
Statistics and Bureau of
Labor Statistics.

Federal Government Action Against Discrimination in Employment

At the present time there are two committees, appointed by the President, to implement two executive orders, one dealing with government contracts and one with government employment.

President's Committee on Government Contracts

An Executive Order created, as of August 15, 1953, a Committee of 15 members to promote the government's program of securing equal economic opportunity for all qualified persons working or seeking work on government contracts. The Committee assists the government's contracting agencies to discharge their responsibilities on nondiscrimination, cooperates with public and private agencies, and encourages educational efforts concerning the necessity and desirability of this policy. It consists of high ranking government officials, business and labor union leaders appointed on a non-partisan basis. The chairman is Vice-President Richard M. Nixon. The Secretary of Labor James P. Mitchell and Assistant Secretary J. Ernest Wilkins, are members of the Committee.

It has long been mandatory that government contracts contain a clause obligating the contractor or subcontractor not to discriminate against any employee or applicant for employment because of race, creed, color or national origin. (Such a provision was written into the war contracts negotiated or renegotiated after May 27, 1943, the date of Executive Order 9346. During World War II the Fair Employment Practice Committee, set up June 25, 1941, was responsible for investigating and adjusting complaints, in cooperation with the contracting agencies of the government.)

Under the current Executive Order, complaints may be received by the President's Committee, but are referred for investigation and adjustment to the contracting government agency. These agencies are required to report actions on all complaints (including those received directly and from the Committee) to the Committee which reviews and analyzes them. The Committee has developed a manual for the guidance of government contracting officers in the elimination of racial and religious discrimination in employment. The Committee has published the nondiscrimination directives of 15 government contracting agencies.

A program of compliance reviews by the agencies is being developed. A compliance review checks on whether the government contractor has done the following:

- (1) posted a notice in his plant, which says: "This employer agrees not to discriminate against any employee or applicant for employment because of race, color, religion or natural origin." This card carries the Washington address of the President's Committee, to which inquiries or complaints can be sent.
- (2) included a nondiscrimination clause in his subcontracts

- (3) observed nondiscrimination in regard to:
 - (a) recruitment and employment
 - (b) upgrading
 - (c) lay-offs, terminations, transfers
 - (d) establishing rates of pay
 - (e) selection for training, including apprenticeship.

The compliance review officer observes the employment pattern of the contractor, to see if he seems to have a fair proportion of minority groups on his payroll; and makes suggestions to the contractor to assist him in carrying out his obligations.

During 1956-57 and for the next two years at least, the President's Committee and the government contracting agencies will stage a review of the employment and promotion practices of 500-600 installations belonging to the 150 largest government contractors in 25 metropolitan areas. At least 50,000 Negroes live in each of these areas.

Where a contractor has given clear and convincing evidence of failure to comply with the nondiscrimination clause in previous contracts, the 26 principal federal contracting agencies were asked on May 10, 1957 by the Committee, to deny further contracts.

Among the education efforts of the President's Committee have been: (1) the holding of a Conference on Equal Job Opportunity, October 1955, to exchange ideas on successful methods of promoting equal opportunity regardless of race, color, religion, or national origin; (2) the holding of a Youth-Training-Incentives Conference, in February 1957, attended by 200 leaders in business, labor and education, with follow-up campaigns in 10 cities. Secretary of Labor, James P. Mitchell, told the group that there have not been enough job opportunities for Negroes "and consequently not enough of them prepare themselves for skilled work... Thus, when better jobs do become available to Negroes, not enough of them are qualified. It is a vicious circle." (3) the holding of a Minority Community Resources Conference, January 1958, attended by 500 leaders of business, civic, fraternal, professional, and social organizations representing minority groups from 38 States and the District of Columbia. This Conference stressed the future manpower needs of our economy, and the responsibility of minority youth to become qualified through education and training for present and future job opportunities.

It was pointed out, at the Equal Job Opportunity Conference that 85 or 90 percent of American industry has some business with or for the Federal government; the Government Contracts Order, prohibiting discrimination against any employee, because of race, religion, or national origin, therefore affects some 50 million jobs.

The number of complaints received by the President's Committee on Government Contracts from August 1953 to May 15, 1957 was 282; 164 cases were disposed of and 118 were still pending (i.e., being investigated or adjusted). Several of those complaints involved several thousand jobs, and one affected almost an entire industry. The change in practice in this industry, brought about through Committee action, will open thousands of jobs which had been closed to minority groups.

President's Committee on Government Employment Policy

The Committee was established by Presidential Executive Order on January 18, 1955 to assist all Federal departments and agencies in implementing the policy of equal opportunity without discrimination in the Federal service.

The Committee has undertaken both a long range educational program, and a program for the investigation, adjustment and review of complaints. The Committee serves as a Board of Review for cases not settled in the departments to the satisfaction of complainants. Its opinions are advisory.

The Federal government is by its very nature vast and complex, and the Committee has been conscious of the fact that a complete understanding of the Executive Order may not always be had in the field establishments without an opportunity for personal discussion. With this in mind, the Committee began in November 1955 to conduct conferences outside of Washington with the administrative heads and the Deputy Employment Policy Officers of Federal establishments in major cities.

Most of the complaints have concerned separations or promotions. The questions of application for employment and hiring were dealt with as far back as 1940 by the Ramspeck Act barring racial discrimination in Civil Service, and by an Executive Order of November 7, 1940.

