

Oral History Interview

with

STEPHEN J. SPINGARN

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Washington, D.C.

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By Jerry N. Hess, Harry S. Truman Library

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March 20, 1967

By Jerry N. Hess, Harry S. Truman Library

HESS: Mr. Spingarn, would you, for the record, give a little background information on yourself, where you were born, where you were educated, and what positions did you hold prior to your service on the White House staff?

SPINGARN: Yes. I think I'll start off by quoting Mark Twain who said once, "As I get older, I remember less and less of past events, and most of what I remember isn't true." And this is a good thing for any man to remember when he's talking about things that happened fifteen to twenty years ago.

First of all, I think it might be interesting to square up my background against my service in the Truman White House. I was born in Bedford, New York in 1908. My father was a college professor, a professor of comparative literature at Columbia University. My father certainly had more effect on me than any other

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human being. There is one episode in his life which is particularly significant from the standpoint of my own life and thinking. In 1896 when he was twenty-one years old and a graduate student at Harvard, a youngish man who was then United States Civil Service Commissioner, if I'm not mistaken, made a speech to a group of Harvard students of whom my father was one. He said: "Everybody says that politics is a mucker's game and that a gentleman can only get his fingers dirty if he engages in it. Well, as long as people continue to think that way, that's the way it will remain. But it's the bounden duty of you educated young men to get into politics and to try to help clean it up. Politics, after all, is only the way people decide how their society is going to be run, at every level."

That speech really kindled a torch in my father's heart. The young man was Theodore Roosevelt. He was still in his thirties, and relatively, unknown. He hadn't charged up San Juan Hill yet.

My father went back to Columbia, took his Ph.D., became an instructor, moved up to full professor eventually. But right from the beginning he went into Republican politics at the precinct level. He became Republican

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leader of his district. I used to have a tattered old poster of the early 1900's, which said, "Professor J. E. Spingarn of Columbia University is the one and only authorized Republican leader of this district and anyone else claiming to be so is nothing but a usurper." There was some intramural feud going on, as often happens in political parties.

In 1908, my father ran for Congress in New York as a Republican, and he had the personal endorsement of President Theodore Roosevelt.

I carry around in my pocket, have for many years, a facsimile reproduction of a *New York Times* article October 20, 1908. The headline is "ROOSEVELT FOR SPINGARN." The Roosevelt

was, of course, Theodore Roosevelt, who was then President of the United States, and the Spingarn was my father.

The sub-head is "HEARTY ENDORSEMENT FOR THE CANDIDACY OF COLUMBIA PROFESSOR." Well, unfortunately, it was New York City, and a Democratic district, and my father didn't win. He ran a good race, better than any Republican had done before, I believe. He got about 25,000 votes, but the other fellow got about 30,000. I don't even know the name of the other candidate.

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My father told me many amusing anecdotes of that period, one of which, at least, is worth repeating. It was a rather tough district and most of the political rallies were held in saloons or in pool halls. On one occasion, a fellow professor was making a speech on behalf of my father in a saloon or pool hall and he had gotten along pretty well in his speech when suddenly a voice from the rear of the room spoke up and it said, "Jeez, I never hoid of this guy Spingarn. What's he ever done?"

Well, my father's professorial friend was a little taken aback as to how to answer this particular voice, but he rallied finally and he said, a little diffidently: "Well, he's written some very good books. He's written one book about the Renaissance that's particularly good."

And the voice said, "Is he for it or agin' it?"

The professor may have been a professor, but he was no dope. He pounded on the rostrum as hard as he could and he shouted at the top of his lungs: "Spingarn is one hundred percent for the Renaissance."

And a cheer went up. "Yea, Spingarn!"

That was affirmative, you see. There probably wasn't a man in the room who knew what the Renaissance was, but he was for it.

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HESS: That put him in the right.

SPINGARN: Yes. Well, there were other episodes like that. In 1912 my father bolted the Republican Party with Teddy Roosevelt; he was a delegate to the National Progressive Party, the Bull Moose Party convention, and he was also Dutchess County, New York chairman of the Bull Moose Party.

And when Teddy Roosevelt came to Dutchess County, father toured him around the county and was toastmaster for him at the dinner in Poughkeepsie, which is the county seat. They tried again in 1916 and then the party broke up. My father -- I don't know whether he actually ever returned to the Republican fold. I suppose he did. He may have regarded himself as an independent thereafter, but he never regarded himself as a Democrat.

To his later chagrin, he voted for Harding in 1920 and Coolidge in 1924. And I should add something else, in 1910 while he was still at Columbia, he was one of the founders of the National Association for the Advancement of Colored People. And shortly thereafter, about 1913, he became chairman of the board, and he held other offices. In the last nine or ten years of

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his life, from '30 to '39, he was national president, and Spingarn High School here in Washington is named after him.

Now, on Christmas Day, 1966, I was rummaging through my mother's library in New York City. I found an old book, and as I took it from the shelf a loose letter fell out, not even in an envelope, and I looked at it and I saw it was dated -- I have it somewhere among these stacks of paper here -- it was dated January, 1913 and it was signed by Franklin D. Roosevelt, who was then a state senator in New York. It was addressed to my father who was then chairman of the board of the NAACP.

It answered a letter my father had written about an anti-miscegenation bill which had been introduced by another state senator in the New York State Legislature, prohibiting inter-marriage between the races. And Franklin Roosevelt said this was the first time this bill had been called to his attention, that he would keep abreast of it but he didn't think it was even going to be reported out of committee. This may well have been his first recorded statement on civil rights. The paper was rather tattered. A few weeks ago I

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called up Dr. Bahmer, the Archivist of the United States, and told him about it and he said they'd be glad to laminate it for me and preserve it. I took it down to him, and they have done that beautifully and they have returned it to me. I have sent a copy to Miss Elizabeth Drewry, the Director of the Franklin D. Roosevelt Library at Hyde Park.

Well, getting back to my father and his politics: In 1928 he supported Al Smith; in 1932 he voted for Franklin Roosevelt; and in 1936, which was the last presidential election of his lifetime, he not only voted for Roosevelt but he went out and campaigned for him. He was then president of the NAACP. He campaigned for him among Negro audiences in six or eight states, as an individual, of course, not as president of NAACP.

I was then a young lawyer in the Treasury, fairly fresh out of the University of Arizona Law School where I had graduated in '34. I had started at Yale, put in two years there, gone to the University of Grenoble, France, for a year, come back, fallen rather sick with sinus difficulties, had several minor sinus operations. Then the doctors were talking of a major operation, but they said if I went to a dry climate I might avoid it,

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so I went out to Tucson.

I should say that even while I was at Yale, from my freshman year on, I had spent the summers as a ranger, a United States National Park ranger in the Mesa Verde National Park in Colorado,

and I was very fond of the West. So I went out prospecting; I went to Boulder and looked over the University of Colorado; I went to Albuquerque and looked over the University of New Mexico; and I wound up in Tucson at the University of Arizona.

I've never regretted it. I spent five years there. I got my Bachelor's Degree and I got my law degree and I was admitted to the bar out there. I'm still a member of the Arizona bar, although I've never practiced there, or indeed anywhere, except as a Government lawyer.

Well, as I say, in '36 I was a young Treasury lawyer, a legislative lawyer. I soon began to understand the value of politics and its worth. Almost immediately after the 1936 election I began to receive invitations to the White House. These were based, of course, entirely on my father's efforts on behalf of the President. These were not perfunctory invitations; these were invitations to small dinners of twelve or sixteen with the President and Mrs. Roosevelt; to concerts and receptions

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and dances -- I mean, I was on a good list, you can see that.

I will never forget, probably the proudest moment of my life, up to that point at least, must have been in '37. It was a White House reception for Government departments, or many of them. There were maybe 2,000 people there. Before the reception I was a guest at a dinner of sixteen with the President and Mrs. Roosevelt, and when the reception started the President and his guests were behind some kind of a little velvet rope, you see, while the hoi polloi, the others, milled by. When my friends saw me behind that velvet rope with FDR their eyes bugged out and if that wasn't a proud moment, I've never known one.

HESS: That would be a moment to enjoy.

SPINGARN: Yes, that was a moment to really savor. So I could see the value of politics, right there. I have never failed to see it since, even if I haven't been as effective a politician as I would have liked to have been.

Well, in 1931, my father gave a series of six lectures at the New School for Social Research in New York, and after his death, in 1942, in the November

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1942 issue of the *Atlantic Monthly*, one of those lectures was reprinted with a long introduction by Lewis Mumford who was a great friend of my father, who first met him in 1920, who bought his home from us in the country, in Amenia, in a little hamlet near the town of Amenia called Leedsville in Dutchess County where we had our summer place.

Lewis bought this house there thirty-five or forty years ago or more from my father, and it has been ever since and is today his permanent residence, year around, except when he goes to some university to be visiting lecturer for a year or something like that.

There was a long introduction to my father's article in the *Atlantic* by Lewis, and it's a rather interesting introduction in the light of where Lewis Mumford stands today on Vietnam and world policy. Because when my father met Lewis Mumford, Lewis was a dedicated pacifist (this was in the twenties). And in this introduction, if I remember correctly, Lewis says that my father saw things in the twenties more clearly than almost anyone else, and that he told Lewis something like this: "You liberal pacifists with your world of disarmament conventions and so forth think that we are going to

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live in a peaceful world, but I see things differently. I believe we're going to see a return of castes and slavery and that free men are going to have to fight for freedom" or something to that effect. And Lewis said then, "Joel Spingarn was right and I was wrong."

I believe if my father was alive today he might convert Lewis to the truth today, because Lewis has returned to where he stood in the twenties before he listened to my father. There are other factors -- I'm digressing here, but it's interesting. There are other factors. Lewis became a dedicated interventionist in the thirties.

I can remember an occasion in 1940 -- I would place it -- it was the summer of '40 or '41, between the time that the war started and we got into it, before Pearl Harbor, but after the war began. There was a debate in the high school in the village of Amenia, between Lewis Mumford and Hamilton Fish, an isolationist Republican Congressman, once long before a political ally of my father.

Digressing again -- I can remember once in the twenties when I was about fifteen and at Exeter, Hamilton Fish was an Exeter man (Phillips Exeter Academy), and

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I was at Exeter at the time, and Hamilton Fish was making a speech in Amenia (this would have been, say, '23 or '24, somewhere in there), my father was under the weather and couldn't go down, but he sent me down as his delegate with instructions to go up and introduce myself to Mr. Fish, who was then a Congressman, and express my father's regrets about not being there. I did that, and Mr. Fish was very friendly, and we had a nice talk about being Exeter men together, and so forth.

But he was an isolationist, of course, in World War II, and Lewis was debating him in Amenia. The Buckley family, that is, the family of William Buckley, the editor of the *National Review*, and an eminent rightwing type, sort of the leading conservative ideologist, lived in Sharon, which is in Connecticut, but is only two and a half miles from where we lived. We lived in a hamlet which is in the town of Amenia, on the New York side of the line, but it's two and a half miles from the village of Amenia and it's two and a half miles from Sharon.

The Buckylys -- the senior Buckley was a rich oil man, lived in Sharon -- and the little Buckley boys, I'm

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sure one of them was William Buckley, because he was about the right age, were in the audience that day, and they were hissing and hooting at Lewis Mumford and calling him a Communist, from the audience, heckling him as a Communist.

This was rather amusing as well as revolting because, as a matter of fact, the Communist Party line was quite the reverse then. The Communist Party line was in the Non-aggression Pact era, and they were against all-out intervention, and that was what Lewis was talking about. It showed that the BUCKLEYS, then as now, didn't know what they were talking about.

Be that as it may, in any event, to get back to the *Atlantic Monthly* and the article which was actually a transcript of one of my father's six lectures at the New School for Social Research in 1931. It was called "Politics and the Poet." His thesis was that the four noblest occupations of man are poetry, or literature if you like; philosophy, religion and politics. And of these, the first three are in the world of the spirit and the mind, and politics is the only practical occupation, and therefore it is the noblest practical occupation of man.

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And he elaborated on that thesis. He told how many people see nothing but the rottenness and corruption of politics and of course there is rottenness and corruption, just as there is in banking and business and every other aspect of life. But they don't realize as a politician does, that he's simply dealing with the essential fiber of human beings and their characters; and there's good and bad, and they have to deal with both.

You can take a life like Lincoln, said my father, and rip it apart, if you wanted to. You can prove that Lincoln was a very corrupt man, I suppose, if you wanted to. Lincoln did things that would never get by today, I mean our ethical standards have been raised. I recall, for example -- I'm speaking from my own historical experience now -- a situation where Lincoln wrote a letter in which he undertook to pay the expenses of delegates to the national convention of the Republican Party in Chicago. I suppose this was 1860. He undertook to pay the expenses of some delegates from Kansas, I think, piously disclaiming any intention to influence their votes, but nevertheless...

HESS: Nevertheless, paying their way.

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SPINGARN: ...Nevertheless, he found it expedient or something to pay their expenses to the convention. I doubt if that would be looked on with approval nowadays.

HESS: If he thought they were going to vote the other way, I doubt if he'd have paid their way.

SPINGARN: I think that's very unlikely. Well, in any event, since 1950, at least, or earlier -- I think my mother called this thing to my attention in the late '40s, I would say, this lecture of my father's in the *Atlantic Monthly* fascinated me.

And since 1949 or '50 I have been using that as a theme of a speech on politics which I have made dozens and dozens of times. I have made it in Phoenix, and Tucson, and Los Angeles, and

New York and Washington; I've made it to 2,000 young Negro high school students at Spingarn High School here; I've made it to seven or eight hundred young upper socio-economic ladies at Hood College in Frederick, Maryland. Last December, 1966, I made it to the fourth, fifth and sixth grade of the Green Acres Elementary School, a private school in nearby Maryland here, and last month on Washington's birthday, I made it to 550 nubile maidens, seventy or

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eighty percent Republican by a show of hands, at Marjorie Webster Junior College here in Washington.

I call this speech "Politics, the Noblest Practical Occupation of Man, and the Second Noblest of his Nobler Mate." Woman, of course, being the nobler of the pair has an even higher calling, which speaks for itself. It is almost always a success. At Marjorie Webster, for instance, last month, I talked for about forty minutes on this theme.

And the general idea of the thing, I should say, is this; that politics deeply affects and infuses every waking and sleeping moment of every man, woman and child in America, in fact, on the face of the globe; every waking and sleeping moment is deeply affected. It invades the bathroom, for example. The caliber and quality of the sewage system that carries the wastes away from your bathroom depends on politics, local and national. The purity of your water that runs out of your tap depends on politics. "By golly, it invades your bedroom," I tell them. The ethnic origin and pigmentation of the other head on the pillow in your bedroom is at least negatively determined by politics. There are eighteen or twenty states in this country

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which to this day have anti-miscegenation statutes, which prohibit a white man or woman from marrying a Negro, and in many cases, Asiatics, Indians, or other groups.

It even goes further in the bedroom. Last November, *Pageant* magazine, a monthly, had an article, it was the lead article in the issue, and it was described on the cover in these terms, "Every night sixty million Americans violate the law in their bedrooms, do you?" And it was a rather provocative article about the outmoded sex laws of the fifty states, which are based essentially on the dreams of 19th century spinsters. Even the dreams of 20th century spinsters aren't good enough for that. And they actually described the only legally acceptable position in which a husband and wife could commit the sex act; other forms of doing it are described as sodomy. There are cases, said this article, and I'm sure they're correct, in which married people have gone to jail or, at least, been threatened with jail for long periods because they performed the sex act in some non-routine way which some malicious or vindictive neighbor who snuck in, and had some gripe about them, found them doing, and reported it. There are such cases, said this article. Well, that is an

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example.

And politics determines whether the throughway runs through your living room or the other fellow's; it determines the quality of your school and your teachers and your doctors and your nurses. Everything is deeply affected by politics.

And so, I tell them, anyone who doesn't participate in politics is a deadbeat and ought to be ashamed of themselves; they are sitting on the sidelines letting strangers make the decisions that will solve or foul up practically every problem of any consequence in their lives, and they're abdicating to strangers the right to do that for themselves, their families, and their children.

And of course, I tell them that politics doesn't mean just voting or running for office. Politics involves almost every relationship between people in a society. When you join your PTA, when you become a member of an advisory group to your police precinct, when you complain to your city or town government that there are potholes in the street, or you want a stoplight in front of your house, all these things are politics.

But then, because the call to responsibility is one thing, but the call to personal interest is an even

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more appealing call, I looked at these young women hard and I said, "Now, I'm sure that practically every one of you hopes to find a good husband, an interesting, loving husband, an able husband, who will make a rich, full life for you and him and your children," and I said, "I'm going to give you the best general advice on how to get that kind of husband you'll ever get in your whole lives." You could hear a pin drop.

HESS: They were waiting.

SPINGARN: They were waiting. And I said, "Here it is. I personally speak with great disinterest. I'm a happy, middle-aged bachelor; I believe that marriage is a romance in which the hero dies in the first chapter, and I want to live and I do, but that's for me, not for you."

I said, "What a good man wants, and I believe I know, is a woman who is interested, involved in life, not sitting on her dead rump on the sidelines waiting for things to happen to her. He wants a woman who is intelligent, and with whom he can discuss his problems, and who will understand them. And he wants a woman who is curious and interested in life, and involved in it." And, I said, "If you're looking for a good man, you

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had better make yourself that kind of a woman. Involve yourself, don't sit on the sidelines waiting for things to happen."

I said, "I see a lot of very pretty young women here," (they were, they were beauties, many of them). And I said, "You girls may be unfortunate, you prettier ones, because it's been my experience that the prettiest ones are often lazy mentally. They get so much attention from the very beginning that they don't have to do anything except sit and be pretty. But you won't be that pretty all your lives," I said, not pointing to anybody in particular, "You young women here who are not that pretty may have an advantage, because you have a special incentive to get out and

make yourself an interesting woman. As far as I'm concerned, I would rather spend time with a woman of average physical appearance who is interesting and involved and curious and intelligent and witty and delightful than I would with Miss America or Miss Universe. Oh. I wouldn't mind spending a night or two with Miss America or Miss Universe, but I'm talking about a longtime deal." And so on.

I should say that before I started, I polled these

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young women on their political orientation. I asked for a showing of hands on how many of them regarded themselves as Republicans and how many Democrats -- seventy to eighty percent Republican. This is an upper socio-economic group from all over the United States -- Marjorie Webster Junior College in Washington, D.C. In a city in which the population is now about sixty-five percent Negro, there was not one single colored girl in the whole group.

I asked them how many thought well of Lyndon Johnson as President, as I do. I didn't mention that at that moment, but I did later. Seventy or eighty percent did not think well of him. How many thought well of John Kennedy as President. And seventy or eighty percent thought well of John Kennedy, and almost that many thought well of Bobby Kennedy. They were not terribly high on Richard Nixon, probably less than fifty percent. Higher on Rockefeller and Romney and Scranton. I asked how many thought well of Barry Goldwater as a possible President -- ten percent roughly, but they were the noisiest of the whole group. They started yelling and squealing the moment Barry Goldwater's name was mentioned.

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I asked them too for their views on Vietnam. I gave them four possible alternative solutions there.

1. Stay there and escalate up as far as is necessary to get it over with quickly;
2. Get out, pronto;
3. Stay there and do about what we're doing now;
4. Stay there, but do less than we're doing now. Withdraw to enclaves on the coast according to General Gavin's theory, or something like that.

They were regrettably overwhelmingly for the first solution; escalate up and win.

Well, after I'd talked for forty minutes, I turned to Martha Sager, the president of the college, a friend of mine. She's a very able woman who has only recently been made president of this school and she's a full professor of biology at American University. I said, "How much more time do I have?"

And she said, "Five minutes."

So I said,, "I'm going to tell you about Vietnam." Then I changed my mind and I said, "No. I'm going to say something that's not going to be very popular with

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some of you young ladies. I'm going to tell you why in my opinion, Lyndon Johnson is a good deal better President than John Kennedy was. Good man though he was." I said, "John Kennedy was young, he was handsome, he had a delightful, dry, understated wit, he had great charisma, he had all those things, and great intelligence. With the exception of intelligence, Lyndon Johnson has none of those things."

"But that's not the test of a President," I said. "The test of a President is how well he exercises the powers of the Presidency, and Lyndon Johnson has proven that he can exercise them better than John Kennedy did, because Lyndon Johnson moved John Kennedy's own program through Congress and Kennedy, even if he'd lived, would not have moved it that far or as much of it," and so on for five minutes.

Well, I thought that in some ways this was a rather daring thing to do in an audience that was seventy to eighty percent Republican, and against LBJ., but it turned out all right, because I got a standing ovation at the end of two or three minutes and there was nary a boo all the way through. I have documentation here somewhere, because afterwards Martha Sager, the president,

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wrote me saying the girls were enthusiastic, so was the president of the faculty, and I was invited back. The girls had wanted to talk: to me, she wrote me, but I'd gotten away too soon. So I throw this out to Lyndon Johnson and company as perhaps the way for partly offsetting the somewhat unfavorable image he has on the campuses, and among the young.

Well, getting back to the Truman White House. After the war -- I was a counterespionage officer during the war and I was commanding officer of the 5th Army Counter Intelligence Corps for two years, from the end of the African and throughout the Italian campaign. I was in the Salerno invasion, I was at Anzio and at Cassino and at many other places, and while I was not a combat officer I saw a lot of people get killed, close by. We went into new cities with the assault troops and did the initial counterintelligence work, grabbing the human targets of whom we had advance information, and trying to grab the documents too, at the intelligence centers and places like that, and other things. And we captured, the counterintelligence personnel at 5th Army in the Italian Campaign, captured approximately 525 German spies and saboteurs. They were mostly Italians, but they were

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working for the German intelligence services, Abwehr and SD, which I believe is more than any other allied army captured during World War II. I don't have any figures on the Russians, but as far as I know it was better than any of the Western allies, and we often modestly stated that it was more than the FBI had caught in the whole forty years of its history. With modest pride we described ourselves as the greatest tactical counterespionage outfit in the history of warfare, which might have been a slight exaggeration, but we liked it. In any event, I wrote three articles for the *Saturday Evening Post* after the war on this work.

In April 1946 I came back to the Treasury, and I was promoted at that point to assistant general counsel and legislative counsel -- I mean, the title was Assistant General Counsel and the operating job was legislative counsel of the Treasury. This was on the non-tax side. There was

also a tax legislative counsel. This involved the preparation of legislation and its presentation to congressional committees, preparing supporting material, going up and testifying before congressional committees and going around and talking to members of Congress, the

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House and the Senate, and trying to get them behind it. I was also Legal Counsel to the Secret Service and to the Coordinator of the Treasury enforcement agencies, which was a coordination committee of the six heads of the enforcement bureaus and I was the legal member of that committee. I was also deputy director of contract settlement. I was also a member of the working committee that wrote the Truman loyalty program in '46 and '47, and various other things.

Now, back around 1935, in my first year in the Treasury, I had met a young Senate legislative counsel lawyer named Charles S. Murphy, and had worked with him on numerous matters over the years, and become friends with him. Charlie is about my age and he had come to Washington in '34, fresh out of Duke University Law School, as I had come that same year out of the University of Arizona Law School.

In January, Charlie had been twelve years in the Senate legislative counsel's office -- he was assistant Senate legislative counsel, and he should have been the Senate legislative counsel, but typically of Charlie, he was too modest and self-effacing for his own good, although it's only fair to say he's done pretty well,

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even at that. A more aggressive chap, and a good fellow, named Steve Rice, now dead, who later became a United States Tax Court judge -- Steve Rice was more aggressive but less able than Charlie. I don't mean to say he wasn't able, but Charlie had more, at least that's my judgment, and I think it was of most of the men who knew them. But Steve Rice lined up the support and he was made Senate legislative counsel when everybody who knew the facts thought that Charlie ought to have been. But anyway, Charlie was there for twelve years. He was highly respected by everybody who knew him and he became friendly with Mr. Truman when he was in the Senate.

So I think about January, 1947, that's my recollection, that Mr. Truman asked Charlie to come down to the White House as his Administrative Assistant, and Charlie came and remained there. In 1950, when Clark Clifford left, he replaced Clifford as special counsel to the President, and I, by that time, was in the White House as the assistant to Clifford; I moved into Charlie Murphy's slot, and became Administrative Assistant to the President, at the same time he moved up to Clifford's slot. Well, in the fall of 1947, President Truman had appointed a commission on civil rights, the famous commission, and they had brought out in the fall of '47, as I recall, I think it was October or thereabouts, a famous report called "To Secure These Rights," and this was their report on what ought to be done in the civil rights field.

Then it was on the President's lap as to what to do next. And in January '48, I was at the Treasury, assistant general counsel and legislative counsel; and the White House, I think it was Matt Connelly, I don't know for sure now, called Secretary Snyder, and asked on behalf of the President, that I be detailed over to the White House. It was Charlie Murphy who had arranged that.

HESS: What were your duties at the time that you were called over?

SPINGARN: Well, it was simply a one-shot operation for a short time to go over the report of the Civil Rights Commission, to recommend the provisions of that report which should be included in a presidential message to Congress recommending civil rights legislation, and to prepare a bill to carry out those recommendations.

HESS: Did you work on both the message and the legislation?

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SPINGARN: I worked primarily on the legislation. I was solely responsible for preparing the legislation. Of course, I had help, but I mean I was solely responsible for supervising the preparation of legislation, but naturally I got involved in the message too, although that was not my main function and that was more incidental to the task. But I was one of those who worked on the message. I was not the number one person or anything like that on the message, but I was the number one person on the legislation.

HESS: Who were those who were working on the message? And who assisted you on the legislation?

SPINGARN: Well, the people who assisted me on the legislation didn't work on the message because they came from the departments. The White House staff people who worked on the message were primarily Murphy and his group: Murphy, and Bell, and Lloyd, and also Philleo Nash and Clark Clifford.

HESS: Why was it thought necessary to have a special message such as this? Why weren't these provisions included in the State of the Union message? Is there any significance in that?

SPINGARN: You must understand that I wasn't told all these

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things. I mean, all I knew was that I was called over there to do a job, but I can speculate easily on why. I've always assumed that the President wanted to give it special importance. It would have been lost with a lot of other things in the State of the Union. Moreover, with ten separate provisions, the State of the Union would be bulged out to enormous size. That's the new technique anyway, to just hit the high spots in the State of the Union, but when you have important subject matter things you send up a special message. It gives it greater weight.

So I was called over there. Oh, I forgot to mention George Elsey who was very much involved in all this. Now, actually, what had happened was that -- Clifford, I was to assist Clifford who was the senior staff man involved.

HESS: He was special counsel at that time.

SPINGARN: He was special counsel to the President. Basically, the White House was divided, in my period, in two departments. They didn't have these names; there were no names, but this is the way I would describe them: One was operations, and that was Steelman, and that involved coordinating the activities of the various departments

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and agencies of the Government. I don't mean to say that other people didn't get into that act but that was his main responsibility. And the other was what I would call program and planning, and that involved messages to Congress and speeches and the forward program.

HESS: Who helped Dr. Steelman at that time?

SPINGARN: Well, his principal assistant all through the time that I was there was Dave Stowe. He had a lot of others, you understand, but Stowe was his principal assistant. I remember fellows like John Houston, who worked mostly on small business and anti-depression measures and I guess Russ Andrews worked there then. There were a lot of people. I don't remember who all he had. But our group really worked separately from Steelman, and I don't mean to say we didn't see him regularly and daily but we were not involved very much together in the same activities.

HESS: Back on the February 2nd message. That, of course, is known as the famous "Ten Points Civil Rights Message." Do you recall who suggested some of the points?

SPINGARN: I did.

HESS: You suggested all ten points?

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SPINGARN: Well, let me say this. I was told that the President wanted a message. Here was the report of the Civil Rights Commission. Which should he recommend? I was to make the first recommendation. So Clifford called me in and told me all this. George Elsey had talked to me first, and Clifford called me in and told me that I was to recommend what should be in the President's message. So I went over the report and then I wrote a memorandum. By the way, it's out at the Library and I've recently gotten a xerox copy back because I wanted to have it on file here. It was a memorandum recommending what should go into the message.

And it's funny when you think how things have moved since then. There was only one provision in the thing which dealt head-on with segregation as distinguished from discrimination. And that was interstate travel. Believe it or not, I was dubious as to whether I could get that through. I really was, you know. All the others dealt with discrimination. Remember the doctrine of Plessy versus Ferguson -- separate but equal -- applied then, generally speaking. That was the rule of thumb.

HESS: That was point number six? "Prohibiting discrimination

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in interstate transportation facilities."

SPINGARN: But in any event, I went down the list and I picked out the things that seemed to me should go into a message, and I prepared a memorandum incorporating them, and I gave it to Clifford, and he and Murphy talked about it, and they talked to the President, and my memorandum was accepted without a single change. My recommended provisions went into the bill and the message without change.

HESS: During this time did you speak to the President about this?

SPINGARN: Oh, when I went over there, I saw the President occasionally, but I did not personally speak to the President about the civil rights bill. I don't recall that I did, although I may have. But in any event, I saw the President occasionally, but not regularly, not often, and only sort of peripherally and casually. But what I mean is that I prepared the memorandum, I gave it to Clifford, but Clifford and Murphy did the talking with the President on that. So then, this is only a matter of two or three days, the first part. I was only over there about two weeks or so. And then the job was to prepare a bill and for that -- there were bills in the

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hopper on many of these points. It was really a matter of assembling an omnibus bill and in many cases there were already existing bills that you could use as a pattern, but revising them to accord with administration thinking and policy. As I recall, the most difficult thing was the FEPC title, that involved the most problems. And I recall that Ken Meiklejohn, who was Assistant Solicitor of Labor, was the key man at Labor on that and there were several lawyers -- I can't remember all the people who helped me but there were quite a few. There was a fine young Negro lawyer at Justice named Hertz Plaine. I think the names of these people are in that file out at the Truman Library, but I don't remember offhand who they all were, but there were a number. And it involved a lot of debates about administrative provisions and how big an FEPC, and what its composition should be, and all that sort of thing.

It was not the hardest task in the world. I mean, I've done much tougher legislative drafting jobs. In any event, we got the bill together, and it was all typed up, and my recollection is, and I think this is confirmed in the files at the Truman Library, that I gave a copy to Vice President Barkley, either gave it to him

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personally or sent it to him, I'm not sure which, or maybe I gave it to Charlie and he gave it to him, I don't remember now how that was handled. But it went to Barkley. But Barkley decided not to have it introduced, and it never was. At least, that's my recollection.

HESS: So, it was Senator Barkley who kept it from being introduced.

SPINGARN: Well, I don't say he "kept it," but he didn't want to. He was Majority Leader then. This was February '48.

HESS: That's right.

SPINGARN: He was Majority Leader of the Senate.

HESS: Did you ever hear any expression of why he did not want to introduce that, or why it was not introduced?

SPINGARN: All that I know would be in the file of the Truman Library. I don't remember now why he didn't, except that I suppose that he knew it had no chance whatever. He probably thought "Why do a vain thing?" I don't know.

Now, as I say, I also did some work on the message, but I was one of the lesser figures on the message.

HESS: Did you hear any discussion at this time to the effect that after a strong report in October of 1947 and then a strong message to Congress in February of

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1948, that this might make some of the Southern states feel that they could no longer stay in the party once the convention time came, as actually ensued. Did you hear any discussion of that in February?

SPINGARN: Oh, I don't remember any. Just remember I was only there for about two weeks. I was working night and day and I was not interested -- I mean, now you're talking about a large, political picture, but I was doing a job, and I had no time for that sort of thing.

HESS: You were doing a tactical job at that time...

SPINGARN: ...I was doing primarily a tactical job...

HESS: ...not a strategic.

SPINGARN: Not a strategic job. Now, of course, I heard a great deal of discussion over the years, but just where it all fits in, my memory doesn't tell me. I mean, what I have read since, what I knew then, you know. These things are hard to distinguish the two. I've read so much since that I don't know what I knew then. I remember a novel by John P. Marquand called, was it *B. F.'s Daughter*? I think so. Anyway, it takes place during World War II, and one of the figures is a British intelligence officer and he says he can

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never remember whether he read something in the *London Times* or whether it was top secret, classified information. As a result, his conversation was restricted entirely to cricket and tiger hunting in India. Now, that's really a perceptive remark, that's the way it works in your mind.

HESS: I'll bet it does.

SPINGARN: When people try to ask you what you knew at the time, you're a liar if you tell them precisely what you really knew about something that general, in most cases.

HESS: Well, we run into that in oral history all the time. We just have to do our best.

SPINGARN: Yes, yes. But I spent about two weeks at the White House. Then I went back to the Treasury. Sometime in the spring, the White House again -- Matt Connelly requested Secretary Snyder to detail me over there again and the Treasury refused. This was gratifying in one way from my standpoint because it showed the Treasury placed some value on my services; on the other hand, it was frustrating, too, because everybody likes to work at the White House. I've forgotten the exact details except that I was very busy at the Treasury at that time.

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HESS: That is one of the questions that I had prepared. In your files at the Library, there is a memo from Mr. Murphy to Donald Dawson, dated March 22, 1948, and Mr. Murphy requests that you be detailed to the White House at that time. One of my questions was, did you know why that you weren't until...

SPINGARN: Certainly, because they wanted me. I was needed at the Treasury, that's all. Although this is rather unusual to refuse a White House request. I don't know the wheels within wheels, if any. But anyway, the next episode is rather amusing.

In the spring and early summer of '48 I had written three articles for the *Saturday Evening Post* on "How We Caught Spies," in World War II. I decided to take my vacation and to make a project of trying to sell these articles to the movies. They hadn't yet appeared in the *Saturday Evening Post*; they weren't going to until fall.

I had an agent; I had become friendly with Bill O'Dwyer, who was then Mayor of New York and spent an afternoon with him on the Gracie Mansion porch, just he and I, and he had put me in touch with some eminent movie figures. I had an agent, too. I had a literary

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agent, and they had an agent out on the coast, a chap, by the way, by the name of Ray Stark, who has become a very important producer since then. He was a character right out of Hollywood. I'll never forget my contacts with him out there.

But in any event I took my vacation in August and September 1948 -- I had about a month -- and I was going to make a project of trying to sell this to the movies. I had introductions out there and I thought it would be fun too, you know, and it was, although I didn't sell it.

So I started in San Francisco and spent some time there, then about the first of September I got down to Los Angeles. I had appointments with several important producers. I actually did see Buddy Adler, who was the head of Columbia; I had a long talk with him; I saw Sam Briskin, who later became the head of Paramount, and was a Paramount producer; and Armand Deutsch at MGM. I had a wonderful time. I remember going to a party given by Sir Charles Mendle, who was Elsie DeWolff's husband; she wasn't there. And I had an hour's talk with Madeleine Carroll, who had been a great favorite of mine, and still is. And I met Constance Bennett and Benay Venuta (who was Armand Deutsch's wife then), and other lovely ladies.

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I went on a party with a bunch of movie stars, Bill Powell and others, on a bus to some benefit. Oh. I had a great time.

But all this loveliness was almost nipped in the bud. I'd been in Hollywood a couple of days, and I was lying in bed alone at the Beverly Wilshire Hotel one morning, about eight o'clock in the morning. It would have been eleven o'clock Washington time. The phone rang. It was Tom Lynch, my boss. He was the General Counsel of the Treasury. I was Assistant General Counsel. And he said, "The President's called the Secretary and they want you to get your tail back here to Washington to work during the campaign at the White House."

As I recall this was Wednesday or Thursday before the Labor Day weekend. I had just arrived and I had not seen any of the movie people I was slated to see and I was delighted at the idea of going to the White House, but I didn't want to rush back. I said, "Oh. Tom, you know I just came out here. And this is the focus of my whole trip out here; I haven't seen any of the people, and I have a lot of appointments." And I said, "Look, if I took the next plane out of here I won't get

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back there until Thursday night or Friday," and I said, "Everybody will go out of town for the Labor Day weekend and I'll be sitting on my tokus in Washington for several days. You know that will be the case. Can't you get this to wait until after Labor Day?"

Well, the President had talked to the Secretary, and the Secretary had called in Tom Lynch, and Tom didn't like to go back to the Secretary. But he was a good guy, and he is one, and he finally reluctantly agreed to go back to the Secretary, and he called me up an hour or two later and he said, "O.K., but you be here on Tuesday or else."

I said, "I'll be there."

So, I got back Tuesday, and I think Wednesday I went over to the White House. There was a very interesting pow-wow. I should go back a moment and say this is the time that the Alger Hiss case had broken. In August, as I flew West, Hess had just been confronted by Whittaker Chambers before the House Un-American Activities Committee. And every place my plane stopped the headlines got bigger. It was tremendous news. This was before McCarthy, but it was tremendous, and the American public were fascinated by this case, which is

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certainly one of the most sensational episodes of that sort in American history. So, the election was coming on, and this was obviously a very damaging thing. The President had said it was a "red herring" and Dean Acheson had said he wouldn't turn his back on Alger Hiss, and the Republicans were yelling and shouting, and it was a real brouhaha.

I was supposed to be an expert on loyalty. I had been the counsel for the Secret Service; I had done a lot of writing on the subject, and I had been on the Loyalty Commission and done other work, and so forth and so on. In any event, when I got there Wednesday I was ushered into the

President's office. The President, Clark Clifford, Charlie Murphy, Donald Dawson, and the Attorney General Tom Clark, and me. I think that was the roster. The President said that I had been brought over to the White House and I was to coordinate loyalty matters. That was the phrase -- loyalty and security matters, and he wanted the Attorney General to know, and so forth and so on. I listened, fascinated; I didn't have the faintest idea of what was expected of me.

HESS: Great start!

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SPINGARN: I mean, this is like pointing to a barrel of snakes and saying, "You coordinate them."

HESS: How does one go about it?

SPINGARN: How does one go about it, that's right. So, I listened, fascinated, and the Attorney General said he would cooperate with me in every way and so forth and so on. And then I went out and I started thinking to myself: "What in the hell am I supposed to do?" That was as explicit as my directions were.

Well, one thing seemed obvious to me, and that was that, the purpose was to try to put the lid on the repercussions of the Alger Hiss case and other related cases and try to dehydrate it before the election. This was September, '48. The election was two months later. But just how I was to go about that was a real puzzler. In any event, I decided that my first mission was to get the facts Ma'am. So I made an appointment with the Attorney General and I went over with a long list of questions. But I didn't get anywhere.

HESS: Why?

SPINGARN: Well, the Attorney General gave me vague answers. I had sent him the memorandum of questions. I hoped for written answers, but actually what happened was, as I recall, he invited me over there and I got vague,

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oral answers, and my questions, which were somewhat pointed, were turned aside tactfully and courteously and I emerged with very little more information than I had gone in with. He wasn't about to tell me any more than I already knew.

HESS: Do you know why he took that attitude?

SPINGARN: Well, the point was, I had been the principal "borer inner" at the meetings of the Loyalty Commission a year or two earlier. I had tried to get J. Edgar Hoover before the Commission. I had prepared a list of questions for Hoover. My thesis had been, then, that before the Loyalty Commission comes up with a program we ought to know how big a war this is. Is it a one division war, a five division war, or a twenty division war. We therefore need to know the real facts, the secret information of the Department of Justice, on how widely infected with subversives, they believed, the Government is. Facts, not speculation -- facts.

HESS: You wanted to know what you had to fight so you could devise a plan to fight it.

SPINGARN: Right. I mean that the size of the war depends on how many troops are involved, doesn't it? I mean, how big the opposition is. Since I'm rather aggressive,

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I know I made some enemies in this process, by boring in. That I assume was one reason that Tom Clark was not prepared to tell me and even aside from that frankly I doubt if there's anybody more prima donnish than intelligence people -- and in this capacity, the Attorney General is an intelligence guy, dealing with an intelligence function. This has been my experience everywhere. Every intelligence man with information won't give it to anyone else. That's one of the troubles. It was true in the war, you know. We spent more time fighting each other sometimes than we did the enemy, really. When you have information, and the other fellow doesn't have it, you're more important than he is. When you give it to him he's just as important as you are. Do you follow me?

HESS: I sure do.

SPINGARN: Anyway, it was obvious I wasn't going to get anywhere that way. But I decided that there was one main thing that I could do, and that was to try to write a good speech placing Communism in Government in perspective for the President to give. So. I spent most of my time -- well, I wrote a number of papers, but the main one was the first draft of that Oklahoma City speech. I had lunch with Charlie Murphy a few weeks ago

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and we were reminiscing about White House days, and somehow we got on that topic, I've forgotten how, that Oklahoma City speech, and he said that he was out on the train with the President and I was back in Washington, and he said that my speech was much too long. That's true. I'm prolific. And against his better judgment I had sold him -- I had argued so hard for keeping it long that he had given it to the President, I think, in that length and the President had given it to -- I've forgotten whether it was David Noyes or someone else. Some outside guy who was involved in the campaign. I've forgotten. He had rewritten. It had gone through stages, but eventually -- I've never really squared them up against what I wrote, but eventually it went back to Charlie and to approximately what I had written, although naturally there were a lot of revisions.

HESS: Well, in Philleo Nash's files out in the Library, there is a folder on the Oklahoma City speech and two of the drafts in there are entitled "Communism, Democracy and National Security" and they have your initials on them.

SPINGARN: Yes, I wrote the first draft. There's no question about that. But a good many people got in on

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the act and just where it went, I don't know.

HESS: Also in your papers, in a folder on "Communism Speech of '48" there's a draft in that. Well, I've gotten all the drafts together and compared them with the final speech as given, and...

SPINGARN: You've done more than I have.

HESS: In many cases there are entire paragraphs used verbatim, but the speech in all is not just exactly like the drafts I've seen. You have explained where the revisions come in. Who worked with you on that speech; who else helped to write that particular speech?

SPINGARN: Nobody helped me on the first draft; I wrote it myself. I may have talked to people but nobody helped me write it. This is a subject I was fully familiar with, and was perfectly qualified to write at great length on. Nobody helped me on the first draft, but after that, many people got in the act and I can't tell you who. It left me; it went out to the train and it was farmed out. I don't know how many people got into the act, and I haven't compared the final product with my own, but obviously a good many people were involved in the final product. I think there's probably more of mine in it than anybody else's, but I couldn't even

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swear to that.

Well, here's another thing that happened then. James Forrestal, who was then Secretary of Defense, and as we know now, he was probably going downhill and into his manic-depressive or schizophrenia stage -- I don't know what you'd call it. In any event, he had an obsession on security and he sent a memorandum, a long one, to the President in October, I think -- sometime in September or October, I'd place it October '48 -- in which he talked darkly about the terrible security dangers to the United States, and urged that a czar, a security czar for the whole Government, be appointed, with great powers to impose and enforce security.

It was an outrageous suggestion. And it was referred to me for comment, Charlie Murphy sent it -- it was sent to the President by Forrestal and it was referred to me, and it's out in the Library, by the way, this memorandum and my reply.

I wrote a four or five page memorandum of comments which I read not too long ago, and which I'll stand on today. The general idea was that I thought, obviously, there were cases where you could show Government inadequacies in this field, lack of

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coordination and things like that, but I thought they'd been blown out of all proportions by the press and that, in any event, the cure that Forrestal was suggesting was worse than the disease. There are things that could be done.

And I said, "The first thing that should be done, in my opinion, the main ingredient in national security," and I was talking as an old counterespionage officer, "is how effective is our counterespionage agency." I said, "Nobody has ever made a searching examination of the FBI."

Nobody knows how effective they are; nobody's able to get inside. The real question is, are they effective?

At that time, and to be honest with you, even today, it didn't seem to me that they had a very confidence-inspiring record. I'm thinking particularly of what I would call the Elizabeth Bentley case. Now, Elizabeth Bentley, you recall, came out in the open in '48. She had been to the FBI in '45 and I had seen -- it had been circulated around the Government and I had seen a memorandum based on her interrogation as early as early 1947. She told the story about how she had become a Communist at Columbia, and then she had

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become the mistress of a man named Jacob Golos, who was a known Soviet agent.

That was the thing. He was known to the FBI and everybody because he had been convicted as an unregistered Soviet agent, under the Foreign Agents Registration Act. She was his mistress and lived with him for years. In 1940 or '41, I think it was '41, she became a courier for him. This was according to her testimony, and her book later, which I read, *Out of Bondage* -- '50 or '51, when it appeared.

Every two weeks for three years or so, she left New York, she came to Washington, she went to the home of Nathan Gregory Silvermaster, out in Chevy Chase in Northwest Washington, the Chevy Chase area. A fellow named William Ludwig Ullman, known as "Lud" Ullman, whom I know, he was a Treasury economist, lived there. He was a bachelor. He was a photographic fiend, and he had a photographic development laboratory. And according to Miss Bentley, and I have no reason to doubt it, this was the focus point of the spy ring and the various components.

I mean that the people involved in this were in different departments of the Government, and they would bring purloined documents, or "borrowed"

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documents in, they would be microfilmed, returned to them, put back in the files. Ullman did the microfilming in his laboratory. Every two weeks she would come down and pick up twenty or thirty or forty rolls, including hundreds of pictures. She had dinner with them and later in the evening she would put the films in her shopping bag and she would trot down, take a bus or taxi to Union Station, go back to New York and give them to Golos. Now, for three years this went on -- this clumsy espionage operation -- there was no "cut-out" or anything. It was a very clumsy operation. She was going direct from a known Soviet agent and back to him after picking up the papers.

About Thanksgiving, '44, Golos died in her arms in bed, and then she continued with another principal, a Russian, and she became disaffected and disenchanted by his rudeness and arrogance, she no longer had her lover who was....warmer, with whom she had a good relationship. And she became disillusioned.

In August '45, she went to the FBI in New Haven. She said she didn't go to the FBI in New York near where she lived, because she was afraid somebody might follow her. She went to the FBI office in New

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Haven. This is her own story in her book, and in the reports I saw earlier. She told her story to them and they said they'd be in touch with her.

She didn't hear anything from them for a couple of months. And then, about early November they called her in again and they had her arrange a meeting...as I remember this.

Now, this is all subject to checking with her book, which you can read because she gives this story, *Out of Bondage*, but I'd read the reports before the book, I'd read the FBI reports because I was the key man at the working level in the Treasury on internal security, and I set up the Treasury loyalty board, I was the legal member.

Every Treasury case came to me first for determination as to what further procedures there should be, if any. Well, the FBI had her make a contact with the Russians and they gave her money. They convinced them, apparently -- the FBI. She received money, a thousand or two thousand, I've forgotten what it was, but the FBI saw the money pass and got it from her, you see.

In any event, the FBI then whips out an enormous

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secret report which they sent to the White House and all over everywhere, and the gist of it is, that there's a terrible situation in the Government. They're taking her information. But the thing that has always baffled me is, what were they doing during those three years she was helping steal the secret documents. Moreover, here's another thing I want to point out, she reports repeatedly that she was constantly tailed by the FBI during all these years, constantly tailed. And she tells how Golos told her to throw them off the track by going into the ladies room and out another door. Well, it's mysterious that the FBI -- remember that finally she came to the FBI under her own power, you know, and it took them two or three months to believe her. But by the time they got around to investigating everything, the ring had folded up, but the horse had been stolen, you see, these thousands of Government documents has been passed to the Russians. Why did they let this go on for three years?

I was a counterespionage officer. I knew something about this. I'm not talking in a vacuum. It looked to me as if the real question was "How effective is our counterespionage?" That's the real question.

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Nobody to this day has made a study of that. Nobody to this day; it's impossible. J. Edgar Hoover has not been the worst of all possible security chiefs, I'll say that. You might have had a different and worse type of man in there, but he's been ambivalent. And he has become enormously powerful. To this day, at least since World War II, there was a day when Senator McKellar could

kick him around and he did, but at least since World War II any President could more easily fire every member of his Cabinet than he could fire J. Edgar Hoover. And the first thing the President does nowadays when he comes to office is take an oath of loyalty to J. Edgar Hoover, and to assure the country that he's going to keep him. That is the first thing that he does. Well, I'm not saying that we couldn't have done worse, but he's been in there for forty-three years and nobody has ever gotten a real look at his pasture. He's much more powerful than the Attorney General. The Attorney Generals can't handle him, never have.

Anyway, that was the point that I made in my memo to HST, that the real issue was how good is the FBI, but as far as appointing a czar, that was contrary to our

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whole tradition -- you did that in Communist and Fascist countries but you don't do that in the United States, and so on. And it went to the President and nothing was done about Forrestal's proposal. I don't know what, if anything, my memorandum had to do with the result, but anyway, nothing further was done. The whole thing was farmed to the National Security Council for comment and reports, and that sort of thing, but happily nothing definitive was done on the Forrestal memorandum. Those were the two main things, I'd say, that I did during my assignment. Well, that's '48.

HESS: What else do you recall about the '48 campaign, anything particular? You worked in the White House, is that right, during that time -- Executive Office Building, perhaps?

SPINGARN: No, actually, I made arrangements -- since I was Treasury assistant general counsel, I had a secretary and all that you know -- a good office -- I made arrangements to have a White House phone installed in my office and I actually worked there. It was more convenient. If I'd gone over there they would have given me a cruddy little room.

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HESS: Were you in the Treasury Building at the time?

SPINGARN: Yes, in the Treasury Building.

HESS: Well, you were just as close as the Executive Office Building.

SPINGARN: Yes. I had a White House phone there and I worked there. Anyway, most of my time was spent working on writing drafts of speeches and statements. I wrote some others but I don't remember what they were.

HESS: You don't recall right now what the other speeches were?

SPINGARN: Well, I don't remember whether they were speeches or statements or what they were. I don't really remember. I did work on some other speeches I think.

HESS: Fine.

SPINGARN: The big Oklahoma City speech and this Forrestal thing are the two things that stand out in my mind.

Well, then, that takes me up to the '48 election. I went back to the Treasury, but in the beginning of January the White House again asked that I be detailed over there and I was at the beginning of January -- detailed. And for a couple of months I worked on the proposed Columbia Valley Authority legislation. And then in February 1949, the latter part of February, they

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asked for my permanent transfer to the White House, my regular transfer, and I was transferred to the White House staff. I had already been there for a couple of months on detail. I was actually, physically there. And then I was transferred and I was made the Assistant to the Special Counsel to the President -- that was Clark Clifford. I was his only assistant. By the way, this is one interesting thing: When I came over there, I think it was in '49 now, Clark Clifford called me in and he said, "We want to know all the facts about you. Have you got any skeletons in your closet that are going to come out?"

"Not as far as I know," I said. "The only thing I can think of is that my father was, and my uncle is, the president of the NAACP, if you regard that as a skeleton. I can't think of anything else. As far as I know, my record will stand up with anybody's."

He said, "There's some indication that the FBI doesn't like you very much."

I said, "Well, I can explain that to you." And I told him about the Loyalty Commission thing and then there was another thing. While I was still at the Treasury, earlier that year, the Department of Justice

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had wanted to put through an internal security bill -- an FBI-sponsored sort of thing -- and they had sent it to the Bureau of the Budget for clearance. Now, it dealt with wire tapping and various other things, and it was sent to the Treasury where I wrote a long report and our report went back to the Budget.

It's funny, Max Lowenthal later called me a Fascist because I favored wiretapping under strict limitations and safeguards. I was beset from both sides. The point was, on wiretapping I said, "Yes, it should be done in a limited area of cases, but it should only be done with the written direction in each case by the Attorney General and on a court order." That was a safeguard. I said, "It's being done, anyway, and this will give you more safeguard than you have now."

Anyway, I think it's justified in some situations. And there were other things.

In short, they had open-end legislation on everything. They were painting the barn to cover the knotholes which is typical of the security-type mind. And I was trying to put in safeguards and limitations. Well, the Treasury report which I had written went over Snyder's signature to the Budget and they adopted it, lock, stock and barrel.

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They wrote the Department of Justice that, if revised as recommended by the Treasury, the bill was acceptable.

Justice then sent a young lawyer named Mike Horan over to the Treasury to try to argue us out of it. Tom Lynch, the General Counsel, and I saw him together. Horan, presumably, came over to -- you would have thought he came over to see if we could work out some compromise. Not at all, he wanted us to recede one hundred percent and accept their bill. This was ridiculous. And I guess I was a little nettled and showed it.

In any event, this was the background, you see, my work on the Loyalty Commission and my work on this bill. So I explained this to Clifford and apparently that satisfied him. They obviously had nothing on me. My record was impeccable on security. I mean, as far as my personal record was concerned. But anybody who disagrees with them....so they had thrown this loose smear over me, which could have blocked me, you know -- could have but didn't. By the way, I think it was Gus [A. Devitt] Vanech who was sort of a spokesman for the FBI who passed this comment to the White House -- you know, just a loose smear, you know. No details.

HESS: Let's go back there just a minute and cover your

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service on that subcommittee. You were the Treasury Department representative on the President's Temporary Commission...

SPINGARN: My actual title was "alternate Treasury representative on the Commission." Ed Foley, Assistant Secretary, later Under Secretary, was the Treasury representative. Gus Vanech, who at the beginning was Special Assistant to the Attorney General, but became Assistant Attorney General during the deliberations of the Commission, was chairman -- a worse choice I have never known.

HESS: Why?

SPINGARN: Because he was incompetent and stupid -- both.

HESS: Could you give me a specific example of something he may have done wrong?

SPINGARN: In the first place, he was an ignorant, semiliterate. He spoke, "Dese, dem and dose" English. Perhaps you shouldn't hold that against a man, but you expect a senior lawyer at the Justice Department to be able to speak English. That's one thing that could be simply snobbish affectation, but I don't think so. In the second place, he was unbelievably stupid. To show you how stupid he was: There was considerable

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hostility against his handling of the Committee from the very beginning. I can't remember individual episodes, but I do remember his generally handling it very poorly. Not just me, you know, but the members of the Commission. So one day in the meeting of the full commission

with all the members present -- now, the members, besides Vanech, were John Sullivan, who was then Under Secretary and later became Secretary of the Navy, he represented the Navy. This was before "Anschluss" you know, before the Defense Department came into existence. Kenneth Royall, who was Under Secretary of the Army, later became Secretary of the Army. Harry Mitchell, Chairman of the Civil Service Commission. John Peurifoy I think, originally there were several State Department guys -- but John Peurifoy, now dead, was Assistant Secretary of the State Department, and the State Department representative. And Ed Foley, Assistant Secretary, later on Under Secretary, was the Treasury representative.

Each of these men had an alternate; I was the Treasury alternate. The alternates composed the working committee that did the work, that met every day. The Commission met twice a week, or something like that. Well, anyway, after two or three weeks or so, I don't know

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exactly when, one day in the meeting of the full commission with all members and alternates present, Gus Vanech suddenly burst into an angry tirade, and he said, "Some 'a youse guys have been talkin' to the Attorney General behind my back. You're ruinin' my chances of becomin' Assistant Attorney General." He was Special Assistant. This was an embarrassing -- you know, this was a stupid thing to say even if it was true -- I mean, stupid to do it in the full meeting. It was obviously eating him. He went into this angry tirade about how somebody, some of the Commission members had gone to the Attorney General and were criticizing his conduct of the Commission. There was an embarrassed pause, and then everybody denied they had done it.

