

INTERVIEWEE: DAVID BLACK

INTERVIEWER: JOE B. FRANTZ

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F: Mr. Black, identify yourself briefly for future generations. Who you are and how you came to be here.

B: Well, I'm forty years old. I was born in Everett, Washington, the State of Washington, July 14, 1928. I came to Seattle in 1939 with my family when my father, Lloyd L. Black, was appointed to the United States District Court for the western district of Washington by Franklin Roosevelt. And I resided there with my family until I was married in 1952. I was educated -- most of my undergraduate was at the University of Washington -- liberal arts course. I went to Stanford University in California in 1949 and was there just the academic year 1949-50 where I had my first year of law school. I was in the National Guard at the time and when the Korean War came along, my unit was activated and I spent some 21 months in the service, all in the state of Washington in an anti-aircraft batallion. When I came out of the Army, I married Nancy Haskell and returned to law school but at the University of Washington rather than Stanford. I finished my law studies at the University of Washington in 1954. And then I was admitted to the Bar in the state of Washington and practiced law with the law firm of Preston, Thorgrimson and Horwitz for about two and a half years at which time I was appointed an Assistant Attorney General with John J. O'Connell, who was the new Attorney

General in the state at that time. I was there some four and a half years. My assignment was counsel to the Washington Public Service Commission. The name has since been changed to Washington Transportation and Utilities Commission as representing the state and public interests in the regulating of the utility industry--telephone, electric, gas, and all the transportation--the regulated transportation industry there. I, also, during that period of time, made a number of appearances on behalf of the state as intervener in proceedings before the Interstate Commerce Commission, the Civil Aeronautics Board, one before the Securities and Exchange Commission, so that my background--save the two and a half years in general practice of law--was essentially regulatory.

F: And you were beginning to get a fair acquaintance with the Washington bureaucracy by then, weren't you?

B: Yes, I was getting an acquaintance with, at least, the regulatory agencies, to a degree, and the Congress to a lesser degree. Then in 1960 I took leave of absence for about the last six weeks of the Kennedy campaign and worked out of the "Citizens for Kennedy" headquarters in Seattle there to help move that along. And then, after the election, I had become interested in government in a--my family and I have been Democrats for a long period of time and I wanted to come to Washington and work, if not directly for the new administration, at least in connection with the government program here. And I came

to Washington as General Counsel of the Bureau of Public Roads, which was at that time in the Department of Commerce.

F: Was that a presidential appointment?

B: No, it was a secretarial appointment to Luther Hodges, Secretary at the time. And I was General Counsel for Public Roads for about, I guess, about another two-and a half years. And then I was appointed by President Kennedy, in the late summer of 1963, as a member of the Federal Power Commission. And I served there for three years, a good portion of that time as vice chairman, and when Chairman Joe Swidler left, I was Acting Chairman automatically because of my position as vice chairman until Lee White came in as Chairman. It seems to me it was about a two-month period. And I remained on with the Commission until the late summer of '66, (at) which time I resigned my Commission and was appointed by Secretary Udall to be Bonneville Power Administrator in Portland. I had only been out there....

F: In where?

B: In Portland, Oregon...I had only been there a few months until Chuck Luce, who is now the Chairman of the Board of Consolidated Edison Company and who had preceded me as Bonneville administrator....

F: Kind of had a route going there, didn't you?

B: Yes....had preceded me as Bonneville administrator, he came back here as Undersecretary. And he came and visited me at breakfast one morning in Portland, and told me that he was going to be Chairman of the Board of Consolidated Edison Company and that Secretary Udall

wanted me to be Undersecretary of the Interior. And frankly, I was something less than enthusiastic about it. I had gone back home. I'd been here for five and a half years, and I wanted to really--had adjusted emotionally really to leaving Washington for the long haul. And so I really resisted the suggestion, and my deputy, he didn't want to be Bonneville administrator and we really, the two of us, tried to sidetrack this thing.

But it continued to develop and as time went on, I more and more accepted the idea of leaving the Northwest and coming back here. It was a very distinct promotion, certainly, and so it eventually turned out that I did come back here. I guess it was, I'll have to check these dates, and so forth on the transcript, but it was August about a year ago. So I've been here some 14-15 months in this position.

When I left the Federal Power Commission, it was quite a celebrated three-way shuffle that was involved, John Carver was Undersecretary of the Interior. Chuck Luce was Bonneville administrator, and I was a member of the Federal Power Commission. And the way it turned out, the three of us just traded jobs. So that we all, the three of us, remained incumbents of these positions, but just took a little musical chairs shift.

F: Are you going to the chairmanship of Consolidated Edison next?

B: No. I think my little train of successions is about to come to an end.

F: Are you going home when this administration is over?

B: I don't know. I don't know.

F: You've spent about as much time in Washington now as you have at home.

B: I have indeed. I will have been here, with the exception of about an eleven month period in Portland, for practically the full term of Kennedy and Johnson--practically the eight years--I came back here, the end of March, 1961.

F: When did you first meet Mr. Johnson?

B: I met President Johnson in connection with my resignation from the Federal Power Commission.

F: You didn't meet him during the campaign of '60?

B: No.

F: Did he come to Washington?

B: I beg your pardon.

F: Do you recall whether he came to Washington state?

B: I don't recall right off hand.

F: Did you take any part at all, well I don't suppose you could in the '64 campaign?

B: Absolutely none. As regulators we pretty much stay out of that.

F: You met him when you resigned from the Federal Power Commission?

B: I met him in connection with that. I didn't actually submit my resignation to him until this whole thing was clarified. This three-way shuffle was a very--when I left the Federal Power Commission, I did so really--I had been in communications with Senator Jackson about the possibility of going out to Bonneville.

F: You left before the expiration of your term?

B: Yes. I resigned my term. My term would have expired just last June 22. It's a five-year term, nad I left after three years almost to the day. Senator Jackson is Chairman of the Interior committee and is very much interested in Interior appointments. I'm close to Senator Jackson and have been for many years. He was....

F: He's on the Interior committee.

B: He's Chairman of the Senate Interior committee. He's been very close to my family and to me since I was a little boy.

He approached me about taking the Bonneville job the summer before, actually the early spring, before I had--before this thing finally took place. I mean, more than a year, about a year and a half that this was actually under consideration and I didn't want to leave the Federal Power Commission then. I had been there only a short time. It really had been kind of a life-long ambition to me to be a member of the Federal Power Commission. Life-long is too extreme, since I had gone to work in Olympia, Washington, with the Attorney General's Office, I had become intrigued with regulation. I had very intensive education in regulatory philosophy, process, regulatory law, and felt that I had a feeling for it very much as a consumer-oriented--you can use the term--"regulator". And I wanted to come to the big ballpark.

F: While you were on the Federal Power Commission, was Bonneville under your general supervision?

B: No, no, no. Bonneville belongs to the Interior Department. The only connection the Federal Power Commission had with Bonneville was in approving their rates every five years. Nothing else.

