

Oral History Interview
with
WILLIAM S. TYSON

Attorney, U.S. Department of Labor, 1939-43, Assistant Solicitor, 1943-45, Solicitor of Labor,
1945-53.

Rockville, Maryland
October 6, 1977
by James R. Fuchs, Harry S. Truman Library

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FUCHS: Would you begin by giving a little background, perhaps noting where and when you were born, and something about your education?

TYSON: I was born in Greenville, North Carolina in 1903, and my education was at the University of North Carolina. I began the practice of law in Greenville, North Carolina and was prosecuting attorney there for several years before I came to Washington with my Congressman, who was Lindsay Warren.

FUCHS: You came with him?

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TYSON: He was my Congressman and he asked me to come up here to be on his staff. We had our office where the majority leader has his office now, right in the Capitol. I didn't stay but about a year and a half, two years, and then I went back into private practice of law until I came to the Labor Department in October 1939. I actually went with them in North Carolina, but came to Washington in January '43, I believe it was.

FUCHS: In the period '39 to '43 you were actually in North Carolina, then, but with the Labor Department?

TYSON: Yes, I was. I went with the Labor Department in 1939 in Charlotte, and I stayed there less than a year. Then they transferred me to Raleigh, North Carolina, which is the capital. They took over the enforcement of the wage and hour law in North Carolina, and I was transferred

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from Charlotte to handle the legal phases of the wage and hour enforcement in Raleigh, North Carolina; and then from Raleigh they asked me to come up here. That was in October 1942, I believe, and I stayed with the Labor Department in Washington from October 1942 until March 1953.

FUCHS: You came into the Labor Department in Washington as Assistant Solicitor?

TYSON: No. When I went with the Labor Department in 1942 I was with the Office of the Solicitor, on the staff, answering questions on interpretations of labor laws. I was made Assistant Solicitor about a year after that.

FUCHS: I believe your *Who's Who* article says in 1943.

TYSON: Something like that, I can't remember. I was made Solicitor in, I think it was July 1945,

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but because of a long filibuster I think my confirmation was held up until January or February.

FUCHS: Was that a presidential appointment?

TYSON: Yes, it was.

FUCHS: You weren't under Civil Service then?

TYSON: I was under Civil Service when I came to the Labor Department in 1939 and I stayed under Civil Service until I was made Solicitor in '45.

FUCHS: The Solicitor's job was never Civil Service?

TYSON: No.

FUCHS: That was held at the pleasure of the President then?

TYSON: Yes, that is correct. But Judge [Lewis B.] Schwellenbach recommended my appointment to

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Truman, and I think that was in July, if I'm not mistaken.

FUCHS: Do you have any recommendations of Madame [Frances] Perkins?

TYSON: Oh, yes, I served under her from that date until she resigned.

FUCHS: How did you view her as a Secretary of Labor?

TYSON: I thought very highly of her and I thought the common judgment about her ability was in error. What she did I think she did very well.

FUCHS: Then Judge Schwellenbach was appointed as Secretary of Labor. Had you known him prior to that time?

TYSON: No, I had not.

FUCHS: How did you feel about him?

TYSON: Well, I was on the staff then of the Office

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of the Solicitor. I served under him before I was made Solicitor.

FUCHS: Who was your predecessor as Solicitor?

TYSON: My predecessor as Solicitor was Douglas Maggs, but in the meantime there was an Acting Solicitor named Irving Levy . He got out before I was made Solicitor. He was never actually made Solicitor, but he was in acting position there for several months.

FUCHS: Why was that?

TYSON: I can't remember the circumstances of that now.

There was another Solicitor in there named Warner Gardner, and Maggs was the next one to succeed him in the title. Gardner's still living, by the way, and he's a private lawyer in Washington.

FUCHS: Where did Maggs come from?

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TYSON: Maggs was actually a professor of law at Duke University, and he was made Solicitor after Gardner got out. It may have been during that period that Levy was acting for a short period of time. Then Levy went to the Justice Department and Maggs became Solicitor.

FUCHS: Why did Maggs leave?

TYSON: I can't answer that directly. It had to do with something that he wanted in connection with the Government that he wasn't given. I don't know what it was; I can't remember.

FUCHS: Did he recommend you for the job, or how did you come to be given the appointment?

TYSON: When Maggs came in as Solicitor there was another man in there who was Associate Solicitor. His name was Archibald Cox. Schwellenbach brought a man with him who was a District Attorney in the State of Washington and he asked this man,

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who was a lawyer, to look at the Department and recommend who should be made Solicitor. I was in New York doing business for our New York office. I got a call from this man, this District Attorney that was looking over the Department, and he said the Secretary had decided that he wanted to make me Solicitor of the Department of Labor and would I be interested. And I said, "Well, I don't know."

He said, "Well, you'd better come back to Washington and talk to the Secretary," and I did.

I came back that afternoon and talked with the Secretary the next day, and he told me he wanted to offer me the job if I wanted it; that he had talked to Truman about it and that Truman would appoint me. I said, "Okay." I decided to take it. When I decided to take it Cox became pretty well infuriated and resigned, I think. Anyway that's the way it happened.

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I didn't know anything about it until they called me in New York.

You asked me did Maggs recommend me? No, it wasn't Maggs that recommended me, it was the District Attorney that Schwellenbach had brought with him from the State of Washington.

FUCHS: I believe the Solicitor's job is generally held during the incumbency of a President or while a particular party is in, is that not right? Did you feel that if the other party came in that you would probably be out?

TYSON: Well, it's political. I had not been a political appointee in Civil Service as Acting Solicitor, but when I agreed to become Solicitor I had to become a political appointee and also I placed myself in the position that when the President changed I would necessarily offer my resignation. I did and it was accepted.