The President's Committee on Government Employment Policy conducted a survey as of March 31, 1956 of employment of Negroes in the Federal Government in five major cities: Washington, Chicago, Los Angeles, St. Louis and Mobile. These cities were selected for their geographical location, their high percentage of Federal Employment, and for the fact that they had large populations of Negroes. This fact means that the percentage is not representative of all Federal employment.

Total Federal employment in these five cities was 349,856 as of March 31, 1956, or approximately 17 percent of all Federal employment. Negroes comprised 23.4 percent of this total.

U.S. DEPARTMENT OF LABOR

The Bureau of Employment Security of the U.S. Department of Labor is responsible for two major functions:

- 1 - The Employment Service - A Federal-State operation administered under provisions of the Wagner-Peyser Act promoting and helping to maintain a system of public employment offices to assist workers seeking employment and employers seeking workers.
- 2 - Unemployment Insurance - A Federal-State operation administered under the Social Security Act, the Federal Unemployment Tax Act, and the State Employment Security Laws to provide unemployment insurance for workers unemployed due to lack of work.

To insure equitable service for members of minority groups, the following policy of the United States Employment Service, Bureau of Employment Security, has been issued:

- A. To promote employment opportunity for all applicants on the basis of their skills, abilities, and job qualifications.
- B. To make definite and continuous effort with employers with whom relationships are established, to the end that their hiring specifications be based exclusively on job performance factors.
- C. To assist the President's Committee on Government Employment Policy in effectuating Executive Order 10590 by not accepting discriminatory job orders from Federal establishments.
- D. To cooperate with procurement agencies and other appropriate agencies of the Government in their efforts to secure compliance with nondiscrimination clauses in Government contracts.

A Minority Groups Consultant administers this Program from the Bureau of Employment Security's national office.

The Minority Groups Consultant also serves in an advisory capacity to other Bureaus of the Department of Labor, bringing to their attention problems and/or information concerning employment for minority groups, and consulting with regard to policies and programs affecting such employment, and otherwise assisting in the promotion of equitable employment opportunities for minority groups.

Nonwhites in Government Employment

The total number of nonwhite persons working in Federal, State and local government ^{1/} rose from 214,000 in 1940 to 670,000 in 1956. This more than three-fold increase compares with an increase of 40 percent in total nonwhite employment during the same period. The proportion that nonwhites were of all government employees rose from 5.6 percent to 9.7 percent.

The rapid increase in government job opportunities may be in part a result of a vigorous non-discrimination policy applied to government jobs during the war and postwar periods.

	<u>Employment in government</u>	
	<u>1940</u>	<u>1956</u>
Total.....	3,845,000	6,919,000
Nonwhite number.....	214,000	670,000
Percent of total	5.6	9.7

Source: Bureau of the Census,
U.S. Department of
Commerce

The Bureau of the Census does not tabulate employment in Federal government separately, nor do Federal agencies maintain employment statistics by color.

^{1/} These figures include all government service, including teaching and blue-collar work done directly by government agencies.

Deletion of Race Information and Reference to
Photographs from Application Forms in
Government Employment

Civil Service Commission Circular No. 248, issued January 10, 1941 announced that the Civil Service Commission had deleted the question regarding race and reference to photographs from the Declaration of Appointee forms which were used in part for the purpose of establishing the identification of persons taking civil service examinations.

Prior to April 20, 1942, there was no standard universal application form prescribed for the Federal service. On that date, by its Circular No. 332, the Civil Service Commission prescribed the use of Standard Form 57. This form contained no race question and no reference to the use of photographs.

November 10, 1943, the Commission referred back to its earlier deletion of race questions and references to photographs and directed the agencies not to send photographs to the Commission in connection with any of the Commission's forms and urged all departments and agencies to discontinue the use of photographs in connection with any of their own forms (Civil Service Commission Circular No. 449).

The present rules of the Civil Service Commission (Civil Service Rule IV) prohibit the making of any inquiry concerning race, political affiliation, or religious beliefs of any employee or applicant.

Source: U.S. Department of Labor
Office of Personnel Administration
May, 1957

TVA's Nondiscrimination Policy

Personnel actions in TVA are made on the basis of merit and efficiency as provided in the TVA Act. Thus TVA does not discriminate against employees because of race, religion, or national origin.

In compliance with Executive Order 10590 of January 18, 1955, (which stated a nondiscrimination policy for the Federal government and established the President's Committee on Government Employment Policy), the TVA Board, on March 7, 1955, appointed J.H. Daves, Special Assistant to the General Manager, to be TVA's Employment Policy Officer. He appraises personnel operations of TVA at regular intervals to assure their conformity with the Executive Order.

TVA employees may appeal under Executive Order 10590 or in the same manner as for other types of grievances, if they feel they are being discriminated against in personnel action because of race, color, religion, or national origin. Thus, employees may appeal in accordance with the general agreement negotiated between TVA and the Tennessee Valley Trades and Labor Council, if they are trades and labor employees. Salary policy employees may appeal in accordance with the Articles of Agreement negotiated between TVA and the Salary Policy Employee Panel. Both Agreements prohibit discrimination because of race, color, religion or national origin.

Negro Employment in TVA

At the end of 1955, Negroes were employed in 38 salary policy classes and 75 trades and labor classes. They were employed in 8 different classifications in the professional series such as engineer (civil, electrical, and mechanical), statistician, research and analytical chemist, and educational specialist. They were employed in 18 different classes in the clerical, administrative and fiscal services, and in 4 different subprofessional classifications, such as chemical aide, draftsman, materials tester, and laboratory aide.

