

INTERVIEWEE: Oren Harris

INTERVIEWER: Paige Mulhollan

M: Let's begin, sir, by identifying you. You're Judge Oren Harris. You served as Democratic representative in the House of Representatives in Washington from 1940 until February 1966, when you became a U. S. district judge, the position you now hold. Is that correct?

H: I was elected to Congress in 1940--the general election November 1940--after the primary preceding--the same year.

M: So, you came in '41.

H: So I entered the Congress January 3, 1941, the 77th Congress.

M: Mr. Johnson was a Congressman at that time, only two years himself from being a freshman. Did you have occasion to be a reasonably close acquaintance of his during those first 8 years, I guess, when he was still in the House of Representatives with you?

H: Yes, we had a very close association during the time. When I entered the Congress he had preceded me by two years, I believe it was.

He was a member of the Naval Affairs Committee of the House of Representatives at that time. That was before we had the consolidation of the Armed Services into the present organization, or set up, as one establishment, military, under the Secretary of Defense. And back in those days we had the Naval Affairs Committee of the House. We had the Army. We didn't have an Air Force at that time--I mean a separate Air Force. It was a part of both the Army and the Navy. Actually, our military establishment was relatively small, and not too effective back in those days. But

he was a strong advocate of building up the Navy and increasing our military strength. In 1943, the beginning of the 78th Congress, I had then my first freshman term there officing on the east side of what is referred to as now the Cannon House Office Building. It was called in those days the "old building." We only had two, so we called one of them the "old building" and one the "new building."

M: Like the Senate does now.

H: It was the East Building for housing members of Congress, their offices and so forth, and I was on the east side--a long ways from the Capital; quite a jog over there and back from where I was.

Well, after my first term, President Johnson decided that he would run for a vacant[seat] in the United States Senate in Texas. In the meantime he had filed for a very desirable office suite in what we called then the "new House office building" and it is now known as the Longworth House Office Building at 1503. That was on the 5th floor of the new House office building. In December of 1942 I learned that he had filed on this particular suite of offices and through our association that we had formed in that relatively short time of service we had together, I learned also that he had planned to run for the United States Senate and he wanted larger quarters. He had to have more room than the two-room suites that we had at the time. So he had arranged to move to the old House office building, what is now the Cannon House Office on the 5th floor where he could obtain a 3 or 4 room suite of offices. So I called him and inquired about it. He confirmed that that was his intention.

I think it was about there in the first week in December when they, under the procedure, give the present members of-- the then members--of Congress an opportunity to file for office suites, improve their lot if they can or whatever their desire might be. And if I remember correctly the date was fixed at noon on December 8 in 1942 for the older members to file. As long as a member with seniority had filed on a given suite of offices no one else could file with lesser seniority of service. So I made an arrangement with him--it was perfectly legitimate, it might have been a--some might have thought it was a collusion but, nevertheless, it was a legitimate procedure under the rules. No one else had any desire to go to the fifth floor of the old House office building for the special rooms that were available up there. So Lyndon, as we called him then, agreed with me that he would not withdraw or take off 1503 until at noon December 8, 1942, which the time then would be up for other members to file, including freshmen members and those of less seniority, for more desirable office space. So by this arrangement I had with him, I was able to get this quite desirable suite of offices for my second term in the Congress of the United States.

M: Much earlier than you might have gotten it otherwise.

H: I wouldn't have had it for two or three terms--I couldn't have without this. So he cooperated with me. I'm sure he's long since forgotten it.

M: I don't know. He remembers things like that a long time. He never

reminded you of that while he was President, a favor he had done for you--

H: I don't think we ever mentioned it. We might have in some private or personal conferences that we had, reminiscing some, though we were usually talking about more current things when we had an opportunity in the last several years. But I stayed in that suite of offices exactly 20 years.

M: Oh, you stayed there almost until you left Congress then?

H: I moved after 20 years, on the third floor, next to my committee, when a big office became available down there where it would be more convenient. And I stayed there for three years, I believe. After that the Rayburn House Office Building where most of our Committees were moved--and Speaker Rayburn, having been chairman of the Committee that I was chairman of at that time and always interested in it, had long since cooperated by seeing that the Committee on Interstate and Foreign Commerce had one of the favorite committee spaces in the Rayburn House Office Building, where it is now. And his mural is on the wall outside of my Committee room between the two big doors-- I say my Committee room, my old Committee room.

M: That was yours for an awfully long time.

H: Ten years, as chairman, almost. His mural is on the outside wall between the two doors as you go into that big committee room now.

M: I hadn't realized that he was the chairman of that prior to the time you were.

H: He was the chairman of this committee in the thirties

during the time when many of the regulatory agencies, that I had a lot to do with during my years there, were actually established. He was the co-author of a great many of them, particularly such agencies as Securities and Exchange Commission, the Federal Communications Commission, and the Federal Power Commission, and the Federal Aviation Agency and the Civil Aeronautics Board and so forth.

M: Things that dates from the New Deal period.

H: Yes, beginning in 1933 when the New Deal came into being--he was chairman of this committee during that time, and when we unfortunately had a death, Speaker of the House and then Majority Leader moved on, he became Majority Leader and was elected Majority Leader about 1937, I think it was. The latter 30's anyway, where he served until the death of Speaker Bankhead, I believe, in 1939-40.

M: About '40, I think it was.

H: Then he became Speaker of the House of Representatives, and I think he was elected Speaker by the House of Representative in 1940 just prior to my entering the Congress in January, 1941. Well, that was the first close association that I could give as an example--as to my close association with President Johnson. He went to the war in 194--

M: I think it was '2-'3, a short time--

H: I think he ran for the Senate, in a special election about probably 1943 sometimes, and did not make it. Then shortly after that he volunteered and went to the service as an officer in the United States Navy and if I remember correctly, went to the Pacific and served in that area.

M: Until the President called Congressmen back.

H: Well, too many members of Congress took off from their duties and left the Hill. I know I had great urgency to do the same thing, even though I was older than some of the others. I was in my late 30's at that time. It was a compelling thing for members of Congress, because of the patriotic desire and being involved in the public service. I think it was more of a pull or struggle at the heart to do something about it since we'd gotten into it. So a great many of the members of Congress did volunteer to go in. I remember Senator Gore was in the House at that time and he didn't go into the Service as an officer. He went in the regular way as a buck private and failed to--and deliberately so--make it known to those that he served with that he was a member of Congress. He just went in boot training and served as buck private right on up through and was with the dough-boys that went into Europe. He was over there all through, never revealing the fact that he was a member of Congress to those who were around at the time. Finally so many of them did that President Roosevelt recognized what the situation was and that the legislative end of it, which is just as important--

M: Critical.

H: as any other phase of our whole program. So he just said, "Well, you either get out of the Congress or get out of the Army, one or the other," and made everybody come back, or else give up their seat and elect somebody else. So the then-Congressman Lyndon Johnson came on back. And I shall never forget about the speech he made on the floor of the House on his return.