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I remember I got out on March the 9th., 1953, and that was right after Eisenhower came in.

FUCHS: You had quite a long career with the Department.

TYSON: Yes. I was there from 1939, in North Carolina, to March of '53, which was about fourteen years.

FUCHS: When Madame Perkins was Secretary there was no Under Secretary, but she had an Assistant Secretary who was D. W. Tracy, did you know him?

TYSON: Oh yes, Dan Tracy. He was president of a labor union, but I can't remember which one it was now.

One thing I forgot to tell you. I told you I came to Washington with my Congressman. That was in the early thirties, but after that I went to Columbia, South Carolina. I wanted to get back into law practice, and became one of the counsels to the Federal Land Bank of Columbia,

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and I stayed there about a year and a quarter, I think. Then I went back to my home town and opened a law office there. It was from there that I went back to the Labor Department, but in the earlier days I was practicing law in my home town, from 1935 approximately to 1939.

FUCHS: Did you ever regret those years in the Government? Did you think that it was a fruitful experience?

TYSON: No, I did not regret it. As a matter of fact, I enjoyed it and considered very valuable the contacts and experiences that I had. I felt it was necessary to resign after President Truman got out. I had no clients to give me a law practice and I had two children in college. That was a pretty severe financial strain on me, but I was fortunate in that when I opened my law office I was able to get more clients than I could handle

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in the first year. The people I had known throughout the United States during my experience in the Labor Department were highly beneficial in meeting people and in getting clients, you might say. So, I felt that my practice in the Labor Department had been very helpful.

FUCHS: How did you view the reorganization that Secretary Schwollenbach instituted in the Department? Did you feel it was long overdue or did you feel that was just a new man trying to make his mark?

TYSON: Well, I was so busy I didn't give too much attention to that. I thought that he was right in trying to get other bureaus moved into the Labor Department, because the Labor Department was not as strong as it should be for the performance of the functions to which it had been assigned. For instance, the Employment Service was moved into the Labor Department, which

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strengthened it quite a bit; and there were some other bureaus like the Veteran Reemployment Rights, and two or three other things, that were moved in that greatly strengthened the Department. So I approved of that and thought that he did a good job in getting the other bureaus in there.

FUCHS: When Schwellenbach came in the *New York Times* referred to what was called "the Secret Six" that he brought in to help him with his reorganization. I wonder if you have heard of that term?

TYSON: No.

FUCHS: Did you operate directly with Secretary Schwellenbach, or did you work with the Under Secretary or the Assistant Secretary?

TYSON: I worked directly with him and had conferences with him on matters I was charged with

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handling. I worked with the Under Secretary just like I worked with Schwellenbach. In other words, I had direct access to Schwellenbach and, my recollection is, we discussed the Taft-Hartley legislation -- and there was a bill before that...

FUCHS: The Case bill?

TYSON: Yes, the Case bill. We discussed that and I went over to the White House and helped Clark Clifford write the veto messages that Truman sent on various bills which were being considered in lieu of Taft-Hartley.

FUCHS: How did this come about? Did the White House call you and ask you to come over or would they ask for a recommendation from the Secretary for someone to work on the veto messages? Do you know?

TYSON: My recollection is that Clark Clifford called

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me. I don't know who else worked on that; I remember going over and spending a week over there working on it. We had conferences, discussions, on what to say in various regards in connection with the veto message and so forth.

FUCHS: Did you work on other speeches for the President, such as the one to draft the railroad men?

TYSON: I remember one thing: Drew Pearson wrote a piece in his column in which he told who worked on the veto message and he mentioned me. Oh, I worked on a number of things over there. In any field the Labor Department was interested in, I would be called in to help on it, and there were quite a few. I can remember that Case bill because that preceded the Taft-

Hartley, and of course, there were messages all the time that involved various aspects of the Labor Department's interests. I can't at the moment remember what

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they were, it's been so long.

There was a wage and hour bill in 1949, that was one of the ones. I'll show you a picture upstairs Truman signed. He had all of us in that worked on it and gave us the picture. The wage and hour law was one of the ones we worked on a long time. There were also several messages relating to transfer of the bureaus into the Labor Department; I worked on those too. There was a Children's Bureau that was moved out, too.

FUCHS: What did you feel about that? Was that the proper move, for the Children's Bureau to go to, I believe, the Federal Security Agency?

TYSON: That's where it went? No, I didn't think so. When that was going out I thought they should be putting things into the Labor Department to make it stronger.

FUCHS: That was Katharine Lenroot's bureau, wasn't it?

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TYSON: Yes, it was.

FUCHS: Did you know her?

TYSON: Yes, I knew her.

FUCHS: Did you feel she was competent?

TYSON: Yes, she was competent, very competent. That was a very important bureau and I hated to see it leave here.

FUCHS: Did she feel that that was a wise move?

TYSON: I can't tell you; but I didn't want to see it go.

FUCHS: What about the United States Employment Service, being moved to the Federal Security Agency and becoming more or less an agency of the Bureau of Employment Security?

TYSON: You mean it was moved to the Labor Department, and then moved again?

FUCHS: It was moved over to Federal Security around 1948.

TYSON: And then it moved back.

FUCHS: And then it moved back later on.

TYSON: I was in all that, but I was in favor of keeping it in the Labor Department.

FUCHS: How did you feel about the Federal Mediation and Conciliation Service being taken out and made an independent agency?

TYSON: I didn't want to see it go.

FUCHS: You thought it could serve its purpose well in the Department of Labor?

TYSON: Yes, I did. I still think so. I still think it can function in the Labor Department. And I think I wrote some opinions that it ought to stay in the Labor Department.