Well, this was an indication of the fellow's intelligence. As I said to you before we started recording, I told Thurmond Arnold later about this on some occasion (I've forgotten when), and he said, "Gus Vanech, why, he used to be the fellow that we got desks and chairs and automobiles from when I was in the Department." And later it turned out that Vanech had taken the bar three times in Connecticut and flunked it each time and he finally became a member of the bar in some

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extracurricular way, apparently, by going down to Tennessee and getting admitted in some dubious fashion after a week or so there, although he was supposed to swear he was a resident. Anyway, he was fired, in '51 or '52. He never should have gotten to this spot. He was absolutely incompetent and stupid.

HESS: Did that commission come out with a report?

SPINGARN: But fortunately, he was only one member. Yes, that commission came out with a report, and on our working committee, we had six members, as there were six on the Commission itself, and a fellow from the State Department, Goodrich was his name, Stanley R. Goodrich. He was a Maine Republican -- he'd been an Army counterintelligence officer like myself. He and I agreed on almost every issue, although our backgrounds were quite dissimilar. And in many of the votes, therefore, where the rest were against us, the vote was four to two, and I remember saying, humorously, there was a song called "Patience and Fortitude," which was

popular at that time -- and I said, "The motto of this working committee ought to be 'Patience and four to two,'" because that was the way a lot of these votes were coming out.

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HESS: What was your evaluation of that report, and of the success of that committee?

SPINGARN: Well, to give you a really reasoned answer, I would have to go back and study it, because I wrote an enormous amount on that, and I haven't studied it in a long time, but I will say this in general: We never got the information from the Department of Justice as to how big a "war" it was. Finally, there was a secret session, the only session from which the alternates were excluded, although, of course, they all heard from their principals later what had happened. And the Attorney General told them, they'd been seeking all this information....this is a long interesting story....I think we ought to go into this at some other time.

HESS: This came out in a secret session though?

SPINGARN: Yes.

HESS: Fine. Let's make a note of that and go into it...

SPINGARN: I think this ought to come out at some other time. It's a long, jangled story.

But in any event, going back to my service in the White House. So Clifford asked me if I had any skeleton in my closet, and I said, not that I knew of.

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He asked me about why didn't the FBI like me. I told him about these two episodes, and I told him that they would not be able to find anything security damaging, because my record, as far as I knew, was impeccable on that. And I think it still is. Of course, I will go one step further and I will say, there is no such thing as a non-security risk. My definition of a non-security risk is a deaf, dumb, blind eunuch, who doesn't drink, smoke or take narcotics, or have any other bad habits. That's a non-security risk. Anybody who has any human instincts is a security risk.

HESS: Anybody who does anything at all.

SPINGARN: Anything at all. If he likes women, he's a security risk; if he doesn't like them, he's a security risk, and so on down the line.

HESS: Was there any particular significance that when you started to work at the White House there was no announcement made? What I have reference to...

SPINGARN: Yes, I know what you have reference to. Well, first of all, let me pick up from Clifford. So Clifford evidently decided that I would do, and I went to work there in February. I had been there from the beginning of January on a detail, but I went to work

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permanently in late February, as Clifford's assistant.

Now, there was no announcement at the time and I have no idea what the reason was. I suspect, and this is only a suspicion, when the announcement did come out later it hooked me up with the NAACP, and as the architect of the controversial civil rights program, and maybe earlier somebody thought that it was just as well to soft pedal this liberal background of mine. This was 1949. I don't know what the reason was. Maybe on the other hand, maybe they just didn't think the job was of sufficient consequence to make much difference.

The way it came out later was that the White House was then being repaired and I was part of the escort for a group of Congressmen, and afterwards, when the press interviewed them they mentioned me as one of the escorts and the press then said, "Who's he," and they said, "Why, he's on the staff here." And then they made inquiries and discovered that I was. But that there was any special significance, I wasn't aware.

HESS: I wasn't sure. In going through the *New York Times* the other day, I noticed in April 1, of '49, that they had that article and I didn't know if there was any

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particular significance or not. I thought I'd ask to clear that up.

SPINGARN: I don't know. There was an announcement when I was made Administrative Assistant to the President in February 1950. Now, I spent a year as Clifford's only assistant. And it was a rather frustrating year because Clark Clifford had already made his decision to go out into private practice, and the reason I was over there actually was because his very able assistant, George Elsey, had gone to spend a year on active duty in the Navy; he was a lieutenant commander in the Navy. So I was really replacing Elsey during that year. Elsey is an extremely able guy. And Clark's mind was preoccupied apparently -- I mean, from where I sat, it seemed he was preoccupied with going out into private practice.

HESS: Do you know when he made that decision?

SPINGARN: No, I don't, but my impression is that he had made it by the time I got there.

HESS: Before the election?

SPINGARN: I don't know. My only impression is that he had already made it when I got there in '49, early '49. I can't prove this, it's just my impression by the way, he acted -- he used me almost not at all. He gave

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me very limited assignments and yet I was his only professional assistant. And when I did get assignments, ninety percent of them were things like this: He would send me a note saying Bishop Ivan Holt (this is an exact case -- the Bishop of St. Louis -- Clark was from St. Louis), was going to make an extended trip to Europe that summer and would I please make

arrangements with the State Department to see that the red carpet was rolled out in every country where he went. That was the sort of thing I got -- not very high caliber work.

HESS: And you mentioned just a few minutes ago, the Columbia Valley...

SPINGARN: ...that was before.

HESS: That was before.

SPINGARN: That was before. That was on detail to the White House before I went over there permanently. I was detailed there to work specifically on that. But then I was transferred a month or two later, in late February. I went over there in the beginning of January on detail on that Columbia Valley thing. I mean, I was not working for Clark on that. I was working on this special project.

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HESS: Can you lend us any insight as to why that was never accepted; why that didn't get off the ground?

SPINGARN: No, I have forgotten. And it still hasn't, so I suppose....I think history has passed it by. I talked the other day to Norman Stoll, who was then General Counsel of Bonneville, as I recall, and who is now in private practice out there ; I think he became Bonneville Administrator later. Anyway he's the Democratic national committeeman from Oregon, and he came back for the DNC meeting. He was out there all the time and I said, "Is there any reason for that now?"

He said, "No, I think all the dam sites have been pre-empted now and things have moved beyond that." I can't tell you what the reasons were. Among other things, there was a relapse after the war, and there was a return to normalcy feeling, and liberal legislation had hard sledding. Not very much of it got through after the war.

Truman's record on foreign policy was tremendous, but when you look at his record on domestic policy, it was more of a holding operation. You can't say there were any major advances. It wasn't just the Columbia Valley Authority; the Brannan plan didn't go through;

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the Medicare health plan didn't go through -- in fact, you'd have trouble mentioning anything really outstanding. They were rather minor, the things that did go through, in the domestic field. That was the general picture.

Well, in any event Clifford didn't use me much, so I used to drop by Charlie Murphy's office and I'd say, "Charlie, I haven't got anything to do; have you got any work?" Charlie was delighted. He had piles of work up over his head. "My God -- another hand." That's what it amounted to. So during that year I was working for Clifford, most of the time I was working for Murphy, I was doing things that he'd assigned to me. Then Clifford left and to my absolute...

HESS: Do you recall offhand anything in particular you worked with with Murphy during that year? Anything of significance? I think it's just an obvious question before we move on.

SPINGARN: Well, for instance: One thing I recall, and this is interesting in comparing -- you see, one of the things I want to get to after lunch is, there's a mythology, I call it that, that Clark Clifford was the

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only first-rate man on the Truman staff. As far as I know, the principal -- there may be others, but from my standpoint, that doctrine was first espoused between hard covers, it may have been elsewhere but not in hard covers, by Robert Allen and William Shannon in a book called the *Truman Merry-Go-Round*, published in 1950. It was Truman's Washington, you see -- the White House, the Departments, the Supreme Court, the Congress, the Pentagon. And it stated in those words that Clark Clifford was the only first-rate man on the White House staff. The rest were a bunch of mediocrities and cronies. It sort of damned me with faint praise. It said I was well above the average at the White House, but that wasn't saying much, something like that you know. That was the way it treated me.

HESS: Not much of a compliment.

SPINGARN: Not much of a compliment, except in relative terms, but very few others got even that much. Well, this has been perpetuated. In 1966, Cabell Phillips published a book, *The Truman Presidency*, and he said practically the same thing in those words. Now, I know Cabell Phillips, and Cabell Phillips is a good man. I took him to lunch recently, within the last

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couple of months and I said, "Cabell, why did you print such why did you say that?" I said, "What's your basis for that?" Well, I knew what his basis was. I looked at the book. I browsed through it. I haven't read it all but I browsed through it. His foreword extends enormous thanks to Clark Clifford for his valuable help and almost every chapter footnote starts off with a tribute to the help that Clark had given on this. Clark Clifford has had the insight and intelligence from his standpoint, and perhaps from any man's standpoint, since he sees his place in history, to make himself freely available to the people who he thinks are going to write consequential works in the field.

Now, Charlie Murphy who replaced Clark Clifford -- I must say this, Clark Clifford is a very impressive personality. He's a master salesman. He's a very effective guy in selling other people's ideas. He is a tactician, a good political tactician, but he is not an idea man, he gets the ideas from other sources. Now, I say that his contribution is great, and that it is an important contribution, but I do feel that the men who produced the ideas, who wrote the speeches, and who produced the programs, also deserve their full share of credit.

The difficulty has been that Clark Clifford's appearance and personality are impressive and he sells himself magnificently along with the programs. The man whom I regard as the key man at the White House, Charlie Murphy, who has been my friend for thirty years, looks and acts like an amiable dentist, and he's modest and self-effacing to a fault. He doesn't seem to place any

importance on his position in history, so that when people come around talking to him, Charlie, as I see it, has a tendency to say, "Well, it's a long time ago and I don't remember very well." You know, he's a very busy guy. First he was in a successful law practice, then he became Under Secretary of Agriculture under Kennedy, now he's Chairman of the Civil Aeronautics Board under Johnson. He's a very able chap. But he's shy and he hasn't got Clark Clifford's aggressiveness. And he tends to be inarticulate in large groups, although in a small group of people talking about things, he's a fellow with an instinct for the jugular who gets to the point very fast and makes a great deal of sense when he talks.

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Also he has a talent for surrounding himself with extraordinarily able people. It was he who picked David Bell, and David Lloyd to be his two chief assistants. Now, David Bell is as able a man as I've met anywhere at any time. He became, under Kennedy and Johnson, Director of the Budget, then Foreign Aid director. Now he's vice president of the Ford Foundation.

David Lloyd never had his full due, but David Lloyd was a Renaissance man of great talents in a wide range. He wrote several books, he was a talented artist, he wrote most of the first drafts for the good speeches at the Truman White House. Most of the first drafts started with Dave, and many other things could be said about him.

It's funny, my assistant at the White House was Dick Neustadt, Richard E. Neustadt. Dick Neustadt was then about thirty years old; he had been in the Legislative Reference Division of the Bureau of the Budget and had worked closely with the White House. Everybody knew him and he is enormously able.

Actually he was Charlie Murphy's choice or suggestion, not mine, although I was delighted to have him.

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I had intended -- when I became administrative assistant to the President I was entitled to an assistant, and the fellow I had actually intended to bring over was Donald Hansen at the Treasury, who had been my assistant there. He was a very able guy and eventually he did go to the White House for a while after I left and on my recommendation. By the way, he went to the University of Kansas and was first man in law school at Kansas or Kansas State -- I've forgotten which. An extremely able guy, but Charlie -- I mean, I had a right to pick my own man -- Charlie couldn't tell me who to pick, but Charlie suggested to me, Dick Neustadt, and I realized when he did that this was a wonderful choice because Neustadt would start running. Hansen, able though he was, would have to learn things, but Neustadt already knew the whole picture and he would start in high gear. And I brought Neustadt in. And of course he was tremendously able -- the last thing I did when I left the White House was to write the strongest kind of memorandum to Don Dawson, who was personnel chief, among other things, urging that Neustadt be promoted from grade fourteen to fifteen, although he had only been there five months I think

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at the time. I asked Charlie Murphy to add his comments, and he endorsed what I said, and I don't know whether it happened, but I think it did.

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Second Oral History Interview with Stephen J. Spingarn, Washington, D.C., March 20, 1967. By Jerry N. Hess, Harry S. Truman Library.

SPINGARN: Now, there is one thing that I missed when I went over the story of my political antecedents and how they influenced me, that is I forgot the main thing I was building up to, which is the story about Mr. Truman and myself on this subject.

As I am sure it would amuse a lot of people to know that some of the then relatively young members of the staff sometimes thought that President Truman wasn't political enough -- considering all that has been written about him, that has a certain ironical sound, I know. But the fact of the matter was that the President was often amazingly nonpolitical.

I was, in effect, legislative counsel of the White House -- I use that in the terminology of the Treasury Department from which I came. There was a general counsel and he had as a subordinate a legislative counsel. Now, in effect, Charlie Murphy was a general counsel of the White House and while I was not his direct subordinate, I was an administrative assistant to the President, I was a junior partner -- Charlie had the senior job, and I was in effect legislative counsel. I mean by that

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that I was the pivot man on all the legislative matters. Everybody got into the act on legislation, obviously, but all legislative matters flowed through me and I had the job of keeping track, and I was the fellow, for example, through whom all recommendations for signing or vetoes came to the President.

They first went to the Bureau of the Budget which got the agency advice -- the advice from the various agency affected. They then came to me and I took them to the President with whatever recommendations, or none, that I might have -- well, the Bureau of the Budget made a recommendation, and I either agreed with them or disagreed with them, usually I agreed with them -- and the President then made up his own mind. Typically, the question he would ask me was, "Is there more good or bad in this bill?"

And there were some interesting episodes. I remember, for example, the Navajo-Hopi rehabilitation bill in '49. I don't remember all the details of that bill but essentially it was to provide a fund of I think seventy-five million dollars, or something on that order, to rehabilitate the Navajos and the Hopis, particularly the Navajos who were the much larger tribe.

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I had a special interest in this matter because in my college and law school days, for five summers, I was a national park ranger in the Mesa Verde National Park in Colorado and our work force was Navajo. We had a hundred and fifty to two hundred Navajos there in the summer, and I used to be straw boss for Navajo work gangs. In the evenings I would go up to their hogans and dance Navajo dances with them. And, I have had many good friends among the

Navajos. In fact our Navajo foreman, Sam Akeah, a very fine chap, later became the chairman of the tribal council of the Navajos -- that's like being President of the United States among the Navajos. And in 1953 -- 2 or 3 -- when I was Federal Trade Commissioner, Sam in that capacity as chairman of the tribal council came to Washington and came to visit me .

I remember one day -- I think he and I had an appointment sometime in the day or during the evening and somebody called up on his behalf and said he couldn't make it because he was going to be on television, and I got quite a hoot out of that. It seemed a far cry from the Mesa Verde.

So. I had a special interest in seeing that the Navajos were well taken care of in this bill. The

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bill was a good bill but there was one obnoxious provision that had been added in the Congress and I don't remember the details of it, but as I recall it was essentially to make state criminal jurisdiction applicable to the reservations -- willy-nilly. In any event it dealt with state criminal jurisdiction over crimes committed on the reservations, which otherwise would be in Federal hands. And this provision, as I say, the pros and cons are not now clear in my mind as to what the merits and demerits were, but the Navajos deeply resented it. They mistrusted the state on such matters. They felt they had been abused and exploited by the state in the past.

HESS: What was the view of the Department of the Interior on that bill?

SPINGARN: The Department of the Interior's view was that while this provision was not a good provision, that the bill was so important and worth-while over-all that it should go through and be signed by the President, and Secretary [Julius A.] Krug strongly recommended that to the President.

Well, we had another man on the White House staff who was deeply interested in the Indians and that was

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Philleo Nash, who at that time was assistant to David Niles, who was administrative assistant to the President on minority matters, and Philleo was a remarkable man -- was and is a remarkable man. He has since been Democratic State Chairman of Wisconsin, Lieutenant Governor of Wisconsin and Federal Indian Commissioner. But among other things and in addition to being a practicing politician, he is an egghead. He is a Ph.D. in anthropology and an expert on Indian matters and had taught in this country and in Canada, and he was very much interested in that and knew a lot about it. Philleo and I discussed this bill at great length and we both agreed that this was a bad provision and that the bill should be vetoed on the basis of that provision, and that in any event we felt a reasonable certainty that if the bill were vetoed a bill without the obnoxious provision could be gotten through Congress fairly promptly.

HESS: Which did happen.

SPINGARN: Which did happen. And to make a long story short on our recommendation (Philleo deserves as much credit as I do, but I happened to be the cutting edge because I was the fellow who presented it to the President),

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it was vetoed.

HESS: It wasn't too long after that that Mr. Krug resigned. Do you think that this had an influence on his resignation?

SPINGARN: That, I have no way of knowing. I can't believe that this single episode would have made that much difference. But I do know this: Immediately after -- perhaps the same day or perhaps either the same day or the next day -- Secretary Krug called me, telephoned me in great anger and he upbraided me bitterly. As I remember the situation he seemed to feel that he should have had a further chance to argue the matter with the President, and that I had gone into the President behind closed doors and behind his back and gotten the bill vetoed.

I didn't feel that way about it at all and I told him that he had complete access to the President. He had chosen, as I recall, to simply stand on a written communication. He sent it over in writing, but if he had telephoned the White House he could have seen the President and presented his views. I further told him that I had told the President that Secretary Krug recommended signing, so that the

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President was aware of that fact and he vetoed the bill nevertheless. But this didn't make Secretary Krug any happier and we had a rather acrimonious -- at least acrimonious on his side because I didn't have anything to be acrimonious about, I was just simply defending my posture, and that was all.

The thing I want to get to though is Mr. Truman being nonpolitical. In 1949 or 1950 there was a bill -- and I am a little hazy about the details -- but as I recollect, it was a bill that provided pensions for dependents -- I've forgotten whether it was for the Spanish American War veterans themselves or for their dependents -- I guess it was for the veterans themselves, without regard to service connected disability or anything of that sort, just flatly provided pensions for them all.

I forget the details, but it was in that field -- it is not important what the details were for present purposes. The point was that it had passed Congress with scarcely any dissenting votes. There was a small, but still -- remember this is 1950 that was only fifty-two years after the Spanish-American War and a lot of them were still alive, although there hadn't been a very

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large army in the Spanish-American War -- a few hundred thousand only. In any event, there was no organized opposition to it and there was a substantial number of people who felt this was a very important bill, and the Congress had passed it with virtual unanimity. But the recommendation from the Bureau of the Budget was that it be vetoed; that it would create as I recall -- again I am drawing on memory and I would have to stand on what the records show, but

as I recall from distant memory it was that this would create a most unfortunate precedent for World War I and II veterans, and was sure to be extended, and that while the Spanish-American War situation wasn't going to cost much it would run into enormous money if this were extended into World War I and II.

Well, a number of us, including myself, thought it ought to be signed, and the President, however, vetoed the bill. This is what I mean when I say that sometimes we thought he wasn't political enough. Even those of us who thought it ought to be signed didn't think it was a good bill, we just thought that there was no organized opposition to the bill and there was very substantial support, both in Congress,

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and in the interest group affected. So, he had nothing to win and quite a bit to lose by vetoing the bill, in political terms. In any event, he vetoed it.

I can remember in July -- I believe it was on the first or second of July, 1950 -- the President went up to Valley Forge to make a speech at the Boy Scout encampment up there -- I guess we came back by the *Williamsburg* -- we went up by train, I think, I've forgotten how we went up. I recall only coming back by the *Williamsburg*. And we came down from Philadelphia through the canal and down the Chesapeake Bay, and it was an overnight trip, and I remember standing at the rail talking to the President, just he and I, and I told him about my father's concept of politics and this thesis of his in his lecture at the New School for Social Research that I spoke about previously that was reprinted later in the November 1942 *Atlantic Monthly*, that politics was the noblest practical occupation of man.

I gave him a copy of an excerpt from that speech, which I believe is in the files at the Truman Library which I sent there previously. And, also, I had dug out an incident involving Abraham Lincoln -- I think

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it was from Carl Sandburg -- which had impressed me because it showed Lincoln the politician. It was an episode involving the statehood of Nevada, and I had excerpted this from Sandburg or whatever the source was, a couple of pages of it. The general idea as I recall was this, that the bill to make Nevada a state was pending in Congress in 1863, during the Civil War, and it was very important to Lincoln because constitutional amendments -- the thirteenth, fourteenth and fifteenth were coming up, dealing with the freedom of the slaves and the right to vote for former slaves, and the fourteenth amendment, the due process of law and equal protection of laws amendment, and Lincoln knew that he would need the vote of every state possible, and Nevada was a pretty sure vote for his side of the picture.

He was, therefore, most anxious to have Nevada admitted, but there was some difficulty among some of the Democrats in the House. And Lincoln went to Dana, Henry Dana, who I think was assistant secretary of war, and actually walked over to the War Department which I guess was next to the White House then, I think that was the old Executive Office Building or its predecessor,

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and went in to see Dana and they talked about some of the Democrats who were doubtful and Lincoln said, "Do you know what he wants?" And Dana either knew or could find out, and the long and short of it was that Lincoln authorized Dana to make whatever commitments and deals were necessary to get those Democratic votes, and Dana called in the Congressmen involved and asked them what they wanted, and one man wanted a collectorship of customs or internal revenue, and one man wanted something else, and Dana said, "You've got it."

And the Congressman said, "Are you talking on your own authority?"

"No. I'm talking on the authority of the President of the United States."

And, in any event, the votes were secured. And this struck me as an interesting illustration. Some people would say that that was unethical. On the other hand, well, Lincoln didn't think so. And I remember passing a copy of this passage to Mr. Truman; the theory being that you didn't have to be two steps to the right of the Pope or Abraham Lincoln, you see.

HESS: Do you recall what he said at that time?

SPINGARN: No, he just expressed interest in it, but I don't

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recall anything that he said; but I mean I don't say that it influenced him a particle, but you see it was an effort to if nothing else. And I just thought that would be an interesting insight because generally Harry Truman is thought of as a consummate politician and a sort of a total politician, but from the underside view of some of his staff, anyway, sometimes he seemed to be almost too nonpolitical in things where it seemed to some of us that politics was not wicked or pernicious at all but perfectly justifiable in such situations.

Now, the thing I would like to discuss next, I think, is the question of the quality of the Truman staff -- the caliber and quality. I think that I am not alone among the staff in feeling a certain unhappiness at what I would regard as a mythology that had grown up that Clark Clifford was the only first-rate man on the Truman staff. As far as I know, and I may not be right on this, but the first time I saw this between hard-covers -- in more ephemeral items, newspapers or magazines, perhaps, it appeared often enough -- but the first time I saw it between hard-covers was in a 1950 book called *The Truman Merry-go-Round* by Robert

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S. Allen, who was formerly Drew Pearson's partner in the Washington Merry-go-Round column, and William V. Shannon, who was then a youngster but had become quite a celebrated reporter; a syndicated columnist and so forth. He was for a long time with the *New York Post* and he is now with the *New York Times*.

In any event, they collaborated on a book, and Shannon came around -- interviewed a lot of us, including me -- and I remember Charlie Ross, who was then press secretary, telling us to be cooperative with Shannon. I suspect he later regretted that. In any event, I had a long talk with

Shannon, and I guess others did too, but when the book came out it flatly stated -- it covered the Truman staff, and it covered the Cabinet, and it covered the Supreme Court, and it covered the Pentagon, and so forth -- profiles, you know, and sketches of everybody. And the long and the short of it was, it stated flatly that Clark Clifford was the only first-class man, the only big-leaguer on the Truman White House staff, and that the rest were essentially a collection of cronies and mediocrities.

I, myself, got off better than most, I was damned with faint praise. I was described as having a genuine

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liberal background, and as being well above the average of the staff, but then it was added that this was not very high praise since it was such a lousy staff, or something like that.

But others were dealt with less well. In any event, that tradition, or the mythology, as I call it, has continued until this day. Last year, 1966, Cabell Phillips of the *New York Times*, a very able journalist and a friend of mine of many years standing, wrote a book called *The Truman Presidency*, and again the same statement, roughly, almost substantially identical with what Allen and Shannon said, appears, that Clark Clifford was the only first-rate man on the staff. Well, I upbraided my friend, Cabell Phillips, in friendly terms, for this and he said, well, the gist of it was that Clark had made himself so available and given him such an enormous amount of material, and this was certainly true. I looked at the book. I read the foreword -- voluminous thanks to Clark Clifford. I read the chapter notes, practically every one began with lavish thanks to Clark Clifford for having contributed so much to that chapter. I looked at the index and I found that Clark Clifford was indexed

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twenty-five or thirty times, and Charlie Murphy, who had held the same job longer than Clifford had, was -- or at least the same length of time and was on the staff longer -- that Charlie Murphy was only indexed four or five times.

It isn't necessary to downgrade Clark Clifford, who certainly had very substantial talents, especially in one direction. I speak as a man who was his only professional assistant for one year at the White House. It is true that during that year Clark had decided to go out into private practice, and I believe he had already decided it before I came there. His mind seemed to be preoccupied with that, at least as far as I could see it, because he gave me very few substantive assignments. Most of the assignments I got from him were very piddling and trifling things, like making arrangements with the State Department for the red carpet to be rolled out for distinguished citizens from his state of Missouri who were going to Europe in the summer, things like that.

So. I used to go around to Charlie Murphy and say, "Charlie, I don't have anything to do. Have you got any work?" And Charlie had stacks of work, right

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to the ceiling around him and was naturally glad to have another hand, so that is where I got most of my work the year I was nominally working for Clifford. It worked out well for me that way because I don't see how I could have gotten -- when Clifford left in early 1950, Charlie Murphy, who was then administrative assistant to the President, replaced him as special counsel to the President, and I replaced Charlie Murphy -- I took Charlie Murphy's slot as administrative assistant to the President. I certainly couldn't have gotten that on Clark Clifford's recommendation because I hadn't done anything for him, to amount to anything, so it had to be on Charlie Murphy's recommendation. I was the most surprised man in the world because I had had a rather frustrating year in many ways and, moreover, I knew there were two men who deserved it more than I did.

HESS: Who would you put in that category?

SPINGARN: David Bell and David Lloyd. They were at that time assistants to an administrative assistant -- to Charlie Murphy. But both of them on the basis of the extraordinary able and indefatigable work they did certainly deserved it more than I did, you see, I knew that; so, I was startled when I got it -- in fact

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I was the most surprised man in the world. The President when he called me in and told me that I was to be made administrative assistant, he said later to somebody that he had never seen so big a man look so scared. I was not scared but I was actually startled out of my wits because it never occurred to me. I felt that I hadn't really had a chance to show anything that year, and I still think that part of it was the fact that Charlie Murphy felt some responsibility for having me brought into the White House from a good Treasury job and that may have had something to do with it, I don't know.

HESS: Would it be possible to show the difference between the two men by comparing how they carried out the duties as special counsel to the President? Did they carry out the duties in any noticeably different manner?

SPINGARN: It is hard for me to compare the two because I saw so much of Charlie Murphy and so little of Clifford, relatively speaking. To Clifford, I was his only assistant and he was my immediate boss, but days and days would go by without my seeing him, and when I did it was usually on some trifling matter. Whereas Charlie was right in there on the ground floor with the

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rest of us working with his coat off and in his shirt sleeves, and Clark to me seemed to be sort of above the fray, you know, and rather detached, and not terribly absorbed in the White House thing.

That is the way it looked to me, but this is a rather superficial impression of Clark. I don't know. I assume that he knew all that year that he was going out into private practice, and obviously when you have committed yourself to something else ahead you can't have as much interest in what you're doing as if you haven't committed yourself to a different assignment.

In any event I want to say this: In June, 1963, President Truman was in Washington at the Mayflower, and as usual I went down to see him, as was customary with members of his staff, to pay my respects.

And I had a nice talk alone with him for half an hour or so. Now this was '63 -- it was June and Kennedy was President and had been for about two years -- and I said, "By the way Mr. President, you know it's become sort of traditional to describe your White House staff as a bunch of mediocrities and cronies with the sole exception of Clark Clifford."

And I said, "I would like to call your attention

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to what has happened -- it is now eleven years since you left office" -- ten years and a fraction -- and I spun off a bunch of the names of his White House staff and what had happened to them in the intervening ten years.

There was Charlie Murphy, who was then John Kennedy's Under Secretary of Agriculture, after a successful legal practice; there was David Bell, who was then Foreign Aid Administrator, after having been Director of the Bureau of the Budget, under Kennedy; there was Philleo Nash -- whom I've already mentioned -- who was then Indian Commissioner, after having been Lieutenant Governor and Democratic State Chairman of Wisconsin; there was Averell Harriman, of course, who was then Under Secretary of State, after having been Governor of New York -- I am talking about the things that had happened to them since Truman left office. There was Ken Hechler, who was then a third term and is now a fourth term, either fourth or fifth term Congressman from West Virginia. Ken was a native New Yorker and he is an egghead -- a Ph.D. and a college professor. He went from Princeton to Marshall College in West Virginia as a carpetbagger. After only

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two years he was elected to Congress. I suspected that this was an overnight miracle and could be reversed overnight, but he has held his seat, you see, this is no mean achievement; he may well be Senator from West Virginia one day.

There was Dick Neustadt, Richard E. Neustadt. By '63, Dick was a full professor of Government at Columbia University, and his book *Presidential Power* was used as a guide by President Kennedy -- he slept with it under his pillow it was said, and Dick was a special consultant to President Kennedy in connection with the transition from the Eisenhower to the Kennedy administration and the subsequent organization of the Kennedy administration; and coming upwards from '63, he is today director of the Kennedy Institute of Politics at Harvard.

And, of course, Clark Clifford, we have already mentioned. Clark is a fellow of exceptional ability in two particular fields, as I see it. He is a magnificent salesman of other people's ideas, and he is an excellent tactician. He is not, however, especially outstanding in the development of new ideas himself; he gets his ideas from other sources. Now,

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the talents that he has are very real talents, but I don't think that the fellows from whom he got the ideas should be downgraded.

There was Roger Tubby, who in '63 was U.S. Ambassador to the United Nations, and other international organizations, in Geneva after having been Assistant Secretary of State in the Kennedy administration. He was also at that time a publisher -- a newspaper publisher in upstate New York. And then, of course there was David Lloyd, who was dead by then, but who was a remarkable chap of many, many talents. He wrote books, excellent books; he wrote a good novel; he wrote serious factual studies. He was chairman of the board of the national conference on international and social development, and, of course, he was the Executive Director of the Truman Library.

There was George Elsey. He is very able and a tremendous worker. After he left the White House, George became vice president of the American Red Cross, and he was president and is now Vice-Chairman of the Board of Meridian House Foundation, which gives the initial orientation in this country to some five thousand official and nonofficial foreigners coming to the United

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States yearly under various Federal programs, and he is also one of the ten or so top officials today of a billion dollar business, so he has had a highly successful career.

There was Bob Dennison, Robert L. Dennison. He was a Rear Admiral. He was the Captain of the *Missouri* when Mr. Truman discovered him, and he was the White House naval aide, and he was a remarkable man. He had a M.A. and perhaps a Ph.D. in some technical field -- M.A. I'm sure of -- and he had a far ranging mind far outside military and naval circles. There wasn't anything you couldn't discuss with Bob Dennison that you wouldn't get intelligent and astute observations on, and this is evidenced by the fact that in spite of the fact that he was the White House naval officer for Democratic President Truman, under the Eisenhower administration he became a four star Admiral and he became Commander in Chief of our Atlantic Fleet and NATO Commander in the Atlantic.

There was Don Dawson, who established a highly successful legal practice and for a number of years was president of the National Capital Democratic Club which is probably the leading club of its type in the United

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States. And there was Fred Lawton, who was appointed to the Civil Service Commission by President Eisenhower in 1953 and reappointed in '57, and is now retired after forty-two years of Government service. At the end of the Eisenhower administration he was given the President's Distinguished Federal Civilian Service Award. And, of course, there was Jonathan Daniels who is a nationally known author and publisher and editor.

Now, I am not prepared to say that this was the greatest presidential staff in the history of the White House, but I do not believe you could say this is a collection of cronies and mediocrities, based only on their subsequent record, and so I would like to say this; I am not trying to oust

Clark from anything he deserves, which is considerable, but I don't think that he should be placed on a pedestal with all the others placed down in the mud.

HESS: Why do you think that that view developed?

SPINGARN: Well, I think the reason it developed...

HESS: Other than the gentlemen that you have mentioned -- Allen and Shannon.

SPINGARN: And Cabell Phillips.

HESS: And Cabell Phillips.

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SPINGARN: I cite them only because they span sixteen years, you see, and I have seen it all often in more ephemeral publications. This is the mythology that has been established, and mythologies tend to be self-perpetuating. I think it developed for two reasons I would say -- two main reasons; one, Clark Clifford is impressive in appearance and personality; he impresses; he looks the way a top presidential staff man should look, and his personality is extroverted and impressive; his impact is considerable on everyone he meets. He is a big, handsome, distinguished looking man and with a fine personality.

Now, the man with whom he deserves to be compared (because he is the man who replaced him in the same office), is Charles S. Murphy -- Charlie Murphy. Charlie Murphy -- and I say this as a man who has been his friend, and is his friend today, since 1935 -- Charlie Murphy looks like an amiable dentist or shoe salesman. His appearance is mild, bland, and not impressive in terms of impact. He is not in, any sense a salesman, but under that bland exterior there is a very sharp receptive mind that is always probing. Well, there was never any doubt about who was quarterbacking things when Charlie

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was around. We all -- everybody -- and we represented a pretty wide range of backgrounds and abilities, I would say, and expertise, but we all looked up to and respected Charlie Murphy, and his judgment on anything was very highly regarded by the men around him, I can tell you that. He was awfully good in picking men, as I say, he was responsible for picking Lloyd and Bell, for example. Dick Neustadt was my assistant -- as an administrative assistant I was entitled to an assistant, and I had intended to bring over from the Treasury Don Hansen, a very able guy who had been my assistant in the Treasury. Don Hansen had been first man in his class at law school, and he was indefatigable and very able.

But, then, Charlie Murphy suggested to me -- and this was only a suggestion because I had a perfect right to pick anybody I wanted regardless of who Murphy suggested -- he suggested that I consider Dick Neustadt, and I hadn't even thought about him. Dick Neustadt was in the Bureau of the Budget in the Legislative Reference Service. He worked closely with us at the White House, naturally. We all knew him and we all thought highly of him, and I realized when I thought about it that

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this was a natural, because Neustadt had been working with the White House for two years; he could move into that slot or any White House slot and move in running -- there was nothing to learn. Don Hansen was extremely able but he had the whole thing to learn, you see. So. I realized that Neustadt was the ideal selection, and I picked him and he certainly turned out to be invaluable, and in fact the last thing I did at the White House was to write a strong memorandum to Don Dawson, who was in charge of personnel management at the White House, urging that -- when I left the White House to go to the Federal Trade Commission in October, '50 -- that Dick Neustadt be promoted from Grade 14 -- he was only thirty or thirty-one years old then -- to Grade 15 and I asked Charlie Murphy to join with me in that and he did. I didn't follow that up; I don't know what happened but I assume that Dick got it although he had only been at the White House five months at that time.

George Elsey had been Clark Clifford's assistant and I guess he just kind of moved if that job by osmosis, because George had been a young ensign in the war in the naval aide's office, and Clark found him

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there when he got there, and I guess took him over, you see, and brought him out as his civilian aide, too.

But in any event, Charlie Murphy has got one of the best tactical -- I mean he's got imagination; he's got insight; well he's a first-rate White House staff man. Here's an interesting thing. Charlie Murphy is a fellow from North Carolina. He was raised there in a small town in North Carolina; he went to college and law school there. He didn't come north until he was in his mid-twenties. I was reminded of this -- I had forgotten all about this -- but recently I was invited by the American Historical Association to address a session they were having at their annual convention in New York in December of 1966, on civil rights in the Truman administration, and the main paper was presented by a young historian from Stanford named Barton Bernstein, an assistant professor at Stanford, and it may have been in the Bernstein paper or it may have been in a Ph.D. thesis by William Berman, an assistant professor at the University of Louisville -- I've forgotten, but in any event it reminded me of something that I had totally forgotten and that is this: That in the fall of '49, this was

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while I was Clifford's assistant, I wrote a memorandum to Clifford pointing out that it was not likely we were going to get any civil rights legislation in the session of Congress coming up -- it was not likely, and that we, therefore, ought to think of things that we could do aside from legislation that would prove to the electorate that was involved and interested that the Truman administration meant business in the civil rights field, and it just wasn't giving it lip service.

And, I pointed out that there were only a handful -- I think that there were only five lawyers in the civil rights section, it was only a section then of the Department of Justice -- and I urged that it be tripled and receive a substantial increase in appropriations and staff. And now I am not citing this from memory because my memory has disappeared, I am citing this from -- these are

papers of mine in the Truman Library which were culled by one or the other of these young historians I have mentioned, and he records it in this paper which I read recently, and the gist of it is that receiving no reply from Clifford, Spingarn turned to Charles Murphy, Murphy immediately saw the

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value of this thing and talked to McGrath, the attorney general, and they did it.

Now, you see, Clifford was the great liberal and all that, and Murphy was the boy from the South, but Murphy was the fellow I got action from on that thing, and this, I say, is only a sample of -- I am sure I could recount many episodes -- well not many -- but this typifies the situation as it appeared to me.

I believe that it is obvious also that Clark Clifford -- and very sensibly, I think he's right -- has a keen sense of his own place in history as a major figure in the Truman administration, and he has made himself unstintingly available to people who were going to do important writing in this field. It is obvious that he devoted an enormous amount of time to Cabell Phillips' book. You can tell that by reading the credits in the chapter notes, you see, as well as in the foreword.

Charlie Murphy is modest and self-effacing to a fault, and my impression is that when historians -- he is a very busy man, he is Chairman of the Civil Aeronautics Board now; he was Under Secretary of Agriculture before that. These are the jobs that

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he has held since '61, and before that he was a busy and successful lawyer, after the Truman administration ended. And it is my distinct impression -- I'm sure it's true, I mean I see Charlie, not infrequently, and I know him -- and it is my distinct impression that when historians come around Charlie is likely to say, "Well it is a long time ago and I don't remember very well," and so forth and so on, and you know -- in other words he doesn't pay much attention and doesn't attempt to embellish his image, if you want to call it that.

And in a way, I'm sorry, because I think in a negative way Charlie has unwittingly contributed to the mythology by not supporting his own case, and perhaps you might say, too, the case of the team that surrounded him, but he has done this only because that is the kind of guy he is.

HESS: That's just the way he operates.

SPINGARN: He has the vices of his virtues, as most of us do, as well as the virtues of our vices; and a modest and self-effacing guy doesn't place much importance on such things, you see. He sort of thinks, "Well things will turn out the way they will turn out, and there is nothing I can do about it, and anyway what

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difference does it make?"

HESS: Do you suppose we could point out some differences between the two men by comparing their relationships with Dr. Steelman; the man who had the title The Assistant to the President?

SPINGARN: I don't know, because I don't really know what their relationships were, you see. I mean, I don't really know, except I will say this; now, basically, John Steelman, as you say, he was The Assistant and the "The" was spelled with a capital T, and there was a good deal of good natured kidding about that capital T in the "The."

HESS: How did he come to get that, did you ever hear?

SPINGARN: No. I don't know. I can't tell you. But he was titular the ranking staff man at the White House, and he was always listed first, and so forth. But the White House operation broke down basically, aside from the purely ceremonial and protocol stuff, which the naval and military and air aides attended to and that sort of thing, it broke down -- and the press operation which Charlie Ross and later others attended too -- it broke down into two main departments: One, was what I would call -- these were not labeled this way -- but one

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is what I would call operations or administration; and that was the President's job as administrator in running and coordinating the activities of the Government agencies, and that was basically John Steelman's job, with the additional factor that because he came from the Labor Department and had a record as a labor mediator, he was involved in all the strikes and labor mediations that came to the White House.

And then there is what I would call program and planning; policy, program and planning. And that involved the preparation of presidential messages to Congress and speeches, and all presidential writings on policy, and that was Charlie Murphy's -- first Clifford's and then Charlie Murphy's department -- with the assistance of the rest of us, and with individual assignments farmed out to different people.

I should say that David Stowe worked with Steelman. David Niles worked with nobody. He was sui generis. David Niles was the oldest senior staff man in point of service. He came over from the Roosevelt administration. His titular jurisdiction was minorities. But, actually, his main job, I suppose you could say, was

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Jewish problems on the one hand, and the intricate politics of New York City, those two things; maintaining liaison with Dave Dubinsky and Alex Rose and the Liberal Party there, you know, and keeping the White House abreast of that. But David Niles seemed to me to pay very little attention Negro and other minority matters, so it seemed to me. Philleo Nash was his assistant and Philleo paid a lot of attention, but it didn't seem to me that Dave paid much. And there was another interesting thing, Dave Niles did not attend the President's morning staff conferences -- ever.

HESS: Can you tell me about those morning staff conferences?

SPINGARN: Yes. The President held a morning staff conference every morning at 9:30 -- I think it was 9:30. It was indispensable to a staff man -- a senior staff man -- to attend that thing, but it was a very delicate matter as to who attended.

HESS: How was that worked out?

SPINGARN: Well, it wasn't. It was like topsy -- it grew. Let me give you an example. I was never invited to a presidential conference, but I started attending after awhile on my own, thinking I might get thrown out, but I stuck, you see. That was it -- I stuck. I went in

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very timidly the first time because I hadn't been invited, you know. What had happened was this -- I was made an administrative assistant on February 15th, 1950, that is I was promoted from Assistant to the Special Counsel to Administrative Assistant to the President on that date.

HESS: That is just about a year after you started working at the White House.

SPINGARN: Yes. So. I did not immediately start attending these morning meetings. I wasn't invited and it was obviously a matter of the greatest delicacy as to but then, a couple of months later, I place it in May, the President went out on a whistle stop tour, and I was the senior staff man left in the policy, program and planning department at the White House, and I began to get calls from every direction, you see, Cabinet and congressional leaders and so forth and so on, and I was the liaison between them and the train. Emboldened by my rise in status as it seemed, when the President returned from that trip I started going to these conferences and reporting little tidbits of information, you know, that John McCormack, the majority leader had told me, and Cabinet officers and things,

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and in any event I stayed, I was never thrown out, I was accepted; and after I had been going for a week or two then I was a member of the crowd, but I was never invited.

HESS: How were those conferences run? What was the format?

SPINGARN: The format, as I recall, was simply this: There were maybe ten or a dozen people who attended. Now, some of them were the aides, the military and naval aides attended because there were questions about the President's travels and things that might come up but they didn't deal in policy. And Charlie Ross and Eben Ayers, the press secretary and the assistant press secretary attended, John Steelman attended, and Bill Hassett, Charlie Murphy, Dave Stowe, George Elsey, Donald Dawson, and I. David Niles never attended. That was interesting because he would have been perfectly welcome, obviously. I never understood why he didn't attend it. The only thing I could think of was this -- and still this is just a conjecture on my part -- he was away from Washington about half the time and maybe he didn't want to underline the frequency -- part of it was perfectly legitimate, he was supposed to be in touch with the New York situation so he was obviously

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up there -- but every weekend as I understood it he went up to Boston, his hometown, and he ran some kind of a lecture...

HESS: Ford Hall Forum.

SPINGARN: Ford Hall Forum. He ran a kind of a lecture operation...

HESS: Sunday night, I believe.

SPINGARN: And he was up there, you know, and this is just a supposition on my part, but maybe he thought he would be underlining how often he was away if he did attend, because if he didn't attend it was obvious that he was out of town, you see.

I don't know what his reason was. The fact of the matter was, it shows how little involved he was in the real machinery, though. Because the way it worked, the President might make some comments of his own -- any information that he thought we ought to know he would tell us at the beginning and then he would just go around in the circle and ask each man if he had anything. Now, this gave everybody an opportunity to check things with the President and get a quick yes or no. Now, you couldn't deal with major problems at that time, but you could say, well, John McCormack called

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me and he wanted to know if or something like that, and you would get a quick answer, you see, and this was damned important to a busy staff man.

HESS: If at this time a problem was presented to the President, would he usually want a tentative solution presented at the same time?

SPINGARN: No, not necessarily. It was quite informal. Well, I mean, it is always sensible if you are presenting a problem to present your at least tentative recommendation as to what to do about it -- I mean any staff man would know that, I think. Unless you have something that only the boss can answer and you don't know, you would ordinarily say, "Well Mr. President here is what the situation is, and I kind of think maybe we should ask the Department of State to give us a memorandum or explore this," -- you know, something like that and the President would say "okay" or whatever. But, it was very informal and it usually lasted about thirty minutes I would say, something on that order.

HESS: Back to Dave Niles, just a minute. During the times that he was out of town and a question on minority matters would come up did Philleo Nash handle everything

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that had to be handled here in town?

SPINGARN: Yes, but of course...

HESS: Jewish matters as well as Negro matters?

SPINGARN: Yes, but Philleo wouldn't have gone very far on a Jewish matter without consulting Dave because he knew that would be close and dear to Dave's heart, you see. So, he might give you his own opinion but he would say we will have to wait and talk to Dave or something like that, that would be more likely.

HESS: And on Thursdays, the President held a press conference every week and before the press conference they held a pre-press conference.

SPINGARN: That was another thing, you see. The staff would go in and each one of them -- he would go around the circle and each one of them would say, "Mr. President they might ask you about this," you see, and you would say, "I suggest that you might want to say this, if they do," and the President might or might not follow your lead, but anyway you gave him your ideas. Then, we all filed in with the President and sat behind him at the press conference.

HESS: Now, this was when they were held in the Indian Treaty Room in the Executive Office Building?

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SPINGARN: Right.

HESS: Did you attend each of those each week?

SPINGARN: Yes.

HESS: Now, that was probably when Joseph Short...

SPINGARN: Charlie Ross was...

HESS: Charlie Ross died in December of '50.

SPINGARN: I left in October to become Federal Trade Commissioner.

HESS: That's right, you left in October.

SPINGARN: I well remember because when I left the White House I gave a .bottle of good French brandy, Courvoisier or something like that, to every one of my colleagues -- my senior colleagues and some of the less senior ones, I think too, I think I distributed fifteen or twenty of these bottles. And I remember coming back a few weeks after I had been over at the Trade Commission late one afternoon and Charlie Ross dragged me into his office and insisted on sitting down and drinking that bottle, the one I'd given him, and we drank a good deal of it that evening. He was a great guy, Charlie; a delightful personality.

HESS: Did he offer very much political advice to the President?

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SPINGARN: No. I want to say this: I do not think that -- in all candor -- that Charlie Ross was the most effective of press secretaries. He was a sweet and delightful person; he was a good friend; he was a boyhood friend; they had been friends since the age of ten or twelve or something like that. He was kind and wise, but he was not a Jim Hagerty or even a Pierre Salinger.

HESS: Why wasn't he too successful in his job? Any particular reasons?

SPINGARN: I think he was too good and kind. I think you have to be tougher than Charlie Ross was to be a good press secretary. I think you have to be more of a Hagerty type.

HESS: Tough towards who?

SPINGARN: I think you have to aggressively try to project the favorable side of the President, and you have to do it rather aggressively. I think you have to keep seeking -- I mean after all the press secretary is in addition to other things the President's PR man -- I mean I suppose it's not polite to put it that way but this is the fact in the case and anybody who says differently is just giving you a lot of baloney. Every President knows that and every press secretary really knows that --

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that every important man wants his image presented in a favorable context to the public -- who wouldn't -- who the hell wouldn't? And the press secretary is the number one man with that assignment, so he should be constantly looking for opportunities to present the President in a favorable context.

HESS: I have heard that he helped in the writing of some speeches, did he ever help you in any of the speeches you had to write?

SPINGARN: No. Everybody was fond of Charlie. Here's the way it worked. There was a group of whom Dave Lloyd was number one speechwriter, I mean of the big speeches, most first drafts came from David Lloyd's gifted pen. Occasionally others of us, you know, on something that we might have special expertise in would do it, but normally it was David Lloyd. And then it would be circulated, and each person -- in the beginning, I guess we would have unassembled comments, you'd scribble on your draft and send it back or even write memoranda with suggestions, and then we would get together for a discussion over a draft, and go over it line by line and sentence by sentence, and make suggestions. Anyway, it usually ran to

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five or six drafts before we got one ready to show the President, and then at the last meeting, the group, the five or six men that had participated in the preliminary stages would sit down with the President and Charlie Ross.

HESS: Would this be the first time that the President was presented with this wording?

SPINGARN: Quite likely. Quite likely, yes. I am told, now this is only hearsay -- Charlie Murphy and Clifford could tell you more about this -- I am told that in the early days of his Presidency the President participated more actively, but after he acquired confidence in his team, he didn't feel it necessary. By this time they had absorbed his style, if you like, and they knew his thinking and he didn't feel it necessary to participate in the early stages as much, and by the time I reached the White House -- I'm giving you what I saw, you see. And usually it ran -- I remember a memorandum which I called, "Memorandum to the draft one to draft five men," or something like that, because that's what we were -- five or six of us, and we would mull this thing over for five drafts and then when we had it in form satisfactory to ourselves, we

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would sit down with the President and Charlie Ross, maybe Steelman would sit in, I don't think that he did often, I don't remember frankly, if it were some matter of interest to him, he might, but I don't recall that he did. In any event, at this point, the changes were generally only editorial. Charlie Ross was a great man on style and he had ideas about how semicolons and sentences should be changed and things like that.

HESS: Particular words that he didn't like...

SPINGARN: Particular words that he didn't like and things like that. But I do not remember that he made any consequential amount of substantive revisions in the drafts, at least that is my best recollection. And as I say, anything I say you should check around with the others and see what their memory is.

HESS: That's what we do.

SPINGARN: That's my memory of the situation.

HESS: Well, while we are on the press office what was your evaluation of Eben Ayers as assistant press secretary?

SPINGARN: Not very effective.

HESS: Any particular reason why?

SPINGARN: I don't know. That was the impression that I had.

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HESS: Just your general overall impression.

SPINGARN: Let me put it this way -- the impression I got from what I heard from others. It was not so much my impression because I didn't really have that kind of dealings with him that I could tell, but I don't know why, but the impression I got from the newspapermen who talked to me and from other members of the staff was not particularly I mean Eben was certainly a nice fellow and a pleasant guy and all that sort of thing, but the general evaluation of him as to the effectiveness of his work was not terribly high.

HESS: Well, awhile ago you mentioned the trip of May 1950, and in your papers at the Library there is a folder on the President's speeches for the western trip -- May of 1950. Did you help to write any of those?

SPINGARN: I don't think I had much to do with those speeches. I couldn't tell you offhand. I don't remember. My impression is -- I'll tell you, this was a whistle stop tour and there were an enormous number of short speeches, as I recall. One thing that I know was done, as I remember, Ken Hechler was responsible for providing the background material on every place that he stopped or was talking. In other words, he

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would give a profile of that place that would be useful to the President, you know, the city, the local industry, any prominent local heroes, how it had voted in the last three, four, six elections, and stuff like that. And he had provided folders of that sort, as I recall, on every town, but I don't recall whether he wrote the whistle stop speeches themselves, or the first drafts of them. I probably worked on -- I'm just guessing -- I probably worked on some of them...

HESS: There were a few major addresses that time. That was when he went out to dedicate the Grand Coulee Dam in 1950.

SPINGARN: The Grand Coulee Dam thing would very likely emanate from Dave Bell -- I'm just guessing -- because he was the natural resource man, but I don't know for sure.

HESS: While we're on this idea of speeches and whistle stop speeches, there is a question I failed to ask awhile ago, and in your papers I found references to Kenneth Birkhead and Frank Kelly, now those two gentlemen served on the Research Division of the Democratic National Committee in 1948.

SPINGARN: Well, that wasn't the connection in which I

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knew them. I knew Frank Kelly because he was Administrative Assistant to the Senate Majority Leader, Lucas, when I was at the White House, so he was an important guy; and Ken Birkhead, I've forgotten what he was at that time. His father was the Reverend Birkhead who was the founder of the Friends of Democracy. Ken -- do you know where he was in '50, I've forgotten...

HESS: No. I sure don't. He was with the Research Division in '48.

SPINGARN: I don't remember that.

HESS: But you knew them in a different context?

SPINGARN: Yes.

HESS: And you weren't familiar with their activities in 1948?

SPINGARN: I mean I do not recall them in that context. I mean I was familiar with the work of the Research Division, but not that familiar.

HESS: Did you work with the Research Division any in '48?

SPINGARN: Well, when you say work, I suppose I must have gotten their material, but I don't remember that I actually worked with them. I probably got the fruits of their labors without working with them.

HESS: Since you did write the big speech for Oklahoma

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City. They were more concerned with information for the whistle stops -- information on the town itself, but they did help on some of the major speeches. I didn't know whether they helped you on it or not on that.

SPINGARN: No, they didn't on that speech. But, I didn't need any help on that -- that was right on the top of my head, that stuff. I had been working on that sort of thing in the Treasury for a long time.

HESS: One other question on that. You mentioned Dave Noyes earlier. Why was he brought in to help write speeches in the 1948 campaign?

SPINGARN: Yes. But I can't tell you much about him. You'll have to ask Charlie Murphy -- he knows all about him. I had very limited contact with him.

HESS: I have a list of people who worked in the White House, other than the ones that we have already covered -- Clifford, and Murphy, and Steelman, and a few of the others. I wonder if you could tell me just roughly what their responsibilities were, how they came to be members of the White House if there is anything that you think might not be known. What about Matthew Connelly? Do you know anything of particular interest about Matthew Connelly that might not generally

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be known?

SPINGARN: I remember he was the one member of the presidential staff -- not the one member, but he was the only senior member of the staff I can remember who disliked poker and wouldn't play it. With everybody else it was sort of an obligation to play poker with the President because he loved it -- to him it was relaxation. The President didn't care whether he won or lost -- he was a good poker player, but he didn't care whether he won or lost. He liked the banter of the game, you see, and when we went to Key West, my goodness, we played poker a lot. In my youth I enjoyed poker, but there is such a thing as too much of enough. But Matt wouldn't go through the motions, he never played. That's one thing.

I think on the one hand that Matt Connelly was badly used by being sent to jail by the Eisenhower administration. I think that they deliberately threw the book at him, and on the other hand, I can't help feeling that Matt did not display those elements of discretion and judgment that should be expected of a senior White House staff man, or any White House staff man.

