

INTERVIEW I

DATE: January 23, 1976
INTERVIEWEE: POWELL MOORE
INTERVIEWER: MICHAEL L. GILLETTE
PLACE: Mr. Moore's office in Washington, D. C.

Tape 1 of 2

G: Let's start out, Mr. Moore, with your background. Are you from Georgia?

M: From Georgia. I grew up in Georgia in a place called Milledgeville, which is I guess best known for the fact that it is the home of--one of the reasons it's well known is it's the home of Carl Vinson. I think President Johnson, when he started out in the House of Representatives, was a member of the House Committee on Naval Affairs, which Mr. Vinson was chairman of then.

I went to a small military prep school and junior college in Milledgeville and graduated from the University of Georgia in 1959 with a degree in journalism. From there I went to the United States Army with a commission and stayed in the military for about three and a half years, including two years in Europe. I came back and was given the opportunity to edit the weekly newspaper in Milledgeville. I think during that time I was very friendly in my attitude and very supportive in my attitude towards Senator [Richard] Russell. I wrote all the editorials for this weekly newspaper and never passed up an opportunity to praise Senator Russell during that period.

MOORE -- I -- 2

For a number of reasons, after a couple of years I left that newspaper situation. I stayed in middle Georgia for a brief period of time and then accepted a job with Southern Natural Gas Company in their public affairs department and worked with Southern Natural Gas Company for approximately a year. By this time it was fall of 1966. Then I got a call from a guy by the name of Bill Bates, who had been Senator Russell's press secretary since the mid-1950s. By the way, he might be able to make a substantial contribution to the information you are seeking in this oral history project.

Bill indicated to me that he was planning to leave Senator Russell. It looked like the possibility of his re-election in 1966 was no longer in the slightest bit of doubt, and that a number of names had been mentioned as a possible replacement. He inquired as to whether or not I was interested. I indicated after a couple of days of thought that I was, and I followed that up with a letter to Senator Russell. I'd say about two weeks went by. Senator Russell called me and said, "I've evaluated this situation. I need somebody to fill my press secretary's post right away, and the job is yours if you want it." I said, "Well, I definitely want it, but I think it would be worthwhile if I came to Washington and we had some meeting before you made a definite commitment to me, because there's some things that I'd like to talk to you about."

I made a trip to Washington. I think it was a quick trip. I got to his office on a Saturday and went in and spent about forty-five minutes with him. The thing that I wanted to discuss with him was that

MOORE -- I -- 3

I wanted him to understand that I had had some part and had been active in Senator Goldwater's campaign in 1964 and was identified by some people who knew me as to be very much of a Republican sympathizer. I didn't want that point to be any source of embarrassment to him since he was a committee chairman in the majority party, and I wanted him to fully understand the role that I had played in the 1964 presidential campaign.

He passed that off as being rather insignificant. Something had happened in Georgia in 1964 that had never happened before, and that was, in spite of the landslide for President Johnson in 1964, Georgia and several other southern states went in the opposite direction. Nobody knew at that time whether that represented a beginning of a trend, and he said, "Well, I don't care if you're identified as a Black Muslim as long as you do what I tell you to do and perform the duties of your office the way that I would like for you to perform them." So that turned out to be no impediment at all. We agreed that I would join him in his Winder office after Congress adjourned in late October of 1966, and that was when I went to work for him.

So we worked together in the fall of 1966. That was a very useful period for me because it gave me an opportunity in a more relaxed atmosphere than you have here in Washington to get acquainted with my new boss. We talked about a number of things including the political situation in 1966, which was an off-year congressional election. There was no presidential race. That's been almost ten years ago, and I can't really recall with too much specificity too much of those conversations. I know that President Johnson's stock at that particular time had taken

MOORE -- I -- 4

a rather dramatic reversal, that his popularity in the country was beginning to dwindle. I can remember a visit from Senator Fred Harris of Oklahoma and overhearing a conversation between Senator Harris and Senator Russell. They talked at that time. I guess Senator Harris had run for the unexpired term of Bob Kerr in Oklahoma in 1964, and then he had to run for the full term in 1966. [I remember] the fact that he had commented on how he had to run as close to President Johnson as he could in 1964 and then try to put as much daylight between himself and President Johnson in 1966 in Oklahoma. So that's kind of the atmosphere that I started to work in.

G: Did you get a feeling for this in Georgia, what the sources of his decreased popularity were?

M: I think that it would be a mistake to discount, particularly in Georgia, the attitude towards the civil rights question at that time. When he ran in 1964 he lost the state, much to, I am told, his displeasure, and you would have to say that the civil rights situation was a major factor.

G: Do you think he felt that some of the Democratic senators were not working hard enough for him in 1964?

M: When he lost?

G: Yes.

M: Yes. Yes, I think so.

G: That would really put Senator Russell in a difficult position, wouldn't it?

