INTERVIEW I

DATE: May 26, 1969

INTERVIEWEE: GERALD W. SIEGEL

INTERVIEWER: T. H. BAKER

PLACE: Mr. Siegel's office in Washington, D.C.

Tape 1 of 1

B: This is the interview with Gerald Siegel. Sir, your background briefly: born in Iowa; Yale Law graduate. And am I correct that you entered government service with Mr. Cook, at the SEC?

S: No, not quite. I graduated from law school after the war, in October, 1947, and went to work with the SEC. But it was with Louie Loss, who is now a professor at Harvard, who was then teaching at Yale, and who employed me, to work at the SEC. I went to work with Mr. Cook really almost two years later, in 1950, and a matter of a couple of months after he had been asked by Mr. Johnson, then a senator, of course, to form the Senate Preparedness Investigating Subcommittee. So I became Don Cook's assistant--he was then a Commissioner of the SEC--with the understanding that I would be working with him also on the Senate Preparedness Investigating Subcommittee and that is how it went. That is how I met Mr. Johnson, working with Don Cook on that Senate investigating committee.

B: Do you recall your first meeting with Mr. Johnson?

S: Golly. No, I don't. You know, in terms of the very first time, I certainly do not. We got acquainted slowly, I'm sure, because

I was a stranger, and he took, I'm sure, a fairly long testing period before--I'll put it this way--he began to appreciate the quality of my work. So we didn't really become very close, I'm sure, for a matter of months. But as the reports began to flow and as the work that I was involved in began to come to his attention, we became closer. You'll recall that one of the things that committee staff worked very hard on, and I spent a great deal of time on, was the investigation that was conducted jointly by the Senate Armed Services Committee and the Senate Foreign Relations Committee on the recall of General MacArthur by President Truman. Our staff did the night work of processing every bit of the day's transcript and putting back on the desk of Senator Russell, in the morning, through Senator Johnson, questions for the next day's session.

B: How about that. That must have been an enormous task . . .

S: It went on for weeks, and it was an enormous task. We literally worked through the night. We'd go home, sleep in the daytime and come back in the late afternoon and pick up the transcript and began to process it, break it down.

B: In that, when you were choosing questions to ask, did you have particular animus or . . .

S: No, I don't. I suppose that, as essentially civilians, those of us who were working on it were inclined to support the position taken by President Truman and his civilian aides. But I think we entered it with a fairly open mind. We certainly came out with the judgment--that is, I'm speaking now for those of us who were on the

staff--that General MacArthur was wrong, wrong in the way he did what he did, wrong in his analysis of the policies that should have been implemented in that Korean War. So, really, it wasn't a matter of pre-judgment.

B: Did Mr. Johnson get closely involved in that investigation?

S: Very much so. What happened is that he served on that committee, and he and Don Cook would take the product of our night work and brief Senator Russell in the early part of the morning before the next day's hearings began. And, of course, he was involved in ways I'm not familiar with because I did not participate in those sessions.

B: I gather you find yourself working full-time on preparing this, and not on the SEC.

S: Well, that is very true. From September 1950, when I began, until, I believe, February of 1952, when Mr. Cook became Chairman of the SEC and I became his executive assistant, and we really had to drop our involvement with the committee, there's no question but what both of us devoted the majority of our time, vast majority of our time, to the Preparedness Committee. As you probably know, we put out forty-some unanimous reports.

This is where I began to learn some of the qualities of leadership of then-Senator Johnson. While often I didn't agree and often I could not, at the time, see the fundamental wisdom of his insistence upon this kind of unanimity, I later began to appreciate it more as I understood it better. I still think I would quarrel with

the determination that he displayed, at that time, for absolute unanimity.

B: That process mostly involved framing the report in such a way that all the committee members could agree to it?

S: Yes. There's no question but what in some respects -- I don't think any fundamental issues of fact at all were altered -- I think some possible inferences, conclusions, speculations that might have become partisan were substantially tempered in order to be able to bring both sides . . . And you must remember this quite often involved as much persuasion with the Democratic side as Republican side of the committee because we had a Democratic President who we were basically criticizing on his conduct of the military aspects, at least, of the Korean War. But, no, I think the committee did a creditable job. I would not, by any means, undertake to make vast claims for its excellence, but in many respects some of the training investigations, some of the investigations of stockpiling, metal issues, tin report, I think, probably there are very few committee reports that went as deep and went as accurately into the guts of the issues involved in all aspects of preparedness.

B: How did you decide, how did the committee decide, what areas it would investigate?

S: Well, I suppose that this was a kind of inductive pursuit, here. I know a lot of ideas came from the bottom up and were disposed of by the Senator and other senators on the committee, and by Don Cook, largely, I'm sure. What we undertook to do was really decided

by Senator Johnson, but guided by the advice that Don and the others gave him.

B: Did you ever have any hint that Mr. Johnson was interested, among other things, in the kind of national publicity that Mr. Truman had gotten himself in a similar committee.

S: No question, no question about that. He was indeed interested in his public image. And I sensed early, although I was not involved in the conversations about it, that he had Presidential aspirations that were ambitious and healthy, in my opinion. I think he recognized he was qualified, and he also understood that he wanted it and he was guiding himself in the way he felt that he could best prepare himself successfully to obtain it.

B: Is it possible to make any kind of generalization about Mr. Johnson's attitude toward the professional military man, based on that experience?

S: Well, certainly it was not hostile. I think he was just as skeptical of the human vulnerability of the civilian leadership of the Pentagon as he was of the uniformed. And I don't think he felt, at that time, that there was a kind of military monster who had to be watched carefully, so that he didn't take the country down the path of militarism and involve us unnecessarily in all kinds of experimental wars to prove and flex the muscles and so on. But he was never taken in by the military, either. He was highly skeptical, highly realistic about anything that came around. Of course, one of the great qualities of this great man--and I don't know when I

should break in to caution that I speak, in a sense, with a completely undiminished admiration and respect for the man--I think he was without question one of the greatest, if not the greatest, Preisdents this country has had. And so, at the same time, from my own fairly close contact with him and my experience with him, I can testify to a little petty behavior that would have been more suitable for a backyard farmer than a great statesman and President and even bad judgment.

I don't think the man ever learned how to deal with the press and became his own worst enemy in his relationship with the press. He never learned how to deal, really, as effectively as he should with his own peers and colleagues. I think he overwhelmed them by his superior knowledge and his superior skill, but he certainly did not make lasting friends and loyal followers because he lacked diplomacy in his relations with them.

B: Is that a reference to other senators?