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There is one fellow I would like to mention, Max Lowenthal, who was not on the White House staff but was very much in evidence in 1950 at least, the reason being McCarthy -- Senator [Joseph R.] McCarthy. Now, Max Lowenthal was a great friend of Matt Connelly's and that's how I happened to think of him. He was a lawyer and he had been assistant counsel of the Railroad Subcommittee of the Senate Commerce Committee, anyway Truman had been on that Committee back in the '30 s, or Subcommittee, and in that connection Matt and he had formed a friendship with Max Lowenthal. So Max had entree to the White House and he used to, you might say, almost hang out in Matt Connelly's back office. Now in 1950, starting back in February, the month I became a presidential administrative assistant, Senator Joe McCarthy started thundering, and then you had the famous Tydings Committee investigation of McCarthy's charges of the State Department being riddled with Communists, and there was an awful lot of the time of the White House staff taken up with problems related to McCarthy.

For one thing, there was the question of that committee scrutinizing personally these files in the State

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Department, and the President eventually decided to make them available to the Committee in the White House and in the presence of some White House staff man. Donald Dawson was the man who sat in with them, and on one or two occasions he asked me to substitute for him; sit in with the Tydings Committee while they went over the folders.

But, in any event there was an operation run, more or less, under the supervision of Max Lowenthal in the basement of the White House which was to prepare answers to the charges that McCarthy was hurling so freely during all that period and get them ready in a hurry, not wait until the lie had gone around the world before the truth has gotten its pants on. I remember Herb Maletz -- a good man -- worked in that thing and one or two others whose names I can't remember at the moment.

Max Lowenthal was very much involved in that, and in his book *The Truman Presidency*, Cabell Phillips has me teamed up with Max Lowenthal in running that operation, which is not correct. I did an awful lot of work on the McCarthy stuff, but I did it in terms of trying to devise some machinery, or system, or operation

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that would counteract McCarthy and put things in proper perspective; and, the idea I came up with was a Commission on Internal Security and Individual Rights. I believe I can fairly say, I was the principle progenitor of that thing -- George Elsey also contributed greatly to it and Charlie Murphy too.

HESS: The Nimitz Commission.

SPINGARN: It later evolved into the Nimitz Commission which aborted because Senator McCarran -- old Pat McCarran of Nevada, peace to his ashes, I hope they are where they belong. He was a likeable rascal, I'll give him that. Pat McCarran, who was bitterly hostile to the whole idea and who was chairman of the Senate Judiciary Committee, would not give the members of the temporary Nimitz Commission the exemption from the conflict of interest statutes. Since many of them were lawyers this was indispensable. If they and their law firms were going to be barred from government business obviously they weren't going to serve on that Commission. So he killed it that way.

But I particularly remember this: I had recommended this for some time to George Elsey and others were strong for it too; in June just a few days before the Korean war the Tydings report was out, or about to come

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out, and the President held a policy powwow at Blair House -- you know the White House was under reconstruction then and he was living at Blair House -- and it was just a few days before the Korean war and the congressional leadership was there; Barkley, as I recall, and McCormack, and I don't think Lucas was there -- he may have been -- but anyway it is in a memorandum in the Truman Library. Well, the congressional leadership was there and Tydings - I don't remember whether Tydings was there or not -- Senator [Brien] McMahon, and Senator [Theodore Francis] Green were there, and the Attorney General was there, as I recall, and Clark Clifford, and Charlie Murphy, and Steelman, and Dawson, the President and myself, and I think that was it.

It's all in a memorandum that I prepared on this; and we had prepared -- I had prepared -- a draft of a message to Congress recommending that Congress establish this Commission by statute on Internal Security and Individual Rights -- that was my name, I remember, because I wanted to be sure that it was balanced; after all every time you exercise internal security you are infringing on individual rights, and there has to be a balance here between the national interest and the

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personal interest at some point.

HESS: So the title was yours.

SPINGARN: Yes, the title was mine. I remember that. And, I always felt, if I may digress, that I had unusual qualifications in this one field if in no other, because on the one hand I had been, you might say, a cop -- I had worked in enforcement matters in the Treasury; been counsel to the Secret Service; commanded a counter-intelligence outfit that caught hundreds of spies and interned a couple of thousand people, you know, a gestapo-type outfit in the World War; and on the other hand I had a liberal tradition -- my father had been founder and president of the NAACP and all that. Usually everybody in this field has either one bias or the other. They usually are internal security artists and they say; "All doubts must be resolved in favor of internal security," or they are big civil libertarians and they say, "Nothing counts but civil liberty." I say

there is something to be said on both sides, you see, and the difficult thing is to strike a balance between the two, and this will not always be the same balance, because obviously in a hot war it is different than it is in a cold war, and in a cold war it may be

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different than it is in perfect peace. Anyway that's the problem.

HESS: One of these times we want to go over the staffing of that committee and discuss why the different people were chosen.

SPINGARN: Well, I didn't have anything to do with that because that was after I left the White House. You would have to talk to Murphy and others on that. I don't know how they were chosen. I had submitted lists of dozens and dozens of people before I left and I am sure others had, too, but, I don't know how they picked the ones they did.

HESS: On that subject, who would you have preferred to see as Chairman of the Committee? Do you recall offhand?

SPINGARN: No. I don't. But the thing you were looking for was (a) someone who was fair minded, and (b) someone who would command the respect of the country. A fair minded man who wouldn't command the respect of the country wouldn't be of much value to you, and a man who commanded that respect but wasn't fair minded, would not be of much value to you, so that was what you were looking for ideally.

Well, anyway, so we had this powwow, and the point

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was that Congress was getting ready to adjourn, it was election year -- '50 -- the Tydings Committee report was just issued or was about to be issued; it was already out in draft, I think, and the congressional leadership didn't want a message. It was going to delay Congress; it would be very controversial; McCarthy was thundering, and all that. That's what they said. The Tydings Committee report would put the lid on the whole thing, and so on. We went around -- everybody was asked for his views and my memorandum lists how everybody reported. Steelman typically didn't give any views -- typically. But Clifford and Murphy, and Dawson and I, as I recall, favored this Nimitz Commission approach, by statute and message to Congress, but the congressional leadership was against it -- they didn't want it.

I don't think it made any ultimate difference because the Korean war came along and it would have been blocked anyway, I suspect. Unfortunately it seemed to me that the President broached the idea of legislation before he read the message, which was a pretty good message, and I thought if he had read it first it might have been more effective. But anyway, that's the way it worked. Anyway, the President wound up by

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saying, "Let's think about it some more and we'll get together again later," but then a few days later came the Korean war and that was. it.

And the same thing happened to another program of mine. That was the Small Business Program. I was in charge of a task force -- White House task force -- inter-agency White House task force -- and we spent several months of meetings and getting this program together and getting the Cabinet together, and the Federal Reserve Board and, oh my, a lot of work went into that.

I got the bill together and the message together and it went to Congress on the fifth of May; and I had many, many talks with the President on that because he was very much interested in that. I remember in March or April -- March I think it was -- I was down in Key West, I spent a week there, and for several days I was the only -- I guess you would call it the only operating staff man there, the rest were ceremonial people, and I was the fellow that had to do everything. I remember I was driving poor old Jack Romagna, who was doing the stenographic work, crazy; because I was giving him so much work and he didn't think this was the type of work he ought to be doing, you know, he was a court

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type reporter who took the President's press conferences, this was beneath his dignity, I know he felt. Well, anyway, he was a very temperamental fellow; a great guy, but very much of a prima donna.

And I had a lot of talks with the President about this thing and the problem was to get conservative gentlemen like John Snyder, the Secretary of the Treasury, and Charlie Sawyer, the Secretary of Commerce, and Tom McCabe, the chairman of the Federal Reserve Board to go along. Well, we finally got all our ducks in line, and I was rather proud of what I did with McCabe, but it is all recorded in the Truman Library.

Here's something, by the way -- I want to digress -- and that's files. The White House files are the lousiest files I've ever seen in my whole life in any major agency. They were a disgrace. Typically, when you ordered a file from the central file it would come over loose, and with this mish-mash of papers, they weren't even clamped in, you know, just loose with a rubber band around them. Imagine White House files like that -- that was the way they were done -- gosh, they were awful -- I mean I was shocked when I saw them; and I was determined when I did something important we

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were going to get that file in good shape.

Well, there was a lady named Helen Chatfield who had been the Treasury archivist and by this time was the archivist for the Bureau of the Budget, and she was a friend of mine and she was an elderly woman but a great archivist; and I turned over the small business files and later the defense production act -- that was another operation I was in charge of. That was the bill to mobilize us economically for Korea -- the Korean war. I turned over these enormous quantities of files to her and she put them in the most beautiful shape, everything collated and subject matter indexed, and tabbed and all that sort of stuff, and, oh, it was just great, my mouth watered.

I thought if only all the files here were that way. Last summer, I guess it was, an Englishman named Martin Rudd, a senior British civil servant who was studying how other countries are dealing with the problems of small business for the purpose of making recommendations to his own government on what they should do, and who was out at the Truman Library, came to see me -- he wrote me and came to see me -- and he read this Small Business file and he said what an excellent

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file it was.

The whole thing is, a good file, well presented, has a lot more impact even if the substantive material is better in a sloppy file; again it's presentation that is important as well as substance.

Well, that was a digression. Where was I? Oh, the Nimitz Commission. So, the President said we would meet again, you see, but this Korean war came along and that broke the whole thing up, and I am sorry because I wish we had gotten something like that.

HESS: But that just never got off the ground.

You mentioned McCarthy awhile ago and this was when McCarthy was starting to cause a little trouble.

SPINGARN: February 1950.

HESS: Did his accusations cause the members of the White House staff to take any special precautions or perhaps not to act as aggressively as they might have? Did his actions cause any special trepidation among the members of the White House staff?

SPINGARN: Let me say this, I can't say it caused special trepidation on the part of the White House, it caused special trepidation through the entire Government of the United States. I mean, for instance, among the

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people that were in McCarthy's line of fire was David Lloyd, he made accusations against him you may recall. And as I recall there were accusations against Philleo Nash, you know, and everybody, practically.

I was fortunate, I don't think there was any way he could have caught me, but a guy who can say that General Marshall is probably subversive can say anybody is. The whole climate is so different today. I mean, I can remember in the Treasury, before I went to the White House, and I think it was the assistant director of personnel who was on the Treasury Loyalty Board as I was and I remember his practically having a hemorrhage because of some newspaper attack on the Treasury, some McCarthyite newspaper attack on the Treasury, and he kept bleating that he had had a long and honorable career in the Government and he didn't want to get fired now. He was scared, scared, scared. I mean this was the climate of the times, everybody was worried. A man might say, "Well, gosh, I haven't done anything wrong," but with this guy you don't have to do

anything wrong. He's not interested in whether you're right or wrong, he's only interested in promoting Joe McCarthy, by any device, hook or crook. He is the smiling demagogue who will kick you in the

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testicles and smile and say, "Hello Steve" while he does it. He does it with no malice whatever against you personally.

HESS: There really wouldn't be anything you could do to protect yourself against a person like that would there?

SPINGARN: No. There's not much you can do to protect yourself. But there was certainly an atmosphere that was quite different than it is today -- quite different.

HESS: Now, you mentioned Key West...

SPINGARN: I was, by the way, Vice Chairman of the White House Loyalty Board at the end of my stay there. What were you going to say about Key West?

HESS: You mentioned Key West and I wondered if the operations of the staff were any different when they were in Key West? What were the working operations of the staff while you were in Key West?

SPINGARN: Oh, they were entirely different because Key West was supposed to be a recreation, and what the Army used to call R and R. Recreation and rehabilitation or something like that. We would get up in the morning, and we would go to the beach each day, and there would be swimming. There was poker in the afternoon

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and evenings. Most of the senior staff were down there and they didn't have any real functions to do -- I'm thinking particularly of the protocol staff -- except to tend the President; but there were messages flowing back and forth from Washington and those the working staff had to handle -- you know how that was. I know I worked several hours a day but it wasn't at all like Washington. I mean I might work three or four hours a day down at Key West, where you would be working twelve or fourteen hours in Washington.

HESS: The next name on our list is Donald Dawson, who we have discussed a little bit. Just what was Donald Dawson's particular area of responsibility?

SPINGARN: His particular area was personnel, and he was also in charge of the administrative functions of the White House itself -- but his major area was the selection of executives for the Government. He was the fellow who screened and presented names to the President for appointments to major jobs, that was his most vital function.

Donald Dawson was considerably maligned in the RFC hearings, and I personally from my knowledge of the thing -- now I don't pretend to be fully aware of everything,

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I have read the reports of the hearings -- but the thing that made me feel that this was basically unfair to Dawson was that much was made out of the fact that his wife was -- Alva, his then wife, they have since divorced -- that his wife, Alva, was director of files or records at the RFC, and there was some sort of suggestion that Don planted her there to keep himself informed. The fact of the matter was that she had been working there for years, as I recall, before he ever came there. He met her there and married her, you see, and he had nothing whatever to do with putting her in that job.

This was typical of the efforts that was being made to stigmatize Dawson, and much was made of the fact that he was tremendously interested in the RFC, and who was appointed to the RFC. Well, all I can say is that he had worked there for ten years, and a man who has worked in an agency for ten years and who then acquires a responsibility for selection of its personnel, is bound to be more interested in his own agency than he would be in other agencies -- I mean this is normal human nature, isn't it? So, I didn't see anything reprehensible in that, that he was particularly interested

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in the RFC, anybody in his situation who had worked there for ten years would have been. He knew everybody. So. I found Donald always efficient, friendly, and cooperative, and that's all I can say.

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Third Oral History Interview with Stephen J. Spingarn, Washington, D.C., March 21, 1967. By Jerry N. Hess, Harry S. Truman Library.

HESS: Mr. Spingarn, we finished yesterday by discussing some of the men who were on the White House staff, and there are a few others that we could mention this morning to get your evaluation of, what their responsibilities were, just how good they were and perhaps some example of something they may have worked on to show their relationships perhaps with the President, with other members of the White House staff, or anything of that nature. How about George Elsey?

SPINGARN: Well, George was a young fellow who really grew up in the White House; he came there as an ensign during the war; he was in the Map Room -- as I understand it was a G2 operations room where the President could see at a glance what was happening on all the battlefronts of the world; and, later Clark Clifford came in there as assistant naval aide, and later the naval aide, and then obviously he spotted -- I'm just supposing this -- George as an able young chap and when Clifford went over to the civilian side as special counsel to the President, he took George with him as his assistant,

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in fact his only assistant.

HESS: I've heard that George Elsey helped to make many of the first drafts of the speeches in those early years. Did you hear anything about that?

SPINGARN: I am sure that was true. I speak only from hearsay, but I am sure that George participated heavily in the first drafts of those speeches. He was extremely able, lots of ideas, imaginative, and I would rate him very high among the men I knew at the White House. At that time he was somewhat modest and self-effacing in personality, but like anyone else -- he was only twenty-eight, I think, when I first met him in late '47 or early '48 -- but like anyone else, he's grown in stature and confidence in the years since then.

Clark Clifford depended very heavily on him, and rightly so. Actually, George was responsible for my coming to the White House on a permanent basis in early '49 because he went on active duty in the Navy for about a year, and I was then brought to the White House to fill his slot as assistant to the special counsel -- Clark Clifford.

HESS: Did you work with him any during the years that you were being worked into the White House operation -- before

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you came to the White House officially?

SPINGARN: Before I came into the White House officially, yes. As a matter of fact, it is my impression -- my recollection -- that in early 1948, when I went over to the White House on detail from the Treasury to work on the civil rights legislative program, that it was George who made the first contact with me from the White House, that is my recollection. In any event, I recall close association with him from that time on. We became friends, and we usually thought along the same lines. I had and have great confidence in his judgment and abilities.

HESS: Did he help in the writing of that message -- the February 2nd message?

SPINGARN: Yes. I can't tell you exactly at this late date how much of a role anyone played.

HESS: But he was involved?

SPINGARN: He was involved, yes. And he's had a highly successful career since the White House. He became vice president of the American Red Cross afterwards, and then he went into business, and he is now one of the top ten executives of a billion dollar firm -- an enormous business firm.

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HESS: The Pullman Corporation.

SPINGARN: That's not the name. Pullman is one of the subsidiaries, I believe. Pullman is involved in the pot there, but I don't think it is the whole pot.

HESS: For awhile the name was Kellogg-Pullman, or something like that.

SPINGARN: Kellogg is in there somewhere. I have forgotten the name of the firm, but I know George is one of the ten men on the masthead.

Then there is Ken Hechler, who is a remarkable chap; an egghead who has made good as a practical politician. He is a New Yorker, from Long Island, and he's a Ph.D. and a college professor. He has taught at Princeton and other places. During World War II he was a military historian, and he actually participated in the operation that resulted in the crossing of the Rhine at the Remagen Bridge.

This was one of the great coups of the later stages of World War II. It was expected that it would have to be a river crossing, which is a dangerous and often costly affair against heavy opposition. The Germans tried to blow up the Remagen Bridge, but they didn't put enough explosives there, and it jumped

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up a few feet and settled down again and lasted for another week; and, in the meanwhile we poured troops across and established a beachhead and held it, and that undoubtedly speeded things up by some weeks.

In any event, Ken was there as a major in the historical division, as I recall, and after the war he wrote an excellent book called *The Bridge at Remagen*, paperback only I believe, but an excellent book -- I've read it. He went back and he interviewed the people involved on both sides; the allied officers and men, and the German officers and men, and he wrote a book which details hour by hour -- first on the American side and then on the German side -- what was happening during those critical hours and days while we were crossing the bridge at Remagen. And by the way, later when he ran for Congress in West Virginia, he used to tour his district, I am told in a jeep, with stacks and stacks of that paperback, *The Bridge at Remagen*, which he gave away as souvenirs of the candidate, and I am told that he was a very effective candidate, and I know he is an effective Congressman from the standpoint of his constituents.

HESS: Been re-elected several times.

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SPINGARN: He is in either his fourth or fifth term, and the unusual thing is this: He's a carpetbagger. He went down to West Virginia from Princeton; he went down to Marshall College there and within two years he gets elected to Congress.

I thought to myself, well this is just a seven-day wonder, you know, he will serve one term and then they'll wipe him out, but he's held his seat and he's now in his fourth or fifth term, and he might even be Senator from West Virginia one day.

Ken is a fellow who goes in for unusual and whimsical, some people might say even eccentric, stunts to attract attention to his candidacies, and his causes, and my impression is they are highly effective. I remember once at a dinner some young Democrats -- a political dinner a few years

ago, some young Democrats from West Virginia told me with great pride that Ken Hechler was their Congressman, and they were real proud of that.

Ken actually came to the White House as assistant to George Elsey, after Elsey returned from naval duty and became an administrative assistant to the President. Hechler was his assistant, and he specialized in preparing background material on places that the President

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was going to visit and where he would have to talk, so that the President would have the pitch; the terrain; the political geography; the political, economic and social geography of the place, which any man ought to have when he makes a speech somewhere; otherwise, he is likely to put his foot in his mouth, and he was very good at that.

HESS: What other tasks did he have?

SPINGARN: I would say that he was the political researcher for the White House. He researched political situations and how the vote had gone, sliced forwards and backwards and every other way you know, and giving areas and places. He also worked on speeches and messages along with the rest of us. He tended to be a little prolix in his writings, a fault which I myself am guilty of, so I can sympathize with him. The hardest thing in the world is to write a short good speech.

I am always reminded of the story of the bishop who visits a strange city for a vacation and the congregation of his church in that area, of his denomination, come to visit him and ask him to give them a sermon, and he says he will be delight to, but, "How long a sermon do you want?"

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And they told him, "Suit yourself Bishop. Any length you see fit to give us."

He said, "No, it's important."

And they said, "Why?"

And he said, "Well, if you want a five minute sermon it will take me two weeks; if you want a fifteen minute sermon it will take me one week, but if you want an hour sermon, I am ready right now."

And believe me truer words were never spoken. Well, I think that I have covered most of the people on the staff now. Oh. Harry Vaughan you asked me about.

HESS: We have a couple of military men that we might cover, Harry Vaughan and Admiral Dennison.

SPINGARN: Admiral Dennison and Harry Vaughan, yes.

HESS: How about Harry Vaughan?

SPINGARN: Now, Harry Vaughan, of course, was the President's military aide, but he was more than that. He was a very close, personal friend of the President's who had been in Battery D in World War I with him, and was from his home state. He was a lifetime friend. He had been his secretary when President Truman was Senator. Harry Vaughan is a very likable, extroverted chap.

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I got along very well with him in spite of the fact that I think he regarded me as a pretty liberal fellow, perhaps even more liberal than I really was. But Harry and I -- I liked him and I think he liked me. I remember one occasion he sent me a box of cigars -- good cigars, too. Harry was undoubtedly the best poker player at the White House and whenever we played poker, and that was often on trips to Key West and even on the *Williamsburg* and on other occasions, Harry was almost always the winner.

I was practically always the loser. Fortunately for me they had a rule that you couldn't lose more than a hundred dollars in a week. I used to go down a hundred dollars usually in the first day, but after that you were carried, you see. That wasn't much fun for the others because they couldn't win any more money from you, the only thing that could happen was that you could win from them or stay level at a hundred minus. I have always felt that Harry, who was sort of a whipping boy for the press, was a much maligned person.

HESS: Why do you think that image of Harry Vaughan evolved?

SPINGARN: Well, I think it evolved for two reasons; one Harry is a rough, tough sort of blustery kind of chap

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with a sort of outhouse wit which amused the President, and amused me as far as that goes, but some people found it a little too heavy for their tastes.

Now, I want to say this -- every President needs a close crony, if you want to call it that, a court jester if you want to call it that, a friend who relaxes him, you know, who doesn't pay him the deference, who doesn't put him up on a pedestal and treat him like a king and a god, but who he can be at home and relaxed with...

HESS: A change of pace.

SPINGARN: ...a change of pace. President Kennedy had David Powers, and others who I believe fell in that category.

HESS: Is there anyone in the White House now that you would place in that category? Getting off the subject just a little bit.

SPINGARN: I don't know. I really don't know. I can't say to my own knowledge that there is, but I would be amazed if there wasn't someone -- one or more people with whom LBJ relaxes

with his vest unbuttoned, and swaps tales -- swaps lies about old days in Texas, which is what everybody likes to do once in awhile. Franklin

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Roosevelt had George Allen and by the way George Allen survived; he was Dwight Eisenhower's favorite jester, too. And you can go down the line, I don't know whether Herbert Hoover had anybody or Calvin Coolidge but certainly Warren Harding had plenty.

HESS: On the subject of George Allen, he was also around the White House a little bit during the Truman administration.

SPINGARN: Yes, he was.

HESS: Did you ever run across him in the White House or was he gone by that time?

SPINGARN: I never knew him more than just to say hello to.

HESS: The only official position that I have is that he was Personal Representative of the President for the Liquidation of War Agencies, August '45 to January '46. As far as I know that is the only official position he had.

SPINGARN: When was he on the RFC? I don't remember. In any event, he was a friend of President Truman's, but I think he was closer to both Roosevelt and Eisenhower -- that is my impression -- than he was to President Truman but, I'll have to let the facts speak themselves, I don't really know.

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However, getting back to Harry Vaughan -- it seemed to me that on the one hand his personality lead itself to attacks from some quarters. It didn't grate on me at all, I found him extremely amusing. And the President enjoyed his company obviously. There was another factor and that is this; that Harry Vaughan, who I believe to be an entirely honest man -- I'm sure that all these charges about Harry Vaughan are enormously exaggerated -- Harry Vaughan I know to be a man who lives on a modest scale, who teaches Sunday school and who lives essentially a blameless life.

But Harry Vaughan had this difficulty, he had been secretary to Senator Truman, and a Senator's secretary is supposed to do favors for the constituents. When they come seeking introductions at the agencies -- that's his job. When Harry Vaughan moved to the White House I don't think he quite made in his own mind the change that he should have made. I think he still regarded himself as a Senator's secretary, and the constituents came around and he would introduce them at the agencies, and he didn't realize perhaps the impact, the different impact it had when the introduction came from the President's White House military aide, than when it came

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from the Senator's secretary. Now, this I think had something to do with it, and of course, human beings being the way they are, certain people certainly abused his friendship. Now, this I think is probably the main ingredient in Harry Vaughan's image.

HESS: Did he have any particular responsibilities in the White House other than his military aide duties, and he was also coordinator of veterans' affairs.

SPINGARN: As far as I know he had no other responsibilities, but obviously a man who is close to the President and whom the President sits with in his "unbuttoned moments;" and perhaps shares his thoughts with may influence presidential thinking simply in casual conversations in which they discuss matters, you know, on occasions that policy is not theoretically being decided.

HESS: In June of 1948, as you know, the President took his nonpolitical trip out west and one of the stops -- unscheduled stops -- was at Carey, Idaho where they dedicated an air field to the wrong person. Did you ever hear General Vaughan make any comments on that?

SPINGARN: No. I remember the incident, but I was not at the White House at the time, so I don't have any really firsthand information. Yes, I remember that was always

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regarded as a horror case of what shouldn't happen, but which can all too easily happen when a man is moving around and making five, six, eight, ten stops a day at different places.

HESS: And now Admiral Dennison.

SPINGARN: Yes. Bob Dennison was the naval aide. If my recollection is right, he was the captain of the *Missouri* when President Truman met him at the beginning of his administration, or possibly even earlier. In any event, when I reached the White House he was a rear admiral and the naval aide.

HESS: I have it down here that his official date for coming into the White House was January 28th of '48, which would be just about the time they were contacting you. This would be during the time that you were working on the February 2nd message.

SPINGARN: When did the President meet him?

HESS: I don't know.

SPINGARN: I think it was substantially earlier.

HESS: Well, he probably knew him before this.

SPINGARN: Yes. In any event he was at the White House when I got there, and he was a rear admiral and the naval aide, and he was, from my way of thinking, an

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unusual military officer. I say that because I was an officer in various grades through lieutenant colonel in World War II, but I was always a civilian at heart as are most men commissioned for brief periods, I mean for three or four years in a war, are. And to be honest, I did not tremendously admire the majority of the military brass that I met as to the -- broadness of their vision and range outside the military field. They seemed to me rather parochial in their outlook. I would make exceptions for men I met like General Gruenther, who was the chief of staff at Fifth Army in Italy and in Africa where I was, and I would make exceptions for men like General Bradley, and for Lawton Collins and others whom I had some contact with.

But generally speaking I found the military mind -- from the standpoint of a civilian -- inclined to be rather parochial, outside the military field which was their field of expertise, but Bob Dennison was not that way at all. He was a man of very broad-ranging curiosity and intellect; he had as I recall at least an M.A., I think he had an M.A. in some scientific field, and it may have been a Ph.D. -- I'm not sure. In any event, he was interested in everything and his

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opinions were well worth listening to on almost anything.

He and I sometimes agreed and sometimes disagreed. I remember, for example, on the Basing Point Bill, I happened to be in charge of the White House task force that wrote the veto on the Basing Point bill in 1950, and Bob Dennison and I discussed that at some length. If my memory serves me right, he took an opposing view. He didn't seem to think the bill was so bad it should be vetoed, and he had plenty of respectable support in this area. His opinions were worth listening to. They were not simply the ignorant opinions of an uninformed man, they were always opinions of a man who had done some thinking and knew what he was talking about.

I would rate him very high in ability and I think that is indicated by his subsequent career because in spite of the fact -- I don't know how the military service regards the service of an officer at the White House for a long period of time, but it would occur to me that at the Pentagon in military circles that would somewhat tend to identify him politically with the President and the administration for which he had served in that capacity, I don't know, I'm just guessing, you

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see. In any event it evidently didn't hurt Bob Dennison that he had been associated with Democratic President Truman because under Republican President Eisenhower, he rose to be a four star admiral and the supreme commander of the U.S. Atlantic Fleet and the NATO commander in the Atlantic.

HESS: I have a question here on this. When Admiral Dennison and others on the military and naval aide staff would give you the benefit of their advice...

SPINGARN: Well this is only informal discussion at lunches and things like that, naturally you tend to discuss your work and this was not in policymaking meetings of any sort. He had no

function in this, this was simply friendly discussions, a fellow interested in public affairs perhaps at lunch or on some other informal occasion.

HESS: Good. That's the point I want to bring up.

SPINGARN: He was not intruding on policy at all. He was just a friend who was discussing an interesting matter in which we were all interested.

HESS: It just occurred to me how much of this would be in a formal discussion group.

SPINGARN: These were not formal. These were informal

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discussions. Now, there was also the President's doctor, General Graham, Wally Graham, one of the nicest people you could ever want to meet and I understand an extremely capable doctor. Everybody liked Wally Graham. And then there was Bob Landry -- Robert Landry, Major General Landry -- who was the air aide and he, too, was a very likable and affable chap, though not an intellectual heavyweight by any means. Now, is there anyone else I should cover?

HESS: I don't believe so right now.

SPINGARN: Well, I would like to talk about President Truman and civil rights. Recently, I have had considerable activity in the field of defending President Truman's record on civil rights. Last fall, I was invited by the American Historical Association, which was holding its annual convention in New York City in late December 1966, to participate in a session on civil rights in the Truman administration.

This convention assembled some six thousand historians at the New York Hilton Hotel, and the session on civil rights which was on December 29th, was the first major session that I am aware of that's been held on the subject of civil rights in the Truman administration,

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at least by the historians.

Dr. William Leuchtenburg of Columbia, was the program chairman who invited me, and Dr. Philip Brooks, the Director of the Truman Library in Independence, Missouri, was the moderator of this program. The main paper was prepared by a young professor at Stanford, Barton J. Bernstein, assistant professor, a young man about thirty years old who has done a considerable amount of research and writing already in spite of his youth.

There were to be two commentators. The batting order was this: Bernstein was to present a paper of about forty-five minutes in length; then two commentators, Professor Alonzo Hamby of Ohio University, not Ohio State, but Ohio University at Athens, Ohio, was to have fifteen minutes for comment on the Bernstein paper, and I was to have fifteen minutes.

In September 1966, Professor Bernstein called me up in Washington and asked to see me, and we met at the National Press Club, of which I am a member, and spent several hours together. I discovered -- and this is not mere digression because this ties in with what happened later, at least from my way of

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thinking -- I discovered that Professor Bernstein was an ardent anti-Vietnam man; he is an activist who took part in teach-ins and demonstrations. I, on the other hand, with perhaps less zeal than he, and perhaps less certainty of the perfect purity of my position, support the main thrust of the administration's position on Vietnam, as I understand it's neither dove, nor hawk but owl...I like to say.

I think that the administration is doing a very difficult and typically unpopular thing in trying to defeat aggression in a peripheral war -- a border war -- with the minimum use of U.S. military power. Obviously we could wipe out North Vietnam tomorrow but that would be a catastrophe which would very likely start World War III; so, this is a difficult thing to do, to fight a border war with not a maximum but the minimum amount of military power on the part of a great power contending with a little power, the minimum amount necessary to defeat or to deter that aggression. We did the same thing -- I say the same thing -- we had a similar but not identical situation in Korea except that there the aggression was overt, an army marching across a border. And again we didn't bomb China;

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we didn't drop atom bombs; we didn't unfurl Chiang Kai-shek; we didn't do many of the things we could have done, and which the hawks of that period wanted us to do; the hawks including General MacArthur.

I have often thought of MacArthur as the General McClellan of his day, or I think of General McClellan as the General MacArthur of his day. I remember when I was appointed to the Federal Trade Commission, at the opening ceremony where I was sworn in I told this story about General McClellan which I also apply to General MacArthur.

McClellan, it will be remembered was a rather prima donnish young general, who took a very haughty view towards President Lincoln -- actually, he was downright rude and insulting to him on a number of occasions. And, on one occasion McClellan sent Lincoln a memorandum which in his typical flamboyant fashion, he datelined, "Headquarters in the saddle," and Lincoln read the memorandum and observed dryly to an aide that the trouble with General McClellan was that he had his headquarters where his hindquarters ought to be.

So I feel that the Korean thing, although it ended in an inconclusive peace, although we still have troops

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facing the North Koreans, along with our South Korean allies, across that demarcation line, the thirty-seventh or thirty--ighth parallel, that it was a success.

Fourteen years later after it ended, there has been no further aggression there of significance. I think we slowed down their timetable. I believe we are fighting for time in this picture. That internal centrifugal forces within the Communist world are working for us, not against us, and that the longer we can defer a frontal -- a direct conflict between the two mammoth power complexes, the better things are, and that we may be in the position for a long time of fighting inconclusive border wars, the way the British once did.

In fact, I would like to go into this a little further because this is a speech, if you like, a statement that I like to give the young people, the people of college age crowd, who are so typically, especially the intellectuals among them -- so typically hostile to what we are doing in Vietnam.

I put it this way: I say you are not old enough to remember firsthand the history of the last thirty five years, but I am. Let me recount it briefly for you as I see it and why it is significant today. In 1931

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the Japanese moved into Manchuria. In 1935 Mussolini invaded Ethiopia. In 1936 Hitler moved his troops into the demilitarized Rhineland in violation of the Versailles Treaty. We know now from captured German documents that his instructions to his generals were that they were to withdraw if there was any opposition from the French or the British, and the French and the British consulted but they did nothing. And so on down the line -- the whole timetable -- there was Spain; there was the Anschluss in Austria; there was the Sudetenland -- right on down the line. We flunked every test, we and our western allies. We flunked every test. Every time the aggressor moved we let him move. And did that stop a World War? No, it hastened the most terrible war in human history.

Now, I say aggression has changed its face. In those days it was armies marching across borders; today it's called a war of liberation. But I say, look at this -- in every country in the world there is a Communist party, or other splinter dissident group. All an aggressor on the outside has to do is to move in leaders, and training cadres, and arms, and ammunition, and money, and propaganda and take over the local dissidents and

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call it a war of liberation, and that is what they're doing.

Now, I say if we could get out of Vietnam tomorrow and we could be sure this was the end of all this thing, I would say fine, let's go -- but I am as convinced as I can be of anything, that if we got out of Vietnam unilaterally tomorrow within six months another government, probably in the same area -- it might be Thailand, it might even be the Philippines because the Huks, the Communist Huks, are rising there again and they are being supplied and supported by the Chinese Communists. I have heard President Marcos of the Philippines say this within the last few months.

They were once defeated and they are not yet a major threat but they are on the move, the rise, or so he said when he was here last fall. Suppose we get out of Vietnam and suppose the Philippines turn to us and say, "We are having serious trouble with the Huks, we need your

military help, will you help us." Then we'd have the same decision to make over again. Do we move in and help them or don't we? And each time we don't help them our credibility among other countries that are attacked dwindles. This is no mere matter

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of face, this is a question as to whether you are going to get help in your hour of need, and if you know you are not going to you are going to make the best kind of deal you can with the other fellow, aren't you?

And that's the way I look at it -- again we will be flunking tests, just the way we did all through the '30s and it didn't avert a terrible war then, and I do not believe it would avert it now. I think it would probably hasten it.

Anyway, that's my theory of the case and another thing I say to them -- in this world there are no one hundred percent choices. It would be nice if everything was black on the other side and white on your side, but that's not the way it is. You have to make up your mind on where fifty-one percent of the truth lies, when you are dealing with jugular matters, and then you have to proceed on the fifty-one percent side. Now there are things that are happening in Vietnam that are unattractive obviously, but let us look at this business of atrocities for example. I clipped from the *Washington News* last fall two stories in the papers which struck me as so good in the way that they pinpointed the difference between our "atrocities" and the

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Vietnam atrocities.

It showed these two concurrent stories: Our artillery had made a mistake -- a one hundred and eighty degree mistake -- and had fired into a South Vietnam village killing some civilians. On the same day the Vietcong had murdered, deliberately, a group of Vietnam civilians and mutilated their bodies -- that was the difference. Our "atrocities" was inadvertent -- the kind of thing that happens in every war.

I say to these young people, have you ever been in a war? I have. I was no combat soldier, but I spent three years overseas -- I was in two invasion landings, I was at Salerno and Cassino and Anzio and I saw a lot of men get killed, near me, too. And I know what death is like, I've seen it, and I know what mistakes are like. I've seen us kill our own troops, and they are doing it in Vietnam occasionally, too. When you fight a war, you can't help that -- you try not to. We are probably doing a better job on that than has ever been done in warfare before, in terms of trying to select targets.

And, then there is a lot of talk about how we mustn't use tear gas -- my goodness, we use tear gas in

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riots in the United States -- I can only say when you are dealing with these underground burrows, these great fortresses underground, I would think that tear gas would be the best thing to flush the Vietcong out from under it, and I don't regard that as vicious at all.

And even the napalm. Napalm is a terrible weapon, there is no doubt about it, but I don't know that a man killed by napalm is any deader than a man killed by a bullet -- or a child for that matter. And I noticed -- it was buried on page eighty-four of the *New York Times* the Sunday before last -- that Dr. Rusk, Howard Rusk, the medical editor of the *New York Times* is out, or was out in Saigon, and he went to many hospitals to investigate how many civilian casualties there were from napalm, especially children -- Vietnam civilian children -- and he found there were very few children in spite of all the horrible cries that are appearing, that there are very few children suffering from napalm. There were plenty of children there, but eighty percent of them were suffering from diseases and malnutrition and accidents, not military casualties at all, and of the military casualties, there were

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very few napalm casualties.

On the other hand, he found that on the whole the people who were there were there as a result of Vietcong -- the civilians -- Vietcong atrocities, in the hospital I mean, and these were both deliberate atrocities where they had deliberately murdered people or fired or burned the village. And there were accidental atrocities, if you want to call them that. In other words, where the Vietcong had laid a land mine and a civilian truck had gone over it and blown up a lot of people, and that sort of thing. They found that there were apparently substantially more civilians in the hospitals as a result of the Vietcong than there were as a result of our military operations -- so all this should be judged in context. And again, I say that a lot of Vietcong stuff is deliberate, and ours is never deliberate, except you have some sadistic individual which you have in every army who may do something wrong and criminal, that is a possibility.

Now, getting back to Mr. Bernstein -- Professor Bernstein -- so, he came to see me and we spent two hours or so talking at the Press Club one day in December of

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'66, and I discovered he was an anti-Vietnam, activist. I had written a letter that month. I had written it to the *London Times* first. I had written it actually to ten newspapers. It was a letter attacking Lord Russell -- Bertrand Russell's so-called trial of President Lyndon Johnson and Secretaries Rusk and MacNamara as human fiends -- war criminals -- Nuremberg style, for atrocities in Vietnam.

I wrote to ten newspapers, seven in the United States, one in England, one in France and one in Italy, personal letters to the editor in each case. It was partly an exercise on my part to see how many places I could place this letter, how effective a counter propaganda operation one man could run. Really it was a maneuver and an exercise, in a sense.

Also, it had its own merits, and as far as I know four newspapers published it, and the *New York Times* wrote me that. they would have published it if it hadn't already appeared in the *Washington Post*. The *Los Angeles Times* published it, and the *Washington Post*, and a couple of others. Now, the *London Times* turned it down, and I had also sent it to *France Soir*, in Paris, the largest French paper which had published

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some articles on counterespionage of mine back in '48 or 9. My *Saturday Evening Post* articles were published in that newspaper. I also sent it to the largest circulation Italian newspaper.

I didn't hear from them, so I suppose that the French and Italian newspapers did not publish it -- I'm not aware that they did. Now, the *London Times* turned it down, but I didn't stop there.

I have a first cousin, Lord Walston, who is a British peer, he is a labor life peer. And Harry Walston was until a month or two ago, until January of this year -- '67 -- the British Labor Government spokesman on foreign policy in the House of Lords. So. I wrote Harry and I sent him a copy of this letter and I said, "I don't know much about British newspapers other than the *London Times*, everybody knows that one, and they have turned it down. Would you be good enough, Harry, to pick a newspaper that might print this letter?"

So he did. He sent it to the London *Daily Telegraph* which he said, "It's rather rightwing but no matter," and was right, they printed it. That was on September 21st. I didn't know that they had printed

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it when I saw Bernstein. I didn't know it till several weeks later.

On the 30th of September 1966, Bertrand Russell replied to my letter in the same newspaper, and I have given you that material. Now, I showed Bernstein the copy of the letter I sent -- I didn't know yet that it had appeared in London, but it had appeared in American newspapers. At one point in that letter I said -- impeaching Bertrand Russell's credibility -- this is the same man who once advocated that we use the atom bomb on the Soviet Union -- back in the '40s he advocated that. Now, he has made a complete switch, he seems to run the gamut, three hundred sixty degrees around the clock. So, young Professor Bernstein looked this over and he said, "I used to think that, but a student of mine came to me recently and showed me evidence that convinced me that that statement about Bertrand Russell is not true."

And I said, "I would be very interested in seeing your evidence. When you get back to Stanford," he was returning there, "will you send it?"

"Sure."

When we parted at the door of the Press Club, I

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reminded him I wanted to see that evidence that he had contradicting the statement in my letter. And he promised me he would send it. Several weeks went by and I heard nothing from him, so I wrote him a polite letter reminding him that he had promised to send this to me. He then wrote me a letter saying that he had made a search but had been unable to find the evidence which he had referred to; that he would continue to search but with diminishing hope of finding it.

I then knew, or believed in my own mind that he had tried to run a bluff on me, and I wrote him back a very sharp letter saying "Look, you told me a student came to you recently and gave you evidence, well find that student. Why should it be so hard to find him?" He then wrote me a letter which I regard as utterly incredible saying that it wasn't recently it was a year ago, that Stanford was a big university and he couldn't remember who the student was, and so forth and so on.

I didn't believe this for a moment. I thought that he had simply tried to run a bluff on me and I have found this sometimes -- whenever I call the bluff

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of one of these anti-Vietnamese on factual matters, I usually find they are wrong, they haven't got the evidence to support their case. I am willing to listen to their side, I wanted the evidence. I then turned around and I dug up evidence -- I dug up Bertrand Russell's statement, I sent it to him in quotes, you know, the place where it appeared or a reproduction of it. And Bernstein then had the good grace to reply that he would have to accept my facts; he couldn't find his, and he would have to accept mine as correct.

Naturally this did not reassure me as to his general historical accuracy. I knew that he was deeply committed on the Vietnam thing and I felt that he had let his judgment run away with him and sort of moved up in the wild blue yonder with some facts that didn't really exist, or he had seen something very flimsy and thin, perhaps, and suddenly he wanted to blow it up into evidence, but then he either couldn't find it or when he looked at it he realized that it wasn't evidence and he wasn't even prepared to show it to me -- that was my theory of the case.

Well, this is background. Early in December, he send me a copy of his paper which he was going to

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read at the AHA Convention on civil rights in the Truman administration, and when I read it I found it so bad, from my standpoint, so unfair on account of civil rights in the Truman administration, that I long-distanced Professor Leuchtenberg at Columbia, at home one weekend -- he was the program chairman -- and I asked him to give me thirty minutes instead of fifteen minutes to comment on Bernstein's paper, and he gladly assented, and I told him the reason and he said it sounded like an interesting session, he thought he would attend himself, and as a matter of fact I think I took nearer to forty minutes when the actual occasion came.

I want to say this, that Professor Bernstein apparently didn't think too badly of my personal conduct at the White House because on page fifty-five of his paper -- actually the footnotes to his lengthy paper -- he has this to say about me as a White House staff man working on civil rights -- this is footnote forty-three, and he is talking about people questioning the sincerity of the President and his party on civil rights in 1950; the sincerity of Truman and the Democratic Party's devotion to civil rights. He says this: "On Truman's reluctance to battle for FEPC see Spingarn to Charles

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Murphy, March 11th, 1950 -- Spingarn to Truman, May 16 and May 19, 1950. All manuscripts in Spingarn Papers -- Truman Library." And then he adds this: "Although the attitudes and positions on civil rights are not clear for many of Truman's assistants and advisers, Spingarn seems to have been among the most ardent supporters of civil rights within the White House," and so on. He hasn't said this about, as far as I know, anyone else on the White House staff. Now this, of course, unfairly exaggerates my position in the matter, and it would only be fair to say that people like Philleo Nash, David Lloyd, David Bell, and Charlie Murphy were every bit as anxious to see civil rights legislation passed as I was. Perhaps it could be said that I documented my devotion to it better than they did, that's about all.

So, the great day arose. By the way, this is an amusing episode that I believe deserves historical recounting. The night before the December 29th historical convention meeting, this session on civil rights, I was standing in the pantry of my mother's apartment on 64th and Madison -- in the pantry because that's where the telephone was -- one in her bedroom

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and one in the pantry. Behind me was a large porcelain sink about eight feet long. I was talking to Barbara Tuchman on the telephone -- it was about ten o'clock at night. She is the author of *The Guns of August* and *The Proud Tower*, and so forth and so on. We were making arrangements to meet for a drink the next day -- she was also addressing another session of the historical association convention. I leaned back lightly, as lightly as a fellow my size can, against the porcelain sink, and with a tremendous crashing roar it broke off, fell to the floor, sheered off a pipe. A scalding hot two inch jet of water leaped out and hit me on the leg, I yelled at Barbara, "Disaster has struck," or something like that and banged down the phone, and the next forty-five minutes or an hour was absolute pandemonium. The apartment began to fill up from the bottom, one inch, two inches, three inches, four inches; it was scalding hot water, you couldn't even stay in the place without boots on. The apartment also began to fill with steam.

The superintendent was a new man, he was running around there like a chicken with his head off, with diagrams, he didn't know where the water controls were

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and couldn't find the place to turn them off.

I had the presence of mind -- my eight-four year old mother was screaming and I was yelling like a bull and the elevator men and the doormen were all thronging around, everybody was bumping into each other -- and I had the presence of mind, I claim, to throw the furniture out of the dining room and pull a huge rug up and dike it against the door on one side of the pantry and kitchen complex, and do the same thing on the other side, and diked the water in there you see; so, it didn't get out into the main apartment -- just the kitchen, pantry and the cook's room.

Well, it kept rising though, and pretty soon it was going to roll over the dikes and into the main apartment. I thought myself of an all-night plumber, and I ran to the yellow book and I found one -- days, nights, holidays, always -- I called him up -- it was ten o'clock in the evening -- "So sorry, but we are not working tonight." Then I called the fire department -- this was no time to equivocate. And, just as I started to dial the fire department the superintendent got the water

controls turned off. I have said many times that was the worst hour I've had since World War II. I remember I rushed down to -- we were up on the ninth floor -- and, of course, the water ran

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through the floor and into the apartment below where a judge, who fortunately was away for a couple of weeks, lived. I ran downstairs and I assembled everybody working in that apartment house, the doorman and elevator men and people downstairs, and I shouted, "Everybody get a mop and a bucket up to my apartment," I said. "Everybody will get paid," I shouted. I mobilized the troops and we got a whole platoon up there and they cleaned it up within an hour or two, and so it did a surprisingly small amount of damage, but it was an exciting hour. The next day I saw Barbara -- had drinks with her -- and I said, "You write about history; last night I made it, and I made it in your presence, too. You were on the other end of the phone when I made it." That was quite an amusing episode. At least it's amusing now.

Well, the next day in the afternoon, we had the session and Professor Bernstein read his paper for forty-five minutes, and the main thrust -- he blew hot and cold on Truman and civil rights -- but it came out of the horn this way: He said at the end that Truman had left an ambiguous legacy to the next generation on civil rights, and he said that President Truman had to bear a heavy share of the responsibility for our present racial

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violence and trouble.

Professor Hamby then had fifteen minutes and he, in polite and scholarly academic style, criticized the thesis.

My style is not academic nor is it particularly scholarly, but it's my style; and, I want to summarize what I said on that occasion because no record was made of it and I didn't write it out, I was just talking from notes and there was no transcript or recording of it, and I think it belongs in the Truman Library. I said, "Professor Bernstein is a conscientious historian within the definition of that term by Herodotus only twenty-five hundred years ago -- the father of history as he is often called -- Herodotus said, 'Very few things happen at the right time and the rest do not happen at all. The conscientious historian will correct these defects.'" I said, "Professor Bernstein is a very conscientious historian and he has corrected a hell of a lot of defects."

I said, "I have read his paper several times and I find it shallow, two-dimensional and self-contradictory. I do not quarrel with his facts, as far as I can judge from memory they are substantially correct. I do quarrel with his conclusions which I find more ambiguous than

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the legacy he says President Truman bestowed upon the generations which follow, and I find them something less than penetrating and perceptive," and I described what his conclusions were: "All this seems to me to blow hot and cold, but I come up with the final conclusion that President Truman carries a major responsibility for the difficult racial situation in which this country now finds itself. This to me seems absolute nonsense, and pretty pernicious nonsense at

that. Our present trouble stems from three and a half centuries of stupidity and bigotry, by this nation, by all of us, and particularly from the last century of the same stupidity and bigotry plus indifference and apathy, without any sense of the terrible injustice that we have done a whole segment of our population since emancipation. Professor Bernstein admits that men, at least liberals, should not be judged anachronistically but in the context of their own times, but he seems to me, when he is blowing cold on HST, to judge him by 1966 standards -- I was talking then in December of 1966 -- though he admits that no President in the Twentieth Century, up to President Truman, has done as much to promote civil rights. I'll go a step further; no President since Lincoln has done as much, up to and

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including John F. Kennedy and Dwight D. Eisenhower. Lyndon Johnson alone perhaps has done more, and, of course, that includes all Presidents before Lincoln.

Thirty-four men besides Harry Truman have been President; and, he has done better than thirty-two of them. And perhaps he did as much as the other two. Let us put the blame on those thirty-two before we start kicking Harry Truman in the rump.

As to President Truman's personal views on civil rights and racial relations, he was a real liberal by the standards of his own origin and environment, and that's the way you judge a man -- a game fish who swam upstream against the current of his own society -- a much harder thing to do than to be a liberal in New York City, or Chicago, or Philadelphia, or Los Angeles. President Truman is not as liberal on civil rights as I am, or Professor Bernstein, I assume. I equate myself somewhere near the views of Roy Wilkins, the executive director of the NAACP, but I am not as liberal as Martin Luther King, and he's not as liberal as Stokely Carmichael, and perhaps he's not as liberal as Mao Tse-tung, and so on -- so what? I do not think highly of the kind of New York City or northern liberal who

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damns a Hodding Carter of Mississippi, but loses his liberalism when there is a threat that real open housing legislation will bring a flood of Negroes into his neighborhood to live; he's very staunch on liberalism in Mississippi, but he may not be that staunch in his own neighborhood.

Even the real liberals can be pretty naive about who are their friends and what helps the liberal position. And then I recounted an episode: "In 1963 -- November '63 -- I was invited to be one of four participants at a three-day panel on civil rights at the University of Vermont in Burlington -- it was an annual students assembly affair. The others were James Farmer who was then the head of CORE; Louis Lomax who writes the books, *The Reluctant African*, and so on, has a television program; and John Lewis who was then the chairman of SNCC, the Student Nonviolent Coordinating Committee.

I was the only white member of the panel and believe me I was low man on the totem pole as far as the students were concerned; they weren't the least interested in what I had to say, but I was impressed by Farmer and young John Lewis, and I found Louis Lomax insufferable, arrogant and snotty.

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One thing that interested me was that Farmer and Lewis didn't know the score on who was their friend, in an actual political situation, and who was their foe -- that was '63 -- and they recounted a situation in which the House Judiciary Committee had reported the less liberal bill before them. I said to them, "Are you really serious? Don't you know that the people promoting that more liberal bill, that the votes for it were southern Democrats and Republicans mostly, because they knew that the best way to kill civil rights legislation was to get a bill on the floor that couldn't be passed, and that would be recommitted. Don't you know that? It's all in the *New York Times*," I said, "Look at the votes."

James Farmer said to me, "Have you got that *New York Times* clipping with you?"

"Yes," I said, "I have," and I showed it to him.

Now, James Farmer is an honorable and a good man, I'm not denying that, I'm just saying that sometimes people -- liberals, civil rights liberals -- don't know who their friends are and who their enemies are, because in this situation he really believed the people who voted for the moderate bill, which could get through the House, and did eventually, were his enemies; and he

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thought that the people who voted for the more liberal bill were his friends, but he had the situation exactly reversed -- the people who voted for the more moderate bill *wanted* civil rights legislation and were putting a bill on the floor that could pass, and the people who voted for the more liberal bill were deeply opposed to civil rights legislation and wanted to kill it.

Now, there is one thing I learned -- my father used to quote Voltaire to me, "The best is the enemy of the good." This is a profoundly wise political policy, and thesis and credo. Those people who will not compromise, who will insist on one hundred percent perfection will always fail because all politics, and in fact all human existence, of every kind, is a matter of compromise. Edmund Burke said something like that two hundred years ago, that all politics and all life was a matter of compromise and barter, and this is true. If everybody is agreed on something then there is no need to compromise, but that never happens on a controversial matter. Wherever there are opposing points of view, you have to compromise, and the art of politics is to compromise at the highest possible level of good from your standpoint. But I have no sympathy with the

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ivory tower liberal, however idealistic he may be, who seems to have a death wish. He would rather go down to defeat striking a noble posture for a hundred percent perfection, than win with sixty or seventy-five percent, which is the best he can get.

Another example is right here in the District of Columbia. This is in a sense a digression, but not entirely so. In 1964, I was a participant -- I was a candidate in the Democratic primary in the District of Columbia, and incidentally, I am proud to say there were a hundred and seventy-eight Democratic candidates in that primary, I was the only one who had the personal endorsement of

President Truman,, and I have a newspaper clipping that evidences that. Joe Rauh didn't have it - he and his slate won -- but I had it.

This is rather interesting. I had lived in the District since I got out of law school in the mid-thirties. The first half of that period I voted from Arizona, where I started voting, and the second half I voted from New York which is my original native heath. Then the twenty-fourth amendment was passed which gave the District a presidential vote and I said to myself, "My goodness you have been living here all of your adult life

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practically, you ought to vote where you live." So, I transferred my voting affiliations to the District, where they now are; and, I joined my precinct organization and went around and did my chores, rang doorbells, and so forth.

But I was a Johnny-come-lately, in terms of District politics, and District politics were, until recently, presided over by Joe Rauh -- Joseph L. Rauh, Jr.

Joe Rauh is a liberal Democrat. I have known him since at least 1941. In fact in 1941 he and I did a chore together which was sort of a bond between us. We were working on the first war powers bill, the bill that was to give the President -- this was right after Pearl Harbor, December of '41 -- the bill that was to give the President and the Government the powers necessary to wage war successfully and effectively. And one night a week or two after Pearl Harbor -- I would place it around the 20th of December '41 -- there was a night hearing of the full House Judiciary Committee to consider and hopefully report this bill -- a night hearing.

The attorney general and other bigwigs were to be present, but at the last moment they were called to the White House, and Joe and I -- he was a young lawyer in

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lend-lease and I was a young lawyer in the Treasury -- were the Government's only witnesses at that hearing on the most important bill before the Congress and we spent the whole evening, two or three hours there, and at the end of our explanation they reported the bill unanimously, and I always thought that was a bond between me and Joe Rauh, that on that occasion we had done a good job together, and we were friends, not close, but friends.

But, in 1956, I was working in the campaign, I was director of special activities for the vice-presidential campaign -- that was Estes Kefauver -- and I was very busy, and I was a little irritated by ADA, Americans for Democratic Action; an excellent organization but one which I have found often too "ivory-towered" and perfectionist -- and I equate at least a large segment of the ADA group -- not all, but a large segment with the "ivory tower" liberal that I speak of who insists on going down to defeat with perfection rather than winning on an effective compromise.

