

INTERVIEW II

DATE: December 4, 1989
INTERVIEWEE: DONALD J. CRONIN
INTERVIEWER: Michael L. Gillette
PLACE: Washington, D.C.

Tape 1 of 1, Side 1

G: I'm going to mention a few legislative areas, and then I'd like for you to talk about the ones that you have some insight on in as much detail as you can.

Let me ask you first generally about foreign policy during the [Dwight D.] Eisenhower years and how bipartisan it was. The Democrats controlled Congress through much of that time and the Republicans--many of them--had a more isolationist position than even the Republican administration had. To what extent do you think foreign policy in the 1950s was really a bipartisan arrangement? Or was it more narrowly a partisan thing?

C: And throughout I'm going to trust largely to memory, as you understand, which is the best I can do for you.

But I'm going to say as I reflect backwards, foreign policy during that period, in which Senator [Lister] Hill was not largely involved--this was really at the tail end of his involvement in foreign policy--but, as I recall foreign policy at that time, it was extremely bipartisan. I think here that you had a situation whereby, in all deference to

Cronin -- II -- 2

the outstanding war hero which Eisenhower was labeled, that in fact he was not quite the statesman that he may have wanted to be or pretended to be or that his party billed him as. This is no fault of Ike's. Ike was a soldier, number one, and a politician just sort of coincidentally. Because of everything I've just said, I think there's an explanation why there was not a deeply rooted foreign policy during that period to which you refer, the Eisenhower years, I assume you have reference to. In my recollection there was not a strong foreign policy. I think you had more perhaps of various elements within the party endeavoring to make foreign policy than there was a so-called foreign policy philosophy of the day.

Some of those elements of the party would have been the [Robert A.] Taft element, and I happen to have an affinity toward the Taft element because it was very instrumental in the Hill-Burton Act. It was Taft who suggested that [Harold] Burton, his colleague, the other senator from Ohio, be listed as the co-author of the Hill-Burton Act instead of him, Taft, because Taft was too controversial in things like foreign affairs and party matters and running for president and so on. He said to Senator Hill, "Gee whiz, Harold Burton is the guy that takes a lot of heat off the politics of it and would make the chances extremely better." So really it was Taft who went ahead with the first piece of legislation, and I think the only one since then--and I [could] stand corrected but I don't think I would be on this--that has what we called "the variable formula," i.e. the variable formula whereby the poorer states--at that time, let's say, the southern states--would get the largest share in matching and the wealthier states--in this case, the northern states--would get the smaller share in federal matching. There was a formula worked out,

Cronin -- II -- 3

but in every case states like Alabama, Mississippi and so on were at the tail end of the forty-eight--now fifty, of course--so we got the lion's share there. This was with the support for passage of Senator Taft of Ohio, which was amazing at the time, and I don't think it's ever happened again. I don't know of any federal grant program--but I've been away from there for a number of years, but I still read the papers and I know of no federal grant program that's ever done that since.

G: To what extent did Lyndon Johnson and the Democrats in the Senate cooperate with the Eisenhower Administration on foreign policy?

C: I don't think there was extreme cooperation during those years because there was, as I recall it, deep cleavages philosophically and I think here the Lyndon Johnsons and other Democratic leaders in the Senate, as I recall, took advantage of those cleavages. While they may have advertised it as cooperation, I don't think it lent itself to any real cooperation, because of the differences in the philosophy behind the foreign policies.

G: Any recollection of the Albert Beeson nomination to be National Labor Relations Board--?

C: Not really.

G: It was a close, partisan vote.

C: I remember it, but you asked me do I have any working recollection; not really.

G: Okay. I wanted to ask you to recall what you can about the [John W.] Bricker Amendment in 1954. There was a substitute offered by Senator [Walter F.] George which Senator Hill opposed. Do you recall the politics of the Bricker Amendment and the George substitute?

Cronin -- II -- 4

C: Not in enough detail where it would do much good for this particular conversation back and forth, and for your overall effort. I remember the Bricker Amendment and I remember at the time that Hill opposed the George substitute, as I recall it. I also remember at the time--I had just come in 1953 and actually at that stage of the game I was not involved with legislation in a way that I was in years later than that. So at that particular time, I would not have been involved in legislation to the extent that I would have a working knowledge of it or have had one.

