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Series I: General Correspondence, 1914-1969, undated.

Sub-series A: Alphabetical, 1914-1965, undated.

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Fair Employment Practice Commission, bill S692, 1951-1954.



This is a facsimile copy of a letter by James L. Myers, president of the Cleveland Chamber of Commerce and president of the Associated Industries of Cleveland.

# THE CLEVELAND GRAPHITE BRONZE COMPANY

AUTOMOTIVE • AVIATION • DIESEL • MARINE • INDUSTRIAL

BEARINGS, BUSHINGS AND OTHER PRECISION PRODUCTS

MAIN OFFICE AND WORKS  
17000 ST. CLAIR AVENUE

CLEVELAND 10, OHIO

April 16, 1951

BRANCH OFFICES  
DETROIT • CHICAGO  
NEW YORK

BRANCH PLANTS  
BRIDGEPORT, OHIO  
FT. WAYNE, IND.

Hon. Robert L. Johnson, Chairman  
Industry-Labor Committee  
Ohio House of Representatives  
Columbus, Ohio

Dear Mr. Johnson:

I have examined House Bill 15 (which I understand is identical with Senate Bill 26) which is now under consideration by your committee, and would like to present my personal views in support of this legislative proposal.

INSER7  
A  
[As an industrialist, I have had an unusual opportunity to observe and participate in various aspects of Cleveland's experience in coping with employment discrimination.]

and  
I served on the Committee for Cooperative Employment Practices, which was established at the request of the Cleveland Chamber of Commerce to sponsor the voluntary program which sincerely tried to secure the acceptance by industry of fair hiring practices.

Upon the enactment of our municipal FEP ordinance, which contains compulsory provisions, I had the honor of being appointed by the Mayor to serve on the Community Relations Board, which administers this law, as one of the representatives of industry.

INSER7  
A  
[And as an executive of one of Cleveland's large manufacturing concerns, I have seen at first hand the integration of all population groups take place in office and factory with a minimum of hostility in the early stages, and that rapidly disappearing in every instance.]

A  
It is from these vantage points that I have formed my opinion that fair employment practice legislation, having adequate and soundly administered enforcement provisions, is the best means whereby we can modify, and eventually eliminate, the blights of job discrimination based on race, creed, color, or national origin.]



Changes in the employment pattern of Cleveland's industry and business are being brought about smoothly and effectively. Not once has it been necessary to resort to the punitive provisions of our ordinance. Complete reliance on the method of conference and persuasion has been sufficient.

• Our previous voluntary effort, although adequately financed and conscientiously promoted, was not able in a year's time to achieve significant progress in affecting hiring practices. Under our municipal ordinance, within a comparable period of time, we have witnessed very considerable gains which are materially altering the employment pattern.

There are, I believe, sound reasons why the benefits derived from our Cleveland experience should be extended on a state-wide basis through enactment of House Bill 15. Our large industrial centers throughout the state are regional in character. The industrial establishments do not follow closely the rigid political boundaries. Many small municipalities are frequently used for the location of large factories employing thousands of people. Because of the decentralized pattern of industrial development, it is obviously desirable to promote a state-wide, uniformly-administered law.

It is also of great importance that we as Ohioans be able to take pride in seeing that our state remains a leader in assisting its people who are of many origins to achieve the dignity, self-respect and self-reliance inherent in our way of life.

I have referred earlier to the fact that our Cleveland ordinance has worked smoothly. I am happy to testify that this has been due to the highly responsible action of my colleagues on the Community Relations Board and the carefully planned and executed staff work carried on under their general guidance.

The provision in H. B. 15 for a five-man commission appointed by the Governor with the advice and consent of the Senate is assurance that this type of sound administration which is the most essential feature for successful achievement of the law's objectives, is wisely conceived. We have found from experience that no harassment or interference with management's hiring prerogatives accompanies the sound administration of this legislation.



Hon. Robert L. Johnson

April 16, 1951

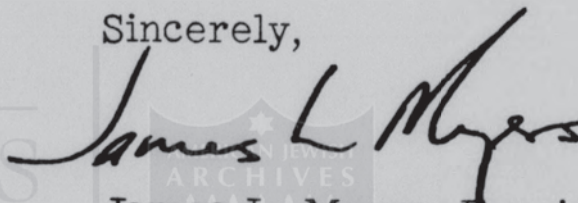
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[The distinction between so-called "educational" measures and those with enforcement provisions is in my judgment unreal. The central emphasis of FEP laws with enforcement provisions is education but is supported by the necessary means for regular and orderly procedures for dealing with the relatively few cases which may arise in which cooperation is not forthcoming.

It can be fairly said from our local experience that the presence of enforcement sanctions encourages cooperative action among employers, labor unions, and employment agencies leading to the elimination of discrimination in employment.]

I hope that my views on this subject will assist the committee in its thoughtful and favorable action on this legislation.

Sincerely,



James L. Myers, President  
The Cleveland Graphite Bronze Company

JLM:S



ROCKAWAY PARK HEBREW CONGREGATION

445 BEACH 135TH STREET

BELLE HARBOR, L. I., N. Y.

DR. ROBERT GORDIS, RABBI

December 12, 1952

Dear Doctor Silver:

I hope this note finds you well.

It is a pleasure to receive your Temple Bulletin each week.

I am writing to request some information regarding the organization headed by Dr. Jerome Davis, "Promoting Enduring Peace." Dr. Davis tells me that several years ago I wrote him agreeing to serve on the Board of the Organization. But from that time to this, I received no mail about the organization, and discovered my official connection with it only indirectly.

Dr. Davis tells me that he visited with you in Cleveland recently, and I shall appreciate information as to the activities of the organization and the spirit in which they are conducted.