So, I was doing a little needling of ADA and apparently it had gotten back to Joe Rauh who was national chairman of the ADA at that time. And one day, about mid-December of '56, the National Capitol Democratic Club, of which I was one of the founding fathers, or

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sponsors, and of which Charlie Murphy was the sparkplug and the first president, and of which President Truman is the honorary president to this day, I believe, along with Lyndon Johnson; and they were, having their housewarming -- had just opened their doors -- and I arrived and Joe Rauh was there and I went up to the group he was in, and I said, with my tongue in my cheek, "Hello Joe, I didn't know you were a Democrat."

Joe snarled something at me, which I didn't quite catch, but he repeated it several times and I finally get it, he was saying, "You dirty yellow-bellied son-of-a-bitch."

I thought he was kidding. I was kidding and I didn't think he would take it that seriously, so I continued with my needling. I said, "I'm starting a new organization, Joe, it's called "NADA." That means "nothing" in Spanish, you know. "It stands for "No ADA."

He bellied up to me, and he repeated those words that I have just said, and he repeated them over and over again, and there was a group forming around us and he said, "Come on out in the alley, I'm going to beat you, you son-of-a-bitch. I'm going to lick you."

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There were about fifteen people around us watching this circumstance, and my girl was with me, and a lot of ladies, and it was a rather embarrassing moment, and I suddenly realized that Joe was dead serious -- he meant it. At first I took a light tone, but after awhile after he had repeated those insults long enough, I began to get annoyed and I said, "Okay, come on out."

So, he turned and left the room and I started to follow him, but friends said, "Don't pay any attention. He's been drinking," and this and that and the other thing, so I said, "Oh, hell, I'll forget it."

So I stayed and he never returned and that was the end of the episode. And later, I wrote him a note saying I thought it was silly for us to quarrel, that after all we had been friends and so forth and so on, and he replied in friendly fashion and that was healed over.

But in '64, I wanted to get into the primary here, and Joe was Democratic chairman of this city, and so I kind of suggested myself for his slate, but there was no interest whatever. And I could understand this, I was a Johnny-come-lately, and there were plenty of people who had done their political chores here for a long time -- this was understandable. There were three slates in that primary and, by the way, it is interesting,

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they were all balanced ethnically exactly the same way -- the leading male candidate was a Negro and the leading woman was a white woman. On Joe Rauh's slate E. Franklin Jackson, the Reverend Jackson, was the candidate for national committeeman, and Polly Shackleton, the incumbent, was the national committeewoman candidate. There was a second slate which was called the Reeves-Lanahan slate, and I hung around the outskirts of that slate looking eager until they invited me aboard. Our head man was Frank Reeves who was then the incumbent national committeeman but who had split with Joe Rauh and was therefore on this other slate. He had

been special assistant for awhile to President Kennedy. He's a lawyer, teaching at Howard now and practicing law. And our woman candidate was the delightful Scotty Lanahan, who was F. Scott Fitzgerald's daughter, and who writes a column for the *Washington Post* now which is first-rate; in fact, it's too good for the woman's page, it belongs out in the general circulation pages. She's got a good deal of her father's ability, I think. And then there was a third splinter slate -- the Dedmon-Thompson slate, I believe it was called -- they had no chance. It was between the Reeves-Lanahan and the Rauh-Jackson-Shackleton slate.

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I took a very vigorous part in the campaign, and I had sound equipment installed in my car and toured the city making sound speeches all over and, of course, at night went to rallies and made speeches. And I didn't overlook Joe Rauh. I took my car with the sound equipment to his block on Appleton Street; it's kind of on a hill and I parked my car at the top of the hill and I made a speech against Joe Rauh in his own block, you see -- I wasn't mean or bad, I didn't say anything personally obnoxious -- I said Joe Rauh was a nice fellow personally, but he was running the Democratic Party in the wrong city, he was running it like a closed club for his friends and acquaintances, and we were going to open it up and make it a broad base, hard-hitting party. That sort of thing, you know, that was the idea. Then I walked down the block and I knocked on every door, and I gave them "poop" attacking Rauh and company and if they weren't home, I would put it under the door sill.

When I got to Joe Rauh's house his wife and one of his sons, I think it was Carl Rauh who is now an assistant U.S. attorney here in the District, he was then a young man of twenty-three or four, were out in

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front. If looks could have killed, I would have dropped dead on the pavement. And his son bellied up to me and he said, "Aside from the fact that you are a big fat slob and a jerk I have nothing against you."

I said, "Assuming for the purpose of argument that's true, I don't quite see how it affects the primaries, but let me say this -- I have been a soldier and I have been in combat, have you?" I knew damn well he hadn't -- he was twenty-three or four years old. "And I served in invasion landings under old blood and guts Patton, and if there is one thing I learned it is that when you are in a war you carry the attack to the enemy; you don't sit on your dead rear end and wait for them to come to you. Now what have you got to say to that?" Well, what could he say? He walked away mumbling and I felt that I had won that round.

Then I went over to Polly Shackleton's block in Georgetown and I made the same kind of speech on her doorstep and somebody leaned out of a upper story window and shouted, "How dare you. Right in front of her own house?" As if that was important you see.

I had a good time. I enjoyed it. I learned a lot about pavement politics -- but we lost.

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It was funny. There was three slates, and the only real issue in the campaign was who loved Lyndon Johnson the most. Now, a year earlier -- and this was part of my literature -- in February of 1963, Joe had made a speech, reported in the press, in which he said that Lyndon Johnson, then Vice President, had once again shown that his first loyalty was to the southern racists -- snarl -- that was Joe Rauh a year earlier; now he was the head of a slate which called itself the United Democrats for Johnson and he loved Lyndon Johnson so much that he got misty-eyed every time his name was mentioned, and that was the only real issue in the campaign, who loved Lyndon the most.

We shouted -- I put out a press release -- I spread it all over, and so did others -- that our group had a record of support of Lyndon Johnson -- none of us had been against him. Joe Rauh and Polly Shackleton had to be dragged screaming off the floor of the Democratic National Convention in Los Angeles in 1960 when Lyndon Johnson was nominated for Vice President after John Kennedy had given the nod to him, because they opposed him after he was approved by everybody, and they were circulating around the floor carrying anti-Johnson posters --

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placards -- and they wouldn't leave the floor when they were told to and they had to be dragged off.

This was the team that was leading the United Democrats for Johnson -- well, politics is a funny and ironical business to put it mildly.

In any event, needless to say, after Joe's group was elected I never received any political chores or assignments in the local arena -- I was not asked to do any work, although I wrote letters to the newspapers, which the *Star* headed "Good Loser," saying I accepted the results and was willing to help in any way I could and they had just to call on me, but nobody called. And Polly Shackleton, whom I had known on casual but friendly terms, for twenty-five years, Polly Shackleton would hardly look me in the eye, she would cross the street to avoid seeing me, and she was very hostile. But I finally solved that. Last fall I got sick and tired of having her snub me, and walk the other way and not take my hand at political parties and things like that for two and a half years, over the mere fact that I had campaigned against her. So, I ran into her in a stationery store near my home, and the store was so small she couldn't avoid me, and I went up and I shoved

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into her hand a fact sheet I had written for the Democratic National Committee on high prices and inflation, and she tried not to take it, but I said that Esther Peterson and the whole Cabinet and the White House had called me up and said it was the greatest thing that had been done since the Bible, and so forth, and she finally reluctantly took it. But she was very haughty. So, I went back home and I wrote a letter, a snotty letter to her -- snotty nice -- and I said, "Polly," I said, "you are a lousy politician." She's the national committeewoman. I said, "There is one thing you ought to know in politics, that you are gracious and kind to a defeated foe, you may want to make him an ally later. For two and a half years, you've been snubbing me just because I campaigned against you." I said, "Now, Joe Rauh, he's a good politician. Joe wouldn't give me the time of day politically, but he is always friendly and we talk when we meet. He's a good

politician." I said, "Polly, why don't you uncoil and learn a little about politics?" So, to rub salt into her wounds, I didn't send the letter to her, I sent it to Joe Rauh and asked him to forward it to her, and you know something? Polly Shackleton

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does exactly what Joe Rauh tells her to. I got a long friendly letter from Joe, and then I got a long friendly letter from Polly which he had evidently told her to write, and she said very humbly, "You're right, Steve, I'm not a very good politician and Joe is."

I then called up Joe and took him to lunch, and we again healed the breach. In January he resigned as chairman and Ted Dudley was named chairman of the Democratic central committee here. Ted Dudley I have known for years; he's the chairman of the speaker's bureau of the AFL-CIO. He's a lawyer -- a good man -- and he and I have been on friendly terms right along although he was on the Rauh slate, and within a week after he was named chairman, he called me up and asked me to do a chore, the first time anybody in the city had asked me to do a political chore. He said -- it was Monday night, one day in January, and he called me about four thirty in the afternoon and said, "Steve, would you work up a consumer protection program for the District of Columbia?"

I said, "When do you want it?"

He said, "Friday. I want you to present it to the D.C. citizens advisory council." This is a group of

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twenty-five people appointed by the District commissioners as sort of a sampling cross section of the population, to advise them on all policy matters they want advice on.

I said, "That's awfully short notice, I haven't even thought about such a thing for a long time."

Well, he said, "Get together with Sarah Newman, she was the chairman of the D.C. advisory council, and she is a professional consumer protection woman; she is the general secretary of the National Consumer's League. Before I looked up Sarah, I called up Esther Peterson's office, and I called up the Federal Trade Commission and I prepared my consumer protection program to my satisfaction, and then I took Sarah Newman to lunch and she bought my program, and Friday I went before the council and I discovered that Sarah was chairman of a committee which was making a report of their consumer protection program. She wasn't present; but she had authorized me to say that she approved mine. And, her committee, the vice-chairman presented the report, and the committee was split several ways, and there was a somewhat confused situation. There was a majority and a minority and this, that and the other things -- and then I presented my report and there

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seemed to be pretty general acceptance of it, and then the whole thing was referred back to the committee for further consideration and report. But, I only mention this because that committee had been working for months, you see, and they couldn't agree on a report and of course, one

man can always agree, and I thought my report made a good deal of sense and I bet a nickel that they'll buy it, they may take other things, too, but I bet they'll buy my report when they get through. But I did it in three days, you see, because I wanted to prove to Ted Dudley, the new chairman of this city, whom I had lunch with recently after this episode, that I was able and willing to do a political assignment.

Anyway, this is a long digression, I was talking about ivory tower liberals. It had been my opinion that Joe Rauh, at least at one time fell in that class: (a) he insisted on perfection, and (b) he was too quick to denounce in very intemperate terms the people who were against him, which is a mistake. I mean there are moments for denouncing people, but you shouldn't do it as a rule of thumb; you shouldn't immediately say that the other side are racist and fiends, you know -- that

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doesn't help anything. There may be moments for this, but you should be very selective and not do it regularly. But I will say this, I think that Joe has moderated with the years and I think he is a better and more effective politician than he was, that's my opinion.

Oh, here is the Edmund Burke quote that I was speaking about. "All government, indeed every human benefit and enjoyment, every virtue and every prudent act is founded on compromise and barter." And that and the other saying, "The best is the enemy of the good," I think form the main stem of any effective political philosophy.

And I say, that's why the perfectionist liberal always fails. He is more interested in posture. I'm going back to my civil rights speech at the convention. "He is more interested in posture than results; hence, he loves a Stevenson who opposed compulsory FEPC, or a John Kennedy who flirted with McCarthyism, and weaseled on civil rights, and lost his legislative battles with great style and grace; he prefers them to a Lyndon Johnson or a Harry Truman who won without style or grace; and a Jackie Kennedy to a Lady Bird." The difference between them is that Jackie Kennedy thinks in terms of beautifying the White House and

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Lady Bird thinks in terms of beautifying the nation. I mean Jackie is a beautiful and talented woman but as the President's wife -- as a first lady -- Lady Bird is worth five or ten of her in my book. Then I told some of the aspects of the Truman presidency which I thought I said that Bernstein has presented a shallow and superficial picture. Any real picture of Truman on civil rights would have to go a lot deeper. First, there was his allergy to arm twisting, hence there was no high-powered staff operation along the lines that Franklin Roosevelt had, and that Lyndon Johnson has, and other Presidents have had.

HESS: Congressional liaison.

SPINGARN: Yes.

HESS: We'll get into that just a little bit later.

SPINGARN: Yes, but I want to get in to it right here.

HESS: Fine.

SPINGARN: The thing is that Harry Truman, as I understand him, had rankled sometimes at the pressures that had been placed on him when he was a Senator and he was determined that when he was President that he was not going to place that kind of pressure --at least this is my evaluation of the case -- that kind of pressure on his fellow Senators; so, it was a low keyed operation basically.

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HESS: How was it carried on?

SPINGARN: Well, we had two legislative liaison people -- there was Joe Feeney who covered the Senate and Charlie Maylon, a colonel then and later a brigadier general, now dead, who covered the House.

HESS: They were both brought in in 1949.

SPINGARN: Yes.

HESS: And there was no one on the White House staff who had a comparable job before that time, was there?

SPINGARN: Not to my knowledge, no.

HESS: Why was it thought necessary at this time to...

SPINGARN: I don't know. I don't know.

HESS: How did those two men operate?

SPINGARN: Well, they operated in a very low key way. They simply seemed to me to be head counters, and liaison people. Neither one of them knew much about the merits, the substantive merits of legislation, and neither one was equipped, as I saw it -- to argue with a Senator about the merits of legislation. They were just up there to tell him what the White House position was, if it was recorded, and to find out what their position was.

Of course, that's not the way a Larry O'Brien operates, and that's not the way Tommy Corcoran, or

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Charlie West, or Sherman Minton, or the Roosevelt era people operated, obviously.

However, we had another type of operation in which I sometimes participated -- on civil rights to be specific. In 1950, we tried twice for closure on the FEPC bill -- twice to limit debate so the bill could be passed. There was a majority for the bill, but you had to limit debate and that took

two-thirds -- I've forgotten what the rule was at that moment -- but I assume it was two-thirds of the total membership at that time. In any event, it was difficult.

Now, here is what we did: I was in charge of this operation and twice -- once I think in May and again in July I may have the dates wrong but it was twice in the spring and summer of '50 -- we made an organized effort to break the filibuster. I assembled in my office -- I had a large office in the Executive Office Building, I believe that General Eisenhower and General MacArthur had once had that office when it was the old State-War-Navy Building.

It was very large and we assembled there, representatives of the interest groups that supported civil rights; labor, Negro and civil rights groups, ADA, AFL and CIO,

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they were still split, machinists, and the various other groups that were interested. I had a list of the Senators and we had classified them in four or five categories; those who were definitely against us, forget them; those who were firmly for it, forget them; those who were leaning against us, those you did not forget; those who were leaning for us, those you did not forget; and those you didn't know -- unknown. The last three groups obviously were the ones you worked on; and we went down the list and we would say, "Now who knows him? Who has done him a favor lately?" And somebody would speak up and say, "Well, we have good contact with him," okay, "See him," -- and maybe he would ask two or three to see him. We would go down the list that way and we would agree on who saw whom.

HESS: Do you remember any examples of that?

SPINGARN: No. It was a long list. How do you look for examples twenty years later. This is the way it was done. I can't remember individual names, but actually I think you have all this in - you see that big gray folder there? Those are my White House manuals -- they were Xeroxed and they are all in the Truman Library and they contain checklists of the sort that we used.

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at these meetings, checklists rating the Senators in different categories. I don't know whether they actually show who approached whom but they do show how the operation was organized. Now, that was what we did, and we did it not once but twice that year, you see we tried. The votes weren't there, the votes simply weren't there. It was impossible, nobody could have broken that filibuster; no President could have in 1950. That was the thing that the Bernsteins don't realize, they are judging 1950 by the 1960s when things are different. Well, we've moved a long way you see, but nobody could have done it then.

HESS: Did Charles Murphy take an active interest in congressional liaison?

SPINGARN: Damn right. He certainly did, he was very active in it, he was intimately involved in it.

HESS: Did the President rely on Lester Biffle, or Sam Rayburn and the other members of the Big Four?

SPINGARN: Well, yes. Charlie Murphy could give you a better picture, and the President himself, of course, I shouldn't really be saying how much he relied on him -- that's a judgment for the President to make, but certainly Biffle was close to the President and I am

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sure that as a source of intelligence, and possibly I didn't actually see Biffle being used to corral votes, but I can't say it wasn't done -- I don't know that it wasn't.

I remember one interesting experience I had with the Speaker. I was in charge of preparing the Defense Production bill immediately after the Korean war broke out. We had to put through a bill -- it was a mobilization bill to it was like the War Powers bill back in '41, in a sense, although the provisions were different. It was really an economic mobilization bill to put the government in a position to mobilize its resources and also stand-by price control legislation and other things, so that it could wage the Korean conflict effectively.

Well, this was a terrible driving period. We put that bill together we had advance drafts of legislation, much of which turned out to be useless by the time we needed it. It had to be totally revamped. We had sort of stockpiles of emergency legislation but I recall it wasn't too good. And the real bill had to be thrown together in a matter of five or six days -- I think it was five days, and that was over a weekend, too. And I can remember it was just a blur.

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I was sitting there and I had task forces stacked all around the Executive Office Building, on different titles of the bill and I was sitting there, making snap decisions on what went in and what went out night and day there for five days, and of course, checking the very important things to the President. But on the minor things you couldn't check everything and you had to make snap decisions. Well, in any event, we got a bill together in a matter of five days, or something like that, and then I took it up to the Congress to give it to the leadership for introduction, and I remember I took it to the Speaker; I took it to John McCormack, he was the majority leader; I took it to Senator Lucas, he was the Senate majority leader; and I tried to call on the Vice President, but I missed him, and thereby hangs a tale which I will mention later. In any event, when I went in to see the Speaker -- I mean I had phoned in advance and he knew I was coming, he had Deschler, Lew Deschler, the House parliamentarian with him. One of the things that we wanted was to get this bill to the Banking and Currency Committee. Senator Maybank was the chairman and he was well disposed on this, rather than the Armed Services Committee -- I've forgotten who

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was chairman of that -- I beg your pardon, Brent Spence of Kentucky was the chairman of the House Banking and Currency Committee, and he was a liberal Democrat and close to the President, and the House Armed Services Committee -- I can't remember who was the chairman, but we knew that we would have trouble with him in that committee. The question was a parliamentary one, where would the Speaker refer it, and I made the mistake of telling the Speaker that the President hoped -- this was true, but I shouldn't have said it, the Speaker bridled -- the President hoped it would go to the Banking and Currency Committee, and the Speaker

bridled visibly. He said, "Young man," or words to that effect, nobody tells the Speaker of the House of Representatives where legislation is to be referred. That is the prerogative of the House of Representatives," and so forth and so on -- "Yes sir." He and Deschler went over the bill, and then he looked at me owlishly and he said, "You fellows have rigged this bill so I can't send it anywhere but the Banking and Currency Committee." That's where it went. And the Speaker said to me, "I want one provision added to the bill, a termination provision. I want this thing to terminate automatically in two years unless extended by act of Congress."

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"Yes sir." We put that in naturally.

Well, that is a typical example of relationships with the Speaker. I mentioned Vice President Barkley because there was a little contretemps in which unwittingly I annoyed him. I didn't realize it. As I say, there was a Cabinet meeting that afternoon at four o'clock, let's say, to go over this bill, and Vice President Barkley was to attend; so, I called his office and said that I was going to bring a draft by, but I hadn't intended to suggest that I wanted to see him, because I knew he was going to be down at the Cabinet meeting later, so I just wanted to leave a copy in his office so if he wanted it he could look it over. I went to the House side first. I saw John McCormack, and while I was in McCormack's office the Speaker came out of his office and buttonholed me and brought me into his office and I was delayed, and when I got down to Barkley's office, his assistant came out and he said, "The Vice President waited for you, but he had to leave," and I discovered later he thought I was coming to see him and he was irritated because I was late -- I hadn't intended to see him and it was not my fault, it was only because the Speaker delayed me.

Later this seemed to assume some significance, this

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little episode, although I'm not sure how much. In any event, I saw Lucas and I went back to the White House. I attended the meeting and the President explained the bill, and at some point the question arose about where it would go in the House and I knew because I had heard the Speaker and Deschler say, and I said I had talked to the Speaker and that he had said that the bill was so drafted that it would have to go to the Banking and Currency Committee in the House, and I turned to the Vice President, and I said, "I brought some copies by your office, too, Mr. Vice President, but I missed you," or something like that.

And he said rather snappishly, "Yes, I waited for you," or something like that.

So, I could see that he was a little miffed, and I waited around until after the meeting to buttonhole him and apologize, but he got into a conversation with the President, I thought it wasn't that important, and I never did. I mention all of this because later I was kicked upstairs to the Federal Trade Commission under circumstances for which to this day I don't know the real reason. I didn't want to go, I wanted to stay at the White House, but the President decided that the

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Federal Trade Commission was the place for me. Obviously something had happened. There are only two episodes I can think of in this connection and one unexplored one, which is only a speculation. The only two episodes I could put my finger on; one, is this Barkley episode, which seemed to me so trifling that I couldn't understand how the Vice President would really seriously regard that as a major thing. Unfortunately I never got around to explaining it to him, but the fact was there had been simply a misapprehension, I hadn't intended to see him, and I had been delayed by the Speaker and I had done nothing obviously very bad. It might have been a minor irritation, but I don't think he would say you have to fire the guy, or move him out of the White House, on this account. I couldn't believe that, because Mr. Barkley was an awfully nice fellow and a very decent, generous sort of fellow.

The other thing was different. It was on the Internal Security bill. The White House was against it and we had prepared our own bill, which by the way, I drafted, and the message, too, which went up in August of '50, because you can't beat something with nothing we had a bill of our own, but the Internal Security bill --

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this was mid-McCarthy, and you could have labeled a piece of toilet paper a security measure and passed it; anything would go by if it was labeled as internal security.

In any event, one day Leslie Biffle called me (or, come to think of it, it may have been Senator Kilgore), and he said that a number of Senators wanted to hear the administration's opposition to the Internal Security bill -- this was August, 1950 -- would I come up to Leslie Biffle's office and explain it to them -- sure. And I went up, and I took Bob Ginnane of Justice with me; he later became general counsel of the Interstate Commerce Commission; he'd done a lot of work on constitutionality of the Internal Security bill; we went up together; and I've forgotten, for certain -- Biffle himself didn't attend the meeting -- it was in a back room of his office. Hubert Humphrey was there, as I recall; I remember Senator Lehman was there; Senator Graham of North Carolina was there; there were several administrative assistants, and probably Senator Kilgore and one or two other Senators, I can't think of -- and Senator O'Conor, now dead, of Maryland. Now, O'Conor was the only one who was likely to be for the Internal Security bill --

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that didn't mean that the others would vote against it, but who personally might favor it among this group -- the others were liberals, you see; they might feel politically they had to vote for it, but they weren't for it.

So, I went through the bill explaining the thing, and there were a lot of immigration provisions in it, and I turned to Senator Graham I remember, and I said, "Senator, you know" -- the Senator had been charged with belonging to a number of front organizations, and some of them he had belonged to, they were the kind with worthy motives that people belonged to in the '30s -- and I said, "Senator, you know, it is perfectly possible that under these immigration provisions, if you were an immigrant, you couldn't get into the United States, they are so stringent," and so on and so forth.

And Senator O'Connor got mad and he started to swell up and he got purple in the face and he said, "These immigration provisions were reported favorably by a judiciary subcommittee of which I am a member, as a separate bill," and he said, "I am not going to sit here and listen to twaddle like that," and he stormed out of the room in a rage -- mad -- and there was a long pause, naturally.

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And I said, "Maybe I better fold up and go back to the White House,. I. seem to be losing ground here." And the others said, "Oh, don't pay any attention to him, go on." So, I went on with the explanation of the bill. After the session was over, I went down to the floor of the Senate, and I sent in a note to Senator O'Connor, saying I wanted to apologize to him, that I didn't intend to hurt his feelings, and so on, but he wouldn't come out. And I went back to the White House and I wrote him a nice note saying I hadn't intended to anger him and I was sure like the good sportsman he was he would accept my apology, and so on. He didn't answer it.

The whole thing was this: O'Connor carried actually no weight at the White House, the President had no special regard for him, he was not a power at the White House in any sense, but what he may have told Leslie Biffle, and what Biffle may have told the President, I don't know. It may not have been anything .to do with O'Connor, personally, but there may have been some thought that I was tactless, or that my modus operandi was not good, or something like that, I don't know, although again that didn't seem to be enough. I have never known to this day why I went to the Federal Trade Commission, although

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as I look back it was a good thing from my standpoint that I did. I'm not sorry that I went, but I didn't want to go at the time.

One interesting thing. There is a speculative factor in all this. You mentioned Max Lowenthal before, and I started to talk about him and I think didn't finish up. Max Lowenthal was a good friend of the President's from the days in the '30s when the President was in the Senate and a member of the Interstate Commerce Committee, and on the Railroad Reorganization Subcommittee, and Lowenthal was one of the lawyers for that subcommittee. They became friends at that time, and he had total access to the White House. During the McCarthy period he was there all the time, almost daily; he used to hang out in Matt Connelly's rear office. I had had an encounter early in my White House career with Max Lowenthal. Clark Clifford told me that Max was worried about an Internal Security bill -- that was the one that I told you about that Justice had put up, on which I had written the Treasury's report and the bill provided for wiretapping.

The Treasury report, which I wrote, said that with certain safeguards added we would favor it, and the safeguards were that it had to be limited to a certain

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category of cases. There had to be written approval in each case by the attorney general, and they had to get a court order, in each case.

Clark Clifford told me that Max Lowenthal was concerned about that bill and I should get in touch with him, but before I could, Max Lowenthal called me up at home one day -- I place this in '49 sometime -- and we had about an hours conversation. He was shocked to find that I favored any kind of wiretapping under these restrictions, and Clifford later told me that he told him that I was a Fascist, you see. Max was prone to these rather violent terms, and he is one of these black and white people, I was a Fascist. Max was very secretive; he was the kind of guy who would make a big cloak-and-dagger operation out of buying a dozen oranges. I remember one day I wanted to give him a report I had written -- it was unclassified, it was mine personally, it had nothing to do with the White House -- it was something I had written on how to improve U.S. counterintelligence; it was a unclassified, personal memorandum I had written on the basis of my wartime experiences. He wouldn't take it. He said, "Is it classified?"

"No." But he wouldn't take it. Somehow or other,

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I don't know why, I can't imagine why, it wasn't that he objected -- we were having a friendly chat, it wasn't anything unfriendly, you know, it was just somehow or other he seemed to think I was planting something on him -- or I don't know what he thought. That was the kind of character Max was.

[A portion of page 216 is currently restricted NLHST]

It's funny, when I learned about this -- it happened as a complete surprise -- Charlie Murphy called me in one afternoon and he told me that the President had decided

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I should go to the Federal Trade Commission, and I was unhappy but I knew that there was no alternative if the President decided that; so, did I want the appointment? I said, "Well, there is no alternative -- sure." So the appointment went up that day -- the nomination -- and the next day or a few days later I lingered after a press conference -- not after press but after a staff meeting with the President -- I lingered after it and talked to him, and the only things I could think of were the Barkley episode and the O'Connor episode, I tried to explain my version of them, and he listened patiently for five or ten minutes, and then I could begin to see he was beginning to twitch his fingers a little, and I knew that there was no point in going on, so I thanked him and left. To Charlie Murphy I said, "Charlie, I never understood why, in a sense, I got the rigid digit there."

And he said, "Well I never have either, and nobody has ever told me even if anyone knows." He said, "One of the problems is that there was no matter of principle involved." The President was strong on principles, but there was no matter of principle involved here. And I know that the President didn't personally -- I mean I have had many letters from him of the kindest fashion.

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He wrote me a beautiful letter when he left in January of '53, January 16th when he left office, I was still serving, and I have had many letters through the '50s and '60s from him, and I have a historic letter from him in '56 about how his views on civil rights were shaped -- it's never been published, someday I'll publish it. And, also, at that time he wrote me a series of letters and in

one of them he said in '56, "That if you and Dave and Charlie stick together we will win the next election," -- he meant Dave Lloyd and Charlie Murphy; so, I know that the President wasn't personally aggrieved against me. But at that time in 1950 for reasons which I don't know and probably never will know, he felt that it was best for me to leave the White House. But, of course, White House staff men are expendable by nature. You offend somebody important and...

HESS: Someone else has to be brought in.

SPINGARN: ...someone else has to be brought in, but I would naturally be interested to this day finding out what the real facts were of the situation. I'll probably never know. It's just curiosity now, it makes no real difference.

HESS: I have one other question here on congressional liaison.

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Do you recall working with John Carroll on legislative matters?

SPINGARN: Well, not really. John Carroll (who had been a Senator from Colorado), in effect replaced me at the White House; I mean he took over the slot that I had and he was the legislative pivot man at the White House afterwards. I used to drop in and see him occasionally, but I can't say I worked with him. Why? We weren't there at the same time.

HESS: He was just called in to replace you, is that right?

SPINGARN: That's my recollection of the situation, yes.

I wanted to get on with this civil rights situation -- I hadn't finished that. As I've said, one of the aspects of Truman was his allergy to arm twisting. He had no high-powered staff operation and he didn't seem to want one. Another was that he inherited David Niles from Franklin Roosevelt, and that Niles who nominally had the civil rights assignment really didn't do anything about it except the only civil rights matters he seemed to deal with were Jewish civil rights matters, and New York City politics, as nearly as I could see. And, of course, Israeli matters.

Philleo Nash feels differently about it and maybe he's right. He was closer to Niles, but this is the way I saw it, this is the way it seemed to me.

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I have talked to Philleo about this, and I know that he would not agree with me on this, but that's the way I saw it -- to the extent that anything that was done it was by Philleo. Now, this is all very well, but Philleo didn't have the job, didn't have the title, and didn't have the status to do what a man who had direct access to the President had.

So, what I am saying is that if the civil rights man, the official rights man, had been more active and aggressive in the job, and needled the President more about it, done more about it, I think that would have made some difference, and this was not altogether President Truman's fault because he inherited Niles from Franklin Roosevelt.

Now, finally I went on to say that as far as President Truman is concerned -- this brought down the house -- this is what I told a group up there at New York. I said, "I'll bet a dinner at Le Pavillon," that's the best and most expensive restaurant in New York City, an average dinner there would cost maybe thirty dollars a head. "I'll bet a dinner at Le Pavillon for this entire American Historical Association Convention."

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Phil Brooks interrupted there, he said, "There are six thousand people here."

I said, "Yes, for everyone -- one dinner -- everyone of the six thousand. I will bet a dinner that in 2066," they will have to dig me up, "historians will rate Harry Truman above Franklin Roosevelt and Woodrow Wilson:"

I pointed out first of all before I said this, that a few years ago, I place it around '62 or '63, Arthur Schlesinger, Sr. took a poll, a sampling poll, of representative historians and they rated all the Presidents of the United States, in their opinion, in their order of greatness as Presidents, and as I recall Harry Truman was eighth on the list. First was either Washington or Lincoln, and then the other one, then Jefferson, Jackson, Franklin Roosevelt, Wilson, and strangely enough Polk, and then Harry Truman; Dwight Eisenhower was the twenty-sixth, I think, or somewhere in that area. I said, "In 2066, I will bet that he rates above Franklin Roosevelt and Wilson." I said, "Wilson was a brilliant man, but he was a poor politician and he could have gotten a League of Nations if he had been a better politician and been willing to make some compromises. And I said, "Franklin Roosevelt is sometimes

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described as a lion and a fox, but more fox than lion, on civil rights, for instance, he was pretty much of a weasel." I said, "My own father told me often," now my father was president of the NAACP all through the '30s until his death in '39 -- when he went in to see the President, and Walter White told me this, too, when my father or Walter White, who was executive secretary, sometimes they went in separately, sometimes together, when they went in to see the President, typically the meeting would go like this: The President would hail them jovially as they came in the door, "Oh, by the way, Walter or Joel. I want to tell you a story," and he would then launch into an anecdote and he would talk for fifteen minutes telling stories, and then Marvin McIntyre, the press secretary, would come to the door and say, "Your next appointment is here, Mr. President," and they would be ushered out never having reached the problem they wished to discuss with him; this was typically the way Franklin Roosevelt evaded issues, you see, on civil rights.

There was more, but this gives the substance of what I had to say in my speech, and the whole thing was that when I got through Bernstein had ten minutes rebuttal

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and he was mad; he got up angry, obviously, and he then proceeded to describe -- I also mentioned in my speech the things that had been done, the things that could be done, and Bernstein had mentioned these, too, that the Army had largely been desegregated. I said that the

Government had done things that it could do, short of legislation which it couldn't do at that time, and one notable thing was the amicus curiae brief which had evolved under Truman, whereby the Department of Justice interceded as amicus curiae in private litigation, typically in cases the NAACP brought, in support of the NAACP, the civil rights position -- this had been done in other fields but it had not been done in civil rights before as far as I am aware of until the Truman administration, and Phil Perlman was the Solicitor General who spark plugged this.

Well, when Bernstein got back up again for his rebuttal, he was mad and he did a foolish thing, he fabricated or distorted facts. He told about an interview he had with Philip Elman. Now, Philip Elman was one of Phil Perlman's assistants in the Solicitor General's office in the Truman administration. He is now Federal Trade Commissioner, as I once was; I know him slightly.

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Bernstein said he had an interview with Elman and Elman had told him that Phil Perlman was basically a racist and a bigot who said things like, "There is a delegation of 'coons' waiting to see me," that Perlman had no interest really in civil rights, but just in personal publicity; and that the White House was almost never in touch with their office on civil rights matters, and so forth, for ten minutes.

This didn't make sense to me, and I got up and I asked Phil Brooks for two minutes I wasn't entitled to, and he gave me two minutes for rebuttal, and I said, "Now look, I, don't know what you're talking about that the White House wasn't in touch with the Solicitor General's office -- you mean that they weren't in touch with Phil Elman, Phil Elman was way down the line, he was a third or fourth echelon lawyer, he wasn't a first or second assistant to the Solicitor General; we naturally didn't deal with him." I said, "I had many talks with Philip Perlman during that period, and the President and Charlie Murphy had many more than I did. What do you mean we weren't in touch?" This was nonsense. Well, I couldn't deal with the other quotes at that time, but when I came back to Washington by

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the way, before I left New York, I called up Roy Wilkins, the executive director of the NAACP, and a wonderful guy, and I told him what Bernstein had said and he laughed, "Well, that is absolute nonsense," he said, "old Harry Truman got the civil rights wagon rolling again after it stalled under Roosevelt." That's what Roy Wilkins said.

All right, when I went back to Washington I called up Philip Elman, and I told him what Bernstein had said, and I suggested to him he ought to write Bernstein and get this settled. I had some trouble convincing him -- Elman didn't understand -- he thought that I was denouncing him for having said these things -- it took some time for him to understand. I was trying to get him to say what he had said, and find out whether Bernstein was correct, you see, and when he finally realized it, he said, "Of course, I didn't make any such denunciations of Phil Perlman." And I then said, "If I were you I would write this young professor out at Stanford and get things straight with him."

And he said, "Well, I'll think about it."

And I said, "If you write him, will you send me a copy of your letter?"

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Well he said, "I'll have to think about that."

I could see he was a man in the middle; he didn't want to get between me and Bernstein on this thing. Then I called up Arnold Raum -- Arnold Raum is now a judge of the United States Tax Court -- and he was number one assistant -- Phil Perlman's dead -- he was Perlman's number one assistant. Elman was down the line, unranked. Raum said this was absolute nonsense. He said, "You could say Phil Perlman died for civil rights," because in 1960 he was leading the fight for a strong civil rights plank in the Democratic convention in Los Angeles, and he worked so hard and he had a weak heart that he died a few months later.

And he said, "Now, Phil Perlman was born and raised in Baltimore. He was born in the Southern tradition. He may have used terms sometimes that a Bernstein might seem outrageous. But he became a dedicated civil rightser and it is absolute nonsense to say that he was a bigot or racist." And he said, "Furthermore, I was a personal and social friend of Phil Perlman's. as well as a colleague and his first assistant." He said, "Philip Elman wasn't; so, I know him much better than Elman does." And I then talked to

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Abe Harris who was assistant solicitor general under Perlman, and he told me the same story. They both praised Perlman as a dedicated man who believed in what he was doing in the civil rights field. I called Elman again, and this time he said he was going to write Bernstein, and he said he agreed in principle with what Raum and Abe Harris had told me. So, in other words, what I am saying is that I have confronted Bernstein twice and each time he had fabricated or distorted his evidence. That's my opinion -- once on Vietnam and again about Perlman; so I have a very low opinion of him as a historian. He may be brilliant and he may be able, but a man who has committed himself to an opinion so strongly that he has to fabricate or distort facts in order to support that opinion is not much of a historian. Maybe someday he will be, but he is not now, and I hope you send a copy of this transcript to Professor Bernstein.

HESS: I rather imagine that he will read it one of these days when he is at the Library.

SPINGARN: Right.

I think I would like to talk about a program for the Democratic Party which I have just succeeded, I'm

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happy to say, in persuading the Democratic National Committee to adopt after only ten years and three months of effort. I call this program KOED -- K-O-E-D -- and that stands for Knock on Every Door, an acronym; actually it's only a rather gimmicky title for promotional purposes; it's rather catchy and easily remembered.

This program evolved this way: In 1956, in the latter stages of the campaign, I was asked to take over an operation for the vice-presidential campaign; actually, it covered, in part, the presidential, too. I was given the title of Director of Special Activities of the vice-presidential campaign -- that was Estes Kefauver who was a friend of mine of some years standing, since the early '40s -- and actually the job was a speechwriting operation.

It is almost impossible to realize, unless you've been in it, the punishing rigors of being a speechwriter in a campaign. When your man is moving around making eight, ten, twelve, sixteen whistle stops and speeches a day of one sort or another, the speechwriters working sixteen or eighteen hours a day just run out of fuel after awhile. Estes Kefauver had some very

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able speechwriters, but I guess they were beginning to drag a little at this point and they wanted some fresh blood from the bench; so, I was asked to jack-up a speechwriting operation and I took over an empty apartment in my apartment house, The Anchorage, and got a few bright young ladies to assist me and went to work. In two and a half weeks we produced, I think, it was fifty-five speeches -- short and long, all sizes. And this is the way I did it: I called people I knew all over the United States from Maine to California -- remember this was the middle of the Eisenhower administration -- mostly ex-Democratic bureaucrats and academicians, professors, active Democratic professors, and I said, "We want a speech on the following subject which is within your expertise. You are a tax man. You are an anti-trust man. Whatever you are." The general theme, the umbrella for them all, was that the Eisenhower administration is totally dominated by big businessmen and their bankers and lawyers, and when they sit down at the counsel tables of Government, these men occupy all the seats.

Now, we don't say they are bad men -- they are undoubtedly good to their wives and their children

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and their grandchildren -- but they look at the world in a different way than you and I. They look through their binoculars and they see General Motors and not small business and, so, they are doing all sorts of things. They believe in the Trickle Down theory of prosperity, where if the rich fellows get enough, the little ones will eventually get a little dew at the bottom. And, this is all very well for them, but it is not very good for you Mr. and Mrs. America; so, I said., that is our theme song, that is the main theme song.

Under that general tent, I would say to Mr. "A" out in Ann Arbor or Berkeley, or wherever, "Give me two thousand words on small business, or taxes, or consumer protection," or whatever the subject we wanted. I said, "Never mind the beginning or the ending, we will add those, just say, 'Tonight I want to talk to you about' and then get right into your subject." And I said, "We need them right away," and I would get them, within forty-eight hours often, air mail special delivery. It was so easy.

After this was over I said to myself, "Well, this is so easy, why don't we keep this thing up?" So I

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wrote a program and called it KOED, and the idea was to recruit activist Democratic academicians, and these would be the people, not the ivory tower people, but the people who are active in Democratic politics -- chairmen of speaker's bureaus for their local party, or maybe county Democratic committee members, and they have done all sorts of chores, and maybe they have done it on a higher level. And get them to agree to write speeches and fact sheets and position papers as requested within their expertise -- break this thing down, computerize their skills, break them down by congressional districts and states, make available to every member of Congress and to every Senator, the people, the eggheads within his area who have agreed to work for this project; so, whenever he wants a fact sheet, a speech, a position paper, any kind of writing, he simply looks up the man in his district who has that expertise. If he has no man in his district who has that expertise, we will have a home base in the Democratic National Committee headed by a savvy political scientist -- a professor of political science -- with active experience in politics who will recruit and run the operation and he will make

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available to the Senator or Congressman somebody from another district with that skill. And these people can do more than write for our members of Congress, they can write for our candidates, they could work for political organizations of the party at every level, state, national, local, and they can set up their own speaker's bureau and make themselves available to local groups of all kinds -- women's clubs, labor, business, any kind to make speeches. They can do political research, they can do political intelligence -- now that is important. You know, usually, if you want to know what the political situation is in district "A" or county "B" or city "C," you go to the local political leader, yes, but he has a stewardship that he has to defend and you are not likely to get a really good picture from him, I mean, you are lucky if you do because he is defending his stewardship, there.

HESS: Trying to make himself look good.

SPINGARN: Naturally. Every human being wants to do that, so when you ask the man who is responsible for the job how he's doing the job, you can't expect to get very good intelligence, can you?

HESS: No.

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SPINGARN: So, the answer is oh, yes, get his opinion, but get outside opinion, too they can do Harris and Gallup type polls. In any event, there are many things they can do. They can do market surveys testing what issues are most troublesome in what areas, so you know what you are going to bat on and what to minimize, all sorts of things. Many of these people have never been used except in campaigns and hurried up operations, and then dissipated right after the campaign is over.

All you really have to do is thank these people graciously when they do anything, whether you use it or not -- get a letter from an important person thanking them. When they come to Washington arrange for them to see the Senators and Congressmen and Cabinet officers they want to see. And, another thing, you can arrange with the departments, you should screen these

people and see who the good ones and the effective ones and the workers are, and pick those people. Now, there is another way you can help them, every big agency has temporary jobs,, summer trips of advisers on commissions to Europe or South America or Asia around the country, you know, special advisers on this or that. Well, pick these good men, and give them these jobs on their

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summer vacations, you'll be getting better men than you would in ordinary course, you see, and yet they will love it won't they? Just think if you are a young assistant professor at Smallville College, and you are given a free trip to Athens, let us say, to be adviser to some mission on something or other within your expertise, you'd love that -- and this is available, this can be done, and a lot of other things can be done too.

I don't believe there would be any trouble getting them if you run it right. So, I went to bat and I lined up all sorts of support. My first and most enthusiastic support was John McCormack, strangely enough, the Speaker -- the then majority leader -- now the Speaker of the House of Representatives. On December 31, 1956, he wrote me a five-page longhand letter from Boston:

Dear Steve: I have just had an opportunity of reading your letter and your proposal, [That is KOED. Now, this is just excerpts of his letter, not the whole letter] in connection with this proposal I am enthusiastic, very strong for something along the lines outlined by you.

For a number of years I have advocated without success a close relationship between the national committee and Democratic members of Congress with the national committee having

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qualified persons to do research work and suggest and write speeches to members of the Congress to make in and out of Congress.

Your proposal covers this and goes further and in the right direction. Not to flatter you but to compliment you, I think your plan is a well considered one, practical and productive of excellent results. I am glad to see that someone else -- you -- were thinking along the same basic lines I have been thinking and talking and using and urging unsuccessfully for some years.

By the time you receive this letter I will be in Washington. After the early busy days of organizing I do hope you will get in touch with me so I can discuss your plan in person. With kind regards, I am sincerely yours, John W, McCormack.

He was then the majority leader. He authorized me to use this letter to get other support, and that was important, and I did, and I have a letter from President Truman saying that the plan looked good to him and Eleanor Roosevelt supported it very ardently. I have a number of letters that she wrote me and that she wrote Paul Butler, specifically endorsing KOED and saying that it could be used even in more ways than Steve Spingarn suggested. Now, in addition, I got all kinds of

other congressional support, and I got egghead support, too. In early '57, I went out to the Democratic National Committee, the full committee, that is a

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hundred odd members met in San Francisco in mid-February '57. I went out first to Arizona where I went to college and law school, where I had good contacts and I barnstormed the state you might say, made some speeches in Tucson and Phoenix, and I lined up everybody. The Democratic state chairman, Evo Deconcini, was my law school classmate, and Dick Harless who was a Congressman, was my law school classmate, and I got the national committeeman and the national committeewoman and Governor McFarland to endorse it; he was a former Senate majority leader.

I went up to San Francisco and the Arizona delegation, that is the national committeeman and woman, put a resolution in before the full committee endorsing my program by name and urging the national chairman, that was Paul Butler, to put it into effect. And the full committee adopted the resolution. Then, I went out and I found a rich man in New York. It was funny how I found him, too, because I was in Twenty-One one day in New York and I ran into a fellow who had been in my outfit overseas. I had gotten him his commission. I was his commanding officer in Italy, and he was the public relations guy for this rich man:, I told him

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my plan and the old Army contact worked out; he lined up his principal. And this rich guy -- there's a letter, I'll read it to you, I won't give you his name, it is dated January 29, 1957. This guy had undertaken at this time to raise a million dollars for the Democratic Party by getting two hundred and fifty people to give a thousand a year for four years. He had raised huge amounts of money for the party at this time, and he wrote this letter to Paul Butler, then the national chairman on January 29, '57.

Dear Mr. Butler: As one who is vitally interested in the Democratic Party, I have read with considerable interest the summary of the KOED plan as prepared by Steve Spingarn. I believe there is considerable merit to this plan and in the event it is adopted I would certainly work to acquire for it some financial support, but it is difficult at this time because of the political chronology of events [we had just lost two elections in a row, two presidentials] it is difficult at this time because of the political chronology of events to raise money. I do think it will be easier to raise it on a positive program of the type proposed by Mr. Spingarn. If you believe I can be helpful in this connection, please let me know. Yours sincerely.

Now, I had gotten it through the national committee. I had the range of support from Eleanor Roosevelt to John McCormack endorsing it in writing, but I couldn't sell Paul Butler. And this was ironical because Paul and I were friends, I knew him better than I have known any

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chairman before or since. He had offered me a fulltime paid job the year before -- in '56 as executive director of the small business division of the Democratic National Committee -- he offered me a paid job, and I declined. He and I were friends, I liked him and I think he liked me -

- I talked with him -- but the reason he didn't want the program was this: There was an enormous deficit after two successive presidential defeats. Paul Butler was only and single mindedly interested in paying off that deficit and he didn't want to do anything that would divert money from the deficit. Do you follow me? This would divert money from the deficit. If you raise money for this it wouldn't go for the deficit. That didn't make sense to me as I tried to explain to him -- I said, "Paul paying off a deficit is like burying a dead horse, nobody wants to give money for that. Get yourself a big forward constructive program that you will plug as going to win us the '60 election, raise your money on that and use some of that to pay off the deficit," but I couldn't persuade him -- so it died.

Well that's '57 -- nothing happened until '63, then, I saw that the Kennedy program was bogging down in

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Congress, and one of my thoughts is that this type of grassroots speeches and speeches in Congress would help the public understanding of our programs, you see, and would help advance them if you did it in an organized and effective way. So, I wrote Larry O'Brien at the White House, the chief congressional liaison man for Kennedy, and now the postmaster general, again reviving my KOED program, and he wrote me back promptly -- this is about March, late February or March, '63 --he said, "I'll send it over to John Bailey (the Democratic National Committee chairman), for his consideration."

Now, I knew that I would have to go through all this business again of support you see. I knew Bailey wouldn't adopt it on his own because the Democratic National Committee has never -- not under Bailey or anyone else -- been very receptive to this kind of thing; they go in for the organization stuff, you know, the meat and potatoes, but they are not very receptive to this sort of voter education stuff, let's put it that way. Well, my theory is that you can drive people to the polls, but increasingly they want to know what they are voting for. As one politician out in Colorado told me back in '63 or '64, "In the last election," he said, "we

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and the labor people did a terrific job. We got everybody to the polls and they voted Republican."

HESS: They got out to vote.

SPINGARN: Yes, they got out to vote, but that's not always the answer. It's a good thing to do, but it is not always the answer. Okay, so I went to work. I visited fifty-seven or eight Democratic Senate offices -- not once, but in the more important cases, three, five, ten, twenty times each, and almost as many or more in the House. I spent six months on this project or more, and I lined up enormous support. John McCormack again endorsed it, and many, many others. Hubert Humphrey who was then a Senator -- Hubert Humphrey -- and many others. Now, Senators, Congressmen and eggheads -- among the eggheads I got were Evron Kirkpatrick, the executive director of the American Political Science Association; among the eggheads I got were Dean Stephen Bailey, of the Maxwell Graduate School of Public Affairs at Syracuse University; among the eggheads I got were James MacGregor Burns, who is the biographer of Franklin

Roosevelt and John F. Kennedy; and then the politicians, too, you see, and they all endorsed it in writing. Now eventually I went down and I saw everybody at the national committee; Hale Boggs, the

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majority whip, got me in to see John Bailey as I remember; he got me in to see McGuire, the treasurer, I saw everybody. I saw John Bailey, I saw McGuire who was the treasurer, I saw Chuck Roach -- oh, I saw everybody. I saw Margaret Price. These were the top officials of the Democratic National Committee. I had thirty or forty-five minutes with Bailey, he seemed interested but eventually he turned it down.

But I didn't stop. I went to the President, that was Kennedy -- I had one avenue that I could reach him on I knew. I knew Evelyn Lincoln, his personal secretary and her husband, and I went to her husband and I gave him a memorandum for the President in which I asked the President -- I told him that Bailey had turned this down -- before they closed the doors on this, "could I have an opportunity to see either you, Mr. President, or Attorney General Kennedy or Stephen Smith;" Stephen Smith was his brother-in-law and he was running the Democratic National Committee. And, Harold Lincoln gave it to Evelyn who gave it to the President and she called me up a few days later and she said, "The President says you should see Steve Smith and I'll arrange it," and she did.

I saw Steve Smith, and I spent an hour with him.

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I could see that he was not deeply stirred by the idea, though he saw some merits in it, but the question was I rated its cost at about twenty-five thousand a year, would twenty-five thousand be better spent on this or on the meat and potatoes work? I could see he leaned towards the meat and potatoes. But Hubert Humphrey, at that point, on my urging, wrote him a letter, and I have the letter somewhere around here. Here it is:

August 29, 1963 -- to Stephen E. Smith, Democratic National Committee. Dear Steve: I call to your attention a memorandum I received from Stephen J. Spingarn [that's about the KOED program] the proposal makes good sense and I hope that something can be done about it. I will be more than happy to sit down and talk with you in some more detail concerning Spingarn's suggestion. I have encouraged Spingarn in this matter because I believe it would be of great help to the Democratic Party. Sincerely, Hubert H. Humphrey.

So, Smith then wrote me that they decided to try this. I had gone over John Bailey's head and got him reversed, which didn't endear me at the committee any, as I found out later. He said they were going to try it on a pilot basis, and on October 11, 1963 John Bailey wrote a letter -- get that date, October, '63 -- he wrote a letter to all Democratic Senators, Congressmen,

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and governors, telling them of this new program and asking them to furnish the names of all the Democratic professors in their districts who were active in Democratic politics as a basis for starting recruiting.

This was October '63. A month later came Dallas. Everything is suspended, of course. Now, in the meantime, among the people I'd gotten interested in KOED were Walter Jenkins who was at that time Vice President Lyndon Johnson's top assistant. He had helped me; he had made several phone calls to the committee, not one but several for me, on this KOED thing. Jenkins, by the way, was a very able and effective assistant to Lyndon Johnson. He deserves a lot of credit.

I'm proud to say that when Jenkins got into his trouble I wrote a letter to the *New York Times*, which was published, which is out in the Library, saying that Jenkins had had twenty-five years of dedicated service; that it was monstrous that some physical aberration that our society rated so low that a man could put up twenty-five or fifty dollars bail and forfeit it and that ended the thing, could destroy a good man's career, and that he should be remembered for the fine work he had done for his Government, and so forth, and it was published,

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and I got some nice letters from the White House about it.

But anyway, that's Jenkins. So, Cliff Carter in late '63, was the White House man with the committee -- the national committee -- and I wrote him sending him KOED telling him about it, and he wrote back and said, "This looks good to me -- come in and talk to me about it."

And in January of '64; I think, I went down to the White House and I had twenty minutes with Cliff Carter. His outer office was stacked -- you know, it was like planes stacked over LaGuardia on a foggy night; the phone kept ringing while I sat with him as he was drumming on the desk you know, the poor guy was going crazy with all his assignments. I could see I wasn't getting his attention, he had a million things on his mind and this was pretty deep down in the pack. I just never was able to focus his attention, he had too many other more pressing important problems. I liked Carter and I am sure if I had had a chance for his undivided attention I could have sold it to him, you know, I'm sure of that, because he was a bright fellow.

This is often the case in these matters, the important men are too busy and it is awfully hard to

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focus their attention unless it is something they absolutely have to do, they can't avoid doing it. You focus for one momentary flash then the flash is gone and that's it. Well, anyway, they vaguely resuscitated KOED. They had a very good man named Robert McNeill. He was then associate professor at Purdue University, a political scientist, and he was the political scientist at the DNC, but they gave him no help; he was diverted to other duties; he was allowed an hour a day or less to work on this KOED thing; he had many ideas; he couldn't get them cleared or approved; in other words -- nothing. It was never given a trial -- never given a trial, and it collapsed. After McNeill came another man, who was so brash and know-it-all that he queered everything he touched and that folded the whole thing up, it was never tried and it died in '64.

So, after the defeat of '66 I said to myself now is the time to try it again. I said, "Lyndon Johnson is a great politician, and if I am right about that, if he is a great politician, he knows he's made a bad mistake. He's made a terrible mistake, and if he's the great politician I think he is, he won't make it twice." The

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great mistake he made was to think that he could run the Democratic Party single handed, and he can't, but that is the way it was run. Lyndon Johnson has been quoted to me, by people who I believe know what they are talking about, as saying -- this was before the election -- he didn't see why the Democratic National Committee couldn't be run by one man and a secretary, and that's the way it was run, and I'll tell you more about that after I get through with this KOED thing. I have watched the committee. It was the worse I have ever seen in my entire years of looking at it -- twenty at least I've looked at it at close range. It was awful -- moribund. The Republicans committee on the other hand was great. I went down there and I saw them at close range too.

HESS: '66.