S: Oh, yes. Oh, my. I remember one time sitting in the Senate beside him, on the floor--but I'm jumping ahead. This now goes to the period after '53 when I went up to become counsel to the Senate Democratic Policy Committee, but just very briefly. Some senator, who admitted that he behaved like an idiot on the floor, came by, and Senator Johnson just reamed him out like he was a bad boy in the family. I said to him, "Senator, you shouldn't speak to senators that way." He turned to me, and he said, "But he's a stupid bastard." (Laughter)

B: If things like that come to your mind, go ahead and stick them in;

don't worry about the chronology.

S: Yes, well, I suppose, rather than forget. That one I remember so well. He was just so carried away. Yet I know he knew at the time that he shouldn't really do that, and he didn't do it too often. I don't want to imply that this was his pattern of behavior; most often, he restrained himself very well.

B: Did you often offer that kind of mild criticism?

S: Oh, yes. Yes, I . . .

B: Take it well?

S: Yes, because I never did it impolitely. I never did it when others were around. And I didn't do it, by any means, to try to either show off myself or embarrass him. But I did feel, and I think he understood and respected this, that what I thought he ought to know and whether it was complimentary or uncomplimentary, or whether it was critical or otherwise, I wanted to give it to him. I certainly didn't go around making a dossier every day of criticisms or anything like that, but I did not hesitate to speak as honestly and candidly as I could. And I must say that on this subject of his treatment of staff people, I got my hide tanned like the others, but much less. And I think possibly so because, well one, I think he realized that I wasn't afraid of him. I wasn't. I used to walk away from him when he started this, and this would annoy him, not in, again, an impolite or arrogant way, but in a way he understood I simply wasn't going to stay and let him do this, and he stopped doing it. Really, we had very, very few of these eruptions of an

emotional kind, but he used to express himself pretty vigorously when he thought I was not exactly behaving in a manner that covered myself with glory. I remember one time . . . I must have done something, walked in, the timing was bad; he looked up at me and said, "God damn it. You have got a perfect record of having the worst timing and the poorest political judgment of anybody I know." And I said, "Well, that's your judgment, and I've got to rely on my judgment, which is all I've got." And I turned and left. We were alone. But he could, you know, short fuse. This man is motivated by such tremendous, powerful forces of mind and body, really, that when he moves, he moves with just great force and without a great deal of reflection.

B: Was he aware of this, himself? Of these characteristics and their effect on others?

S: Oh, I think so. Golly, during the 1960 pre-convention period, I just know that his followers were boxing him in and pushing him into a serious contention position that he knew was futile; knew privately that it was futile, knew it better than any of these people. But he just couldn't let them down. He was their candidate, and he conducted himself as he felt a good serious, honest candidate should. He worked hard. He made a real effort to gain that nomination, but deep down he knew that no one at that time from the Southwest, with his background, with his vulnerability, was ever going to make it in a Democratic Convention. I always felt that, even then, he would have made the stronger election candidate. He had this funny

paradox of being in a sense, the true and clearlyoutstanding leader of the Democratic Party, but unable, because of politics being what they are nationally, to win a national nominating convention, and probably better able to win the election than any other Democrat at that time. And he knew this. I'm sure it must have given him some sleepless nights of self pity.

B: You mentioned the press. I think that the press on the Presidential years are worth going into in more detail later on. But in the Senate years here, did he also have difficulty with the press?

S: Oh, yes. Oh, my, terrible difficulties. But let me try to deal with that a little later, because if I get off my chronology, I'm going to overlook some things. I'd better--

B: Yes, I was going to suggest, get back to the . . .

S: Pop back to the Preparedness Committee days which for me really lasted only until early '52; although, when Don Cook became Chairman of the SEC and I was his assistant, we still kept contact with the committee and with the Senator in a much less involved way.

B: Excuse me, before you leave the Preparedness Committee, I have one question I'd like to ask that you may feel free to ignore if it's entirely too speculative. The Preparedness Committee dealt with an Administration trying to fight a limited land war in Asia. As I recall, one of the criticisms the committee made was the Administration trying to have guns . . .

S: Guns and butter was one of our reports. Yes.

B: And the head of the committee, later on as President, is in a

similar circumstance. Do you think, in those days, Mr. Johnson learned anything, or formed any opinions, that later directed his course as President?

S: The answer to that obviously is, he did. He learned a great deal; whether he used it wisely and effectively is something I suppose we're too close to yet to have any reliable answers. me just say this, for the record, at that time, he was critical of the Truman Administration in delaying the imposition of price and wage controls until those economic factors had escalated quite substantially, and in effect, eroded a good bit of value. He was also, at that time, critical of the allocation of resources, in the sense that he felt that more, rather than less, should be taken and devoted to . . . You know, if we got some metal shortages of tin and copper and nickel, they should be in the war machine, not in the civilian economy. Now, when the Vietnam War began to become a really sizeable operation--I was almost going to say police action--I remember that we called the Korean War a police action for so long, and he got very annoyed at that. He called it the Korean War. In fact, he called a war, a war. But the Vietnam War demanded, proportionately less--I'm speaking now of my opinion, you see--of a much expanded economy, both in terms--I'm talking both in terms of the economics of inflation and the proportion of our gross national product that was required to conduct the Vietnam War and the physical resources. As far as I know, we've had no shortages. We never were in any way handicapped in the policies being carried out in

Vietnam upon any metal or material shortages, no physical allocation problem comparable to Korea. And, as far as the percentages of our national output that was going into Vietnam, it was just substantially smaller proportionately than it was in Korea. So when you say did he learn anything, the funny thing is that he never imposed wage and price controls and he certainly did not impose any material restrictions, you see; so you could say, "Well, he didn't learn anything." He behaved like President Truman, but the game was different; the requirements, the rules were different.

B: Yes, the two are not precisely analogous.

S: But now, I want to give you one little item for the record that perhaps I shouldn't, but I think Don Cook would not object. I personally know, because Don has told me, that he--now he is the guy who was chief counsel--is critical of President Johnson for not having imposed wage and price controls. And so this is a matter of opinion. I've talked to some friends of mine who are on the Council of Economic Advisers; they do not believe that that was a mistake. They do feel that we were suffering a bit by the delays in getting the surtax decision made and implemented.

B: Actually, it seems the only case for the Vietnam War . . . There seem to be two different arguments there: one, as you said, whether or not wage and price controls are economically necessary; the other, involving the psychological need of that kind of action.

S: Yes, yes.

B: Then, to move on in the chronology. Sometime in '53, after Mr.

Johnson became Leader, you were called, if that's the phrase, to the Senate Democratic Policy Committee.

S: Yes. Well, more specifically, when he became the Minority Leader that time, the Democratic Leader, he asked Don Cook and me to come to the Senate and help him re-establish the Democratic Policy Committee, which was the major staff available to the Democratic Leader. And as Democratic Leader, he held all of the leadership posts that in the Republican Party are divided among four different, separate senators. Don Cook was not able to go. He got involved in a mistake that President Eisenhower made by not having cleared his successor. Don resigned as Chairman of the SEC but the man who was selected to replace him was from Pennsylvania, and President Eisenhower neglected to clear him with the two Republican senators. So there was a several months delay, and by the time that was cleared up and Don left the SEC, he had committed himself to going with American Electric Power, where is now. So he went and never ever actually came up to the Hill. I did. I went up in February; became counsel for the Democratic Policy Committee.