M: About his experiences?

H: About his experiences and our situation in the United States Navy in the Far East. How sadly lacking we were of the forces capable of meeting our responsibilities at that time.

M: When you look back now 20-plus years to that, do you have any impressions as to what Mr. Johnson's chief interests or chief motivations and goals and so on were?

H: He was ambitious. Lyndon Johnson has been an ambitious person all of his life. He is a man of substantial driving force. He's had a lot of capability since he was a school teacher, even though I didn't know him as a school teacher, but I've heard him explain some of his experiences as a teacher. And in the Youth Corps, as a director I guess you'd call it--

M: State Director, right, NYA.

H: characterization of the person who had charge of it in Texas at that time. In that experience he gained a lot of recognition from President Roosevelt as to his capability and his desire to do something, to move out, to get it underway. Mr. Roosevelt recognized this in him and there are many of us who thought that if President Johnson had not made his announcement for the Senate in that special election in 1943 virtually from the front door steps of the White House, indicating the interest and the approval of President Roosevelt at that time, he probably would have been elected to the Senate.

M: President Roosevelt was unpopular in Texas by then, I suppose?

H: He had a lot of opposition in Texas, as well as other places. However, among the public generally--when you come to Roosevelt being popular, he always got the votes. But I think Mr. Johnson thought that that would be favorable to him. He was labeled as a New Dealer, and I cannot understand, have never been able to understand, during the more recent years as a President of the United States why certain people in Texas, particularly those--well, for a lack of a better term, who considered themselves strong conservatives--ever thought that Lyndon Johnson as a President would be anything else than the liberal-minded individual, with his background and experience.

M: Consistent with the old New Deal.

H: During all that time when he was elected to the Congress and prior to that in public service he attained the reputation of being a New Deal advocate and supporter.

M: What about his relationship with Mr. Sam in those years? Did you have a chance to see them together much?

H: Yes, their association was quite close in the House of Representatives, and it was there Mr. Rayburn recognized Mr. Johnson's capacity and his desire to move out. However, there was not the opportunity in the House for any special treatment of the Speaker toward Lyndon, other than to encourage him. I do not believe that Speaker Rayburn was too enthusiastic about Lyndon Johnson running for the Senate in 1943 at the special election. I seem to remember that he did support him and that since Mr. Johnson got in [the special election] I think he encouraged him the best he could. But I don't think he was ever too enthusiastic about it.

Now in 1948 when he ran and was elected to the Senate, Speaker Rayburn was way out in front. By that time Lyndon Johnson really had become his protege.

M: So he pushed him--

H: He was his boy. And another thing, the political situation in Texas-- though I was removed from it--across the border in Arkansas I did observe from an outsider looking in, that the political factions at that time headed by Coke Stevenson as the other faction, and the Rayburn forces which was Lyndon Johnson's group, as to their successes. They were steeped in the activity that elected Lyndon Johnson. As I observed from the outside all of the reports as to what took place at that time was efforts on the part of both sides to do everything they could legitimately that they could get away with in the determination of that race. There was over a million votes cast and if I remember correctly there were 87 different--

M: Landslide Lyndon, with an 87 vote majority.

H: And that carried him to the Senate of the United States.

M: Once he went over into the Senate did he maintain close contact with the old associates, such as yourself?

H: A good many of us. Naturally, the House of Representatives changes pretty fast. I have been away now for two elections--1966 and 1968-- and in this relatively short period of over three years, you'd be surprised to know the change in the membership of the House of Representative and the new members that have come in there since I left. So it changes very rapidly in the House of Representatives. Some of the older ones do stay and they become more or less leaders in their respective positions. And those who stepped up into

positions of leadership that served with him, naturally-- particularly that were considered friends and had been thrown together in a good many things of mutual interest--this relationship was maintained.

He was relatively quiet in the United States Senate for a short time, and during this period Speaker Rayburn was in his prime. He had reached the climax of his service as a member of the Congress, as Speaker of the House of Representatives, and as "Mr. Democrat" himself in the country. He recognized the qualities of leadership that Lyndon Johnson had in him, and he promoted him in every way. He maintained a very close association with the leadership of the Senate. At that time, you may recall, we lost the House--in 1946. That was Mr. Johnson's last term. The Speaker was a little bit discouraged but we came back strong in 1948. At that time Mr. Johnson was in the Senate. And with him in the Senate being promoted by Speaker Rayburn's influence and the powerful position he held in the House of Representatives, particularly since Fritz Lanham of Texas was chairman of one of the committees and Judge Sumners, another one--the Judiciary Committee--and Judge Ewing Thomason on the Appropriations Committee, Albert Thomas on the Appropriations Committee. Texas was really a powerhouse in the Congress of the United States.

It was because of this and the impulse that Johnson had behind him to be a driving influence and force that recognized this and gave him his opportunity to be elevated in the Senate. And they needed somebody at that time.

And then along came Mr. Eisenhower who was elected in 1952.

The Senate was Republican at that time, I believe, and the Democrats needed somebody.

M: A couple of big democrats, McFarland and somebody else lost.

H: McFarland lost. And the Senator from Illinois, Scott Lucas.

Scott Lucas lost in that election and that opened the way up for him. [Lyndon] Scott Lucas was the Majority Leader of the Senate until Mr. Dirksen, I believe it was, beat him, and Mr. McFarland was the assistant. So both of them went out.

M: Suddenly needed new leadership then.

H: They had to have someone to come through. So he emerged as that and when the Democrats got control of the Senate the following election, in 1954, why, he emerged as the leader. Then with Sam Rayburn's position in the House of Representatives, the Speaker and Lyndon Johnson as Majority Leader in the Senate, Texas was riding high. And they were two very able people. Sam Rayburn was one of the most capable leaders, a real down-to-earth individual who was brilliant in his thinking, never losing control of himself, and I think one of the greatest public servants we had, certainly in modern times.

M: That's also about the time that you became part of the House leadership.

H: That's the time I emerged. Then Percy Priest, following the Republican regime in that Congress, died during his first term as chairman of the committee. Percy Priest was from Nashville, Tennessee. He and I went to the Congress at the same time. He had defeated Joe

Burns, who was Speaker of the House of Representatives, incidentally, back in 1940. And I guess that's the vacancy that came on at the time Mr. Rayburn went in. I think he went as the Majority Leader when Bankhead died, which permitted Joe Burns to be elected.

So in 1955, I guess it was, I became chairman of the Committee on Interstate and Foreign Commerce. That was about the time that Mr. Johnson became Majority Leader of the Senate. And we had a very close relationship, Mr. Rayburn, the Speaker, and Mr. Johnson over on the other side, and I saw him quite often.

M: Did he take a role in what the House was doing on important legislation as well as what the Senate was doing? Did he shape House legislation in important ways when he was Senate Leader?