With every good wish and warmest Hanukkah Greetings,  
I am

Sincerely yours,

*Robert Gordis*  
ROBERT GORDIS

Dr. Abba Hillel Silver  
The Temple  
E. 105 Street and Ansel Road  
Cleveland 6, Ohio



December 22, 1952

Dr. Robert Gordis  
Rockaway Park Hebrew Congregation  
445 Beach 135th Street  
Belle Harbor, L.I.  
New York

My dear Dr. Gordis:

Permit me to thank you for your letter of December 12th. Dr. Jerome Davis was in to see me recently. He talked to me about his book, but we had no conversation about the organization, "Promoting Enduring Peace". I know nothing about it. Generally, I am very wary about these organizations which have high-sounding titles, very little power behind them, and which are frequently exploited by people who have other interests besides peace.

I trust that you are well, and with all good wishes, I remain

Most cordially yours,

ABBA HILLEL SILVER

AHS:er



Please  
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83D CONGRESS  
1ST SESSION

# S. 692

## IN THE SENATE OF THE UNITED STATES

JANUARY 29, 1953

Mr. IVES (for himself, Mr. HUMPHREY, Mr. DUFF, Mr. DOUGLAS, Mr. HENDRICKSON, Mr. GREEN, Mr. LANGER, Mr. KENNEDY, Mr. MARTIN, Mr. KILGORE, Mr. PURTELL, Mr. LEHMAN, Mr. SALTONSTALL, Mr. MAGNUSON, Mr. SMITH of New Jersey, Mr. MURRAY, Mr. TOBEY, Mr. PASTORE, and Mr. MORSE) introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

## A BILL

To prohibit discrimination in employment because of race, color, religion, national origin, or ancestry.

1 *Be it enacted, by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 SHORT TITLE

4 SECTION 1. This Act may be cited as the "Federal  
5 Equality of Opportunity in Employment Act".

6 FINDINGS AND DECLARATION OF POLICY

7 SEC. 2. (a) The Congress hereby finds that, despite  
8 the continuing progress of our Nation, the practice of dis-  
9 criminating in employment against properly qualified per-



sons because of their race, religion, color, national origin,  
or ancestry is contrary to the American principles of liberty  
and of equality of opportunity, is incompatible with the  
Constitution, forces large segments of our population into  
substandard conditions of living, foments industrial strife and  
domestic unrest, deprives the United States of the fullest  
utilization of its capacities for production, endangers the na-  
tional security and the general welfare, and adversely affects  
the domestic and foreign commerce of the United States.

(b) The right to employment without discrimination  
because of race, religion, color, national origin, or ancestry  
is hereby recognized as and declared to be a civil right of  
all the people of the United States.

(c) The Congress further declares that the succeeding  
provisions of this Act are necessary for the following  
purposes:

(1) To remove obstructions to the free flow of  
commerce among the States and with foreign nations.

(2) To insure the more complete and full enjoy-  
ment by all persons of the rights, privileges, and im-  
munities secured and protected by the Constitution of  
the United States.

(3) To advance toward fulfillment of the inter-  
national treaty obligations imposed by the Charter of  
the United Nations upon the United States as a signa-



1 tory thereof to promote "universal respect for, and  
2 observance of, human rights and fundamental freedoms  
3 for all without distinction as to race, sex, language, or  
4 religion".

5 DEFINITIONS

6 SEC. 3. As used in this Act—

7 (a) The term "person" includes one or more indi-  
8 viduals, partnerships, associations, corporations, legal repre-  
9 sentatives, trustees, trustees in bankruptcy, receivers, or any  
10 organized group of persons and any agency or instrumen-  
11 tality of the United States, including the District of Colum-  
12 bia, or of any Territory or possession thereof.

13 (b) The term "employer" means a person engaged in  
14 commerce or in operations affecting commerce having in  
15 his employ fifty or more individuals; any agency or instru-  
16 mentality of the United States, including the District of  
17 Columbia, or of any Territory or possession thereof; and  
18 any person acting in the interest of an employer, directly  
19 or indirectly; but shall not include any State or municipality  
20 or political subdivision thereof, or any religious, charitable,  
21 fraternal, social, educational, or sectarian corporation or  
22 association, if no part of the net earnings inures to the benefit  
23 of any private shareholder or individual, other than a labor  
24 organization.

25 (c) The term "employment agency" means any person



1 undertaking with or without compensation to procure em-  
2 ployees or opportunities to work for an employer; but shall  
3 not include any State or municipality or political subdivision  
4 thereof, or any religious, charitable, fraternal, social, educa-  
5 tional, or sectarian corporation or association, if no part of  
6 the net earnings inures to the benefit of any private share-  
7 holder or individual.

8 (d) The term "labor organization" means any organiza-  
9 tion, having fifty or more members employed by any em-  
10 ployer or employers, which exists for the purpose, in whole  
11 or in part, of collective bargaining or of dealing with em-  
12 ployers concerning grievances, labor disputes, wages, rates  
13 of pay, hours of employment, terms or conditions of  
14 employment, or for other mutual aid or protection in con-  
15 nection with employment.

16 (e) The term "commerce" means trade, traffic, com-  
17 merce, transportation, or communication among the sev-  
18 eral States; or between any State, Territory, possession,  
19 or the District of Columbia and any place outside thereof;  
20 or within the District of Columbia or any Territory or  
21 possession; or between points in the same State, the Dis-  
22 trict of Columbia or any Territory or possession but through  
23 any point outside thereof.

24 (f) The term "affecting commerce" means in com-



1 merce, or burdening or obstructing commerce or the free  
2 flow of commerce.

3 (g) The term "Commission" means the Equality of  
4 Opportunity in Employment Commission, created by section  
5 6 hereof.

#### 6 EXEMPTION

7 SEC. 4. This Act shall not apply to any employer with  
8 respect to the employment of aliens outside the continental  
9 United States, its Territories and possessions.

#### 10 UNLAWFUL EMPLOYMENT PRACTICES DEFINED

11 SEC. 5. (a) It shall be an unlawful employment prac-  
12 tice for an employer—

13 (1) to refuse to hire, to discharge, or otherwise to  
14 discriminate against any individual with respect to his  
15 compensation, terms, conditions, or privileges of employ-  
16 ment, because of such individual's race, religion, color,  
17 national origin or ancestry.