B: Were you offered the directorship?

S: We never even talked. You know, this is an interesting game that deserves, I suppose, at least a pamphlet in the life of President Johnson, and that's his taking the young people up on the mountain and sort of leaving them there, exposed to the elements. But he never fooled me. I don't know whether he fooled George Reedy or

not, but George sort of assumed, I think, at times, that he was the director. In fact, at one time, I think he got the title, but I never kidded myself about this. There were no directors, even though President Johnson -- then-Senator Johnson --used to talk to me about, "Well, now you're going to run this." After a short exposure to the man, I knew that was just nonsense. Nobody but Mr. Johnson really ran anything. So my responsibility was legislative, not political. I really never did understand politics, never undertook to advise him on politics. I did, however, consider my job there as being his aide on handling the legislative responsibilities of his job.

B: Sir, are you perhaps being too modest? Is it possible to do that and not understand politics?

S: Well, no. Yes, I suppose it is. But in truth, I never got very deeply involved in the political side of his life.

B: The Texas side, you mean?

S: Well, first that. Because, you know, he had a '54 Senate race. And, oh, you know, everyone makes his contribution. Mine was infinitesimal. And I was aware of it; and I didn't run from it. It's just that he did not look upon me as anyone who could help him, really, except in a substantive kind of way. If you needed something written that had some aspects of political value, but was essentially a substantive statement of position on an issue, he'd call on me for that. In that sense I was involved. And I, like everybody else, would write letters. I used to write some

correspondence, draft some correspondence, that went out of the office. And I worked very closely with Walter Jenkins, who really was the--there was never any doubt in my mind that if there was any one person that Senator Johnson felt was his staff director, it was Walter. Not,in an odd way, not on the national policy aspects of his life at that time either, because Walter really was more his Texas constituent staff director around the Texas office. He handled a number of the necessary personal aspects of his life. But he did not get involved with the Policy Committee, in the work on what we called the Capitol side. George Reedy and I and others, later, as the staff enlarged and changed,did that kind of work for him. But two went up there; we began to build this staff, and I guess the first thing that emerged . . . this was, I'm sure, Senator Johnson's decision, no one knew, He wouldn't have any particular quarrel for any of us to claim credit on it. But no one could really take credit for it but him and that was the fundamental decision that as a minority, the Democrats in the Senate--and to the extent that he could influence them, the Democrats in the Congress--were going to be responsible opposition. They were not going to conduct themselves as open partisans. He felt the best partisanship was responsible opposition. He wasn't a non-partisan. He just disagreed with, at that time, I suppose, primarily the more activist liberals who wanted to seize any issue they could and march forward with it, as he used to say, waving the flag, but to nowhere. I mean, he would rather pass a housing bill that wasn't as good, you know, or a Social

Security Bill that wasn't as good, than have an issue.

And this was an honest difference of opinion. Many of the more liberal members of the Senate felt, from the standpoint of the good of the country as well as the good of the party, we would have been better to have the issue, sharpen the difference. I used to defend him on this, because I too felt that you had to be realistic. This was a very bitter kind of conflict of attitude during the civil rights fight in 1957. Many who wanted to correct the injustices overnight felt that what was done was so little, it was worse than doing nothing. I felt, I know Senator Johnson felt, that they made a mistake. They underestimated the importance of a beginning, that this was a beginning, and it had a tremendous significance and I think history has proven him right. Because, after '57, there was '60, and after '60, there was a bill passed in '64, and one again in '65 and in '68. Now you can meet the issue squarely, without all this silly, hostile kind of "Are we going to tear the Union apart" business. You can address it as rational human beings, and this makes civil rights just another problem, not an easy one by any means, but another problem, like all the urban problems that at least we can look at rationally and try to deal with.

But, of course, I think that's the greatest . . . I remember another anecdote I must tell.

B: Go ahead.

S: Of course, we knew as early as 1956, in the fall, after the session and after the convention, after the election, as a matter of fact, maybe before. I don't remember precisely, now, the date. But in the fall of '56, it was after adjournment, I'm quite sure, Senator Johnson came by our house and I think it was about the only time he ever came. We didn't have any social life together, really. Walter Jenkins and his wife, and my wife and myself, and, I think, Mary Rather. Mary Rather had been over to Jenkins. We had a cook-out. The Senator came by later, and we were visiting; we were just sitting there visiting on the porch. And the conversation got around to the Civil Rights Bill, which had been passed by the House, but left on the calendar at the adjournment of the Senate in 1956. Question, how it was going to be brought up in the Senate, and who was going to do it? And I kept saying to him, "You're going to move for the consideration of that bill." And he kept saying, "You're as crazy as a goon. What do you want me to do, just move it, resign from the Senate the next day?" He says, "You know, this is impossible. I can't do that. I can help get it up, you know, work on it."

B: I've seen written records that by early '57 he was telling other senators that we're going to pass one.

S: Oh, I'll tell you. The momentum that developed there was, of course, just great. It was, for me, a very exciting experience to

be so close and to have the opportunity to live through it and watch him perform the masterful art of persuasion and analysis and evaluation, of not just the substance of these legislative issues, but the delicate kind of make-up that controls human behavior. I've always said he was successful in the Senate because he knew each senator better than that senator knew himself. And he did.

B: While we're on the '57 bill, why don't we just go ahead with that story.

S: Well, yes.

B: For instance, there must be some of those delicate human relationships there. The relationship of Russell and the other Southern senators?

S: Yes. As you well know, Senator Johnson was sort of right smack in the middle. But he tried to keep the lines of communication open between himself and the Southern group, the rump group of Southern senators who were, you know, standing fast with nothing, and the leadership conference group or whatever the liberal senators called themselves, who were determined to try to pass as strong a civil rights bill as they could. Well, the fact is that he didn't close the lines in either direction. The liberals, unfortunately, closed the line between them and Senator Johnson. I suspect we possibly could have gotten a somewhat stronger bill had that not occurred; but it made it necessary for Senator Johnson to put together, in order to pass anything, a coalition of the more conservative members, rather than the more moderate. It was the moderates and the con-

servatives, rather than the moderates and the liberals. And he simply had to include, in many instances, the Southern senators.