H: No, not at all--except to this extent. The President, Mr. Eisenhower himself at that time, as all Presidents to a certain degree, some more than others, will confer with the leadership in the Congress. Sometimes you hear them say, "Well, he doesn't confer with us; he doesn't ask us what we think and all; he tells us." Well, that is to the degree, but any President will call in the leadership, whether it's to ask how they react to this and that, or else to advise what their thinking is about certain problems. And in this way there are certain basic directions that are determined when the President and his executive offices, or Cabinet officials, promote and bring up legislation.

Now when legislation is developed to that extent you might say that leadership in the Senate and the leadership in the House participate in it to the same degree. That would be the only way

he would ever interfere. As an example, now, he was interested in the oil and gas industry because it vitally affected his state. After all, he was a United States Senator from the State of Texas, and we fought the gas bill while he was in the Senate.

M: That's probably the longest lasting issue that you and he both participated in to an extremely active extent, and you were on the same side.

H: Well, he was in the Senate in 1950 but not in the position of Majority Leader at that time. The early part of his first term. We designed the legislation in 1949, his first year in the Senate. He participated in this--Senator Bob Kerr, Speaker Rayburn, myself and Mr. Johnson. President Truman at that time sent Clark Clifford and my old friend who just left the chairman of the Civil Aeronautics Board not long ago, who was one of the attorneys at the White House at that time--

M: It wasn't Murphy, was it?

H: Yeah, Charlie Murphy. Charlie Murphy and Clark Clifford were sent out there by President Truman, and we developed and designed the bill out of what Speaker Rayburn had actually advised us what occurred in 1937 when he was chairman of the Committee, and when the Natural Gas Act of 1938 was in the making.

M: This was an attempt to legislate the intent of the old bill in regard to regulation?

H: To show what was intended at that time and what the act was to cover. It had to do with control of independent producers of the petroleum industry. And out of what Mr. Rayburn had told us, we

designed this legislation to carry out the intent that he advised us that they had when the committee developed the Natural Gas Act of '38 and the Congress approved it. Mr. Clark Clifford and Charlie Murphy were there for President Truman and participated in it. My counsel for the Committee and I then worked out this bill. We passed it in the House in 1949 by a majority of 55 or 57 votes.

It was during this process that we tried to work out something that President Truman wanted to do for Mr. Johnson and Mr. Rayburn, very frankly. It wasn't necessarily for the State of Texas or the independent oil producing industry. It was because these two great leaders were convinced that this was right. And he directed Mr. Clifford and Mr. Murphy to work out something with us. So we had a meeting, a group of us, in the Speaker's office, a little office--which he called his Board of Education office in the basement of the Capital building. Actually we worked it out to the point and had an understanding and that being true we let them go back to the White House and write a bill. So they did. In about 10 days Mr. Truman approved what they had revised. They came back out and had another meeting in the Speaker's office, and Senator Kerr was over there for that meeting. The young Senator from Texas, Lyndon Johnson was there. They presented to us their product. And so I got my staff member counsel, and we were permitted to go off into a private room for awhile to confer. We came to the conclusion that what the President had sent out there by his attorneys and what we had passed in the House was the same thing

except different words, different language.

So we decided that we would take it as they had proposed it and let the Senate have it. Well, there's where the mistake was made immediately following that. The question then was raised by Speaker Rayburn, "Now who's going to take it over to the Senate; who's going to offer it as a substitute over there to get it passed?"

And Senator Johnson said, "Oh, no," threw his hands up, "Not me, I'm from the State of Texas; that would be ruinous, that would not do at all." I'll never forget, one of the funniest things I ever experienced there. And Bob Kerr in his great meticulous way that he always had was sitting there--great big fellow, as you know, tall, probably weighted 240 pounds--and he was sitting on his leg on a chair. He just got up and moved around and those long arms he reached over across the table to Sam Rayburn and just took it out of his hands and said, "I'll take it!" Well, it became the Kerr amendment and that was the death knell.

M: That's right. Oklahoma was as big a producing state as the State of Texas.

H: And Bob Kerr was known throughout the whole country as being one of the owners of Phillips Petroleum Company, which held tremendous interests in Phillips Petroleum Company. And it was Phillips Petroleum Company that brought this issue on up in Wisconsin and that area up there that caused the Supreme Court of the United States to make its decision. And it was the attitude of Phillips Petroleum Company and what they did up in Wisconsin and what they told those people up there--consumers and officials alike--what they could do, and they used some pretty strong language.

I didn't know about this until some years afterwards. I was conducting a hearing in some of the activities of the Federal Power Commission and some members of the Public Service Commission of the State of Wisconsin were down testifying. One of these parties came around to me later and confided then to me what happened that brought on the tremendous fight that went over for a period of ten years, and two presidential vetoes, and all, and told me very frankly that the strong language that was used by the people of Phillips Petroleum Company to their Commission and to the consumers in Wisconsin, gave them no alternative than what they had to do. And it was rather a revealing bit of information.

M: What about later on, after that first early episode? Did Mr. Johnson continue to cooperate with you closely on that same issue through the rest of the 50's during the presidential veto period?

H: Yes, all the way through until President Eisenhower vetoed it in 1955 or 6--maybe 1956. He was about as embarrassed as President Truman was. You see, President Truman vetoed his own bill. Now Mr. Eisenhower didn't veto his own bill, but Mr. Eisenhower approved the bill in 1955 in general. Then, more specifically, when he sent a representative out to testify they made certain recommendation of language that the President, President Eisenhower, said would be necessary for him to give it his approval. We included that language.

M: You did what he said?

H: So it therefore became administrative measure all the way, and approval of the White House. And lo and behold when we passed it

in the Congress they got into this donnybrook of somebody being accused of paying somebody else--Senator Francis Case, who's dead and gone now, claimed that somebody offered him \$2,500 and that peeved President Eisenhower--he's on his death bed now and not expected to live--but I would say in all candor to me it was more seeking an out, something that he could have as an excuse to veto it than an actuality. I never did believe, and I don't believe yet, that there was any outward or inward attempt on behalf of Mr. Patman or any company representative, to bribe Senator Case or anyone else.

I've always felt that Senator Bush, who is a great friend of mine--I knew him and he was a great public servant--had such a close and abiding feeling for Mr. Eisenhower. They felt that that was the side which was in the majority of the country. There were more consumers affected by it, and the emotional state in that group of people registered much higher. And I think through this contrivance that somebody indicated, "Well, this would be one way out of it." Senator Case felt very deeply about the thing, and he jumped up on the floor of the Senate and claimed that he was bribed or offered a bribe of \$2,500. Well, actually what happened, there were some of the people that sought to help Senator Case in his re-election. I would venture to say that there were other people in other industries that did offer help and did help as there usually is, and accepted in this country insofar as the election and re-election of our public officials are concerned. But that was the thing that brought about the tragedy of this issue.