SPINGARN: '66, right. They were good. Ray Bliss is a real pro. But the Democratic Committee was the worse I've ever seen them. I've seen them pretty poor, too, but this was the worst by far. Lyndon Johnson, as I see it, was lulled into a state of euphoria by the '64 victory, where he won by sixteen million votes, but what he obviously didn't realize, of course, this is all

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hindsight; what he obviously didn't realize was that it was (a) detestation of the Goldwater candidacy, and (b) he was still on his honeymoon, you know. All right. We took a bad drubbing in '66; we lost forty-seven net votes in the House. We were bound to lose some but forty-seven was rough; three Senate seats, too. This was lousy. So, I said to myself, now is the time. I wrote the President a letter -- I'm great at writing letters, I don't say that anybody acts on them...

HESS: But at least they hear from you.

SPINGARN: At least they hear from me. I went down to the White House and I had an hours talk with John P. Roche, who is former national chairman of the ADA, a Brooklyn Irishman who is chairman of the ADA is something out of the ordinary -- and he is, he's a great guy. My talk was not on this at all. He's the intellectual. He replaced Eric Goldman, but he's much more than Goldman. Goldman was the ivory tower. type, and Roche is the pragmatic type, and he has substantive functions as Goldman never did, at the White House, I mean. So, I had an hour's talk with him about Vietnam, but then at the end, we didn't talk about KOED at all, I said, "Here is a letter for the President, John, would you see

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that he gets it?"

He said, "Sure."

And in my letter I told the President that I thought he was facing the second great crisis of his political career. The first was November 22nd, 1963, and I said, "Now this is not as sharply focused, but," I said, "from where I sit it seems to me that you are going to have to recognize that even as great a politician as you can't run our party single handed, and that's the way it was run in the last campaign, and it was a disaster." And I made certain recommendations about the national committee including a recommendation that Neil Staebler of Michigan be the new chairman. He's a remarkable combination of a practical politician; he's been a Congressman and a theorist; he'd been a Democratic state chairman; he was the fellow who put "Soapy" [G. Mennen] Williams across for six terms as Governor of Michigan and although he lost last time out, he's an idea man as well as a practical pro, He's been national committeeman for many years from Michigan, and he's a fellow who wrote the party's program in 1956 and 1957, which has played a major part -- he was chairman of the Democratic National Committee's committee on

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organization, and he wrote the program for the party's operation, which played a major part in our big win in '58. He'd be an excellent chairman. I said I knew there were other people who would also be excellent chairmen. I didn't think I had to mention Larry O'Brien, who would make an excellent chairman, or Jim Rowe, who would make an excellent chairman, or Ed Foley, who would be a good chairman. These are all men well-known and close to the President. Actually, I wanted to get discussion on this thing, I thought Neil would make an excellent chairman, and I wanted to present one who was a little out of the pattern, you see. Well, anyway, I also mentioned this KOED thing, and I started writing John Bailey and John Criswell.

Now a young fellow named Criswell, John Criswell, is running the Democratic National Committee. He is both acting executive director in place of Cliff Carter, and acting treasurer in place of Dick McGuire. For weeks I tried to see him after the election, without success, but one thing you can say for me is I rarely stop trying. So, I called everybody in the White House, almost daily, with the idea that they would help me get over to see them. And finally, possibly, if only to

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stop the flow of calls, Robert Kintner had his assistant, Charles McGuire, tell Criswell to see me; so, I went in to see Criswell, this would have been February 3, 1967, and I had thirty or forty minutes with him, and I found him a remarkably savvy, imaginative guy.

He has been there, but he has been under wraps, because this was not the committee's fault it was the President's fault it was run the way it was. It's been run on presidential instructions, you might say, through Marvin Watson, who has been the Steve Smith or the Cliff Carter of this administration now, and who is a very conservative Texan who has been Democratic chairman down there -- a big steel man, I believe, but he does what the President tells him to, and he's been running it that way. In any event, I talked to Criswell, and I was much impressed with him. He's a young fellow from Oklahoma. He's still in his thirties, I am told, he looks a little older and he's bald, but he's young and he's good -- savvy -- imaginative, and he bought it right away. I could hardly believe my ears because in a matter of minutes he was not talking about if we'll do it, but how we'll do it. Well, I left then

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and I said to myself, I'm not going to take any chances, the cup has been dashed from my lips too often that's Thursday or Friday, the 3rd of February -- I got on the horn right away and over the weekend. I talked to any number of Congressmen and Senators, I talked to Senator Claiborne Pell; I talked to "Mo" [Morris K.] Udall; I talked to many others, and on Sunday I telephoned Dean Bailey up in Syracuse; I telephoned James MacGregor Burns at Williams; I telephoned Evron Kirkpatrick here; I said to each one, "Look you've endorsed this program before. Now is the moment. I believe it's hot. Will you write or phone John Criswell and tell him you think it ought to be done?"

On Monday or Tuesday I had a twenty minutes telephone conversation with Speaker McCormack and I asked him to call Criswell, and so on. I went down the line. Every one of them, without exception, did it, either wrote or phoned Criswell. Here, for instance is a letter that John McCormack wrote me, and he wrote me this letter February 8, 1967.

Dear Steve: I talked with John Criswell, doing so on Tuesday last [now, I had talked to McCormack on Monday, February 6, so he talked to Criswell the next day] I talked with John Criswell doing so on Tuesday last. I told him of our years of

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friendship and of the very high regard that I have for you. That we need more of your men around, active and interested Democrats. He said [he's quoting Criswell] I could not agree with you more. He has some ideas we are going to put into effect and we are going to make good use of his talents.

Now, this is McCormack, "This letter is to let you know I carried out the mission you asked me to. With kindest regards, I am sincerely yours, John W. McCormack." Well, that's the Speaker of the House, you see.

I have letters from James MacGregor Burns, and Bailey, telling me they did it, and many others. Claiborne Pell wrote a strong letter. Senator Gruening wrote a strong letter, and so on down the line. Criswell tells me -- I've talked with him since -- that it's definite. I said, "Soon?"

He said, "Yes."

I said, "In June?"

He said, "Before that."

So, it is definite. So, after all these years, this program has been sold. Now, the thing to do is to see that it is run right.

Here are some more letters that I would like to read into the record on KOED. Here is a February 17, 1967 letter to John Criswell, acting executive director,

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and also acting treasurer, of the Democratic National Committee, from James MacGregor Burns of Williams College, he is the biographer of Franklin D. Roosevelt, *The Lion and the Fox*, and also the biographer of John F. Kennedy, while Kennedy was still alive, and a distinguished political scientist.

Dear Mr. Criswell: Steve Spingarn has told me of his renewed interest in trying to work out more effective utilization of academic and intellectual resources for the benefit of the Democratic Party. I would like to indicate my support of his general proposal.

I have long been professionally interested in the relationship of political leadership and academic expertise, and I feel that while there are great difficulties always we do not effect as useful connections as should exist for the betterment both of the country and the party.

I am especially interested in this problem, too, because I am serving as a member of the Democratic. Advisory Council in Massachusetts, which Senator. Ted Kennedy took an active part in helping create. So. I want to state my strong support of this idea and also wish you all of the best of your very important work in Washington. Sincerely yours, James M. Burns, Professor.

Now, on the same date, February 17th, Jim Burns wrote me:

Dear Steve: You certainly are impressive in the way you go about things. You certainly have done a fine job of rounding up opinion and support and I am happy to enlist in your crusade. I enclose a copy of a letter I

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have just written Mr. Criswell. Best Luck.

Now, here is a letter from Dean Stephen K. Bailey, a very distinguished political scientist who is dean of the Maxwell Graduate School of Public Affairs at Syracuse University, one of the major schools of public affairs in this country. I had telephoned Dean Bailey on Sunday the 5th, I believe it was, in February, and asked him to write John Criswell his support of the KOED program which Dean Bailey had previously endorsed in '63, the last time I was plugging it.

Dear Mr. Criswell: [this was February 6, '67] I have long been interested in Steve Spingarn's idea of harnessing the intellectual talents of the academic community around the country on behalf of the Democratic Party and Democratic candidates and office-holders.

The many professed Democrats among the academic professionals of the nation constitute, it seems to me, a valuable resource which should be increasingly tapped by the party and by individual candidates for national, state and local office. I do hope that this notion can be pushed and I stand ready to be of any

possible help in the Syracuse area. [Now that's the operative sentence, when a man says he is willing to help himself and do some work you know he means it.] Sincerely, Stephen K. Bailey, Dean.

And here is a letter I got just today from Paul Douglas, the former Senator from Illinois. It is dated March 14, 1967, just reached me today:

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Dear Steve: Many thanks for all the material you sent about your Knock on Every Door plan [that's KOED] it is good to know that you think things are looking up. I will be glad to help. With all best wishes, Sincerely yours, Paul.

And there are many others, but that gives you a cross sampling. I think (and I have written this to the White House, the President and others there), that the KOED program could help our party a great deal if effectively operated, and I place great stress on that because obviously if it is done on a lip service basis, it will be worse than useless, it will fail and it will further alienate the academic community. It must be done with adequate funds and good personnel. I myself place the approximate minimum cost at about twenty-five thousand dollars a year, and with that money I would envisage a good hard-hitting political scientist with actual experience in Democratic politics to run the operation at the Democratic National Committee, on a full-time basis with a good secretary or administrative assistant helping him, a bright savvy girl presumably, and with enough money to travel around the country and visit the campuses, and do the recruiting job, and with enough money to make the long distance calls and put out the mailings in quantity that would

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be necessary to support this kind of an operation. So, incidentally, I want to say this, that I am very much encouraged by what is happening now at the Democratic National Committee. I have been watching at fairly close range the Democratic National Committee for twenty years, and apart from the election of 1960, I have done something in every presidential campaign and sometimes in the off-year campaigns, too. In 1948, I was detailed to the White House and worked on the campaign. I wrote the first draft of the famous Oklahoma City speech on communism. In 1952 I was Federal Trade Commissioner and was legally eligible, not "hatched," but there was a tradition against trade commissioners actively participating in the sense of making political speeches and I didn't do that, but I did participate in the sense of preparing speech drafts and memorandums of ideas and suggestions.

HESS: That was one of the questions I was going to ask you; just what your involvement was in the '52 campaign.

SPINGARN: The thing I was mostly interested in in the '52 campaign, I would say, was how to spike McCarthyism, and McCarthy, who was running rampant, who was attacking Adlai Stevenson in the most intransigent terms

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and equating him with Alger Hiss, sometimes he referred to Alger Stevenson.

HESS: What were your ideas on that?

SPINGARN: Well, my ideas were that we were not hitting the fellow hard enough. That we were avoiding combat really and I thought that we ought to go out and expose his own tawdry record for lying and for unethical conduct down through the years. And I prepared a speech, a long speech on this subject, which went down over his whole squalid record and summarized situation after situation in which McCarthy had done unethical things, in which he had pocketed money under highly dubious circumstances, like the ten thousand dollars he got for supposedly writing a pamphlet for Lustron, the prefabricated housing outfit, at the same time he was serving on committees in which Lustron's interests were very much involved, legislatively, and many, many other things.

HESS: Was that speech ever given?

SPINGARN: No. I'm going to tell you about it. And even his own records of not hesitating to use Communists himself where it suited his purposes. Such situations as his praise of Earl Browder in the hearings in 1951,

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because he was attempting to embarrass -- I've forgotten the details now, I'd have to check my speech -- but McCarthy actually at a trial in '51 in which Browder was involved testified for Browder, he was the only Senate witness for Browder although Browder had tried as I recall to subpoena other Senate witnesses, and the question was, as I recall, whether Browder had cooperated with a Senate committee and McCarthy testified as a character witness that he had cooperated beautifully. He was trying to embarrass other Senators actually.

Well, anyway, I prepared a speech, and Larry Henderson, who was at that time executive director or staff director of the Senate Small Business Committee, was working in the campaign and particularly working for Kefauver -- now this was '52, he was working for John Sparkman, of course, who was the vice-presidential candidate in '52 and was also chairman of the Senate Small Business Committee of which Henderson was the staff director.

McCarthy a night or two before the election was going on several hundred radio stations and make a final speech, which we knew was going to be a sock-a-doozer, and the idea was to get time, I believe it was either

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directly before or directly after McCarthy, with comparable radio coverage to answer him. Larry Henderson called me one day, I believe it was a Friday or a Saturday, and he asked me to have a speech ready Sunday, and I prepared it -- I mean I had twenty-four or forty-eight hours to prepare that thing and I prepared it. It was easy because it was right on the top of my head -- this stuff. I had been writing endless memoranda and stuff on it, and it was no great problem.

HESS: It didn't hit you cold.

SPINGARN: It didn't hit me cold, no sir. Henderson had the time optioned on these several hundred radio stations, and I prepared the speech and Estes Kefauver was going to give it and then it was going to be followed up with several experts on counterespionage and security. One of them I remember was Edward Morgan, a former FBI agent who had been at one time the FBI's top authority on communism. He had been an inspector at the FBI, and he had been the fellow who gave the training courses to the agents on communism, and he told me that McCarthy had come to him sometime previously and asked him to help in making McCarthy's case against

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the State Department's alleged Communists. He asked McCarthy to show him the material he had and he was shocked to find that McCarthy didn't have anything -- that he was just bulling; that he had absolutely no real evidence.

By this time. Morgan was out in private practice, and it was interesting to note that Morgan became angry when he realized what a fraud McCarthy was pulling on the American public and decided to do something about it. But, to show you how tense the pressures were of that period, immediately he felt pressures himself. His law partners came to him said, "Are you crazy, man? What are you doing? Are you trying to ruin our firm," and things like that, you know. He was under considerable pressure. He had gone out on a speechmaking stump, because McCarthy was running for the Senate himself that year, and Morgan went out and campaigned against him in Wisconsin, and he immediately found repercussions among his partners and the clients of this respectable firm -- that was the way things were in those days. And there were others we were going to get.

Stephen Mitchell was then the national committee

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chairman in '52, and Mitchell at first decided to go along with it, and then he changed his mind and cancelled out the time that we had optioned, and then at the last moment he changed his mind again and decided to do it and it was too late, the optioned time had been disposed of elsewhere and we could no longer get it back; so, to make a long story short, that great speech was never delivered.

HESS: What was your opinion of Stephen Mitchell as chairman of the Democratic National Committee?

SPINGARN: Oh, basically, my opinion was good. I think he was a pretty good chairman -- I mean on this particular thing I think he was wrong, but we are all wrong from time to time on individual items. Basically, I think well of Stephen Mitchell. I would say he was a superior type of national committee chairman, a more intellectual type than most of our chairmen, a fellow who understood, for instance, the importance of voter education, of research, and of getting out fact sheets and things like that, as well as the meat and potatoes work of the national committee, which typically has been what they have done almost to the exclusion of everything else. I thought very well of Paul Butler, too, although

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I couldn't sell him on the idea of KOED, but basically I think Butler was a good man. And I remember particularly Paul Butler in the '56 campaign -- or was it the '52, no it must have been the '56 campaign -- because Butler was entirely bypassed by the Stevenson organization. They set up their own organization out in Springfield, Illinois. And, by the way, they had some of Truman's people out there. Ken Hechler went out there, and Dave Bell was out there and some others, too, I think.

HESS: There could be, those are the two that I have heard about.

SPINGARN: Maybe. Those two I am sure.

HESS: Do you know why Mr. Stevenson kept his headquarters out in Springfield?

SPINGARN: I think one of the reasons was that he wanted to disassociate himself from Truman and...

HESS: Why?

SPINGARN: ...because I suppose that he thought Truman was a political liability. It must be remembered -- I'm just speculating now -- but it must be remembered that President Truman rates pretty high with the American people today and the historians, and everybody says

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he was a fine President -- maybe even a great President, one of our best Presidents; but, it must be remembered that while he was in office his popularity rating at one time fell to twenty-three percent, and that's about half or a little more than what Lyndon Johnson has now and a lot of people say that's pretty low. So, the test of how good a President is, is not necessarily how popular he is at any given moment in his Presidency. A good example of what I mean is this: My brother Edward, who by the way is a fairly conservative Republican, is married to the daughter of Professor Admiral Samuel Eliot Morison of Harvard, the historian, one of the great American historians...

HESS: This what we discussed at lunch, but it's not on tape.

SPINGARN: Right. Sam Morison has won two Pulitzer prizes; he's been president of the American Historical Association; he's an eminent historian and he wrote the official history, a fifteen volume history, a naval history of World War II. He was specifically commissioned for that task by Franklin Roosevelt, as a lieutenant commander or commander and he had a wonderful assignment from his standpoint. He was told in advance when every operation

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was going to be and if he said I want to be there, he was on a cruiser or a battleship or an aircraft carrier in that operation, he was there.

I was in the African invasion myself on November 8, '42 and I learned later that Sam Morison was there, too. He was all over the world. He eventually became a rear admiral, and he wrote the naval history; he's a great historian.

But, in 1956 after the defeat of '56, I wrote a lot of people I knew and this was a kind of a personal political Gallup poll, and I asked them how they voted in '56 and why. And, among the people I wrote was Sam Morison, and he replied -- and I also asked them how they voted in '52 I believe, how they voted both times, and Sam replied, as I recall, that he had voted for Eisenhower. Now, Sam had been a lifelong Democrat, a liberal Democrat, although he was a Boston Brahmin and you might not have expected that, but he was a professor and an intellectual, too. And he replied that he had voted for Eisenhower in '52 and the reasons were, "Korea, communism and corruption." I was shocked that these slogans in the street were being used by a great historian. And in '56 he said he voted for

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Eisenhower again, and he told me that he had done so for much the same reasons and he has talked particularly about the Truman scandals, and I asked him what were the sources of his information on the Truman scandals, and he wrote me that he had used a book by a fellow names Jules Abels, called *The Truman Scandals*.

Then, I was shocked because I knew that book. That book was a campaign document. It was first released, first released at the Republican National Committee in the campaign of 1956 -- that was the release place -- obviously this was political polemics. Abels himself was a minor official of the Eisenhower administration, with the Small Business Administration, as I recall. I read the book, or read large segments of it, and I remember particularly to show how "fair minded" this great document was, it had seven or eight pages devoted to a liquor tax scandal involving a big Baltimore liquor dealer named Hyman Harvey Klein, and it told all about all the awful things that had happened, and all the Democratic officeholders that were supposedly involved. But it never mentioned the fact that the most pre-eminent fixer of that period -- the early '50s, late '40s and early '50s -- Henry "The Dutchman" Grunewald, that

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he had gone down and been all over the Bureau of Internal Revenue on behalf of Hyman Harvey Klein, and that he had been sent down there by none other than Senator Styles Bridges of New Hampshire, one of the three or four most prestigious and important Republican Senators. He was, I think, chairman of the Republican Caucus but he was one of the top Republicans of the Senate.

Now, you might reasonably inquire or at least wonder why a Senator from New Hampshire would be that much interested in the troubles of a Baltimore, Maryland liquor dealer. That would be worth inquiring into. In any event, if you were rapping the Democratic officeholders who were involved somehow in this case in one way or another, why wasn't the Republican mentioned, but seven or eight pages were devoted to this case and there was never any mention that Senator Styles Bridges was in any way involved, you see, that's how fair minded this great book was that Sam Morison was using as his source.

So, I wrote all this to Sam and I also collected and summarized some cases of the Eisenhower period scandals, and there were quite a few. Particularly, I noted this -- and I want to go back to something that

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happened to me while I was still at the Federal Trade Commission -- in May 1953 while I was Federal Trade Commissioner, I was invited to participate in a three day forum on ethics in Government at the University of California at Berkeley. I went out there and it was a very lively and interesting discussion. Dick Neuberger,, who was not yet a Senator was there, and Thurman Arnold was there and there were a lot of interesting people there -- Republicans and Democrats. Thurman Arnold was the keynote speaker; he made the opening speech, and he made a typically amusing iconoclastic Thurman Arnold type of speech -- *The Folklore of Capitalism* type of speech -- that's his famous book. He said, if you took all the problems of Government and wrote them down on a pad of paper, and you put ethics in Government at the top, and if you then turned the pad upside down, you would have ethics in approximately its relative position of importance in Government.

Well, we all laughed, that was a great way to start off a three day forum on ethics in Government, and we all said, "Oh, that's just Thurman, you know, he likes to do things that way," and we got a kick out of it.

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But I went back to Washington after this thing was over and I picked up a book which had recently appeared called *Hitler's Secret Conversations*, and this was a book based on the verbatim stenographic transcript of Hitler's talks with his staff over a period of several years during the war. At night, you know, he used to sit around and talk, these are largely monologues, with the staff occasionally interjecting, "You are so right my Fuehrer," or something like that.

HESS: Somebody agreeing with him.

SPINGARN: Yes. Mostly it was Hitler talking to himself, you know, and the staff sitting around in adoration, listening. Well, these were stenographic transcripts, these papers had been scattered, they had been found in the courtyard, somehow some of them had been found and pieced together. Some were lost forever, but a good many were found.

One of the things that fascinated me was that the Fuehrer was deeply interested in ethics in Government and he talked very eloquently, and indeed quite reasonably, about the dangers of civil servants making "golden bridges," as he described it, with industrial

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firms and paving the way for outside jobs by using their inside jobs in the Government to do favors, and things like that, and how important it was that the Government be scrupulously clean and ethical.

HESS: Clean as a hound's tooth.

SPINGARN: Yes, that's right. And I thought to myself, "Oh my heavens the fact of the matter is that every Government, Democratic, Communist or Fascist, doesn't want crooks running it." On that level they want to be ethical. But the real corruption of Government comes, I say, when a single interest group seizes control of all the levers of Government and pushes all those levers in their own interest quite legally, you see, not illegally, but legally. And, I say, that is in a way, not a Hitlerian way, but that's in a way what the Eisenhower administration, to a very substantial extent, represented. In the Truman administration we had scandals about mink coats and deep freezes, and things like that, petty stuff, but it catches the headlines. In the Eisenhower administration they had things like Dixon-Yates. That little deal involved something like a hundred million dollars, and the same man was on both sides of the fence, I've forgotten

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his name now, but he was both the consultant for the Bureau of the Budget who worked up the deal for the Government, and he was the vice president of the First Boston Corporation which was going to finance the deal for the private outfits -- the utilities. The whole thing was eventually declared illegal by the courts.

All right, Dixon-Yates. That's real corruption. Even that was tainted with the illegality of this conflict of interest thing; but it could have been done quite legally, you see, and it might very easily have been done quite legally. It still would have been a big steal.

So, that seems to me the real corruption in Government. It is not that the Government shouldn't be honest in the small things, too, but every government when you get two and a half million people which is about what we have in Government now and have had -- we've had something on that order almost since World War II, two, two and a half million -- when you get that many people there are bound to be a few weak sisters and a few crooks. The important thing is, one, you want to keep your eye on the ball and get rid of those people as

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fast as you can, but the main corruption of Government comes from the corruption of the power of Government to favor a special interest or one small segment of the population.

And there is another factor in this; and that is you hear a good deal about the Government man who is corrupted, but you seldom hear a great deal about the man or the interest that corrupted him. The typical situation was in the Teapot Dome case back in the Harding administration and [Albert] Fall went to jail for taking a bribe from [Edward Laurence] Doheny, and Doheny was acquitted -- I'm not sure that it was Doheny I'm talking about, whoever it was gave Fall that bribe, Secretary of Interior Fall -- in any event Fall was convicted and went to jail for accepting the bribe and the man who gave him the bribe was acquitted of giving him the bribe, you see. This was typical. In 1952 and '53 while I was Federal Trade Commissioner, and acting chairman for long intervals because Jim Mead our chairman was sick a good deal at that time, the international oil companies launched an attack on the Federal Trade Commission, and the point of the whole thing was this, our staff had prepared

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a report, one in a series of reports that we prepared on international cartels and monopolies in different fields, and this was called the International Petroleum Cartel -- it was a staff report. It was held up for some time because of the trouble in Iran over Mosadeq and his nationalization of Anglo-Iranian oil interests there and the White House and the President asked us to hold it up for awhile because that pot was boiling. But eventually with some revisions and deletions of material which it was felt might be too provocative if they remained, the report was published by the Senate Small Business Committee, Senator Sparkman's committee, and it was sent to that committee at their request over my signature as acting chairman of the Federal Trade Commission.

Immediately the report was published -- this was about August, I place it, 1953 -- all hell broke out and the oil companies began to fill the air with screams about the horrors of this report, and in their meetings and conventions and associations all over the country they denounced the Federal Trade Commission, and they denounced the administration, and in the newspapers,

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particularly in the trade press where it was vicious, but even in the legitimate daily press, editorials and news stories appeared in quantity denouncing this report.

Then, they hired a public relations firm, Hill and Knowlton, here in Washington, a well-known public relations firm, and they put on an international campaign against this report. They collected all these editorials and news stories that were the most vitriolic -- dozens and dozens of them -- and they put them into a beautiful little brochure and they had the worst lines and sentences in each item circled, you know, and comments out on the margin about it, and they sent this, according to their own statement, to Government officials and molders of public opinion in sixty-seven countries, and this denounced the government and the Federal Trade Commission in the most intemperate fashion. They, were called, "cheap Pendergast politicians," "sleazy Truman politicians," and the like. One that I remember especially said, "Remembering Alger Hiss, we think that everybody in the Federal Trade Commission who had anything to do with this report should be investigated by the FBI."

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I think that may have been the straw that broke the camel's back, as far as I was concerned, it made me mad. And I held press conferences, and went on television, and radio, and answered back, and for a time it was quite brisk. I also launched a campaign on, "Ethics in Government," and I wrote to national organizations, business and labor and the churches and Government and politics, you know, all the top national organizations, in which I described it as an ethics in Government issue, because the Federal Trade Commission acting under its legislative powers, had written a staff report. This staff report contained no conclusions, no recommendations. It was factual, it was based on the subpoenaed files of the oil companies themselves, and on investigations in countries all over the world.

We had done this under legislative authority. If there was anything wrong in it we wanted to know about it. If any evidence were presented to us, or if there were any mistakes we would correct them. But the oil companies refused the hearing that was offered them by the Senate Small Business Committee; they refused that and they went out in the market of public

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opinion and conducted a propaganda campaign in which they never dealt with the facts of the report, they simply stigmatized the Federal Trade Commission and the Government in the typical McCarthyite fashion. McCarthy's central credo was never engage in rational debate, vilify the opposition, smear them; and that is what they were doing, you see. I said this presented a great issue on ethics in Government, because if private interest could intimidate their Government or Government agencies in this fashion in the market of public opinion, why you would have a weak and useless, ineffective type of Government, and that national organizations ought to interest themselves in this aspect, that you needed fearless and unintimidated Government officials, and you weren't going to get them if they were beaten over the head with a bat in this unfair and vilifying way every time they opened their mouths on public issues.

HESS: The regulatory organizations couldn't regulate anymore.

SPINGARN: That's right. This was a deliberate attempt to try to intimidate, you see. I was a lame duck commissioner, and I couldn't -- unfortunately I wasn't

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eloquent enough to persuade my colleagues to participate in this crusade, or whatever you want to call it, of mine -- and I found that the oil industry had its tentacles, if you want to call them that, everywhere.

At that time the Department of Justice had two investigations going of the oil industry, the international oil industries. One was a case to recover alleged overcharges -- I think it ran around sixty-five or seventy million dollars, an enormous amount -- alleged overcharges for oil shipped abroad, under foreign aid programs; and, the other was a criminal investigation, a grand jury investigation, to determine whether they were violating the anti-trust laws. And the oil companies regarded the Federal Trade Commission report as the nucleus of all their troubles. This was furnishing the factual information, they felt, that was producing their trouble in the grand jury and in the civil litigation. So, they were attempting to kill these cases, and the National Security Council met several times on this matter.

I had a couple of talks with President Truman myself, I was, as I say, acting chairman of the

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Federal Trade Commission at this time and I had several talks with the President on this: He told me, as I recall -- it is all out there in your files because I have a deep dossier on my tangle with the oil companies which I shipped out several years ago to the Truman Library, and what I am saying should be checked in those files because it is recorded there and my memory is not as good as the files are, but it is all recorded there -- the National Security Council wanted to downgrade the grand jury investigation, I believe, into a civil investigation.

The President told me -- I was attempting to preserve the investigation the President told me that General Bradley had told him that this investigation was causing repercussions in the Middle East, and perhaps injuring national security. My theory of the case was this: That the oil

companies were kicking the Russian bear in the rump and then saying, see how mad he is. Things like this happened. There was a newspaper out in Beirut, Lebanon, called *The Lebanese Daily Star*, an English language newspaper, and it was printing editorials denouncing the oil cases, and the Federal Trade Commission report, and the grand

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jury investigation, and saying that it was doing terrible injury to American interest in the Middle East. The oil companies were clipping these and shipping them to the State Department as if they represented Middle Eastern opinion.

But I discovered from Larry Henderson, who had been out there, this paper was in effect owned lock, stock and barrel by the oil companies, I don't mean literally but that all its subscribers were oil company employees, and all its editorial thinking was geared toward oil company interests. So really, they were producing their own editorials and then called them Middle Eastern opinion.

And when I published this, when I announced this at a press conference, the publisher, a gentleman named Kamel Mrowa, of the Beirut paper, wrote me a letter stating that I was wrong and that he was thinking of suing me for libel. I checked on him with the State Department and other people .I knew who had been out in Lebanon, and I discovered that Mr. Mrowa had fled the country, it was Syria then, when the Free French came in he had left with the Germans, the Nazis, he had gone to Berlin and there he had sat out the war

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as a propagandist, for the Nazis propagandizing the Arabs on behalf of the Nazis.

HESS: Not too good a background.

SPINGARN: And I wrote him relating the facts I discovered about him and challenging him to sue me in any American court he wanted to. I never heard further from him again. That was an amusing sidelight. But this it seems to me represents a very real picture of what ethics in Government means. Now, I seem to have lost the thread...

HESS: I have one other question on the 1952 campaign. It has always seemed to me that the liaison and the communication between Governor Stevenson and President Truman was just not too good during the 1952 campaign. Is that a fair assumption or not?

SPINGARN: Well, I would think that was a fair assumption, yes, that is my impression of the matter. I don't pretend to have any inside dope but my impression is that Mr. Truman was a little miffed with Mr. Stevenson and vice versa.

HESS: Why?

SPINGARN: Well, Truman had first I think it was Adlai Stevenson's Hamlet-like agonizing; Truman had suggested

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to him that he be the candidate and Stevenson had...

HESS: Held out for quite sometime.

SPINGARN: ...held out for a long time, "To be or not to be," and Truman, I think became a little p. o.'d with this -- what seemed to him indecisiveness. And, then there was the further fact that Truman's popularity index was on the wane, was on its lowest ebb at this point, and Stevenson quite obviously was attempting to disassociate himself from his own President, because he felt that Truman's coattails were not only not a asset, they were a liability. So. I think you are quite right when you say that there was not the closest relationship between Mr. Truman and Mr. Stevenson in that 1952 campaign.

HESS: Mr. Truman put on quite a vigorous campaign, as you know, whistle stopping and went, I don't know to exactly the same cities, but he made roughly the same route that he did in 1948, but as I say it just seemed to me...

SPINGARN: Well you have to remember that their styles were so different. You can't imagine that Adlai Stevenson would -- I mean he may have liked Truman as a man and a human being, but Harry Truman's style on the

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stump I do not think would appeal very much to Adlai Stevenson, and perhaps vic-versa.

HESS: Do you know why David Bell and Kenneth Hechler went to Springfield? Were they sent there by the Truman organization or were they requested...

SPINGARN: I don't know. You would have to ask them. I don't know -- I imagine I knew at one time, but I've forgotten. But they are both available -- Hechler is here in town, and Bell is in New York, and you can ask them.

I wanted to get on to this McCarthyism business. When I left Government, I had decided that I was going to try to engage myself in some pro bona publico sort of thing, and the thing I particularly wanted to do was to launch on operation against McCarthyism -- not just McCarthy but the whole climate of McCarthyism which was then so powerful and running so rampant in this country that it is hard for people today to remember back, even people of my vintage, and for the youth of today it would be almost impossible to visualize how deep a grip that had on the fears and tensions and imagination of the country.

Well, there was another factor -- I mean it is

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possible to look back and think that I made a mistake in decision, perhaps I did, I don't know. But there was another factor. Aside from the sort of public interest work that I'm talking about, I was best equipped to be a Washington lawyer in Federal practice here, that was what my training all equipped me for. I had been, in effect, a legislative counsel type of lawyer in Washington all my life -- I was a young legislative lawyer in the Treasury, I became Treasury legislative

counsel, I was legislative counsel, in effect, at the White House, and at the Federal Trade Commission, in the last year I was there, I did more legislative work, made more congressional appearances than all the other four commissioners put together, including the chairmen. Because if a fellow likes that kind of work and is reasonably adequate at it, why a lot of people don't like it you know, you are on the grill there, and some people don't like it so well.

HESS: If he shows the knack for it, that's the assignment he's going to get.

SPINGARN: That's the assignment he's going to get, that's right. But the difficulty is this, that a Federal

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practice in Washington means "lawyer-lobbyist," that's what it means in plain English. You are a lobbyist either before Federal agencies or of the Congress, or both, usually both. Several incidents happened that persuaded me that if I could avoid it -- I don't want to be too nice about these things -- if I had had the economic pressures that other men had, I am sure I would have, done it; if I had a family and needed the money to support myself and my family. But there were several instances, and I'll only name one and I won't mention any names, at this juncture. While I was on the Federal Trade Commission, an eminent Washington lawyer, who had been an eminent public official, and who is still equally eminent today, and whose name is known to every American who is familiar with national politics, came to see me to discuss several matters in which he was interested at the Federal Trade Commission; this was perfectly proper, I was available to talk to anybody about it as long as the case hadn't reached the judicial stage, that is as long as it wasn't a case that was being heard where the complaint had been filed, and it was before the...

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HESS: Before the court.

SPINGARN: ...before the commission as a quasi-judicial body to decide. At that point I couldn't discuss it except in the presence of opposing counsel, you see. But in the earlier stages I could, and some of this stuff was legislative. He wanted to know our position on legislation and so forth and so on, that he was interested in.

But then he came to one matter which involved.. "he represented a firm which wanted the Federal Trade Commission to launch an investigation of a competitor, on the grounds that the competitor was violating the anti-trust laws, this was perfectly proper for him to seek that. We had the matter then under consideration, and he was there to urge that we do it, that we launch the investigation. And he argued the case on the merits, which was perfectly appropriate and I listened, and as a matter of fact the case was with me -- I was the one who was going to make the recommendation to the full commission as to whether we launched the investigation, and I had already done some preliminary examination, as I recall, and was satisfied that we ought to, there was no doubt in my mind that we ought to.

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He didn't know it but we were going to anyway. But he was there to argue that we should, you see. I should say that this man had reason to believe that I was under obligations of gratitude to him, although in that respect he felt one way and I felt the other. He may have thought so, but I didn't. Anyway, everything went well until the end. And then when he reached my door, leaving, he turned. "By the way Steve," he said, "there will be a twenty-five thousand dollar fee in it for me if the commission starts this investigation." Now, I thought that was a rotten thing to do. In other words he was suggesting that, that should influence my thinking, what he could make out of it. What other implication was there? This is not a thing that he should have said to me. Now, this man...

HESS: Do you suppose he was implying that you might get part of that?

SPINGARN: No.

HESS: He was just making a statement.

SPINGARN: No. He thought I was under obligations of gratitude to him, and that I would want to see him make a rich haul, that's all. I'm not suggesting that he was trying to no, no, nothing of that sort. And I want to say this, this man is far from being the

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worst of the lawyer-lobbyists in Washington. It is very difficult you know. The whole thing is that the firms that hire you don't hire you for your legal ability most of the time, they hire you because they think, rightly or wrongly, that you have influence. Now, in most cases they don't have influence. But, in any case that's what they are looking for. They are looking for the people with the best contacts, and the people who have the readiest access to the powers that be -- in Congress and at the other end of the avenue. There could be no question this man had marvelous access to everybody.

Now, there was another case earlier. Another equally eminent lawyer-lobbyist in this city, another man who has been equally important in Government and who -- this was a long time ago -- but he still is very important in the political life of the city, although behind the scenes now. And this was a case -- this was in '56 --and this was a case of a congressional report, an investigation of certain agencies which did not reflect credit on the conduct of the senior officials of the agencies vis-a-vis some of the business interests that they were regulating, it showed an

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unattractively close relationships between the regulator and the regulatee in some of the regulatory agencies. It was during the campaign of '56. This man went to a very important member of Congress, and a very fine member of Congress, with whom he had a very close relationship, and succeeded in blocking or at least deferring the issuance of this report, at least for a time, not for very long, but for a time. And he was involved -- this lawyer was involved himself in some of the relationships that the report dealt with particularly with one agency.

Well, Drew Pearson published a story on this, and I want to say that Drew Pearson is an old friend of mine, one of the first people I met in this city. In 1934 when I first came here, I had a

letter of introduction to Drew, and I took it to him and he was very nice and friendly, and he gave me a letter to somebody else -- that's the way it works, you see. You get a man off your neck by giving him a letter to someone else. And I used to see Drew from time to time, and actually in '41 or early '42, I got his wife Luvie Pearson, a job in the Treasury War Savings Bond woman's division -- I don't mean I'm close with them,

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but I'm on moderately friendly terms, I have often been a guest in their home, and that sort of thing, and from time to time I would have lunch with Drew and I also know Jack Anderson, his associate -- well, pretty well.

Well, Drew published, or was about to publish, a story on this, and one day Drew had me to lunch at his house and he asked me about this case and I told him what I knew, but I discovered he knew as much as I did if not more. I could only corroborate what he already knew; I wasn't furnishing the original information. From my own sources, I had heard the story, and he had heard it, and he seemed to know more than I did, but I knew something.

Well, sometime later, I had occasion to call the lawyer that I'm talking about, who had blocked that report for awhile, on some other matter, and somehow or other he had heard that I had given Drew Pearson the story and he exploded in my face, you see, and called me some harsh names, and I told him, I said, "Bill," let's call him "Bill," because that's not his name -- I said to "Bill" laughingly, "You ought to thank me. Drew Pearson gave you a million dollars

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worth of publicity. All your clients will read that you were able to go to one of the most important men in Congress and stop a congressional report, at least for a time. That shows you've got all kinds of influence."

And he said, "Well, I don't want that kind of publicity." He was mad. But all I'm getting at is -- and these episodes I give you as sample instances of what I have seen. Now, on the other hand, it is true that there are men -- I would say Charles Murphy is an example. Charles Murphy, who is now the chairman of the Civil Aeronautics Board, who was Truman's special counsel, was also a lawyer and a lobbyist, I guess, for a period from 1953 to '61, but Charlie Murphy is a fellow with the highest ethical standards, nobody could persuade him -- there wouldn't be money enough in the world to make Charlie do something that he thought was wrong. After all there is nothing wrong with being a lobbyist, everybody is entitled to hire a lawyer-lobbyist -- I mean, a lobbyist has become a word of stigma, but the lobbyist, a good lobbyist, performs a very useful function, and all members of Congress, to some extent, rely on lobbyists.

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But the good lobbyist, or at least the man of integrity, he doesn't (I hope), pull little stunts like those that I have described, and I said to myself and I am only giving you a couple of examples among those that I remember, I said to myself, "Well, by golly, I don't want to be in this kind of business. I don't want to do this." Everybody gives hostages to fortune, but I don't want to give them unless I have to and fortunately for me, I had a modest but adequate personal income, and I

had the assurance of substantially more to come if I outlived people in their eighties. So, I had "social security."

So, I decided in my own mind that I didn't want to be a Washington Federal practice lawyer, because I saw the compromises that men, who were not bad men either, seem to have to make in order to carry on this kind of a job.

Now, just before I left Government, a delegation, a committee of three or four people -- I remember one was Don Montgomery, now dead, who was the legislative representative of the United Automobile Workers here, I think, and there were two or three others that came to see me.

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A new committee was being set up, and in fact I was a member of the committee. It was called the National Issues Committee and Mrs. Roosevelt, and most of the Truman Cabinet, Clark Clifford, Charlie Murphy, and others like that, and myself were members of the committee. The idea was that we Democrats were going into outer darkness, the Republican administration had arrived, and how were we going to keep the liberal Democratic side of the issues before the American people, after we no longer had a forum, as it were, in the White House. So, the idea was to establish a National Issues Committee which would put out publications, keep the liberal Democratic side on the issues before the people. It was a good idea, by the way. It is not altogether unrelated to the KOED idea. KOED I think is a better way to do the same thing, frankly, or it could be. But in any event they wanted, they needed a staff director and I was offered the job at fifteen thousand a year, which was the same salary I was then getting at the Federal Trade Commission, the Federal Trade Commission job now pays twenty-seven thousand or thirty thousand or something like that, but that's what it paid in 1953.

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I turned the offer down, and it didn't make much difference, as a matter of fact, because the committee only lasted a year or two at most and folded up. It couldn't raise money, and I wouldn't have done them a bit of good on raising money, because I was never any good at that, if that is what they wanted I wouldn't have helped them much.

I decided that I wanted to work somehow in spiking McCarthyism, and in the fall of '52, while I was still on the Federal Trade Commission, I prepared a lengthy memorandum on what I called the "Truth Foundation," and the idea was to establish a tax exempt organization, the purpose of which would be to try to purify, or keep pure, the wells of American public opinion, and to present the rational side of I mean to answer the lunatic, extremist, McCarthyistic attacks on national programs of all kinds, both foreign and domestic. At that point the typical stigma was that every program was socialist and communistic, and all sorts of lies and hyperbole and half-truths and distortions were thrown into the pot; and the American people were certainly being confused about things.

The United Nations was presented to them as a

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Communist organization, and even the Girl Scouts and the Boy Scouts and the YMCA were Communist organizations, according to some of the McCarthyite people. It's hard to bring yourself back to that era now because we've come a long way, but we could return, we have from time to time throughout our history. We had the Know Nothings in the nineteenth century, and had the alien and sedition laws at the end of the eighteenth century, and there have been these periods. We always recover our sanity and then eventually we always lose it again, and, of course, this happens typically in moments of stress and hysteria -- in moments, for instance, when war is imminent.

Now we are in a period of stress -- of not as much hysteria as there has been perhaps, but it certainly is a period of tension. If things went badly, I mean, in the world, it is possible that we could return to McCarthyism, unfortunately. In any event I prepared a program, a plan, for establishing what I called the "Truth Foundation," the purpose of which would be to propagate the rational side of national issues and present to the American people the facts to

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answer the lies and distortions and also, to attempt to provide assistance and advice for people who were under individual attack, as where school boards or superintendents of schools or individual teachers or professors were being attacked on absolutely ridiculous grounds as Communists -- for no reason at all.

I am not talking about the cases where they were Communists, I am talking about the cases where they weren't, but they were being attacked on some absolutely ridiculous and spurious basis, such people were deeply worried, and they badly needed an information center where they could go for both information on who the attacker was and modus operandi information on how to deal with the attack. Also to reacquaint the American people, if you like, with the meaning of the Bill of Rights and what civil liberties and civil rights mean. Sometimes we tend to forget, maybe it would be well to remind them and to playback, if you like, such ancient but sterling episodes in our history as that of the trial of John Peter Zenger, the colonial editor in Philadelphia back around 1730 or 1740 who was tried for libeling the colonial

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governor, and acquitted, and all sorts of episodes like that. The story of [John Peter] Altgeld, the Illinois governor, "The Eagle That is Forgotten," and many other cases in which good men have been attacked and vilified and eventually reason has prevailed, if not in their time in a later time.

Anyway, I presented this in memorandum form, all worked up, you see, and I tried to get a foundation interested. I went to the Ford Foundation, Paul Hoffman was then the head, and I went to the new Fund for the Republic, it was just being set up -- Robert Hutchins, then as now, it's still in existence, was the head of it. I talked to Hutchins personally and to Frank Kelly who was then Senator Lucas' assistant when he was majority leader and who is now assistant to Hutchins, Frank's the vice president of The Fund for the Republic, they call themselves a different name now -- it is out in Santa Barbara anyway. They now are lolling alongside swimming pools and writing deep-domed essays on the nature of man, and society, which is very high level and perhaps has long-range value, but it doesn't reach the man in the street at all, certainly. And, I talked to Dean Rusk, who was then

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president of the Rockefeller Foundation.

But this was a period of McCarthy, the foundations were frightened to death over their tax exemptions. There were constant threats being made by people like McCarthy, not only he either, that this rascally liberal foundation, we are going to take their tax exemption away from them, and of course that would put them out of business, or anyway cripple them terribly; so, I wasn't able to make any headway.

Well, by 1963, the John Birch Society had sprung into existence, and it galvanized the right wing. It had been organized, as I recall, at the end of '59 and by '63, it was hitting high gear and it was the focus, it was the fulcrum, it was the center and it still is, of the radical and lunatic right wing.

To give you an idea of how well it has done, the John Birch Society raised about 1.6 million dollars in '65, and the returns are not in for '66, but it is probably more than that, and we don't know what it will raise in '67. They have places all over the country, they have several hundred staff men. It is a big thriving organization, and it is the center and heart of the lunatic right, and all the other organizations

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use their material, and often their ideas.

It is estimated that there is thirty million dollars a year raised by lunatic right organizations, last year I mean. Not only that, there are over ten thousand radio broadcasts every week, every week, by outfits like Dean Manion's Forum, and The Dan Smoot Report, and Carl McIntire, the fundamentalist, a Protestant minister, defrocked; and Billy James Hargis and others like that. Over ten thousand radio broadcasts in every one of the fifty states, every week.

HESS: "Dateline" sponsored by H. L. Hunt.

SPINGARN: "Dateline" by H. L. Hunt, that's right. No. I think it's called "Life Line." And then they have things like "Let Freedom Ring." I have the telephone number if you want it over in my apartment, if you can call this number right here, it's in Virginia. It's just a telephone taped or recorded two minutes thing, and they give you some, crazy right wing account about how the fluoridation of water is a Communist plot or the United Nations, everything is a Communist plot, of course. Their school of thought believes nothing ever happens because of historical circumstances, or because men are not omniscient, it all happens because

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there is a deeply wicked and sinister and diabolical group of traitors who are plotting it that way and are trying to sell out the country, and so forth and so on, and they infest both parties.

According to Robert Welch, the degree of Communist control of the United States Government and its institutions is now, I think, he said seventy percent; it's gone up you know. Back three or

four years ago it was only forty percent according to him, but now it is seventy percent, maybe it's eighty. Nonsense, absolute nonsense, but it has its impact. It's like poison being dripped in and it's not being answered or counteracted, that's the thing -- ten thousand broadcasts a week.

So, in '63, I revived this thing and I put out a shorter memorandum, perhaps more effective, the other one was pretty long, and I circulated it myself to a hundred and fifty to two hundred national leaders of both parties, and no party. I sent it to Milton Eisenhower, and I sent it to Paul Hoffman, and I sent it to Senator Kuchel, the Republican assistant leader of the Senate, and I sent it to Nelson Rockefeller and many others; and on the Democratic side I sent it to President

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Kennedy and Vice President Johnson; I sent it to Abe Fortas, who was not then a Supreme Court justice and Jim Rowe, and George Reedy and many, many, many others -- a hundred and fifty or two hundred people. And I talked to some of these people, I had a half an hour talk with Senator Kuchel who had been blasting at the lunatic right on the floor of the Senate. And I got a letter when I wrote Rockefeller, I got a letter from George Hinman who was then the Republican national committeeman from New York, and Rockefeller's number one political lieutenant. He wrote me the Governor was much interested in this and he was going to discuss it with him, and I went up to New York and I had a talk with Rockefeller's staff people, not Hinman but other people, and they told me that he was interested, but I never heard further from him let me say this; in 1964, in September '64, a truth foundation, not called that, was set up, I don't know whether, or to what extent, my memorandum played any part in this, you never know these things. All I know is that it was set up. It was bipartisan, oddly it was called the National Council for Civic Responsibility, NCCR, headquarters in New York, but Dewey Anderson and the

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Public Affairs Institute, of which he was the executive director, was the housekeeper, he had a tax exemption for the Public Affairs Institute and it was to be under his wing, and he was to be the staff director. I had many talks with Dewey, and Arthur Larson who was Eisenhower's head of the USIA and Under Secretary of Labor, and a White House assistant, was the chairman; Jim Mitchell, now dead, Eisenhower's Secretary of Labor was on it; and so were such respectable figures as General Lawton Collins, the former Army Chief of Staff, and many, many Democrats and Republicans of pre-eminent stature; Marion Folsom, I believe, and many more.

It was started in September, the middle of the 1964 campaign, that was the unfortunate thing and it was wedded too closely to the anti-Goldwater campaign. It was exactly on all fours with my proposal of '52-'53 and of '63; but Goldwater was overwhelmingly defeated and immediately nobody had any further interest in this program, which should have been a long-range, permanent program. McCarthy was a one-man operator He was tremendously effective as a one-man operator, but he was no organizer. He never organized the way Robert

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Welch has. He was enormously better known than Welch is, but Welch has done a terrific job of organizing, and he has been more effective in organizing the radical right than McCarthy, who was not interested really in an organization, he was only interested in trumpeting for McCarthy; so, in some ways, therefore, the present radical right is a more effective and, therefore, more

dangerous operation because it has roots and organizations which McCarthy never had. When he passed -- look...

HESS: It was gone.

SPINGARN: It was gone. All right, but this is not a one man operation any more, it is an organization. So, immediately the purse strings knotted. They had a proposed budget, as I recall of half a million dollars and they were only able to raise a hundred and thirty thousand, or something like that, and so they folded up almost immediately. When the 1964 election came along they never did anything after that and they formally closed down about February 1965. All right.

But, now, finally another organization, a successor, was established last November (1966). It is called the Institute for American Democracy, and I am going

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to give you this for the Library. I am not officially any part of it, I am a rank and file member, but I have been giving them the benefit of my advice in great detail, believe me. The Institute for American Democracy, IAD, started off at a press conference here in Washington, November, 1966. Its purpose is exactly what I described for the Truth Foundation, that sort of thing. And the chairman is Doctor Franklin Littell, who is a Republican, a Methodist minister, and the president of Iowa Wesleyan College, and a man with great experience in both left and right wing radicalism -- knows a lot about it. The executive director is Charles R. Baker, Chuck Baker, who is a hard hitting and savvy public relations guy with a labor background -- knows his way around. And its got a distinguished list of sponsors; Republicans like Marion Folsom, some of the same people who were there before, and here is a list. Thurman Arnold is here; and Francis Biddle, who was Roosevelt's attorney general; Hodding Carter of Mississippi, the editor; Senator Clifford Case, the liberal Republican Senator from New Jersey; and Oscar Ewing who was head of Truman's -- what is now HEW, but wasn't then; and many others of that caliber;

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Arthur Larson is here, too; and Senator Gale McGee of Wyoming; and Senator [Frank Edward] Moss of Utah, and many others.

Now, by the way, on January 16th, the National Education Association held an all day conference here on the right wing attacks on the schools, and among the speakers were Chuck Baker of IAD, and Wesley McCune, who is an old Truman man. Wes McCune was Charlie Brannan's assistant when Charlie was Secretary of Agriculture, he was a speechwriter, and later when Charlie went out with the National Farmers Union, Wes went out to Denver with him; now he's back here and he's running an outfit called Group Research, which puts out publications and does an intelligence job on reporting on the activities of the radical right and the left, particularly the right, and this is being used by this new outfit, IAD, among others. IAD is a good organization and I hope it prospers. The big thing is it needs to raise money, and that's their big problem. I'm going to give you this folder which I picked up at the National Education Association which contains a good deal of material on IAD, too.

HESS: I'll send this out to Independence.

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SPINGARN: I have had many talks with Chuck Baker and with Dr. Littell, I've given them innumerable memoranda, and I have done my best. For instance, I went to lunch with Drew Pearson in January and spent most of the time telling him about this outfit and I have done the same thing with Jack Anderson, his colleague, in the hope that they will give some publicity to it, you see.

I have talked to Russell Wiggins, the editor of the *Washington Post*, the editor in chief; I've talked to Newbold Noyes, the editor of the *Washington Star*; I have talked to the *New York Times*, and to various columnists, and I have suggested to Chuck Baker and to Senator Moss, who is one of the sponsors, that this operation be done all around the country by members of their sponsoring committee, who are elsewhere with the idea of getting newspapers and columnists to print editorials and stuff about this operation and give it some favorable publicity.

But the big job is to raise money and my suggestion along those lines, for whatever sense it makes, has been this: Typically on their committee of sponsors, they have people representing a lot of prestigious

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national organizations; business, labor, church, you know, the whole range of national activities, as well as people who have held important offices at one time. But these big national organizations, they seem to think that when they lend their name that they have done their job -- they make a token contribution and that's it boys, that's it. That's not the way you get money. I say that the way to get money is to get some rich people who have foundations, this is my phrase, "hanging out of their pockets" so that it doesn't cost them personally a nickel. They have foundations hanging out of their pockets -- approach them, never mention the word "money" initially, never -- approach them and try to involve them in your operation, put them on your trustee's board and try to involve them in your operation on its merits without ever mentioning the word "money," and hope that if you can rub their noses in it for awhile that they will see the need and then all they have to do is to turn to Foundation "A," and say, "Disgorge." It doesn't cost them a nickel, and of course, the ideal people, I say, are the people who have themselves been in one way or another the target of extremists. I think in that

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connection of Winthrop Rockefeller, who was smeared in the recent Arkansas campaign because he had a very rightwing Democrat running against him who made vicious attacks against him personally.

HESS: James D. Johnson.

SPINGARN: Yes, Johnson. And, then I think of the new money fellows. I think of guys like Hirshhorn, who is reputed to be worth over a hundred million dollars and who just gave a collection of fifty-six hundred pieces of art worth twenty-five to fifty million dollars to the Government and which is to be housed in a museum called the Joseph Hirshhorn Museum and

Sculpture Park. It's being set up right across from the National Gallery of Art. He is a Latvian emigrant who has made more than a hundred million dollars, and a very lively character. There was a long profile of him in the *Potomac* magazine in the *Washington Post* on Sunday -- last Sunday.

And there are many others like him, you know, new money people, who made enormous amounts of money quite recently, and who hopefully are looking for something worthwhile to do with it, and there are other things

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besides collecting art and giving that to the Government, I say, that are worthwhile; although that's certainly worthwhile.

And then there are rich, dedicated, brilliant ladies with foundations at their side. I just name these as names, I don't mean that these are real possibilities, but a woman like Mary Lasker, for example, who has tens of millions of dollars in foundation money and who practically all she has to do is point a finger at the National Institutes of Health, and they jump. She is the queen goddess out there because of her foundations work in the medical field, and Marietta Tree, whose husband is very rich, and many others you can think of. Clare Boothe Luce, if she could be interested, and others. But it seems to me that this is the route to and this is not crass, it seems to me that this is the sensible way to raise money for a very worthy cause, and these people that I'm talking of would be doing themselves and their country both a benefit because the radical right is dropping poison into the American system day after day and month after month and something is needed as an antidote. Well, so much for that.