Now, you know, he clearly used a lot of strongarm tactics of persuasion. His approach to Southern senators was, "Well, if you don't allow progress in this issue, you're going to lose everything. There's going to be cloture, rule 22 is going to go. And your opportunity to delay, or to slow down, and to bring some kind of an order to change about will be gone." Well, they recognized this was a possibility, and it had effect. The problem, I think, with dealing with the liberals was, they weren't scared of anything. They didn't have anything to lose, in a sense. They'd never passed a Civil Rights Bill. There'd never been any progress, really, made except in the Court. So what could he tell them they might lose, except any bill at all. That's the only argument that he could make is :"Look, if you press too hard, if you insist on perfection, you'll get it, but it won't be passed."

B: There's some indication that Mr. Johnson has little patience with what, down in Texas politics, they called the suicidal liberals.

S: Yes. Well, I'd say this: I think of him as a populist. And liberal labels, I think, early, became an anathema to him because they represented a very exclusive club to which he didn't belong; his credentials weren't in order. He got very, understandably, damned mad at people who he felt were probably less liberal, right in the gut than he, but because they were fortunate enough to be born in a different part of the country, were widely accepted in the

international liberal circles as authentic, genuine liberals. And he just used to burn over it. But wholly apart from that, I think that by background, by judgment, by instinct, that he's a moderate, but populist. He's a moderate who has, and I think still has, a very deep natural desire to do things for the people.

B: Sir, I gather that your own proclivities are on the liberal side, granting the inconvenience of those labels.

S: Yes, yes, but, you know- gosh, I had some hesitation about going up to the Senate, and I remember discussing it with Don Cook. In my own way, I've always been a civil libertarian. And I was not too easy, because even though I had known Senator Johnson for then two years, a little over two years, I guess, I was concerned that I was going up, in effect, to become counsel to a Southern Leadership. And I was motivated by these labels and images. But one of the things that happened in the education of Gerry Siegel was that I discovered that the ablest statesmen in the Senate were Southern. I could disagree--and did, openly and honestly--with Senator Russell on civil rights; we never even bothered to try to persuade one another from a different point of view. He knew I disagreed, and I knew he disagreed with me. We worked together effectively on many issues that had nothing to do with this, and there's one of the men I admire most, you know, just tremendous. He's a man of such great leadership strengths. Well, I got to know him, and men like him. Senator Hill, Senator Stennis, Senator Sparkman, Senator Ellender who helped me get a

bill passed, but I'm sure his constituents would have been most unhappy about it. Senator Eastland, who helped on some matters that will surprise people back home, too, that he was willing to help on. [They] went against the kind of natural voting instincts of their constituency and they would have been berated for providing any help in this direction.

But then, of course, nevertheless, you know, my love is great for men from among the liberal leaders that we had in the Senate, who were good, genuine liberals and moderates: Pastore, Mansfield, Humphrey. I knew Senator Kennedy; didn't get to know him too well. He was ill most of the period, actually. And of course, I was a Johnson man, and, you know, the camps weren't hostile, but they were competing for the same prize, and that made the lines drawn that way. You went along the loyal lines that you knew you should. And so I didn't get to know him. I had a lot of admiration for him and a lot of affection for him. He was a tough, able guy. Senator Johnson had a lot of respect and admiration for him then in just that same way.

B: The reason I brought that up: I was wondering if staff members like yourself tried to serve as a link to the liberal camp, even after perhaps Mr. Johnson had gotten a little disgusted?

S: Listen, he tried to use us as a carrier. In a way, I think he misgauged that problem, too, because he assumed that we could serve as a more effective link than we really could. But at least we did serve as a communication channel. We were able to bring, back and forth, information that, during the Civil Rights Bill particularly, wasn't moving directly. Because things

got a little sticky at some points there, and many of the liberal senators were very angry at him. I remember Senator Paul Douglas almost literally grabbing me by the arms and shaking me, and saying, "Jerry, you've gutted the Civil Rights Bill. I hope you're happy." That's how high the feelings of--"I had done it!"-- people were when Title III came out of the bill which had to come out or the bill wouldn't pass. And, there again, you know, which is better? No bill or a weak bill?

B: How did Part III come out? Senator Anderson really think of that himself?

S: Well, that didn't require any great amount of innovation. I would suspect that Senator Russell said, "That comes out, by God, or the blood flows." Not: "Who thought of it?"

B: Yes.

S: I think Senator Johnson put together Senator Aiken and Senator Anderson set up the combinations. Of course, he was the director of the symphony, you know. His great talent was orchestration. I remember in 1956, when a housing bill was passed, that the Democrats couldn't even get out of committee--and they had a majority--without his help. The Senator was able to put together a kind of working majority that got the bill out of committee; got it passed on the Senate floor. And Senator Douglas got up and right on the Senate floor, it's on the record, you can read it in the Congressional Record, he said, "I don't understand how you did it, but I commend you for doing it."

B: By orchestrating the Part III affair, you mean, Mr. Johnson put

together the combination of Anderson and Aiken to introduce the amendment?

S: And this we did, again, on the Jury Trial Amendment. We put a lot of input into that, and it was not a bad bill.

B: You were credited with that.

S: Yes.

B: With developing the distinction between civil and criminal contempt?

S: Yes. And with coming up with a kind of workable and acceptable formula for treating with it.

B: This is going to tell a lot more about me than anything else. I get the impression the success of that formula was its complexity.

S: Well, it is complex and in a way I suppose, you see, we were being pragmatic and hoped that it would never have to be used. And, of course, what the House did to it, I'm afraid, was possibly make it unconstitutional. It has never been tested. The funny thing is, of course, most people did not--their emotions were so high that they refused to see the distinction between civil and criminal contempt. They refused to recognize [that] the liberal leaders of the courts--not only of this country, but in England--have always recognized the importance of a jury trial for criminal contempt.

B: 'Course, you did have some liberals on your side?

S: Oh, yes.

B: I believe I've seen a reference to some of them with impeccable credentials like Dean Acheson, assisting in this.

S: Yes, yes. Dean Acheson. Ben Cohen. Ben Cohen, of course, was

available to us as an advisor throughout and was much more effective than was Dean Acheson who lent his prestige more than his actual talent. It wasn't his cup of tea. It was Ben's. Ben is far more knowledgeable, far more experienced, in this area; he used to skull with us far more. But Solis Horwitz was then on this Policy Committee counsel staff--and I guess properly--deserved as much or more credit as anybody for the development of the actual language that was passed by the Senate, which was really good.

Complex, true. But until the House modified the damned thing so that it, you know, has to be predetermined by the judge which penalty he's going to impose, before trial, I think we had, really, a very sensible kind of distinction between the civil power of contempt, where you can put the guy in jail and throw the key away. And we used to try to argue with other staff men and with senators, if the Senator indicated we should. But they were just being blind, because if they really wanted enforcement, they had the power to literally compel all of the Southern officials to comply with the voting requirements of this bill, through the civil contempt procedure, where there was no jury involved. And their argument was, "Well, these are Southern judges, and they won't do it," you know. So you couldn't win.