But Senator Jackson approached me about the possibility of going out to Bonneville. I have been a friend of Chuck Luce's for many years. We have--I met him while I was on the Washington Regulatory Commission. He had been in a major rate case of the Pacific Power and Light Company as Special Public Counsel. We'd been pretty much on the same side. I have gotten to know him and admire him. Well, he was about to leave Bonneville. He wanted to leave Bonneville, in any event. And Senator Jackson felt that there definitely should be a Northwesterner at the helm there and because of my background and experience with power matters, power industry, and my Northwest background, he wanted me to take it. And he said that that would be completely agreeable with Stewart Udall, whose appointment it is to do this. So I reluctantly agreed to leave the Commission, although as the time approached again I became more taken with the idea of returning home. So I went out there in the fall of '66.

Now this three-way shuffle that is involved that I mentioned earlier was of considerable concern to the President, as it turned out. We hadn't thought that it would be. I didn't know it. And I was going to have a meeting with the President. This thing was, presumably, pretty well-lined up.

F: Was this sort of a negotiation beforehand without any reference to him?

B: I had been in touch with Secretary Udall, and with Chuck Luce, and with Scoop Jackson, and they were all pretty well agreed. And it was a secretarial appointment, not a presidential appointment, though I was resigning a presidential appointment. So I had an appointment-- I have to check back on my calendar to find out the date it was, if that's important. Is that important that you know?

F: That's not too important.

B: And I had an appointment to go over and see the President. And I wasn't even sure that I was to see the President personally. That-- I talked to Lee White before I went over there, and Lee, of course, has been special counsel to the President and is very close to President Johnson, knew how he operated and what this sort of thing was. And I said, "What shall I expect?" And he said, "Well, he will give you a pat on the back and march you through the Oval Room and give you a little pep talk and tell you that he expects loyalty and he knows I'll do a good job and that will be about it."

So I said, "This isn't going to be any substantive serious business discussion about this thing, is it?" Lee felt that it definitely would not.

Well, I went over there, I had never been in the President's office before; when I was appointed to the Federal Power Commission, I never saw President Kennedy. I dealt with his staff exclusively.

But--and when he was assassinated and I was holding over, there wasn't--of course, I was already filling out a term--so there was, at that point, no presidential action required.

Well, I went to see the President, and I waited for quite a long time next door to his office. Marvin Watson took me in, and the President was off in an adjoining room and Marvin left me there. And pretty soon the President came out and shook my hands, and the first thing he said was, "Did you read the Pearson article?"

And Drew Pearson had printed a story a few days before that John Carver, who was then in this job and who was slotted to take my job in the Federal Power Commission, that he was conservatively--oriented, that, as I recollect, he had had--the article said that his posture with respect to the oil shale controversy over here had been slanted toward the industry, that he was likely to be an industry-oriented style regulator and--my recollection is that my name wasn't mentioned in it--I'm not sure whether it was or not. But I had--pretty much had the reputation in the industry of being a consumers' man.

F: You were not a principal in the article?

B: No, I was not a principal in the article. Actually, it was a fairly low-key article. It was just a few lines, I think. It wasn't a Pearson blast type thing which he has mounted from time to time.

So I said, "Yes, that I had read it", and he wanted to know what I thought of the situation.

He said, "These are three very important resource positions that are involved. Why should I take three men who are doing a very good job and--or, at least, not creating problems--and shift them around like this." Several times he said, "I'm very vulnerable in the resource picture. I don't want to do anything that's going to make this administration--give this administration a bad record because of resource appointments. I have no problem with you, and I don't know Carver. I guess he's a pretty good man." I think he referred to him several times as a Mormon. I don't know whether he's a Mormon or not. But he said, "He's probably a good Mormon." And he said, "I don't have any reason not to trust him, but I don't, in effect, see why I should take this kind of chance if it's not going to work out right."

Well, this was a surprise to me. I hadn't really expected this kind of discussion. We stood up, leaning against the President's desk. He leaned back against his desk and he stood very close to me and looked at me with those black eyes like he has a way of doing, like he looks right through you.

And I said, "Well, I knew nothing about John Carver. I had certainly no reason to believe that he would be anything but a honest, honorable, capable regulator, that his background, so far as I knew it, didn't point to any difficulties."

Well, he said several times that he didn't want to court trouble. He was very nervous about this thing. He wanted to get the thing settled on Carver, that was the one chink in this whole thing. And

that if he couldn't get that settled promptly he didn't know what he would do. He said, "I want you to be my lawyer, and you go and talk to Scoop Jackson and talk to Lee White and see what they think about this thing. You try and--I want this thing straightened out today, if possible, because I want to move on it very fast if we are going to move."

And we had other conversations. It was an entirely friendly visit. We had a conversation about Seattle, what--he said that was just about his favorite part of the country, the Pacific Northwest. He would like to spend some time up there. It was quite a relaxed discussion, except that he was clearly disturbed about this appointment.

What surprised me here--I probably was in his office, I think, 25 or 30 minutes (was) that the President of the United States was spending all this time with me on these appointments which, while they were very significant, didn't really at the moment strike me as warranting all that time from the chief executive of the United States. But, needless to say--

F: You weren't quite Cabinet level.

B: That's right. I was very, certainly, thrilled at this kind of attention from the President and that this situation that I was involved in was this important to him. And he said--he concluded this by saying that he demanded several things from people that work for him. He said, "First, of course, skill and capability. And, second, absolute loyalty.

If you are working for my administration, I want you to know that -- I want to be comfortable knowing that you are working for me, that you are not working for Eisenhower or Nixon or Bobby Kennedy down the line."

And I assured him that he had my total and absolute loyalty and dedication. For what that was worth I gave him that assurance. And he then walked me out to the door of his office and asked me to get busy on seeing if we could straighten this problem out that involved the appointment to the Federal Power Commission.

So I did come back and talk to Lee White and I talked to Scoop Jackson and they made further inquiries. They talked to Drew Pearson and he did not apparently been a--Drew Pearson did not consider it himself as a very significant thing. At least I think they talked to Drew Pearson.

This is one thing that the President said that he wanted, was them to check this out with Drew Pearson. My recollection is foggy now as to whether they did or not. But apparently it had been Warren Magnuson, who at the President's earlier instructions had--for purposes of a trial balloon--kind of checked it out with these columnists. And I recall that Senator Jackson was--had felt that that was a mistake to go to Drew Pearson, of all people, to check out something like this for fear that it would get into print and that's just what happened. And the President was quite unhappy that it had gotten into print.

F: But from Pearson's standpoint, it apparently was not of sufficient magnitude to follow up.

B: He never followed up on it, and it wasn't certainly not a big crusade. It was quite an insignificant line or two, really--fairly neutral in tone. But the President was clearly displeased with it and was very much concerned with making a mistake which would reflect badly on his choice of a regulator if that regulator really did have a reputation of being an industry man.