But I do remember, insofar as mail at the time from Alabama, Senator Hill saying one time that the Bricker Amendment brought a greater flood of mail, whether generated or otherwise, than he had ever seen in all of his days in the Congress. So it had been ballyhooed so to speak, and I don't know if all of this was grassroots. I doubt it seriously because as I came to learn later most of this mail, and especially on something as complicated as the Bricker Amendment and the George substitute, people in Eufaula, Alabama, just didn't understand what all that was about. And yet, that letter would come from Eufaula, Alabama, explaining why he's against it and so on. It had to be generated; a lot of it had to be generated. But whoever did it did an awfully good job of generating--

G: Do you think that it was public opinion in Alabama that explains Senator Hill's opposition to the George substitute?

C: Again, I'm sorry that I don't have the answer to that. If I did, I'd be happy to relay it, but I don't know.

I'm going to say this to you at this juncture, for whatever it's worth, that in that day and time, not unlike this day and time and not unlike a hundred years ago, a lot of

Cronin -- II -- 5

these so-called philosophies were trade-offs and are trade-offs. Sometimes, when a member of Congress, whether it be a member of the House or the Senate, realizes that his or her vote really makes no difference, philosophically things can look a lot of different ways and really not have changed much one way or the other.

Now as I remember, the Bricker Amendment was a rather close vote.

G: Well, the George substitute, I think it was sixty to thirty-one.

C: Well, then that was not.

(Interruption)

G: Also in 1954, an amendment to the Taft-Hartley was proposed by Senator [Barry] Goldwater that would have, in effect, given the states much stronger say in the issues of labor. It was a measure that was defeated in the Senate by a close vote with all of the Democrats voting together to defeat the Goldwater Amendment. Do you recall that?

C: I don't recall that, but I would answer that this way. I don't recall that particular one. I recall at that point in time several so-called labor measures which were close votes. This may have been one of those to which you refer, but I'm going to answer that in this way to you for whatever it's worth; the southern states, including Alabama and Georgia of course and Mississippi, had been at the low end of the totem pole for a long, long time, and really since Reconstruction, they really never did get back on their feet good. I think basically that your southern senators as well as your southern members of the House--by and large, I think the record would show--including Mississippi which today is a bit of [an] anomaly but then it worked this way--I think you find that by and large the South went with labor. If some members did not--and I'm sure there were some who did not--I

Cronin -- II -- 6

think the so-called leaders of the southern states then--I'm talking about your Dick [Richard] Russells and Lister Hills and so on--I think that their effort and their influence was on behalf of organized labor at that time as I recall it. And I think that was true for many years after the 1954 to which you addressed.

Now you know as well as I do, of course, once prosperity rears its head into the picture, things change a lot. Votes change, philosophies change, and so on and so forth. But back in those days when things weren't really all that great yet, I think by and large you find your southern leaders went pro-labor.

G: That year you also had a school construction bill in the Senate which Senator Hill opposed with the argument that there was no realistic chance that the bill would be passed because the House wasn't even going to be able to consider it that year. He regarded it as simply a political gesture. Do you recall that issue?

C: I don't recall the particular one to which you refer. School construction I'm generally familiar with in years other than the 1954, but I would say this on anything that had to do with school construction going backwards--and I think I would be fairly accurate on this--the main concern of Lister Hill and other southern senators was the church-state issue; that was the big issue. And until there was a chance of knocking that down--and that was involved in the tidelands oil dispute, too--until there was a chance of getting around that, I think you would find that rather than take a defeat, that any number of arguments might be advanced to shelve or not to vote on any particular measure rather than taken the loss.

G: How was church-state involved in the tidelands issue?

Cronin -- II -- 7

C: Church-state was involved to the extent that those who wished to kill the tidelands oil injected the church-state issue politically. And the church-state issue was a real bugaboo because in the South, of course, we're largely Baptist as you are in Texas. Here, whenever you reared that ugly head of church-state, you almost had a flood reaction to it, that you've got to be against anything that violates the principle of the separation of the two. This had been the issue that kept Lister Hill off federal aid to education right up until 1957, when we were over in Europe at the same time Sputnik went off, and that opened the door because he said to me then in Germany or wherever we were at the time, "Shucks, I can afford to take on education now, because we're going to do it on behalf of the proposition of defending this country and we need engineers, scientists, *et cetera*. You and I both know that once you do it on that basis and get it started, you can expand it to include literature, English and all these humanities that, first of all, you're not going to touch." This was the vehicle on which we moved ahead with--at that time I was into more legislative work, so that one I know.