MOORE -- I -- 5

M: Senator Russell got a lot of criticism because he spent the election period, or a substantial part of the election period in 1964, in Spain. That was a source of a lot of joking, and he was teased a lot about that both in the media for disappearing and going to Spain in 1964. I remember one of the things that had happened in that fall was that former Governor Sanders--I should go back and say that Senator Russell received from some business interests in Atlanta, at a rather large and grandiose banquet at the Marriott Hotel, what they referred to as the Great American Award. This was something that was sponsored by a savings and loan association in cooperation with the major television station in Atlanta. At the beginning of the program former Governor Carl Sanders, who was then winding up his term as governor, teased Senator Russell publicly a little bit about the fact that he had disappeared and gone to Spain during the 1964 election. Senator Russell got up and answered him, and of course I was prejudiced, but I felt like he got the last word.

As far as participating in other political races, Senator Russell always tried to handle the situation by maintaining that as a Democrat he was obligated to support the Democratic Party, but he did that with no specific endorsement of any particular candidate. I remember in 1966, while I was with him in the fall, that he made a statement endorsing Lester Maddox in the gubernatorial race against Bo Calloway, who was the Republican nominee. He pointed out that he, whose name was on the ballot in 1966, was under an obligation; there's an oath that he signed when he qualified as a Democrat to support the Democratic

MOORE -- I -- 6

ticket from top to bottom. He did that again in 1968 when Vice President Humphrey was running for president.

So that was more or less the circumstances that brought me to Senator Russell's office and the spirit or the mood or the atmosphere at the time that I went to work for him. In January we went to Washington, January of 1967, at the end of the recess. Senator Russell and I went up at the same time.

It's kind of tough to decide how to cover the next four years before Senator Russell finally passed away. I guess the next two years would be the most important, because that was the two years, 1967 and 1968, that President Johnson was in office.

G: Could you sense an increasing strain in the friendship between the two men by January of 1967?

M: Yes, I think so. The real strain in that relationship didn't come until considerably later. I remember there were a number of issues relating to the war in Vietnam that Senator Russell felt strongly about. One I think is maybe a minor example, but I remember it's a project that I worked on. Senator Russell made a concerted effort to try to persuade the administration to reactivate a battleship to be used as an offshore source of artillery firepower. We went public on that issue. I remember writing a speech that he delivered on the floor on that question.

But generally, as far as the war was concerned, I think that Senator Russell was more inclined not to publicly criticize the President, which is a position that I, frankly in all honesty, was not in sympathy with at the time, at all times. But I think after spending some time in

MOORE -- I -- 7

the White House in another administration I've understood and appreciated that position more than ever. You know, the job is difficult enough without too many people taking cheap political shots at the President.

G: Did the White House resist this suggestion to reactivate the ship?

M: I think Secretary [Robert] McNamara was the primary source of resistance. Finally, in an evening meeting down at the White House, not through any effort to go public, Senator Russell persuaded the President to go ahead and activate the battleship New Jersey and won that one in the face of Secretary McNamara's opposition. One of the first things, by the way, that Secretary [Melvin] Laird did when he came in as secretary of defense was to put it back in moth balls, so it was a short-term victory--but because of the high cost.

Then I remember another example when Senator Russell went public in his criticism of the President was, I can almost pin down the date, in July of 1967. He called me in his office, and he said, "I'm going to make a speech on the floor of the Senate in a couple of hours, and I want you to be sure and be over there to handle anything that arises and know what I said so you can edit the transcript for the Congressional Record" and so forth. He had, with the help of Senator [William] Fulbright--and it would be interesting to go back and look in that Record in 1967 because my recollection is so hazy of that. They had a little round robin that was led by Senator Russell that criticized the administration. I don't think there was any direct criticism, substantial criticism of the President in that speech. Senator Russell went up into the gallery and made a statement for the networks, which was a very unusual thing

MOORE -- I -- 8

for him to do, he didn't like to do [that], criticizing the administration for sending two or three aircraft and a command post team into the Congo when there were some rebel disturbances in the Congo. He felt that this was an unnecessary extension of our foreign policy, that it was an indication that we might be a little bit too quick to commit to situations all over the world that could ultimately get us into serious trouble like the one in Vietnam.

I remember Senator Russell had a great collection of editorial cartoons, and the next day Gib Crockett in the Washington Star had an editorial cartoon that the caption on it was "Doing the Cong." It had at the front of the line the President, and it had lined up behind him-- you know, they were referring to the dance, the congo--Senator Russell, Senator Fulbright, Senator [Mike] Mansfield and maybe a couple of others, and they were all kicking the President in the rear end in doing the Cong. Senator Russell wanted a copy of that for his collection, so I called Gib Crockett to find out--

(Interruption)

--that Willie Day Taylor had already called Gib Crockett to get a copy of it for the President's collection. I think it had been picked up by a White House messenger. Gib Crockett suggested that I call Willie Day Taylor and get a copy of it. So I called her and went in to tell Senator Russell about the fact that I'd gone to this trouble to try to get him a copy for his collection. He said, "Well, I don't much like the idea of the White House knowing that I'm interested in getting a cartoon involving the President and myself with me and my foot in the rear end of the President." But I think we worked it out so that we added it to our collection.

MOORE -- I -- 9

G: Do you recall the President saying anything about the speech to Senator Russell?

M: No, I don't

G: No feedback that you recall on that one?

M: No, I really don't.