The President during this meeting said that, something to the effect, that, "just because I'm from Texas they think that I own all the damned oil wells, or that I have some special interest in the petroleum industry." And, of course, the Federal Power Commission regulating the natural gas industry has a very large interest in Texas. So it was clear that he was thinking of this in terms of it reflecting badly on him when he felt that that reflection was clearly not deserved. So this--. A long time went by, we heard nothing more really. I can't remember in terms of days or weeks, but eventually it was worked out so that all three of us made our little musical chairs shift.

F: Did you see the President at all again during this time?

B: I didn't see the President again during this period, at all. There was no further communication with him at all then.

F: Your next communication then was with Secretary Udall.

B: That's right. Secretary Udall and Senator Jackson and Chuck Luce--all kept me informed about this, and I knew then as it came down to

the time that the decision had been made that it was going to work out. It was just a matter of time, and I finally got a call from the White House, from one of the President's staff, that the President was going to announce the two appointments which he had to make, which were Undersecretary and the Commission. That this would then also involve a statement, an announcement of my appointment to Bonneville.

We had to work it out very closely so that we all took the oath of office on the same day, or there could have been a break in service that would have involved loss of some Civil Service benefits. So a rather elaborate machinery we had to put together so that we all went-- we all did actually shift at the same moment so that every job was filled all the time. And so I had no further communication with the President until the matter of my becoming Undersecretary was coming to a head.

F: Before we leave this subject, let me ask you one question. You haven't mentioned the two Oregon Senators in this, and yet the Bonneville office is important. Is it that you don't have to make any deference to the particular state in that case? I can understand Senator Jackson's position because of his committee assignment.

B: No, there were--they--I didn't meet with them. There wasn't any resistance from the Oregon Senators at all. And I know that Scoop and probably Maggie were in touch with them. But I wasn't personally

in touch with them. The office is located in Portland, but it's the power marketing agency for Washington-Oregon-Idaho-Western Montana-even part of Northern California. And while the main office is located in Portland, most of the dams from which we purchase power, and transmission lines, and so forth, really are in the state of Washington. But Senator Jackson's interested on a dual basis, first because of his-- because he is Chairman of the Interior Committee and this is a very enormous Interior Department responsibility out there. And second, because he is Washington state Senator.

F: Do you get into the Hanford complex at all?

B: Yes. We market power from Hanford. But under a very complicated exchange arrangement. We don't--the Bonneville Power Administration doesn't own or operate the Hanford Power Plant. The power is owned by a group of non-federal public utilities known as the Washington Public Power Supply System, and they buy steam from the AEC reactor. And then it is marketed in a, as I say, quite a complicated contractual arrangement, through the Bonneville system.

F: Well, let's pick up your thread now with your appointment.

B: Yes, Well, I served during 11 months out there as administrator, and I don't know to what extent you want to go into what we accomplished during that period of time.

F: Yes, I would.

B: Well, the main--our main objective during my time out there was to assist the whole Pacific Northwest region in a transition from a

completely hydroelectric system into a mixed thermal, steam, atomic era because there are no more or hardly any more economical hydroelectric sites to develop in the main stem of the Columbia or otherwise out there. Most of the rest of the United States is about 90 percent thermal, I think, and we, of course, have been just (the) reverse. We have been almost exclusively hydroelectric power. And if the northwest was going to continue to enjoy an advantage in terms of low power rates over the rest of the country, offsetting the other disadvantages we have because of our geographical location so far from commercial centers and the expense of transportation and all the rest, if we were going to remain economically healthy, we have to keep cheap power. To do that, it was clear that we had to get more electricity from some place.

We sell directly to large electro-process operations, notably the aluminum companies in the Northwest. And otherwise our power is not sold directly. We sell to the PUD--Public Utilities Districts--and private power companies and they resell to the actual users. We operate the main backbone transmission system in the Northwest, and the Federal government, the Corps of Engineers, the Bureau of Reclamation, owns and operates the huge dams on the Columbia, for the most part, though there are some other very respectable PUD dams, very large PUD dams, and some private utility dams. For the most part, it is all integrated with the Bonneville system. We provide the transmission.

F: Do you get involved at all in the Snake?

B: Yes, we are very much involved in that controversy right now as to the development of the middle Snake. Very much involved. That is coming to a head now.

F: We will come back to that.

B: But our responsibility really was to assist this transition, to try and bring the utility industry together. We have private utilities, a lot of PUD's, the Bonneville system. We've worked very well over the years in developing their Hanford arrangement and building this gigantic Northwest-Southwest inter-tie under tremendously complicated contractual arrangements. The treaty with Canada for storage upstream in the Columbia and the exchange of benefits--all of this had required very close work with the whole utility industry. And it has been remarkably successful.

I think the Northwest is way, way ahead of most of the rest of the country in terms of the way the utility industry operates together. They've broken down so many of the old philosophical problems, the old ideologies of public power versus private power, and it has been very successful.

F: It used to be a fight to the finish, really.

B: Always, But it wasn't--Chuck Luce had done a remarkable job bringing Bonneville up from just a holding operation, almost nothing under the Eisenhower years--where the organization had become very demoralized and was doing very little. The whole policy of no new starts had

reduced the Federal Marketing operation almost to a minimum. And he brought it back and breathed some real life into the industry. But his job had really kind of come to an end in the sense that he had led the Bonneville and the industry in putting together this Northwest-Southwest inter-tie which I think was really the caper of his time as Bonneville administrator. He had been there five and a half years.

F: That sort of wrapped up a package.

B: Pretty much wrapped up a package. And now it was suddenly becoming apparent to the industry, not very apparent, but it was becoming apparent to us, that we had to do some really long-range planning to avoid critical power shortages a few years down the line.

And so my theme of my tenure out there as Administrator was really to marshall the industry together and to develop a regional plan, a whole regional concept, in which it would be pretty much agreed as to what the timing of the construction of these plants would be, who would build them, how big they would be, and how the Bonneville system would operate in receiving a portion of the energy into their system in exchange for using our transmission lines and for providing the peaking from the federal dams, the peaking power, and the reserves and backup that are required for the efficient operation of a system. And we put together a joint power planning council and really tried to do a significant educational job on the industry out there to be sure that we were all pulling together and that we weren't

going to experience brown-outs or worse, or power failures in terms of reliability and so on. And this was my principal--my principal aim while I was Bonneville administrator was to get that moving.

We did get it moving and just a couple of weeks ago the--we were able to announce that a package plan, so to speak, involving arrangements for the long-range future, the mix of thermo and hydro, how these plants would be melded into the Bonneville system, what services we would exchange, what the costs and concepts would be, and it is really a remarkable accomplishment.

I take a little credit for really putting it together because the movement was just underway the time I left, and my successor, who was my deputy at that time, Russ Richmond, H. R. Richmond, is now the Bonneville administrator. He's knocked a lot of heads together and pulled the pieces together and I think that the Northwest looks (as if) they have assurance for a long-range low-cost power supply system as a result of this. Well, about the time that this plan looked like it was coming to a head, I was slated to come back here. And I came back to Washington.