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Now another thing, a Truman thing which I'm interested in, and which is current, and that's the Consumer Dollar Study. In 1952 I was at the Federal Trade Commission, and John Carson and Jim Mead and I -- Carson was another commissioner, and a fine chap and Jim Mead was our chairman -- and I think especially Carson and myself, interested the President in the Federal Trade Commission making a continuing Consumer Dollar Study.

The idea was that this would not be a one shot operation; that it would not include merely food but it would include every item important in the consumer budget, every item in the budget of the average American family -- food represents only about eighteen percent -- and that it would break down exactly where the consumer dollar went for each such item; that is, how much went for raw materials, how much went for the manufacturing, how much for the labor, how much for transportation, overhead, distribution, advertising, taxes, profits, you see -- a breakdown. And this was to be done annually on every item.

In September 1952, the President, wrote a letter, to the Federal Trade Commission, a letter which we had

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actually drafted, asking us to make -- we had the power under our basic statutes -- to make this study, and Jim Mead, chairman Mead, promptly replied that we would be glad to do so, and that

we would keep the President advised. And we put an item for a hundred and eighty-six thousand dollars in our coming-up budget -- let's see that would have been the '54 fiscal year budget -- a budget, by the way, which I presented because Jim was sick, as I recall. And Jim Mead and I paid several calls on the President, and there were several press releases -- both the White House and ours -- about our conversation with the President about this, at that time, in the fall of '52. The hundred and eighty-six thousand dollars was not to make the whole study, it was to study and decide on the best modus operandi, a pilot, you know, of how we could best make it because this was an ambitious project which was presumably going to cost several million dollars a year to do, when you were running the whole show. So, this was to determine the best way to do it, and we were going to have hearings, investigative hearings, and call in experts, and interest groups, academicians, research the whole picture as to how best to make the study.

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A hundred and eighty-six thousand in our budget -- well, along came the November election and another administration came in. Now, we had gotten from the Bureau of the Budget that year, the Federal Trade Commission, a five and a half million dollar estimate to send to Congress, that was by a million dollars -- I'm proud of that because I made the presentation to the Bureau of the Budget -- and that was by a million dollars, the most we had ever gotten and included in it was this hundred and eighty-six thousand dollar item for the Consumer Dollar Study investigation, a preliminary study.

The Eisenhower administration came in and immediately the Bureau of the Budget, the new Bureau of the Budget, advised us that our estimates which were already on the Hill were to be cut a million dollars, one million, that was almost twenty percent, seventeen or eighteen percent, and they specified that this cut was to include the Consumer Dollar item, this was specified, they wouldn't put it in writing but they orally told us. I wrote a letter of protest to President Eisenhower, but of course this was an exercise of futility, and I also went to the Hill and tried to get it reinserted,

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and this was another exercise of futility because this was the Republican eighty-third Congress that we were dealing with.

Not only did they not restore that million or that hundred and eighty-six thousand either, but they thought that we rascals at the Federal Trade Commission, since our appropriation was rather broadly phrased, that we might divert money from some other pocket and use it for this. So, they put a rider on our bill, the House Appropriations Committee put a rider on our bill saying that no Federal Trade Commission's appropriations should be used for the purpose of making a Consumer Dollar Study. They wanted to nail the coffin lid down. So they went over to the Senate with that rider on and there was an effort in the Senate to rip out that rider, and in May 1953 -- I've forgotten the exact date but it was around mid-May -- the Senate had a roll call vote on this effort to remove the rider and it lost by a vote of forty-five to thirty, and so the rider remained. It was interesting to look at the thirty who wanted it out because you had a wide range of support for this. You had Senator Eastland of Mississippi, for example, he was in favor of knocking out that rider and so was,

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as I recall, Senator Milton Young a conservative Republican from North Dakota. You see, you get all kinds of support in this field. These are usually regarded as pretty reactionary fellows by most standards, but they were for a Consumer Dollar Study apparently, and after all they came from agriculture states, you know, and they probably have some Populist tinge to their political orientation. Well, anyway, so it died. In ' 63 or ' 64 I decided to try to revive it and I wrote it up in memorandum form, and I collected and had Photostatted or Xeroxed the papers including the Truman letter to us, and this sort of thing, and I presented it to various people, including Esther Peterson, the consumer representative; she is special assistant, or was until the other day, to the President for consumer protection; and to other people such as Hubert Humphrey. I always send things to a lot of people on the assumption that somebody may take an interest in it. And Mrs. Peterson took quite an interest in it, and her deputy, David Swankin a very able fellow, took a great interest in it and they seriously considered it, and they had it studied by

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one of their advisory committees and they thought well of it, but they were never able to get it off the ground at that time.

Then, last summer (1966), I tried again and I wrote Bill Moyers, who was still at the White House, as the President's number one assistant, and he promptly replied that this looked very interesting, and that he was going to turn it over to Joseph Califano, another assistant to the President, a very important one, in whose field it lay, and Califano wrote me that this looked interesting to him and he was going to have it researched, staff researched. And I sent it to Secretary Wirtz of Labor, and in September I got a letter, a "Dear Steve" a longhand letter from Wirtz, saying that he had never seen this idea before but that it looked good to him, and it had real guts, he said, and, "I'm going to see what I can do about it." And I talked to him more recently and he tells me he has been discussing it from time to time with Arthur Ross, the commissioner of the Bureau of Labor Statistics. But the latest wrinkle, to bring you up to date, is this; David Swankin called me a few weeks ago and told me that Senator Brewster of Maryland, a liberal

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Democrat from Maryland, to whom Swankin had sent my file on this thing, had made a speech on February 23rd (1967), in the Senate saying he was going to introduce this consumer dollar bill and he linked it up with the Truman program, as the same thing. I have within the last two weeks been up to see Brewster's legislative assistant Abels, Shep Abels, and they are going to do it, they are going to introduce a bill, and this is good, and Brewster is in a position to do something because he is a member of the Consumer Protection subcommittee of the Senate Commerce Committee, so that's the status of the thing so far. The bill as far as I know hasn't been introduced because Brewster is busy on other things, but at least the Truman Consumer Dollar Study may yet see the light of day. Well, so much for that.

HESS: Do you want to go into this one thing on the Bernstein question?

SPINGARN: All right.

HESS: We discussed Bernstein's paper that he gave in December before the American Historical Association and I would like to ask one question from that since you were the man that was in charge of writing the

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message of February 2nd.

SPINGARN: Well, I was in charge of the legislation and I worked on the message, I wasn't in charge of the message.

HESS: In charge of legislation and worked on the message, but anyway you were quite closely associated with the famous ten point civil rights message...

SPINGARN: Yes, I was. In fact I selected the ten points, you might say.

HESS: And that came about shortly after the committee came out, with their report *To Secure These Rights*, in October of 1947, and I'll quote just about a paragraph that Bernstein has in his paper, it's on pages thirteen and fourteen, and just get your opinion of it. He refers to the report that came out in October and then he says:

For a few months he seemed to hesitate. The issue was not whether he would do nothing. The hour was too late for inaction. The issue was how much of the report he would endorse. In large measure his decision was influenced by the prospect of a new third party led by the liberal Henry Wallace, Roosevelt's Vice President whom Truman had dismissed as Secretary of Commerce. Wallace's candidacy compelled the President to take a stronger position on civil rights. Only by moving to the left could he prevent a bolt of important members of urban Negroes from the uneasy Democratic coalition. Without their substantial support, he and

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many urban Democrats were doomed to defeat.

That gives rise to several questions. Did you at this time hear any discussion of Wallace's joining the campaign, and becoming a candidate, given as a reason for the message of February 2nd?

SPINGARN: Well, let's put it this way. You are talking about an event that happened nineteen years ago. I don't recall that I heard anything, but nobody remembers with precision what they heard or didn't hear nineteen years ago. Professor Bernstein, in whose factuality I have very little confidence, states this as a fact, that he did this -- I have heard what you read, that he did this for that reason doesn't he, flatly? How does that go?

HESS: "In large measure his decision was influenced..."

SPINGARN: Was influenced -- he doesn't say if, and, or but, it was influenced. How does he know that? Does he give any documentation for that statement?

HESS: No.

SPINGARN: Well, I don't see how he arrives at that conclusion. Let me say this: That I was not in direct contact with the President, at that time. That was when I was called over from the Treasury, and I was

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dealing with Clark Clifford and Charlie Murphy, who were talking to the President. This question should be addressed to them obviously, or to the President himself, rather than to me, but I'd like to know, (a) what was the status of Wallace's candidacy in January? I was called over in January, what was the status of his candidacy in January of '48 when the decision had been made that a message was to go up, or maybe the decision had been made earlier for all I know, and then simply hadn't gotten around to doing anything about it because they are pretty busy over there, you know, until January. The report had only been delivered in October 1947, the Civil Rights Commission report. Obviously, I would say, the President wasn't going to bury that report, that would seem implausible to me. If he meant to do nothing with it, if he meant to soft-soap the whole thing and just gild it over, why didn't he appoint the kind of commission that would have given him a bland know-nothing, do-nothing report. As Bernstein himself, I believe, has pointed out, that surprisingly in a way, Truman committed a do-something commission. He appointed an activist liberal commission which was bound to

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bring in a strong hard-hitting, in the context of those times at least, a hard-hitting report.

So. I would say that a decision to do something was reached at the time that he appointed a liberal commission, which was a year earlier, I'm just making an estimate, but as far as what was in the President's mind, and what may have been discussed at that time, I wasn't privy to the President's thoughts at that time.

It wasn't until I became his administrative assistant that I had direct dealings with him in any extensive way, that was later; so this question should really be addressed to Murphy and to Clifford.

HESS: While we're on the subject of Bernstein, I would like to read a couple of paragraphs from the book that he and Allen Matusow have just put out recently on *The Truman Administration, A Documentary History*, on page eighty-six, and I quote:

From one point of view Truman's domestic program known as the Fair Deal, can be judged a failure. After almost eight years in office Truman could point to only a few tangible accomplishments: his executive orders ending discrimination in the armed services and in the federal government, the public housing act of 1949, a rise in minimum wages passed that same year, and a social security measure in 1950 that increased benefits and extended

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coverage to ten million more Americans. But his boldest proposals were ignored or defeated by Congress: civil rights legislation, national health insurance, the Brannan Plan for agriculture, rational and humane immigration laws, federal aid to education. His achievements, then, seem mainly negative. In a conservative era he helped prevent repeal of the New Deal and preserved its vision of mild welfare capitalism.

This judgment, while true, is also incomplete. Truman's best proposals proved to be a form of public education that prepared the way for enactment of similar programs in more favorable times.

What's your reaction to that statement?

SPINGARN: Well, I think he has given a valid statement at the end of his paragraph there. I would say this, though: In the first place he is talking about the domestic program only, but a President's record has to be viewed in totality. Truman had a tremendous record overall and the bulk of it, of course, was in the foreign policy field. I mean the Truman doctrine, the Greek-Turkish program, the Marshall plan, NATO, the resistance to aggression in Korea, all that you see and more -- Point 4. This is a tremendous program and history is going to record that no major power in the world, up to this time, had taken as generous and responsible a role in

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world affairs, I believe, as the United States did, starting with the Truman administration after World War II, and that will be Truman's glory, I believe.

Now, on the domestic side, after every war there seems to be a move toward reaction and conservatism. If you compare the Truman era after World War II, with the Harding, Coolidge and Hoover era after World War I, I would say it looked enormously better to me -- enormously better. Because they went backwards, and they gave us a spiraling inflation that resulted in total collapse and a do-nothing Government, and farm bankruptcy, and all that sort of thing.

Truman tried hard, and I have told you that no President, in my opinion, could have put through the civil rights bills in Truman's period -- no President -- I don't care how charismatic he was. The Brannan plan has not been passed to this day. It always made a lot of good sense to me and it still does, but it hasn't been passed to this day, in fact it is not even actively under consideration, hasn't been since it failed, I guess. As far as that goes, the health insurance program, except for the small end of its Medicare, hasn't been passed to this day, and I expect

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it will be quite a while before we get a comprehensive health insurance program for the whole country.

So, the fact is that the country might have slumped under a different President, if there had been a different President, a Taft or some other different type of President, the country might have slumped into reaction and gone backwards, instead it can be said that the country inched forward under Truman, and he held the line, and he did beef up the educational program, and so I think

that even on the domestic side that a good deal was accomplished. Now, I would like to say something about Presidents and square up Mr. Truman with some other Presidents. In the first place, it makes me pretty sick and tired to read the attacks on Lyndon Johnson today by a certain type, of what I would call ivory tower or perfectionist liberal.

HESS: Who would you place in that category?

SPINGARN: I would say that...

HESS: I don't want to interrupt your chain of thought but it is of interest.

SPINGARN: I would say that Hans Morgenthau is a good

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example of what I have in mind, and with a little thought I could probably dig up a great many others. But let me put it this way, it is people whose name is legion in intellectual circles who sneer at Lyndon Johnson. I don't think anyone would argue with me that there is a considerable number in the academic and intellectual arena who do it. My friend Lewis Mumford would be one. Eric Goldman, I guess would now be in that category, and perhaps Arthur Schlesinger, Jr., I don't know, he wasn't always, but perhaps now, and so on and on. My point is this: that these people seem to dislike Lyndon Johnson because he didn't go to Harvard, and his wife can't speak French to Andre Malraux. They despise his style. They say he is so corny, and they find Lady Bird rather corny, too, her deep southern accent, and they seem to think that he shouldn't be allowed to win victories in this cornball fashion, that he should really give the ball back because he hasn't won them in the right way.

Now, I simply don't see this. I admit that John Kennedy was a golden boy in many ways, and a very admirable one. That he had great wit, youth, a fine and handsome appearance, charm; he had charisma, there

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was something about him that attracted people, especially the young, all over the world, not just in the United States, and I have to admit that Lyndon Johnson has hardly any of these things. But, as I said to the young ladies at Marjorie Webster Junior College, this is not the test of a President. The test of a President is how well he exercises the powers of the Presidency. I regard Lyndon Johnson as a regional politician who grew and became a great national politician, but who still preserved some of the parochialism of his region, if you like; and I regard Harry Truman as the same kind of a man, a regional politician, from a rather parochial background, who grew and became a great national politician but always preserved some of the indicia of his background.

It seems to me that it is notable that a man from a border state, both of whose grandfathers fought on the Confederate side (as I recall), in the Civil War, all of his parents I believe were born in the South, in Kentucky weren't they -- and whose mother was so Confederate that when she came to the White House, because she was still living when he became President and did for some years, she refused to sleep in the

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Lincoln Room, because she wasn't going to sleep in the bed that man slept in. Now, this was Harry Truman's background, and it takes a game fish to swim upstream against a background like that and emerge with a substantially more liberal orientation than the environment he came from. In New York, my goodness, in the circles that these liberals move in, you'd have to be a game bird to be reactionary or conservative, because all their circles are liberal so they are not doing anything very daring. A man should be judged against the context of his environment. Lyndon Johnson never grates on me, perhaps because I went to the University of Arizona rather than Harvard, and my wife can't speak French to Andre Malraux, possibly because I have no wife.

I want to give you one case history; I mentioned Hans Morgenthau. Hans Morgenthau is Professor of Political Science at the University of Chicago. He is one of the top ideologists of the anti-Vietnam intellectuals, and he doesn't like Lyndon Johnson.

On November 26, '66, Morgenthau published an article of about seven thousand words in *The New Republic*, it was called "Truth and Power." I read

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it with fascinated horror. His general thesis was that the intellectuals seek only truth and the politician seeks only power, and these two things are incompatible, although they have to work alongside of each other. And this is particularly bad when you have a corrupt power-mad politician like Lyndon Johnson, who not only seeks power but wants to destroy truth, that doesn't agree with him, and so he tries to and Morgenthau is always talking particularly about Vietnam, that's what his main thesis is and so -- I'm quoting Morgenthau now:

And so Lyndon Johnson seeks first to intimidate intellectuals who disagree with him, and he does that by stigmatizing and vilifying them publicly, and he has a hatchet man named John Roche [says Morgenthau] who goes around crucifying and stigmatizing, as a bought-and-paid-for whore for Lyndon Johnson, and if he can't do it that way he corrupts them [says Morgenthau] he corrupts them by giving them Government jobs or by getting them jobs on Government grant projects.

Now, this is the basic thesis you see, and this is an awful state of affairs says Morgenthau, and Lyndon Johnson should be ashamed of himself, and history will judge him harshly, and so forth and so on. And then he goes on to add and this is what fascinated me:

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That there had been few examples of a real combination of truth and power in one man, but Abraham Lincoln was the classic example of the man who combined truth and power.

Well, Hans Morgenthau simply doesn't know his history. I happen to have read a little history, and I will refer him to one source book that perhaps he has never seen; what I would say is the

standard work on the Presidents relationship with the press, it's called *The Presidents and the Press*, by James E. Pollard, and it was published in 1947. It has one or more chapters on every President and his relationship with the press. The fact of the matter is, Professor Morgenthau, that the Hans Morgenthau of the 1860s despised Abraham Lincoln for the same reasons that you despise Lyndon Johnson. They called him a simpleton, a buffoon, a country bumpkin, a crude, coarse, common person -- white trash. These are actual quotes. And, according to one history book I read, it was the smart thing to do for intellectuals, to vilify the President -- Abraham Lincoln, I mean -- and if Hans Morgenthau had been living in the 1860s he would have hated Abraham Lincoln for the same reasons he now despises Lyndon Johnson, because Abraham Lincoln was the same kind of man.

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He was a regional politician who outgrew his regionalism and became a great national politician, but who never threw off all the indicia of his parochialism. Many people thought he was awfully crude right to the end. He told those corny and dirty stories, you know, and things like that, they said. Well, here is a good example from the intellectual community -- not the whole intellectual community. I regard myself as not an intellectual, but the product of that community. My father was a college professor and an intellectual. My only brother has been a college professor, and is an intellectual, and I have lived in that atmosphere all my life, even if I don't regard myself as one.

I wrote *The New Republic* and asked for an opportunity to reply to the Morgenthau articles. I asked for two thousand words of space to reply to his seven thousand words. By the way a seven thousand article is very unusual in *The New Republic*, their average article is two thousand words, so evidently the editor placed great value on the Morgenthau article. He was obviously talking their language. The editor-in-chief of *The New Republic* is a chap named

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Gilbert Harrison, I just met him once, and Alex Campbell is the managing editor, I've only met him once or twice. Not getting an answer from them I turned to the publisher, Garth Hite, that's the business manager, and he is a new man there and he replied courteously that they made other arrangements for an answer. I wrote back "fine," I hoped that they had gotten John Roche to answer it since he had been particularly attacked in the article.

Well, two or three weeks later, about December 9th or 10th of December '66, I read the Morgenthau article over again and it made me mad all over again; this was about the third time I read it, so I sat down and I wrote a two thousand article, or letter, anyway, although I had been turned down, and I took it down to *The New Republic* and I handed it to Garth Hite the publisher, and he said, "Well, we just have a new issue with the answer." And he gave me the issue. It was dated December 17th, although this was the 9th or 10th of December, and the answer was by a chap named Melvin I. Urofsky who was listed as a member of the history department at Ohio State University. I had never heard of him. I went back. I read the article. It wasn't

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very hard-hitting -- it seemed to me much too easy on Morgenthau. It certainly wasn't a bad article, but the fact was that Morgenthau is a national figure in the intellectual circles and the

man who answered him was an unknown. They were sending a squire against a king. This makes a lot of difference.

So, the next day I happened to call Professor Leuchtenburg at Columbia, because he was the program chairman on the American Historical Association Convention, and I was calling him to ask for more time to answer Bernstein, and I mentioned this and I said, "Have you read this Morgenthau article?"

And he said, "No, but I have it on my desk, I mean to."

And I said, "A fellow named Urofsky has answered Morgenthau."

And he said, "Melvin Urofsky?"

And I said, "Yes."

He laughed and he said, "He's a student of mine."

I said, "A student of yours? He's at Ohio State."

"Yes." He said, "He's an instructor out there, but he's taking his Ph.D. under me next June at Columbia."

I was fascinated. So, I telephoned Urofsky at Columbus, Ohio, and he was out walking the dog but his

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wife answered and eventually he came in and I talked to him, and I explained who I was and why I was interested, frankly. I said, "Would you mind telling me how you happened to get your article into *The New Republic*?"

And he said, "No." He said, "I read that Morgenthau article and it made me mad because it seemed to attack the integrity of every intellectual who works for the Government. So, I sat down and I wrote a letter about two thousand words and I sent it in, and I wrote it on the letterhead of the history department where I am an instructor. I didn't indicate anything else about myself." And he said, "I suggested they make an article, although I wrote it as a letter., and I promptly got a reply -- I think it was from Gilbert Harrison, the editor -- telling me that they were going to print it, and not asking any further questions."

And it was printed. And that was strange, it seemed to me. A man writes in cold, why did they take it? And then I went down to the National Press Club a day or two later, and I wandered in to see Richard Strout of the *Christian Science Monitor*. Strout is a

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veteran Washington reporter and he is most famous because he is the T.R.B. of *The New Republic*, and has been for twenty-five or thirty years. *The New Republic* on its first page has a

weekly column signed T.R.B. -- he's T.R.B. Twenty or thirty years, he's been that. Everybody who knows anything here knows that.

I talked to him about the Morgenthau thing and I found he was just as mad and hostile to the Morgenthau article as I was, and he further told me that he had angled for the opportunity to answer the Morgenthau article in *The New Republic* for which he has written a column for twenty or thirty years and they wouldn't let him do it, their own veteran columnist, highly respected all over the country, and in intellectual circles, no, they picked a letter by a perfect unknown, a nice young fellow named Urofsky out at Ohio State, selected him cold, and they print that. Well, this is how fair they are. And by the way, Gilbert Harrison would never answer my phone calls, nor would Campbell, nor my letters.

HESS: They knew that you didn't like it.

SPINGARN: Yes. So, then I called up Russell Wiggins the editor and chief of the *Washington Post*, whom I have

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known on friendly but casual terms for twenty years or so, and I explained the situation, I said, "Russ, would you print a letter for me denouncing an article in *The New Republic*?" Now, this is a little irregular, and I explained why, "They won't print it," I said.

And he said, "Send it down."

So. I wrote a fifteen hundred word, I have now written a two thousand word and a fifteen hundred word item. There is a lot of work that goes into this. I sent it down to him and they printed it -- I have given you a copy -- boiling it down to six hundred words on December 24th, 1966 in the *Washington Post*. Now, that represents the intellectual community, a certain strong segment of that community's attitude toward Lyndon Johnson.

Now, I want to give you another example. In the October '66 issue of *Harper's Magazine* appeared an article by Larry L. King, called, "My Hero, LBJ," and it was probably the most scathing take-apart of Lyndon Johnson that I have ever read. Larry King is young, he's in his late thirties, he's a young Texas newspaperman. When he was a boy of ten or twelve Lyndon Johnson was his hero. He never met him, but

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he used to campaign for him and carry his posters around, and all that. The boy grew up and he came to Washington and he became administrative assistant to a Texas Congressman named Rutherford in the '50s, and eventually he moved to the perimeter of Lyndon Johnson's entourage because when Lyndon was running for the Senate or the Vice Presidency or the Presidency he would round up all the Texas crowd to help him, and all their staffs would go with him.

Larry King used to go out as advance man for Lyndon in the late '50s. And he tells some scathing stories about Lyndon Johnson and how he would smile and beam at the crowd, and kiss the babies and coo, and then return to his hotel room and scowl and turn to his staff and say,

"Which one of you sons-of-bitches got me into that foul-up," or something like that. I give you a typical example.

Well, I don't pretend that Lyndon Johnson is a saint. I'm sure he doesn't walk on the water -- hardly ever -- and that he puts his pants on one leg at a time like the rest of us, but it has been my experience that almost every hard-driving executive is rough on his staff from time to time. It's his nature. He's rough

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on himself and he's rough on his staff, almost universally. I will say this: Mr. Truman was never rough on his staff, but then he was not a hard-driving executive either. He was easygoing, maybe he was too easygoing, sometimes I thought so. Perhaps there is a happy medium somewhere in between. I never heard Mr. Truman say a harsh word to a staff man even when he deserved it -- even when he fouled up, I never heard him say it. But maybe he should have.

HESS: Did you ever tell him you thought he was a little easy on the staff?

SPINGARN: No. You think so? Hardly. I'll tell him now, but I wouldn't then. No. That would be a pretty presumptuous thing to tell a President wouldn't it?

So summing up, doubtless LBJ was sometimes too rough on his staff. And quite possibly Harry Truman was sometimes too easy on his staff.

But in many ways they resembled each other -- and they each resembled Lincoln too. They were all regional politicians who became great national politicians, but still retained many of the parochialisms of their regions.

And this grated, grated very hard on the Hans

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Morgenthau of the 1940s and 1950s and 1960s and of the 1860s too.

Fourth Oral History Interview with Stephen J. Spingarn, Washington, D.C., March 22, 1967. By Jerry N. Hess, Harry S. Truman Library.

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HESS: We are recording for this morning's session, sir, what would you like to start off on?

SPINGARN: Well, I want to continue on the Larry King article in *Harper's Magazine* of October, 1966, "My Hero, L.B.J." When I read this article which was October 6th, I grabbed my phone and I called John Fischer, who is the editor-in-chief of *Harper's Magazine* in New York. He was away that day so I was referred to the executive editor, Willie Morris.

I explained who I was and asked him for fifteen hundred or two thousand words in the next issue to answer King's article. Mr. Morris was very friendly and he offered me seven hundred and fifty words as a letter-to-the-editor in the December issue, two months off. It seemed that it took that

much lead time. He said that because of their lead time situation I would have to get the letter to him by the following Monday -- this was Thursday I was calling him. I said I would do that and in fact I did better. I got up early Friday, October 7th, and knocked out a long version of

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some eighteen hundred words and a short version of about a thousand words of a letter to *Harper's* on the King article -- two alternative versions. I completed both versions by early afternoon the same day and mailed them, air mail special delivery, to Mr. Morris about five p.m., Friday, the day after I first contacted him. This wasn't as difficult as it sounds because I had done quite a bit of research, or perhaps I should say my style of research which would make any Ph.D. shudder, on the subject of L.B.J. and the liberal establishment long before I ever heard of Larry King.

I sent such long letters because I hoped against hope that my singing Pulitzer-level prose would melt *Harper's* hard heart, and its editors would rise and in a single voice cry, "We absolutely must publish in our next issue this brilliant man's superb demolition of the Larry King or Dr. Fell syndrome on L.B.J."

On October 17th, I received from an assistant editor, Mrs. Wolf, a friendly letter saying that Mr. Morris had given her, my "witty and informative commentaries on Larry King's article," I'm quoting her, but she went on to say that because of unavoidable space problems it

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was necessary to cut my letter and she enclosed for my approval her cut version which ran around four hundred and twenty-five words.

Mrs. Wolf had done a good job of cutting it to four hundred and twenty-five words, but it seemed to me that a large part of my thesis had been eliminated, obviously and inevitably, in cutting it to that small proportions. So, on Tuesday, October 18th, I got up at four o'clock and I wrote John Fischer, the editor-in-chief, a long letter and sent it to his home. I wrote a letter about two thousand words going over all this and asking him first to print my long letter or to commission me to write an article for the January or February, 1967 issue, without pay, if desired, on L.B.J. and the intellectual establishment. In length, I said, whatever you regard as a standard length *Harper's* article. If that's impossible, I said, will you print my letter in about seven hundred fifty or so words, as Mr. Morris first said he'd give me, and if that's impossible well go ahead and print Mrs. Wolf's version.

I receded each time down to a lesser position, and I realized that the magazine had no equal time obligations but it seemed to me that there ought

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to be room in *Harper's* for a voice of dissent from the prevailing intellectual verdict on L.B.J. I said I didn't regard myself as a sycophant of his, he had his faults, y como, but that it seemed to me that the idealistic liberals and intellectuals often set standards of conduct for L.B.J. which they spurn for their own guidance.

For instance, one of the things that Larry King despised about Lyndon Johnson was that Lyndon hadn't used his great powers, and political influence in Texas to move the Texas political and socio-economic establishment into a more liberal climate; that he had gone along with the big oil and the big steel and big cattle interests down there.

Well, I noted that Larry King himself had for a considerable number of years, six or eight I think, maybe more, been the chief assistant to a Congressman from Texas named Rutherford who was very much more conservative than Lyndon Johnson was -- I looked his voting record up. If Larry King was such a dedicated liberal why did he use his talents to work with such a conservative. He was setting standards it seemed to me for Lyndon Johnson that he hadn't set for himself,

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but that is only a detail I suppose.

The main thing is that this type of liberal seems to set style above substance. He would rather lose with a Kennedy than win with a Johnson. He would rather strike a noble posture and go down to defeat than do a little corn pone arm twisting and win, and things like that.

This simply doesn't make any sense to me. And, as to the question of Lyndon Johnson blowing his stack from time to time, being oversensitive to press and other criticism, and being mean to his staff, well, let's take the first count to begin with, about the sensitivity to newspaper criticism. Thirty-five men have been President of the United States including Lyndon Johnson -- he's the thirty-sixth President, but Cleveland had two numbers, and Lyndon Johnson is probably the thirty-fifth President who has blown his stack over press and other attacks. George Washington was the first. Jefferson described an explosion by George Washington at a Cabinet meeting, an outburst which, by the way, was no novelty to Washington's associates, in the following terms -- I'm quoting Thomas Jefferson:

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The President was much inflamed. He got into one of those passions when he cannot command himself. Ran on much on this personal abuse which had been bestowed on him. Defied any man on earth to produce one single act of his since he's been in the Government which was not done on the purest motives. That he'd never repented but once the having slipped the moment of resigning his office and that was every moment since, that by God, he would rather be in his grave than in his present situation.

That's George Washington.

On another occasion in June 1793, Jefferson reported to Madison that Washington was ill with a fever and, "He is also extremely affected by the attacks made and kept up on him in the public papers. I think he feels these things more than any person I ever yet met with." But, of course, Jefferson had never met Lyndon Johnson, I could go on with similar statements about other Presidents.

By the way, I referred earlier to what the intellectuals of Lincoln's day thought of him; here's a quote from a history by Perkins and Van Deusen, written in 1962, quoting from them:

It was a smart thing for intellectuals in general and writers in particular to hold the President up to ridicule thereby providing that they themselves were sophisticated. They called him timid and ignorant, a man of no education. They shouted that he was nothing

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but poor white trash (and so forth and so forth). Most of the outstanding newspapers at the beginning of his term of office were opposed to him and remained so throughout. Indeed many mercilessly berated him calling him such names as a half-witted usurper, a simple Susan, a buffoon, and the head ghoul of Washington.

Hans Morgenthau, where are you? This was the man that Hans Morgenthau says was the perfect combination of truth and power, but the Hans Morgenthau of the 1860s didn't think so.

Now, as to how hard L.B.J. is on his staff. Recently, I saw a book published in 1966 -- I saw this last fall sometime for the first time. It was written by a senior British civil servant named George Mallaby called, "From my Level" and he says of Churchill, I don't have the exact quote before me, but he says of Churchill that he was absolutely impossible as a boss, cantankerous, mean, abusive. He didn't know any members of his staff except those who were closest to him. He didn't even know their names. He was everything that was wrong and bad and abominable in a boss, "and we loved him." So, as I said before, hard-driving executives are not easy on their staffs anymore than they are on themselves, and yet you don't want your

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President to be too easygoing. Maybe he shouldn't be too hard-driving, but he shouldn't be too easy-going either.

Now, I am going to turn over to you, Mr. Hess, the material I have here which are the original letters written in *The New Republic* and the *Washington Post*, that two thousand word letter to John Fischer, I don't have them here with me at the moment but I'll dig them up and send to you when I find them, the long letters I wrote to *Harper's* -- I mean the two long letters of which they printed only four hundred odd words. I would like these back though.

HESS: We will have these Xeroxed and return the originals to you.

SPINGARN: Right.

HESS: I have a couple of questions here about the Truman period events. One was on the Negro voting strength and item number forty-three in your scrapbook at the Library is, "Letter dated March 19, 1957 from Roy Wilkins, president of the NAACP to Spingarn..."

SPINGARN: Executive director, executive secretary then of the NAACP, not the president.

HESS: "...regarding the drop in the number of Negroes

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voting for the Democratic Party in 1956." Of course, this is a little past the Truman administration but it does bring up some interesting questions. Did the staff members during the Truman administration think that there was any particular Negro leader who could sway large numbers of Negro voters? Was there a Negro voting bloc, in other words?

SPINGARN: The Negroes until the New Deal came along voted predominately Republican, but they switched after Roosevelt brought the majority of them into the Democratic Party by his New Deal program. I recall that when my father campaigned for Roosevelt in 1936 among Negro audiences, one of the things he said to them was that the Republican Party had been rattling the bones of Abraham Lincoln for seventy-five years, but that's all they'd ever given you, and I think this is true. Well, Negroes, like any other group of people that feel some common identity naturally tend to vote for those whom they think are going to help them. Now, there may be a question -- every man has a great many identities. I mean, he is a member of the race or ethnic group or national origin group to which he belongs. He may be a member

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of a religion, he is a member of a political party, he lives in a town, in a county, in a state, in a country, he has a family and friends who have affiliations. He's a businessman, or he's a union man, or he's a professional man, or he's something else. All of these are identities he has and all of them have some effect on his thinking. No one can say with assurance how the Negroes will vote, the Negroes like any other group vote for what they think are their own best interests in the context of the whole situation and that's the way practically all people vote.

HESS: I was just wondering if the NAACP or the Urban League had any special following?

SPINGARN: In the first place the NAACP is bipartisan, nonpartisan, it never as such -- never -- tells people to vote Republican or Democratic, or at least, I think it might have in the '64 campaign because Goldwater was so repugnant to Negroes, but generally speaking its tradition has been that since it embraces large numbers of Republicans and Democrats that it doesn't when my father, for instance, participated in the political campaign of '36, he made it clear that he was speaking as an individual and not on the behalf of the NAACP.

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Now, you ask me whether -- actually there is a single Negro leader who, or even any group of leaders, who can direct huge blocs of Negro votes. Politicians naturally like to simplify things. They like to think in any group that there are certain key people who influence huge bodies -- if you just line them up you've got everything made, but things are not that simple, and they certainly aren't among Negroes.

There are many types of Negro constituency, there are different people who speak eloquently to those different types and some who try to speak and don't make it, don't communicate, and so anyone who claims that he owns a large Negro bloc, I don't think is representing the thing

correctly. But it is true, as I say, that Negroes like everyone else tend to vote for what they think are the best interests of their group and since Negroes are an underprivileged and have been traditionally an underprivileged, heavily discriminated against group, and since they have a visibility identity, they have been given a cohesion I suppose that other groups don't always have.

But, I will say this, that I think that the upper middle class, the well-to-do upper middle class businessman

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and professional man is likely to vote differently than the poverty-level Negro on any given issue, just as the upper level man of Irish or Italian or almost any other origin you could mention is quite likely to vote differently than the man in the bottom ten or twenty percent economically of that group.

HESS: During the time that you were in the White House, during most of the Truman administration, in fact, there was an effort to get a permanent FEPC, legislative FEPC through, which they didn't get through. What were your activities in relation to that -- during the period you were in?

SPINGARN: I told you yesterday. I told you about the task force which we ran.

HESS: I knew that you had but I didn't know if we had covered it all. The question sort of ties in here. During that time did any leaders of the Negro community come in to speak to you?

SPINGARN: Roy Wilkins is a friend of mine. When he came to Washington we might have lunch or see each other, but the Negro leaders didn't need to come to me, they went to the President. I mean when Roy Wilkins came down with something important he would have a talk

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with the President. They would be talking to themselves I suppose if they were talking to me because in general I would agree with them, and I'm not saying Mr. Truman wouldn't too, but he was the man they needed to influence, not me.

HESS: I knew that we had covered part of that but I didn't know if we had covered it all.

SPINGARN: Of course, there was much less activity and agitation in the Truman administration than there has been in recent years when the racial problems have become a permanent fixture on the front page of American newspapers. In the Truman administration they were rarely on the front page of American newspapers. There were rarely major demonstrations, in fact, hardly ever that I can think of.

I can remember before Truman that A. Philip Randolph and others; Walter White and others, but I think Randolph was the key man, persuaded Franklin Roosevelt to establish a wartime FEPC by Executive order, on the threat, if that's what it was, that they were going to stage a huge

march on Washington by the tens of thousands. Now, that was FEPC by the way, here's one of the things that I have always felt, in

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line with my thesis, that the best is the enemy of the good, and that by taking impossible positions of perfection you never win, you never win, you are bound to lose that way.

It has always seemed to me that if the proponents of FEPC in '46, or in the '40s right at the end of the war, would have accepted an FEPC without enforcement sanction, so-called voluntary FEPC, without the enforcement sanctions which were in later bills, that they could have gotten it through Congress at that time, and that the experience with the sort of toothless act might have demonstrated a need for sanctions and that somewhere along the line they would have gotten them, if the thing was demonstrated that it couldn't work without them.

I have always felt that would have been possible and that it was a mistake on the part of the civil rights leaders not to do that, but this is hindsight, of course, and water over the dam. I want to emphasize again that the people like Professor Bernstein who downgrade Mr. Truman because he didn't get civil rights legislation through simply don't know the political facts of life of that era -- no President, I

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don't care who he was, not John Kennedy, not Lyndon Johnson, not Abraham Lincoln could have gotten civil rights legislation through the Senate at that time. It's said that there is nothing as powerful as an idea whose hour has struck, but in this case the hour had not yet struck.

Now, I want to add this while I still remember it. I talked yesterday about KOED and the evolution of that. A little personal postscript; yesterday I told how this thing evolved from a project I did in the '56 campaign, speechwriting project, and I had the assistance of a number of able young women. One of them was a lady named Ann Branscomb; she was about twenty-six or seven then, a strikingly beautiful girl from Georgia and very, very bright. She had an M.A. in political science, she was happily married to an able physicist who is now one of the Government's top physicists, I believe, Dr. Lewis Branscomb, who is head of one of the Government's big laboratories out in Boulder, Colorado, and she was studying law.

Ann has been living out in Colorado with her husband. She has become a lawyer and she is practicing, and last Saturday she was elected Democratic

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Vice-Chairman of the Colorado Democratic Party, that's the highest female rank -- by party law, the chairman is a man and the vice-chairman a woman -- and she is here in Washington and that phone call at the end of yesterday's conference was from her, and I am having lunch with her and her husband today.

This is interesting because here is a talented woman who carpet bagged, in a sense, into Colorado, she has only been there a relatively few years and now she's got the highest political Democratic woman's job in the state.

I have a great belief in the abilities of the able and politically savvy woman. They can accomplish miracles and in fact if you could line up a few thousand Ann Branscombs around the country on your side I think you'd win all of the campaigns -- a few thousand around the country, that's all it would take. Because they work harder and they are more effective than their male compeers, if they have the talents and the personality that is required to do the job, Mrs. Branscomb certainly has. I predict that she may, if she wants to be, be Senator from Colorado one day.

HESS: You mentioned that perhaps the FEPC could have

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eventually got through if they had accepted a compromise in '46 pr '47. Did you ever hear Mr. Truman make any statements on compromises on things of this nature, on civil rights matters?

SPINGARN: Well, I can't remember at this late date. I don't remember. Whenever you talk to anybody who says they remember specifically what somebody said fifteen, twenty years ago he probably is lying, unless it was something of very deep significance to them at the moment so they would remember it all through the years. I heard Mr. Truman say many, many things, but I don't remember most of them.

HESS: We have talked to some extent about the loyalty and security matters, and your duties in the White House in relation to loyalty and security matters. Have we covered that adequately or are there other things to be put down? I have a few questions here just on the writing of the message and on the writing of the veto message. Did you write the veto message?

SPINGARN: As usual it was a team job.

HESS: I should have expressed it differently and said did you write the first draft?

SPINGARN: No. I'll tell you what I did do. I wrote a

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first draft, and I also asked my colleague, my former assistant at the Treasury, Don Hansen who was still at the Treasury and who knew a lot about this field to write his version of it, and I think there were one or two more drafts in the picture, and these were all turned over to David Bell who wrote, what I suppose you could call, the composite first draft. I mean he had the benefit of my draft, and Hansen's draft and possibly one or two others, you see.

I would say that -- well, we all wrote first drafts if you like, but David Bell took the several that were already written and wrote a composite first draft and we climbed on top of that and I wrote lengthy memoranda and suggestions for revisions. I sent Dave Bell lengthy memoranda commenting, "strike this, and insert these paragraphs," you know, that sort of thing, pages and pages, and other people made their comments and the drafts evolved until finally we got the final draft, so I don't know who wrote the first draft. It all depends on how you look at it, but I would say that more than anyone else probably it was David Bell, but we were all in the picture.

I remember that Hubert Humphrey -- the President made

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some statement at a press conference, he was asked if he was going to veto the Internal Security bill and he said that he couldn't tell until he saw it. This was his standard statement, because after all, it could always be changed. It was in a news conference I think when he was asked that question. It was not final, and it could always be changed and it is obvious that a President shouldn't commit himself on a controversial bill, ordinarily at least unless there is some special circumstance, on what he is going to do. The bill hadn't even reached final shape. So, he said he would wait until he saw it.

Well, Senator Hubert Humphrey phoned me then and he said the liberals who opposed the bill were disturbed by that statement because they thought it meant a weakening of the President's position, because he had talked adversely about this bill along the way. I said I didn't see it that way at all because this was just the standard reply of the President on such matters, and that the bill was in conference and theoretically could be amended into a proper bill because some of the provisions in the bill were approved by the President, some of the provisions in the bill

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were in the President's own message to Congress, I think it was August 7th or 8th somewhere like that, the message and bill that I prepared, the President's own internal security bill -- I'm talking about August 7th or 8th, 1950, in there or thereabouts.

So it was theoretically possible, we all knew it wasn't going to happen, but it was theoretically possible that the bill could be revised into the proper shape. I remember this: The President did something unusual, it's never been done before or since as I recall; he attached to his veto message a little buck slip memo in which he said something to the effect that he urged each member of the Congress to read this thing carefully, he emphasized its importance and urged each member to read it carefully, something like that. It will be in your files, the exact wording. It was just a little gimmick you might say, but it was unusual and as far as I know it had never been done before, and there was some press comment on that.

Well, the message went up and the House overruled the veto, hardly leaving its seat to do so, without leaving the jury box, you might say. It went to the Senate and there was substantial debate, and

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they debated -- I think it was a Friday -- and they debated all Friday night, and old Senator Langer, he was the only Republican opposed to it, if my memory is right, and he collapsed finally and had to be carted off to the hospital. And sometime, I think it was Saturday morning, that is my recollection anyway, and the Congress was going to adjourn or was scheduled to adjourn that day. Senator Humphrey's legislative assistant, who I think then was John Sims, phoned me and said that the Senator wanted to know if the President thought they should continue the filibuster and not let the thing come to a vote, should they continue their support of the veto...

HESS: Blocking the vote.

SPINGARN: ...blocking the vote to override the veto by continuing the debate. I took this message to the President, I think it was at a staff meeting that morning, and I told the President about this phone call and asked him what I should advise Humphrey. The President said -- this was a rather typical statement on his part -- that, of course, it was up to the Senator, but that his own opinion was that, if by continuing the debate they could avoid a final vote before

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adjournment, then he would be for it, but if they were going to have a final vote anyway he thought they should continue only until they thought they had gotten all of the possible publicity in the newspapers that they could out of it, and then let it go to a vote, that's my recollection.

I have written all this up in a memorandum at the time, a contemporaneous memorandum, which is in the Truman Library; and again anything I say is subject to revision by the memorandums I have written in the past because they are more accurate than what I recollect now, obviously. I am quoting from memory of long distance events, so I defer to my own contemporaneous memoranda, on everything -- everything.

So. I relayed that message and they let it go to a vote, and oh, there is another thing. The President told Charlie Murphy and me at one point that day -- I've forgotten whether it was Friday or Saturday -- that he had gotten some report from the Hill, Leslie Biffle or I don't know whom, I've forgotten, maybe a Senator -- saying that they had been very much impressed with the cogency of the arguments in the veto message, and that they had been surprised, some of the Senators,

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who were on the fence or who were for overriding the veto, were somewhat shaken by it; and the President was encouraged by this statement and he told Charlie and me to do what we could, to make phone calls and so forth and see what we could do to mobilize support for the veto message, and I remember Charlie and I made some phone calls.

I remember talking specifically to Brien McMahon who was a friend of mine, a Senator from Connecticut, now dead, and I didn't get to first base. Brien was committed to voting to override the veto, and there was no possibility of changing his mind. Charlie made some calls, and I think he called the Democratic National Committee and asked them to help, but it all didn't prove very effective because when the final vote came it was overwhelmingly to override. My recollection is there were only ten or eleven votes to sustain the veto in the Senate, and only thirty or forty in the House, something on that order.

HESS: Do you recall offhand if Joseph Feeney and Charles Maylon also worked with you on this, in your relations with Congress?

SPINGARN: In this particular thing? I don't remember any

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connection they had with it, if they did I'm not aware of the fact.

HESS: One point I failed to ask yesterday when we were discussing them, just what was their relationship to you. Who did they report to?

SPINGARN: As far as I know they reported to Matt Connelly. That was my impression. They certainly didn't report to Charlie Murphy and they didn't report to me. They reported to Matt Connelly, that was my impression.

HESS: Do you know why they would have reported to Matt Connelly?

SPINGARN: No, I don't. Their whole position in the thing was a little obscure as far as the lines of control went, I'm not sure I was aware at the time exactly. My impression was that they reported to Matt Connelly.

And, as I say, it was a very pedestrian sort of operation, it seemed to me, which was possibly consonant with what the President wanted. There was no arm twisting or heavy pressure that I was aware of. It was more a matter of communicating what the White House position was without any argumentation, and reporting back what the Senator or Congressman said. And, neither man, as far as I knew, ever knew much about the substance of

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the measure so that he could have argued effectively in any event, you see.

HESS: Also did you write the message of August 1950?

SPINGARN: Yes.

HESS: Did you work with any particular staff members on that? Anything come to mind? What were the problems in writing the August message?

SPINGARN: Well, the problem was this: The problem was you can't beat something with nothing, and so that was my thesis and the President's thesis and I think I was the one who proposed the message, that's my recollection, but as I say, go back to the files, I don't know really now -- it's all lost in the haze of many years.

HESS: That's quite some time ago.

SPINGARN: Well, it's seventeen years. My recollection is that I proposed simply on that basis that since a bill was rushing through Congress, the Mundt-Nixon bill, that we opposed much of it, and that they were yowling about the need for greater internal security, that we should get up an internal security measure which would incorporate those provisions of Mundt-Nixon, or other bills, that we thought were worthwhile, commendable or at least not bad, and that the President should

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submit his own message and that then you would have something, instead of nothing, to fight Mundt-Nixon with, and that's the way it was done.

Now, I might say, as I said before, in 1950 which was the very height of McCarthyism, you could write the Ten Commandments on a sheet of paper and pass it as an internal security measure, or you could write anything. Anything you labeled internal security was going to go through. That was the way it was. Now, the main provision -- the big central provision -- which encompassed the majority of the whole bill in the Mundt-Nixon bill, were the so-called Mundt-Nixon provision, which provided for the registration of the Communist Party, and certain requirements that it had to fulfill in reporting on its membership and finances, and it also provided for a registration by the so-called front organization.

Now, that was seventeen years ago. This bill became law over the President's veto in September 1950. Seventeen years later the central target of that bill, the Communist Party, has not yet been required by law to register under criminal sanctions for failing to do so, and the Court of Appeals within the last

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couple of weeks has held unconstitutional the attempt to penalize them for failure to and now it goes to the Supreme Court and I haven't the least doubt that they will affirm the Court of Appeals and therefore the Mundt-Nixon provisions will presumably become a nullity for all practical purposes. That's my impression.

Let's put it this way: If the safety of the Republic stood in jeopardy and seventeen years have gone by without doing the things the Mundt-Nixon bill wanted done, boy, we must have been in terrible shape back in 1950. Joke. This was a stupid and absurd bill, which didn't make sense, and which was passed in a hysterical moment, of which we shouldn't be too proud, and the proof of the pudding is what has happened to that bill in the seventeen years since, and I think Mr. Truman has every reason to feel satisfaction over his veto of the Mundt-Nixon bill.

HESS: What about the Defense Production Act of 1950? What was your involvement in that?

SPINGARN: Well, my involvement was -- and again I have elaborately documented this because one of the best files in the Truman Library I feel sure is the Defense Production bill file. I mean in technical

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terms and in terms of completeness.

HESS: That's what your papers start off on and it contains -- it's in several boxes, but I thought that there might be a few items here...

SPINGARN: I want to make this comment first. The White House files are the worst files I've ever seen in any Government agency in my life. When you called for a file, a mish-mash of loose papers, literally loose papers, maybe with a string around them, came over, and they were not

indexed, there were no tabs, there was no sorting, no collating of them under subject matter -- nothing, just loose papers mostly. It was fantastic.

I had never seen Government files in that bad of shape. In the Treasury, we had had a very able archivist, Miss Helen Chatfield, and by this time she was the Budget Bureau archivist, so when I had major projects I turned the files, I would turn a tubful of files and papers over to her, and ask her to put them in good shape, and she would do a beautiful job. And the two I remember particularly she did for me were the Defense Production Act of 1950 and the Small Business Bill of 1950, both of which I was in

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charge of preparing.

HESS: Those are probably very well documented, and they are in your files and not your papers at the Library -- the Defense Production Act are in boxes one through four, and Small Business in seven through nine.

SPINGARN: Recently an Englishman named Martin Rudd, who is a senior British civil servant, and who was studying for the British Government what other governments are doing to help the small business with the idea of the British Government seeing which of these ideas they can borrow, use, came to see me after spending some days, or more, out at the Truman Library. The reason he came to see me was that he had seen the Small Business Bill file of 1950 which I was responsible for, and he told me that he was so impressed with it that, I am sure it was partly the presentation in the file as well as the material, that he thought he ought to see me, although this is pretty ancient history basically I mean when you are dealing with what to do in 1967 going back to a proposal that didn't even reach the status of law in 1950.

Anyway, on the Korean war bill, the Korean war as I recall broke out, Washington time, June 24th, 1950,

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I think it was June 25th out there and June 24th here, and the United States reacted immediately.

First of all the President ordered air cover for the troops in southern Korea, and then within a very short time, a matter of two or three days, he moved in troops. I can remember doing something very brash, rushing in where angels fear to tread, for these were parlous times. I remember at a staff meeting, oh, it must have been around the 27th I would guess of June, 1950 - -and this was none of my business, you understand, it wasn't my function to advise the President on what to do in Korea, but I did, at least I prepared a memorandum making certain suggestions which I presented to him at a staff meeting, and my suggestion was that we ought to get a UN force under a non-American, that was my thesis. A United Nations force under a non-American general would be the best answer to the North Korean aggression. Well, of course, they got a UN force, but not a non-American commander, but it was interesting that the President at this point, I mean when my suggestion was made to him at the staff meeting, he then unbuttoned and told us what he was doing, what he was going to do, and this

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was the first news we'd had, most of his staff I mean, of what he was doing, which is actually what happened, of course.

Anyway, we had to prepare a bill to put the Government in a position to wage war, and there were two main schools of thought as to how far we should go; one, I'll call the Symington school, because Stu Symington was probably the major proponent of that within the circles of Government, and that was -- he was then the chairman of the National Security Resources Board, and they had responsibility for preparing the Government's mobilization plans, and they did have drafts of bills but they were outmoded, I mean they just weren't particularly applicable to the situation we found ourselves in, and Stu Symington was an all-out mobilization man. He wanted to mobilize the country, put it on a war mobilization basis.

And my recollection is that the opposing school was probably led -- I may even be wrong on my protagonists, but this is my recollection at this late date. I want to emphasize -- I've said it before and I'll say it again -- Mark Twain said, "As I get older I remember less and less of past events and most of what I remember isn't

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true." So, for the historians who may read this just remember that I am speaking from memory, and that to the extent that my own contemporary records are different, they are right and I am wrong, and to the extent other contemporary records -- on facts, I am entitled to any opinion I want, but on facts -- differ with me, they are right and I am wrong.

HESS: That's one of the accepted tenets of oral history.

SPINGARN: Yes, but it needs to be said over and over again. As I recall Leon Keyserling, who was then chairman of the President's Council of Economic Advisers, represented the limited mobilization school and, of course, he was right, and that's what prevailed.

Well, Stu Symington is a very energetic and dynamic chap. I remember attending meetings in his office and Stu would charge around the desk and pound on it and shout and they were very dynamic meetings. He was a very forceful proponent of his point of view, and sometimes you would come out of there and you would be terribly impressed by the whole meeting but you'd come out and say, "But what did he say?" It was mostly that charge of energy that got you in

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there, you know.

In any event I was asked to produce a bill, and there was also a message, of course. Now, a different team worked on the message, and I suppose -- well, I've forgotten -- of course, it was Charlie Murphy and Dave Bell and Dave Lloyd, I assume, and who else was in on it I don't know, but I was in charge of drafting the bill that would accompany the message. I remember that this was done over a very short period of time, very short, as I recollect about five days and over a weekend, too, and the five days included Saturday and Sunday. It is just a blur to me now, but we were working night and day for five days, and so many agencies were involved, there

were different titles on this thing to promote the defense production. Don't ask me any details about the bill because I've forgotten them all now. You'll have to go to the files.

But, I do remember this: We had little sub-task forces stashed around the whole building so that the people involved could talk on different problems. There would be one here, one down the hall, one on the next floor, they were all over the building for five days,

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day and night, and I was sitting there and I was feeling very important, I'll tell you that, because Cabinet officers were calling on me -- I mean Charlie Brannan came over to see me, and I think [Maurice J.] Tobin came over to see me, because everybody had a major interest in that bill obviously, it was the most important bill before the Government at that time, and tremendous decisions had to be made on what was going into that bill, and what was not going into it, and how it was going to end up. And, of course, the very big decisions were all checked to the President, but there are an awful lot of intermediate and minor decisions that you can't bother the President with, somebody has to decide them, and I was the man that had to decide them at that point, and it had to be done so damn fast.

Anyway, we got the bill together and I recounted previously how I took it up to the Hill, and gave it to Speaker Rayburn, and how I told him that the President hoped the bill would go to the House Banking and Currency Committee. Brent Spence of Kentucky a liberal Kentuckian, and a good friend of the administration, was chairman. The House Armed Services Committee I

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think was the other possibility. I can't remember who the chairman was, but it was a hostile chairman, a chairman from whom we would have trouble we knew. The Speaker, Speaker Rayburn, withered me with a glance and said, "Young man," or words to that effect, nobody, not the President of the United States, no, nobody tells the House where it refers its legislation. That's my prerogative, or our prerogative."

"Yes, sir," I never made that mistake again. I thought I had done it very tactfully. But in any event, he had the House Parliamentarian, Lou Deschler, with him, and he had Deschler look over the bill and then he looked at me and he said, "Well, you fellows have rigged this bill so that the Parliamentarian tells me we have to send it to the Banking and Currency Committee." So it went where the President wanted it to, where we hoped it would.