G: I understand that Senator Russell made another speech with regard to the government of South Vietnam during this period.

M: Yes. This was one that I think took place some time in 1966--I think the residual effects of it were still around when I was there--where he said that if there were an election in South Vietnam that Ho Chi Minh would win. Is that the one?

G: I don't remember the content of the speech. That statement was, I think, originally an Eisenhower statement. But I think Senator Russell made a speech during this period in which he said the government of South Vietnam was not democratic, which caused some concern at the White House.

M: Yes. I just really don't remember that. It could have been true. That situation in Vietnam was a source of concern for everybody at the time. I'm sure that it was the source of a lot of agony, particularly for the President. It was for Senator Russell, too. But his criticism of the President, I think, was more on the hawk side than the dove side, which I think was probably helpful, more beneficial to the President in keeping himself on the policy that he wanted to stay on than it might have been otherwise. It counterbalanced the people who at that time were beginning to grow disenchanted with the situation out there.

MOORE -- I -- 10

But I remember one of the first things that happened when I came to Washington in 1967 was that Senator Russell handled a supplemental authorization and appropriation for the war in Vietnam where they needed more money than had been planned for in the budget and in the normal appropriation. The money was granted, and there were a few floor amendments to try to delete money for Vietnam. As I recall then, the guy who handled most of the opposing amendments was Senator [Joseph] Clark of Pennsylvania. He would get maybe a handful of eight or nine, ten, twelve votes that would include Senator [George] McGovern, I think maybe Senator [Eugene] McCarthy was in that group by then, Gaylord Nelson of Wisconsin. But it was really just a handful of the Senate. It was amazing to me to sit here over a period of time and just watch that number increase to the point that it was not an insignificant minority. It became a majority eventually in the summer of 1973 when I was at the White House, and both houses voted to prohibit the President from conducting any more bombing in support of the Lon Nol government in Cambodia.

G: Did Senator Russell and President Johnson see each other frequently during this period of 1967-1968?

M: Yes, it varied. I think they reminded me at times, looking at it from one side--you know, I had no feeling for how President Johnson felt about this--of maybe my six-year-old son and his playmates. When they were thick, when they were friendly, they just couldn't be on better terms, but when they were at odds they virtually pouted in their relationship with each other.

MOORE -- I -- 11

G: Did Senator Russell during this period regard LBJ as a son, do you think?

M: No.

G: He didn't have a fatherly attitude toward Johnson?

M: I don't think so. I guess Senator Russell was born in 1897, November of 1897, and President Johnson was born in what, 1913 or 1911?

G: It was about then, a little earlier probably.

M: But I don't think that there was that much difference. They were more contemporaries than they were a father-son relationship. That was my impression of the relationship. I remember Wayne Kelley did a--Wayne Kelley is a guy who is now with the Congressional Quarterly here, but at the time was at the Atlanta Journal, and this is something that might be worthwhile for your archives if they're not already there--magazine piece on the relationship between Senator Russell and President Johnson and interviewed the President and also interviewed the Senator. He turned out a pretty good piece on it, I think. While I'm on the subject of other sources of research, WSB did a three-hour documentary on Senator Russell, that you have the transcript of, where he talked about the Johnson relationship a good bit. It involved a lot of things.

But President Johnson, I can't escape the fact that he was not the most popular person in the world in the state of Georgia. And Senator Russell would say to constituent groups that, "Well, you know, I had a very close relationship with the President when he was in the Senate and when he was vice president, but I don't have that same relationship now." Now whether that was true or whether he was just trying to take

MOORE -- I -- 12

a little pressure off [I don't know], because any time somebody wanted something out of the administration they felt like that all they had to do was go see Senator Russell and he could pick up the telephone and call the President and get that new dam or get that new road or whatever they wanted. You know, things don't work that way here.

G: I'm sure he did have an awful lot of influence with President Johnson though in terms of requests.

M: Yes.

G: Did you see them much together?

M: Never, never. The only time I can remember the President ever coming to the Hill was for State of the Union addresses. I never remember seeing President Johnson on the Hill. He may have been there. I went down to the White House a couple of times. I'd sometimes go down for a Congressional Medal of Honor ceremony or something like that and I would see the President down there, but I don't think that I was ever in a circumstance where I was in the presence of both of them.

Now I do know the Senator used to go down and have dinner with the President a lot. He used to say about President Johnson that Johnson couldn't stand to be alone, and if he was in a situation where he was going to have to eat dinner by himself frequently he would call Senator Russell and the two of them would have dinner together. He'd say, "Well, he just can't stand to be alone so he called me," which was kind of a self-effacing manner that Senator Russell had. He would not say that, "I am such good company that he wanted me down there to talk to me," but he'd say that, "He can't stand to be alone so he had me come down and talk to him."

MOORE -- I -- 13

G: Would these be informal sessions, or would they talk about substantive matters here?

M: Well, I was never present, but I would sometimes get a report back on--

G: I gather that may have been when that battleship was activated.