F: Did you have fair advance notice?

B: Oh, I surely did. I sure did. Many months. I had only really been at Bonneville about four or five months when I had that breakfast meeting with Charles Luce at which he told me this looked like that was the way it was going to happen. And I think it was in the spring of '67--I would have to check these dates, May, June, 1967, must

have been earlier than that because I think the occasion for my being back here was a Budget Bureau hearing, so it could have been-- I'll just have to check the timing. Probably not too significant anyway. And I had an appointment with the President and Russ Richmond was with me.

I had, I think when this thing was pretty well sewed up, had, prior to that several months, had a meeting in the White House with Marvin Watson. And he said, "You met the President before and talked to the President before when you left FPC, didn't you?" And I said, "Yes." And he figured that probably it was not necessary at that time for me to see him again personally and he wanted to know if I would campaign for the administration and I assured him that I would. He felt that, on the basis of my experience, that so far as he was concerned, he could make a recommendation to the President. It wasn't necessary for me to see the President again concerning the appointment to be Undersecretary.

Well, but some time had passed, and I was back here with Russ and got word from, I believe from Secretary Udall, that the President wanted to see me that day. He wanted to see me along with Russ Richmond.

Now Russ was very, very reluctant to take over as administrator of Bonneville. He didn't even want to be acting administrator. He was thinking in terms of leaving. But he felt that if we didn't press him too hard, he would take on the job as acting administrator for a

period of time if he didn't have to make any long-range commitments. And one of the reasons--he didn't like the requirements that the job necessarily entails of going about the region making speeches and that sort of thing. That was not his cup of tea. He was quite reluctant to make public appearances. That was really the thing that bugged him the most.

Well, the President--we went to see the President and I was ushered into the President's office first. He wanted to see me alone. And he seemed to think that this was all going to work out well, but what disturbed him was the fact that Russ Richmond would not take on the job of administrator. He didn't want that vacancy there. He didn't want an appointment hanging open and the pressures that build up. If it was a real neat, quick, and smooth transition, he was going to feel much better about it. He didn't demonstrate all the nervousness that he had when I saw him the first time over the Carver switch. This was not that elaborate a deal.

He said, "Well, why won't he take the job?" And I said, "Well, he--" I didn't want to go into the detail that he didn't like to make speeches. It seemed to me a rather, not a very good reason to be talking to the chief executive of the United States about what his personal reasons were. I thought it might even reflect badly on Russ, you know. Showing some lack of confidence, which has turned out certainly to be entirely unfounded. There was never any such reason. But he said-- he pressed me, really pressed me, for why Russ would not take the job. And I said, "He's willing to take it on an acting basis..."

F: It would be difficult to give an evasive answer.

B: I really went in there with the idea that I would be evasive, and was very explicit and very--well he said, "What's wrong? Why won't he do it?" And he asked me explicit questions. And I said, "Well, he's been in government a long time, and he's not sure he wants to take on those responsibilities in terms of the kind of commitment that it entails for a long-term basis. He's been in business before. He's thinking in terms of going back into business," all of which was very true. He was thinking in terms of going to Southern California and going into business down there.

And the President's questions were directed really at kind of puzzlement that he wouldn't take this job. And I said, "Mr. President, if you put it to him squarely on the basis that you want him to take the job, I would predict that he would do it. But he's not anxious to do it."

And I can't remember quite how this next item came up. But it was something to the effect that--in the context of the President filling the Bonneville job. And I said, "Well, Mr. President, it's not a presidential appointment. It's a secretarial appointment."

And the President said, "Oh. You mean that Secretary Udall will just designate Russ to serve on an acting basis?"

And I said, "Yes."

And it was clear then that he was off the hook. He felt that he was going to have a vacancy to fill and he didn't want it on that uncertain basis which is, again, consistent, kind of, with the first

Federal Power Commission situation I discussed earlier. He was clearly relieved that he didn't have to worry about it. And he said, "Well, why don't you ask Mr. Richmond to come in and we'll have a little chat." So, I went out of the office and stuck my head out and Russ was wringing his hands, very nervous about this...

F: It had been a good wait.

B: A good long wait. And so, we came back in and sat down, not in his office, but in a little, another little room off of the corridor that goes into the President's Oval office. And it was a very friendly, a very friendly meeting in which the President did give him a pat on the back and a good send-off and said he knew he would do a fine job and really there was no discussion at all at that point then as to whether Russ would be an acting administrator, whether he wanted the job, what his reasons were for not taking it, and so on and so forth. Since it was not going to be the President's immediate responsibility, this was the way it worked and it was a very cordial, warm and friendly meeting. He wished us all good luck and godspeed and that terminated the interview.

F: Have you had, in these two interviews, have you had a talk with him about public power problems?

B: With the President?

F: Yes.

B: Yes. In the...

F: What kind of a grasp does he show?

- B: Well, he was largely--he was inquiring. When I went in to talk to the President during this second meeting, which are the only two personal meetings I have had with him--I did have a conversation with him on the telephone one time, which I will get to later, I had forgotten to mention that--he asked me how things were going out there, what the problems were, and I told him some of what I've told you. That we were running out of hydro, and that my job had been trying to bring together all the diverse, divergent factions of the power industry, and he indicated very sympathetically that that can be an awful job, to try to get public power and private power together. But he didn't, he didn't really--we didn't go into the philosophy of public and private power, but he didn't show any...
- F: Water and power were, you know, just about his first concern.
- B: That's right.
- F: As a Congressman.
- B: That's right. That's right. And he has been considered to be quite a--very much a liberal in terms of public power. The REA movement, I think, is very close to the President's interests.

But that was--but that concluded our meeting. I probably spent ten to fifteen minutes with him alone. He asked me generally about how things had gone. He was in a very relaxed mood, and then interrogated me quite closely on the Russ Richmond situation about filling the vacancy and showed relief that he didn't have to worry about it.

F: Was there any confirmation problem?

B: With me?

F: With you as Undersecretary?

B: No. No problem. My being from the Northwest, there were some Senators and Congressmen from the Southwest who were very concerned about this water problem, particularly since I am close to Senator Jackson, they--Wayne Aspinall, in a very private meeting with him, prior to my confirmation, told me frankly that he was disturbed that I might be too much responsive to what Senator Jackson wanted me to do. And I assured him that I would not be, that Senator Jackson never had asked me to exercise anything but my good judgement and that I knew that he wouldn't in this case. So far as Northwest-Southwest problems were concerned, he had nothing to worry about. He remained unconvinced, I think, and I think he's probably convinced at this point that--but Chuck Luce had been a State of Washington man, and I was, and there are some rather bitter controversies between the Northwest and the Southwest. And Tommy Kuchel had some of the same concerns.