18 (2) to utilize in the hiring or recruitment of in-  
19 dividuals for employment any employment agency,  
20 placement service, training school or center, labor organ-  
21 ization, or any other source which discriminates against  
22 such individuals because of their race, religion, color,  
23 national origin, or ancestry.

24 (b) It shall be an unlawful employment practice for



1 an employment agency to fail or refuse to properly classify  
2 or refer for employment, or otherwise to discriminate against  
3 any individual because of his race, color, religion, national  
4 origin or ancestry.

5 (c) It shall be an unlawful employment practice for a  
6 labor organization—

7 (1) to exclude or to expel from its membership,  
8 or otherwise to discriminate against, any individual or  
9 any employer because of the race, color, religion, na-  
10 tional origin or ancestry of any individual;

11 (2) to cause or attempt to force an employer to  
12 discriminate against an individual in violation of this  
13 section.

14 (d) It shall be an unlawful employment practice for  
15 any employer, employment agency or labor organization to  
16 discharge, expel, or otherwise discriminate against any per-  
17 son, because he has opposed any unlawful employment prac-  
18 tice or has filed a charge, testified, participated, or assisted  
19 in any proceeding under this Act.

20 THE EQUALITY OF OPPORTUNITY IN EMPLOYMENT

21 COMMISSION

22 SEC. 6. (a) There is hereby created a Commission to  
23 be known as the Equality of Opportunity in Employment  
24 Commission, which shall be composed of seven members who  
25 shall be appointed by the President by and with the advice



1 and consent of the Senate. One of the original members  
2 shall be appointed for a term of one year, one for a term of  
3 two years, one for a term of three years, one for a term of  
4 four years, one for a term of five years, one for a term of  
5 six years, and one for a term of seven years, but their suc-  
6 cessors shall be appointed for terms of seven years each,  
7 except that any individual chosen to fill a vacancy shall be  
8 appointed only for the unexpired term of the member whom  
9 he shall succeed. The President shall designate one member  
10 to serve as Chairman of the Commission. Any member of  
11 the Commission may be removed by the President upon  
12 notice and hearing for neglect of duty or malfeasance in office,  
13 but for no other cause.

14 (b) A vacancy in the Commission shall not impair the  
15 right of the remaining members to exercise all the powers  
16 of the Commission and three members thereof shall constitute  
17 a quorum.

18 (c) The Commission shall have an official seal which  
19 shall be judicially noted.

20 (d) The Commission shall at the close of each fiscal  
21 year report to the Congress and to the President concerning  
22 the cases it has heard; the decisions it has rendered; the  
23 names, salaries, and duties of all individuals in its employ  
24 and the moneys it has disbursed; and shall make such further  
25 reports on the cause of and means of eliminating discrimina-



1 tion and such recommendations for further legislation as may  
2 appear desirable.

3 (e) Each member of the Commission shall receive a  
4 salary of \$15,000 a year.

5 (f) The principal office of the Commission shall be in  
6 the District of Columbia, but it may meet or exercise any  
7 or all of its powers at any other place and may establish such  
8 regional offices as it deems necessary. The Commission may,  
9 by one or more of its members or by such agents as it may  
10 designate, conduct any investigation, proceeding, or hearing  
11 necessary to its functions in any part of the United States.  
12 Any such agent, other than a member of the Commission,  
13 designated to conduct a proceeding or a hearing shall be  
14 a resident of the judicial circuit, as defined in title 28, United  
15 States Code, chapter 3, section 41, within which the alleged  
16 unlawful employment practice occurred.

17 (g) The Commission shall have power—

18 (1) to appoint, in accordance with the Civil Service  
19 Act, rules, and regulations, such officers, agents, and  
20 employees, as it deems necessary to assist it in the per-  
21 formance of its functions, and to fix their compensation  
22 in accordance with the Classification Act of 1949, as  
23 amended; attorneys appointed under this section may, at  
24 the direction of the Commission, appear for and repre-  
25 sent the Commission in any case in court;



1           (2) to cooperate with and utilize regional, State,  
2           local, and other agencies;

3           (3) to furnish to persons subject to this Act such  
4           technical assistance as they may request to further their  
5           compliance with this Act or any order issued thereunder;

6           (4) upon the request of any employer, whose em-  
7           ployees or some of them refuse or threaten to refuse  
8           to cooperate in effectuating the provisions of this Act,  
9           to assist in such effectuation by conciliation or other  
10          remedial action;

11          (5) to make such technical studies as are appro-  
12          priate to effectuate the purposes and policies of this  
13          Act and to make the results of such studies available to  
14          interested governmental and nongovernmental agencies;  
15          and

16          (6) to create such local, State, or regional advisory  
17          and conciliation councils as in its judgment will aid in  
18          effectuating the purpose of this Act, and the Commis-  
19          sion may empower them to study the problem or  
20          specific instances of discrimination in employment  
21          because of race, religion, color, national origin, or an-  
22          cestry and to foster through community effort or other-  
23          wise good will, cooperation, and conciliation among  
24          the groups and elements of the population, and make



1 recommendations to the Commission for the development  
2 of policies and procedures in general and in specific in-  
3 stances. Such advisory and conciliation councils shall be  
4 composed of representative citizens resident of the area  
5 for which they are appointed, who shall serve without  
6 compensation, but shall receive transportation and per  
7 diem in lieu of subsistence as authorized by section 5 of  
8 the Act of August 2, 1946 (5 U. S. C. 73b-2), for per-  
9 sons serving without compensation; and the Commis-  
10 sion may make provision for technical and clerical assist-  
11 ance to such councils and for the expenses of such  
12 assistance; the Commission may, to the extent it deems  
13 it necessary, provide by regulation for exemption of such  
14 persons from the operation of title 18 United States  
15 Code, sections 281, 283, 284, 434, and 1914, and sec-  
16 tion 190 of the Revised Statutes (5 U. S. C. 99); such  
17 regulation may be issued without prior notice and  
18 hearing.