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Now John Steelman was in there as head of it, and I don't know what John thought.

FUCHS: At one time he was head of it, but he left in '44.

TYSON: Yes, that's right. Of course, John and I are very good friends. When I got out he sent me a lot of clients because I had worked with him over at the White House, too.

FUCHS: Did you work on speeches with him?

TYSON: Yes, I did, but I can't remember which ones they were now. I talked with John about a lot of things.

FUCHS: Do you have a for example?

TYSON: No, I don't have any for example; I just can't think of any. But I think I talked with John in some regard on transfers to and from the Labor Department; and I think there was one

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that I disagreed with him on. Of course he wasn't in the Labor Department then.

FUCHS: Steelman, of course, was deferred to by the President to a great deal in regard to labor matters.

TYSON: He was really Assistant President. He made a lot of decisions.

FUCHS: He handled a lot of labor matters. Do you recall ever discussing the division of authority, either with Steelman or with other people in the Labor Department, as to whether it was the best way to function?

TYSON: I recall discussing -- but I can't recall who I discussed it with -- the division of authority between Tobin and Steelman. A subject of great difference of opinion was who had

the authority to do certain things. I don't know whether you remember, but it was discussed by columnists and

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by others as to whether or not Steelman had the power over the labor decisions or Tobin had the power; who was more important in the administration.

FUCHS: You don't recall at the time whether or not you thought that it was a bad thing?

TYSON: Yes, I recall what my opinion was. I was a little dubious about who had the ultimate authority in some cases.

FUCHS: One writer, a former Labor Department official, thought that John Steelman was "too eager" to get into Labor disputes. Would you concur in that?

TYSON: I wouldn't say that he was too eager, but I would say that the delegation of authority between Steelman and Tobin was a little dubious on many occasions. And who really had the ultimate authority, I can't say that anybody

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really knew. That's my opinion.

FUCHS: You think it should have been centered in Tobin and not been so indistinct as it was? That labor would have been served as well, or less well, or better?

TYSON: Well, the most I could say is that it wasn't clear whether or not it would have been better. I can't say, because the President was the President and if he wanted to have something decided a certain way, he should have had that authority, I think. Probably he exercised it in a way that he thought was the best.

FUCHS: He seemed to have a great deal of confidence in John Steelman.

TYSON: Yes, he did, and he had confidence in Tobin too; I think both of them were very close to him. Whatever decision he made I think that he gathered the information that was necessary and

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decided in a way which he thought was best for the Government.

FUCHS: I don't know if you care to make such an assessment, but one person, who was a former head of an office in the Department of Labor, said that he had very good relations with both Tobin and Mike Galvin but he thought they were both poor administrators. Would you agree with that?

TYSON: Well, Tobin had some definite ideas I think, and I think they were obtained by him from people in the Department that knew what they were doing. Whether they were all right or

not, that's another question. Now Galvin was not as high a caliber in his managerial functions as Tobin was, in my opinion, and -- well, that's all I'll say.

FUCHS: What kind of a person was Galvin? How did you view him?

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TYSON: Galvin had some areas that he wasn't very competent in. He was a good-hearted person, but he had never been in the labor movement and never been in the Labor Department up until he was made Under Secretary. And it's likely that anyone that went in that way would have some faults, you might say, and he did.

FUCHS: What do you recall of Keen Johnson as the first Under Secretary?

TYSON: I recall him as being competent.

FUCHS: Why did he leave the Department? I guess he served until around '48, succeeded by David Morse.

TYSON: Well, he left, it seems to me, to take a private job that paid him more. You know at that time there was a ceiling of \$10,000 on all jobs in the Government and that kept people out. In other words, people didn't want to get in

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there and not make any more than that. Keen had been Governor of Kentucky, and I think he was offered a job with a corporation. I've forgotten what it was. Maybe you know.

FUCHS: No, I don't.

TYSON: Well, he was a competent person I believe. He is dead, isn't he?

FUCHS: Yes.

TYSON: He had been Governor of Kentucky, you know, so he wasn't any slouch.

FUCHS: Did you know Isador Lubin? You said you knew [Ewan] Clague.

TYSON: Yes.

FUCHS: Lubin was Clague's predecessor.

TYSON: No, I didn't know him.

FUCHS: Schwellenbach said that the Bureau of Labor

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Statistics needed some changes. That it was rather weak, at least in statistical assessments. Do you have any recollection of that?

TYSON: I wasn't aware of that, no. I always heard Clague spoken of in the highest of terms. I don't know anything either for him or against him.

FUCHS: I don't know that there were any charges directly against Clague.

TYSON: No, I always thought of it as being very strong. There was a lady in there who was very prominent, Wickens.

FUCHS: Aryness Wickens.

TYSON: She was very competent, I thought.

FUCHS: Was she Clague's assistant?

TYSON: I think she was an assistant to Clague.

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FUCHS: I believe the first time they reorganized they had three Assistant Secretaries. One was from the AFL and one was from the CIO. Did you think that was a good move?

TYSON: No, I didn't.

FUCHS: Why?

TYSON: Well, I thought that the natural inclination of those people would be to follow the line that they had always been in. They had always worked for either the AFL or CIO and it was too easy for them to follow what they had been doing. I didn't like it.

FUCHS: You thought that they would be prejudiced?

TYSON: Well, I wouldn't say that. I would just say that they'd be inclined to take positions which were not in the best interest of the Labor Department.

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FUCHS: Do you think it worked out that way?

TYSON: Yes.

FUCHS: David Morse was then the other Assistant Secretary. He dealt with international labor affairs, and he was succeeded in that by Philip Kaiser.