M: Yes, I think so. Let me move along if I can, and I'll just skip around into incidents that I can recall. I'm trying to keep it chronological. As you can probably tell, I haven't done enough preliminary thinking on this thing, and the passage of time has hurt my recollection a little bit. But I remember one fascinating experience that reveals something about their relationship was during the Martin Luther King riots in 1968. As you recall, President Johnson was scheduled to go to Hawaii and meet General [William] Westmoreland in Hawaii to talk about the situation in Vietnam, but I guess on a Wednesday, or I guess it was maybe a Thursday night, Dr. King was assassinated in Memphis. There were disturbances all over the country. President Johnson cancelled his trip to Hawaii and had General Westmoreland come all the way back to Washington for the meeting.

By three o'clock in the afternoon the day following the assassination the situation in Washington was appearing to get pretty much out of hand. Smoke was blowing across the Capitol lawn, girls in the office were getting very nervous, and so we closed up the office. I guess present at the time was Bill Jordan, Proctor Jones, who was in our office, and Charles Campbell, who was in our office. We went in to urge the Senator that he might ought to go home, which he was very much opposed to doing. He was finally persuaded, got in his car, went down right

MOORE -- I -- 14

through the middle of town where all the disturbances were, and went to his apartment. Bill Jordan and Proctor Jones and I followed him in Bill's car. Bill was low on gas, and we had to leave him because he was afraid of running out of gas. We finally met him at his apartment. He had gotten there all right. But he was very much opposed to going home at the time.

We all went in the next morning. Senator Russell had been called from the White House and said that General Westmoreland and others were meeting with the President and it might be worthwhile if he came by and met with them briefly, which he did. He came back to the Capitol, probably got there [in the] late morning after having met with the President and General Westmoreland. He told us about how when he walked out of the White House the President walked out with him and he said, "Mr. President, why don't you do something about all this?" And he pointed to the policemen and the soldiers out in front of the White House. He said, "Why don't you do something about this situation?" According to Senator Russell's account, the President said, "Well, my God, Dick, I'm doing everything I possibly can." And he said, "No you're not. Why don't you arrest Stokely Carmichael?" And again, according to Senator Russell's account, the President came back and said that he tended to favor the idea of arresting Stokely Carmichael, but the Attorney General was opposed to it. The Attorney General felt like that if you arrested Stokely Carmichael that the backlash from that would be just about as bad as the backlash from the assassination of Dr. King.

MOORE -- I -- 15

Then Senator Russell, after giving us that account of that conversation with the President, went over to the Capitol. I can't remember whether he was going over there to get a haircut or going over to have lunch or exactly what it was. But he walked up on the Capitol steps, and he saw these soldiers out there. He went over and started talking to them, and of course they didn't know who he was. So he started asking them about how they were equipped and so forth and discovered that none of them had any ammunition. He came back to his office, picked up the phone and called the President, who was in the midst of this meeting with General Westmoreland and the Joint Chiefs of Staff and Secretary McNamara and others. He said, "Mr. President, I appeal to you as commander in chief"--(Laughter)--"to arm these soldiers who are supposed to be guarding the Capitol." He said, "We've got a lot of national treasures in there, and they can't do anything if the Capitol is stormed. I want to appeal to you as commander in chief." Of course, you know he was doing it just kind of to harrass the President, I think, and of course the President didn't want to be bothered with that situation while he was meeting with the Joint Chiefs of Staff about the terrible situation out in Vietnam. So he said, "Well, I'll give you General Johnson." General Harold Johnson then was the chief of staff of the army, and he got on the line. Then maybe an hour later those soldiers on the Capitol steps were supplied with ammunition.

Another thing that I think deserves discussion, and I imagine this is one of the situations that Juanita [Roberts] had in mind when she suggested that you talk to me and others, [is] the real damage that was done

MOORE -- I -- 16

to the friendship between President Johnson and Senator Russell was over the appointment of a federal judge.

G: Alexander Lawrence.

M: Alexander Lawrence. Yes, I guess you'd probably like me to go into that a little bit.

G: Yes. In as much detail as you can.

M: Well, I'll try to remember what I can. There was a judge in the southern district of Georgia named Judge Frank Scarlett who was getting up in age and announced that he wanted to retire. As I remember, Senator Russell and Senator [Herman] Talmadge had an agreement that when there was a Democrat in the White House Senator Talmadge would have the privilege of recommending the northern district judge, Senator Russell would have the privilege of recommending southern district judges. [There are] three districts in Georgia, and they would reach a consensus on the middle district. It could have been that Senator Talmadge had the middle district, and they would agree on the northern district. I think maybe that was the way it was, because the northern district includes Atlanta and involves more judgeships. That may have been the way it was.

So when this Judge Scarlett announced his retirement Senator Russell recommended a man from Waycross, Georgia, and I can't remember his name right now to tell you the truth. During the processing of this recommendation, which has to go to the [American] Bar Association, the Justice Department [and] ultimately to the White House for the President's approval, this candidate for the judgeship--I can't recall his name

MOORE -- I -- 17

off hand, and I'm embarrassed. This guy was selected [and] was recommended by the Senator. Usually it's pretty much routine as long as it clears the American Bar Association [that] recommendations that come from the senators if they are of the same party are nominated by the president. Well, during the clearance process this guy developed a case of terminal cancer, so his name had to be withdrawn. It was a very unpleasant thing for Senator Russell to do, as I recall.