19 PREVENTION OF UNLAWFUL EMPLOYMENT PRACTICES

20 SEC. 7. (a) The Commission is empowered, as here-  
21 inafter provided, to prevent any person from engaging in  
22 any unlawful employment practice as set forth in section  
23 5. This power shall be exclusive, and shall not be affected



1 by any other means of adjustment or prevention that has  
2 been or may be established by agreement, code, law, or  
3 otherwise: *Provided*, That an agreement between or among  
4 an employer or employers and a labor organization or  
5 labor organizations pertaining to discrimination in employ-  
6 ment shall be enforceable in accordance with applicable  
7 law, but nothing contained therein shall be construed or  
8 permitted to foreclose the jurisdiction over any practice or  
9 occurrence granted the Commission by this Act: *Provided*  
10 *further*, That the Commission is empowered by agreement  
11 with any agency of any State, Territory, possession or local  
12 government, to cede, upon such terms and conditions as  
13 may be agreed, to such agency jurisdiction over any cases  
14 or class of cases, if such agency, in the judgment of the  
15 Commission, has effective power to eliminate and prohibit  
16 discrimination in employment in such cases.

17 (b) Whenever a sworn written charge has been filed  
18 by or on behalf of any person claiming to be aggrieved,  
19 or a written charge has been filed by a member of the  
20 Commission, that any person subject to the Act has en-  
21 gaged in any unlawful employment practice, the Commission  
22 shall investigate such charge and if it shall determine  
23 after such preliminary investigation that probable cause



1 exists for crediting such written charge, it shall endeavor  
2 to eliminate any unlawful employment practice by informal  
3 methods of conference, conciliation, and persuasion.

4 (c) If the Commission fails to effect the elimination of  
5 such unlawful practice and to obtain voluntary compliance  
6 with this Act, or in advance thereof if circumstances warrant,  
7 the Commission shall have power to issue and cause to be  
8 served upon any person charged with the commission of an  
9 unlawful employment practice (hereinafter called the "re-  
10 spondent") a complaint stating the charges in that respect,  
11 together with a notice of hearing before the Commis-  
12 sion, or a member thereof, or before a designated agent,  
13 at a place therein fixed, not less than ten days after the  
14 service of such complaint. No complaint shall issue based  
15 upon any unlawful employment practice occurring more than  
16 one year prior to the filing of the charge with the Commission  
17 and the service of a copy thereof upon the respondent, unless  
18 the person aggrieved thereby was prevented from filing such  
19 charge by reason of service in the Armed Forces, in which  
20 event the period of military service shall not be included in  
21 computing the one-year period.

22 (d) The respondent shall have the right to file a veri-  
23 fied answer to such complaint and to appear at such hearing  
24 in person or otherwise, with or without counsel, to present  
25 evidence and to examine and cross-examine witnesses.



1 (e) The Commission or the member or designated agent  
2 conducting such hearing shall have the power reasonably  
3 and fairly to amend any complaint, and the respondent shall  
4 have like power to amend its answer.

5 (f) All testimony shall be taken under oath.

6 (g) The member of the Commission who filed a charge  
7 shall not participate in a hearing thereon or in a trial thereof.

8 (h) At the conclusion of a hearing before a member or  
9 designated agent of the Commission, such member or agent  
10 shall transfer the entire record thereof to the Commission,  
11 together with his recommended decision and copies thereof  
12 shall be served upon the parties. The Commission, or a  
13 panel of three qualified members designated by it to sit  
14 and act as the Commission in such case, shall afford the  
15 parties an opportunity to be heard on such record at a time  
16 and place to be specified upon reasonable notice. In its dis-  
17 cretion, the Commission upon notice may take further  
18 testimony.

19 (i) With the approval of the member or designated  
20 agent conducting the hearing, a case may be ended at any  
21 time prior to the transfer of the record thereof to the Com-  
22 mission by agreement between the parties for the elimination  
23 of the alleged unlawful employment practice on mutually  
24 satisfactory terms.



1 (j) If, upon the preponderance of the evidence, in-  
2 cluding all the testimony taken, the Commission shall find  
3 that the respondent engaged in any unlawful employment  
4 practice, the Commission shall state its findings of fact and  
5 shall issue and cause to be served on such person and other  
6 parties an order requiring such person to cease and desist  
7 from such unlawful employment practice and to take such  
8 affirmative action, including reinstatement or hiring of em-  
9 ployees, with or without back pay (payable by the em-  
10 ployer, employment agency, or labor organization, as the  
11 case may be, responsible for the discrimination), as will  
12 effectuate the policies of the Act: *Provided*, That interim  
13 earnings or amounts earnable with reasonable diligence by  
14 the person or persons discriminated against shall operate  
15 to reduce the back pay otherwise allowable. Such order  
16 may further require such respondent to make reports from  
17 time to time showing the extent to which it has complied  
18 with the order. If the Commission shall find that the  
19 respondent has not engaged in any unlawful employment  
20 practice, the Commission shall state its findings of fact and  
21 shall issue and cause to be served on such person and other  
22 parties an order dismissing the complaint.

23 (k) Until a transcript of the record in a case shall have  
24 been filed in a court, as hereinafter provided, the case may  
25 at any time be ended by agreement between the parties,



1 approved by the Commission, for the elimination of the  
2 alleged unlawful employment practice on mutually satis-  
3 factory terms, and the Commission may at any time, upon  
4 reasonable notice and in such manner as it shall deem proper,  
5 modify or set aside, in whole or in part, any finding or order  
6 made or issued by it.

7 (1) The proceedings held pursuant to this section shall  
8 be conducted in conformity with the standards and limita-  
9 tions of sections 5, 6, 7, 8, and 11 of the Administrative  
10 Procedure Act.

