

● PSF Donald R. Richberg - Subject File

Box 177



PSF: Richberg J 2

NATIONAL RECOVERY ADMINISTRATION
WASHINGTON, D.C.

IN REPLY REFER TO _____

June 26, 1934.

Dear Mac:

Will you please see that the President receives the enclosed before I present my resignation to the General. Recent developments make it necessary for me to act at once. There are some conditions to which no self-respecting man expects any other self-respecting man to submit. But I must keep faith with the President and see that he is fully informed in advance of any public action.

Sincerely yours,

Donald R. Richberg,
General Counsel.

To Honorable Marvin H. McIntyre,
The White House,
Washington, D. C.



NATIONAL RECOVERY ADMINISTRATION
WASHINGTON, D.C.

IN REPLY REFER TO _____

June 26, 1934.

Private

The President,
The White House,
Washington, D. C.

Dear Mr. President:

Some time ago I discussed with you my personal reasons for desiring to resign my position as General Counsel, NRA. After this discussion I deferred action in the hope that under conditions which might prevail later it would be possible for me to be relieved without public misconstruction or other ill effects.

Recently, however, as I anticipated long ago, my position has become intolerable. Many persons have been urging that General Johnson should take a long over-due vacation and because of my position I have been mentioned as one of several persons, who might be made, individually or jointly, responsible temporarily. This being brought to the attention of the General, he quite evidently regards me as engaged in undermining his position. I would not think of continuing to work under anyone holding that attitude. The only way to clear up the situation and maintain self-respect is for me to resign forthwith. I cannot see that I can be of any future service to anyone if I permit my reputation to be destroyed and myself placed in the false position of being forced out because of an intrigue against my superior.

I am still under your command. But unless you direct me otherwise I shall present my resignation immediately. I enclose a copy so that you may be assured that it will be in good taste. I assume you need no assurance that our discussion of this is entirely confidential and that, while I think the right of self-preservation must be acknowledged, my deepest concern is in the success of your Administration. It is, however, one thing to be sacrificed for the good of a cause and another thing to be sacrificed for no good at all.

Most sincerely yours,

Donald R. Richberg
Donald R. Richberg,
General Counsel.

June 26, 1934.

Brig. General Hugh S. Johnson,
Administrator for Industrial Recovery,
Washington, D. C.

Dear General:

Many weeks ago I discussed with you my desire to resign at the earliest practical date, in order to relieve the physical and financial strain of my present position. This intention should now be carried out and I submit herewith my resignation as General Counsel of the National Recovery Administration.

No one knows better than you how much pleasure and satisfaction I have found in playing a part in the administration of the Industrial Recovery Act. The success achieved is pre-eminently your own; and, as one with intimate knowledge, I shall always testify to the courage and resourcefulness with which you have accomplished miracles of public service.

Very sincerely yours,

Donald R. Richberg,
General Counsel.

*He
personal*

*PSF: Richberg
Full
"R" (2) J*

THE NATIONAL EMERGENCY COUNCIL
WASHINGTON

DONALD R. RICHBERG
THE EXECUTIVE DIRECTOR

December 15, 1934.

The President,
The White House,
Washington, D. C.

Dear Mr. President:

I have just received a penciled note from you reading: "Every time we order an election the company takes it to court - Houde, Rubber, etc."

This encourages me to express my opinion that the National Labor Relations Board has adopted from the beginning an unfortunate construction of its authority. The power of a court lies in its power to enforce its decision. To sit as a court and issue decisions with no assurance of their enforcement discredits a tribunal, which by another policy could make itself effective.

The Board has accomplished results and not all employers have challenged its authority. But I see no good purpose served in issuing decisions which can be successfully flouted. It merely creates the appearance of efficiency and passes the "buck" to another agency of government to attempt a difficult or impossible job. I think the Board should get down off its high horse and try to settle controversies in a practical way.

I do not mean by this that the Board was wrong in the Houde case or the Rubber case, or that the employers were right in going into court. I simply mean that I think the Board, through its policies, is riding to a series of falls.

Sincerely yours,

Donald R. Richberg
The Executive Director.