G: So it was initiated as a defense issue?

C: Yes, sir. That particular bill--I don't know if we've gotten into this in the past.

G: Not yet. The National Defense Education--

C: The National Defense Education Act, that particular bill. We got back in late October or early November from Europe, and these were vacation trips but while we were there, our paths crossed and it happened to be at the time Sputnik was launched and it prompted, as I suggested earlier, what Senator Hill's reaction was, which was that was the opening of the door. But then we met [on] New Year's Eve in Birmingham, Alabama, at the old

Cronin -- II -- 8

Tutwiler Hotel, and drafted the National Defense Education Act which passed in totally different form--not totally but substantially different form than the way we drafted it. But at that time Carl Elliott was chairman of the House Education Committee and Senator Hill was chairman of the Senate Education Committee or the counterparts thereof. We met at the old Tutwiler Hotel, which is now torn down, in Birmingham and that's where we sat around until five o'clock in the morning and hammered out all the various provisions, the broad outline of what we wanted a bill to do and how it should be presented when Congress reconvened in January.

G: What were the principal differences between the final versions of the bill and the initial draft, do you recall?

C: I don't remember of course the exact differences, but I don't think philosophically there was much difference at all. I think we're talking about details here. For example, should it be a student loan or should it be a student grant, this kind of thing. Philosophically, there were some who--in the Senate as well as in our little meeting in Birmingham, Alabama--felt it ought to be an out-right grant. There were those who felt for obvious reasons that a loan would be more productive than a grant and so on and so forth. But philosophically, as I remember, the first draft of that bill, I don't think it changed substantially at all.

I think we pretty much knew what we wanted to hang it on. We wanted to hang it on the national defense effort and that's the reason it was entitled the National Defense Education Act, and felt that with that label it would stand a better chance, of course, of passage. That's the way we moved it. Again, as I remember, the initial act that we

Cronin -- II -- 9

hammered out went strictly to defense. It went to engineers, scientists, anything connected with launching a Sputnik to catch up with the Russians. We didn't get into the humanities. But eventually that was all expanded, and we knew it would be. We said, "Let's not do it now. Your Tafts and all these guys would raise hell with you." But once you get the program going, then you can expand it.

G: Anything on Lyndon Johnson's role in that legislation?

C: I don't know. I really don't know. That should be explored. I don't know. And I say should be explored because to me--Hill-Burton of course is a tribute to Senator Hill's efforts, but I think it's very close between Hill-Burton and this National Defense Education Act. Now the only thing that maybe would give Hill-Burton an edge is the fact that with the affluence that's come along in latter years, the National Defense Education Act, with the record of defaults--it's not enjoyed the same popularity as has the Hill-Burton Act through the years. There may be a lot of explanations for that. There may be the mystiques of medicine and all this and that make one more challengeable than the other. I'm not here to evaluate that, but I'm not so sure that--I think that the greatness of the two are awfully close to parallel, but I'm not sure that the modern mind would agree with that. Probably Hill-Burton would rise over and above that.

G: Let's talk about the Atomic Energy Act in 1954 and the Dixon-Yates contract, which was debated through 1954 and 1955. Senator Hill was, of course, a staunch supporter of TVA [Tennessee Valley Authority] and public power and a critic of the Dixon-Yates arrangement. Do you recall his activities there?

Cronin -- II -- 10

C: Not precisely, because that was handled by a fellow who is now deceased unfortunately, the chief clerk of that particular subcommittee, and that's one that really at that particular time I wasn't involved all that much in. I remember the Dixon-Yates thing, which involved the Alabama Power Company. But in 1954--I think a lot of that came up along about 1954--I really wasn't legislatively involved to that extent. I remember every one of the issues, but not the details of it.

G: Anything on farm politics during this period and the whole question of flexible versus fixed price supports?

C: We had a lot of interest, of course, in Alabama because we were largely agricultural at that time you're talking about and still are largely agricultural. King Cotton had moved out beyond Texas to Arizona and those places in the far West, but we were still largely an agricultural state. I'm trying to reflect on the flexible; I know what the flexible is, but I don't recall any great activity in that area. What I guess I'm trying to say [is], we always had some, being an agricultural state, but I don't remember any real--like Dixon-Yates or Bricker Amendment-type involvement here.