TYSON: No.

FUCHS: Do you have any examples of where that worked to the detriment of the Department of Labor?

TYSON: I can't give you anything specific on that. It's just my own idea formed from seeing things function. For instance, let me tell you this -- which doesn't really answer your question -- but the question of wage increases and decreases was constantly being raised in negotiations between labor unions and the Labor Department and I was of the opinion that you shouldn't always get

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raises, that there would be times when they wouldn't be appropriate or practical. And I talked with one of the people who was in that type job, and he would never admit that there was any time where a raise wouldn't be appropriate.

FUCHS: Would you care to say who that was?

TYSON: No, I wouldn't care to.

FUCHS: Did any particular bureau present greater problems for you; do you recall any particular difficulty? Did each bureau have its own lawyers?

TYSON: No. I was the head of the lawyers and I might assign somebody to handle legal problems for a particular bureau, but it would be under me. For instance, in the Bureau of Employee's Compensation we had a lawyer whose name was Ward Boote. He had come to us from the Federal Security Agency and he came over to my office

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doing that same work. I let him have an office down where that Bureau was and so forth, but he did work directly with the Bureau under me. That's the only one that really functioned that way. He died before he left the Labor Department. He was working under the Bureau most of the time.

FUCHS: Did that setup create any particular problem?

TYSON: It worked out all right because he was a very reasonable person and a very competent person. It worked all right. But that's the only time we had it that way. And he really was not the highest authority; in other words, I still had the authority.

FUCHS: I see, did either of the two principal Secretaries you worked under, Schwellenbach or Tobin, have regular staff meetings as a method of administration?

TYSON: None of the Secretaries did. I worked under

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Mrs. Perkins, I worked under Schwellenbach, I worked under Tobin, and I also spent two or three months working under the next man before I resigned. He was a labor man. He only stayed a year.

FUCHS: The only one I can think of was [Martin P.] Durkin.

TYSON: Durkin. He was a very nice fellow by the way. He didn't want me to quit, but the Republicans did. Anyway, none of them that I knew of had regular staff meetings. I had private conferences with all of them. Normally they might call in the head of the particular bureau which handled the questions involved, but it was very seldom they called in more than one bureau head.

FUCHS: Now did the Assistant Secretaries have specific bureaus assigned to them.

TYSON: Yes, under certain Secretaries they did have

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assignments, although it wasn't rigid. That developed more towards the end of my service where a certain bureau would be assigned to a certain Assistant Secretary, but it didn't work much while I was there.

FUCHS: You would say as a general rule that the bureau chief or director would consult directly with the Secretary on these things?

TYSON: No, if we had a question, the Secretary would call him in and me also, and discuss it with the two of us.

FUCHS: They were usually matters of interpretation of law?

TYSON: Or enforcement. I was in enforcement a whole lot. My own work was whether to prosecute a person in a criminal way or a civil way. We enforced the wage and hour laws and we had hundreds of criminal actions and civil actions. Some of them

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were handled by the Justice Department; but we were given authority to handle practically all wage and hour things.

FUCHS: What would be an example of criminal action under wage and hour?

TYSON: Well, the wage and hour law has sections in it which provide penalties for violating certain provisions. In other words, if an employer was failing to pay the minimum wage or failing to pay the overtime required by the wage and hour law we would prosecute him. And we could find that he was guilty of certain things, in which event he would be subject to, maybe, a jail sentence?

FUCHS: These were criminal acts?

TYSON: Yes. We tried not to have many jail sentences, you might say, but he might have to pay a large fine. In some cases they paid back wages as much as a million dollars.

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FUCHS: These were criminal because they were intentional, whereas the civil would be technical?

TYSON: They were criminal because they were willful violations of the wage and hour law. And then there would be, of course, civil violations, which are mainly just failure to pay the wages required by law; and if we didn't think it was a willful violation, but a lack of knowledge of the law or something like that, it was a civil violation.

FUCHS: These types of prosecutions were a great part of your work?

TYSON: Well, I had so many things to do. That was very important and involved a large part of my staff of lawyers. They went out and handled these things. When it got up to the Court of Appeals we used a higher grade lawyer, and when it got to the Supreme Court I helped on some of the cases and argued cases in the

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Supreme Court and then had others to do the same thing.

FUCHS: How large would your staff of lawyers be on the average?

TYSON: It's hazardous to guess because it varied. Sometimes we would have as many as 300, and then again we would have 150.

FUCHS: Would this be in the Department in Washington?

TYSON: In the Department. We had field staffs; we had from nine to twelve, I'd say, regional offices of lawyers. And there was a regional attorney in charge of each office and he worked under me, you see. We would have meetings every year of the attorneys from the field.

FUCHS: How many might be working in the Department in Washington?

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TYSON: About half I'd say.

FUCHS: Quite a lot.

TYSON: Well, we had several reasons for that. For interpretations which were final we did all that here in Washington; and then we had the enforcement of the Davis-Bacon and one or two other acts, that was handled by attorneys in Washington. We had a fairly large staff of attorneys engaged in enforcement, court actions, and things like that, stationed here who sent instructions to the attorneys in the field.

FUCHS: I believe there was a discussion at one time about moving the NLRB into the Department, if only for housekeeping purposes. Do you recall that?

TYSON: Well, I know there was a lot of talk, but I can't say much about that because I don't

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really recall any direct negotiations on it.

FUCHS: Do you feel that it would be good to have it in the Department or not?

TYSON: Well, I just don't know.

FUCHS: Did you know Paul Herzog?

TYSON: Oh, yes.

FUCHS: There was quite a controversy while Herzog was in there in which the counsel, Robert Denham...