PSF: Richberg

THE NATIONAL EMERGENCY COUNCIL

WASHINGTON

DONALD R. RICHBERG
THE EXECUTIVE DIRECTOR

file
"private"

To the President:

Comment on Automobile Workers' Letter

1. Only a small group of workers in Indiana and Illinois are represented. (The great mass are in Michigan, Ohio, Wisconsin etc)
2. Only a small percentage of auto. workers are in A.F. of L.
3. The strategy of quitting a board unless it is subservient to one party should not be encouraged.
4. The desire of the A.F. of L. to get things to the N.L.R.B. is a serious reflection on that Board - which has become in fact highly partisan. The Board is today doing much more harm than good. Its power for mischief should be curbed.

Conclusions -

1. Jurisdiction of Labor Board should be carefully limited by Executive Order.
2. Its personnel should be made impartial.
3. Its staff should be reorganized.

Dec. 26-1934

DRB

PSF: Richberg

THE NATIONAL EMERGENCY COUNCIL
WASHINGTON

DONALD R. RICHBERG
THE EXECUTIVE DIRECTOR

Dear Mr. President -

I may be discouraged because ill-
or ill because discouraged - but I must
make a situation clear - even at the
risk of giving offense.

1. After consultation with you I
intervened in the Newspaper Code Case.

2. The National Labor Relations Board
not only scorned my advice but made it public
and then administered a public rebuke because
I correctly interpreted your Order, accurately
quoted well-established law, and urged a
sound policy.

3. The Board is not a Court, and
arrogant self-assertion cannot make it a Court.
It is an administrative agency responsible to you
and it represents you in constraining the authority
you conferred on it. Certainly you are not
going to require a man to go to court in order to
have your order correctly applied by a Board you
have appointed - when you can settle the question
in five minutes by a further order.

PSF: Richberg

THE NATIONAL EMERGENCY COUNCIL

WASHINGTON

DONALD R. RICHBERG
THE EXECUTIVE DIRECTOR

To the President - page 2.

4. Emboldened by the Board's cavalier treatment of your representative, Heywood Brown, head of the Guild, wrote me two insulting letters (trying to force me to say that I had discussed this with you), to which I refused a reply. Then last Friday he libeled me so viciously in his column that the Editor of the Washington News apologized in print for him the next day.

5. To complete a record of personal humiliation (which is not important) and an official discrediting (which is important) this matter was transferred for handling elsewhere.

Any ability which I might have to "coordinate", or to handle minor matters for you, is largely destroyed by such a sequence of events. They offer an invitation to anyone whom I annoy or oppose to reject or to attack my overtures with public contempt and derision. Regardless of my disinclination to serve as a doorman I do not believe this is helpful to you.

PSF: Richberg

THE NATIONAL EMERGENCY COUNCIL
WASHINGTON

DONALD R. RICHBERG
THE EXECUTIVE DIRECTOR

3

To the President page 3

I recognize impatient elements in my present attitude. Health is not good. Private obligations are heavy. I should like to be out of public life - out of the newspapers and gossip columns - and I have no interest in continuing public work under conditions risking my failure. It would be much easier to write a resignation than this letter. But I felt this should be written first. Sorry we could not talk about it - but the time is too short for me to wait to get well; and I think you should see clearly what you are doing to me before you finish the job -

Most sincerely yours

The President
The White House
December 26, 1934

Donald Richberg

PSF: Richberg

THE WHITE HOUSE
WASHINGTON

December 24, 1934.

MEMORANDUM FOR

THE SECRETARY OF LABOR
and
HON. DONALD R. RICHBERG

Will you both speak to
me about this at once?

F. D. R.

PSF, Rishberg



AMERICAN FEDERATION OF LABOR

DEPARTMENT OF
UNITED AUTOMOBILE WORKERS
FEDERAL LABOR UNIONS

F. J. DILLON, CHAIRMAN

ROOM 804, HOFMAN BLDG.
DETROIT, MICHIGAN
CADILLAC B14E

South Bend, Indiana.
December 17, 1934

The President;
The White House
Washington, D.C.

Dear Mr. President:

After nine months of delay and sidestepping the Automobile Labor Board, set up by you in conformity with the agreement reached after negotiations between you and your honorable self, the Automobile Chamber of Commerce and the representatives of the Automobile Workers, have promulgated a so-called representation plan and have announced its effective date.