However, I suppose things work out in the best interest ultimately. The interstate pipeline companies had more to do with the result in that long drawn-out fight than the average person has any idea. They were split. They were in an awful tight spot. They did not want to incur the wrath of the people from whom they were purchasing their product. At the same time they did not want to be rigidly controlled by the Federal Power Commission on the one end and on the other end where it comes from the well, let it run loose. So there were a whole group of the interstate pipeline companies that became concerned and most of them, back behind the scenes--a few out, open, but they were few and far between. But most of them were behind the scenes working to prevent this thing from happening to them. They were fearful of it.

M: That's what makes it so silly to talk about business as if all business was the same.

H: Oh, yeah. They claimed that they were a utility and they were recognized as a utility and they knew that the producers ought not to be utility, but therefore the producer should not get them in a bind and use that to squeeze them in their position. They were growing and they were growing fast at that time, and they are a large segment of our economy today--and very important.

I'm very proud of the fact that all of this helped to develop the pipeline industry. We've got a network of pipelines in this country today that's as important to the economy and the welfare of our people and our society as the airline industry is. Beyond any doubt of it. And the amazing thing about it--when I left the

Congress over three years ago, I got a report and I've had two reports since--but today everything that we had in the bill that Mr. Eisenhower vetoed in 1956 has been brought about by administrative action of the Federal Power Commission.

There was only one element in the bill that had not been finalized and that was the recognition by government authority that natural gas was a product. The Supreme Court of the United States took care of that recently in the Area Basin Decision that it rendered on the Permian Basin problem in West Texas.

So as of now, everything that we worked for ten years, so far as administrative action is concerned, and the policies of the country, what the Federal Power Commission did to bring on all this fight in 1947--now after over 20 years--has been undone by administrative action. But during the meantime we were bursting at the seams in development of a great and all-important network of pipeline industry and fuel availability in this country that has done a lot of our people.

M: Did Mr. Johnson maintain his interest in this issue after he quit being the Senator from Texas and became first Vice President and then President, or did he shy away from it because of his Texas connection?

H: After President Eisenhower had vetoed it, it became a moot question for awhile and then all efforts were directed to the Federal Power Commission. When some things started happening in the 1950's during the Eisenhower Administration which I do not want to get into in this discussion because President Johnson had nothing to do with it--I'll say that to clear him completely). But Speaker

Rayburn was deeply involved. Mr. Sherman Adams--and I have confidential files on his case that sooner or later--

M: That's my next question, you're anticipating me. You say Mr. Johnson was not involved in any of the investigations that led to that?

H: He was not involved. Not at all. He didn't let himself get involved in it.

But Mr. Adams had started out on a course of procedure making all these independent agencies, the major ones that we had anything to do with--and we had control of all of the major regulatory agencies of the government--the six of them. Now Mr. Adams started out early 1953, or soon thereafter, on a course of procedure that could make them subservient to the Executive. He, as the record reveals--and this is part of the public record, part of it not--but he started out a course of procedure that those who would not become subservient to the White House and the Executive had to get out.

Well, we had one member, an old fellow on the Interstate Commerce Commission, who just didn't run that way. And he stayed with it. There were three altogether in it which at that time--well I think the record will ultimately show and be determined, as a matter of fact, that John Steelman who was the assistant to President Truman and who agreed to remain over and assist Mr. Adams as the Assistant to President Eisenhower in the change of governments and all, John Steelman, would not ever come to testify--and he said he wouldn't testify on the subject. But Mr. Adams did make it clear to him that they were going to put people in these

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regulatory agencies that would do their bidding.

I knew about all of this when it was developing, and we tried to ward it off. Then some things started to happen that led to the communications--a diabolical situation that developed, the Federal Trade Commission situation that developed with it. The Federal Communications Commission, that was a terrible situation.

M: That was the one that got most of the publicity.

H: Well, that got a lot of it.

M: Then the Federal Power Commission got involved in it, as you perhaps remember some of the things that happened. One member died, Member of the FPC, as did Commissioner Mack of the Federal Communication Commission. But that turned out to be--well, it got (the investigation) off to a very bad start because Congressman Morgan of Missouri wanted to be the chairman of the committee, and I thought it would be a great opportunity for him. He and two or three others of the committee, however, let a fellow by the name of Bernard Schwartz get control of it.

Now Mr. Johnson know all about what was taking place. He didn't want to get involved simply because of the fact that he owned television stations and radio stations in Texas. For him to become involved in this kind of a situation would probably leave himself wide open, and after all he was Majority Leader of the Senate, and he was tremendously interested in keeping up with any developments, both from the standpoint of what was the best course of procedure, number one, and number two, at that time Mr. Johnson became interested in becoming President of the United States

M: Just about the time--

H: Just went right into it. Therefore, he didn't want to have anything to do with it. Well, Mr. Rayburn conferred with me on the thing and

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Schwartz from New York University Law School came down there and he was just going on a tangent that had no sound approach to finding out what was going on to the extent that something should be done about it. But what he started out to do was to destroy the whole thing, and what we were trying to do was to perserve this kind of arrangement which we called the fourth estate of our government. They were set up as arms of the Congress, and I share the deep feeling of our late Speaker Rayburn that they ought to be maintained as such. So we had to clean our own skirts first, and I had to fire Schwartz and several other members of the staff and relieve Mr. Moulder of the chairmanship of the committee and take it over. Well, we were in the doghouse with the press and a lot of other people in the country at the time, many of whom wanted to--of course, among the press wanted something to write about, to stir up something. And they did!

M: They surely did.

H: In a big way and they brought in personalities as much as possible over the whole thing. But then when we got started, and I knew what was taking place--I had known, behind all of this I had found out. Well, I knew it was coming to a head sooner or later. So I sent two staff members to Boston in New England for certain information having to do with Mr. Adams and his relationship with some of the other people up that way, including Bernard Gol-

M: Goldfine.

H: Goldfine. When is this going to be made public?

M: Whenever you say. As many years as you want to keep it off.

H: Well, we got to a point where we had to do something. I had gotten things settled down so far as the Interstate Commerce

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Commission is concerned as the basic "Daddy" of the regulatory agencies and made them mad because of what was taking place and was going on. Unfortunately the group there which was creating some of the problems that just could not be tolerated was a Texas group, Texas and Oklahoma--in relation to activities before the Interstate Commerce Commission. Commissioner Murphy had just come on the scene at that time and was Vice-Chairman, I believe. He couldn't believe there was anything to it and we had to [have] him out for a hearing and did. When we opened this whole thing up they began to open their eyes. It led from one thing to another and Mr. Johnson was very anxious, as was Mr. Kennedy at that time too, in what was going on. Mr. Rayburn of course was keeping up almost daily with the thing.

So it reached the stage that, well, it had to come forth. We sent two members of the staff to Boston. They stopped at the hotel in Boston and obtained certain information that was very damaging. And one Sunday afternoon Jack Anderson of California, who was liaison man at the White House, asked me if my wife and I would go with him and his wife over to Jerry Morgan's place, the home over in Maryland, for a visit. "Well, yes, I'd be glad to go."