TYSON: Yes, I knew Denham very well.

FUCHS: Did you ever talk to him about that?

TYSON: I talked to him about a lot of things. Of course we disagreed on most of the things like that. We disagreed on how the law should be enforced and everything about it. He didn't think like I did on labor law you might say.

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FUCHS: Did you think that Herzog was right in that controversy?

TYSON: Well, I don't recall the so-called controversy. I was thinking about the positions which I remember Denham taking, and they were contrary to my thinking.

FUCHS: He was a good friend, but you didn't think alike.

TYSON: Yes, that's right.

FUCHS: Do you recall John Kmetz? I've not seen too much about him.

TYSON: Wasn't he there only a short time?

FUCHS: Yes. He succeeded Hannah, I believe, and he left not too long afterwards; and then I believe Ralph Wright came in.

TYSON: Yes. I liked all of them. I liked Wright, too. I liked Kmetz, I liked Hannah.

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FUCHS: Was Wright a capable person?

TYSON: Yes, he was.

FUCHS: He was of the AFL.

TYSON: AFL, yes. They were all capable. I didn't agree with everything they thought, don't misunderstand me, but I thought they all did a good job.

FUCHS: Now there was, according to the *Government Organization Manual*, a man named James Dempsey, who served as administrative assistant to the Secretary about 1947, '48, '49, around in there. Do you recall him?

TYSON: I certainly do.

FUCHS: What kind of a man was he?

TYSON: Well, he was what I'd call a secretary to the Secretary. He did all right, and he did what the Secretary wanted him to do, I think, as he

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should have done.

FUCHS: What was his background?

TYSON: Well, he was from Boston. He was in the Labor Department for several years afterwards, but not with the Secretary's office. I think he was with Wage and Hour or something.

FUCHS: What is your principal memory of John Gibson as an Assistant Secretary?

TYSON: John Gibson was a dynamic person who had strong views. I didn't necessarily agree with his views but I think he did a good job. I was a good friend of his, but John knew I didn't agree with everything that he did. He and I, after he left the Labor Department, met several times and discussed things. I don't know what killed him. Do you know?

FUCHS: No, I don't.

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TYSON: Well, he was in an automobile wreck and I don't know if that had anything to do with it. He was very successful after he got out.

FUCHS: I believe Millard Cass was telling me that he had something to do with McDonald's or a distributorship or brewery?

TYSON: He and his brother owned, according to my limited knowledge, or bought a beer distributorship after he got out of the Labor Department. I don't think he had that when he was in the Labor Department.

FUCHS: No, this was subsequent to it.

TYSON: And he also purchased either an interest, or the entire interest, in the McDonald's places in Washington. He was the owner of that and as the corporation became more important he sold out for a large sum. And he also became a banker. He had a high position in some local bank here

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in Virginia. I'm not sure whether he was active in that or whether he just was an inactive partner. But he was smart and he made a lot of money before he died, I think. I didn't see him once in four or five years after he left the Labor Department but I talked to him on the phone several times.

FUCHS: There was another man, a special assistant to Secretary Schwollenbach, Louis Sherman, do you recall him?

TYSON: Well, Louis Sherman was actually a lawyer and was in my office at first, up until, oh, I don't know when; but he left the Labor Department and became a private attorney. He represented a number of labor organizations, including the building trades. He was a very good lawyer.

FUCHS : In the *Government Organization Manual* for 1948 Millard Cass appears as special assistant to the Under Secretary.

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TYSON: I think he was. I think he was special assistant to the Under Secretary, but I can't remember what Under Secretary it was.

FUCHS: It was Morse. Morse brought him from NLRB.

TYSON: I was thinking it was later that he was also special assistant. I think he was assistant to the Under Secretary just a year or so ago when this fellow who was from Pennsylvania and is now with Bethlehem Steel Company was Under Secretary.

FUCHS: What do you recall about James Dodson?

TYSON: I knew him very well and for a long time, because he handled our budget for the Solicitor's office. I had to go to him every year. The various bureaus in the Department would get their budget approved by him and then it was presented to the Budget Bureau -- the amount that he could

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ask for appropriation-wise. And Jimmy was there a long time.

FUCHS: Did he pro forma accept your estimates or requests or did he argue with you?

TYSON: Oh, he argued with us; I mean it was a thing that we talked about, in other words.

FUCHS: You ironed it out between you.

TYSON: We most of the time agreed, but we had to work things out, you know. Then I, after clearing it with him, had to go over to the Budget Bureau and clear it with them, and then had to go down to the Hill and clear it with the House of Representatives Committee on Appropriations.

FUCHS: You did this personally?

TYSON: Yes.

FUCHS: You worked on appropriations. Was this

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for the entire Department?

TYSON: This was for the Solicitor's office.

FUCHS: They took the budget up individually with the person...

TYSON: With each bureau you might say. Of course, I also went down with the Secretary on occasion when he presented the so-called budget for the Secretary's office. I'd go down with him on that.

FUCHS: Do you recall who you worked with in the Bureau of the Budget? Any individual in particular?

TYSON: Dave Stowe was one of them we worked with over there; and then there was another fellow over there that worked with Dave, but I can't remember his name. I knew him very well, saw him very often in other words; he was there for many years.

FUCHS: Dave, of course, then went into the White

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House and worked as an assistant to Steelman and then became an administrative assistant to the President.

TYSON: Yes, that is correct. Dave actually got into the Labor Department there for a year or so. He had gotten out and gotten into private practice. He wanted to get some credits on his retirement benefits and so he got back into the Labor Department for about a year or so to have more service.

FUCHS: Did you feel that he was a very competent person?

TYSON: Oh, yes, he was competent.