The principle of proportionate representation, upon which their plan is based, is extremely repugnant to all workers in the industry and is at variance with pronouncements of all other Governmental agencies having to do with employer-employee relations, and is unacceptable to the workers affiliated with the American Federation of Labor.

On behalf of, and at the instructions of the affiliates of the American Federation of Labor in the Automobile Industry in Indiana and Illinois, I respectfully announce to you our decision that we no longer wish to recognize or have dealings with the Automobile Labor Board.

We urgently request that you cause to be set up an impartial board such as those for the Steel, Textile, Longshoremen and other industries, to hear and adjudicate disputes in the Automobile industry, arising from and having to do with Section 7(a) of the National Industrial Recovery Act, and we further request that until that board shall be set up, the National Labor Relations Board be granted jurisdiction over such cases.

NATIONAL COUNCIL



CLYDE W. COOKE
1120 Chelsea Street
Lansing, Mich.

ED. HALL
719 N. 35th Street
Milwaukee, Wis.

MR. OTTO KLEINERT
115 Beekman Avenue
N. Tarrytown, N. Y.

GEO. J. LEHMAN
4523 Jewett Avenue
Cleveland, Ohio

MICHAEL J. MANNING
108 S. Piper Blvd.
Detroit, Mich.

HOMER MARTIN
6508 E. 37th Street
Kansas City, Mo.

JOHN W. PICKERING
14 Frank Street
Pontiac, Mich.

FRED C. PIEPER
312 Noland St., S.E.
Atlanta, Ga.

THOMAS J. RAMSEY
Memorial Hall
Toledo, Ohio

HERBERT H. RICHARDSON
1815 Adams Ave.
Flint, Mich.

FOREST G. WOODS
2105 Miami Street
South Bend, Ind.



PSF: Richberg

AMERICAN FEDERATION OF LABOR

DEPARTMENT OF
UNITED AUTOMOBILE WORKERS
FEDERAL LABOR UNIONS

F. J. DILLON, CHAIRMAN

ROOM 804, HOFMAN BLDG.
DETROIT, MICHIGAN
CADILLAC 8145

2.

NATIONAL COUNCIL



CLYDE W. COOKE
1120 Chelsea Street
Lansing, Mich.

ED. HALL
719 N. 35th Street
Milwaukee, Wis.

MR. OTTO KLEINERT
115 Beckman Avenue
N. Tarrytown, N. Y.

GEO. J. LEHMAN
4523 Jewett Avenue
Cleveland, Ohio

MICHAEL J. MANNING
108 S. Piper Blvd.
Detroit, Mich.

HOMER MARTIN
6508 E. 37th Street
Kansas City, Mo.

We organized workers affiliated with the American Federation of Labor have given this matter deep consideration, and it is with a real sense of the gravity of our step, that we make known to you this action on our part, and have only done so after exhausting all other means to remedy the conditions which are so repugnant to us.

With deepest respect and every good wish, I am, for the affiliates of the American Federation of Labor in the States of Indiana and Illinois

Sincerely

Forest G. Woods

Member, National Council.
United Automobile Workers
Federal Labor Unions.

PSF: Richberg

(2)

THE NATIONAL EMERGENCY COUNCIL
WASHINGTON

DONALD R. RICHBERG
THE EXECUTIVE DIRECTOR

February 16, 1935.

Memorandum

To: The President
From: Donald R. Richberg

I do not wish to act on the following imminent matters without informing you:

1 - Appointment of James Jackson as State Director, N. E. C. for Massachusetts.

Mr. Jackson in Washington this morning tells me Governor Curley will probably be opposed to his appointment. Governor Curley has recommended appointment of Police Commissioner Leonard to this position. The appointment of Mr. Jackson, a Republican and opponent of Curley, will be credited to you as a personal friend, even though I assume full responsibility. Unless you advise otherwise, I shall not appoint Jackson unless I can get Governor Curley's approval.

2 - Resignation of Dr. Millis from National Labor Relations Board.