And then he said, "Well, now in all candor I want you to know that Mr. Adams wants to visit with you." This is something that never did get in print. We never did let anybody know anything about it, because I thought it was one of those things that he was

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trying conscientiously to do something that he thought best. We had a rather extended visit, at which time he pled with me to not make this information public.

Now, he was a real capable man. I knew him in the House of Representatives. And he had some ambition. He was the kind of a fellow that is hard to get acquainted with. He approached his request on the basis of not what it would do to him but what it would do to President Eisenhower.

Well, I knew that certain of the press was aware of what we had obtained. They didn't know all about it, but I think that some of them knew that I had this information locked up in my safe at that time, and had we complied with his request, I don't know where it would have led to. I don't yet. I think it would have probably torn the regulatory agencies up completely. I think it would not have had anything like the success we finally achieved.

I don't know who's going to emerge now since Mr. Johnson is gone. He was very interested in maintaining the integrity of these regulatory agencies of the government. I don't know who's going to emerge as the leadership of preventing the destruction of these agencies by selfish and personal interest groups. I noticed recently the Nader forces--

M: Of the FTC, right.

H: Have been taking out after the FTC. And Lyndon Johnson was one of the first men who recognized this kind of situation. If you've got a personal problem, that's one thing, but a basic principal

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is another. To me, if they would go to the FTC on a problem and try to show them where the FTC was not giving the benefit of all parties concerned under the Administrative Procedures Act, which we set up with the Judiciary Committee. A fair hearing is one thing. But when you attack the Federal Trade Commission or any other regulatory agency as a Commission and say that "You're not doing your duty, therefore we ought to bypass you or do away with you, let's take this to some other place. Let's set it up," which they, as I understand, they advocated. That's all wrong. Those are the things that somebody--and I'd hope that Committee would maintain its surveillance over these agencies to see that is done, that they are protected on the basic principal with reference to procedures, but that they are observed and their actions are studied with reference to carrying out the duties those agencies have. And that was what Sam Rayburn wanted, and that's what Jack Kennedy wanted during his time, and that's what Lyndon Johnson started out to do. He carried that basic principle all the way through except with the Federal Communication Commission; he would let somebody else decide most of the problems in the FCC.

M: Because of his own personal--

H: Because of his own personal thing. Now in one way, as it were, which I think showed his very great determination to not interfere and to not be subject to criticism that he was doing things because it might endure to his own benefit.

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But every move that was made, if it had to be an executive action, he would let some independent force decide it for him. As an example, I don't think he was very favorable to Bob Bartlett, Speaker Rayburn's nephew, when it came to reappointment to the Commission. But notwithstanding that, he reappointed him because to not reappoint him would indicate that he was trying to, and was, going on the basis of some of the basic differences that he'd had with him on some of his decisions.

M: Does that mean Mr. Johnson was probably not involved in the well-known investigations you had of the payola and quiz show riggings?

H: He stayed completely out--arms length all the way through.

M: Since this was FCC business, this was the one he let other people take care of?

H: Of course he was in the Senate at that time, and then in 1960 he ran for the Presidency. He was very interested in what the status was at that time. So was Mr. Kennedy, who ran for the presidency. And when the Convention in 1960 in Los Angeles was over--and I was there, right in the middle of it, I was called in by Robert Kennedy. We talked about some of the problems. Mr. Jack Kennedy later obtained information from me about some of the things, and he went out to Ohio--I believe it was at Purdue or one of the educational institutions in Ohio--and made a speech on the subject in the early part of the campaign. I think that Lyndon Johnson's program was to not rock the boat, that all

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the way through his Presidency these regulatory agencies be maintained and do their job independent from the Executive, other than budgetary matters and appointments.

M: Did he play any role with the Arkansas Valley Development in the 50's while he was still in Congress?

H: He always supported it.

M: But wasn't closely associated with the--

H: No, he followed Bob Kerr on that, and Senator McClellan.

Senator Kerr and Senator McClellan were the leading advocates, as you know--of course there were a lot of the rest of us involved--but they were probably by far the outstanding leadership in the Congress with it. Particularly Senator Kerr in the place he was as chairman of the Committee that was developing it, and Senator McClelland as a member of the Sub-Committee on Appropriations that handled the money. It was a perfect team for something like this and naturally we permitted them to become the leadership in it. And Mr. Johnson always supported this program all the way through.

M: In 1960 you mentioned you were at the Convention. Were you familiar with any of the circumstances surrounding the decision by Mr. Johnson to accept the Vice Presidential nomination with Jack Kennedy?

H: Yes, quite familiar with it.

M: Do you have a version of that story might straighten out some of the

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numerous accounts that exist?

H: There are numerous accounts. Unfortunately some of the participants--major participants--are dead and gone. Mr. Kennedy himself is gone; Bobby is gone. Obviously, they were very much in the forefront of the thing. Speaker Rayburn is gone; he was obviously in the middle of it. Senator Kerr is gone. He had a major role in it at that time.

After Mr. Kennedy had won the nomination, then a lot of time immediately went into a second choice. There were some of the other members of the Senate, whose name I will not mention, who wanted it very badly. One member actually shed tears over it. The leadership in the labor movement got deeply involved with it.

M: This is Senator Symington. That's fairly well known, is it not, that labor was pushing at this time?

H: Right at this time of course they were interested in him. They did not oppose Senator Jackson who was involved with the situation too at the time. But their interest right at this moment was not necessarily for somebody but against somebody and that was Lyndon Johnson. Senator Kennedy, i.e. Bob Kennedy, and the leadership in the labor organization were very closely aligned in this thing. That was a very, very potent group that had great influence. Jack Kennedy, young and dynamic as he was, could see that and he knew it. I had a feeling that President Kennedy was convinced that he had this vote, that he was going to get it, that there was no way that Nixon could take it away from him.

During the campaign and leading up to the campaign in which Mr. Johnson wanted the nomination, the personal feelings between Mr. Johnson and Bobby Kennedy became quite strained. I think I know enough about it to state that this categorically was a fact. So Bobby didn't want his brother to accept Lyndon Johnson. My observation of it, what I knew about it, and some of the discussions that occurred that I know something about, Bobby sought the strong support of Mr. Meany of the labor movement and got it. Now there are those who say that Mr. Meany was using Bobby to do it. That's something I don't know anything about.

M: Which comes first is the question.

H: I don't know, but that was a fact. There were those in Texas on the other side, who were just as adamant, and Senator Kerr was of the same view and cooperated. He was the leader of the Oklahoma group at that time. You may remember that Carl Albert actually nominated him, I believe, back there--didn't last very long, neither did Happy Chandler's move. But they were so determined that no one from Texas, particularly their man Johnson that they were very proud of, would have any part of this.