So there was an attorney in Savannah, Georgia, by the name of Alex Lawrence who was considered to be one of the real legal scholars in the state of Georgia. He'd written a couple of books and [was] very highly regarded. Senator Russell always said that he didn't think that he would be interested in being a federal judge, but it turned out that he was. So he contacted Judge Lawrence and asked him if he could put his name forward to be nominated as a federal judge. He agreed to it, and that was the recommendation that went to the White House and was referred to the Justice Department. He was given an exceptionally well-qualified rating by the American Bar Association. Later I spent some time at the Justice Department as deputy director of public information, and a guy at the Justice Department told me then that this was the first person to his knowledge--[and he'd] been handling judicial nominations for a period of years at the staff level--who had received an exceptionally well-qualified rating from the American Bar Association who was over sixty years old.

Things were pretty much on track. You know, if you're in the public information business sometimes you get the legs cut off of you now and

MOORE -- I -- 18

then, and my legs got cut off in this instance. A policy that Senator Russell had was that he would never say publicly who he had recommended to be a federal judge, because it's just bad policy. If something happens before he's nominated, then the guy's reputation is damaged; if something happens so the recommendation is not accepted, it's reflective on the Senator. It's just good policy not to talk about it, even though it always gets out because the FBI is going around conducting background investigation.

I can remember getting press queries, and they'd say, "It's our understanding that the Senator has recommended Alex Lawrence to be judge for the southern district." We don't comment. We don't comment. Finally, one day this same Wayne Kelley that I was telling you about before got the Senator off the Senate floor and got him to acknowledge that he had recommended Alex Lawrence to be a federal judge. So the fact that this recommendation was in the public domain gave Senator Russell a substantial stake in making sure that it went through, because it would be very reflective on him if for some reason the nomination was not made. But I think he felt so confident that nothing could possibly go wrong on this--

G: Let me ask you here, was there anything in Senator Russell's friendship with Alexander Lawrence, too, that would lead him to put emphasis here? Were they close personal friends, or political friends?

M: Yes, I think they were close personal friends. I think they were friends to the point that one of Senator Russell's brothers, and I'm not sure, it may have been his younger brother Bob, roomed with Alex

MOORE -- I -- 19

Lawrence at the University of Georgia. So there were close connections. There were close connections there. But, as I say, Senator Russell thought that the guy would not be interested in being a federal judge, plus, there was no question that he was qualified, I think, by the fact that the ABA gave him an exceptionally well-qualified rating.

Well, then there was a group in Savannah that got the idea that he had what you might describe as "traditional southern views." I think if you held against anyone who grew up in the South the fact that at one time they might have had what you could describe as "traditional southern views," that would have eliminated a lot of people from qualifications for anything, and you'd have to throw the President, President Johnson, into that category. This fact, this claim that he might not be a good judge because he had "traditional southern views" came to the attention of the Attorney General, and the Attorney General was determined that he would not be nominated. This led to an exchange of letters.

We had a system where when the Senator was on the phone a red light came on on our phones so we knew that he was on the phone. I can remember an afternoon when he was on the phone for what seemed like hours. I didn't know exactly how long it was going to be, and I wanted to see him about something. I kept waiting for him to get off the phone, and he was just on for a long, long time. So finally I asked, I think Bill Jordan, who he was on the phone with, or maybe Proctor Jones. He said he was on the phone with the President. I said, "What in the world can they be talking about for this long?" And they were talking about this judgeship.

MOORE -- I -- 20

G: Was this after the exchange of correspondence or before?

M: I don't remember. It's all pretty much run together now. Finally, there was one letter that Senator Russell wrote to the President, and needless to say, a lot of this difficulty was surfacing in the press. Because of the long delays in the fact that this judgeship was being filled the situation was surfacing in the press, and it got to be an embarrassing situation. But after a rather lengthy exchange of letters--and I know Senator Russell said once that he had a conversation with the President about this situation and he said, "Well, I can't nominate him because if I do the Attorney General is going to resign." Senator Russell, according to his account--and as I say, I always heard his side of it and never anybody else's--said, "Well, Mr. President, that's the best thing that could happen to your administration, if the Attorney General would resign."

But there were several indications following that, that that incident, among one other I think that involved a judgeship, led to--I mean there are several indications, and I'll go into them, that indicated to me that both of them, that Senator Russell by the time he passed away was very much at odds with the President.

G: The Johnson aides in describing this are inclined to link the Lawrence nomination with the [Abe] Fortas nomination.

M: Yes. That was the other judgeship.

G: First of all, was there a connection here? Did Senator Russell oppose the Fortas nomination because of the [Lawrence nomination]?

M: No.

MOORE -- I -- 21

G: Would he have opposed it anyway?

M: Yes. I know the President maintained in his book The Vantage Point that Senator Russell indicated support for Fortas as his choice for chief justice, I mean that he indicated that he would support the nomination. I think--this is just my theory on it--that there was a mix-up in communications. Senator Russell said that he would support Homer Thornberry. I remember Senator Russell said, "You get to know a guy pretty well when you spend some time in a duck blind with him. I've spent enough time in a duck blind to know that Homer Thornberry would make a good associate justice, and I'll support him."