After a talk with Millis yesterday I think he could be persuaded to remain longer. This would stop effort to transfer Hamilton from NRA Board and avoid an immediate vacancy there. I would urge anyhow that Millis' resignation should not be accepted until you and I can discuss future of NRA Board. There may be five vacancies (the entire Board) to be filled within a short time and a general reorganization should be planned before any single change is made.

3 - My suggestion yesterday regard method of making public NRA legislation requires a new mimeograph to be prepared at once, if your approve.

4 - I have been summoned as first witness before Connery's House Labor Committee Monday, 10:00 A. M.

5 - I have discussed with Senator Byrnes amendment of relief appropriation bill to provide for financing emergency agencies. I would like to show you and explain a revised draft before sending it to Senator Byrnes.

I hope you can give me five or ten minutes on the foregoing matters as soon as possible today. I am standing by to meet your convenience.

Richberg *[Signature]*

PSF: Richberg file

DONALD R. RICHBERG
415 FIFTEENTH STREET, WASHINGTON

Personal
4-26
L. Hoover 2-37
The Chief
Box 177

February 25, 1937.

The President,
The White House,
Washington, D. C.

Dear Mr. President:

I have a personal problem involved in my desire to avoid private business that may interfere with rendering any service to you which you may desire. Let me present it briefly.

Ever since the NRA I have been working on a program to carry forward its objectives. I have sought through a great many conferences and some speeches to educate business men to a better understanding of what business regulation ought to be undertaken by the federal government. As a result, so much support has been obtained for a desirable and legal program that a large number of very influential industrialists and trade associations are anxious to support and promote such a program. I have been definitely asked on several occasions to represent some of these interested parties. Up to date I have declined any such retainers because I wished to be free to discuss these matters with you wholly as a contribution to public service without any responsibility to a private client.

It is my dominant desire to remain free from any inconsistent private obligation; but it may be that I can consistently undertake some of this work. My course can only be properly decided after discussing the situation with you.

If possible, I should appreciate very much an early opportunity to talk over with you the program covered in my recent memorandum. The object of such a conference would be twofold. I should like to explain the reasons for my conviction that an early determination of your policy may aid greatly in support of other administration measures and also help to settle some very disturbing issues that are now vexing the administration.

DONALD R. RIGIBERG

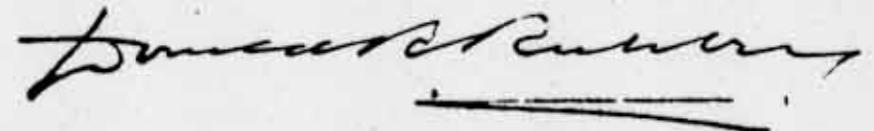
315 FIFTEENTH STREET, WASHINGTON

The President - Page #2.

I have just concluded a hearing before the Federal Trade Commission involving the question of a new code for the entire oil industry. The Guffey Bill is moving forward in the Congress. The Walsh-Healey Act is creating difficult problems. Labor relation issues are foreshadowing new industrial difficulties. The settlement of these and many other problems could be definitely advanced and serious complications avoided by the program which we have been discussing from time to time.

I do hope that you can give me an opportunity to discuss these matters soon, not merely because of my personal problem, but because I have the hope that such a discussion might be of real service to you.

Sincerely yours,



PSF: Richberg
THE WHITE HOUSE

DEC 10 9 19 AM '37

RECEIVED

DONALD R. RICHBERG
815 FIFTEENTH STREET, WASHINGTON

File
Personal

December 9, 1937.

The President,
The White House,
Washington, D. C.

Dear Mr. President:

It was ever so thoughtful of you to
send some flowers to my wife's mother.

She was slightly improved yesterday
afternoon and becoming rational was very much
touched by your kind thought, which I really
believe helped in a further improved condition
evident today, giving us little hope that she
may pull through.

Sincerely yours,

Lucas

PSF: Richberg
JW
personal
12

DONALD R. RICHBERG
815 FIFTEENTH STREET, WASHINGTON

March 16, 1938.

Honorable Marvin H. McIntyre,
The White House,
Washington, D. C.

Dear "Mac":

Herewith I am sending a Memorandum
for The President concerning a matter
regarding which he asked me to make an
inquiry today, which I handled by long
distance telephone.