	<u>Salary Policy</u>	<u>Trades and Labor</u>	<u>Total</u>
Number of employees	6,265	10,109	16,374
Number of Negro employees	371	872	1,243
Percent of Negro to total	5.9%	8.6%	7.6%

Source: TVA

Recently, TVA began a series of conferences with personnel officers, division chiefs, and supervisory personnel to review progress or the lack of progress being made by the various divisions and branches in carrying out TVA's policy of nondiscrimination in the placement, training, and upgrading of Negro employees.

During the past few years, the TVA has eliminated all segregated facilities at all projects for employees and the general public such as wash rooms, picnic areas, cafeterias, etc. This was done without any serious opposition on the part of the employees or the public.

U.S. Department of Labor

Source: TVA letter to the President's Committee on Government Employment Policy, 7-5-56

Integration in the Armed Forces

Fall of 1940

A conference between three Negro leaders and the President on Negro policy of the U.S. Armed Forces resulted in a White House statement that:

- (1) Henceforth, Negroes would be used in all branches of the Army
- (2) Negroes would be used to the extent of their 10 percent population ratio
- (3) Negroes would have the same quality of training and facilities as others
- (4) Negroes would not be "intermingled" with white service men.

During World War II Negroes and whites attended the same officer candidate schools. There were some indications that the segregation policy might be discarded.

June 1942

Marines for the first time accepted Negroes.

November 1945

The Gillem Board report, "The Utilization of Negro Manpower in the Postwar Army," led to the announcement of a policy in 1946 regarding the Negro soldier, which

- (1) Assured the Negro of a continuing place in the Army
- (2) Established a numerical ratio based on that in the civilian population
- (3) Abolished the "all-Negro" division
- (4) Authorized the grouping of Negro units and white units of smaller size into composite organizations
- (5) For the first time took the position that in the event of another major war all personnel assignments should be made without regard to race.

July 26, 1948

Executive Order #9981 announced a national policy for the Armed Forces of "equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion or national origin."

It created the Committee on Equality of Treatment and Opportunity in the Armed Services. The Committee's 1950 report provided the philosophy and the working basis for a program of racial integration, with no restrictions as to racial quotas, which has advanced "with significant success" in the Army, Navy, Air Force, and Marine Corps.

March 1, 1954

Navy announced that separate recruitment of stewards was being abolished. (Stewards had long been the traditional Negro branch.)

June 30, 1954

The time limit set for the dissolution of all-Negro units in the Forces was June 30, 1954. But the program proceeded ahead of schedule. Racially segregated Army units were abolished in the Far East during the summer of 1951; in Europe a year later, with a transition period for the change over; in the U.S. most training locations were integrated by the summer of 1953.

There are no longer any all-Negro units in any of the services proper. Integrated activities include organization, assignment, training, billeting, mess, supervised recreation, and all other unit operations. There are some exceptions in civilian components, principally a number of school and college Reserve Officers' Training Corps units. Arkansas, Georgia and Mississippi are the only States where there is no channel through which the qualified Negro college student can enroll in ROTC courses. Moreover, there is no legislation by which the Army, Navy or Air Force may be directed to provide an ROTC program so as to assure equity.

Negro personnel as percentage of total personnel in the military services, 1949-1956

	July 1, 1949	July 1, 1954	July 1, 1956
	(Percent)		
Army officers.....	1.8	2.97	2.9
Army enlisted men.....	12.4	13.7	12.8
Navy officers.....	0.0	0.1	0.1
Navy enlisted men.....	4.7	3.6	6.3
Air Force officers.....	0.6	1.1	1.1
Air Force enlisted men.....	5.1	8.6	10.4
Marine Corps officers.....	0.0	0.1	0.1
Marine Corps enlisted men.....	2.1	6.5	6.5

Source: Office of the Assistant
Secretary of Defense
(Manpower and Personnel).

A recent sampling of officers in the Armed Forces indicates that Negro officers are found in all ranks up to Brigadier General (two Negroes have attained this status).

Schools for dependents

Without any formal directive, in a number of states several schools for dependents, located on government property, had been operating for some time, without incident, on a racially integrated basis. As the question of integration in public schools received widespread attention, it was determined as a matter of policy that with the beginning of the 1953 fall term all such schools operated by the military on military posts and stations would be organized and conducted on an integrated basis. This policy was carried out on schedule.

Policy concerning schools located on military installations but operated by local educational agencies was announced on January 12, 1954, when the Secretary of Defense directed "that the operation of all school facilities located on military installations shall be conducted without segregation on the basis of race or color," regardless of other considerations. He stipulated that this policy would be put into effect "as soon as practicable, and under no circumstances later than September 1, 1955." At the present time all such schools are fully integrated.

State action

1947-49--California, Connecticut, Illinois, Massachusetts, New Jersey, New York, Pennsylvania, and Wisconsin prohibited discrimination in the National Guard.

November 1955, Maryland desegregated the National Guard. This is the first State south of the Mason-Dixon line to take this step.

Source: Office of Assistant Secretary of
Defense (Manpower and Personnel).

State Fair Employment Legislation

Legislation directed towards the eradication of many types of discrimination in employment exists in 15 States and Alaska. The principal reach of the statutes is discrimination based on race, color, religious creed, ancestry, age, or national origin. In 1950, these 15 States contained 43 percent of the total labor force of the continental United States, 21 percent of the nonwhite labor force, 47 percent of the total urban labor force, and 28 percent of the nonwhite urban labor (according to the Bureau of the Census.)