And I tried to get around and see as many members of the committee as I could before I appeared at the hearing to assure them of my goodwill and fairness. The only real cose questioning I got was concerning my views about water, and if one region had surplus water did I have any objections to giving it to another region of the country. While it was fairly protracted questioning, it was not--I wouldn't consider it really sharp questioning. I think they were

realitively satisfied that this would work out all right.

F: For the record, Congressman Aspinall is the opposite number in the House from Senator Jackson.

B: Right. He's the Chairman of the House Interior Committee.

F: And he had nothing to do with your confirmation, but you talked to him anyway.

B: No. I talked to...

F: You talked to him simply to keep lines open.

B: That's right, and I talked to John Taylor, who was the ranking Republican on the House committee, too. I would have to check back. I may have made some other courtesy calls.

F: Well, you have (E. Y.) Berry and (Roy) Taylor --

B: I didn't talk to any of them. I may have made some other courtesy calls on the House side if people either were concerned with the Northwest or with--particularly Interior matters. I just can't remember at the time, as I made some other contacts after I was confirmed--people I wasn't able to get around to--concerning in the Northwest.

F: Let's go back to your telephone conversation.

B: This is the only other contact I have ever had with President Johnson on a personal basis. I've attended a couple of Cabinet meetings--two or three Cabinet meetings where they were involved, I suspect, as Cabinet meetings go, fairly routine Cabinet meetings during times when the Secretary was away. There have been other Cabinet meetings where they will accept no substitutes and if the Secretary can't appear,

nobody appears in his behalf. And I've attended Cabinet meetings when we were concerned with budget matters, legislation, generally with--we've heard reports from McNamara on the Vietnamese situation, and from Rusk, and so on.

F: When you have been to Cabinet meetings there's been no feeling of your being, in a sense, a second-class citizen?

B: No, none at all. The President...

F: Or of any tenderness toward discussing certain things?

B: Oh, no, if there is any tenderness it's very explicit that there are no substitutes. And, I think I have attended three Cabinet meetings and a Cabinet luncheon. The Cabinet luncheon being with Cabinet members, but not the President. Secretary Rusk hosted over the State Department once when Steward Udall couldn't be present. We talked about political matters really. Essentially, what role the Cabinet was going to play in the upcoming campaign. But this was quite some time, obviously, before the President announced he wasn't going to run. Again, I'll check back in my notes and get dates for all of these things.

No, the President made a specific point of welcoming me personally to the Cabinet meeting. I think it was the second one I attended--the first one he didn't acknowledge my presence. But I sat in Secretary Udall's chair. So there was no feeling that I was there completely representing the Interior Department. I was not asked for any comments--I haven't said anything at any of the Cabinet meetings.

The conversation--the telephone conversation that I referred to was at the time our our riots here. Secretary Udall was out of town, and I was in my office. There had been some trouble in Washington the night before (that) had been recorded in the papers, but it wasn't terribly significant. And I hadn't even known that the thing had blown up. It was forenoon, or thereabouts, of the day of the big problems on Fourteenth Street and all over that area that I had heard some sirens and so forth, but I had no--I hadn't the radio on. Nobody had alerted me to the thing. I was just working at my desk and my buzzer buzzed and one of the girls out front, in a very agitated fashion, said, "The White House is calling, and they say that the President wants to talk to you."

So I came on the line and the Secretary said, "Secretary Black, one moment for the President" and he come on instantly and said, "Secretary Black, we're having some very serious difficulties. How many park police do you have?"

Well, I couldn't tell him, how many park police we have.

And he said, "Well, do you have any idea?"

And I really couldn't even tell him that.

And I think he said, something like, "Well, do you have two hundred or a thousand."

And I said, "Mr. President, I can get this information for you immediately."

He said, "Are the--do you know if the park police are trained and equipped to handle riot-type situations?"

And I knew from earlier experience when they had the march on the Pentagon, the park police had played a very significant role in that. I said that they had. I told him that they were fully equipped and he said, "Are they able to integrate and operate with the metropolitan police?"

I assured him that they were.

And he said, "I want you to get for me the numbers that you have that can be made immediately available and I want your people to be in touch with Murphy and find out who can be immediately..."

F: This is the Murphy that is the District Safety Director?

B: Yeah. He said, "I want to know the numbers that can be immediately available, how quickly they can be available, where they can stage, and so forth. I want you to get that in fifteen minutes and call me back."

And I was quite surprised that this kind of detailed information would come from the President of the United States to an Undersecretary of the Interior, neither one of whom could really be expected to have that kind of detailed information. And I wondered why members of his staff, when this thing was brewing, didn't have that information immediately available and either have already presented it to the President or not. I suppose, just conjecturing, that this thing came to a head. There were some heads of staff people in his office and he said, "What about the park police?"

And they said, "I don't know."

And he said, "Get me Udall."

Probably that's the way it worked. And Udall wasn't here, so he got me. And he didn't--I'm sure that there were many people well in control of the situation.

As it turned out the park police were already sufficiently alerted. They had been called and were coming in off leave and so forth.

Well, I got the information that he wanted. He said, "Get back to me in fifteen minutes." I got the information that he wanted in very quick time.

And I called the White House back again, thinking that, certainly at this point, they wouldn't put me back through to the President again, and this time I talked to somebody in his office, and I got the secretary, his personal secretary, on the phone, and I said, "The President asked me to call him back with some information concerning the park police."

And she said, "Just a moment."

And the President was right on again. And he said, "Secretary Black, did you get the information?" This was some 10 or 15 minutes later. And he was clearly in control of the situation in terms of exercising leadership right from the top.

And I gave him the figures that we had and the numbers of police that could be made available. The fact that they were already being

called in, the period of time it would take to get them alerted, where they would go, how they were--that we were in touch with Murphy, and then he asked me something which really was quite surprising.

He said, "What about the White House police? Are they under your jurisdiction?"

And I said, 'No, sir, they are not under our jurisdiction. Those are under the jurisdiction of the Treasury Department.'

And he said, I don't think he asked me how many there were, but he wanted to know what role the White House police could play in this thing. So...

F: He probably had somebody over in Treasury with the same problem.

B: But this was quite a revelation to me, that the President on that detailed type of a situation would call the Secretary, or an Under-secretary, directly and personally, and then wait and receive the call back again when the information came back. Those are the only occasions on which I have...

F: Let's follow up on this riot a moment. Did the park police then get involved?

B: Oh, yes, very much so. They were fully involved in it.

F: Now, had you run this out of your Washington district or was this run out of this office?

B: Well, this...

F: I'm familiar with your setup, with Nash Castro.

B: This was, for the most, Nash Castro's operation.

F: But you just kept...

B: But because of the significance of it, we all kept fully in touch from the top on down, so that we knew what was happening. As it turned out, of course, with the large numbers of police and troops involved, the park service formed a relatively small block of police activity.

F: Was your role considered--I'm talking about the Interior's role--considered of sufficient significance that Secretary Udall came home?