Senator Russell, I don't feel like, felt he had a commitment to support Justice Fortas. I can remember very early on after the Fortas nomination went up that he met with Senator [Robert] Griffin, who led the fight against the Fortas nomination. I can remember going into Senator Russell's office after his meeting with Senator Griffin and [his] saying that, "We're with you; I'm with you, but as far as the group that I'm with is concerned, namely the southern Democrats, that we'd rather not get out front because we would hurt your chances more than we'd help." He said that he remembered that Senator Griffin broke out in a big grin at that point because that was what he wanted to hear, that Senator Russell and the southerners would join him in opposing the Fortas nomination, but that they were not going to be in the forefront.

But I don't think there was any connection. I think Senator Russell would have opposed Fortas under any circumstances. Senator Russell, one of the big issues that he always embraced was his

MOORE -- I -- 22

disenchantment with the Warren Court, and I think that he felt that the Fortas nomination would be a perpetuation of the Warren Court. I think that he opposed Justice Fortas on philosophical grounds.

G: One theory is that Senator Russell initially supported the Fortas nomination and two things [changed his opinion]: the heavy constituent mail against it--

M: He had that.

G: --and the revelation regarding the business connections.

M: There is a letter in the file. Now that's one thing that I think mitigates in favor of the theory of the Johnson aides, that there may have been a commitment, because Senator Russell, I do remember, felt compelled to write the President when he decided to oppose the nomination. But this was a long time after he had met with Senator Griffin, and had discussed the strategy of defeating the Fortas nomination with Griffin. But I do remember that he felt compelled to write the President, and in that letter he pointed out that he opposed him on the basis of the fact that he had accepted--I've forgotten what it was, twenty-five thousand dollars for three lectures from former law clients. I think it's tough to oppose any nominee for anything almost on philosophical grounds. You know, you need to tie your vote to something else. And that surfaced itself with both the [G. Harrold] Carswell and the [Clement] Haynsworth nominations later on where they were defeated. They were probably in truth defeated on philosophical grounds, but people looked around until they could find another reason to vote against them rather than tying a vote to philosophy. But my belief is that Senator Russell would have opposed the Fortas nomination without the Lawrence.

MOORE -- I -- 23

G: With regard to the correspondence that took place, do you remember the chronology of the exchange of letters? Did Senator Russell write first?

M: You mean on the Lawrence nomination or the Fortas nomination?

G: The Lawrence nomination.

M: I don't remember.

G: I think it may have been that President Johnson wrote Senator Russell a letter in which he said something to the effect that, "You are voting against this because of the failure to get the judgeship." Maybe Senator Russell's response was a denial of that.

M: I don't remember. I don't remember. I saw one letter that went out that the Senator--as I remember, he went down to Winder and spent the weekend with his secretary down there, also, to work on the letter that ultimately went to the President. I remember going in and talking to the Senator and asking him if this letter--and I can't remember the contents of it, it's been so long ago--changed what we were saying publicly about this nomination. I can remember that he didn't circulate the letter through the office under normal procedure because he didn't want it out or released or run the risk of a leak. But I saw the letter, and I can't remember the contents. If it was in response to a letter from the President to him, I just don't know. I do know that Senator Russell told me that he got that letter back from the President. The President gave him that letter back because the President said he didn't want it as part of his papers. So I don't know where the letter is, whether it's in Senator Russell's papers or where it is.

G: Was it, just for the record, a typed letter?

M: Oh, yes, it was a typed letter.

MOORE -- I -- 24

G: One or two pages, do you recall?

M: As I recall, it was about two and a half pages long. I remember there was some reference in there to a situation involving his brother, who was a federal judge, that went back twenty years before that. I can't remember. He said, something to the effect that, "I wouldn't stultify myself so that my brother could be nominated to the court of appeals, and I'm certainly not going to do it in this case." I wish I had the letter, but I don't.

G: Did you know what Senator Russell did with the letter after he got it back?

M: No, I sure don't.

G: Were there any other copies made that you know of?

M: I don't know. It may be in Senator Russell's papers, I just don't know.

G: Did you ever hear him during this period reflect on his relationship with President Johnson?

M: No.

G: How about subordinates? Did the President send any of his aides who were particularly close to Senator Russell to attempt to smooth things over?

M: I can remember Tom Johnson coming up there one time over that matter, but I don't think anybody else was in the room when they talked. I don't know what was said.

G: I think the President was rather close to Senator Russell's nephew, wasn't he, Bobby Russell?

MOORE -- I -- 25

M: Bobby Russell. He was. Bobby Russell died of cancer, I guess in the mid-sixties. Yes, he was.

G: That was presumably another link between the two men, another conduit.

M: Yes. It's something I really don't know too much about, except what I've heard.

G: Is there anything else on this Lawrence nomination and the Fortas nomination?

M: No. But I think between the two situations that [there was] a definite strain in the relationship. There were two subsequent years, 1969 and 1970, where the President was in Austin and the Senator was up here. Senator Russell died in January of 1971, and I can't recall any situation where the President may have come to town for some reason and visited with the Senator, or any communications involved during those two years. They may have existed. You might jog my memory if you recall any.