FUCHS: Another person who was an assistant to Under Secretary Morse was Thacher Winslow, but I know nothing more about him.

TYSON: Yes. He died. He was a very nice person.

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FUCHS: Did he die while he was working in the Labor Department?

TYSON: Yes, that's my recollection, that he did. I think that was when he was at the Labor Department.

FUCHS: Could you contrast Secretary Tobin and Secretary Schwollenbach as Secretaries of Labor?

TYSON: Well, they were entirely different types. And both had areas of competency. Secretary Schwollenbach was more of a student. He had been a judge and had practiced law. Tobin was not a lawyer. That was the principal difference I would notice in their thinking. How a lawyer would think and a judge, as compared with a person that had been in politics a good bit of his life; the contrast is quite noticeable. In deciding questions Schwollenbach would think of the legal angles. He had that before him

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constantly. Whereas Tobin thought as a layman and as a fellow who had been Governor of a state, in a managerial capacity. He consulted with me, I guess, more freely than Schwollenbach. Schwollenbach had his own ideas because he was a lawyer and had been a judge; that's the thing I noticed.

FUCHS: Did you ever feel that Tobin perhaps paid more attention to the political angles?

TYSON: Yes, I would say so.

FUCHS: Do you think he overdid it?

TYSON: Well, he came in in the midst of the 1948 political campaign of Truman's and it was only natural that he would have a distinct political flavor, you might say; and his thinking was more geared to politics than Schwollenbach who had a legal mind on things of that kind. Schwollenbach may have thought of politics a lot, too, but not

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to the extent that Tobin did.

FUCHS: Do you know how Secretary Tobin felt about Taft-Hartley and the attempt to repeal it? Did he go along with the general line, because he was loyal to the President, but deep down, perhaps, felt that it was not, say, as inimical to Labor as the President did?

TYSON: I think both Schwollenbach and Tobin went along with the labor policy that was followed during the period I was there. Also their views were actually what the administration followed. Truman's views on labor law seemed to agree with or acquiesce in the views of both Schwollenbach and Tobin.

FUCHS: Did you feel that Taft-Hartley was as bad as it was made out to be publicly by the administration?

TYSON: Well, I took the position as a lawyer in how

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I felt about it. I was supposed to advise them on the law, and I certainly said what I thought from a legal standpoint. I'm not saying from a policy standpoint, because that wasn't my job right then. I had my own views on the policy. My views on the law were not always exactly what they were on policy, but it was my job to tell them what I thought the legal status should be.

FUCHS: Some writers have taken the view that Truman created the climate, in a sense, for the passage of Taft-Hartley. That his frequent statements that he felt there needed to be more responsibility both on the part of labor and of management, was one thing that laid the base for the passage of Taft-Hartley. Would you agree with that?

TYSON: Well, from a political standpoint it was all important that he express his views on whether the desires of labor during that period were possible

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or impractical. That was a very crucial period on those things. Where the bureaus in the Department should be was also a crucial question. Very crucial. And so were the positions that labor was taking on Taft-Hartley. What they were saying and what they were saying publicly; because these bills were going to the President for decision on whether he should veto them or not, and all those decisions were extremely important, not only then, but they have been for years since then. Because Taft-Hartley was vetoed, didn't necessarily mean that the administration was against everything in the Taft-Hartley Act, but it was against specifically those things which were in the veto message, the things of that kind. Of course this Section 14B of the Taft-Hartley Act was still very important back then.

FUCHS: That was the right to work?

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TYSON: Yes.

FUCHS: How did you look at that?

TYSON: Well, you mean then or now?

FUCHS: Both. We like to know how you felt contemporaneously, how you might have influenced the Secretary, for instance, because that was your thinking then; but we also would like to know how in reflection you think you were right or wrong.

TYSON: Well, when we were writing the veto message I was told what the policy was, and I tried to adhere to what the policy was. Does that answer your question?

FUCHS: What about your personal views?

TYSON: Well, I didn't say.

FUCHS: Would you care to?

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TYSON: I think I've said enough.

FUCHS: How do you feel about it now?

TYSON: I think I've said enough.

FUCHS: The same on that.

TYSON: Yes. I know that there are differing views on it, I know that.

FUCHS: From what little I've read about it, Hartley, or the House, was more vehement in standing for the things that Labor was against, and Taft was more the statesman.

TYSON: Well, there's some truth in that. Taft worked with me so far as I was concerned very closely on wage and hour laws. He wasn't any hard opponent at all, he went right along with most of it. Now on Taft-Hartley he didn't go along as easily as he did on wage and hour. No, he was against labor's position, I think.

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FUCHS: Did you have any confidence after the election and the new Congress came in (it was a Democratic Congress of course), that they would repeal Taft-Hartley?

TYSON: Well, you've asked me for my personal view. I don't think I ever thought they would repeal it. I thought that they might amend it, but there were those who screamed for repeal and I knew how hard it was.

FUCHS: You never viewed it as slave labor?

TYSON: Well, I didn't say that. I just said I didn't think they would ever repeal it in toto. I didn't say what I thought about it; I didn't say that.

FUCHS: There's a move right now that is to amend the labor laws, I noticed in this morning's paper.

TYSON: Yes. Well, it's being thought of and talked

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about as very important for changes. But don't get me into giving my opinion too much on what I think of it, that wasn't my job.

FUCHS: Well, interestingly enough, in that connection, when Schwellenbach came in he made the statement that he wanted the Department of Labor to administer the laws and to not interpret the laws.

TYSON: Yes.

FUCHS: Do you recall that?