B: Same argument the Southerners were using about <u>their</u> juries.

S: Yes. Well, I tell you, the mystique of the man was such that while I participated in many of the closed conferences, I didn't participate

in them all. So I can't pretend that I know all of the elements of the procedure and technique that he used to bring about the passage of that bill. But he did it.

Now, I'll take a little more credit for the Space Act, in a sense, because there was a totally different kind of environment. You know, he didn't have the hostility to overcome, didn't have these camps of competition, but he was really, he deserved so much credit for this.

And I recall--this is kind of amusing, in a way--the night in 1960. Now, I'm jumping to the second Civil Rights Bill, when the voting rights legislation was strengthened. Again, you got a repetition of the same sort of excluding of Lyndon Johnson by the liberals. I guess maybe they were--I don't know what motivated them--jealousy, fear that this could make him President, that they didn't want him to be, or whatever it was. They simply would not cooperate.

B: Was there any just plain snobbishness in there, too?

S: I don't know. I just wouldn't really begin to speculate on that. Because I think it's more deeprooted; I think it was just the... You know, I pointed out earlier, this man is a great statesman, but he's not a great diplomat. And he has made a lot of enemies, needlessly, in a sense; yet, that's his style. That's the way he functions, and, gosh, that's a beautiful thing to watch because he is literally the most persuasive man that I have ever met. But it is persuasion. This nonsense that he blackmails everybody,

is just sheer falsehood... you know, that he was holding up votes. Now, "You want this bill". . . You know, this logrolling business, that was not his. No, he used, every kind of argument he could think of, and clearly would point out to people that after all, they had objectives they wanted to achieve and they ought to cooperate with others that would have to help that kind of thing. But it was not a "You'll get clobbered," you know, "if you don't." No threats. No, he knew better than that. At least, I didn't ever hear him use this. But this business of laying on the hands, you know--and I watched this--and he just out-talked them, argued with them. And he picked up votes. There's no question about it. He got critical votes. He's a master at getting these votes and getting them in a way where it wasn't quite so out in the open that they could be taken away from him before the time of the voting, which is apparently an important part of the game. I didn't participate in that. So I don't know what it involves and so on.

B: Before I interrupted you, you were talking about Mr. Johnson's reactions to liberal criticism in the 1960 Civil Rights Bill.

S: Oh, yes. I wanted to tell you this anecdote, incident. The night that that bill passed, several of us almost got down on our hands and knees, pleading with him not to go out on the floor and make a kind of speech he was determined to make. Which, in a sense, was a plague on houses of both extremes; this extreme's the right; this one extreme's the left. Well, that was 1960. That

kind of speech, today, becomes very popular. Now, he was that far ahead of his time. Our whole purpose was very pragmatic. We said, "Look, this will do you no good. You've got problems with liberals as it is. This will seal your doom, that's all. Because they won't read it as extremist; they'll read it as Lyndon Johnson saying, 'I don't like liberals.'" So he didn't do it. But gosh, he was just so upset, at that time, about the lack of cooperation, the lack of willingness to work with him for what he believed to be the worthwhile and obtainable objectives.

B: On the '57 bill, one more question about that one. Sometime during the process there was talk of a federal mediation or conciliation service, and I . . .

S: Not in '57. Well, now, wait a minute. You're right. You're right.

B: I've seen reference to the idea of developing . . .

S: Had to be discarded, because it got associated with Mr. Johnson, who was originating the idea, and the liberals would refuse to support it, because it was coming from him.

B: On the grounds that it came from Mr. Johnson?

S: Same thing in '60.

B: You said "the liberals," generally. Any particular individuals or groups?

S: Senate. Senate. Well, of these, Joe Rauh was probably at that time one of the most obstinate of the non-cooperators. I think Senators Joe Clark, Paul Douglas--

B: Mr. Rauh's influence . . .

S: Wayne Morse was just bouncing around, you know. He was on various sides. Yes, Rauh's influence was formidable in this kind of working group that the . . . You know, Senator Lehman was never really involved in this in-fighting.

B: Is what you had in mind, essentially, what ended up in the '64 bill?

S: Yes.

B: In the Federal Community Relations Service?

S: Yes, yes. You know, I'm still not sure in my mind whether this came about in '57 or '60, but I believe it was in '57, first. Then we tried it again in '59, you know. I was at the Harvard Business School, teaching at that time. But I remember coming down once, at the request of the Senator, to take a look again at a new draft of the Conciliation Service legislation for possible use in '59. It didn't get anywhere. This would have been the spring of '59, but I guess it just didn't get off the ground then. Then in '60 . . . Is my memory right or wrong? Wasn't it introduced as a separate piece of legislation at some point along the way?

B: I think it was, sir, but future scholars...

S: It wasn't part of this . . .

B: . . . need not trust either one of our memories.

S: I hope they don't.

B: Was it Mr. Johnson's idea, originally?

S: I'm not sure.

B: Can you pin it down, or was it just one of those things?

S: Well, it wasn't mine. I'll tell, I'm not being modest. It was not mine. And where it actually originated, you know, this becomes very difficult; perhaps a little like trying to speculate on when the instant life was developed on earth, and what was the one critical factor. Because I'm sure a lot of people were thinking about things that could be done to kind of move things off center and get a little progress. And, oh, Senator Johnson, you know his way, talking to everyone, getting the best advice he could from everyone: labor leaders, lawyers, old colleagues in the House and in the Senate, academics. Where this thing originated, I don't know. All I can say is that it did not originate with me. Although, I think, somehow he got the notion that [I did]. Well, maybe he forgot, too, who thought of it first. I can remember him saying, you know, crediting me with it. I drafted it; that doesn't mean I originated it. The only bill I can remember originating was a bill that never got anywhere on highway safety. And he did introduce it.

B: What were you--sort of an early day Ralph Nader?

S: I read an article in Harper's that had such an impact on me, that I decided that really something ought to be done there. And we drafted a bill creating a federal division, in the Department of Commerce, on Highway Safety. Things, you know, that didn't really get off the ground.

B: Sir, it's almost eleven o'clock; have you got time to continue a little bit more?

S: I think so. I don't see . . . It's entirely up to you.

B: I have . . .

S: You want to terminate and resume?

B: No, I have time.

S: You know, I suspect we're just about through, although as you reminisce, you--

B: Oh, I wanted to ask about some of the other legislation you were involved in. You mentioned for example, before we turned the tape on, the Bricker Amendment.