In addition to these 15 States, at least 5 States have voluntary citizen's committees, or agencies set up by the Governors, which are tackling the same problems using investigation, conciliation and persuasion, and publicity.

A number of countries and cities have commissions set up by ordinance, or by the mayor, or by citizen groups, which work with the State agencies or with voluntary national agencies, or with the President's Committee on Government Contracts.

The first State anti-discrimination laws were passed in the early 1930's. New York legislated against inquiries into religious affiliation of teachers (1932) and discrimination by public utilities in employment on account of race, color or religion (1933). Other States followed in 1935, 1937, 1939. But particularly during World War II, after the Fair Employment Practice Committee was set up by the Presidential Executive Order in June 1941, the State Governors and legislatures increased their activity in this field. Quite a few laws were enacted at the close of the war, 1945-47, and 9 State agencies were set up by executive order, law, or voluntary action, 1953-55.

While the State agencies use chiefly such methods as education, publicity, conciliation, and research some have issued cease-and-desist orders against employment agencies which discriminated in job placements, or have ordered corporations to cease segregation in company-owned housing, washrooms, and payroll lines, and to cease discriminatory hiring practices.

In investigating complaints, the total absence from the payroll of Negroes, or other minority groups, while not deemed conclusive, is held to be strong evidence of discriminatory practices (New York State).

Between 1948 and 1956, 37 cities adopted ordinances barring discrimination in public (and some of them in private) employment.

In many cases, State and city agencies are concerned with discrimination outside the field of employment, also.

Discrimination and Trade Unions

No part of the Department of Labor has ever made, as far as we know, any study of discrimination by trade unions on any grounds whatsoever. However, the Bureau of Labor Statistics, in its analyses of clauses found in collective bargaining agreements and in its histories of labor-management relations, has inevitably come across some evidence, both positive and negative, on the character of the stand taken by labor unions on various discrimination issues. The following paragraphs present some comments on the available material on the subject.

The company will not discriminate against any employee or applicant for employment at the yard by reason of his membership in the union or by reason of any union activity on his part not in contravention of any provision of this agreement, or because of race, creed, color, sex, national origin or membership in any lawful organization.

Bethlehem Steel Company
(Shipbuilding Division)
Quincy, Massachusetts
American Federation of
Technical Engineers
September 30, 1959

The company shall not discriminate against or coerce the employees covered by this agreement because of affiliated membership in or activity in behalf of the council, nor encourage membership in any union not affiliated with the council, nor shall it attempt to discourage any local unions from affiliated membership in the council. It is the policy of the company, the council, and each of its affiliated local unions not to discriminate against any employee on account of race, color, creed, sex, or national origin.

The council agrees that neither its officers nor its affiliated membership will intimidate or coerce employees.

General Electric Company
 Richland, Washington
 Hanford Metal Trades Council
 October 1, 1960

There shall be no discrimination by the employees or by anyone employed by the employers against any registered longshoreman and/or any member of the union because of union membership and activities, race, creed, color, national origin, or religious or political beliefs.

Pacific Maritime Association
 Pacific Coast
 International Longshoremen's and
 Warehousemen's Union
 August 1, 1958

There shall be no discrimination as to wages and other conditions of employment because of sex, race, color, creed or other conditions within any plant. The principle of equal pay for equal work shall prevail where quality and quantity of production are equal, and shall be determined on an intraplant basis.

Chicago Luggage and Leather Goods
Manufacturers Association
Chicago, Illinois
Amalgamated Meat Cutters and
Butcher Workmen
May 4, 1957

There shall be no discrimination against any employee as to any term of employment or otherwise, by reason of race, color, creed, sex or age.

Allied Building Metal Industries
New York, New York
International Association of Bridge,
Structural and Ornamental Iron Workers
June 30, 1958

. . . it shall be the policy of the company and of the union not to discriminate against any member of the union because of race, creed, color, nationality or sex.

Congoleum - Nairn, Inc.
Wilmington, Delaware
United Rubber Workers
July 31, 1957

It is agreed between the parties that in the policies and practices of the company, and in the member practices and policies of the union there shall continue to be no discrimination against any employee on account of race, creed, color, national origin, or sex (except that the company shall have the right to designate jobs by sex).

Raytheon Manufacturing Company
Chicago, Illinois
International Brotherhood of
Electrical Workers
March 31, 1947

1. Neither the company nor any of its foremen, superintendents, or other agents or representatives, shall discriminate against any employees because such employee is a member, steward, officer, or other agent or representative of the union or of any local.

2. Neither the union nor any local, nor any steward, officer or other agent or representative of either, shall intimidate or coerce any employee, nor solicit members or funds in the plant during working hours.

3. The policy of the company, the union and its IUE locals is not to discriminate against any employee on account of race, color, sex, creed, martial status or national origin.

General Electric Company
(Interstate)
International Union of Electrical
Workers
October 1, 1960

The division agrees that there shall be no discrimination against any employee because of his or her membership or lawful activity in the union as defined in this agreement.

The division and the union agree that they will not discriminate because of race, color, sex, creed or national origin.

Bendix Aviation Corporation
(Fries Instrument Division)
Baltimore, Maryland
International Union of Electrical
Workers
September 30, 1958

There shall be no discrimination by the company or the union in promotions, transfers, lay-offs, and rehiring because of race, color, religion, nationality or political affiliation. Further, there shall be no discrimination by the company in the hiring of new employees.