G: I realize that Senator [John] Sparkman was more involved in foreign affairs during this time than Senator Hill was, but any reflections on the whole Far Eastern situation with the fall of Dien Bien Phu in 1954 and the debate over Quemoy and Matsu in 1955?

C: Not really. Are you doing Sparkman at all?

(Interruption)

The only thing I can recall on reciprocal trade--I don't remember that particular issue, that particular year. But I know Senator Hill--and I guess this is what you really

Cronin -- II -- 11

come around to--was a great proponent of reciprocal trade. His thinking there, his feeling, was simply that when you have a trade partner, you have an ally. And sometimes that's proven right and sometimes it's proven wrong. But he was a strong believer in the fact that we shouldn't limit exports, for example, to China or Japan and so on and so forth because we needed those places as a base for military operations. This hurt us because textiles were involved. Of course, most of the people in Alabama were not for reciprocal trade. They were for selling everything they could there, but don't bring any of their stuff in to compete with us. He took a little more liberal view of that, a little more generous view, whatever you want to call it. He's always indicated--to me anyway--that he felt that should be more reciprocal because, again, if you have a trade partner, you have an ally. So he was always generous in that regard.

G: The highway bill in 1955--major legislation--developed the interstate highway system and [there was] the question of how it would be funded, through appropriations or through bonds. Do you recall that? Senator Gore's support of the--?

C: I don't. I remember the legislation and I remember the issue you just posed. If you had asked me the outcome of the issue I couldn't tell you that, really, because it just didn't impact us that much and there wasn't that much impact insofar as I remember. By that time I knew Alabama's interests pretty well and I don't recall that being a major one.

G: Senator Hill sponsored a bill that would give the administration stand-by authority to control the manufacture and distribution of the [Jonas Edward] Salk polio vaccine; do you recall that?

C: I'm generally familiar with that.

Cronin -- II -- 12

G: Why don't you tell me about his position here.

C: I don't really know that there's anything too revolutionary about that particular legislation. If there is, you tell me. But as I remember here, we had a proposition whereby the Salk vaccine could not be legally manufactured and distributed. It could be used for testing purposes only. What was the date of the Salk vaccine legislation?

G: This was May 21, 1955.

C: I was going to say around 1956. This was really before the 1962 amendments to the Food, Drug and Cosmetic Act and I think it's important that that be said because I think it does affect the fact that you had legislation then which would have imposed a condition, so to speak, on the manufacture and/or distribution. The reason I say that is because the 1962 amendments to the Food, Drug and Cosmetic Act made for the first time efficaciousness an issue. In other words, safety alone did not have to be proven. It had to be proved that the drug was both safe and effective and theretofore, from the time of the first enactment of the Food and Drug Act way back in 1910 or 1912, whatever it was, all that ever went to was safety. If safety was there, it was okay. But here for the first time it had to prove that it was going to be effective to boot. And the guy who wanted to use this proof of effectiveness at the time was running for president of the United States. That's Estes Kefauver, who lived around the corner from Senator Hill in Spring Valley. Senator Kefauver came around to see him one time and said, "This really has joint jurisdiction between Judiciary, of which I am chairman"--or chairman of that subcommittee, whichever--"and you, the Health Committee--and you're chairman of that

Cronin -- II -- 13

subcommittee. I would like you to defer to the Judiciary Committee, to me, so there'll be no problem. We'll tell the Majority Leader it's all worked out."

We had been catching an awful lot of heat from the medical profession for being too liberal in general right up to the time that Senator Hill decided not to run again. As I previously mentioned to you, the medical profession has never been for Senator Hill because he was considered just a little too forward-looking in some of these things we're talking about now. And control, not so; AMA [American Medical Association] shall control our crowd but not any members of Congress.

So here you had a proposition whereby in 1962 you had effectiveness and safety involved. As I think I mentioned to you at one point in time in our first session, we had problems with the medical profession. We were going to be running again for reelection and I was the fellow who suggested, when the Senator riding home told me that Senator Kefauver had been by to see him at home, wanted to know what I thought or words to that effect, I said, "I think you ought to give it to him, because the one thing we don't need right now is to take on every pharmacist. We don't need to add that to the problems with the doctors. We just don't need any of that. With a reelection around the corner and all, let him have it. Let him have it. Thank goodness he wants it."