#### 11 JUDICIAL REVIEW

12 SEC. 8. (a) The Commission shall have power to  
13 petition any United States Court of Appeals or, if the  
14 court of appeals to which application might be made is  
15 in vacation, any district court within any circuit or district,  
16 respectively, wherein the unlawful employment practice in  
17 question occurred, or wherein the respondent resides or trans-  
18 acts business, for the enforcement of such order and for  
19 appropriate temporary relief or restraining order, and shall  
20 certify and file in the court to which petition is made a  
21 transcript of the entire record in the proceeding, including  
22 the pleadings and testimony upon which such order was  
23 entered and the findings and the order of the Commission.  
24 Upon such filing, the court shall conduct further proceedings  
25 in conformity with the standards, procedures, and limitations



1 established by section 10 of the Administrative Procedure  
2 Act.

3 (b) Upon such filing the court shall cause notice  
4 thereof to be served upon such respondent and thereupon  
5 shall have jurisdiction of the proceeding and of the ques-  
6 tion determined therein and shall have power to grant such  
7 temporary relief or restraining order as it deems just and  
8 proper and to make and enter upon the pleadings, testi-  
9 mony, and proceedings set forth in such transcript a decree  
10 enforcing, modifying, and enforcing as so modified, or setting  
11 aside in whole or in part the order of the Commission.

12 (c) No objection that has not been urged before the  
13 Commission, its member, or agent shall be considered by  
14 the court, unless the failure or neglect to urge such objection  
15 shall be excused because of extraordinary circumstances.

16 (d) The findings of the Commission with respect to  
17 questions of fact if supported by substantial evidence on the  
18 record considered as a whole shall be conclusive.

19 (e) If either party shall apply to the court for leave  
20 to adduce additional evidence and shall show to the satis-  
21 faction of the court that such additional evidence is material  
22 and that there were reasonable grounds for the failure to  
23 adduce such evidence in the hearing before the Commission,  
24 its member, or agent, the court may order such additional



1 evidence to be taken before the Commission, its member, or  
2 agent and to be made a part of the transcript.

3 (f) The Commission may modify its findings as to the  
4 facts, or make new findings, by reason of additional evidence  
5 so taken and filed, and it shall file such modified or new  
6 findings, which findings with respect to questions of fact if  
7 supported by substantial evidence on the record considered  
8 as a whole shall be conclusive, and its recommendations, if  
9 any, for the modification or setting aside of its original order.

10 (g) The jurisdiction of the court shall be exclusive and  
11 its judgment and decree shall be final, except that the same  
12 shall be subject to review by the appropriate United States  
13 court of appeals, if application was made to the district court  
14 or other United States court as hereinabove provided, and  
15 by the Supreme Court of the United States as provided in  
16 title 28, United States Code, section 1254.

17 (h) Any person aggrieved by a final order of the Com-  
18 mission may obtain a review of such order in any United  
19 States court of appeals of the judicial circuit wherein the  
20 unlawful employment practice in question was alleged to  
21 have been engaged in or wherein such person resides or  
22 transacts business or the Court of Appeals for the District of  
23 Columbia, by filing in such court a written petition praying  
24 that the order of the Commission be modified or set aside,



1 A copy of such petition shall be forthwith served upon the  
2 Commission and thereupon the aggrieved party shall file in  
3 the court a transcript of the entire record in the proceeding  
4 certified by the Commission, including the pleadings and  
5 testimony upon which the order complained of was entered  
6 and the findings and order of the Commission. Upon such  
7 filing, the court shall proceed in the same manner as in  
8 the case of an application by the Commission under subsec-  
9 tions (a), (b), (c), (d), (e), and (f), and shall have the  
10 same exclusive jurisdiction to grant to the Commission such  
11 temporary relief or restraining order as it deems just and  
12 proper, and in like manner to make and enter a decree en-  
13 forcing, modifying and enforcing as so modified, or setting  
14 aside in whole or in part the order of the Commission.

15 (i) Upon such filing by a person aggrieved the review-  
16 ing court shall conduct further proceedings in conformity  
17 with the standards, procedures, and limitations established  
18 by section 10 of the Administrative Procedure Act.

19 (j) The commencement of proceedings under this sec-  
20 tion shall not, unless specifically ordered by the court, oper-  
21 ate as a stay of the Commission's order.

22 (k) When granting appropriate temporary relief or a  
23 restraining order, or making and entering a decree enforcing,  
24 modifying, and enforcing as so modified, or setting aside  
25 in whole or in part an order of the Commission, as provided



1 in this section, the jurisdiction of courts sitting in equity  
2 shall not be limited by the Act entitled "An Act to amend  
3 the Judicial Code and to define and limit the jurisdiction of  
4 courts sitting in equity, and for other purposes", approved  
5 March 23, 1932 (U. S. C., title 29, secs. 101-115).

6 (1) Petitions filed under this Act shall be heard ex-  
7 peditiously.

#### 8 INVESTIGATORY POWERS

9 SEC. 9. (a) For the purpose of all investigations, pro-  
10 ceedings, or hearings which the Commission deems necessary  
11 or proper for the exercise of the powers vested in it by this  
12 Act, the Commission, or any member thereof, shall have  
13 power to issue subpoenas requiring the attendance and testi-  
14 mony of witnesses and the production of any evidence relat-  
15 ing to any investigation, proceeding, or hearing before the  
16 Commission, its member, or agent conducting such investi-  
17 gation, proceeding, or hearing.

18 (b) Such attendance of witnesses and the production  
19 of such evidence may be required, from any place in the  
20 United States, including the District of Columbia, or any  
21 Territory or possession thereof, at any designated place of  
22 hearing.