Harbison - Walker Refractories Company
Pittsburgh, Pennsylvania
United Stone and Allied Products Workers
July 26, 1957

The company agrees that it will not discriminate in the hiring of employees or in their training, upgrading, promotion, transfer, layoff, discipline, discharge or otherwise, because of race, color, creed, national origin or sex. The union agrees that it will not discriminate because of race, creed, color, national origin or sex.

Bendix Aviation Corporation
South Bend, Indiana
United Automobile, Aircraft and
Agricultural Workers of America
August 27, 1958

Comments on Discrimination and Trade Unions

A 1955 National Industrial Conference Board study showed that of 194 unions with 17.5 million members, the constitutions of only 5 unions with 442,000 members prohibit the admission of Negroes and other racial minorities.^{1/} On the other hand, 39 union constitutions, covering 4.3 million members, have specific provisions which declare, in some manner, that all persons qualified for membership are to be admitted regardless of their race, creed, color or nationality. The constitution of the AFL-CIO lists among its objectives and principles: "To encourage all workers without regard to race, creed, color, national origin or ancestry to share equally in the full benefits of union organization." In addition, the AFL-CIO constitution established a Committee on Civil Rights whose duty and responsibility consist of assisting the Executive Council "to bring about at the earliest possible date the effective implementation of the principle stated in this constitution of non-discrimination in accordance with the provisions of this constitution."

The position taken by the parent federation has not gone unheeded by its affiliates. Listed below are published reports which have come to our attention:

1. In 1956, the Switchmen's Union of North America accepted Negro switchmen on a basis of complete equality with white switchmen. This marks the first time that one of the major railroad unions has accepted Negro workers into membership voluntarily.

2. The Oil, Chemical and Atomic Workers International Union has recently negotiated a number of agreements in the southern oil refinery industry which provide for the upgrading of Negro workers into skilled trades departments. Previously, Negro workers were restricted to unskilled and common labor jobs.

3. In 1957, the National Agricultural Workers Union adopted a constitutional amendment barring members of White Citizens Councils from its ranks. The American Federation of Teachers voted to suspend the charter of any local union which as of June 1956 continued to bar Negroes from membership.

^{1/} Handbook of Union Government Structure and Procedures, Studies in Personnel Policy No. 150, National Industrial Conference Board, Inc., 1955, p. 63.

It should be pointed out, however, that even before the AFL-CIO merger organized labor took a number of positive steps in this area. For instance:

4. The United Automobile Workers (AFL-CIO) Fair Practices and Anti-Discrimination Department--Article 25, Section 5 of this union's constitution provides: "It shall be mandatory that each local union set up a Fair Practices and Anti-Discrimination Committee." A similar committee in the United Packinghouse Workers (AFL-CIO) has made notable gains in stamping out discrimination both within the industry and within its own locals. Among other things, this has led to the elimination of separate drinking fountains, toilet and dining facilities in plants in the deep South. Also, Article IV, Section A of the constitution of the International Union of Electrical, Radio and Machine Workers (AFL-CIO) provides: "All persons whose normal occupations is in the electrical, radio and machine industry . . . are eligible for membership in the International Union of Electrical, Radio and Machine Workers, regardless of skill, age, sex, nationality, color, or religious beliefs." The Preamble to the International Jewelry Workers' Union (AFL-CIO) constitution contains the statement: ". . . we shall endeavor to bring about an organization based on the economic needs of its membership . . ., regardless of their color, race, nationality, creed or political affiliations." Article II of the constitution of the United Mine Workers (Ind.) lists as a union objective: "To unite in one organization, regardless of creed, color, or nationality, all workers eligible for membership . . ."

5. The existence, prior to the merger, of a CIO Civil Rights Committee--formerly the National CIO Committee to Abolish Discrimination--a service organization for CIO affiliates on matters of discrimination. It is responsible for the formation of local anti-discrimination committees, educational projects, and cooperation with other community groups. This committee receives and investigates complaints of alleged discrimination and seeks compliance of affiliates with mandates and resolutions adopted by the CIO.

6. The solid support of both the former CIO and AFL was instrumental in getting fair employment practices legislation on the statute books of 11 States and 25 municipalities by mid-1952. (State and Municipal Fair Employment Legislation, Staff Report to the Subcommittee on Labor and Labor-Management Relations, Committee on Labor and Public Welfare, U. S. Senate, 82d Congress, 2d Session, Washington, 1952.) Also worthy of note are the concerted efforts of these two organizations to attain passage of a national FEPC. (See Report of the Seventy-Third Convention of the AFL, 1954, p. 302 ff. and p. 552 ff., and proceedings of Sixteenth Constitutional Convention of the CIO, 1954, p. 250 ff. and p. 382 ff.)

7. A pamphlet issued by the President's Committee on Government Contracts, "Equal Job Opportunity is Good Business" (June 29, 1954), states that Negroes held top offices in 23 national unions. Also mentioned is an estimate made by the Southern Regional Council stating that of 1,750,000 trade unionists in the South, about 700,000 are Negroes. (See Monthly Labor Review, January 1954, p. 16, "International Harvester's Nondiscrimination Policy," for a report on the efforts of an employer to eliminate discrimination.)