B: No, I got in touch with the Secretary. I'll have to check where he was. He was out of town, seems to me he was out in the Southwest someplace--and I believe he came home about a day later. He didn't cut his trip short. And that was the only other time that I have had any personal two-man communication with the President.

F: Of course, this whole park area in the district under your general jurisdiction--did you suffer any particular damage or any particular problems from this?

B: Very, very small. Our costs were very nominal, and they related almost exclusively to the overtime that we paid the police officers. So far as park property or federal property, I guess of any kind, I don't think there was any damage, certainly nothing significant.

F: Were you here during the march on the Pentagon?

B: Yes.

F: Did you have the same...

B: I had no communications with the President.

- F: No, But I mean on the part of the police, park police. Were they concerned.
- B: I met with the Attorney General. The same thing. As my recollection, they were completely integrated with the metropolitan police and they all operated on a coordinated basis. I worked in the solicitor, I guess at that time he was deputy solicitor, Eddie Neinberg, was the principal contact with Justice, but Ramsey Clark and Warren Christopher pretty much ran that show as they did the Resurrection City situation down here.
- F: I was going to ask you. Of course, you had to issue the permit for the Resurrection City gathering. Was that an agonizing thing, or was it pretty clear cut. Can you kind of describe it?
- B: Oh, it was an agonizing process, but it was one involving day-to-day negotiations with the Justice Department--largely between our solicitor's office and the Attorney General's Office. Eddie Weinberg was just working around the clock in terms of negotiating with the leaders of the march and with Justice. And Justice coordinated the interests of the people involved, but it was pretty much agreed that the issuance of the permit, in fact I think we publicly said so, was not a unilateral--the issuance or denial of the permit--the decision with respect to that was not a unilateral responsibility of the Interior Department, but that it was being coordinated with other affected government agencies. And the Justice Department was pretty much really calling the shots on that--Ramsey Clark personally.

F: And you were an auxiliary in this--still very much involved.

B: Me personally?

F: No, I mean the Department.

B: Well, I would say more than auxiliary. It was pretty much a partnership arrangement, but we were not. It was agreed, fairly explicitly, that Justice was the one that was going to lead the thing.

F: Did you feel any White House pressure one way or the other on this, or did they pretty much let you work it out?

B: They pretty much trusted Ramsey Clark.

F: Now then. When the Resurrection City situation closed down, the Interior Department had given a time to move, and then you had this matter of mass arrest which a lot of sideline observers felt pretty well suited the Resurrection City people. That they...

B: Yes. Abernathy...

F: That there was no real confrontation here.

B: The way we felt about this was that in the closing days of this thing Abernathy knew that he had lost control of his people. He had a group of militants who were starting to make trouble, and I think he tacitly acknowledged that he couldn't control them. It was not the peaceful operation that he wanted. And they negotiated--they wanted to be arrested. They didn't want to be hurt. They wanted a peaceful arrest situation, and it was pretty much agreed that at X hour he would lead the march and lead as many people as he could

out of Resurrection City on the day the permit expired up to Capitol Hill and get arrested. And the few that remained behind were no real problem. And he knew and understood. Whether he really acknowledged that or not, I don't know. But I think it's clear that the leaders of this thing knew and tacitly acknowledged that they'd clear out. They'd get arrested. They would dramatize their situation that way, and then we would go down and close Resurrection City, which is what happened.

F: Was there any real fear here that you might make a flatfooted refusal by some of the more...

B: Yes, sir, there certainly was. We were afraid that there might be real trouble. In fact, we really expected trouble. In the closing days of this thing, we were very nervous. Ramsey Clark--this is of course heresay, I wasn't dealing with Ramsey Clark on this thing. The Justice Department was very nervous. We were very nervous, and it was a great relief when violence didn't erupt.

F: How much supervision did you park police give Resurrection City?

B: Oh, Nash Castro was just practically, emotionally and physically exhausted when this thing was through. He was really in the forefront of this, the whole time.

F: He'd probably be a better source for this.

B: Yes. My observations with respect to Resurrection City were peripheral. I had very little to do. I had nothing to do with the negotiations except to get reports from our solicitor. You might want to talk to Eddie Weinberg. He has some real insights into this

thing. But I talked--so far as Interior is concerned, if this is helpful--in the President's library, that I talked to Nash and to Eddie Weinberg--they are the sources for the chronology on this.

F: The experience on this is that you always, in reducing your list, you come back with three more names. It just gets longer.

Let's go back to when you came in as Undersecretary. What have been your principal concerns as Undersecretary?

B: Well, Stewart Udall and I met before this thing was finally firmed up. I hadn't had an awful lot of direct communication with him, as Bonneville administrator. My predecessor, being Undersecretary, he understood Bonneville so fully and our problems so fully that there was no cause to go to the Secretary, and the Secretary pretty much fully turned our matters over to Chuck Luce, much the same as he has with me, really. When I was in Washington, I would drop in and chat with him, talked to him on the phone a few times, I hadn't had very close relationship with Secretary Udall.

And I understand that when it turned out that Chuck Luce was going to leave that the Secretary immediately said that he wanted Dave Black to come back here, which pleased me very much that it was his idea that I was--he felt that I was sufficient broad gauge and not special interest--that I was the one that he wanted. And Ken Holm, Assistant Secretary for Water and Power, wanted this job quite badly, too.

The Secretary did bring me in. There was really never much doubt about the decision from his point of view, the Secretary's point

of view, I guess from the outset. And he said that his view of what the Undersecretary's job was was it was whatever the Secretary wanted to make it. And that he did not want to make me another Assistant Secretary in terms that I would take a variety of things completely off his hands and be a program assistant secretary. He had those. What he wanted was an Undersecretary that would work with him on a broad basis; that would in some respects be his executive officer; in other respects, completely take over final responsibility for what would otherwise be secretarial decisions, which he has done on many occasions. And that we would work together, that I would be spread about as thin as he was.

And it's been a very good relationship--it really has worked out that way. I've been his trouble-shooter on some things, I've taken over total responsibility for some things, largely in the power field, in which my recommendation--I know when I go in there--he'll say if I think that's the thing to do, he will sign off on it. He does that very frequently. There have been a wide range of separate specific functions that he has completely turned over to me and in other respects there are things that I have not gotten involved in very much at all. For example, the Indian program is very, very close to Stewart Udall's heart, and dealing with our Indian problems has been absolutely minimal.

F: Were you involved in the working out the arrangement or compromise between the conservationists and the power interests in Arizona and the Grand Canyon?