On the other hand Sam Rayburn was a strong leader. He had vision and he could see well ahead and he could realize what was going to happen to the Democratic party. Then Sam Rayburn stepped in this breach. He was very, very close to the leadership in the labor movement; he had been closely aligned with them; he was very close to Lyndon Johnson on the other hand; and he was very close to these various groups.

The story goes, and it's true, that Mr. Kerr came into the conference in that big central room that they had the headquarters of Mr. Johnson, was out there early that morning after they had been going at that thing the rest of the night, you might say. He walked in and he was pretty hot about the whole thing. There was a lot going on; the television had been blaring forth all of this; the newspapers had come out with all of the story; and he was worked up over the thing. He came walking in, and he's about as tall as Lyndon but weighed more. He walked up to him and said, "Lyndon they tell me that Jack Kennedy wants you to be his running mate. If you accept I'll shoot you right between the eyes."

Sam Rayburn got him immediately without any chance of any conversation any further, took him into the bathroom and closed the door. Of course Sam Rayburn was a short stocky man as you know. He used his persuasive capabilities there on a man. He wanted to open his eyes; he wanted him to see the light about what was going to take place in the country. This was to Mr. Rayburn far more than just the survival of the Democratic Party and winning. Sam Rayburn at that time felt deeply about Nixon accusing him of being virtually what Mr. Rayburn always thought as a traitor. Of course we forget those things pretty fast. But I don't think Mr. Nixon meant to say what he did. I always thought he should have set the record straight or apologized for it--in that episode back in the 50's. But Sam Rayburn had carried this in his mind and heart all the years, so he had this thing. He did not want to see Dick Nixon elected. Naturally we wanted to see the Democrats win,

but he had a much deeper feeling of this thing, that he did not want to see a man that he did not believe possessed the integrity and the qualities that a President of the United States ought to have. So that motivated him, in my judgment, at this time. And I think that he could see that if the State of Texas and some of the other surrounding states that Lyndon Johnson could probably keep in the Democratic fold, if they went to Nixon that Kennedy or the Democrats couldn't win. He could see all of this.

M: That's exactly what happened.

H: So he saw exactly where to move in, and he did. And after some period of time, Bob Kerr came walking out of the bathroom, Sam Rayburn behind him, walked in and he said only one thing, and this was the extent of his visit, "Lyndon, if Jack Kennedy asked you to be his running partner, if you don't take it, I'll shoot you right between the eyes!"

M: Just the exact opposite!

H: And walked out!

M: That was it?

H: But it was really a touch and go there for several hours.

M: With Mr. Rayburn being the key.

H: He was there on the job all the time, and each one of these things that he would pound into them what was going to take place. I don't think there was any question but that President Johnson will tell you today that if it hadn't been for Sam Rayburn and Sam Rayburn's determination at this time to do what he did, that he'd have never been Vice President of the United States. And I doubt if he'd have ever been President of the United States.

- M: What about as Vice President, did Mr. Johnson act as Kennedy's legislative leader to an important extent, or did he stay pretty well out of the legislative branch after he left it?
- H: Generally speaking, he was involved with other things. There were certain legislative programs that the President would ask him to provide the leadership and direction and try to carry out. Now he would usually do it on a group basis. Lyndon Johnson operated on a group basis. He would never have us in the White House individually.
- M: That's sort of contrary to the public image of him, I think, talking about arm twisting on a personal basis, but you didn't--
- H: Oh, he'd do that on the telephone.
- M: Oh, I see.
- H: It was very seldom he'd have you down one at a time. Jack Kennedy was just the other way. Jack Kennedy would call the chairman of the committee down for a conference, say, "This afternoon at 5:00 o'clock." You'd go down there and sit down with him and he'd sit in his rocking chair there. He'd have his portfolio before him and he'd go over all the problems. President Johnson would have a meeting, and he would have a whole group of the members of Congress down and discuss the matters on a group basis. Now that doesn't mean that occasionally when he had something he was very anxious to get as it was one time when he wanted General McKee to be given a legislative dispensation so he could be Administrator of the FAA. Well, that was a personal thing. He didn't call me down at the White House. He called me over the phone at my farm out here out of Nashville, Arkansas.

M: He found you wherever you were?

H: Right, right. He told me over the telephone what he wanted, the same thing about the transportation bill that he was very interested in. He caught me in the lobby of the Sheraton-Park Hotel and kept me on the phone--and people out there just by droves going back and forth--kept me on the phone out there 25 minutes. But that was the difference in the way they operated.

While he was Vice President, Mr. Kennedy would have something that he wanted to do for Democratic procedures or else the legislative program. So Mr. Johnson would always act as the buffer, would invite us down to the East Room of the White House--maybe a hundred of us, or more. He would always then take charge of the meeting, open it up, the purpose of it, and would present the President.

M: So he kept his contacts.

H: So that way he was very active in his tremendous help to President Kennedy, and he was a man to cooperate. He was a team man. He never tried to usurp, as I observed, the prerogatives of Mr. Kennedy while he was Vice President. But he attempted to carry out the Kennedy program, and what he wanted to do.

Of course, as you know Mr. Kennedy gave him broader authority and had him to do--as an example the space program. He turned that over to him and gave him a big office over there in the old Budget Bureau Executive Offices to develop. And he had a lot to do with that. And he sent him on some trips abroad--the Far East, South America, Europe; he was actively engaged in those activities which, incidentally, broadened his horizons to become President of the United States.

M: It's always been claimed of course that when Mr. Johnson was thrust by such surprise into the Presidency, it was only his legislative skill that made it possible to pass much of Mr. Kennedy's program. You were in a particularly good position with your experience to make an estimate of that. Do you think that it was because Johnson was a legislative master that he got all that program through in '64 and '5, or would Kennedy have passed it had he lived?

H: I think Mr. Kennedy would have passed a great part of it had he lived because he was on his way. The Kennedy brothers worked a little bit more on an individual basis on their program. For instance, they would try to see that the legislative proposal be channeled to a particular place that had more favorable atmosphere to it. Now Mr. Johnson, he was skilled in the legislative parlance and know, and he didn't have to do that because he knew it from the outset--and when it was developed it was designed to go to the particular place. And he knew that.

I think that if Lyndon Johnson had any faults of his approach it would be he tried to do too much of it himself.

M: His staff work wasn't as extensive or effective as the Kennedy's?

H: He didn't have the organizational approach to it because it's just impossible for one man to do the things individually. And the personal things--I don't know how in the world he could do it. For an example, he was the one who told me I was going to be appointed Federal Judge.

M: Personally.

H: Yes sir! The matter had come up before or after the 1962 Act that created a position for Arkansas, though I don't think the Senators had any idea at that time that it was needed. It was going to be a future thing. But I think it was in 1963 sometime, the President asked me if I would like to have that job?

M: This was two or three years before the thing came up?

H: It was more or less in passing, and I said, "Well, no, Mr. President, it never occurred to me. I'd be interested; I like it where I am."