And as it developed, he got it passed, as it developed. As you know, he didn't win election to the presidency, but he did get this passed and we were very much involved in that. The question always came up as to dual jurisdiction and so on and so forth, but it never became a problem. I say all this for background, in that in 1956 all of this had been on the horizon for a while, the fact that there was always a movement for twenty years

Cronin -- II -- 14

prior to that, to get effectiveness into the act, into the law, as well as safety. The pharmaceutical industry always had opposed that. You can understand why they would; I understood why they did. They didn't want that worth a darn; I don't blame them. So with that on the horizon--of course in 1956 something had to give, in this Salk vaccine, or you just couldn't go ahead and manufacture and distribute it. That was the purpose then--with some of this background, that was the purpose of trying to ameliorate some of the opposition to government moving into medicine in any way, shape or form at any time. Salk vaccine was somewhat of an example of that.

I think it was daring to the extent that we received a lot of flak and we anticipated we would receive a lot of flak from the medical profession on that. Of course, the medical profession would immediately get to everyone--the pharmacists and all these people and so on and so forth. But here was one that the Senator felt really should be under federal control insofar as testing and it was--there was more than NIH [National Institutes of Health]. There were several places who were authorized to test it. But he felt that here was a justifiable invasion or intrusion into private enterprise, if you want to call it that. That's what the other side called it, and they're not totally wrong.

G: Was this because of the significance of the disease itself as a threat?

C: That's correct. And it was two-pronged, as I remember, the Salk vaccine. It was that--well it was maybe three-pronged--plus the price. Price was a factor, because then anything that showed any promise was awfully expensive and a lot of folks with polio of course could not afford any of that treatment or therapy one way or the other. So that was involved, yes.

Cronin -- II -- 15

G: Was part of this rationale the fact that the government had invested a lot of federal funds in the research?

C: I mention a three-prong. That was the other thing. We had a large enough stake in it that to pull out then and just turn it over--we just didn't. He didn't feel he should, and it was not popular to feel that way. I doubt it was popular in Texas.

G: In June 1955, the Senate defeated the administration's housing plan and adopted a more liberal plan. This was the defeat of the Capehart Amendment that would allow so many public housing units. Again, this was a case where the more liberal members of the Democratic Party in the Senate voted with the more conservative members or vice versa. The party was relatively united on this close vote.

C: Against?

G: Against a Capehart Amendment that was a more restrictive amendment on the public housing units than the one that was actually passed. Do you recall that?

C: I recall the Capehart Amendment and I recall it generating--next to the Bricker in that point in time, that was the next--volume-wise was the Capehart Amendment. But here again, (inaudible) could be very helpful because Sparkman was chairman of the housing committee. We would have followed his lead unless it was just drastically off base philosophically and every other way. We would have gone with Sparkman on that.

G: Before we move from that topic, let me ask you to just reflect generally on this tendency of the Democratic senators to stay united on very close votes during this time when the Senate was only a one- or two-vote--I think you had a one-vote majority in the Senate.

Cronin -- II -- 16

Do you recall Lyndon Johnson's efforts to keep the party together on some of these controversial issues?

C: I don't specifically recall that, but just reflecting backwards I would have to say, remembering Lyndon Johnson and his efforts and ability, I would just have to guess that he did make that effort, but no, I don't.

G: There's a suggestion that he would appeal to liberals on one basis and conservatives on another to get support on the same piece of legislation.

C: Well, that's probably true. But you see, I for one don't criticize that. I think that's master craftsmanship. There would be those who disagree with me who politically think that there's some prostitution involved. I think it's a good job.

G: The minimum wage was raised to a dollar in 1955, another bill that the Democrats supported. The Republicans were favoring ninety cents, I think.

C: Hill would have supported the dollar.

G: Do you recall that issue?

C: No, I don't. I remember minimum-wage arguments and battles but I know that long before I came to the Senate, labor had an awfully good inroad with the chairman, Senator Hill.

Tape 1 of 1, Side 2

C: I don't have the figures on that particular vote but if I had to guess--and I'm certain I'd be ninety-nine per cent right, if not one hundred--he would have gone with that. Again, I think a lot of this--as I said earlier, you've got to reflect back. From the time of Reconstruction on, things were just really--we didn't get out of the Depression until the

Cronin -- II -- 17

end of World War II. And then TVA brought electricity and so on into an awful lot of poverty areas in North Alabama. I think Senator Hill would have--I know he definitely was. But I think philosophically, he would have been for increasing the minimum wage. I don't think there's any question on that. No doubt about it.