G: I don't know of any contact that they had.

M: I can say frankly that from the point of view of my own political philosophy that I would have been very disappointed if Senator Russell had not stood with the opponents of Justice Fortas, and I never had any reason to believe that he was going to support Justice Fortas from the day he was nominated. Now the passage of 1968 to 1976, if you asked me to cite what specifically caused me to believe that Senator Russell was not going to support that nomination. . . . He had a general philosophy that he expressed, that he was very proud of the fact that he had been a governor of Georgia. He said that people who have been

MOORE -- I -- 26

governors tend to support the executive in allowing them to select the cabinet they want, but when it comes to a lifetime appointment of a judge that becomes a different matter, and particularly a Supreme Court justice. I tend to believe that there's no connection. I could be wrong, could be totally wrong. If you ask me to specify exactly what makes me believe that, I just can't recall.

G: The fact that it involves the third branch of government, the judiciary, may have been--

M: Yes.

G: Any other areas of contact, such as the 1968 open housing bill?

M: No, I remember the southerners outsmarted themselves on that one, but I don't remember anything [specifically].

G: Did Senator Russell regret the strategy on that?

M: Oh, I think by then he felt like that the

Tape 2 of 2

M: I was saying that John Duffner, who was at the Justice Department when I was there and was also there under General [Ramsey] Clark and processed nominations, knows a lot about that incident. He was a civil servant. I don't want to put words in his mouth, but he frequently emphasized to me that Alex Lawrence was the only guy that he had ever heard of over sixty years old to get an exceptionally well-qualified rating from the American Bar Association. The Bar Association does a very thorough [examination]. I can tell you it's tough because I have seen Republicans in Georgia have very difficult times with the Bar Association in getting what appeared to be qualified lawyers approved

MOORE -- I -- 27

as judges. They're supposed to be an impartial body to help the president in choosing his judges. The Bar Association protects the president against having to nominate political hacks. The fact that he's the only guy to ever get an exceptionally well-qualified rating from the American Bar Association who was over sixty years old--I'm repeating myself now, but I just want to emphasize this--and then on the basis of some telephone tips from Savannah, Georgia, that the guy is a racist, the Attorney General upsets the normal political process for selecting judges. It was ludicrous.

There's a postscript to that that I'll pass along. There were back-to-back editorials maybe a year later in the two Atlanta papers, the Atlanta Journal and the Atlanta Constitution, praising Judge Lawrence because he held the feet to the fire of some school boards in southern Georgia and imposed the requirements of the law and was not dissuaded. He showed great courage, and I'm sure that Judge Lawrence is one of the most unpopular judges in southern Georgia at the moment because of all the integrating that he did. And the back-to-back editorials praised him.

I cut them out and I sent them to Tom Johnson, and I had kind of a snippy letter. I kind of regret the letter now. I told Senator Russell that I was going to send them to him, and he didn't object. I said something like, "You may want to show these editorials to the President and your friend Ramsey Clark." I got a little bit of a snippy letter back from Tom Johnson, which I think I deserved, saying that the President never had any doubt in Senator Russell's recommendation.

MOORE -- I -- 28

He knew that he would make a fine judge, but he had to give allowance for the fact that the views of men do differ. And that's true. Senator Russell and General Clark's view did differ on that and a number of things. So that's a postscript to that one.

G: Anything on other legislative matters? You mentioned the southern strategy in opposing the 1968 open housing [bill].

M: Yes. This started out as kind of an innocuous bill that had to do with allowing the federal government to assume some police powers in situations where there were white policemen and black people, and there was apparently a move in the Senate to amend that bill to provide for open housing. The southerners thought they would expose the duplicity of the northern senators by letting that amendment run its course, that the northern senators are always willing to change the laws in the South, but that open housing would hit them in such a way and that there was enough opposition in the North to open housing that it would tend to expose their duplicity and it never would get anywhere. But it did. It got clotured by one vote. I can remember that vote very well. As I recall, Howard Cannon of Nevada cast the deciding vote; one vote invoked cloture on that bill and resulted in the open housing. But I just don't remember much interplay involving the President and Senator Russell.

There are two things that I think maybe I'll pass on. I really feel like maybe I'm being too candid, but there are two incidents that I recall that I was in the middle of that caused me great pain that I think was an indication of a number of things. I remember a call from Joe Frantz asking Senator Russell to participate in the oral history project, and

MOORE -- I -- 29

Senator Russell didn't want to do it. His comment was that he didn't approve of the idea of participants in history writing history, and that it looked like the President was trying to flood the record with his own version and that he didn't want to participate. I told him, "They assure me that you can be just as candid and honest as you want to be." He said, "Well, maybe so, but I'm just not going to do it." I had a tough time explaining to him. He said, "You know, I made a commitment to Bill White that he could have my recollections for a book. And so [I have] that commitment." I said, "What do I tell them?" And that was one of the reasons that he used. I remember Mrs. Johnson, who apparently was very active in lining up people for this oral history project, went to Bill White and got him relieved of that commitment. But he still wouldn't do it, and I always had a hard time. I'm sure that Dr. Frantz knows that I was strained in my conversations with him explaining exactly why he didn't want to participate.