23 (c) In case of contumacy or refusal to obey a subpoena  
24 issued to any person under this Act, any district court within  
25 the jurisdiction of which the investigation, proceeding, or



1 hearing is carried on or within the jurisdiction of which said  
2 person guilty of contumacy or refusal to obey is found or  
3 resides or transacts business, upon application by the Com-  
4 mission shall have jurisdiction to issue to such person an  
5 order requiring him to appear before the Commission, its  
6 member, or agent, there to produce evidence if so ordered,  
7 or there to give testimony relating to the investigation, pro-  
8 ceeding, or hearing.

9 (d) No person shall be excused from attending and  
10 testifying or from producing documentary or other evidence  
11 in obedience to the subpoena of the Commission, on the ground  
12 that the testimony or evidence required of him may tend to  
13 incriminate him or subject him to a penalty or forfeiture; but  
14 no individual shall be prosecuted or subjected to any penalty  
15 or forfeiture for or on account of any transaction, matter, or  
16 thing concerning which he is compelled, after having claimed  
17 his privilege against self-incrimination, to testify or produce  
18 evidence, except that such individual so testifying shall not  
19 be exempt from prosecution and punishment for perjury com-  
20 mitted in so testifying. The immunity herein provided shall  
21 extend only to natural persons so compelled to testify.

22 (e) Any member of the Commission, or any agent  
23 designated by the Commission for such purposes, may ad-  
24 minister oaths, examine witnesses, and receive evidence.

25 (f) Complaints, orders, and other process and papers



1 of the Commission, its member, agent, or agency, may be  
2 served either personally or by registered mail or by tele-  
3 graph or by leaving a copy thereof at the principal office  
4 or place of business of the person required to be served.  
5 The verified return by the individual so serving the same  
6 setting forth the manner of such service shall be proof of  
7 the same, and the return post-office receipt or telegraph  
8 receipt therefor when registered and mailed or telegraphed  
9 as aforesaid shall be proof of service of the same. Witnesses  
10 summoned before the Commission, its member, agent, or  
11 agency, shall be paid the same fees and mileage that are  
12 paid witnesses in the courts of the United States, and wit-  
13 nesses whose depositions are taken and the persons taking  
14 the same shall severally be entitled to the same fees as are  
15 paid for like services in the courts of the United States.

16 (g) All process of any court to which application may  
17 be made under this Act may be served in the judicial district  
18 wherein the defendant or other person required to be served  
19 resides or may be found.

20 (h) The several departments and agencies of the Gov-  
21 ernment, when directed by the President, shall furnish the  
22 Commission, upon its request, all records, papers, and in-  
23 formation in their possession relating to any matter before  
24 the Commission.



## 1 ENFORCEMENT OF ORDERS DIRECTED TO GOVERNMENT

## 2 AGENCIES AND CONTRACTORS

3 SEC. 10. (a) The President is authorized to take  
4 such action as may be necessary (1) to conform fair em-  
5 ployment practices within the Federal establishment with  
6 the policies of this Act, and (2) to provide that any Federal  
7 employee aggrieved by any employment practice of his  
8 employer must exhaust the administrative remedies prescribe  
9 by Executive order or regulations governing fair employ-  
10 ment practices within the Federal establishment prior to  
11 seeking relief under the provisions of this Act. The pro-  
12 vision of section 8 shall not apply with respect to an order  
13 of the Commission under section 7 directed to any agency  
14 or instrumentality of the United States, or of any Territory  
15 or possession thereof, or of the District of Columbia, or any  
16 officer or employee thereof. The Commission may request  
17 the President to take such action as he deems appropriate  
18 to obtain compliance with such orders.

(b) The President shall have power to provide for the establishment of rules and regulations to prevent the committing or continuing of any unlawful employment practice as herein defined by any person who makes a contract with any agency or instrumentality of the United States (excluding any State or political subdivision thereof) or of any Territory or possession of the United States, which contract



1 requires the employment of at least fifty individuals. Such  
2 rules and regulations shall be enforced by the Commission  
3 according to the procedure hereinbefore provided.

4 NOTICES TO BE POSTED

5 SEC. 11. (a) Every employer, employment agency,  
6 and labor organization, as the case may be, shall post and  
7 keep posted in conspicuous places upon its premises where  
8 notices to employees, applicants for employment, and mem-  
9 bers are customarily posted a notice to be prepared or  
10 approved by the Commission setting forth excerpts of the  
11 Act and such other relevant information which the Com-  
12 mission deems appropriate to effectuate the purposes of the  
13 Act.

14 (b) A willful violation of this section shall be punish-  
15 able by a fine of not less than \$100 or more than \$500 for  
16 each separate offense.

17 VETERANS' PREFERENCE

18 SEC. 12. Nothing contained in this Act shall be con-  
19 strued to repeal or modify any Federal, State, Territorial,  
20 or local law creating special rights or preference for veterans.

21 RULES AND REGULATIONS

22 SEC. 13. (a) The Commission shall have authority  
23 from time to time to issue, amend, or rescind suitable regula-  
24 tions to carry out the provisions of this Act. Regulations  
25 issued under this section shall be in conformity with the



1 standards and limitations of the Administrative Procedure  
2 Act.

3 (b) If at any time after the issuance of any such  
4 regulation or any amendment or rescission thereof, there  
5 is passed a concurrent resolution of the two Houses of the  
6 Congress stating in substance that the Congress disapproves  
7 such regulation, amendment, or rescission, such disapproved  
8 regulation, amendment, or rescission shall not be effective  
9 after the date of the passage of such concurrent resolution.

10 FORCIBLY RESISTING THE COMMISSION OR ITS

11 REPRESENTATIVES

12 SEC. 14. The provisions of section 11, title 18, United  
13 States Code, shall apply to officers, agents, and employees  
14 of the Commission in the performance of their official duties.

15 SEPARABILITY CLAUSE

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

21 EFFECTIVE DATE

22 SEC. 16. This Act shall become effective sixty days  
23 after enactment, except that subsections 7 (c) to (l), in-  
24 clusive, and section 8 shall become effective six months  
25 after enactment.