Sincerely yours,

Donald R. Richberg

March 16th.

Memorandum for The President

Mr. Arthur D. Whiteside tells me that Mr. Heimann has built himself up in the last two or three years to a national standing among business men, so that Mr. W. feels that Heimann would be very effective and acceptable as Assistant Secretary. But he expressed surprise and doubt as to whether he would accept appointment.

Mr. W. thinks very highly of him and has come to this opinion as the result of increasing acquaintance with him and appreciation of his work in the last two or three years.

Mr. W. also expressed the opinion that Mr. Biggers would be even more valuable and influential with business men, but agreed with my doubt as to whether he would be able to consider or desire to accept the position. I add this, not to detract from the enthusiastic endorsement which Mr. W. gave to Heimann, but simply to follow up my own expression of opinion regarding Mr. Biggers. -

Open Min. letter -

I'm sure this will be
interesting and it imposes
no burden of any action
or decision -

D.R.R.

Will
pass on

PSF: Richberg
Yes

DONALD R. RICHBERG
315 FIFTEENTH STREET, WASHINGTON

September 30, 1939.

Report of progress in my personal (and entirely independent) campaign in support of neutrality legislation.

In personal discussions with over 70 influential men from all sections, I have found:

- 1 - A substantial majority favorable.
- 2 - But, a surprisingly large number admit uncertainty of opinion.
- 3 - Dominant question with all is: What will best serve to keep us out of war?
- 4 - Principal worry: Does the President really believe we can be kept out of war, or is he inclined to think that our eventual participation is inevitable and is, therefore, easily reconciled to a course that may lead us into war?
- 5 - Most effective immediate answer: Judge neutrality legislation by itself and withhold opposition to administration until something is done which should be opposed on its own merit.
- 6 - I do not assume to have any confidential information, but reiterate obvious sincerity of President's public position. Against this have been met by public assertions of responsible individuals alleging inside information from personal statements of President and some supposed intimates to effect that our participation is inevitable.

This report solely for your information. I have made it clear everywhere I am acting on my own responsibility as a citizen and not in behalf of anyone.

DRR

PSF: Richberg

THE WHITE HOUSE
WASHINGTON

June 4, 1941

MEMORANDUM FOR

JIM ROWE:

To speak to me about.

F.D.R.

Confidential

The President said "file".

JHR

PSF: Richberg

~~4-4~~
4-4

DONALD R. RICHBERG
815 FIFTEENTH STREET, WASHINGTON

The President
20 Read
JK

May 28, 1941.

Dear Steve:

It would be no kindness for me to add another letter to the torrent now undoubtedly pouring in on the President, particularly because as one from an old friend, he might be inclined to give it personal acknowledgment. But I do want to tell you that I think it was a magnificent statement of the case, and should serve more and more, as the days go by, to unify public opinion in support of the government. Just as an individual response, I would like to tell the President that I have been definitely preparing, and relieving myself of private obligations for many months so that I might be able to serve (without compensation) in any place where I might contribute in any effective way to the work of national defense. I am not looking for a job to gratify private ambition or vanity, and have made no offer of services to bother any of my friends to find something for me to do. But I would like to have it understood that I am not shirking the obligation which I feel rests upon every loyal citizen, and particularly upon those who whole-heartedly support the Administration, to undertake any task which one may be fitted to perform.

Sincerely yours,

Donald R. Richberg

Honorable Stephen Early,
The White House,
Washington, D. C.

D. Richberg

PSFA

September 26, 1944

Dear Donald:

Thank you for your letter of the twenty-fifth.

I agree with you that the President should not try to make this kind of a speech very often.

The matter of running over had not occurred to me. The fact is that the Democratic National Committee is paying for the full time on the radio, as it must under the law. It is possible, however, that the general public will not appreciate this, and that it might have the effect you mention. It is something to bear in mind in the future.

We certainly enjoyed our visit with you the other evening, and I am glad that you think the speech had the effect which you mention.

With kindest regards to Florrie,

Very sincerely,

SAMUEL I. ROSENMAN

Donald R. Richberg, Esq.
815 Fifteenth Street
Washington 5, D. C.