I remember going down and giving McCormack, he was the majority leader then, a copy, John McCormack, the Speaker now, and a wonderful man who I have known since 1935, and who was one of the principal and most important supporters of this KOED program, which I finally sold to the Democratic National Committee

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last month, and his support is a major factor, I believe, in its going into orbit at last.

Well, anyway when I was emerging from McCormack's office, the Speaker came out of his office and he buttonholed me and brought me back into his office, and he wanted us to add a

provision to the bill which would provide that the bill would automatically terminate, all the powers in the bill would automatically terminate, at the end of two years, unless extended by an affirmative act of Congress. I think we had a termination provision that was the other way around -- it would continue until terminated by Congress, or Executive order of the President, or something like that, I've forgotten, but anyway, he wanted an affirmative provision that would automatically end it in two years, unless the Congress extended it. I assured him we'd put it in, I mean, that wasn't worth arguing about, and we did, of course.

And then, I went over and saw Senator Lucas, who was the Senate majority leader, and I left a copy with the Vice President's office, and I have gone into that little matter. Then, the bill was in Congress for several weeks, I've forgotten exactly how long,

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and I kept in close touch, but the fellow who did a terrific job on that bill and who I want to mention right now was Matt Hale, Matthew Hale, who was the Acting Solicitor of the Department of Commerce, and who had worked closely with us in the drafting of the bill, and who we arranged to go to the Hill and work with the committees in the processing of it, and did such a good job and made himself so invaluable that the committees really brought him inside their caucuses as a member of their own staff, you see, so that he was working right inside the club, as it were, and, of course, that gave us a perfect liaison on what was going on.

I remember I used to call Senator Maybank of South Carolina, the chairman of the Senate Banking and Currency Committee, he's dead now, and I used to call him at his home every morning about eight o'clock, and check with him on what was happening on the bill, and communicate to him things that the President wanted his views on, how the bill was going, and how he wanted it to go, and hear from the Senator what he thought and how the thing might turn out, and what the vote was likely to be on this or that controversial provision, that sort of thing -- the usual legislative liaison. So, it was a very busy season, but it went through all right and that's about all I remember.

HESS: Mr. Spingarn, what were your duties in regard to labor matters in the White House?

SPINGARN: I had no substantive duties in regard to labor matters, but you must remember that I was in effect the pivot man on legislation -- what the Treasury would have called legislative counsel -- and on the legislation that went through Congress every bill came through me to the President. That is, it went to the White House, it was sent to the Bureau of the Budget to farm out and get the agency views, when they came back from Budget they always had to be done in the space of less than ten days -- quickly, of course, and it was handled on a highest priority expedited basis. The Budget sent it to me. Roger Jones was the Budget assistant director for legislative reference, and he has had a distinguished career by the way in Government since then. Roger is actually a Republican from Connecticut, a Connecticut Yankee and a Republican. He has been in Government since, I think, '33. Everybody likes him. He's a good man. And, he was Budget's assistant director for legislative reference at that

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time. Later Eisenhower appointed him Chairman of the Civil Service Commission, and then Kennedy appointed him Deputy Under Secretary of State, and now he is back in the Budget as special assistant to the director, and sort of top level trouble-shooter.

He would be the man responsible for collecting the agency views and seeing that the bill got to me on time, and then I would study it and make my own recommendations, which normally would go along with the Budget, and take it over to the President personally, and explain the matter.

If there were, for example, no problems at all -- everybody agreed, you know -- then I could simply take it to Bill Hopkins, who was executive clerk, and say everybody is agreed on this and, it's a formality to sign it, because there is no opposition; but if there was a difference of opinion, that was when you had to talk to the President obviously, and say to him that agency "A" and "B" think the bill should be vetoed, but "C" and "D" and the Budget think it should be signed, and I think it should be signed -- whatever the situation was. Now, as to labor, that would include labor bills and anything else.

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HESS: I just have a short question here. Did the President usually place quite a lot of strength on what the Bureau of the Budget approved or disapproved -- their opinion as opposed to some of the other agencies?

SPINGARN: Yes, I would say that the views of the Bureau of the Budget ordinarily would have a higher value than the view of the particular agency, because the Budget theoretically had no axes to grind, they were not an interest group. They were above the fray, you might say, whereas the agency, after all was in a sense an interest group with its own constituency, more or less, and, therefore, you had to look on them as -- from the President's standpoint they were a proponent of a point of view, you see, and the Budget was not a proponent of any special point of view, they were the judge attempting to weigh all sides and arrive at a fair verdict. I personally would have placed a higher value ordinarily on the Budget view and I think the President did, too.

HESS: Fine. I didn't want to interrupt your chain of thought but I did want to throw that out.

SPINGARN: But that didn't mean that we always agreed with the Budget, but usually more likely than not.

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One of the things, by the way that was a little frustrating, was a tendency of agencies to settle matters entirely on precedent without regard to the actual equities of the individual case. In other words, you would get a case that seemed terribly sympathy compelling -- I mean a real injustice had been done -- but if you permitted this bill to be signed then you would open the door for this whole classification, that was the idea. You had set a precedent. Well, that's an argument that has to be considered, that's true, but sometimes a case is so bad, the injustice so great, that you have to say, I don't care what its classification -- all classifications exactly like this should be signed, there should be something done about it. Let's try to distinguish this from the general category. But the tendency in the agencies was to give you that boilerplate answer, this would open the

door to you know, so many other similar situations, and quite often the Budget and I would take the opposing point of view, and the President would almost always go along with our point of view, as I recall. These were usually on private bills dealing with the situation of one particular individual, an immigration bill or

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something of that sort.

Actually the functional lines at the White House in the Truman era were very loosely defined and that was best, it was flexible. You had the two big compartments, as I say, between what you might call operations under Steelman, and program and planning under first Clifford and then Murphy. I can't speak for Steelman's area, but within the program and planning, things were very loosely defined and you might get a job that was not at all in your ordinary bailiwick, just depending on who was available, and what the exigencies of the moment were. Nobody ever said to me, "Steve, you are the big internal security and loyalty man." It was just that I was very deeply interested in that field and I gravitated toward it and so naturally the work on it gravitated toward me, you see, that was naturally the way it worked.

Charlie Murphy knew of my relationship to this work so that it was natural that whenever anything like that came up it was likely to be farmed to me.

In the same way, David Lloyd, was the acknowledged master of speechwriting, and most of the big first drafts came from him.

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David Bell, on the other hand, was the acknowledged master in writing messages to Congress, which is a more precise and formal terminology. David Bell has one of the clearest and sharpest and most precise minds I have ever met, and he was therefore the guy, not always, but he was the guy most likely to be handling a message to Congress, as distinguished from a speech, on the first draft of it, at least.

But, this wasn't always the case, so it was all very informal. Now, there is this to be said; at the White House, you either have a small, informal, flexible organization at the top or as it starts to grow it is bound to institutionalize, and then it becomes less flexible, and there are great advantages to that flexibility, that rapport between the men at the top who were working intimately together without any hard and fast hierarchical and institutional lines.

Anything that gets too big has to institutionalize, and then you have to establish hierarchical lines that are rather rigid. This has its value from an administrative standpoint, but it has its defects from the standpoint of, I think, producing the best work. So, we had a very small staff.

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Now, there were only about a dozen people who attended the President's staff conference in the morning and several of those were ceremonial. I mean the three military aides, military, naval, and air aides all attended. They weren't functional in the ordinary sense of the word. Charlie Ross, who was the press secretary, attended, and so did Eben Ayers, the assistant press secretary

-- that's five. Then there was Steelman, Murphy, Clifford before he left, there was Matt Connelly, Bill Hassett, and all the administrative assistants except David Niles, as I said, he never attended; that is Dave Stowe, Donald Dawson, George Elsey and me. And, I have told this story, too, on tape I believe, I wasn't invited to attend I just infiltrated finally and stuck. The question of who attended the staff conference was never sharply defined, but it was indispensable to the man who was working at the top level, you simply couldn't do your job without being there.

HESS: You wouldn't know what was going on.

SPINGARN: You wouldn't know what was going on and since the President's time was very limited for your own solo approach to him, this gave you a daily opportunity.

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Actually, I found as I went along and sort of got my feet on the ground, since I was handling legislation and since everybody, of course, Matt Connelly was the guardian of the gate as far as getting in to see the President was concerned; but since I handled legislation and I was often carrying enrolled bills and Matt knew that these had to move, I never had any trouble getting in to see the President. I mean I would go over there and there would be people in the anteroom, and I would say, "Matt can you put me in between a couple of appointments?" And he would always do it. I'd say, "I will only take three to five minutes of his time," or something like that. That was the way it worked. And that was principally because I was working on legislative matters and the enrolled bills particularly which had to move. There was a time limit on them.

HESS: You could get the President's attention just about anytime you needed to?

SPINGARN: Yes.

HESS: Well, the subject of labor also brings up the subject of unemployment, and in the President's midyear economic report of 1949 one of the items touched upon was the areas of heavy unemployment in the United

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States, and this has been regarded as one of the first acknowledgements of this taking place after the war. Did you help write that message? Do you remember anything about that?

SPINGARN: To tell you the truth I don't recall that I did and I expect I didn't, but my recollection is that a little task force was set up under John Steelman, headed by Houston, John Houston, and I'm sure David Stowe was in the picture, too, and I don't know who else. I don't know whether they worked up that program, but they were assigned to see what they could do about bringing help to the distressed areas, the special pools of heavy unemployment and depression. You know there was -- not a depression, but a recession in '49. I remember a lot of discussion on that, but I can't focus on it. I don't know.

You have to remember that you are working so hard and so many things are happening now you asked me, not on tape, but you asked me one day if you could describe a typical day at the

White House. Well, there were no typical days at the White House -- there were no typical days. Here is an example; one of the things I did every day, and I still do it, was to make lists

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for myself of the things I had to do, and I have here two big volumes which I call my White House manual. And actually this was a kind of modus operandi book, I don't know what you want to call it, this is for my own benefit.

HESS: Now, this has been microfilmed?

SPINGARN: It has been microfilmed...

HESS: And, it's out at the Library.

SPINGARN: ...and it's out at the Library, two volumes of my White House manuals. And I picked out copies of memoranda I wrote and anything that I thought was of interest enough to go into this. Of course, I may have overlooked a lot of things, too, because I was too busy to always do it with care. But I used to write to my secretary, "Copy to WH manual," you know, and she would put it in here. Whether or not I caught everything, I'm sure I didn't, of course, but every day I would write notes to myself, and some of them are in here. Usually these were longhand notes, but sometimes I had my secretaries, Mary Jones, or Margaret Anderson, type them.

By the way, you were talking about civil rights votes. Here, for instance, is a memorandum, "Re

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second FEPC cloture vote," and it discusses the next vote on FEPC as scheduled for July 12. They had had a first vote on cloture a couple of months earlier. It discusses the composition of the Senate on this thing, how we think they are going to vote; it had the following -- the thirty Democrats that should be present and voting on July 12. And for instance it has asterisks after several of those names and says the asterisk means they were absent on May 19th, 1950 cloture vote; that means these fellows were not present on the last cloture vote, we should try to get them to be present on this next one, and so on.

HESS: Those were the men to work on.

SPINGARN: Those were the men to work on. And here is the past record of the whole Senate, Republicans and Democrats, on previous key civil rights votes in '49 and '50, which might give some indication as to how they would be voting, you see, and so on. For instance here is a memorandum of July 5, 1950, by me, a memorandum for the FEPC file:

Charlie Murphy and I presented to the President today our joint memorandum of July 3 recommending that every effort be made to get a maximum vote in favor of cloture when this comes up for the second time on July 12, 1950. Enclosing the memorandum analyzing the records

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of all Senators and the three key votes relating to this issue during the 81st Congress. The President told us to go ahead on this matter. Charlie was to call Senator Lucas and Bill Boyle and arrange for us to get together with them to coordinate our work.

Now, you see this shows that we were trying -- doing our best. Here are more like this. Here is a memo, for instance, from Philleo Nash to me giving some breakdowns on the votes and what we might expect in the cloture vote, and there's lot of these, you see, many, many memos like that. But I had in here somewhere, I thought -- I know ...here's something. It's a memorandum for Murphy from me dated June 10, 1950, the subject is, "The presidential reply to Attorney General McGrath's June 6th letter about the fine record of Solicitor General Perlman." I raise this because in my discussion of Professor Bernstein's paper on civil rights in the Truman administration at the American Historical Association Convention on December 29, 1966, I told how he cited Philip Elman, who was one of Phil Perlman's lesser assistants at the time Perlman was Solicitor General, as saying that Perlman was a racist and used all sorts of obnoxious words -- that he said, "There's a delegation of 'coons' waiting to see me;" that he wasn't really interested

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in civil rights, that he was only interested in publicity for himself, and so forth. Well, here is a memorandum which I call -- it's tab number fourteen in my White House manual -- and I write to Murphy:

I have mingled feelings about this matter [that is whether the President should reply to the Attorney General's letter and release the correspondence.] On the one hand Perlman's nomination was bitterly fought and the basis of the arguments against him were neither true nor honorable. The fine record he has made as Solicitor General is a strong answer to those who opposed him, as well as to all of those who say that the administration is putting mediocre people in high office, and people who were not primarily devoted to the public interest.

On the other hand it does seem like something of a precedent for such fulsome praise to be broadcast by the President and the Attorney General about an incumbent Federal official. Other Cabinet officers and agency heads may feel that they owe it to their best subordinates and particularly those who have been subject to attack to secure a similar exchange of correspondence with the President.

However, balancing both arguments I conclude that a presidential letter and the release of the correspondence is probably justified.

And the last sentence of the Attorney General's letter reads as follows:

I have, therefore, undertaken to write you this detailed report so that I may eventually hand a copy of it to Mr. Perlman as a token of my esteem and appreciation. The Attorney General should certainly be requested to rewrite the

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last sentence so as to delete the bracketed material [that part I had included] so that I may eventually give it to Perlman. It is much too obvious and I must say I gag on it [and so on].

I also have some doubts about the third and fourth full paragraphs on page two which I have marked. Many people who are sincerely devoted to civil liberties will probably feel that Mr. Perlman was on the wrong side in these cases. However, perhaps it is best to leave this material in since when you couple it with his victories in the anti-segregation cases it may tend to show a balanced viewpoint in the field of individual rights and civil liberties. I think that the President's letters should be short, moderate and not too fulsome.

I attach a memorandum of June 9 which Dick Neustadt prepared for me on this matter at my request giving some background on it, after I discussed the case with him and indicated my general views as outlined above. I suggest that the body of the President's letter to the Attorney General read as follows: "A slight revision of Dick Neustadt's draft to tone it down a bit;" and here's a letter I suggested for the President to write the Attorney General, McGrath: "Thank you for your letter of June 6th summarizing Phil Perlman's fine record as Solicitor General. This is good to know. Mr. Perlman's work brings great credit to himself, the Justice Department and the United States Government. I honor him for it and I want you to tell him so. This record should be carefully read by those people who spent so much time three years ago casting doubt on his fitness for the post."

I'll have to stand on the record, but I think that that's what went out, or something like that.

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HESS: Fine. That will be available at the Library if any of the researchers striking this point want to refer to it and read the whole memo.

SPINGARN: Here is a bill that I really don't remember at all. It's a memorandum from me to the President, June 16, '50. "Suggested items for discussion with Congressman Brent Spence, Friday afternoon, June 16th." In other words I gave it to him in the morning because he was going to talk to him. And it is on the rent control bill and, also, on reorganization plan number twenty-four, transferring the RFC to the Commerce Department. Well, now, one thing that I haven't mentioned, I still haven't found, during a lull, I'll look. Oh, here's something.

I told earlier -- yesterday or the day before -- I told about giving him an excerpt of a speech by my father about politics and the poet, and about the excerpt from Carl Sandburg on Lincoln as a politician. Here is a memorandum referring to this.

HESS: What tab number is that?

SPINGARN: This is tab...

HESS: Tab number twenty-two.

SPINGARN: Tab number twenty-two in my White House manual.

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"Memorandum for the President from Stephen J. Spingarn, Subject: Politics and the Poet," and I start off, "You may be interested in seeing this article which I mentioned to you on the *Williamsburg* this weekend." The *Williamsburg* was, of course, the presidential yacht, and I had gone up with the President to Valley Forge where he had made a speech to the Boy Scout encampment, there were some fifty thousand scouts, there and we returned on the *Williamsburg* - it was an overnight trip. And then at the end I say (I had talked to him you see on the boat about this), "There is also attached an excerpt from Carl Sandburg's work on Lincoln which seems to tie in with the thesis of my father's article." This was perhaps not too Machiavellian on my part.

Every Monday the Big Four met with the President, the Big Four being the congressional leaders, the Speaker of the House, the Democratic Majority Leader, the Vice President, and the Senate Majority Leader. In my time these were Speaker Rayburn, Majority Leader John McCormack, who is now the Speaker of the House, Vice President Barkley, and Senator Scott Lucas of Illinois. Every Monday morning Charlie Murphy and I gave the President a memorandum of items which we suggested

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he might wish to discuss with the leadership. Murphy and I normally signed the memorandum jointly.

HESS: Did any of the members of the White House staff sit in on those meetings?

SPINGARN: No.

HESS: Did the President usually relate to you or to Mr. Murphy after the meeting was over what had transpired?

SPINGARN: Let me say, only if it seemed to him something that we ought to know. I can't speak for Charlie Murphy, he'll have to speak for himself, but I didn't ordinarily hear what had transpired except that if I was greatly interested I might ask the President on some particular point, if anything had been decided on this or that, but ordinarily I wouldn't. Usually what we were doing was to suggest to the President that he gently influence the legislative leaders along a legislative course, to push his program at this or that point, you see.

HESS: Do you think this meeting on Monday was one of the President's prime contacts with the Congress?

SPINGARN: Oh certainly, certainly. I mean, for instance, here is a memorandum of July 10th, 1950.

HESS: Tab eighteen.

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SPINGARN: "Suggested items for discussion with the Big Four on Monday, July 10th. The President may wish to raise the following matters," I'll just read a few so you can get the idea, "with the congressional leaders; one, point 4 appropriations. The President may wish to emphasize his determination as to the full thirty-five million dollar authorization be appropriated, and his intention to confer later in the week with the ranking members of the Senate Foreign Relations Appropriation Committees." I'll skip two, that's on point 4, too. Well, now let me give point two, "point 4 investment guarantees. The House is scheduled to vote this week. The President might wish to reiterate his support for this measure and the importance of a strong favorable vote." Three, campaign of truth, "The Budget will have the appropriation estimate ready by tomorrow, the President might wish to ask the leaders when they would like to see the estimate sent forward pointing out that he can have it up before the weekend." Oh, here is five, "Cloture vote on FEPC. This comes up to July 12th. The President may wish to emphasize again the great importance of obtaining the maximum showing of Democratic support. Reference might be made to

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Boyle's statement on Sunday," that's Bill Boyle the chairman of the Democratic National Committee, and so on. The Sumner Pike nomination was coming up, and there was a lot of opposition, and the President was strong for it. I remember I did some work on that, too. Alaska and Hawaii statehood. Amendments of the Clayton Act, that was the anti-merger bill which became law later that year. The Department of Health Education and Security.

HESS: What do you recall about your involvement in some of those points you have just been reading off?

SPINGARN: Not much. Here's one I remember though. Hastie nomination. I mean obviously I was involved in almost all of them in some degree or other, but I don't remember much about -- there were too many things to remember fifteen to twenty years later. The Hastie nomination -- here's one I remember. I remember the cloture vote on FEPC, of course. I don't remember anything about those point 4 items. I remember a little about the Sumner Pike nomination, because I wrote some material on that I remember. I think I wrote a message for the President, or a letter of some sort. Hastie nomination -- that was William Hastie who has been

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nominated for the Court of Appeals in the third circuit up in Philadelphia, whatever circuit that is. "Senator Magnuson and other pro-Hastie Senators who will be back sometime this week in connection with the debate on the omnibus appropriation bill. Magnuson would like a vote in the full Senate Judiciary Committee on the Hastie nomination on Monday, July 17. This would be an excellent time, and the President may wish to mention this to the Senate Judiciary. Senator [Forrest C.] Donnell appears to be the only one dragging his feet on this matter although he says he is not against Hastie." Donnell was a Republican, or was he -- yes, I think he was. Well, anyway, William Hastie was, I think, the first Negro Court of Appeals judge. He was a wonderful guy -- was and is, he's still a Court of Appeals judge up there, a very able judge -- as I recall he had been on the *Harvard Law Review*. He was the special counsel of the NAACP and a friend of mine, and a splendid chap. He had been Governor of the Virgin Islands, and he had

been a judge down there. That had been a Federal job but not on the level with the Federal district or appeals court judge in the United States. He had been dean of Howard Law School, he was an outstanding man, and the President nominated him to be Court of Appeals judge, and naturally

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since he was a precedent breaker, in a sense, there was opposition from southern quarters, and some of the opposition attempted to make Hastie -- this is 1950 remember -- to make Hastie out a Communist fellow traveler -- link him up with fronts.

But the fact of the matter was that Hastie not only was not that, but that he had been a strong opponent of Wallace in '48, and that he had done very effective work in pointing out the Communist domination of the Wallace Progressive Party in '48, this is all a matter of record; made speeches and all that sort of thing.

In any event, at my suggestion, Bill Hastie got together a dossier on these things, you see, to prove his record, and I placed them I remember in the hands of key people on the Hill, Senators and so forth.

I remember a personal phone call I made to Vice President Barkley on this matter because I, of course, had a special interest in seeing that the Hastie nomination went through, and I remember a special phone call -- I've forgotten the details of the call that I made to Vice President Barkley - - I think it was at his home one day about expediting, and about the problems of the Hastie nomination, and what could be done about it. I

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was much interested in that and, of course, it did go through. And, Hastie has been an excellent judge, President Truman has every right to be proud of that nomination. There are many other items here.

HESS: Those will be out at the Library so the researchers can go through them.

SPINGARN: Yes.

Dick Neustadt is very much in the news these days because he is director of the Kennedy Institute of Politics at Harvard. Here is a memorandum I won't read the whole thing, but I'll mention that it's tab number twenty in my White House manual. It was dated October 9th, 1950, I was to leave the White House about two weeks after that. It was a memorandum for Donald Dawson, who was an Administrative Assistant to the President, and who was in charge of personnel matters: "Subject: promotion recommendation for Richard E. Neustadt," and I go over the fact that Neustadt had come to the White House staff in May 1950 from the Budget to serve as my assistant. He was in grade fourteen and I was recommending him for a grade fifteen promotion. I said I had intended to wait until he had been six months at the White House, but in

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view of my imminent departure I was making the recommendation now a few weeks early. And here's the operating part:

Neustadt has completely justified the confidence we had in his ability when we asked him to join the White House staff. There was probably no one in Washington better qualified than he to step into the legislative job which was his assignment here, since for more than two years prior to the transfer, he had been the Budget's liaison man with the White House staff on matters relating to presidential legislative recommendations. He therefore had very little to learn about our way of doing things when he came over here, but what there was to learn he learned very quickly, and more important he demonstrated a capacity to grow in the job.

His mind is quick, alert and imaginative. At the same time he has those superior qualities of good sense and good judgment which do not necessarily go with superior intelligence. His approach to problems is down-to-earth and practical. His knowledge of Government and what makes it tick is exceptional.

He knows and has the confidence of key men in almost every agency in the Government as well as on the Hill, and he is able to get the necessary staff work done on any given problem and place it in a position for policy decision by the President or other appropriate officials with a minimum of fuss and feathers and a maximum of dispatch.

He is extremely effective in dealing with people and in securing their cooperation. Neustadt has been invaluable to me in the job I have had and I do not think anyone stepping into that job has much to fear about the quality of the supporting staff work if he is lucky enough, like me, to have the assistance of Neustadt.

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It is almost unnecessary to state that Neustadt has worked tirelessly not only during working hours but nights and weekends in carrying out this important job. As I think you know, Neustadt's educational background and previous work record has also been uniformly outstanding. To refresh your recollection I attach a copy of a brief personal history statement prepared about him at the time he came to the White House.

Incidentally, while in the Bureau of the Budget he wrote and submitted as a Ph.D. thesis to Harvard University a five hundred page account of the executive branch legislative clearance process. I have no doubt that this will be regarded as the definitive work on the subject which it covers, Stephen J. Spingarn, Administrative Assistant to the President.

I sent that to Charlie Murphy with a note: "Charlie here is a promotion recommendation on Dick Neustadt which I am sending Don Dawson. If you agree, I should be very happy if you would cover it with a memorandum to Don with any comment you care to make on the subject."

And, Charlie Murphy, the same day, October the 9th, wrote to Dawson: "I have examined the attached recommendation for promotion for Dick Neustadt which is being sent to you by Steve Spingarn. I want you to know that I agree fully with what Steve has to say concerning Dick's outstanding ability and the exceptional quality of his work." Well, here is an epilogue to this which casts

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another light on Dick Neustadt, though not on his abilities, which are tremendous. In October about two weeks after I wrote that memorandum I went to the Federal Trade Commission as Commissioner. Dick Neustadt had been brought to the White House by me and was my assistant. I never had any trouble reaching Charlie Murphy or other people on the staff by telephone but Dick Neustadt was the hardest man for me to reach by telephone on the White House staff. Sometimes he wouldn't answer a call for three days.

I commented rather bitterly on this on occasion but it didn't seem to do any good. In '63 or '64 Dick Neustadt was -- by this time had written the book *Presidential Power* which Kennedy used as his Bible. He was professor at Columbia, and he was a special consultant to the White House on various matters. I was again trying to promote my KOED program. Dick Neustadt had a pipeline to the President and I wanted his help. I had great difficulty even getting a reply. I mean he wouldn't reply to my communications on the matter; he came to Washington almost every week, but he never called me. So, one day he was staying at the Dupont Plaza, which is right across the street

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from here, and one day about seven forty-five or eight o'clock in the morning I went over to the Dupont Plaza and rapped on his door, and when he answered I impersonated the voice of a foreign waiter -- I said, "Ya, ya," something in an incomprehensible foreign voice, he came to the door and opened it, he wasn't wearing anything but the lower half of his pajamas and I infiltrated and pinned him down and spent an hour or so with him and finally got a little help from him, but it was a rather hard way to do it.

So, whatever the components of Dick Neustadt's nature, I would say that gratitude is not one of them. But the longer I live the more I realize that gratitude is not a very common ingredient in any of our natures. Gratitude as someone has wisely said represents a lively expectation of favors to come, among most people, and I suppose it is true with me, too, though I hope not. So, that represents perhaps a more interesting footnote to my account of Dick Neustadt's outstanding ability.

HESS: I have a question about international affairs.

SPINGARN: All right, go ahead.

HESS: Could you tell me what your duties were in the

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White House involving international affairs? You came in shortly after the President's inaugural, address in which he made the statement on point 4. Did you get into the formation of that?

SPINGARN: No, I did not. I can only say that on international affairs, I had no responsibilities on international affairs except that I was a member of the speechwriting team and I got in on most of the speeches during my era there, to some degree or other, and these included the foreign policy speeches, of course. The chap at the State Department who was Dean Acheson's principle speechwriter, if I'm not mistaken was Marshall Shulman, who was very able, and he was usually the guy who would start off on these -- I don't know that even that's true -- anyway he worked with us on the foreign policy speeches. Butch Fisher, Adrian Fisher, the State Department legal adviser was another guy who might, and perhaps others, but there was no compartmentalization on speeches.

HESS: Do you recall any particular problem that arose?

SPINGARN: No, I don't. What sort do you have in mind?

HESS: The Palestine refugee problem.

SPINGARN: Oh, gosh I don't remember.

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HESS: The Marshall plan, the operations of the Marshall plan?

SPINGARN: I remember vaguely. I can't remember the details so it's not very helpful but I remember somebody, of course, Dave Niles was the fellow who was supposed to be responsible for anything relating to Israel or Palestine, but I remember receiving some letters or memorandum of some sort, I can't even remember the details of it, making some proposals, I remember writing some memorandum about it and giving it to Philleo Nash or perhaps to Dave Niles. I don't remember the details so this is not very informative.

You know actually as I look this book over I realize that one of the best ways to stimulate my thinking processes is to go down these entries here because each one of them almost brings back memories.

HESS: What do you have in mind?

SPINGARN: Well, I don't know. Let me think about it, because these are the things, you know, it takes stimulation of past events to give you any real memories. It seems to me what would be most useful is if I spent an hour or so, perhaps this evening going over this

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if I have time and noting down the ones I would like to comment on.

HESS: That's a good idea, to get some background.

SPINGARN: Yes. That to the extent if I can add anything, you see to...

HESS: To what's already down.

SPINGARN: ...to what's already down. Here is something that might be of interest. I am very much interested in it today, as the President was then, and is now, I hope. Here's a memorandum for instance. This is tab number forty-five, dated August 16, 1950:

Memorandum for the file on D.C. Home Rule. I told the President this morning at staff [this is by me] that there are over two hundred signatures on the petition to discharge the House District of Columbia Committee from consideration of this bill, two hundred eighteen being needed to discharge the committee. If the remaining signatures are not obtained before Monday, August 21, the bill could not be considered in the House until September 11 when Congress will probably be in recess; otherwise, it could be considered on the next discharge day which is Monday, August 26th [or 28th, it's a little blurred]. The President said go ahead and do whatever we could to get the necessary signatures on the discharge petition. Dave Lloyd and I are working on the matter together with Charlie Maylon.

You see there is a reference to Maylon. I sent copies of this memorandum to Mr. Murphy, Mr. Dawson, Mr. Connelly, General Maylon, Mr. Feeney and Mr. Niles.

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HESS: Both Feeney and Maylon are mentioned there.

SPINGARN: Yes. You see, Maylon was the House man and this was a discharge petition in the House, so he was the theoretical operating man there.

HESS: Any particular problems come to mind on the D.C. Home Rule question?

SPINGARN: Well, the problem always was...

HESS: Anything that might not generally be known?

SPINGARN: Yes. Well, I don't know whether it is known or not. The problem always was as I recall in the House, it passed the Senate over and over again, if my recollection is correct. It passed the Senate five times or something like that, up until recently I mean, but the House always killed it.

Now, the reason I'm particularly interested is that I am now a voting resident of the District of Columbia.

I have lived here ever since I got out of law school in 1934, except for the four war years. Up until '63, I voted the first half of the time from Arizona, where I went to college and law school and started voting, and the next half in New York which was my native heath.

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Then when the constitutional amendment giving the District a presidential vote went through in '62 or '63, I decided I should vote where I lived, so I transferred my voting residence here, and I have been trying to be active in Democratic politics here, not too successfully because I was on the losing slate in a Democratic primary here in 1964 in spite of the fact that I was the only one of a hundred and seventy-eight Democratic candidates in that primary who had President Truman's endorsement.

But, recently I seem to be making a little progress. I had some differences with Joe Rauh, whom I have known for a long time, who was the Democratic chairman of this city for many years, but we made up last fall. But in January 1967 Joe resigned as Democratic chairman and Tilford Dudley, Ted Dudley replaced him. He is a very able and fine chap who is chairman of the speakers operation for the AFL-CIO; a good lawyer and a good Democrat. Ted Dudley and I have been on closer terms than I have been with Joe Rauh, and he has already given me at least one chore to do. I have had lunch with him and I talk more freely and easily and have better access to him than I have had

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in the past.

I am also a member of the Home Rule Committee here, and I have been working with Sturgis Warner who is a lawyer, a Washington representative of a big Cleveland law firm, a very able lawyer who is really "Mr. Home Rule" in the District, except that Sturgis does his work behind the scenes. He knows more about the Home Rule thing than Joe Rauh does, although Joe Rauh's been the public figure, but Sturgis works tirelessly night and day and he's always organizing, writing memoranda, analyzing, seeing people at the White House, on the Hill, but all this behind the scenes. In any event, Sturgis and I have had many talks in the last few months, and we have both agreed that the only thing constructive that is likely to go through in the 90th Congress is the non-voting D.C. delegate legislation.

The Home Rule bill will not go through the 90th. It failed in the 89th Congress, which was a liberal Congress, which should have passed it, and the reason I think it failed was because the local political leaders here, Joe Rauh and company, weren't willing to accept a compromise that would have been a little less

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than they wanted, but would have gotten them the bill. And I believe if they would have accepted and endorsed the Sisk bill in the House, which was not an immediate Home Rule bill at all but a referendum bill under which, if the bill had been passed, there would have been an election here to decide whether we wanted Home Rule. Well, I am sure that would have gone through, and if that were true, a constitutional assembly would have been selected to write the Home Rule charter, and then that Home Rule charter would go up to Congress like a Reorganization Plan to be voted up or down, without amendment.

That could have been all done within the 89th Congress. We could have gotten the vote on the up or down within the 89th, if they had moved fast and accepted the Sisk thing, but they didn't and it locked between the Senate and the House then and nothing happened.

Now, in the 90th the Democrats lost forty-seven seats net in the House of Representatives and they are a substantially more conservative Congress than the 89th, although I don't mean to say it's a reactionary Congress by any means but it's substantially more conservative.

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It is not in the cards, as I see it, that there will be a Home Rule bill in this Congress. But, there is one thing that's been in the Home Rule bill all the time which could be detached and put through separately and which would be enormously valuable, and that is a non-voting delegate in the House of Representatives for the District of Columbia. This man would be like the non-voting delegate the territories of Alaska and Hawaii had until they became states. This man would have every right of a Congressman, a member of the House, except vote. He would have the same salary as a Congressman, thirty thousand a year. In addition he would have the same pay and allowances for his staff that a Congressman from a state of the same size as the District, that is about eight hundred thousand people, that would roughly run another eighty to a hundred thousand for staff hire. And, he would have office space and telephone and all that.

In other words, you would have a paid lobby of somewhere between a hundred and a hundred and thirty thousand dollars, federally paid, to lobby for the District, in the halls of Congress. And this fellow would be inside the club. He would not be like Walter

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Tobriner or Charlie Horsky, going up there with his hat in his hand, he would be inside the club.

If he were an effective guy, he would make alliances up there that would help. For instance the former delegate from Alaska is now Senator Bartlett of Alaska and so it goes. Now, furthermore, at present we have an election in this city every four years, presidential year only. Aside from the vote for the Presidency, there are only phantom elections locally, we vote for people to fill phantom unpaid jobs, the national committeeman and woman, the delegates to conventions, that sort of thing.

Under the delegate thing we would have a real vote every two years, for a real job -- paid thirty thousand a year with real powers. That would mean that you could keep the precinct organizations together, it would run a political ramrod up the spine of the city, with a vote only every four years you can't keep precinct organizations together -- the whole thing dissipates, you see. You'd have a real political organization in this city, on both sides, Democrat and Republican. And, then, here is another thing, this fellow would be kind of an ombudsman for the city.

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Everyone with gripes could go to him and this would make service on the District Committee of the House much less onerous. Most Congressmen hate it, because it does them absolutely no good at home, and on the contrary it is likely to hurt them, it has hurt them if they spend too much time on District affairs. And they get all the gripes from people who want jobs or welfare

or have police problems, or what have you. Under this setup they could shove it over to the D.C. delegate, he would be on the committee, of course, and he would have the staff to handle it, and you could go on and on. There are many features.

Now, the thing that has to be laid on is an agreement that nobody will load Home Rule amendments on this bill because that will kill it. In other words, there would have to be some kind of an agreement that the bill will go through without Home Rule on it.

This is not Home Rule, I want to make that clear. This fellow exercises no sovereign functions in the District of Columbia, he simply is a non-voting representative in the Congress. But it will represent a first move toward Home Rule because this fellow can help organize an alliance in Congress and in the

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country, if he is a good man, that will help us get Home Rule eventually in the 91st Congress, let us say.

President Johnson within the last few weeks sent a message to Congress on the District of Columbia, and one of the things that he recommended in addition to a reorganization plan which hasn't yet been sent up but which presumably will go up soon -- one of the things he recommended was the D.C. delegate -- that's good. At the end of the last Congress Congressman Mathias of Maryland, a Republican, and Congressman Udall of Arizona, a Democrat, a good friend of the District of Columbia and a fine Congressman, he and I both went to the University of Arizona law school, but at different times, sponsored separate bills, one Democrat and one Republican for this D.C. non-voting delegate, and I am very hopeful that it will be possible to put that through.

I am also hopeful -- here is another interesting thing -- the President of the D.C. Home Rule Committee is a lawyer here named David Carliner. Mr. Carliner wants to establish a national committee on Home Rule in the District of Columbia, with people all over the

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country. In other words to establish alliances around the country, because the trouble is now that nobody outside the District gives a hoot, so we need influential people around the country to get on this committee, and he asked me if we could get President Truman as a honorary co-chairman, along with President Eisenhower, and I said I would try.

I told him -- this is within the last two weeks -- I told him to write a letter to President Truman and give it to me, to write a letter stating what it was about and why they needed him, stating that there would be absolutely no work because the President's health is not the best now and we don't want to load him down with any work, but this is just an honorary, a symbolic thing, and remind him of his own major efforts to get Home Rule for the District of Columbia because the President tried over and over again.

I, myself, when I was at the White House, can remember writing messages or letters for him on Home Rule for the District of Columbia. I told Carliner to write that letter to Mr. Truman and

give it to me and two or three days ago I called Charlie Murphy, and the reasons I wanted a letter to President Truman was

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for this reason: Because Charlie Murphy is going out to Independence on April 1st, which is only ten days off or so, and he is going to make a speech out there to the Truman Library Associates, so this will be the ideal time. I will give the letter to Charlie and I've already discussed this with him and he has agreed to take it and see what the situation is and whether Mr. Truman is agreeable to serving. I am hopeful that in this way we can get Mr. Truman to take the symbolic leadership on the Democratic side of a national committee for Home Rule for the District of Columbia.

HESS: Do you remember any particular problems that came up on that subject while you were in the White House -- when you were writing the messages?

SPINGARN: Well, the problem was to get the bill through the House, this was the principal problem. It is epitomized in that memorandum there, I suppose, which deals with the question of getting a discharge petition. The problem has been typically that we have absentee land lordism in the District. Today we have a Congressman from South Carolina named John McMillan who is chairman of the House District of Columbia Committee, and has been for a long time. I've forgotten who was

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the chairman then, it couldn't have been McMillan because that's too far back, but he is rather representative of the people who have been chairman though.

Now, Mr. McMillan is a conservative person with strong conservative Southern views on the race question, and to be honest with you, as I see him, he is not the least bit interested in the welfare of the District of Columbia. He is only interested in turning to his own constituency and saying, "Look how I'm beating these niggers over the head up here. Look how I'm kicking them in the rump," you know. That seems to me the way he handles the legislative business of the District of Columbia. He's interested in making a whipping boy of the District of Columbia for the benefit of his constituency back in South Carolina.

HESS: Has that been pretty typical of people in his position?

SPINGARN: It seems so to me, yes. Now, it isn't that way on the Senate side, fortunately, where you have a sensible and moderate decent chap. Senator Bible of Nevada is chairman of the Senate District Committee, but the problem has typically been in the House. The House District Committee has been the major stumbling block,

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was then and is now, to doing anything constructive for the District of Columbia, legislatively.

HESS: Anything else? I have marked off everything that I put on the list down to the Federal Trade Commission, but we have a few others.

SPINGARN: I have several things that I want to get to.

HESS: A couple of the things that you have mentioned were the secret session of the President's temporary commission which you said would be quite lengthy, perhaps.

SPINGARN: Yes, I guess it would be.

HESS: And, also, you said that you might have something that you would want to put down about Mr. Clifford.

SPINGARN: In sort of a classified area, yes.

HESS: We may want to get to that later. I checked off most of the other things that came up.

SPINGARN: I had some notes for myself and I may want to make more but well, you asked me about distressed areas and I see now a note which indicates I did something on it, but I have no idea what. It is tab ninety in my White House manual, it's a note for John Houston dated October 23, 1950 -- two days later I left the White House to go to the Trade Commission. "Subject: File on distressed areas program. Since I am leaving I am sending this file for your use or destruction,"

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I write John Houston who was working on the distressed areas program. What was in my file I have no idea. This is a typical disposition. Here is a memorandum of October 18, 1950 to Dave Bell. "Subject: SJS file on CVA," that's the Columbia Valley Authority, this was the bill that we had worked on in early '49 but which never got anywhere.

HESS: When you first came to the White House.

SPINGARN: Yes. "Dave. Here is my CVA file from almost two years ago. If you can call such a horrible conglomeration of papers a file. I am sending it to you for your disposition including destruction if you care to pass the penalty of death on this poor innocent file. There may, however, be a few papers and memorandum in here which you may wish to save."

HESS: Regarding that 1949 unemployment and back to Bernstein's paper that he read last December, I would like to read a paragraph and see what you have to say.

SPINGARN: All right.

HESS: This is on page twenty-five and twenty-six of Bernstein's paper:

What most liberals did not realize was that these welfare measures did not effectively

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assist the neglected millions suffering in poverty. Ironically, while the liberals chafed at Truman's limitations and believed that another President might lead Congress and rally the nation to a crusade, they frequently failed to recognize the shallowness of the Fair Deal proposal. Like the President and his advisers, most were unaware of the extent of poverty in America, or of the economic plight of many Negroes; they did not urge special programs to assist the Negroes left unemployed (at roughly double the white rate), in the mild recession of 1949-50.

Do you think you were unaware of the plight of the Negro?

SPINGARN: I certainly do not. I mean I have been steeped in this all my life. I was certainly not unaware of it. It seems to me that Professor Bernstein although he piously states that a man should be judged in the context of his own times and not in the context of a generation or half a generation later continually does just that. Today we have had, and we have only had it for three or four years, a poverty program, or anti-poverty program, and we have been especially gearing it at the poor Negro, I mean, many of its aspects are especially designed to assist him, but in those days this concept had never been evolved. I suppose that in the most enlightened circles that it was, but I mean as an actual function of Government it simply

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wasn't -- I never heard it seriously discussed by any responsible person during my time in Government.

And I don't remember that Negro leaders like Roy Wilkins were seriously saying that you ought to put five billion dollars a year into some kind of special program aimed primarily to help the poor Negro. The general concept was at that time that we should have programs to help the lower end of the stick people, and we tried to help them with programs, with minimum wages, and public housing, and social security, and unemployment insurance, and public works in times of depression, and things like that, these were the' concepts of that time. You can look back on them and say they weren't enough, that's true, but judging them by they were far ahead of the program for the previous generation.

HESS: Well, I want to ask you a question on your opinion of that some of the other people may have been thinking. He says, "Like the President and his advisers most were unaware of the extent of poverty in America."

SPINGARN: I'm not going to think for anyone else; let them think for themselves, and talk for themselves.

HESS: Fine. That ends that.

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Fifth Oral History Interview with Stephen J. Spingarn, Washington, D.C., March 22, 1967. By Jerry N. Hess, Harry S. Truman Library.

HESS: We are ready for our afternoon session, sir. What would you like to start on?

SPINGARN: Well, you asked about ECA, foreign aid. There was one interesting episode that I remember. It probably came during May 1950 while Mr. Truman was out on a whistle stop trip and I was backstopping at the White House. I had been at the White House since the beginning of '49, but I had only been Administrative Assistant to the President since February 1950 and I was feeling my way cautiously, as one does at the White House. No one really gives you instructions as to what the limits of your perimeter of authority are and things like that.

HESS: You have to sort of feel out and see what they are.

SPINGARN: Right -- you have to kind of feel them out and see what they are -- test for strength. As I pointed out, nobody invited you to attend the morning staff meeting but it was very important to attend. But, during this whistle stop trip I was backstopping, and I was talking to top people in Government, both at the Cabinet level and congressional leaders, because I was sort of liaison

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between them and the train. I remember there was some kind of a hassle over the foreign aid appropriation -- it was being cut by the House committee and I had some calls from Congress and I'm not sure now who it was who called me, I think it's in my White House manual somewhere, but I remember I had talks, I think with Paul Hoffman who was then the foreign aid administrator and with William Foster, who was his deputy, and with Speaker McCormack, he was then the majority leader, and others. A principal problem in the picture was Congressman Clarence Cannon from Missouri, from President Truman's own state who was chairman of the House Appropriations Committee, who had long been a supporter of foreign aid but had suddenly turned sour on it, and was trying to greatly reduce the appropriations, that as I recall was the big problem -- Chairman Cannon of the House Appropriations Committee.

I ran across at that time a personal letter that President Truman wrote Clarence Cannon, I don't know whether it was then I saw it or a little later but it was about that time, and it was an absolutely delightful letter, I have it somewhere, I'm not sure where, but

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it was a very tart and "no punches pulled" letter, from one old friend from Missouri to another, and the general idea was that he couldn't understand how his old and valued friend from Missouri who had so long been a supporter was now turning tail and running and was crippling the very appropriations that he used to support. I've forgotten the exact terminology, but I only remember the main thrust of the letter which was a "no punches pulled" letter from Truman to Cannon.

HESS: The President was disappointed in him.

SPINGARN: The President was very much disappointed in Mr. Cannon, that's right, and he was telling him in no uncertain terms about his disappointment.

HESS: During the years that you spent in the White House did you ever hear any discussion of where the idea for the Marshall plan originated? Was that discussed?

SPINGARN: Well, I have heard it discussed, I don't know whether it was at the White House, it probably was. My recollection is that it really originated with Dean Acheson and that he first introduced the idea at a speech he made in Mississippi, of all places.

HESS: Cleveland, Mississippi.

SPINGARN: Cleveland, Mississippi, that's the name. And

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the speech attracted no particular attention. It wasn't until George Marshall, who was then Secretary of State, made a speech at Harvard, I believe, in which he threw out this idea, and then suddenly it was picked up and became front page news, that's my recollection of it.

And, also, there is an interesting story but I don't have it really in focus about the point 4 program and where that came from. George Elsey knows that story because he is the fellow who told it to me as I recall, but it was some relatively junior official in State, whose name I cannot recall at the moment, who brought forth that idea and got it into the President's State of the Union, I think it was, in 1950 -- '49 or '50, I've forgotten which, probably '49 come to think of it - and it was point 4, the fourth point in...

HESS: The inaugural address.

SPINGARN: ...was it the inaugural address? In an address that Mr. Truman made and that's how it came to be given the shorthand name of the point 4 program, but the idea I believe originated with a relatively minor official of the State Department. Anyway, George Elsey would know more about that than I do.

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I remember I had one idea -- I was full of ideas, whether they were good or bad is another story. I had one idea somewhere along those lines that I put in memorandum form and circulated to State and elsewhere, and that was the problem of what to do with the people who were fleeing communism. There were a lot of people coming out from the Iron Curtain countries, especially from East Berlin, through East Berlin of course, but also elsewhere, and the difficulty was that there was no good arrangement for handling them. I mean if they were high level people or important officials, of course, they got red carpet treatment because they were valuable, but the rank and file were likely to be put in what amounted to refugee camps and there they would rot for interminable periods while an effort was made to find a country that would take them, or set them up somewhere.

This did not seem to be a very sensible way to deal with people who were willing to come to our side from the other side, and I put forward a proposal that probably didn't make much sense, or at least it made a lot of sense in theory but in practice it would be hard to put across, and the idea was that somewhere or other we should establish a state for refugees from

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communism, perhaps in Africa, perhaps in Alaska, perhaps in South America, just who was going to donate the territory was, of course, the itchy question, and the point was that we would establish and subsidize and support a state and make it self-governing as soon as it was possible, and provide the underpinnings, the infrastructure, that would make it a place where people could work and do things and make a living, and instead of having these people rot in refugee camps, this was the place where they would be put. But nothing ever came of it.

HESS: Did you ever bring that tentative plan to the attention of the President?

SPINGARN: I don't recall that I did. I circulated it at lower levels. You have to arouse some enthusiasm at lower levels ordinarily on a thing that significant before you can expect the President to do anything about it.

HESS: Before you move it up.

Well, we have several things that we haven't covered yet. What you want to put down about the secret session of the President's temporary commission.

SPINGARN: Well, I'll come to that later, I think.

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HESS: What would you like to discuss now?

SPINGARN: I think I would like to talk about the Democratic National Committee.

I have been scrutinizing the Democratic National Committee at more or less close range for about twenty years, and I have already recounted what I did in '48 when I was on detail from the Treasury in the White House during the campaign and...

HESS: We've got down a few things about '52.

SPINGARN: ...and in '52, I was Federal Trade Commissioner then and while I wasn't actually "Hatched;" traditionally the Federal Trade Commissioners were not active in the sense that they made speeches, and I didn't. But, I was quite active in writing memoranda and providing speech ideas particularly in trying to develop a program to counteract McCarthy and McCarthyism.

And by the way, as a digression to that, let me say this: After the defeat of '52 I continued my efforts, and Charlie Murphy and Averell Harriman became interested in the idea of setting up an organization, a unit in the Democratic National Committee as I recall, for the specific purpose of countering McCarthyism. McCarthy, of course, had called the Democratic Party a party

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of treason, twenty years of treason, and all that, and we knew that he was going to continue his activities, in fact, we expected that he might be even more effective because the 83rd Congress,

which had just been elected in '52, was Republican. That meant that McCarthy was going to be a committee chairman, and he would have all the powers that a committee chairman had and the staff to underpin him, so he was in a position to do more harm really than he had before. So, at the suggestion, I think, of Charlie Murphy, I prepared a memorandum -- this would have been probably in '53 and maybe even late '53 after I left the commission, I'm not sure when -- I prepared a memorandum suggesting a program and how it would operate, the budget and so forth, for the Democratic National Committee, and I recall that the idea was that I should head it, and there were even financial arrangements tentatively made -- I think Averell Harriman was going to take care of that phase of it as I vaguely recall -- but somehow or other the thing never got off the ground, I do not remember why now, except perhaps Steve Mitchell who was the national committee chairman at that time didn't want it. I do not recall why it didn't, but that was

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discussed between us, Murphy and me and with Averell Harriman, and there was a lot of talking about it and I did write a memorandum or two on it, but it didn't happen.

HESS: Also, in connection with the 1952 campaign in your papers at the Library I found a memo from you to Governor Stevenson dated October 14, 1952 suggesting a major campaign speech advocating a comprehensive anti-monopoly and pro small business program, so I trust that you were still interested in small business in the 1952 period.

SPINGARN: I was. I was, but that speech unfortunately, I think it should have been made, but it wasn't made. I had a certain amount of correspondence with Governor Stevenson during and after the campaign, and made certain proposals to him and he replied indicating a favorable opinion, but I don't think it ever went any further than that.

One of them was, as you say, this anti-monopoly and small business program; another was the role of the Democratic Party as the party of opposition after the defeat; another was how to deal with McCarthyism, and perhaps there were others that I don't think of at the moment.

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I covered 1956 in talking about KOED to a large extent. I told how the KOED idea evolved from the speechwriting project that I did while I was Director of Special Activities for the vice-presidential campaign. I took over an empty apartment right across the street here at the Anchorage -- they have several buildings and that is the building I live in -- and got a few bright young ladies including Anne Branscomb, whom I had lunch with today and who is now the Democratic Vice Chairman of Colorado although she is a carpetbagger from Georgia who has only been there five years, and she is a practicing lawyer, too, as well as a wife and mother, and a very delightful lady; we ground out those speeches, mostly by long distance telephone calls by me to people I knew around the country, ex-Democratic bureaucrats and academicians. Every day we would knock out five or six speeches, I mean we would have them, they would come in by air mail special delivery, I'd edit them, and take them down every day to the Stevenson headquarters, and I would turn them over to either Arthur Schlesinger, Jr., while he was there, and then to whoever replaced him, I've forgotten now, he went away after awhile and

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someone else replaced him.

HESS: Were those speeches to be given by Senator Kefauver?

SPINGARN: I also went to the Kefauver headquarters which is in the same area, they are only a block or two apart, and I gave a copy to Bill Haddad, who was the sparkplug, a young fellow, he was only twenty-eight years old. He has since become a star journalist who's won many awards. He ran for Congress up in New York, I think it was in '64, and got licked. He married a granddaughter of Franklin Roosevelt, and he is quite a guy; enormous ability. There were a lot of people at that headquarters but if you wanted anything done Haddad was the fellow who did it. He was doing everything. He had a hundred balls in the air; in fact he had a hundred and two counting his own, and the idea was this, they would send it by pouch, they had couriers, I believe, who took it out to the candidate wherever he was.

Now, I also sent a copy air mail to President Truman, I think it was through Charlie who was with him or whoever was with him, I've forgotten now -- now the idea was this: The candidates were moving around the country, I mean by the candidates Stevenson and Kefauver,

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and President Truman was the third major Democratic figure, those three were our major spokesmen. They were moving around the country making whistle stops and occasional major speeches all over the country. Except for the major speeches we'd only get local publicity so it didn't make a particle of difference if they all used the same speech -- except for major occasions -- it didn't make a particle of difference, because it wasn't going to get anything more than local attention in a campaign where they're talking that much, if you follow me.

HESS: Yes.

SPINGARN: So, and this is clear -- I told the Kefauver people that I was going to give Stevenson and Truman copies of the same speeches and if they made a major speech -- in the first place I assumed that they were reading the newspapers on each others major speeches so that they would know what was being said, roughly anyway, and to the extent that these were only minor occasions it didn't make any difference because there wouldn't be that much publicity for it. Sometimes they were overlooked entirely, you know, they were making so many. Let me say this: Nobody sitting hundreds of

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miles away from a candidate who is moving around can write the exact speech that candidate is going to give. His own team on the spot will always revise, revamp, edit or just pick out snatches from your draft and use it as they see fit. In other words you are feeding grist into the mill and that's the way the stuff I prepared was used. I had letters from both Stevenson and Arthur Schlesinger, Jr., after the election of '56, saying that my stuff had been helpful. I know that some of it was used.

I remember for example one speech I wrote -- I wrote this personally -- how the Republicans deal with small business. The Republicans had made a movie on small business, on a small

businessman, this is '56. They went down in Southeast Washington here, I believe it was, and they found a small grocery store owner, and they took a movie in which he is recorded as saying how he had gotten a loan from the Eisenhower Small Business Administration, and how it had set him up, and how wonderful it was and all that and so forth. They had made a movie of this and they made several hundred prints of that, and shipped it all over the country. Well, somewhere I ran across the name of the man,

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the small businessman, in some press story about the movie, who had been the star of this little film which the Republicans were sending hundreds of prints around to tell about the glories of what they had done for small business.

I called up Drexel Sprecher, a friend of mine, who was then executive director of the Small Business Division of the Democratic National Committee, and I took him down to the Southeast store and we interviewed the little businessman, and what he had to say when he was talking himself was a lot different than what he had to say when he was talking for that film when the words of the Republicans were put in his mouth.

I think they paid him twenty-five dollars for the use of his store or something like that, and what he had to say was that things were very bad in his business, that stores were closing up all around him, that he had never seen small business in such bad straits as it was right then after four years of Republican Government, and they were murdering them. He had never gotten a nickel from the Small Business Administration.