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## A BILL

To prohibit discrimination in employment because of race, color, religion, national origin, or ancestry.

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By Mr. IVES, Mr. HUMPHREY, Mr. DUFF, Mr. DOUGLAS, Mr. HENDRICKSON, Mr. GREEN, Mr. LANGER, Mr. KENNEDY, Mr. MARTIN, Mr. KILGORE, Mr. PURTELL, Mr. LEHMAN, Mr. SALTONSTALL, Mr. MAGNUSON, Mr. SMITH of New Jersey, Mr. MURRAY, Mr. TOBEX, Mr. PASTORE, and Mr. MORSE.

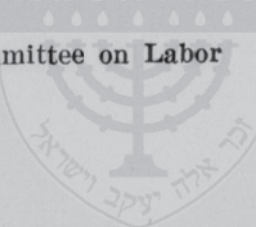
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JANUARY 29, 1953

Read twice and referred to the Committee on Labor and Public Welfare

AMERICAN JEWISH  
ARCHIVES





Ohio House of Representatives

100th General Assembly

Columbus

1953 - 1954

GUY C. HINER  
STARK COUNTY  
SCHNEIDER RD.  
R. F. D. 2  
NORTH CANTON, OHIO

COMMITTEES:  
CONSERVATION  
HIGHWAYS  
INDUSTRY AND LABOR

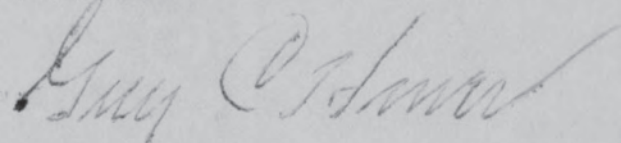
March 23, 1953

Mr. Abba Hillel Silver  
Cleveland, Ohio

Dear Mr. Silver:

The writer has before him your letter of recent date relative to F.E.P.C. legislation and in reply wishes to state that he was one of the few republicans that supported this legislation in the 98th General Assembly and that I will continue to do so in this session.

Thank you for your kind words of advice and I assure you that they are appreciated.



GUY C. HINER

GCH/dk





March 25, 1953

• OFFICERS •

CHAIRMAN

Hon. Theodore M. Berry  
Cincinnati

SECRETARY

Dr. B. T. Mindlin  
Columbus

TREASURER

Dr. D. R. Sharpe  
Cleveland

LEGISLATIVE  
REPRESENTATIVE

Charles P. Lucas  
Cleveland

DIRECTOR

Sam Weisberg  
Cleveland

•  
AFFILIATED  
LOCAL COUNCILS

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BELLAIRE

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CINCINNATI

CLEVELAND

COLUMBUS

DAYTON

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HAMILTON

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LANCASTER

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LORAIN

MIDDLETOWN

OBERLIN

SPRINGFIELD

STEUBENVILLE

TOLEDO

WARREN

WOOSTER

XENIA-WILBERFORCE

YELLOW SPRINGS

YOUNGSTOWN

ZANESVILLE

Rabbi Abba Hillel Silver  
The Ansel Road Temple  
Cleveland 6, Ohio

Dear Rabbi Silver:

On behalf of the Committee, I want to express our most sincere thanks for your able and helpful letter addressed to the chairman of the House Industry and Labor Committee, and to the chairman of the Senate Commerce and Labor Committee, in regard to the committee hearings of March 18th, considering fair employment practice legislation.

We feel that your letter was extremely important in demonstrating that the religious faiths are united in considering employment discrimination morally wrong.

Very truly yours,

*Theodore M. Berry*

Theodore M. Berry, Chairman



# Ohio Senate

FRED W. DANNER  
35TH DISTRICT  
37 N. HIGH ST.  
AKRON



COMMITTEES:  
COMMERCE AND LABOR, CHAIRMAN  
FINANCE  
HIGHWAYS, PUBLIC WORKS AND UTILITIES  
INSURANCE

## Columbus

March 26, 1953

Rabbi Abba Hillel Silver  
The Temple  
East 105th Street at Ansel Road  
Cleveland 6, Ohio

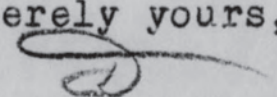
Dear Rabbi Silver:

Thank you for your letter of March 13th. I appreciate your interest and position on this legislation, and I assure you that everyone for or against the Fair Employment Practices bill will be given the privilege to voice his opinion.

People of this class need assistance and are usually grateful for employment, which is not refused on the basis of color, creed or national origin.

Sincerely yours,

FWD:h

  
Fred W. Danner



12-17-53

Sidney Vincent

Jewish Community

Federation

1001 Huron Rd.



requested by AHS to draw up a  
statement for him to make at  
hearing. Material sent to Vincent (copy of  
bill) 12-17



IRVING M. IVES  
NEW YORK

## United States Senate

WASHINGTON, D. C.

December 21, 1953

Rabbi Abba H. Silver  
The Temple  
East 105th Street at Ansel Road  
Cleveland 6, Ohio

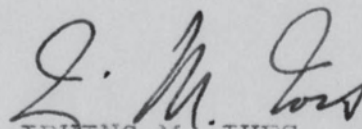
Dear Rabbi Silver:

I was very glad to receive your letter of December 17th advising that you can appear at the hearings on S. 692. Noting your express desire that such appearance be scheduled for January 19th, I would request you kindly to plan to be with us at 10 a.m. on that date in the Old Supreme Court Chamber in the Capitol, where the hearings are to be held.

If you plan to make a prepared statement, I am wondering if you would be so kind as to provide me with 75 mimeographed copies about two days in advance, in order that they may be provided for the benefit of the Committee members and the press.

Again thanking you for your cooperation, and with kindest personal regards, I remain

Sincerely yours,

  
IRVING M. IVES

IMI:pr



## CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

# WESTERN UNION

W. P. MARSHALL, PRESIDENT

1220

## SYMBOLS

DL=Day Letter

NL=Night Letter

LT=Int'l Letter Telegram

VLT=Int'l Victory Ltr.