TYSON: I certainly do, because that's the reason he chose me as Assistant Solicitor. He said, and his man he brought with him said, that the Labor Department had misinterpreted the law. And that's what they were looking for; they were looking for someone that would interpret it like it should be interpreted. That's the reason he chose me, so he said. Now I'm just saying what he said.

FUCHS: But he said the Department as a whole should

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administer the law and not interpret the law to amend it.

TYSON: He said they had not been interpreting it quite properly. That's what he said, that was his theory that they had misinterpreted the law. He said he was going to put somebody in there that would interpret it for them the way it was written. And that's the reason he chose me.

FUCHS: Another position was listed, in 1949 at least, as "Executive Assistant to the Secretary of Labor" and it was held by Stanley Wollaston.

TYSON: Now he's the one that was secretary to the secretary, Stanley Wollaston.

FUCHS: Well, he had the title "executive assistant" according to the *Government Manual* and earlier this Sherman had the title of "Special Assistant to the Secretary."

TYSON: I don't think Sherman, so far as I knew, was

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ever Special Assistant to the Secretary.

FUCHS: Maybe they gave him the title and the grade, but he performed other duties.

TYSON: I don't think he was ever that. He was assistant to me and he was Assistant Solicitor; but he got out from my office and went into private practice. I don't think he was ever Special Assistant to the Secretary.

FUCHS: What do you recall about Stanley Wollaston?

TYSON: Well, Stanley Wollaston was Secretary to the Secretary; sat down there in his office.

FUCHS: How did he function? Was it just a matter of expediting and being a buffer between certain people and the Secretary?

TYSON: More or less in that respect. Things that were routine. He may have signed the letters that were routine, but I don't think he made

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decisions on important policy matters at all. He sat down at a desk in the outer office to the Secretary and he mainly controlled who saw the Secretary. Who saw him and who had appointments with him and things of that kind.

FUCHS: There was a Robert Creasey who succeeded John Gibson. Do you have any memories of him?

TYSON: He was Assistant Secretary from the CIO. He was one of those Assistant Secretaries. Yes, I remember him. I didn't like him.

FUCHS: You didn't like him?

TYSON: No. I didn't like him, but I can't say much about whether he did a satisfactory job or not. What I didn't like about him was his personality, which had nothing to do with how well he did the job.

FUCHS: What about Leo Werts. He was the Associate

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Director of the Office of International Labor Affairs, and then he for a while served as Deputy Director of the Defense Manpower Administration.

TYSON: Yes, Leo was all right, and so far as I know he was efficient. He was in the Secretary's office.

FUCHS: I believe he worked under Kaiser.

TYSON: I had forgotten that, but I think he was in this other job, too; I think he took the job that Jimmy Dodson had for a while.

FUCHS: He did go under Frank Graham, then, in the Defense Manpower Administration.

TYSON: Did he?

FUCHS: They put that under the Labor Department.

TYSON: Oh, well, that may be true, I don't know. Werts was in two or three jobs, and I think he was always held in high regard.

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FUCHS: Did you work with him on occasion?

TYSON: I can't remember whether he was in Dodson's job or not. If he was I worked with him on my budget and things of that kind. But I don't recall much of that.

FUCHS: Do you recall Charles Straub?

TYSON: Oh, yes, Straub was assistant to the Secretary or the Under Secretary. He came in with Keen Johnson, is my recollection. Straub was there several years, and he was assistant, I think to Under Secretary Keen Johnson.

FUCHS: Did you get involved in offering opinions in the steel case in 1952?

TYSON: I got involved in all of them and I remember the most fun was the telephone company case. I remember that very well. Schwellenbach was Secretary then.

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FUCHS: What did that involve?

TYSON: Well, that involved wages, for the telephone employees; and we sat up here one or two nights all night, with the telephone officials. My recollection though is that that was with Schwellenbach.

FUCHS: Yes, that was early. The telephone case was around '45, '46.

TYSON: I remember I had quite an important part in that, because I helped write what the Department wanted as our position, you might say. I can't remember the man who was president of the telephone company. I know we talked with him; we stayed up all night with him one night. And the steel thing, yes; I was involved in that too. I was involved in all of them as a matter of fact.

FUCHS: Did you anticipate Judge Pine's ruling that it

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was unconstitutional?

TYSON: No.

FUCHS: You thought it would go the other way?

TYSON: Yes, I certainly did. I think it came as quite a surprise. That's my recollection of it.

FUCHS: Did you feel that President Truman should have invoked Taft-Hartley?

TYSON: Well, now, I can't remember. I don't remember that. But I know that we certainly thought the President was right.

FUCHS: Someone has written that they remember John Snyder principally as being a "labor baiter." Do you recall anything about that?

TYSON: No, I didn't know him very well. I wouldn't know, really, whether he was or not to tell you the truth.

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FUCHS: President Truman was rather wont to use fact-finding boards, ad hoc fact-finding boards, rather than boards of inquiry. How did you feel about that?

TYSON: We looked with favor on the fact-finding boards, to my recollection.

FUCHS: Did you have any personal contacts with President Truman?

TYSON: Yes, I saw him rather frequently. I don't mean every day, but I met with him in the Cabinet Room. I remember one day we met there with him, and he said, "You boys look under the table, Drew Pearson may be under there." I forget what we were talking about now, but he was always very friendly. I didn't know him as well, probably, as Dave Stowe did, or Charlie Murphy. He knew him better than anyone. I had a more distant relationship. The Labor Department was

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my house you might say.

FUCHS: Yes. Did you know Frank Graham?

TYSON: Oh, I knew him. As a matter of fact, we went to the same school. I don't know whether you know or not, but after I was practicing law in Greenville, my hometown, he ran for the Senate. I know I supported him, I remember that. He was a very fine person. He's dead, isn't he?