JOSEPH E. DAVIES
 FRANKLIN D. JONES (1929)
 DONALD R. RICHBERG
 RAYMOND N. BEEBE
 ADRIEN F. BUSICK
 BETH W. RICHARDSON
 ALFONS B. LANDA

RAYMOND C. CUSHWA
 JAMES T. WELCH

LAW OFFICES
 DAVIES, RICHBERG, BEEBE, BUSICK & RICHARDSON
 BOWEN BUILDING
 815 FIFTEENTH STREET

WASHINGTON 5, D. C.

September 25, 1944

Honorable Samuel I. Rosenman,
 The White House,
 Washington, D. C.

*The Fala
 Speech
 (Sam)*

Dear Sam:

You may be a little interested in my comments on Saturday night's speech, and I think it more useful to write this to you than to add to the burden of the President's mail.

It was an extraordinarily able and effective speech. Almost all comment upon it, which I have heard, has been favorable and quite a bit came from people who have not been wholly friendly. For one thing, the forcefulness of delivery and humor were evidences of a sound mind and body, which will help to dispose of a lot of underground whispering. The substance of the speech also contained some very pertinent answers to impertinent criticisms, such as the foolish idea of indicting a democratic administration for a republican depression. Probably you will agree with me that, enjoyable as it is, the President should not make every speech as lively and humorous as this, because there is a certain solemnity in a solemn hour which must characterize his major utterances. But as an opening attack, this was a good way to inspire his friends and demonstrate that he has lost none of his old-time vigor and punch. Also, the man who can joke at his opponent gives an indication that he is not terribly worried by him.

I would make one criticism of something which will probably not occur again, but which, to my surprise, has not as yet been violently attacked. Tobin's introductory speech was bad, particularly because of its length, which, combined with five minutes of applause, provided a fifteen-minute introduction which may well have discouraged unfriendly or indifferent listeners from staying on the radio. The worst feature, however, was that the President's speech ran twenty minutes over the hour, of which ten minutes had been consumed by Tobin (who would not be allowed to remain on the air after his time) and five minutes by applause which could have been immediately stopped, and then the President was allowed the privilege of remaining on the air to make up for this lost time--a privilege which I do not assume would be granted to any candidate but was granted to the President, although he was speaking as a candidate, on purchased time. The unfairness of this appealed to both Florence and me, although, when the President's speech came, we were delighted with it. But while we were waiting impatiently through the wasted fifteen minutes, we were both moved to criticize such a performance, and waited for the President's speech with unhappy anticipations--which were fortunately not realized. As I indicated, I don't suppose this will occur again, but I think it would be bound to offend the "play fair" spirit which is quite characteristic of the American people.

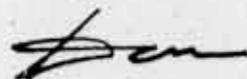
Honorable Samuel I. Rosenman

-2-

September 25, 1944

Now, having delivered myself of this criticism, just to show that I can remain objective, I will repeat that the speech itself was a masterful job. And with all due respect to those who may have helped, I referred to it as "the President in his best vein." So you can take to yourself whatever modicum of credit you find yourself entitled to!

Sincerely yours,

A handwritten signature in cursive script, appearing to be the name 'Dun'.

PSF: Richbe

Subject File

Objectives of Proposed Discussions

An arrangement under which there will be:

- (1) Provision through the medium of a long term contract for the operation by the respective companies of properties taken, in accordance with the terms of the contract free from restrictions, claims or obligations not embodied therein.
- (2) A fixed schedule of rates definitely determining all taxes and similar payments to be made during the life of the contract.
- (3) A reciprocal guarantee, for the life of the contract, of reasonable and workable labor conditions.
- (4) An appropriate measure and means of reimbursement for losses sustained by the companies to date of contract by reason of seizure of properties on March 18, 1938.
- (5) Upon expiration of the long term contract all claims and interests of companies in producing properties in Mexico to be released and transferred to the Mexican Government without payment of any further consideration.

The foregoing arrangement to be discussed on the assumption that in the event of agreement the terms thereof and objections therefor may be embodied in a commercial treaty between Mexico and the United States, providing assurances the respective Governments and all concerned of the maintenance and fulfillment of reciprocal rights and obligations and improved relations between each Government and citizens of the other.