He said, "Well, I much prefer you to be where you are, but you've been so nice to us. You've done a lot for us, and if you were interested?"

And I said, "Well, that's a Senator's prerogative anyway."

He said, "We'll take care of that. We'll get along all right on that."

I said, "Well, no, it never occurred to me at all; I don't think I'd be interested; and I'd just rather let it drop." So it was never mentioned again until when Bobby was Attorney General, and I guess--when did he run for the Senate?

M: '64, I believe. He resigned right before the national election that year, I believe. It was '66 I guess. He served on through the national election of '64, and must have resigned in '65.

H: I think it was '64. Well it was after the assassination of President Kennedy. I was asked by my esteemed friend, Senator from our state--the senior senator--to talk to Bobby Kennedy about a party that they had agreed on that he wanted to be Federal Judge. There was some question raised. I think

probably a question had been raised by the prior Administration or something. Well, anyway, without going into that, I did talk to him. He told me very frankly and I suggested--and I think they did--that he and Senator McClellan get together and talk the thing out because I think they could come to accommodation, certainly an understanding as to what the situation was. Well, out of this then he wound up by--I know this is in '64--by offering it to me. As Attorney General he would send my name over to the White House. I laughed a little bit about it, and I said, "No, I didn't come in here for that purpose at all. I'm not interested." Then I told him about what his brother had said to me one time, very interesting about it. I said, "I wouldn't want our Senator, either one of them, to get any idea at all, that I just hoped my name wouldn't even be approached in this." Well, he reiterated that I had been very close to them and helped them and would be glad to do it. So that's the last I heard of it, until a White House reception in 1965 in February when Mrs. Harris and I walked in and we met Mr. and Mrs. Johnson and had picture taking--

M: Right.

H: --process underway. And during that couple of minutes that we were there for that, well, he ends up telling me about what he was going to do, that I was going to be appointed Federal Judge. And that really did shake me up because I did not know anything about it. He told me that Senator McClellan was down there the night before and they had been together and settled a lot of things about matters of concern to the Senator that he was interested in and so forth. This is one of the things they had worked out. Well,

my mind became fogged, and I didn't know what to do. I knew if John McClellan, knew the President told me about this it wouldn't set very well. So that was just an interesting--

M: About all you can do is be quiet.

H: Just say nothing.

M: Right, right. It might be well to get down here. At the time you were appointed in the summer of '65, then there was about a six-month delay after you were confirmed until you actually left the Congress. One story was that it was Arkansas politics that determined this; another one was that President Johnson wanted you to manage certain of the legislation before your committee.

H: That was unfair to President Johnson. He had no such idea in mind and never did. He had made it clear at the time he sent my appointment up that there were five legislative proposals that had been underway, that he would desire that I conclude. And I did it. The last one was signed--you see that picture on the wall? President Johnson signed that in the presence of Senator Lister Hill of Alabama, Paul Rogers, Congressman from Florida and myself.

M: That was the fifth one.

H: That was the last--that was the final one. They were passed. That was on a Thursday after he had left Bethesda hospital following his operation, and he was going the next day to Texas, if you remember, where he was going to be in convalescence down there to recover. That was in November. He never asked me to remain for any further legislative proposal or do anything at all that the

White House would want done--or put me in a box that here I've got to do this in these last few months.

That was newspaper publicity that was most unfortunate, Anthony Louis--a news reporter, a column writer--he wrote a book after that; he was a column writer for the New York Times at that time. He got a burr under his tail for some reason during the Christmas Holidays--I guess, his tail for some reason during the Christmas holidays--I guess, because he didn't have anything to do. He called me over the telephone--I was down here at home--called me over the telephone and began to ask me, pumping me, asking a lot of questions. And I said, "Well, I don't know about it. As far as I know there's nothing out of the ordinary for it; problems that we have Senator McClellan and President Johnson are working this out themselves. I don't have my certificate, and I assume when they get ready it will come through."

What happened, Mr. Faubus and our people down here in the State did not want to call a special election. It was coming into a 1966 primary, and it would be a rather devastating thing to get a special congressional election in a situation like this, all tied up with our primaries going on in Arkansas at the time. Mr. Faubus as the Governor at that time, had talked to Senator McClellan and what they wanted was for us to wait until after the ticket closed in April before this vacancy came up. That was the sole purpose behind the delay. Mr. Johnson, as an accommodation to our political situation in the state, suggested by our own Senator and governor of the State, and he was naturally not getting involved in the local situation and therefore he couldn't say anything. And

I was in a position, I couldn't say anything.

M: So he was just confused.

H: So he came up with this column that was quite disturbing to the Attorney General--Katzenbach at that time. Mr. Katzenbach then called me and said it was rather embarrassing to the President. Well, I don't think it was embarrassing to President Johnson at all.

M: He knew exactly what was going on.

H: I think it was embarrassing to Mr. Katzenbach to tell the truth about it. I think somebody had gone down there--and he was a very sincere man. I think he was the one that had some feeling that he used his offices to be considered in some political tinge that brought this on. So he then sent the certificate out to my office before I got back.

M: There's one legislative issue I think is important to your relationship with Mr. Johnson while he was President particularly. That's the bill in 1964 that would have allowed television debates between the major candidates. You were in a position where at one point you had to delay the conference report on that particular bill that never of course got passed. Did Mr. Johnson deal with you closely and ask that you take this action?

H: On matters of that kind I was in close contact with the President as to what he desired. Now in 1960 we gave legislative dispensation for the networks to provide such a program for Mr. Nixon and Mr. Kennedy. There's no doubt in my mind that Mr. Kennedy felt that it would be very helpful and that he and his groups, forces, asked me to give it to them. I felt they were in a position to know more about what would be best from the standpoint and consideration of the candidates. So I acceded to their wishes and gave it to them. In 1964 we had the same problem, the same situation

developed, and I inquired about what the desire was of those who were going to participate. Very frankly, I found that neither of them wanted it.

M: Neither of the candidates?

H: Right. Mr. Goldwater never did just say, "I do want it," or "I don't want it," or anything like that. But he left the impression and word came to me that they were not particularly concerned with it at all. Mr. Johnson said he preferred not to have it.

M: This was a fairly clear decision then?

H: There was no question there about it, so I said, "Okay, if you don't think you want it there's no need to let the networks put the candidates into an embarrassing position." So I took it upon myself to take care of it without embarrassing the candidates, either one of them.

M: You've been most cooperative, I don't want to stop you. Are there any things you'd like to say that you think we haven't mentioned that are important in the areas of your relationship that I don't know about that we ought to explore here?

H: I don't know of anything. Of course, you could go on indeterminately with general discussions of the approach. I think we have covered the situation specifically and generally for the record as to what his general attitude was.