Discrimination in Trade Unions

"The foregoing observations concerning admission of women to union membership apply to a considerable extent, also, in the case of Negroes. It should be added, however, that the discrimination against Negroes has tended to be greater than that against women, because Negroes have more frequently found entrance into an industry as strikebreakers and because of racial antipathy--a rather general fact. In 1943 there were seven A.F. of L. and six non-A.F. of L. internationals that excluded Negroes by constitutional provision. A few other internationals, such as the Boilermakers and the Machinists, were accomplishing the same result by ritual--pledging members not to present for membership anyone who was not of the white race. Furthermore, there have been numerous instances in which local unions have kept their doors closed to Negroes in violation of international rule.^{1/} ... Two states, and possibly others, have legislated against racial discrimination by trade unions. A Kansas statute passed in 1941 prohibits any union (except organizations under the Railway Labor Act) from acting as a collective bargaining representative, if it discriminates against or excludes from membership any person because of his race. New York amended its civil rights law in 1940 to prohibit unions from excluding anyone because of race or creed or denying equal treatment in designation of members for promotion or dismissal by an employer."

^{1/} The Plumbers of Chicago may be cited as one instance.

Source: Organized Labor, Harry A. Millis and Royal E. Montgomery, McGraw-Hill Book Company, Inc., 1945, pages 262 and 263.

Supreme Court Decision on Segregation

On May 17, 1954, the Supreme Court handed down a unanimous decision outlawing segregation in the public schools. Following this decision, moves toward desegregation were initiated in close to 1,000 school districts and units in Southern and Border States. By October 1956, desegregation was under way in 797 school districts, effecting 319,000 Negro and 2 million white children. Some 110 of 208 tax-supported Southern colleges now admit Negro students. Progress by States: Arkansas - three districts desegregated; several more scheduled for 1957-58. Delaware - integration proceeding smoothly through State; 4,000 of State's 11,000 Negro pupils attended desegregated classes. Kentucky - some integration in "practically all" of State's 221 school districts; 88 percent of State's college students attended desegregated classes. Maryland - 13 of State's 23 school districts desegregated; six more planning to do so. Missouri - 95 percent of State's Negro students attend integrated schools, mostly in Kansas City and St. Louis; 35 school districts still segregated. Oklahoma - desegregation proceeding smoothly; 52 of 96 previously all-Negro high schools integrated; 11 more school districts to desegregate shortly. Tennessee - two school districts, Clinton and Federally-operated Oak Ridge, desegregated. Texas - fewer than 100 of State's 1,857 school districts had begun desegregation. West Virginia - integration under way in all but three of State's 55 counties. Washington, D. C. - all public schools desegregated. Eight States--Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Virginia--have made no steps toward desegregating public schools.

Source: The People Take the Lead. A Record of Progress in Civil Rights, 1948 to 1957. National Labor Service, New York, N.Y., January 1957, page 9.

CIVIL RIGHTS ACT OF 1957

The Civil Rights Act was enacted by the Senate and the House of Representatives in order to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

PART I - Establishes the Commission on Civil Rights

The law establishes a Commission on Civil Rights composed of six members appointed by the President with Senate approval.

The duties of the Commission are to:

- "1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;
- "2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and
- "3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution."

The Commission also will have a staff headed by a full-time Staff Director, appointed by the President with the advice of the Commission and the consent of the Senate.

The Commission may submit interim reports to the President and to the Congress at such times as either the Commission or the President shall deem desirable and shall submit to the President and to the Congress a final and comprehensive report of its activities, findings, and recommendations not later than two years after the enactment of the Act, (Sept. 9, 1959).

Sixty days after the submission of its final report and recommendations, the Commission shall cease to exist.

The Commission is empowered to appoint advisory committees within States composed of citizens of that State and may consult with governors, attorneys general, and other representatives of State and local governments, and private organizations, as it deems advisable.

All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties.

PART II - Provides For An Additional Assistant Attorney General

There shall be in the Department of Justice one Assistant Attorney General, who shall be appointed by the President with Senate approval who shall assist the Attorney General in the performance of his duties.

PART III - Strengthens the Civil Rights Statutes

Part III strengthens existing Civil Rights Statutes and Repealed Section 1989 of the Revised Statute (42 USC 1993) which provided that the President could use Federal troops to enforce specific civil rights statutes.

PART IV - Right to Vote Secured and Protected

This section amends an existing Federal statute which declares that all citizens have the right to vote in State and local elections without discrimination because of race. The amendments leave this section unchanged and add four new subsections.

The first of these prohibits any person acting under color of law or otherwise, from intimidating, threatening, or coercing any other person for the purpose of interfering with the right of such other person to vote, or to vote as he may choose, for any candidate for office in a Federal election. General, specific, or primary elections held for the purpose of electing candidates for Federal office are also included in this provision.

The second subsection specifies that whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person from the right to vote, the Attorney General of the United States may institute proceedings under the proper laws that prohibit interference with the right to vote.

The next subsection provides that Federal courts shall have jurisdiction of proceedings instituted under the new law. This simplifies procedure and eliminates the need for an individual to exhaust "any administrative or other measures that may be provided by law" regarding his right to vote, such as possibly having to appeal to election officials, election boards, State officials, etc.

The fourth subsection provides that any person cited for contempt under the new Act has the right to be defended by counsel, and also has the right to have witnesses, and to "compel his witnesses to appear at his trial or hearing, as is usually granted to compel witnesses to appear on behalf of the prosecution."

PART V - Provides Trial By Jury and Amends the Judicial Code Relating to Federal Jury Qualifications

Persons found guilty of criminal contempt arising under the provisions of the new Act shall be punished by fine or imprisonment or both, the

fine not to exceed \$1,000 and the imprisonment not to exceed six months.