But then there's another thing that I remember very well. The Senate is always quick to organize rounds of speeches for a colleague who has left town or a colleague who has retired or a colleague who has died. They organized a round of speeches for the President as he was leaving town, and Senator Russell didn't participate. I got a call from Pauline Moore over at the Democratic Policy Committee. She said, "We don't have a speech from Senator Russell, and we certainly don't want to close this book until we get one. Be sure and get one over right away." I went in and talked to the Senator, and he said, "Well, I just don't want to make a speech." That was an indication to me that there

MOORE -- I -- 30

were some very hard feelings. We put it off and put it off and put it off, and finally I wrote something and took it in to the Senator. He was one who liked to produce his own work when he had time and apply the pencil to speeches, and he didn't in this case. He added one paragraph about the fact that he had very pleasant recollections of them going to night baseball games together, but other than that he accepted my version complete.

Beyond that, [do you have] any questions?

G: You've covered a lot of the areas that I was going to pursue. I might just ask you if there's anything else about Senator Russell as a man and as a senator that you want to put down in terms of observations.

M: No. I think that Senator Russell was motivated by a number of things. He had a profound understanding of history. I think he had an understanding of the role of the Senate in the scheme of our government. He also had, more than a lot of senators, an understanding of the role of the presidency in our government, and I think his tendency was always not to do things to make the president's job more difficult. I think he was also very strongly motivated by the fact that he had very deep southern roots. He felt that the weaknesses of the southern people shouldn't be exploited too much and that he was going to try to protect those weaknesses from being exploited; namely, the fact that the southern environment tended to breed prejudice more than most places, and that has proven that it reaches beyond the South. I've often thought that I wish he were here to see what's going on in Boston these days, because he would rejoice in that situation. I wish he were here to see the Senator

MOORE -- I -- 31

from Michigan being the leading opponent of busing legislation in the Senate and situations like that.

He was also motivated by the fact that he was very conscious of the value of the dollar. He was kind of a spendthrift with his own money, and he was a spendthrift with the public money. So that prompted him to tend to oppose the so-called Great Society programs. I think he had a lack of confidence in the fact that large sums of money appropriated for social programs would be well spent, not that he had any argument with the objectives of those programs, but that they would be properly spent. That was one of the things that motivated his conduct as a senator.

G: Do you recall him ever giving more or less tacit support to, say, a piece of legislation sponsored by the President that publicly Senator Russell could not support?

M: No. I guess if I had a checklist in front of me to jog my memory I might be able to. But Senator Russell tended to work very hard on the-- during the Johnson presidency he was chairman of both the Armed Services Committee and the Defense Appropriations Subcommittee, and his year was pretty much taken up with the cycle of military matters. Plus I remember during that period one of the real legislative burdens that he had to bear was the renewal of the Selective Service System. So he tended to concentrate on those matters, unless he was called on to get involved in other matters by virtue of the fact that he was the leader of the southern bloc.

G: I know his health deteriorated in those later years. Was he mentally as sharp as he'd been before?

MOORE -- I -- 32

M: Yes. I don't think there was ever any deterioration in Senator Russell's mental state, maybe, until there might have been some beginning in the summer of 1970 before he died in January of 1971. I don't think there was any real deterioration. I think there was a real deterioration of his motivation beginning some time in 1970, I would say. He started losing weight and just didn't have much motivation during that time. And I think if you lack motivation, your thinking is not stimulated. But he could do pretty well.

G: I certainly do thank you, Mr. Moore.

M: I thank you.

[End of Tape 2 of 2 and Interview I]

GENERAL SERVICES ADMINISTRATION
NATIONAL ARCHIVES AND RECORDS SERVICE
LYNDON BAINES JOHNSON LIBRARY

Legal Agreement Pertaining to the Oral History Interview of Powell Moore

In accordance with the provisions of Chapter 21 of Title 44, United States Code and subject to the terms and conditions hereinafter set forth, I, Powell Moore of Washington, D.C. do hereby give, donate and convey to the United States of America all my rights, title and interest in the tape recording and transcript of the personal interview conducted on January 23, 1976 in Washington, D.C. and prepared for deposit in the Lyndon Baines Johnson Library.

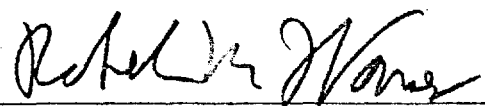
This assignment is subject to the following terms and conditions:

- (1) The transcript shall be available for use by researchers as soon as it has been deposited in the Lyndon Baines Johnson Library.
- (2) The tape recording shall be available to those researchers who have access to the transcript.
- (3) I hereby assign to the United States Government all copyright I may have in the interview transcript and tape.
- (4) Copies of the transcript and the tape recording may be provided by the Library to researchers upon request.
- (5) Copies of the transcript and tape recording may be deposited in or loaned to institutions other than the Lyndon Baines Johnson Library.


Donor

9/17/81

Date


Archivist of the United States

September 30, 1981
Date