I will say this, I think, in defense of the President. He was accused, and in many areas conscientiously so, of going back on his own state and his own people in matters of civil rights. We touched on it earlier. During the time that he was United States

Senator and representing the State of Texas, as he should as a United States Senator--or even I'll go back further, when Mr. Roosevelt was there and he was in the House of Representatives, we had a good many of these problems that came up, and we had what they called the 78th Club. I think it was the 78th or 77th, or whatever it was. We had so many members of Congress who were dedicated to preventing the President from putting into effect this program of--

M: Was that the FEPC?

H: Yes. Federal Employment Practice Commission, and Mr. Roosevelt had proposed that. Mr. Sumners of Texas was very active in this thing in more or less trying to keep the fires from getting too warm. And Mr. Johnson didn't take any active part in--he represented his district and state. When he was President, he represented all the people--the United States of America.

Tape #2 Oren Harris

M: Go ahead, sir, with the Committee of 78--

H: Mr. Roosevelt had recommended, as a matter of policy, a Fair Employment Practice Commission. He had made a statement that he was by executive order going to establish this and we had a Star Chamber meeting, so to speak--if I might refer--of course in respect for the meeting, too. It's not in anyway derogatory. But we had a meeting called for the purpose of discussing the President's proposal. I think there were 78 of us that met, mostly from the South, to discuss this and organize what was called the Club. Bill Colmer from Mississippi was made chairman and I was made executive officer or secretary or whatever there might have been. But anyway, he and I were made co-chairman. He and I were selected as leaders of the group.

Now what I was about to say, Mr. Johnson never did get involved in this. One reason he didn't, was that I think he saw it was a highly controversial thing, number one; number two, Mr. Rayburn was very much against this approach to the problem, and he tried to pour cold water upon it. Mr. Johnson at that time, a fairly young congressman, too, did not want to get-- he did not want to incur the displeasure of the Speaker in this or anything else at that time. So we, in this manner, tried for a period of several years, I guess three or four years at least, to offset what President Roosevelt was trying to do by Executive Order. It wasn't that long because he died in 1945. So this began, I guess, in '42--along in there. So it must have been two or three years anyway.

M: So his later record on Civil Rights is not as inconsistent as some of his critics might have--

H: He did not, though, take a position that would be adamant against what was perhaps the prevailing opinion in his own district at that time.

Then when he became Senator, United States Senate, he did a marvelous piece of work on behalf of his own people of the State of Texas in this field and in doing so attained a wide reputation throughout the country of having done something that nothing had been done in this field in almost 100 years. He was responsible for it, and therefore what he did was to work out a compromise in this field that would accomplish a little something toward some of these great demands of the country, particularly in the West and in the North and in the East and so forth, against us, a smaller section of the South. So he did this, but there was a lot of people in his own area that thought that he went overboard, but he was trying to do something which ultimately was recognized.

Now when he got to be President, he had to take a position as President of the United States in this field. He couldn't do anything else about it. He was representing the whole country and he, firmly convinced what the majority of the people of the country demanded at that time--I opposed it. I was opposed to the federal government getting involved in these social fields as I would now if I were still up there, except to try to minimize some of the things that were going to come on my own people, to make it less drastic--precisely what President Johnson did in 1958 as Majority Leader of the United States Senate.

Then when he got to be President and in 1964 proposed the Civil Rights Bill, and it was an athema to me because he signed that confound thing on July 2 right in the month of my primary down here!

M: You never did have very many hard primaries?

H: Oh, it was mean. I had a man running against me that time that was--he was influenced and supported by the White Citizen Council and the right wing element, or maybe fairer to those groups to say the conservative group. They were demagoguing against me all over the lot about the thing. But Mr. Johnson was to a lot of people, in my State and his, accused of going back on his own people, contrary to what he had said when he was in the United States Senate. They would--and they did--publicize statements that he had made on the floor of the Senate and his votes and so forth to show as contrary to what it was in 1964. I've always thought that from a basic standpoint of our government that they were rather unfair to Mr. Johnson in this field. It is true that he had to take a different position--but he was in a different position. He was in the Presidency of the United States at that time. Before he was representing one segment of his people, and he had to fight it out with his people at that time because of this situation, just as I had to fight it out in a different way with my own people here because of the very fact that at that time I was just labeled as a Democrat, put me into that group and in a place that I was accused of bringing on the very same thing that I had fought all the years, beginning way back in the early 40's when Mr. Roosevelt had

first proposed it during the time. Now I find myself in the position where I've got, as a United States Federal Judge, to decide issues on this very same question that I was involved with legislative-wise for all these 25 years.

M: There's a general question in connection with that that might be well to ask someone like you. Arkansas, for example, I know this last election voted for Mr. Wallace and that connected with the feeling many people in this state have against Mr. Johnson for having gone back on his section and so on. Do you think that's going to have a long-lasting effect on the Democratic Party in states like Arkansas, Texas, and others?

H: I don't know about Texas, and some of the other places. I haven't had the opportunity of being closely associated with some of the people enough to judge the situation, but it's going to take awhile in our state. Unfortunately, we've got certain people who feel very deeply about this whole thing. They feel that the government is doing something to them that is about as tough as it was when the Civil War was fought. They feel that way about it.

I'm having some of these problems right now with some of the schools and some of the Civil Rights actions that are brought in various district courts that I preside over. Unfortunately we've got some leadership in the state, or people who got in positions of leadership of this very group that have added fire to it. And what has pained me greatly is the fact that I knew, and they knew, that they were promoting something that was a losing gamble. What they were after and what they were doing was inflaming the people instead of helping to do something about it.

M: So they won't forget it quickly.

H: It's going to take awhile to get it over. Some of the leaders in that field are going to have to pass out of the way. Now, Mr. Faubus, a man whom I respected highly and always worked with me in these political matters, had great admiration for him for his ability. But I can never understand why he did what he did last year. If there is anyone who ever reaped the benefit of the label Democrat, served 12 years as Governor of our State as the Democratic titular head of the party, and then immediately when he gets out he starts off and he follows this line of George Wallace. Now I think George Wallace is a very fine man. I think he's a man of great integrity and a lot of ability. I just think he feels so deeply about a situation here and being a young and ambitious young man, and has a great opportunity to do some things--I don't know how much wealth he's accumulated in it but I bet it would deserve looking into. Because people who feel deeply put their money in this thing.

M: Right, and a lot of people with money feel deeply.

H: No doubt. I have no doubt that he was well financed in his campaign. Whether that motivated some others in taking their position, I don't know. I'm fearful that some of our own friends might have been enticed because of what was available.

M: I intended to ask Governor Faubus that day before yesterday, but I got canceled because of his current honeymooning activities. I'll have to see him later on to ask him about it. I'm through sir, and you've got a phone call. Is there anything else you want to say? I'll turn it off and get out of your way here.

H: I don't believe so and I thank you for giving me this opportunity.

M: I thank you for giving me the time, sir, it was a pleasure.

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By Oren Harris

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, Oren Harris, 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

Oren Harris

Date

Sept. 3, 1973

Accepted

Sam J. Minkler - Jr
Archivist of the United States

Date

October 4, 1974