In any criminal contempt proceedings the judge may try the accused with or without a jury. If, however, the sentence of the court upon conviction is a fine in excess of \$300 or imprisonment is in excess of forty-five days, the accused may demand a new trial by jury.

This section also amends Section 1861 title 28 US Code, a Federal statute regarding qualifications of jurors in Federal courts.

The old statute made it possible for some States to exclude Negroes from Federal jury service, as some State laws require as a qualification that such jurors be registered voters. The new amendment makes it possible for Negroes to serve on Federal juries.

PUBLIC LAW 85-315
85th Congress, H.R. 6127
September 9, 1957

Negro Education (1940-1956)

Although the Southern economy has made enormous progress, especially since the beginning of World War II, the region still has less resources to support education and other public services than has the rest of the Nation. Since a large proportion of the Negro population still lives in the South, this lower level of resources is a handicap in achieving advancements in education for the Negro.

One out of every five Negro men reaching adulthood (20-21) in the South in 1950 had not completed the fifth year of school, compared with one in twenty Negro men in the rest of the country. However, there had been a tremendous improvement in basic literacy among Negro men in the South in just one generation. Almost half of the Negro men in the South born between 1905 and 1909 (they were between 40 and 45 years old in 1950) had completed less than five years of school.

In the South in 1950 the proportion of Negro men aged 20-24 who were high school graduates was about one-third of the proportion among whites, whereas in the rest of the country the difference was much less.

Progress in literacy, school attendance, and expenditures per pupil has brought the national record for Negroes in elementary and secondary education closer to the average level for whites in recent years. This is a remarkable achievement in view of the high concentration of Negroes in the agricultural South,

In April 1940, for the country as a whole, the proportion of children between the ages of 7 to 14 enrolled in school was 95.5 percent of white children, and 91.2 percent of Negro children. In October 1956, the percentages had risen, for both groups, to 99.4 percent of white children and 98.4 percent of Negro children (see table). This means that future generations of high school and college age will not show the discrepancies which have characterized whites and nonwhites in the past.

Between 1940 and 1956 the enrolment of Negroes aged 14-17 in school made even greater progress than for the younger children, and the gap between the proportions of whites and Negroes enrolled, narrowed. However, not all students aged 14 to 17 were enrolled in high school (as one might expect of these age groups); 78 percent of the whites, but only 58 percent of the Negro students aged 14-17 were in high school, in 1956. In 1940, however, only 28 percent of the Negro students in these ages were in high school, and only 61 percent of the whites.

Expenditure for instruction 1/ per pupil in average daily attendance in public elementary and secondary schools, Continental United States and selected States, 1940 and 1954

State	1940		1954		Percent	
	White	Negro as percent of white	White	Negro as percent of white	Negro as percent of white	increase 1940-1954
Continental United States ^{2/}	\$63.66		\$177.52			178.9
Alabama.....	\$33.98	42.4	\$111.99	\$105.20	93.9	229.6
Arkansas.....	24.43	55.6	99.08	71.78	72.4	305.6
Florida.....	50.00	56.1	175.92	160.61	91.3	251.8
Georgia.....	42.32	37.8	165.08	122.07	73.9	290.1
Mississippi.....	29.98	26.9	98.15	43.17	44.0	227.4
North Carolina.....	32.68	88.0	132.46	124.83	94.3	305.3
						334.1

1/ Total cost of instruction includes salaries, free text books, teaching supplies, school library books, and other instructional supplies and expenses.

2/ All public elementary and secondary schools combined.

Source: U.S. Department of Health, Education, and Welfare, Office of Education.

Percent of whites and nonwhites enrolled in school, by age
1940, 1956

	April 1940		October 1956	
	White	Nonwhite	White	Nonwhite
7-24.....	59.7	55.3	73.8	69.9
7-13.....	95.5	91.2	99.4	98.4
14-17.....	80.7	68.2	89.2	81.2
18-24.....	13.8	9.1	20.1	15.8
18-19.....	29.8	21.1	35.9	31.8
20-24.....	6.9	3.8	13.4	8.7

U. S. DEPARTMENT OF LABOR
Bureau of Labor Statistics

Source: U. S. Department of
Commerce, Bureau of
the Census

Enrollment in college or professional school, 1930 to 1956

	<u>Total</u>	<u>Nonwhite</u>
1930	1,100,737	^{1/} 27,141
1950	2,164,425	113,735
1956	2,883,000	196,000

Percent increase

1930-1950	96.6	318.6
1950-1956	33.2	72.3
1930-1956	161.9	622.2

^{1/} Negroes enrolled in predominantly Negro colleges;
total nonwhite college enrollment not available for
1930.

Source: U. S. Office of Education
(for 1930 data for both
total and nonwhite); U. S.
Bureau of the Census.

**Employment of Technically Trained Negroes:
Placement of Negro Engineering School Graduates**

Information obtained from Howard University indicates increasing willingness of industry and government to employ Negro graduates in engineering and in advanced chemistry. Since 1949, major industrial companies have sent recruiters to the Howard School of Engineering, and governmental laboratories have joined them. Student chapters have been set up for the following National professional societies: American Institute of Electrical Engineers, American Society of Civil Engineers, American Institute of Architects, American Society of Mechanical Engineers, and also a branch of Tau Beta Phi (National engineering honor society, corresponding to Phi Beta Kappa). The University is accredited by the Engineers' Council for Professional Development, and the Architectural Accrediting Board. Howard engineering graduates are employed 40 percent in industry, 40 percent in government, 10 percent in teaching and private practice.