S: Yes. You know, that was one of the early issues I got involved in with the Senator up on the Hill. And it goes back so far, I'm not sure I can give you very much authentic information about the Bricker Amendment. But I know this: that, again, the man responsible for preventing that amendment being adopted in the Senate--it was a very close vote--was Lyndon Johnson. I can remember doing a little work on it and preparing some memos for him that he used with Senator George, who was, of course, the Chairman of the Foreign--he was a ranking minority member during the period when, I guess, Senator Wiley was Chairman of the Foreign Relations Committee. But Senator Tom Hennings was, of course, one of the leaders of the opponents. But again, what you had was the rather extreme conservatives and the more militant liberals fighting one another with the resolution coming in the middle. The more moderate members of the Senate determined the course in the Bricker Amendment; the final decision was made there, not by the polls. And well, what happened, I guess, was we were able to, by working with Senator

George pointing out some of the considerations, pull away some of the votes, crucial votes that might have been supporting the Bricker Amendment.

B: What was the nature of your memos?

S: Oh, legal, analytical memos. And, God, I couldn't remember them now. I'd have trouble. I'm not that good a constitutional lawyer, and I haven't worked on a constitutional issue for so long, but, you know, the Bricker Amendment dealt with the Executive Agreement route and attempted to prevent the President from using Executive Agreements which would become the law of the land. And it also attacked the theory of treaties becoming the law of the land when they related to domestic law. It was a double-barrelled attack. The Constitution, as you know, says that a treaty is part of the supreme law of the land and in effect overrides federal and state law. This was a way you could have adopted the Fair Employment Practices law bythe treaty route.

B: By the treaty.

S: If you could get two-third votes of the Senate. But, of course, the thing that frightened them was that you don't send Executive Agreements to the Senate at all. They thought some day some strong-willed President would remake the law of the land without the Senate even getting a crack at it. Now, beyond that, I better not speak, because it's a highly delicate, technical, and legal--

B: Did you find Mr. Johnson able to understand such technical, complex points?

S: Yes, indeed, yes. His mind. You know, I used to say that he would devour what we, not only lawyers, but all technical experts would give him, and then go beyond, and was, in effect, demanding output that hadn't occurred to us; tremendously brilliant mind, and a quick mind. He was not an expert, but I think he did go to law school one year, but . . .

B: Night school here in Washington, I believe.

S: But the thing is, he's a tremendously effective listener, and would literally, in a briefing, follow what you were saying, understand it, and began to think of the undeveloped areas that needed to be explored, and asked questions that made you go back to the book and come up with good answers.

B: In those days, did he get all his information this way, orally, or by memos from staff members, as opposed to reading on his own?

S: Well, of course, his schedule and style of action left very little time for meditative and reflective reading.

I remember another incident that you may enjoy. The tragic night of his becoming President on the death of President Kennedy. Of course, writers here at the paper knowing of my past association and closeness with Mr. Johnson wanted to talk to me about what kind of man is this, what kind of a President will he make. And one of our more intellectual writers said, "What does he read? What books, you know? What kind of philosophy?" And I said, "For Christ's sake, he has become President of the United States, not president of a university." I think,

you know, he was ready to pillary him, because this man is not the kind of intellectual who goes off, and retreats with books, and meditates. The fact is, I said then, and, I feel now, that no one ever became President with better qualifications for the Presidency.

I don't look upon the President's office as an office of reflective meditation or intellectual direction. I think it's an almost impossible, demanding political office that requires the power of decision in a way that an intellectual just isn't qualified for. I don't actually . . . Having said that, I think the odd thing is that the man is not a non-reader. He devoured written material in a very short time. He used to get Congressional Records delivered to his house, five, five-thirty in the morning. The first issue out of the Printing Office went to his house. And he read it. You know, he really could skim through and pick out what he wanted from it. Read newspapers, lots of them, read them quickly; he had the staff clip other papers, from all over the country, you know. Of course, from Texas. But he read this; he would read, he was a speedreader before the word was invented. He's just not the stereotype of the quiet, meditative book reader. And he didn't read books for entertainment; he did other things; played politics for entertainment; talked on the telephone for entertainment.

B: You mentioned earlier, too, that you were involved in the McCarthy censure?

S: Yes, yes. You recall that, I believe, the night of the adjournment,

of 1954, gosh, he had been attacked because he wasn't taking the lead on forcing Senator McCarthy, and kept saying to these people, "Look, the way you're trying to do it, you will only succeed in making a martyr and entrenching his power greater. Now just be patient. The time will come; and when we do it, let's do it when we get the votes, when we're sure to win, when we can put the issues squarely." And, of course, he felt that the Army-McCarthy hearings were just awful. The funny thing is that they sort of set the stage for the censuring and the decline of McCarthy. But the fact is that other senators really did not conduct themselves in an effective way to begin to expose the evil of Senator McCarthy, as a man.

B: From the public standpoint, the hero of that affair was the attorney, Welch, I believe.

S: Not a single other Senator; and while it did help to expose Senator McCarthy to the public that hadn't seen him in some of those sort of frenetic, almost mad kinds of conduct, it still didn't create enough. You know, why he was censured was because during the censureship period, really, he made the mistake of attacking some of the pillars of the Senate. I think Senator Johnson knew he would do this; well, actually, I did--

B: Let me get this clear. Then, generally, the public thinks of the Army-McCarthy hearings that have been televised as the beginning of the decline.

S: It was. It was.

B: But insofar, in the effect on senators--

S: It was not. And indeed, the censure hearing record, if Senator McCarthy had stayed off that floor, my guess is--and I helped a little bit on this. Senator Johnson asked me to work with the other Johnson, Senator Ed Johnson, who was a member of the Censure Committee. And I did; I worked, helped him a bit as a sort of a staff aide. So I do know what was going on, how the hearings were being conducted. Helped write the report, as a matter of fact, that portion of it that was assigned to Senator Ed Johnson. And, of course, it recommended censure. But I am convinced that what was really Senator McCarthy's undoing was his attack on Senator Watkins, and on Senator Bennett. He became fanatic, and he began to attack his closest friends, like Senator Knowland, Senator Jenner, Senator . . . I can't think of the man's name now, another fairly reactionary type of senator. But the ground work, you know, again, it's how do you evaluate; what was the straw that broke the camel's back; and why the last one is more important than the first one, I don't know.

B: Mr. Johnson put together that committee?

S: Pretty much. Very instrumental in the selection. Certainly, he selected the Democratic members. I think, you know, in his inimitable way, I suspect he was giving advice, either solicited or unsolicited, to Senator Knowland about who should serve on the Republican side. I can remember these unbelievable times when, during the Eisenhower Administration, I'd be sitting in his office, either while someone was in it, or he was on the phone, advising a

Cabinet officer step by step how he would have to conduct himself to get his program, or his budget, or his legislation through. And literally taking them by the hand to guide them and to help them. He saved foreign aid year after year, at that time. It was in trouble, deep trouble, even then.

B: You mentioned earlier that you saw fairly early Presidential ambitions.

S: Sure.

B: You think that in the '56 Democratic Convention, Mr. Johnson was more than just a favorite son, or wanted to be more?