FUCHS: Yes, I believe he's dead.

TYSON: He was really a fine character and I thought a lot of him.

FUCHS: A former Labor Department official has said that he felt there really wasn't much change from administration to administration in the Department of Labor, that it was just a matter of emphasis. Would you concur in that?

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TYSON: More or less. I think that's probably true; not too much change. In other words, most of the people that worked in high positions in the Labor Department were friendlier to organized labor and were not anti-labor, really.

FUCHS: It has been suggested that the Labor Department was really supposed to sort of balance off labor and management.

TYSON: There is something to that effect in the charter; I can't remember the exact words.

FUCHS: That it is not supposed to be working against management either.

TYSON: The charter says what it says, and I guess that the people who work there are supposed to follow the charter.

FUCHS: Do you think, viewing the Labor Department now, that it's doing what it's supposed to do?

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Has the Labor Department changed to your mind recently?

TYSON: I'm not too familiar with the Labor Department now. I don't know the leading officials in there. I can't say whether it is as liberal as it used to be or not. The present Secretary seems to be awfully liberal.

FUCHS: What are the principal things that stand out in your memory about the problems that presented themselves and how you solved them?

TYSON: I remember that problem that you raised last, about the charter and whether the Department was prejudiced and whether or not it dealt fairly in the light of the attitudes of the staff and the charter. We at one time were asked by Tobin to write a revision of the charter, which would state very fairly what the policy and guidance of the Department should be on that question.

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And we did write something; what became of it I don't know. But that question was raised a number of times while I was in the Department. In light of the way it is staffed, is it reactive to the charter?

FUCHS: Do you recall any other major opinions regarding any of the strikes, such as any of those of the railroads?

TYSON: I know back in the early days there were very strong feelings in the Labor Department that it needed to be strengthened, and additional duties carried out, I know that. And it was with a great deal of satisfaction that we learned after the '48 election there was going to be a reorganization bringing in bureaus that performed functions that really had to do with labor that had been outside of the Department; and we certainly didn't want the Conciliation Service to get out. I know at that time we didn't want it to get out.

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And we didn't want the Employment Service to stay out, because it should be in the Labor Department; and we wanted the Children's Bureau to stay there. All of those things were very definite policy of the Labor Department.

FUCHS: I believe Mr. Truman came out in the '48 election campaign and said that some of these bureaus should be returned to the Labor Department and the Labor Department should be strengthened.

TYSON: I wrote some of that stuff about bringing them in, or keeping them there or so forth. It seems to me I wrote something on the Conciliation Service; I'm not sure.

FUCHS: Cyrus Ching wrote rather a strong memorandum about keeping it independent of the Department of Labor.

TYSON: Yes. He had never been in the Labor Department.

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FUCHS: A lot of things that it would seem natural to ask you about are documented in the Labor Department records. The opinions that you wrote, your official views on matters would be there.

TYSON: Well, I can say this, but this is just my opinion. I think Maurice Tobin made a very good Secretary of Labor. There's some people that didn't think that he had the capacity to be Secretary. I think he did. I think that having been Governor of Massachusetts he got a lot of valuable experience there -- and I believe he was Mayor of Boston, too. If he wanted a legal opinion, he'd talk to me about it; he'd talk to people that were experts in the particular field he wanted to be enlightened on. As a result of those discussions, I think he made the right decisions in many situations which confronted him. I think his heart was in the right place; he wanted to do a good job, and I think he tried and did.

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FUCHS: Can you recall any instances where you and he differed strikingly?

TYSON: I recall there were some but I can't put my finger on them. We would not always have agreement. It seems to me there was something about Taft-Hartley, but I can't remember.

FUCHS: An historian has written a rather general treatise on the Truman administration and he said that the most distinguishing feature of Secretary Schwellenbach was his "amiable ineptitude." How would you respond to that?

TYSON: Well, you know, Judge Schwellenbach was a judge and I was a lawyer and it was natural that he would think that his knowledge of the law was superior to mine. He and I would disagree on some things, and I never knew how much he thought of me, or what he thought of me, until he died. And then his wife told me,

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she said, "My husband thought you were the finest person that he knew here in Washington."

I said, "Well, he never told me that." I said, "Why didn't he tell me?" I said, "It would have made me feel a lot better, because there were a lot of times that I wasn't confident that he agreed with me."

But he was a good lawyer; he knew the law. His personality was not as pleasing as it could have been. Many times I wished he'd say something definite. But he had problems, which I have no business talking to you about, of a personal nature. Are you aware of that?

FUCHS: I have heard it touched on.

TYSON: I don't think it's up to me to tell you about that.

FUCHS: You don't feel that he was really inept as a Secretary?

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TYSON: Oh, no. No.

FUCHS: This person felt that he was amiable but inept.

TYSON: No, that's a lie. He wasn't. He knew the law; and he wasn't inept, no. His judgment of personalities may have been not like mine; but that's natural. No, I don't think he was inept.

FUCHS: You have told me that you accompanied Secretary Schwellenbach's body back to Washington?

TYSON: Yes, I was the one delegated to take it. Whether or not John Gibson got there for the funeral, I don't remember. I remember it was a DC-4 plane, and I don't remember anybody else being on that plane, unless it was Herb Little who was a transportation officer for the Department. I remember we flew from here to Minneapolis.

FUCHS: This was a Government plane?

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TYSON: Yes.

FUCHS: Did the President provide that?

TYSON: I guess so. I didn't know anything about it, except they just told me they wanted me to go. Mrs. Schwellenbach must have been on the plane; I can't remember who was on it.

FUCHS: Thank you very much.

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