In 1940 about 150 Negroes were enrolled in engineering schools, in 1957, 1700.

Housing

There has been a considerable improvement in Negro housing in the United States since 1940, largely through the rise in the real incomes of the Negro group, but partly through the provision of public housing. (For example, an article in the September, 1956 number of Fortune says that Negroes occupy the only new public housing built in Atlanta since World War II.) The number of Negroes in nonfarm areas occupying their own homes rose by 36 percent from 1940 to 1950, bringing the proportion of homeowners to 35 percent as compared with 24 percent in 1940. Attempts by Negroes to improve their housing have been facilitated by the United States Supreme Court decision on covenants. This decision on May 3, 1948 prohibited judicial enforcement of racial restrictive covenants on real property.

The 1950 Census does not distinguish the value of owner-occupied homes by race or color for the entire country. It does, however, present figures on the subject for the South.^{1/} In that area in 1950, the median value of one-family houses occupied by their owners in urban and rural nonfarm areas was \$6,455 for whites and \$2,278 for Negroes. After the changes in home construction costs which occurred between 1940 and 1950 are eliminated, the data show that the median value of homes occupied by white owners in the South rose 29 percent over the decade while the value of the homes occupied by Negro owners rose 66 percent.

The median, the value below and above which half the homes owned by nonfarm Negroes in the South are found, does not entirely describe the value of Negro housing in this part of the country. In 1950, four percent of the Negro families in this area (23,700) were living in homes they owned which were valued at more than \$10,000.

The material on housing in the 1950 Census has been analyzed in detail by Lewis Winnick and Ned Shilling of the Institute of Urban Land Uses and Housing Studies of Columbia University. They make the following comments on what the Census shows about Negro housing.

^{1/} The South Atlantic, Southeast Central and Southwest Central regions combined.

Density Patterns Among Nonwhites

The 1950 Census of Housing contains practically no cross-tabulation of housing or household characteristics by race upon which housing utilization measures can be based. There are, therefore, no comprehensive recent data from which to draw a picture of crowding in Negro housing. The few facts presented here are taken from a variety of sources. Fragmentary though they may be, they permit the unstartling disclosure that Negroes have substantially higher person-per-room ratios than whites. Furthermore, Negroes may not have shared fully in the general improvement in utilization which took place in recent years, in spite of unmistakable gains in employment and income, the provision of public housing, and (possibly) reductions in the intensity of discrimination.

. . .

As is the case for whites, overcrowding among Negroes is more severe among renters than owners and in rural nonfarm compared to urban areas. Homeownership was, of course, far less common among Negroes, 23.9 percent in 1940, compared to 42.7 percent for whites, so that the relatively good showing of Negro homeowners applied to but a small minority of the Negro population. Over the decade 1940 to 1950, the gain in homeownership among Negroes was relatively greater than among whites. Nevertheless, in 1950 the homeownership ratios were still far apart, standing respectively at 35 and 55 percent.

Source: Louis Winnick and Ned Shilling, American Housing and Its Use (A Volume in the Census Monograph Series for the Social Science Research Council in cooperation with the U.S. Department of Commerce, Bureau of the Census), John Wiley and Sons, Inc., New York (1957), pp. 66-67.

One-family houses occupied by their owners in urban and
rural nonfarm areas of the Southern regions of the
United States ^{1/}

	White owner- occupants	Nonwhite owner- occupants
Median value of homes, 1950.....	(2/) \$6,455	(2/) \$2,278
Percent increase in value 1940- 1950.....	175	254

- ^{1/} South Atlantic, East and West South Central divisions, as defined by the Census.
- ^{2/} 1950 Census of Housing, Vol. I, General Characteristics, Part I, U.S. Summary, pp. 1-11.
1940 Census of Housing, Vol. II, General Characteristics, Part I, U.S. Summary, pp. 47-49

Owner-occupied dwelling units in nonfarm areas of the
south in specified value brackets ^{1/}

Value bracket	White owner-occupants		Nonwhite owner-occupants	
	Number	Percent of total owner-occupied dwelling unit in value group	Number	Percent of total owner-occupied dwelling unit in value group
\$10,000-\$14,999:				
1940	58,802	2.8	726	0.2
1950	495,718	14.6	15,626	2.6
\$15,000 and over:				
1940	36,690	1.7	270	0.1
1950	351,335	10.4	8,079	1.4

- ^{1/} In comparing the 1940 and 1950 value brackets, the change in construction costs must be taken into account. According to the E.H. Boeckh index, construction costs for small residential structures more than doubled between 1940 and 1950—rising from 50.5 in 1940 to 107.7 in 1950 (1947-49=100).

Owner-Occupancy of Houses by
Whites and Nonwhites, 1940 and 1950

The proportions of owner-occupancy in the nonfarm areas (i.e. urban areas and rural nonfarm areas) of the United States of whites and nonwhites were as follows:

	The proportion of dwellings occupied by their owners		Increase in the number 1940 to 1950
	<u>1940</u>	<u>1950</u>	
Total	41.1	53.4	33.7
White	42.7	55.0	33.5
Nonwhite	23.9	35.2	36.4

Source: 1950 Census of Housing, Vol. I, General Characteristics, Part I, U.S. Summary, p. 1-2.