S: Yes. I was there. I was in Chicago. I watched, like they say, you know, you see, but you don't understand. I really didn't know what the hell was going on, but I was there. And it was obvious that he didn't have a prayer of a chance, but it was sort of an interesting exposure to the powers in the Democratic Party. And I think he knew he didn't really have much of a chance. I recall his speech to the press, when he arrived in Chicago. Somebody said, "Are you a serious candidate?" He said, "I'm serious about everything I do," with a kind of a wry twist, you know. They knew he knew he didn't have a serious chance, but that's not to say you're not a serious candidate.

B: I've also seen references to the staff before '56 deliberately trying to create an image for Mr. Johnson as a Westerner, as opposed to a Southerner.

S: Yes, yes, yes. I'm sure you're going to be talking with George

Reedy. I suppose George got involved in that, because he was doing a lot of speech writing and doing a lot of political thinking which I'm sure was helpful to the Senator's own political thinking. I guess, I don't know, where the idea that we ought to point out the realities that Texas was Southwest, not South . . . I was always amused by this, because I guess I just didn't understand how completely obstructive the word Southern was in politics at that time, but it was an obstacle that somehow had to be overcome. And the logical way to do it, it wasn't Westerner. Although, I think that, you see, a lot of his political strength was in the West. So that was part of it, but obviously the important thing to try to do was to have Mr.Johnson thought of either as a Westerner or at least a Southwesterner. Of course, Westerner was preferable to Southwesterner, and the fact is that he didn't think like a Southerner, but was in a real sense. He had come up through the ranks in the South. He had worked in the House and the early part of the Senate with the Southern members more than with the Northern members. Although people seem to forget, you know, how he came to the House. He was not under the auspices of a Southern President.

B: Yes, as an ardent New Dealer.

S: Yes.

B: Did you see anything of Mr. Johnson's relationship to the oil and gas industry?

S: No. Well, only very fringe, and never really got involved in it. And the only thing I can sort of testify to is that the oil industry

as most people think of it, the large oil interests, even in Texas, were always opposed to him. Now, he has some friends who were in it. Harris Melasky, he, most people haven't heard about, I think.

B: Could you spell it for us?

S: M-E-L-A-S-K-I-E, I think, or E-Y, Melaskey. I'm not sure. [Melasky] I met him in Texas in 1957. A wonderful guy. I think he was out of the oil business by that time, but he had been an early supporter of Mr. Johnson. I'm sure there must have been others. But by and large, the real oil interests in Texas had not been his supporters. Now, I think that when they discovered that he wasn't going to destroy them, after he'd been in the House and Senate for a while, and he began to acquire power, and they recognized he was a man to be dealt with, reckoned with, then they began to try to come back and win favor with him. And he didn't drive them away. But the oil interests were not the base of his power ever, never. I guess maybe this is a better way to put it in perspective. He obviously was not going to get out on the Senate floor and attack the oil industry, anymore than Senator Hickenlooper would have gotten out and said we should abolish corn, hogs and cattle. (Laughter).

B: That's how you get to come back to the Senate.

S: Yes.

B: Then there is nothing special connected with, say, tidelands, or the 1956 natural gas bill or . . .?

S: No, the tidelands bill, he really didn't participate in. The oil and gas bill, I think Senator Kerr was the floor leader on. And

Senator Johnson deliberately kept out of it, until the damned Case thing interrupted, and then again, he was sort of brought in necessarily. You know, leadership has got to be exercised by someone.

B: For the transcript, this is when Senator Francis Case announced that an attempt had been made to influence his vote.

S: An attempt to bribe, yes.

B: Right.

S: And at that point, I know that Senator Johnson helped put together the committee that did the investigation, special [committee].

B: Probably worried about his beloved Senate getting that kind of activity.

S: Well, it was a very dangerous kind of thing, and, of course, such stupid behavior on the part of the oil industries. I really don't know too much about it. I guess they figured that the United States Congress could be handled the way the state legislatures are and if you need votes, buy them.

B: Then there was the Space Act of '57 and '58.

S: Yes, yes. Well, you have to go back, a little, I suppose. Our first involvement was in the Senate. Again the Preparedness Investigating Subcommittee's hearings on the missile satellite question in the winter of '57 - '58.

It began in November. . . . The Russian Sputnik went up on October 4. I had told Mr. Johnson that I was going to leave. I decided I really should not make a career out of working in govern-

ment or the Senate. So I wanted to leave.

We were in Austin, as a matter of fact, my wife and I, exploring and just about on the edge of a decision to move to Austin and go to work for Mrs. Johnson's broadcasting company. She had offered me a job in June of that year, '57. And we went down to meet people, to see the city. My wife had never been there. I had. And while we were on the Ranch, Sputnik went up, and I simply said that, "I assume that you would agree that the decision about coming to Austin ought to be deferred, because I will stay another Senate session. I just could see that we were in for some really tough, tough times. And we put them together, the investigating hearings.

B: What was Mr. Johnson's first reaction to the October Sputnik?

S: Well, I think the same as mine. We were not as impressed about the scientific aspects of orbiting a satellite as we were about the unbelievable new world of space that was opening by virtue of man's ability to put things like this into the astrosphere. And we were worried about what impact this might have on military weaponry, at that point, too.

B: Had Mr. Johnson been involved in any of our early space efforts before then?

S: Through the Senate, through the Armed Services Committee, yes. And of course, the old Preparedness Committee had looked into the then early missile program. That was under Kelleher, or something like that, at that point. It was nothing. It was about '50, '51, was just

in its infancy. It was not getting anywhere. The Atlas Program, I guess, was a concept. It may have been in research. Nothing that . . .

B: Why was a special Senate Committee formed instead of letting the Preparedness group or a then existing committee do it?

S: For the Space Act? I would say that the principal reason was that he did not want the space legislation dominated by military considerations. And the Preparedness Subcommittee was a subcommittee of the Armed Services. When we started thinking, I think we probably thought, "Well, how about Armed Services and Foreign Relations? Or Commerce?" And the idea occurred, I suppose, to Senator Johnson: this should be a blue ribbon committee made up of the chairmen and ranking minority members of every major committee in Congress, because this is a whole new world. I mean, who knows what jurisdictional elements are going to be involved here, what the considerations will be. But, I say, the first thing was this: it was evident from the start that what you were going to be in for was a civilian-military battle for control of the space programs. He knew that he didn't want to turn it over to the military and that, having the legislation sent to a military committee, standing committee, would have been a pre-judgment and a kind of an announcement that this is it, this is the way it's going to go.

B: You have already answered my next question, I think. Then there was never a time in there when it was even considered a crash program under military auspices?

S: Not by him, not by us as staff, not by Senator Johnson, to my knowledge. Well, bear in mind that you had some different considerations. Out of the Preparedness Subcommittee's investigation, which was military; it was both. Because the Vanguard, really, though conducted by the Navy, was a non-military program. It was a pure scientific moon satellite, you know.