- B: No, you are talking about the Central Arizona Project thing? No, that's one area in the power where Stewart has been very, very personally, intimately involved and has really made the decisions at that level. While he has kept me informed in a broad fashion, he knows these problems and that's the way he has operated with respect to that. Same thing is true, to perhaps a some what lesser degree, with respect to our oil import administration program. He has been very much personally involved and has dealt...
- F: That also gets into the diplomatic level.
- B: Yeah. It gets very much politics involved in that, and I'm just as happy not to have been involved in that. That's one function of the Interior Department I don't think we really should have. I would like to see the Commerce Department operate the oil import administration. (It) Certainly would save us a lot of terrible political headaches and (it) is about as unrelated to what you ordinarily think of as our resource and conservation responsibility as anything I can think of.
- F: This may be true of other departments, I know the Interior best. It seems to me, though, that you have some functions within this department that, really, you need to have an advocacy between departments rather than trying to work it out within the department. You have almost insoluble contests there.
- B: Absolutely. There's no doubt about that. Another area that seems to me--. The thing that Stewart Udall is so very much concerned with--

he'd like to see us become a Department of Conservation and Natural Resources and have our name changed. And eventually bring in other functions.

He really doesn't want to let any of these--he doesn't want to let the Bureau of Indian Affairs go, for example, and that comes up from time to time that that really belongs to HEW. So I think that eventually, if the departments are reorganized, this would be the lines along which they should move.

F: Have you been involved in the Hell's Kitchen problem?

B: Hell's Canyon.

F: I mean Hell's Canyon.

B: Well, of course, Hell's Canyon is such that's long gone. But the Middle Snake controversy is--this was a controversy that started while I was at Bonneville really in terms of the Supreme Court overruling the Federal Power Commission, and I was on that opinion. I signed a dissenting opinion along with Joe Swidler when the license was issued to the private power companies. However, it was on very narrow grounds that I dissented and didn't really come out as a **personal vindication when the Supreme Court reversed. But this was a problem that I brought back with me from Bonneville and have worked as closely with that as about any other responsibility or any other single problem that we've had since I have been here. This is again an example of something that the Secretary has pretty much turned over to me. And has signed off with respect to Bonneville's role in this thing and Interior's role on my recommendation.**

F: How have you proceeded in this Middle Snake?

B: We're at a point right now--as a matter of fact, we have just in the last few days issued an announcement of an agreement which would contemplate federal development of a dam at the opelousas site, which is above the site that the Commission had issued the license for and about which the controversy was, because the site--this opelousas (?) site is much superior in terms of conservation interests in that it is far enough up the river that it doesn't damage Salmon or Imnaha River runs. The Salmon River and the Imnaha Rivers are preserved and, as matter of fact, the basic outline of what we've agreed upon now is that the Federal government will build the facility, that the private power companies and the PUD's--who have been seeking a license from the Federal Power Commission--will prepay the Federal government a 50-year power supply. This will greatly minimize the appropriations that we would have to seek from the Congress, and we feel that if we can really get the support of the region and the power companies that it will minimize the conservation arguments.

The Sierra Club has put us on notice that they intend to resist any development of the Middle Snake, but I think we can demonstrate that there will be real enhancement of conservation interests. The dam, for example--we're thinking in terms of design which would have multiple-level water releases so that we can control the temperature of the river downstream which is so significant to the fishery on the river. And there are a variety of other conservation benefits

which will develop from this kind of multi-purpose development, and we think that if we can get everybody together on it, we are hopeful that we can also get the Congress to agree.

We've now agreed on a six-month's moratorium before the Federal Power Commission's suspension, while we try to work out the details and see if we can make progress toward moving this toward authorization of a feasibility study. And that's about where we stand now.

Senator Church and Senator Jordan are quite negative, and they are both members of the Interior committee, and the Interior committee could provide a pretty formidable roadblock in getting any Congressional action started unless we can persuade the members of the Interior committee by some real missionary work (of) the benefits that may flow from this thing.

F: I am slightly surprised. Why are they negative?

B: Well, they have introduced legislation which would provide a ten-year moratorium. They are nervous that here is something involving a resource that flows through the state of Idaho and they say that they don't see where Idaho's going to get any benefits out of it. And they are worried on conservation grounds. And we're trying to assure the Idaho interests that there are indeed significant benefits that would flow to them from this in terms of enhanced recreation, access roads, maybe a power reservation. We might agree to a power reservation for the State of Idaho from the next dam, from the Lynn Crandall (sp)

Dam, if it's constructed. And there's even been some conversation about particularly earmarking funds for Idaho from the Reclamation Fund after the project is amortized. But these are all very much in the discussion stage at this point.

F: Are you involved in the controversy that goes on between the Army Engineers and the various conservation elements within Interior?

B: Well, yes, very much. I'm very much personally involved in this because we worked out a memorandum of understanding with the Corps of Engineers which provides that any time there is an application to them for a dredging or fill permit that affects bodies of water, that-- well anything that they have responsibility for we would likely be interested in. They check at our field levels to see what problems we have under the Fish and Wildlife Coordination Act--with our water pollution people to see what problems are there.

This has been a long-running controversy with the Corps of Engineers that they were very single interests. They were only concerned with navigation and that they have been kind of the bad boys of the conservation movement. So we negotiated over a long period of time, but this has pretty much come to a head by the time I got there.

I think I finally signed off on the details of it. But it provided that if we can't agree at the field level, it comes to Washington. And then it's a matter for resolution between the Undersecretary of the Interior and the Chief of Civil Functions--I'm not quite sure what his title is--I don't have his title right now--but it's General Noble

and General Cassidy are the level that I deal with and if we come to an absolute total irreconcilable difference of opinion, if we continue to say "no" and they continue to say "yes", then it goes to Secretary Udall and Secretary Resor. And we've had quite a large number of these that have come to me.

One of the most celebrated was a very local one. This incident over Hunting Creek, I don't know if you have read about it or not. Well, it's a problem that finally precipitated a Congressional investigation in which we were--I and Secretary Kain, that's Assistant Secretary, at that time--were on the pan for a couple or three days of hearings up there. We had decided that ultimately that there were no significant conservation values to be protected and agreed to withdraw our objection to the issuance of a permit down here off Alexandria for fill and construction of some high-rise apartments. And it was a universally unpopular decision with conservationists and local interests and they have not yet published a report. The House Government Operations Committee is the one that conducted the investigation and I suspect that it will be quite a blast at the Interior, and me, and Secretary Kain.

But, right now we have a couple that are in a state of suspense involving dredging that affects Lake Erie, between us and the Corps of Engineers. Conservationists watch these things very closely. This is something that I have tried to keep Secretary Udall completely out of. He doesn't want to get involved in these one-shot fights with

conservation interests, and he's been completely satisfied to let me make the ultimate decisions on these. There may yet be a time when it has to go to him for decision.

F: Do you find most conservationist groups pretty intransigent?

B: Yes. That, of course, is quite a generalization. And I haven't worked that closely with individual conservation groups, but they are very much, as they should be, preservation-minded. They have their interest to present to the public and they do it very efficiently. And if they weren't intransigent--it really--and in a way our job might be tougher, because when we want them--. They are enormously powerful allies, and Stewart Udall has created such a philosophy and movement in this country toward conservation and the concept of the total environment that I think that the organized conservation groups have been invaluable to him.

F: Have you been involved in the Three-Sisters' Throughway?

B: No.

F: Congratulations.

B: Not at all.