G: Any recollections of the Southern Manifesto in 1956?

C: Well, I have recollections of it; what's your question?

G: Tell me about Senator Hill's attitude toward it.

C: I'm going to say to you here--and I suppose I know the answer to that as well as anybody, if not better than just about everybody--I don't think from the outset that Senator Hill had great heart for the argument and the fight they made, not because he wasn't one hundred per cent a southerner and born of that ilk, but only because I think he understood from the beginning that there was just no way to win. As good a politician as he was, having served forty-five years in the Senate and the House--and you had to be a fairly good one [with] changing times to do that--he did not like demagoguery at all. Sometimes he had to; sometimes we had to. But he didn't like it. He wasn't comfortable with it. I think from the beginning as we talked about that manifesto, I think he felt there was no way to avoid it and to avoid the issue itself, and that it was going to happen, it was going to come and you might as well take it like a man now whether you like it or not. The manifesto never held a great deal of private charm for him; publicly we flaunted it, sure. Politically we waved it. We signed the manifesto. But when you took it apart, what the heck did the manifesto do?

Cronin -- II -- 18

All it said is, "I'm against this thing. I'm against this form of integration," whatever it may have been the manifesto addressed. "I'm against it." Well, you voted against it on the floor, so you're against it. If you vote against something, why do you have to write that you're also against it in the writing? You're against it.

But we worked the manifesto--I remember the draft of it and I remember the manifesto well. I remember going over it and making a few suggestions here and there--I don't remember if they were adopted or not; that's not important if they were, again for the same reasons I'm saying. It's easier in retrospect to go backwards and say these things than it was at the time when we were fighting a much more critical battle, in some cases maybe we thought for survival. Especially in retrospect, if that's worth anything, it was a rather hollow exercise. I think he felt from the beginning it was a hollow exercise. I don't think I did because I was still young, fighting the war. I think he had been around long enough to analyze and know where you could or couldn't go with it.

G: Was there discussion about how far you should go in challenging the Supreme Court's authority in this area?

C: I don't remember ever getting to challenging the Supreme Court. We had staff meetings. We elected--Senator Sam Ervin was the head, as I recall, of the committees. We had the committees formed, and I was captain of one committee--I think we called them committees. The captain was responsible for furnishing the material, information, keeping everybody abreast of what's going on and so on and so forth. But I don't remember--you ask a different question--about overthrowing the Supreme Court. I don't remember any time that any of the southern members who were opposed to the Supreme

Cronin -- II -- 19

Court decision--I don't remember any time any discussion of effort to try to overthrow the Supreme Court decision, except by legislation. Of course, the legislative route was the whole thing we were going. What you're really talking about is--I assume your question--you're talking about challenging the constitutionality of that in the Court itself.

G: Well, or attempting to limit the Court's authority.

C: Through some court action?

G: No, through legislative action.

C: Through legislation, that's exactly the route we were going, sure. I misunderstood you.

Yes, there was an effort to--that was a very conscious effort. That's what the whole thing was about. We were trying to do it by legislation.

End of Tape 1 of 1 and Interview II

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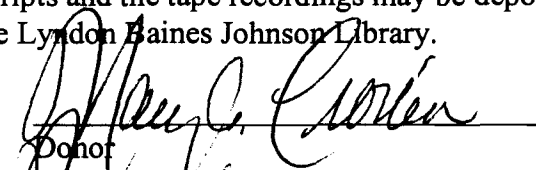
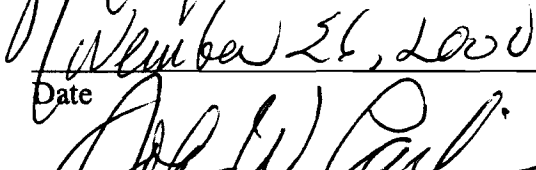
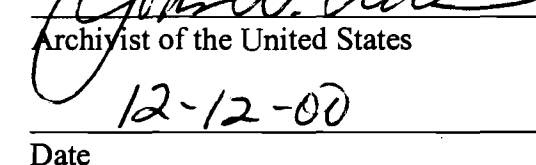
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