(07)

1954 JAN 7 PM 2-23

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CLADO54 LONG GOVT PD=SN WASHINGTON DC 7 100PME

RABBI ABBA HILLEL SILVER

19810 SHAKER BLVD

AS CHAIRMAN OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE. I REGRET THAT I FIND IT NECESSARY TO POSTPONE THE HEARINGS ON S. 692 (A BILL TO PROHIBIT DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN AND ANCESTRY). THESE HEARINGS HAVE BEEN POSTPONED FOR APPROXIMATELY ONE MONTH AND ARE RESCHEDULED TO OPEN

ON TUESDAY MORNING, FEBRUARY 23, 1954. A NEW TIME FOR YOUR APPEARANCE BEFORE THE COMMITTEE WILL BE COMMUNICATED TO YOU AS SOON AS POSSIBLE.

H ALEXANDER SMITH CHAIRMAN COMMITTEE ON LABOR AND PUBLIC WELFARE



# CLASS OF SERVICE

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# WESTERN UNION

W. P. MARSHALL, PRESIDENT

# SYMBOLS

DL = Day Letter  
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LT = Int'l Letter Telegram  
VLT = Int'l Victory Ltr.

FX-1201

=(40):

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ON S 692 BUT YOUR ORAL TESTIMONY MUST BE CONFINED  
TO THE TIME ALLOCATED TO YOU. IN THE EVENT YOU DO NOT  
WISH TO TESTIFY IN PERSON YOU MAY SUBMIT STATEMENT  
FOR INCLUSION IN THE RECORD OF THE HEARINGS. PLEASE  
CONFIRM THESE ARRANGEMENTS BY WIRE IMMEDIATELY:

=ROY E JAMES STAFF DIRECTOR SENATE COMMITTEE ON  
LABOR AND PUBLIC WELFARE F-42 THE CAPITOL  
WASHINGTON DC

=S 692 1 1954 10 P63 30 75 75 48 S 692 F-42

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE



## CLASS OF SERVICE

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# WESTERN UNION

W. P. MARSHALL, PRESIDENT

## SYMBOLS

DL=Day Letter

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FX-1201

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

=GQ:CLA194 GOVTPD=SN WASHINGTON DC 11 326PME=

=RABBI ABBA HILLEL SILVER=

=DLR 19810 SHAKER BLVD=

YOU ARE INVITED TO TESTIFY BEFORE THE SUBCOMMITTEE ON CIVIL RIGHTS AT PUBLIC HEARINGS ON S 692 ON MONDAY MARCH 1 1954 AT 10 AM IN ROOM P 63 THE CAPITOL BUILDING (OLD SUPREME COURT CHAMBER) YOU HAVE BEEN ALLOTTED A TOTAL OF 30 MINUTES FOR THE PRESENTATION OF YOUR ORAL TESTIMONY. PLEASE FURNISH THE COMMITTEE 75 COPIES OF YOUR PREPARED TESTIMONY AND 75 COPIES OF A SUMMARY THEREOF 48 HOURS IN ADVANCE OF YOUR SCHEDULED APPEARANCE. THE PREPARED STATEMENT MAY BE OF SUFFICIENT LENGTH TO PROPERLY SET FORTH YOUR VIEWS

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE



Telegram to

ROY.E. JAMES, STAFF DIRECTOR SENATE COMMITTEE ON LABOR AND PUBLIC  
WELFARE F-42

THE CAPITOL  
WASHINGTON, D. C.

REGRET VERY MUCH WILL BE UNABLE TO ATTEND HEARINGS ON MARCH FIRST  
AS I HAVE ANOTHER IMPORTANT ENGAGEMENT ON THAT DAY. BUT I WILL BE  
PLEASED TO SUBMIT A STATEMENT FOR INCLUSION IN THE RECORD OF THE  
HEARINGS.

ABBA HILLEL SILVER





February 22, 1954

Mr. Roy E. James, Staff Director  
Senate Committee on Labor and Public Welfare F-42  
The Capitol  
Washington, D. C.

Dear Mr. James:

Under separate cover, via air express, I have sent you 75 copies of Rabbi Silver's statement on S 692 for the hearings to be held on March 1, 1954.

As we have previously informed you, he regrets that he will be unable to be present at the hearings.

Very truly yours,

(Mrs.) Ruth M. Sparrow  
Secretary to Rabbi Silver



H. ALEXANDER SMITH, N. J., CHAIRMAN  
IRVING M. IVES, N. Y.  
DWIGHT GRISWOLD, NEBR.  
WILLIAM A. PURTELL, CONN.  
BARRY GOLDWATER, ARIZ.  
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JAMES E. MURRAY, MONT.  
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MATTHEW M. NEELY, W. VA.  
PAUL H. DOUGLAS, ILL.  
HERBERT H. LEHMAN, N. Y.  
JOHN F. KENNEDY, MASS.

ROY E. JAMES, STAFF DIRECTOR

## United States Senate

COMMITTEE ON  
LABOR AND PUBLIC WELFARE

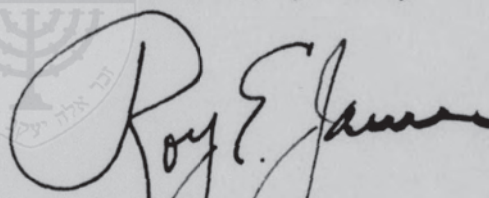
February 25, 1954

Dear Dr. Silver:

This will acknowledge receipt of copies of your statement on S. 692 under date of February 25, 1954.

Please be assured that your statement is being brought to the attention of the members of the Committee and will be incorporated in the record of testimony on S. 692 before the Subcommittee on Civil Rights.

Sincerely yours,

  
Roy E. James  
Staff Director

Rabbi Abba Hillel Silver  
19810 Shaker Boulevard  
Cleveland, Ohio

REJ:A