B: Aegis, the International Geophysical Year project.

S: Exactly, that's right. And what we were looking into there was why were we beaten by the Russians, why was our program so far behind? Why was it so much smaller, and what impact does this have on our military preparedness? So we, of course, got nothing on it. Ninety-nine percent of the hearing really was devoted to where are we. You know, this is where the missile gap began, the whole argument that we were way behind the Russians and that our security was in jeopardy. Well, we did make some military recommendations in January, out of the hearings that were completed by that subcommittee. And, of course, part of those recommendations went to space legislation. We ticked them off. We wanted the Polaris submarine program accelerated; we wanted, you know, additional effort thrown into the Atlas-Titan program, and so on. These things were all spelled out. I think we even wanted the B-52 program increased at that point, because it appeared that we still wanted to rely on the SAC airplanes for a long time because competency in missilery just was not there to predict at that time. It came very quickly thereafter, but you couldn't see it. Well, then the

subject, of course, of how to deal with this new environment for man, space, was being kicked around. We were in the process, I think, of drafting legislation, and the Administration sent up their bill. What emerged was quite different than what they had sent up, but you know, not that much different. We really--

B: I understand you did most of the drafting on that.

S: I did a lot of work on that.

B: On what became . . .

S: I feel, you know, sort of proud of it, in a way. And--what became of it.

B: No, I was saying you did most of the drafting of what became the Space Act of '57.

S: Yes, yes. I think I learned for the first time that Senator Johnson was willing to delegate if he felt confident that he could. And for a long period, he just kind of let me go ahead, was willing to assume that I wouldn't make bad decisions, kept him informed. He agreed, but he wasn't directly . . . You know, this ran through most of the 1958 session. We finished the bill in July and started it in February. So I was almost full-time on it.

B: While you were drafting that out, did you have in your mind precisely, or any idea of what this space project would really become? I think I might insert here as an ironic little note right now that three astronauts are on their way back from the moon and are going to land in about an hour.

S: In an hour or so. Well, I wouldn't want to pretend that I foresaw,

by any means, the development that occurred. And yet, I think some of us did. We recognized that there would be manned space travel. We recognized that there would be competition and danger of using the space environment for military activity. One of the first things that then-Senator Johnson did--you know, I left him in '58, but I think in '59, he became Chairman of the Senate Standing Committee on Space and Astronautics--he quickly brought about the international agreement on, in effect, the military immunization of space. Because he could see that this could become a terrible kind of resource-devouring activity and another source of conflict and irritation among nations on earth. So we avoided, I think successfully, domination of the program by the military, and we provided effectively for international cooperation in the space development program. And I think we also forged the two necessary tools for the massive, both commercial and scientific, exploration programs that have gone on.

I'll give you a memo, just for the fun of it. Just as I was coming back from the Business School, I had agreed to come to the Washington Post, but I was not coming until the end of the school session. And I was doing just a little consulting for NASA and the new space administrator, then Jim Webb. Now there were two things. I predicted, against a lot of my friends counter predictions, that the NASA budget would grow to a substantial amount. I don't know that I predicted five billion dollars; but these people were saying, "Oh, well, you know a few hundred million

dollars will be what it will be for years." And then, I also foresaw the possibility of the communication satellite as the first kind of commercial activity in the space area, and the moon landing.

B: This memo was dated, May 1, 1961.

S: President Kennedy.

B: James E. Webb. I'll insert this in the file.

S: Oh, no, no. Heavens, no. Don't do that.

B: You don't want to?

S: No.

B: Okay.

S: I'm just pointed out, though, that this was--you asked me what I foresaw. Well, these are recommendations that I was making with respect to the program in May. President Kennedy announced the decision on the moon project, May 25.

B: Let me just read two parts of it: "Two projects should be selected for concentrated and expanded effort: one, commercial communication satellites; two, the major project objective that appears feasible is the manned landing on the moon." Which is going to take place this summer, 1969. Did you ever consider, in this process, a Manhattan project kind of activity, there in '58, a crash program?

S: Yes. A lot of people did. It was as seriously debated in the committee, and I think some of the difficulty in working out the differences in the legislation in conference between the House and

Senate still related to a kind of a crash program. I know that, during the missile satellite inquiry, many of the senators were coming in, and talking to scientists, Homer Stewart, to the various witnesses that appeared who had some experience and technical competence, saying, "Can we do something dramatic to restore confidence in the United States among the peoples in the world, like hit the moon?" These fellows were saying we can't even light the fuse!

B: Did you also have the idea of giving NASA a good deal of independence within the government?

S: Well, one of the major contributions, I suppose, that was made in that legislation, in terms of its independence, was to set it up as an administrative rather than an AEC-type agency. The House was sort of determined to make it an Atomic Energy Commission, and really, a kind of aid or liaison cooperative link to the Pentagon. And we said, "No, this would be an independent agency." We felt it should be and that it should have independence, but under a kind of government-wide . . . This was the policy, you see . . .

B: This is a question of Space Council?

S: The Space Council, right, which we added to the bill and insisted that the President become the head of. We had a little resistance at first from the White House, and I remember James Killian calling on us to plead that that not be done.

B: On what grounds?

S: Well, I guess they just felt that Congress ought not be telling the President where to serve. Of course, this is true. I think the

feeling was that, at that time, it was so important we just had to have nothing short of the Chief Executive heading up space policy planning.

B: Which also gives the Administrator of NASA a good deal of additional power, being that close to the President.

S: Right.

B: Sir, I think I better let you go for the day. I've taken a good deal of your time.

S: Well, it's been sort of fun, reminiscing.

[End of Tape 1 of 1 and Interview I]

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

77-17

Legal Agreement pertaining to the Oral History Interviews of Gerald W. Siegel

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, Gerald W. Siegel, 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 recordings and transcripts of personal interviews conducted on May 26, 1969, and June 9, 1969, at 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 transcripts shall be available for use by researchers as soon as they have been deposited in the Lyndon Baines Johnson Library.

(2) The tape recordings of the interviews shall also be available for research use under the same conditions governing the transcripts. If the interviewee has made substantive changes in the transcripts, however, the reference copies of the tapes shall be modified to conform to the edited versions before the recordings can be made available to researchers.

(3) The donor retains during his lifetime all literary property rights in the material given to the United States by the terms of this instrument. Thereafter, the aforesaid literary property rights will pass to the United States Government.

(4) Copies of the transcripts and tape recordings may be provided by the Library to researchers upon request.

(5) Copies of the transcripts and tape recordings may be deposited in or loaned to institutions other than the Lyndon Baines Johnson Library.

Gerald W. Siegel
Donor

March 1, 1977
Date

acting James E. O'Neill
Archivist of the United States

April 4, 1977
Date