F: You served under two Presidents, primarily --you might, in one sense, add Eisenhower as a third one, primarily under Kennedy...

B: No, I didn't serve under Eisenhower.

F: No, but I am saying that you had relations. You came to Washington with some frequency.

B: Oh, yes.

F: In those days.

B: That's true.

F: At levels such as we have just been talking about on things like the Middle Snake and so on, how much difference does it make who is President?

B: I think that to make a very broad generalization--probably one that is very inaccurate--but my reaction is that Johnson has been much, much more interested in Interior Department and in our program than President Kennedy was. Of course, that's hard for me to make that comparison since I wasn't here under Kennedy. But I get this reaction from Secretary Udall that Kennedy was much less interested in the Interior Department and in conservation than Johnson. And, of course, I think that an awful lot of this responsibility for this feeling or philosophy lies with the First Lady. I think Lady Bird has been the focal point for developing a philosophy of beautification and conservation and sacredness of our environment and the critical, dangerous era that we are coming into and the critical need for preserving it.

Had Kennedy lived out his term and been reelected, nobody can say. But it is my impression largely from hearsay that conservation is a very, very major interest of President Johnson. I think that he himself--I would hazard the guess--when he puts his administration in perspective that there will be considerable emphasis on what occurred during his administration in terms of environmental enhancement.

F: You were on the Federal Power Commission under both men.

B: That's right.

F: Did you notice any difference in attitude. Did it make any difference in a regulatory agency such as yours? Were you caught in any of the tensions that built up?

B: No, of course, I served under Kennedy for only a short period of time. I came in there in late August--mid-August, I guess, or late August, I will have to look at the picture on the wall to find out when exactly. And he was assassinated three months later. But there was never, to the best of my knowledge, any pressures at all, direct or indirect, from the White House. Now, of course, I wasn't Chairman, and Commissioners are fairly isolated from political contact.

The political contact, whether it is from the Hill, your Appropriations Committee, your substantive legislation, or executive branch contact, is the Chairman's responsibility, and the Commissioners are not likely, unless they are made privy to it somehow, to know. But Joe Swidler and Lee White, and Lee coming over from the White House, too. Some more cynical might say that that was why he was put there, so that the Federal Power Commission regulating natural gas could be somehow controlled from the White House.

Johnson probably bent over backwards to stay away from the slightest appearance of involving himself in regulation of the gas industry, or regulation of the power industry for that matter, of course. But the interest coming from Texas would--might make one think that he would have expressed, by some indirect pressures, some interest in regulation. To the very best of my knowledge, there was

never the slightest suggestion. And I know that he made it quite a point of a full delegation of oil policy to the Secretary of the Interior. And he has very much respected this so far as I know.

Now, lately there has been, I think, a little drift back the other way. The Budget Bureau, for example, has shown very keen interest to the point where they are wanting to get more and more involved in the detail of our administration of oil programs, most notably the outer continental shelf. They've made their presence very much known to us at a high level and very insistently.

But, to get back to your original question, I never saw the slightest indication that either President Kennedy or President Johnson didn't completely respect the absolute independence of the regulatory agencies. We truly felt that we were answerable to nobody. At least I did. We are answerable to the Congress because they control our purse strings. But so far as the Executive Branch is concerned, I, at least as the commissioner, and even as Acting Chairman for that period of time, never had any contact with the White House.

F: Have you been involved in the shale oil problem?

B: Yes. I'm involved--I've been involved in that. Quite a broad over-seeing capacity in developing our program. There's quite a story about it in the Washington Post this morning, by the way, which is a pretty good little history of Interior's involvement in the oil problem.

F: Is it accurate?

B: I think it's pretty good. Yeah. I think it's quite well done and quite readable. Quite a long story.

F: What are you going to do with your oil shale?

B: Well, we're hoping that private capital will develop it, but under sufficiently strict protections so that we are never going to find ourselves involved in a giveaway to the extent that resources are made available for development, and I think they certainly should be, and we are in the process of encouraging that. That they've got to be protected so that this unbelievably vast national asset is going to be properly developed for all the people. We've got a few-- you are probably aware, the potential of oil shale in three states and notably in the State of Colorado is far greater than the world's proven reserves of petroleum, 400 times or so, I think the figure is the petroleum resources, the conventional petroleum resources of the United States, at least as we see it now. So it's something that Stewart Udall has taken very cautiously and very carefully, and he is being criticized on some fronts for going too far and on other fronts for sitting on it and locking it up. So, as you know, he would be. But we have struck a pretty good program now which I think is moved far enough along and is enough firmed up so that a new administration can follow along with it. I certainly hope so.

F: Did you have a grey area there between Federal and State regulation?

B: Of what?

F: In setting up the rules for your oil shale development.

B: Oh, I don't think that's a real problem. Our problem is between...

F: Private and public...

- B: Between private and public. There is a very thorny legal spider web involving claims that were filed before 1920 on a lot of this oil shale land before the law was changed which will have to be cleared up. But I don't think that so far as regulation is concerned, I'm not really aware of any serious state claims that are involved. It's to the extent that we can remove the legal entanglements between individual claims and the Federal government. It's clearly public land.
- F: You've been a very articulate witness. Is there anything else that we ought to articulate before we close?
- B: Well, I think that there may be. After I read this thing, there will probably be a number of items. I'm just not too clear how far you want to go into the development of departmental programs that I may have been involved in.
- F: We'd like that.
- B: This whole outer continental shelf thing is very fascinating. And there will be a number of other things I'm sure that will occur to me. If you are interested in how Stewart Udall has operated and what my relationship has been with him, and what my observations have been with respect to department programs, that sort of thing, I'm sure that a number of things will occur.

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to the

Lyndon Baines Johnson Library

In accordance with Sec. 507 of the Federal Property and Administrative Services Act of 1949, as amended (44 U.S.C. 397) and regulations issued thereunder (41 CFR 101-10), I, David S. Black, hereinafter referred to as the donor, hereby give, donate, and convey to the United States of America for eventual deposit in the proposed Lyndon Baines Johnson Library, and for administration therein by the authorities thereof, a tape and transcript of a personal statement approved by me and prepared for the purpose of deposit in the Lyndon Baines Johnson Library. The gift of this material is made subject to the following terms and conditions:

1. Title to the material transferred hereunder, and all literary property rights, will pass to the United States as of the date of the delivery of this material into the physical custody of the Archivist of the United States.
2. It is the donor's wish to make the material donated to the United States of America by terms of this instrument available for research as soon as it has been deposited in the Lyndon Baines Johnson Library.
3. A revision of this stipulation governing access to the material for research may be entered into between the donor and the Archivist of the United States, or his designee, if it appears desirable.
4. The material donated to the United States pursuant to the foregoing shall be kept intact permanently in the Lyndon Baines Johnson Library.

Signed

Date

Accepted

Date

David S. Black
Jan. 28, 1971
Harry S. Williamson for
Archivist of the United States
Oct. 15, 1973