HESS: He needed the twenty-five dollars.

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SPINGARN: He needed the twenty-five dollars, that was about the idea. I wrote all this into a speech for Stevenson and/or for Kefauver whoever wanted to make it, it was a kind of ribbing speech. Here was their filmed picture of this guy and here is what he really told me when we interviewed him. It was a delightful little item, and Arthur Schlesinger wrote me later that it was used in some minor speech, I think it was in New Jersey somewhere, by Stevenson.

There was another thing, Arthur Schlesinger asked me -- this is before I started my speechwriting project -- he asked me to write a speech on small business, I mean a major speech for Stevenson to give on anti-monopoly and small business, and I wrote such a speech. He asked me to make it, oh say, twenty-five hundred words, or something like that, and I gave him a speech of about five thousand words the first draft. I am always too prolix, but I put a cover memorandum on saying that, I thought he ought to look over the first draft because he might like things that I would have deleted if I were cutting it to twenty-five hundred, and put on the cover memorandum specific deletions that I would make if I were cutting it to whatever the

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limit was, I said, "Delete this paragraph, and strike that line," and, you know, so forth and so on. So, he could turn it over to a secretary and she could have reduced it, if he followed my idea, but he might have liked stuff that I would have deleted, you see. Well, first of all that speech was to

be given in one place, and then it was to be given in another, and each time I rewrote the speech to give it local connection, see. I think once it was scheduled for Detroit, and another time for Boston, but to make a long story short, Arthur Schlesinger said it was a fine speech, but it was never delivered.

But, of course, you have to remember that although the candidate makes an enormous number of speeches, he only makes a relatively few number of major speeches. He can't make too many, and actually it is a mistake to pound too many issues. It is better to pick out the two or three most important issues and pound those very hard, rather than talk about ten different issues, in different speeches.

I am talking about major speeches. It's all right to cover as many fields as you want in the whistle stops, there you would talk about the problem

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that concerns the people in that area most, as you find out through your political intelligence.

But when you are dealing with major speeches you are talking to the whole country because all the major newspapers, the big metropolitan newspapers, pick it up and the candidate will get a play all over the country, so that you have to be careful about not dispersing your fire too widely so that you are not really having any impact, you are just confusing people with too many ideas.

There aren't too many different occasions on which major speeches are made, and the candidate, therefore, has to be very selective about what he talks about and, of course, there are a lot more speeches available for these occasions because everybody wants the candidate to make a speech on their pet subject, that is natural, and get their ideas on that subject into the speech.

Well, I made that small business speech. In 1957 when I went out West to put a resolution through the full Democratic National Committee which was meeting in San Francisco -- that was the resolution on KOED which I have told about previously when I discussed KOED -- I

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stopped off in my old bailiwick, Arizona, for some days and I made several speeches there in Phoenix and Tucson, and I made a speech to a large group in Tucson, of active Democrats. I summarized the small business speech that I had written for Adlai Stevenson but which he hadn't delivered but which might, I said laughingly, have won the election for him if he had only delivered it.

HESS: The key to victory.

SPINGARN: The key to victory, ah oui. I'm afraid I was slightly exaggerating. The only thing that would have won for him was if he could have looked more like Eisenhower than Eisenhower did.

Anyway, I also remember in that '56 campaign, in the last stages of the campaign the invasion of Egypt took place, first by the Israeli and then by the British and French, and also in that same

period the Hungarian uprising took place, all this in the last week or two of the campaign. Boy that was crowded

Now, the funny thing was, you look at this rationally today and even then, these seemed to indicate the great failure of the Eisenhower-Dulles foreign policy. Eisenhower had come in in '52 and one of his pet

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campaign credos and slogans was, not containment, that is the old outworn Democratic doctrine of how to deal with communism -- liberation, we are going to espouse the doctrine of liberation and not merely containment. Well, this is as phony as a seven dollar bill, of course, and the Hungarian thing showed that because the Hungarians actually believed that liberation stuff and then when they rose up they naturally turned to the United States when the Russians moved in their tanks and troops and they said, "Help us," what did we do, or what could we have done, that was it.

We couldn't do anything without starting World War III because we had no contiguous border, I mean there wasn't any possibility of doing anything, and that should have been obvious, unless you wanted to run the almost certain risk of starting a direct confrontation with the Soviet Union and a third world war.

Fortunately they weren't willing to go that far to support their phony slogan. And then as far as the Suez thing was concerned it looked to me fantastic -- the President, that is General Eisenhower and Secretary Dulles said they had no intimation that the British and French were going to pull this fast one in the Middle

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East. Yet obviously it is perfectly apparent we know now from subsequent reports that it had been cooked up for some time and that Israel had been in consultation with the British and French and that it was all agreed on about what was going to happen.

Then after that, of course, the United Nations convened and we and the Russians lined up together to order the British and French out of there, and they did pull out, and this looked, at least this looked a little as if the old western alliance were collapsing because we were lining up with the enemy against our allies who trusted us so little they didn't confide in us what they were going to do in this highly sensitive area.

Well, I wrote a lot of stuff on that and I also remember I located a story about Secretary of State Dulles visiting with Nasser two or three years earlier, sometime between '52 and '56, I don't know exactly when, and there was a picture of him giving some kind of fancy, maybe pearl-handled, but anyway fancy revolver to Nasser. Now, this made a delightful picture, you see, Dulles giving Nasser a gun, and I remember preparing a speech, I think it was for Estes Kefauver

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who was up in Boston then and I thought this would make an excellent speech for him to make in Cambridge, pointing out the phoniness of Republican foreign policy, and how its shallowness

and ineptness had been demonstrated by the developments of late October 1956, the uprisings in Hungary which we couldn't help, and the unknown-to-us invasion of Egypt. You know, politics is a funny thing because far from hurting Eisenhower that helped him; it should have hurt him but it didn't.

HESS: Why do you think it helped him?

SPINGARN: It helped him because the American people said this is a very grave situation, we may be on the brink of war and by gosh we've got a great general in the White House let's keep him there. That's my opinion as to why it helped him. So, it should have shown that his policy was inept and fumbling, but on the contrary it helped him in the election. And by the way, I exchanged a number of letters with Mr. Truman during the '56 campaign. I think, but I am not sure, I have them over here somewhere in these voluminous manila envelopes, and I think that they are in the Truman Library somewhere, I'm not absolutely certain. I wrote

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him about my opinions and he commented in return about the Middle East business and various other things, and he told me that he would discuss his views with me about the election after it was over, and he ruminated about the election and what was happening. They are interesting letters. I particularly remember the letter in '56 (November 20th), after the election. I had sent him a copy of my KOED program and he wrote me back saying it looked good to him and, that, "If you and Charlie and Dave stick together, you should be able to work out something that will make us win in both years," 1958 and 1960. Dave being Dave Lloyd and Charlie being Charlie Murphy, of course. We did win in 1960 but I have to admit I didn't have much to do with it. Now, that's 1956.

HESS: Was one of those letters you received in 1956 about Mr. Truman's views on civil rights?

SPINGARN: That is right. Now, I will give you briefly the background of that and I will later, perhaps tomorrow, trot out my letter to him which is long and his to me.

HESS: I didn't know whether you wanted to bring that up now.

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SPINGARN: ...well, I'll just mention it since I'm covering that area until we get to the actual letter, but what happened is this: In the beginning of the campaign I intended to make speeches, that is the '56 campaign. I was actually on the roster of the Democratic National Committee's speaker's bureau and I did make two or three speeches. I made one to a labor group over in Baltimore, a union, and I was on a team, a man-woman team who addressed -- well, this is amusing -- who addressed the national convention of the General Federations of Women's Clubs that was meeting here in Washington.

This is an enormous organization of upper middle class ladies, heavily Republican, from all over the country, and they wanted -- it being the middle of the campaign -- they wanted the Republican and Democratic parties to provide them with a debate and we did.

Senator Sparkman was due to be the Democratic orator but he had to withdraw for some reason or other and I was asked to replace him and I did. My lady colleague was Gladys Tillet, of North Carolina, who was the Democratic national committeewoman from North Carolina and who is now, I believe, to this day,

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U.S. representative with one of the UN commissions, whether it is the commission on women's rights or what, I've forgotten now, but I think she had the rank of ambassador, anyway she is the U.S. representative on one of these -- a very nice lady.

The Republican speakers were Fred Scribner, who was the Under Secretary of the Treasury, he may then have been general counsel -- he was first general counsel and then Under Secretary of the Treasury -- and who was also the Republican committeeman from Maine, and Bertha Adkins. She is now the president of a college somewhere I believe, a woman's college, and she was vice chairman of the Republican National Committee. She had the job that Margaret Price now has, and India Edwards had at the DNC in the past -- that job, and Katie Louchheim too. She was the head woman at the Republican National Committee, and I think for a while she was Under Secretary of HEW later.

In any event that was the team. First the Republicans talked and then we talked as I recall -- maybe we alternated, that was probably it. Well, the Republicans got up and they talked an awful lot about Korea and blood and gore and our boys dying over there and the Democrats are responsible for it, and all the wars are under Democrats, and so forth and so on. This was

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the middle of the Korean war -- no this was after the Korean war but that is what they were talking about just the same.

HESS: In '56.

SPINGARN: In '56 they were talking about blood and gore and our boys had been dying, how all the wars were under Democrats and look what happened in Korea and so forth and so on, and we Republicans don't give you wars but those Democrats do they were waving the bloody shirt good and hard.

Well, when my turn got up, among other subjects, I touched on President Eisenhower's health. Now the President had had a massive heart attack in September, I think it was '55, and then when he recovered from that in June '56, he had an ileitis operation, and it seemed, at least to all Democrats, that the question of his health was very pertinent, especially when a fellow named Richard Nixon was the Vice President, and I talked about that among other things. I mean I talked about issues, too, but I mentioned that. And I said that we all hoped that the President would have a long and full life, but we couldn't slough the fact that he had had very serious illnesses and physical failings

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within the past year, and that what particularly disturbed us was that a heart beat away from him stood a man named Richard Nixon, and him we deeply mistrusted.

Well, as I went in to this thing a long and angry "boo" began to run through the audience, "boo, boo," and they booed me to the rafters. You know it is rather an unsettling thing for a man to be booed by a female audience, I'll tell you. It's bad enough to be booed by an audience but to be booed by a female audience is particularly bad. I have to admit I was momentarily a little unnerved, but I rallied, I pulled myself together and I waited for the boos to subside and I said, "I know this doesn't sit very well with you, but I want you to remember this: I sat there patiently and I listened to the Republican orators talk about blood and gore in Korea, and the responsibilities of my party for all that and I'm telling you I didn't like that a bit but I didn't boo, I listened quietly and I hope you ladies will be good sports and bear with me patiently, even if you don't agree with me until I get through." So, that at least stopped the booing, but there was a funny incident at the end. When I got finished a bunch of ladies rushed up to me and they

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said, "Oh, that was great, you really gave it to them." And one of them said, "I still wish that you had touched on his religious hypocrisy." I quickly discovered these were all Southern ladies, they were the only Democrats in the General Federation of Womens Club and I think they were the only ones who were for me in that group.

HESS: Maybe they were the only ones that weren't booing.

SPINGARN: They were the only ones who weren't booing, obviously. Well, so much for '56. I'm trying to think if there is anything else I can think of on '56, but I think that covered it fairly adequately.

Well, now in '60 John Kennedy, of course, was running, and I want to say this that although I had strongly supported Adlai Stevenson in '52 and '56 I was no longer for Adlai Stevenson. I wasn't sure who I was for by this time, I mean in the convention of '60, I only knew I didn't want Adlai Stevenson to be nominated because this man had had two chances, he had lost each time and I was certain he could not win and moreover I was beginning to feel that although he was a wonderful man, a great man, that there was a certain indecisiveness and Hamlet-like quality in his makeup that would not make him the best of all Presidents,

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that he was not decisive enough.

In any event, the real thing that influenced me was that no man has the right to more than two strikes at the Presidency. From one standpoint I would have liked to see Stu Symington get it because I knew Stu Symington and it's nice to know the President, but from another standpoint I felt that, well, Stu Symington is in many ways an admirable and fine fellow, I wasn't sure that he was presidential caliber either in some ways. He's a good Senator, but I don't know whether he would make a good President. I wasn't really sure one way or the other about John Kennedy. I mean John Kennedy actually had not had a very impressive record in the Senate, not very impressive, so I was really in doubt as to who I wanted to see get the nomination.

I would have loved to see Hubert Humphrey get the nomination because I knew him and admired him, but he was already eliminated by the time the convention came along. You remember he was eliminated in the primaries, for all practical purposes.

But in any event, I was strongly for Kennedy after he was nominated -- I can't say that I was for

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him before that but I wasn't against him either. I wasn't for anyone really before he was nominated.

Well, then I wanted to get into the campaign as I have always wanted to get into campaigns but I found it impossible. The Kennedy team was simply not interested in giving anyone who wasn't already a member of their team an opportunity to pile up political credits, at least I think that is the assumption. If a man works hard for you and does important chores in the campaign you've got to do something for him politically -- you don't have to but that's the way life goes, the way politics goes -- so they wanted to handpick people who were going to be their lieutenants, their key lieutenants, in all this.

I was willing to do anything, I mean I wasn't so proud that I wouldn't have done bench boy work if they wanted me to do it, I was willing to do anything. I mean I would have made speeches or I would have written them or I would have done organizational work, or I would have done anything they wanted me to. I called and wrote the committee repeatedly. Senator Henry Jackson, whom I really didn't know at all -- just a handshake, I didn't have any real acquaintance with

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him -- was chairman during that campaign.

It is almost impossible to reach a chairman in a campaign he is so busy, except in '56, to go back, Paul Butler, who was the chairman, was entirely bypassed by the Stevenson organization. He really didn't have a dog gone thing to do. I used to go down to the Democratic National Committee and sit and just chat with him, powwow with him for long periods of time while he complained about how he didn't have anything to do in the middle of the campaign, the chairman of the Democratic National Committee was doing nothing practically.

Anyway, in '60 I finally hit on this stratagem but it didn't work. I wrote out a check for two hundred dollars and I sent it to the chairman, Jackson, with a letter saying here is my check, and by the way I would like very much to work in the campaign and here is my record and I will do anything you want me to do. I have worked in a lot of other campaigns, and I can make speeches or I can write them or anything else, or words to that effect. I would get an acknowledgement from the Treasurer of my two hundred dollar check and no other communication. I did that three times in a

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row -- two hundred dollar checks each time, which to me is a lot of money, being of modest means. But I never did get into the campaign to make a long story short, despite my donating that money, and more as far as that goes. I didn't begrudge the money, but I didn't see why I couldn't get into the campaign.

Well, in '64 I wanted to get into the campaign, too, and I had some difficulties, too. I talked to any number of people. I wrote any number of letters to any number of people. I wrote Chairman John Bailey, and I wrote Jim Rowe, and I wrote people at the White House, my goodness, I wrote all over offering my services for the campaign. I was offered a job but when I went down to look at the job I realized that I was just going to be a sort of glorified file clerk, and I knew I wouldn't be very good at that and I didn't see why other people couldn't do it better and I decided not to do that. It wasn't that I cared about the work being menial, I just didn't think I would be good at it -- I wouldn't like it, and I needed something with more eoJones in it.

Well, finally late in the campaign, Ed Foley called me up. Ed Foley was -- well, I had known him

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since about 1935 both socially and professionally, he was one of the most successful and effective of the young New Deal. lawyers. He became general counsel of PWA under Harold Ickes at the age of twenty-eight, I think, and he came over to the Treasury where I already was in 1937 or 1938 as assistant general counsel when the PWA broke up, and then a year or so later Herman Oliphant, our general counsel and a brilliant lawyer, a law professor, died and Ed who was only thirty-four, I think, by then was made general counsel by Henry Morgenthau, the Secretary of the Treasury. I served under him as general counsel and I worked closely with him - after the war he was assistant secretary and I was assistant general counsel of the Treasury, and then he became Under Secretary, and I worked closely with him on many things.

For example, on the President's Temporary Commission on Employee Loyalty in '46 and '47, Ed was the Treasury representative on that commission and I was his alternate, and attended all the meetings except one, and was on the working committee that met daily and actually did the spade work.

Anyway, Ed called me up -- and Ed has called me

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up on several occasions, a couple of times in the late '50s for instance, he phoned me and asked me to help him, I guess you might call it a boiler room operation on a hundred dollar dinner, and I went down to his law office, and phoned a million people. I remember one day I spent the better part of an afternoon with Claiborne Pell, who was not then a Senator, and I sat in the same room in Ed Foley's office and made telephone calls to people who had been invited, you see, to encourage them to come, to find out if they were coming, you know, the usual procedure, that sort of thing.

Any way, in '64 Ed called me up. In the '50s he had his own law office with Tom Lynch who had also been Treasury general counsel and my boss and a fine lawyer and a good man, but sometime

in the early '60s Foley and Lynch merged with Tom Corcoran and Jim Rowe's law firm, and now they are partners in that firm. Of course, Tommy Corcoran is the famous Roosevelt brain truster, and Jim Rowe is Lyndon Johnson's -- he was also Roosevelt's brain truster, but he was administrative assistant to Roosevelt and he was the

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deputy, it wasn't called that then -- but he was the Deputy Attorney General, and he also has been a behind-the-scenes political adviser of Lyndon Johnson for many years, since probably around 1950, maybe earlier for all I know, and I have every reason to believe that he is the one or two men outside of Government who is closest to Lyndon Johnson, in terms of political advisers -- a very able chap.

Anyway, Ed Foley called me up and said the White House had called Corcoran and Rowe and him and asked them to recruit some men to go out on the road for the Democratic National Committee in the closing stages of the campaign to work on getting out the vote, would I go? I said, "Sure."

It was an operation under Matt Reese's wing. Matt Reese was a West Virginian whom John Kennedy had brought to the national committee. He worked in the Kennedy campaign in 1960 and President Kennedy had brought him into the committee in charge of the registration division of the Democratic National Committee, that is the division whose job was to get a maximum Democratic registration in the first instance, and then turn out a maximum vote on election day.

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Reese is enormous -- I mean, I'm no mean size myself, but believe it or not he makes me look like Tiny Tim, and he is a tremendous operator, a very capable and effective guy and he had some awfully good men working for him, I wish I could remember the name of that young assistant of his, Mike something or other, he was first class.

Well, the long and the short of it was that they were fanning men out around the country and our job was to contact county chairmen, Democratic chairmen, labor leaders and other local chieftains of the Democratic Party. Reese had personally written a pamphlet which described blow-by-blow a modus operandi, I mean the details of it, not generalities, of how to get the maximum vote out. I mean how to organize car pools, the telephone system, all that, block captains, the details of it, and with the paper work shown, even forms and all that. They even had it laid out how they were to communicate each day to Reese at the national committee, that is the people they had signed up to do this, and then facsimile signature letters from the President were to go out immediately to these people to stimulate them.

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It was all laid on -- how to get out the vote. It was pretty good, too. When I went into it out in the field I found some minor practical bugs in it but the main thrust of it was excellent. So, we were to take this document in quantity out there and give it to these people and urge them to use it or at least to adopt it with whatever changes they thought necessary to their local situation. And I did that and I have it somewhere -- I know I set it aside before lunch, I wrote reports each yes here it is -- I wrote reports each day or two to Matt Reese from the field, and here for instance:

"Memo to Matt Reese, Democratic National Committee from Steve Spingarn in Pennsylvania. Subject: Second and final report on five Eastern Pennsylvania counties covered by me, October 21 to October 25." I go over them county by county, I give the background figures on the political history of each county, I tell about the people I have talked to, I give my ideas of how the situation seems to shape up, and I make a forecast of what I think is going to happen in that county on election day. And by the way, you might be interested, at the end of the memo I

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include what I called my "Fearless Forecast." Here it is

Assuming about the same relative turnout of registrants as in 1960, about six hundred and five thousand persons will vote in these five counties. I predict we will have a margin for LBJ over BMG [that's Barry Goldwater] of at least ten percent or sixty thousand votes, but I think the margin will be closer to a hundred thousand and may go higher. Among the congressional candidates [George Milton] Rhodes and [Fred B.] Rooney would win handily [they were Democrats]. Hagerty has a good chance of upsetting the GOP incumbent McDade, Samuel will probably lose to the GOP incumbent [Willard S.] Curtin. Mrs. Blatt [she was the Democratic candidate for Senator from Pennsylvania against [Hugh] Scott] should win these counties, but recently she has been hurt by an 'Italian backlash' that she is anti-Italian. This arises out of opposition interpretations of statements by her and Senator Clark about her primary opponent Judge Musmanno during the primaries. This situation should be dealt with by TV appearances in Wilkes-Barre and Scranton, which adjoin; by Senator Pastore of Rhode Island and/or Secretary Celebrezze [who was then HEW Secretary] (there are three TV stations: there), and in person. I am told the same situation prevailed in Philadelphia and Pittsburgh where there is a large Italian-American population [and I pointed out, for instance, in Luzerne County, that's Wilkes-Barre, one straw in the wind].

Well, this will give you the idea:

I talked to Wilkes-Barre Mayor Frank Slattery, County Chairman Dr. John Dorris and at his request the State Senator Martin Murray whose regular office is in the Democratic County Committee office, Paul Strongin the ILGW-COPE man, [that's labor] running the volunteers in the county and

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others. Slattery and the Dorris-Murray team seemed to be spending more time fighting each other than running a campaign. However, Slattery is doing quite a bit of work in Wilkes-Barre, only about fifteen to twenty percent of the county's population, and Murray is holding a lot of rallies around the county, but Strongin [the labor man] is putting on a better get-out-the-vote campaign than either. This is the only county of the five I have visited that has a Republican majority registration but it still looks as if it will go for LBJ by a substantial margin. One straw in the wind -- King's College a Catholic school is here. It has about twelve hundred students, heavily local. A mock election there this week gave LBJ six

hundred and three votes to a hundred and eighty-nine for Goldwater. I confirmed this with Dean LeBlanc of the college [and so on]

Then, after I got back I suggested to Matt Reese that John Bailey, the national chairman, send a telegram to each of the local Democratic leaders that I named with the following text:

Steve Spingarn has told me he talked with you the other day. We are counting on you in this all-important last week to put on a hard-punching effort to get out our votes with plenty of house calls, plenty of phone calls, house-to-house visits and drive them to the polls on November 3 activity. Good luck.

And then I sent a memorandum to the President via George Reedy, and this is interesting. It works in with my KOED operation. In Easton, Pennsylvania there is Lafayette College, and I always call up colleges when I go

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there and find out who the activist Democrats are on the faculty, because they can give you a lot of good information on the local situation that you won't get from the leaders -- the organizational people. The usual story. I am from the national committee, I am asking the leader questions, he is going to tell me what a great situation it is and what a wonderful leader he is, obviously. He's defending his stewardship, but when you go to these other fellows you may hear a more truthful picture of what the real situation is.

So I always call up the chairman of the political science department and I ask who are the active Democrats in your faculty and he's glad to tell me and I call them, that's the way it goes.

Well, anyway, I found out that a political scientist, Professor Paul Pfretzchner, is the leading Democratic activist at Lafayette since 1949 -- this was in '64 -- he has conducted an Easton city poll in almost every election, about a dozen in all. These are scientific sampling polls. He takes a ten percent, I think I am a little high on that, sample in every precinct in the city; I think it was less than that, with interviews of

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each person polled.

His average error has been two and a half percent and his polls are highly regarded by local politicians and press and here are the results of his poll in '64: LBJ, seventy-eight percent; Goldwater twenty-two percent; Representative Rooney, who was a Democratic candidate for Congress, seventy-two percent; McCormack, a Republican, twenty-eight percent; and Mrs. Blatt, the Democratic candidate for Senate, sixty percent, and Senator Scott forty percent. And, these were phoned to me personally by Professor Pfretzchner. I immediately reported them to the White House, because it was a straw in the wind.

Now, the reason I say this ties in with the KOED thing. This sort of thing can be done all over the country easily. This fellow was using his own political science classes to educate students

politically, it was an operation to tell them something about politics, and an interesting one which the students would enjoy, I'm sure.

And this could be done with the KOED operation. You could do it at colleges in every state in the Union, and you could collect some wonderful figures, probably

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that would exceed in accuracy, I wouldn't be surprised, in many respects or at least would give you more massive sampling than Harris and Gallup combined. It is just one of the things you can do.

And by the way, Pfretzchner was pretty nearly right in 1964, I think he was within his usual margin of error. If anything as I recall he underestimated slightly. But anyway it was very close. I've forgotten now the actual results -- I reported later what the actual results were against his prediction -- it was close.

By the way I sent these to Marvin Watson at the White House a week ago or so to look over and return to me in connection with some other things I was sending him and he has returned them to me. Marvin Watson has been the White House man running the Democratic National Committee. I am going to turn these over to you for Xeroxing and return to me, please.

Now, that covers '64. For '66 I have I think told most of the story, but briefly it is this; no, I haven't. I think I should tell this.

HESS: You mentioned the other day that you were disappointed in the organization.

SPINGARN: Right.

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HESS: I think that's about all.

SPINGARN: That's about all. I haven't covered it, I just mentioned it. Here's what happened in '66 -- again I was interested in getting into the campaign in some capacity or other, although congressional campaigns are less interesting from my standpoint than presidential, or from anyone's standpoint, still they are interesting.

So, early in September of '66, David Chewning who is National Director of "Operation Support" at the Democratic National Committee invited me to lunch. I had known him from the '64 campaign. Dave Chewning is a Georgian, an economist, he was born in South Carolina and reared in Georgia. He was a department store executive in Atlanta, I believe, and in the '50s his boss who was a Republican -- Dave is a Democrat -- came up to be an official of the Defense Department, or the Army Department, and he brought Dave up with him and Dave was an official, too, I think he became Deputy Assistant Secretary to the Army, or some such job, and afterwards he went into Robert Nathan Associates, which is probably the biggest economic factory in the world. They do economic planning for

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nations and governments, including ours, all over the world. They have something like sixty professional associates -- a huge thing.

Robert Nathan was one of the real brains of the War Production Board during the war, a brilliant fellow.

Anyway, Dave was director of "Operations Support" in '64 and they reorganized it or started it up again or maybe they never killed it entirely, anyway it was running in '66 although on a more limited basis. They organized committees of activist Democrats in every state in the Union, multiple committees, hundreds of committees in all the states, and the idea was that these people would be dissemination points for our literature on the issues; they would organize forums; they would arrange speeches, all that sort of thing; they would work for candidates and all this in cooperation and coordination with the state committee, but it would serve to get people in there - some of whom might not even want to work directly with the state committee for one reason or other, independents, anybody who happened to be on your side, who was willing to propagate our side of the issue. And in between campaigns they acted as focal points for supporting

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the administration's position on legislation -- they write letters to the editor and the members of Congress and organize that sort of thing -- our public interest lobby group; it's a good idea, and, if effectively run, it could be very helpful.

The only trouble was that in '66 Dave Chewning. was only able to spend -- he was not even over at the committee, he was in the Nathan office -- and he was spending no more than an hour a day on this and he was working like a dog on his regular work, and meeting deadlines on that, so he had very little time for it, and there was one young woman, Nancy Bush, who was executive secretary at "Operation Support," and she was actually in the national committee, and even she I don't think was working full-time. Most of the time Mrs. Margaret Price was using her on other matters, so it wasn't really being run very strongly, but it was a good operation.

It was one of the, few good things I saw at the Democratic National Committee in the '66 campaign, and this was so feebly run that it wasn't really able to make much of a dent. With more manpower and money they could have done a lot more.

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And the other thing I understand, that I heard from other sources was good, was Louis Martin's operation -- he's the minority's vice-chairman. But first of all let me go back. Dave asked me to do some writing, write some speeches, fact sheets and letters. I said I'd think about it. But a week or so later he seized the bull by the horns and wrote me a letter and he named eight issues he wanted me to write on. I hadn't yet agreed and I wrote him back a rather tart letter saying -- I said, "For one thing Dave," I said, "I haven't followed all these issues, I'm not up-to-date on them, I want some background, factual material on them. Will you provide that and I'll write about them. I can write but I need a little factual material. I haven't got time to do the research on it, that takes time."

He said, "Sure." And he sent me some stuff but, to be honest with you it was not very impressive. It wasn't Dave's fault because he wasn't responsible for putting it out, it was supposed to be put out by the DNC Research Division, and other branches, but they just didn't have it. The only thing that he sent me

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that was worth a nickel was some poop on auto safety, which was not a big issue in the campaign, it was a nice little issue, but it was not a major issue. And that, by the way, was not even done by the national committee, this was stuff put out by Congressman [James A.] Mackay of Georgia, who had been the sparkplug of the auto safety legislation.

Well, then I turned to the committee proper and I called up Al Marks who is or was, I think he still is, the director of research and publication, although since the election Bill Phillips, an excellent man, has been made deputy chairman in charge of that operation. I'm not sure just where Al Marks fits in now -- public relations, maybe.

In any event, I asked Marks -- I said I was writing for the committee -- and I named fifteen or eighteen issues, because I thought I might write on other things, on which I would like all the factual background, all the poop the committee had. He assured me I'd get it. A week went by and I got nothing. I went down to the committee. He was out. A few days later I went down to the committee again. He was in

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conference. I then wrote him a note at the committee reminding him that ten days or more earlier he had promised me the stuff and I hadn't received it. Several days later -- this was about two weeks after I first was notified -- I got seven items in a small envelope. That's the total of all I got.

Two of them were speeches, one by the President and one by Rusk on Vietnam, which I had long since gotten from the State Department. Two of them were about the glorious achievements of the glorious 89th Congress, well that was all right but there was one hitch. This is October, by now '66, or late September and, by golly, these documents were '65. They hadn't been updated through the second session of the 89th Congress -- great. That's how much on their toes they were. The other three items were little speech sections of a few pages on Medicare, they were all right -- pedestrian stuff. That was the total haul I could get from the committee.

Now, on the other hand I went down to the Republican National Committee. I always go to the Republican National Committee in a campaign. They receive me

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like a visiting Pooh-Bah. They asked no question about my politics, I was perfectly prepared to tell them, I would say, as I always do, "I am a Democrat but I like to read the other fellows material, maybe you'll convert me." They wouldn't have cared. I said, "May I see your material on the issues?"

"Sure." They led me over to a table. It was half again as long as this, I guess, and several feet wider, it was maybe twelve feet, fifteen feet long and six or eight feet wide, a huge table. And on it in stacks were dozens and dozens of piles of pamphlets, brochures, flyers, all sorts of poop beautifully printed, typography great, format great, on every issue and subject you wanted under the sun. I scooped off the whole top layer of that table, the whole top layer, and I could hardly stagger away with the load.

In fifteen minutes -- now mind you I had taken two weeks and gotten seven piddly little items of which none were any good, really, from the Democratic National Committee, for whom I was working. I go down to the Republican, the enemy camp and I get marvelous

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poop -- I took it home and went through it, it was revolting from my standpoint, but it was pretty good from theirs.

Another thing, when I called up the Democratic National Committee and wanted anything, a press release or anything, I would have to call three successive people on three different days and then it would take a week to get it, if then. I called the Republican National Committee, and I remember I asked for extension 120, and then I would ask for Vivian, or Peggy, or Freda, I got to know the girls, and I would kid with them and I would say, "May I have ten copies of your press release of October 13th on high prices and inflation?" That's an actual press release of theirs. It would be in the mail that day. That's the way they operated. The Republican National Committee as I saw it was run by an old pro named Ray Bliss, the former state chairman of Ohio. It was run well, it was a good, sound, efficient, effective operation. Our committee was the worst I have ever seen it and it hasn't often been very good. It was the worst by far -- it was terrible, it was moribund and it stunk. It was a disgrace to

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the party.

HESS: Why was it so bad?

SPINGARN: Well, my theory of the case is this: It was really President Johnson's fault. The President didn't want -- I mean, this is my estimate of the case and it's speculation you understand, but it's my best estimate. I think there were two factors at work; one, was the tremendous victory in '64. I think the President was fooled by that. Remember that he got forty-three million votes and Goldwater got twenty-seven million, the biggest victory in history.

Well, I think that the main factor of the victory was the allergy to Goldwater on the part of the American people, plus the fact that Lyndon Johnson was still more or less on his honeymoon to some extent, and of course, there was also the fact that the Vietnam war had not yet heated up.

I also think that the President has his own way of dealing with political things based on his background in Texas, and that he felt that he could deal with the leadership of groups over the heads of the masses, as it were, and that he doesn't need a

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real political organization. The President has been quoted to me, by reliable press men, now this is an accurate quote. A *New York Times* man told me it was absolutely true, that the President had said that he didn't see why the Democratic National Committee couldn't be run by one man and a secretary. Well, by golly it was run that way in the '66 campaign. It was a moribund outfit and now I think this about it -- I think Lyndon Johnson is a great politician, and when I say a man is a great politician I say it as a mark of respect because I believe that what this country needs for its Presidents are great politicians.

I do not regard the word "politician" as a word of stigma. Quite the contrary. With two possible exceptions every President who has had a rating from the historians of good or great was a lifelong professional politician. The two exceptions are George Washington and Woodrow Wilson, and even George Washington spent more time in politics than he did fighting the British and the Indians combined, and as to Woodrow Wilson, he was Governor of New Jersey when he was elected President, and for eight or ten

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years previous to that he had been president of Princeton University, and if there is anything more political than being president of a big university I don't know what it is; so, he was not altogether an amateur.

But all the others, John Adams and his son John Quincy Adams, Thomas Jefferson, Madison, Monroe, Polk, Lincoln -- I'm naming the ones who have had a good or great rating -- Cleveland, Theodore Roosevelt, Franklin Roosevelt, Harry Truman, John Kennedy and Lyndon Johnson, every one of those men was a lifelong professional politician.

Now, the same thing can be said in other countries Winston Churchill, Disraeli, you can go on down the line. In England a man writes proudly after his name -- occupation, politician, but very few men do that in this country; it is unfortunate that a mythology has grown up about politics; that politics is dirty and that almost all politicians are crooks. Well, some politicians are crooks, just the way some bankers and some businessmen are crooks. But the fact of the matter is, as my father once pointed out, as I mentioned, and as I believe, that politics is the

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noblest practical occupation of man, because it deals with how people decide how their society should be run in every phase and at every level.

It is a national misfortune, it is a world misfortune, that a mythology has arisen about the corruptness of politics, and the corruption of politicians. And this goes back centuries and centuries. I have amassed a pile of quotes on this.

Shakespeare talks about a "scurvy politician." And there are several quotes from Shakespeare derogatory to politicians. Jonathan Swift in *Gulliver's Travels* said something like this, that a man who can make two ears of corn grow where one grew before, or two blades of grass grow where one grew before, is worth the whole race of politicians. That's the 18th century. Well, I would like to ask Jonathan Swift if he were alive today, who decided that this particular

experiment was the one that should get priority attention and the money to be done? Who supported this, and who arranged for the dissemination of this information so that it would be useful afterwards if it wasn't politicians?

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Even great politicians have spoken stigmatically of politicians. I have a quote, a rather disarming quote from Abraham Lincoln, in which he says something about an opponent, that he's nothing but a politician and you know what that is I've forgotten the exact quote. And then Lincoln added, disarmingly, "But, of course, I'm a politician myself, so you know that there can be nothing mean or slanted in what I say."

Well, Lincoln was only twenty-seven years old when he said that and I hope he learned better before he died. But the fact of the matter is that our literature is filled with these references as to the scurviness and corruption of politics and politicians, and we love to repeat these jokes. Artemus Ward, the great 19th century humorist said, "I'm not a politician and my other habits are good, too." Simon Cameron, who was Secretary of War, said: "An honest politician is one who when he is bought, stays bought," or something like that. And Cameron should have known because he was one of the most corrupt public officials we've ever had in this country. He was Lincoln's Secretary of War for a while.

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So, it's a misfortune that this mythology has grown up about the corruption of politics. Mr. Truman, I think, is one man who would call himself a politician, but he's rather unique in that. Most men don't. They shy away from that name. Wherever I go I ask people, "What are your political views?"

"Oh, I'm not interested in politics; it's too dirty. You know, you can't trust those politicians." You hear answers like that. This is for the birds, for the albatrosses too, because they confuse the corruption of the material of life and of human beings, with the nature of politics.

I have given you the excerpts from my father's lecture from the New School for Social Research, as it was reprinted in the *Atlantic Monthly* three years after his death, November, 1942, to be exact, in which he goes into this, and which is really the basis of what I'm talking about now.

But the Democratic National Committee failed, flunked its test in the '66 campaign. On November 5, I wrote the President who was down in Texas on his ranch, a long four page letter, about four or five

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o'clock in the morning, and then a one page cover letter, in which I expressed some ideas about how bad the Democratic National Committee had been in this campaign. This was two or three days before the election, remember. I presented some facts from what I'd seen about how bad the National Committee was, and I expressed the hope that after the election I could sit down with anyone he named, and give my views on what should be done. I sent copies of this all over the White House, to Bill Moyers, [Joseph] Califano, everybody, [Robert] Kintner and others. I even

sent it to Marvin Watson, although from where I sat, he seemed to be the man who bore considerable responsibility for this trouble.

I didn't get any responses to this letter, but I kept writing and talking and making phone calls. It's very difficult when you're on the outside without official function to even get a phone call through to a Cabinet-level man or a senior White House staff man. I know this to be true. I mean, at the end of a day, they may have fifty phone calls stacked up. Obviously, they talk first to the Cabinet and the Senators, and a fellow like me would be way down

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at the bottom of the priority list, and usually he just never gets called back, that's all.

I mentioned to Charlie Murphy that I tried to reach Joe Califano at the White House. He's Special Assistant to the President, one of three or four top men there. I hadn't been able to reach him. Now, Charlie is chairman of the Civil Aeronautics Board, and Joe Califano is the transportation man at the White House, and Charlie says sometimes it takes three days for Califano to return one of his phone calls. I mean, you can't blame the man, he's just deluged. I'm not blaming the man, but I'm just stating a fact.

Well, I called over and over again, and also after the election I started calling (John) Criswell, who is really running the national committee now. He's both the acting executive director in place of Cliff Carter of Texas, who was first "the Marvin Watson" of the White House, and then went into the committee itself as executive director; and Criswell is also acting treasurer in place of Dick Maguire of Boston, a Kennedy man, who was the treasurer. So, he's doing

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those two main jobs. I was surprised to find, knowing how moribund the outfit was when I met him, that he's a very capable guy -- savvy, bright. It obviously wasn't his fault. He was under wraps, that's clear to me. After all, he had to do what he was told to do from the White House, and they, didn't want a big operation. Now, he's been given the green light, and he looks pretty good to me. I think he's going to do a good job.

Well, in any event I tried for weeks to reach Criswell after the campaign, and in the meanwhile I kept calling everybody at the White House. Every day I'd get up and I'd call Kintner, Robert Kintner is Secretary of the Cabinet, and he's former president of NBC, and former president of ABC. He's been president of two-thirds of the networks. He's the communications man, I suppose you would say, at the White House. I'd call Califano, and I'd call John Roche, and I'd call Douglass Cater, and I'd call Marvin Watson. The secretaries would always be very polite and they'd say, "We'll call you back," but they never did. Once in a while, on one occasion, I

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talked to Walt Rostow, he's the .National Security man, but finally -- I was trying to get help to see Criswell. I wrote Marvin Watson and I said, "Could I see you?"

And he wrote me back and said, "Criswell is the man you should see," but he didn't offer to help me. You know, one phone call from him to see this fellow would have done it. And I was calling Criswell, but he was never answering.

So, finally, one day, this is funny, I called Kintner for the steenteenth time, and that afternoon, or the next day, an assistant of his, named Charles McGuire, I believe, called me back, and he said, "Mr. Kintner can't talk to you, but he asked me to talk to you."

So. I told him the story of KOED in a short space of time and said, "Can you help me see Criswell?"

And he said, "I'll be in touch with you." By gosh, that afternoon, Criswell's office called me, and the next thing you know I was on the opposite side of the desk looking at Criswell. McGuire, of course, had easily arranged it.

So, on February 3, I finally saw Criswell. And

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we had a fine talk, and he bought the KOED idea. Before we were through he was not talking about if we would do it but how we were going to do it. And he has told me since definitely that it will be done.

As I've said before in talking about KOED, I wanted to nail it down so I spent the next few days making phone calls and writing people and saying, "Will you telephone or write Criswell and tell him they ought to do the KOED thing; it's good."

I talked to Speaker McCormack and I talked to other politicians, professional politicians, and I also talked to eggheads, intellectuals, professors, like Stephen Bailey, Dean of the Maxwell Graduate School of Public Affairs at Syracuse, and James MacGregor Burns, who writes the books on political science and biography, Roosevelt and Kennedy, and Evron Kirkpatrick, who is the executive director of the American Political Science Association.

They all promised to either phone or write Criswell, and without exception they did -- without exception. Well, I was just trying to show Criswell and the DNC that this was not a one-man operation, and

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that it had support from both the intellectuals and the politicians. Criswell said to me, "By the way, you have a good friend at the White House."

And I said, "Who is that?"

"Charlie McGuire."

I have never in my life met Charlie McGuire and my total acquaintance with him is based on one or two phone calls. But that phone call from him to Criswell was magic, you see. Now a less tenacious, or at least a less stubborn fellow, would have given up a long time before.

This was weeks of phone calls -- hundreds and hundreds of phone calls, I mean, I'm not kidding - - hundreds. And they finally got me into Criswell, you see. But it was only because I kept battering on that stone wall until I got in. I've been trying for a long time to see John Roche who replaced Eric Goldman at the White House. Eric Goldman was the intellectual in residence who resigned in a huff last summer because he said nobody was paying any attention to him, or words to that effect. And he said some unkind things about the President, and Bill Moyers answered him and then they

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appointed John Roche, who I think is an excellent appointment. He is a Brooklyn Irishman, who, as I said before, has been national chairman of ADA. He also is, or was until recently, a professor at Brandeis. He's a pragmatic liberal. I wanted to see him. I didn't know him; I had heard him make speeches and I called him repeatedly and wrote him some letters. He would occasionally answer a letter but I couldn't reach him on the phone. Then one day I saw in the newspaper, the *New York Times*, a letter by Leo Cherne, who is the sparkplug of the Institute of Public Affairs, or whatever it's called, up in New York, an amazing guy.

On the 25th anniversary of this outfit, a few years ago, this is, oh, five years or so ago, about 1960, they gave a dinner celebrating that and I've seen a picture of the guests. It is absolutely fantastic. Leo Cherne arranged it, and with the possible exception of the Pope, there is hardly anybody conspicuous in American or world life that isn't there. Eleanor Roosevelt was there, Henry Wallace and Norman Thomas, and any number of generals, I think Omar Bradley was

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there. I remember Admiral [Arthur William] Radford was there and many others. I think Curtis LeMay was there. He had everybody. He had liberals, conservatives and moderates, he had absolutely everybody. It was a fantastic aggregation that he had assembled. Anybody who can do that has a lot on the ball. Leo Cherne is quite an operator. Among other things (he has many hats), he is the chairman of the executive committee of Freedom House in New York, and the letter I saw was a letter by him defending some poop, some materials, some pamphlets and statements that Freedom House had put out in support of our involvement in Vietnam. He was defending that against attack, and he made a fairly good defense, I thought. The thing I wanted to see John Roche about was just that.

I'm going to come to this, because I want to give you one of the major things I've been working on for the last six months in this Vietnam business. But I'm just going to touch on it now about getting in to see people. So. I wanted to see John Roche about my ideas on how bad the administration and the State Department presentation of our case is to the American public, and what I think should be done about improving it.

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My own feeling is that we are winning slowly the military war in Vietnam, but we are losing the propaganda war, or the counter-propaganda war, and if we lose that, we'll lose the military war too. So this is another front and it's not being handled right. We're spending five or six thousand lives a year and twenty to thirty billion dollars on this thing and the whole thing could go down the drain if the American people decide that they want out. And there are two disparate points of views emerging. One is escalate up to whatever is necessary to win quickly, and the other is get out now; and either one of those would be a catastrophe. Neither one of those is what we should do, in my opinion, and in the opinion of the administration.

So. I called up Leo Cherne in New York -- I didn't know him, but I introduced myself to him -- and I told him I was coming up to New York and would he have lunch with me. Well, a couple of weeks later we had lunch up there, and it turned out -- I don't know this -- it was just a bonus as far as I was concerned -- that he was an old buddy of John Roche, talks to him all the time. He arranged for me to see John Roche. It was just

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happenstance. But there was a connection, you see, on this Vietnam business. I didn't even realize the connection, but there was. I thought that Leo Cherne might be helpful to me in helping me present my case somewhere, but I didn't know where. And so I had an hour with John Roche at the White House on January 5th, on Vietnam.

But, to get back to the Democratic National Committee: I had prepared a letter for the President that day, January 5, and I think I've given you a copy. If I haven't, I should. Well, I'll find one eventually and give it to you. I won't interrupt now. And the gist of what I said was, that at the risk of being presumptuous, I was going to offer a great politician some advice. My thought was this, that he had had two great challenges in his political career. The first one was on November 22, 1963, and he met that magnificently, and the second one was now. The second challenge was, was he going to realize that he had made a bad mistake about how a political party has to be run. No man, even as great a politician as he, can run it alone. If he continued on that

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course I thought 1968 would be a rerun of 1966. Or was he going to realize that you needed a real party organization and revitalize the party organization from stem to stern.

I said the Democratic National Committee, in effect, should be keelhauled, and should be reorganized and new people run in there from stem to stern. I said there are many good men who could be chairman. Neil Staebler is the Democratic National Committeeman from Michigan. He was the state chairman for ten years and he was the fellow who put "Soapy" Williams in for six terms. He was Congressman for one term himself, and he ran for governor unsuccessfully against Romney in '64. He's a master politician, and an unusual one. Also he's a wealthy man in his own right. He's a successful businessman in Ann Arbor. He is that unusual combination of the theorist and thinker and the practical politician. From 1955 to '60 he was chairman of the Democratic National Committee's committee on organization, and he wrote the plan for field operations of the committee. It was a good plan and it was used, and it played a major part in the successful campaign of 1958, and perhaps even of '60,

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but certainly '58.

So Neil Staebler would make a good chairman. And I said, "Of course, there are lots of other good men who would make good chairmen." I thought of Larry O'Brien. I didn't think I had to suggest him to the President, and then I knew there was a delicate situation with Larry O'Brien, because after all, he is a Kennedy man, and he is a Johnson man. If it came to a showdown between Bobby Kennedy and Lyndon Johnson and he were in the middle, it would be a tough situation for him. I'm sure Larry O'Brien is a man with the greatest integrity, but that's a situation that would be hard for any man. I don't know how he'd solve it. I suspect he would be with Lyndon Johnson against Bobby Kennedy now, but I don't know. I'm told that Bobby Kennedy's people regard Larry O'Brien now as a traitor and a defector.

In any event, then there would be Jim Rowe and there would be Ed Foley and there would be others too, that would make good chairmen. Well, all I meant was that the party needed reorganization and revitalizing And the President made his decision shortly thereafter.

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By the way, I forgot to tell you this, at the finish of my talk with John Roche, an hour, and we weren't talking about this, you understand, I said, "Here's a letter, John. Would you place it in the President's hands?"

He said, "Yes." So. I assume he did.

I immediately hotfooted it over to the Vice President's office, which is across the street, after I left Roche, and as I came into the Vice President's office.(I didn't have an appointment with him), Max Kampelman, who was for a long time his legislative assistant when he was Senator, and is still one of his most important advisers, a lawyer here in town, came in. He had an appointment with the Vice President, and I knew Max from years back. And I said, "Max, here's a letter for the President. I'd like Hubert to have a copy, too. Would you place it in his hands?"

He said, "Sure."

I know that he did and I know that Hubert read it, because I called up Max Kampelman the next day and he said that Hubert had read it in his presence.

A lot of other people were saying things like

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this, too. I don't mean to say that my letter had the slightest impact, but the fact remains, whatever it was, the President has given a green light to action by the committee, and they have done a lot of things. In the first place, from my standpoint, Criswell has bought my KOED program, for ten years I've been plugging it, but equally important, they have re-established a registration division. It was absolutely madness that they abolished that and didn't have it in the '66 campaign. And they put a former Congressman named Billy Farnum of Michigan in charge. He's a fellow with a long labor background.

They have hired Bill Phillips, who was for many years the staff director for the Democratic Study Group of the House -- 180 -- well, in the 89th Congress, it was 180 -- it's less now. One hundred and eighty liberal Congressmen in the House, most of the non-Southern and some of the Southern Democratic Congressmen. And Bill Phillips is one of the best voter education people and political research men in the country.

And they've got Charles Weltner, the former Democratic Congressman from Georgia, who left in a

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conscience crisis, because he didn't want to support Lester Maddox for Governor last year. He retired from the race for re-election. And Weltner is a good man too. And Criswell, who is the key staff man down there, seems to be an excellent man. Lots of ideas and savvy and imagination, so I'm very much encouraged by the way things look down there. I think that Lyndon Johnson, if I'm right, has proven that he's a real great politician, because he seems to have recognized that he's been wrong and that he's going to do something about it. That's the test of a man. It's easy to ride on success, but the test of a real politician, is a man who can reverse a failure.

HESS: Do you want to get into either one of the subjects about Clifford or the secret session?

SPINGARN: Oh, I don't think I will today. I think I'll let that hang over. Let me see if I have anything short that I can discuss briefly. I don't know whether I gave you that or not, but I want to. That's the full notes of my talk on civil rights in the Truman administration.

HESS: I'm not sure.

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SPINGARN: I don't think I did. Anyway, take it and Xerox it and give it back if you will.

Oh, here's something, perhaps of interest. I think I can cover it in ten minutes or so -- by five anyway. Tomorrow, I wish you'd make a note of this, I want to talk about Vietnam, the presentation of the case for our appearance in Vietnam, and I want to talk about my debate with Bertrand Russell and about Lewis Mumford. I've already referred to Hans Morgenthau and the *New Republic*, but I want to mention them. I want to talk about -- well, I'll just get started on the State Department, and my correspondence with McNamara and so forth and so on.

Let's see. Here is a civil rights case that is current in this city at this time. I mean, it involves, shall we say, a major question of possible discrimination on account of race. I have called it "Washington's Little Dreyfus Case in Blackface." This is, shall we say, a catchy name for it more than anything else. I rather like that name.

I know a lady named Mrs. Willie Hardy. She's one of the most dynamic women that I have ever known.

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She herself is, I think, in her middle forties, but she looks about thirty-five. She's a grandmother. She's married to a taxi driver and she has five children and a couple of grandchildren, I believe. Mrs. Hardy was on the Democratic Central Committee of the District of Columbia. She was one of the anti Joe Rauh members and she split and joined the Reeves-Lanahan slate in the 1964 primary here. That's where I met her. She was also chairman of the 78th precinct and a very effective chairman in the Southeast. She had the biggest turnout, the biggest registration of any precinct in the whole city, over a thousand.

And if I may digress, on May 5th, I think it was, '64, the primary took place. The rule was that the polls closed at eight but anybody in line at eight o'clock could vote. And I went out to her precinct. I was there before eight and there were maybe eight hundred people, standing in line.

They didn't finish them up until midnight, but they waited and they all voted. It was probably 95 percent Negro. And every one of the major candidates and many minor ones was out there working that line.

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You could work them right up to the door of the building, you see, this is legal. Frank Reeves was there and E. Franklin Jackson was there and Joe Rauh's son was there, and many others.

I was there. I must admit I walked down that line and I shook every hand in the line, and I gave them my literature and I asked them to vote for my slate and me, and I would usually point, because it was in sight, I would say, "Do you see Spingarn High School over there? That's named after my father," I would say, absolutely shamelessly. It's wonderful what a man can stoop to, but I didn't even blush when I did it. And, by the way, there's an amusing by-play in this. There is a chap in the city, a lawyer named Jerome Spingarn, a very able guy, but no relative of mine. His wife is Natalie Davis Spingarn and she is very able. She's written a lot of articles for the better grade magazines, *Harper's*, *Atlantic*, and she is executive assistant to Senator Ribicoff, or she was the last I heard, of Connecticut. And I have met Jerome and Natalie Davis Spingarn two or three times, but you know, I just know them casually. In any event, we're not related.

[#491 was omitted in numbering the pages.]

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Well, Natalie Davis Spingarn is a local politician and she has held jobs like delegate to the Democratic convention, and things like that here. And she was on the Joe Rauh-Jackson-Shackleton slate, the opposing slate.

HESS: The other fellows.

SPINGARN: The other fellows in the '64 primary, and I was on the Reeves-Lanahan slate. In other words, there were Spingarns on both slates. And wherever I went I heard, "Oh, you're Natalie Davis Spingarn's husband," or father, or son, or nephew or uncle or brother, you know.

And I would say, "No, we're not related." And what was worse, you see, I was always being told that Natalie Davis Spingarn was related to the Spingarns of Spingarn High School. And I remember someone saying when I was walking down that line that night in Willie Hardy's precinct, pumping hands, and they said, "Oh, you're related to Natalie Davis Spingarn. She's the Spingarn of Spingarn High School." And, you know, this struck me to the quick, because in local politics, Spingarn High School in a city where there is 65 percent

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Negro is a plus. And it is named after my father, and Natalie Davis and her husband are not related to me or him. So, I reared back, and I walked back about ten feet. I have a pretty strong voice. And I bellowed up and down that line, it could have been heard for hundreds of yards. I said, "No, that high school is named after my father. It is not named after Natalie Davis Spingarn or her husband. They are not related to the Spingarn that school is named after in any way whatsoever," and so on.

HESS: I expect they took notice of that, didn't they?

SPINGARN: Yes, but we didn't win the election.

Well, anyway, I'm talking about Willie Hardy. And Willie Hardy has worked for Senator [Philip A.] Hart of Michigan and until recently she was the staff director of the University Neighborhood Council, which is a social service operation, quite a big one, in the near Northwest, which is mostly a Negro area. It was originally established, as I understand it, by Howard University, but then became independent. And she was, until a few weeks ago, the head of that.

Early in December, last, December '66, Willie

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Hardy called me up and she said she wanted to talk to me about a case of injustice involving a Negro police officer in the city named Carl Siler. I invited her and Carl Siler to have lunch with me at the Carlton, at the Democratic Club there. I listened for two and a half hours to Carl Siler's story, and I cross-examined him carefully, I'm a lawyer after all, and I think I know when men are telling essential truths. Nobody tells a story about himself that's of jugular interest with total accuracy. It's impossible. But in the main thrust, I believed him. The gist of his story in summary was this: He's 28 years old; he's a Negro police private; he's been on the force three years. Last September, the night of the 15th of September he was off duty in civilian clothes. He had a date with his girl and about one o'clock in the morning he took her home in his car. He was double parked outside her apartment house, down in Southeast. A prowler car with two white police officers came by. He was double parked; they told him to move on, and he said he would in a minute. The prowler car went away, came back in a few minutes, "Move on. Don't let us catch you here

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again." He said he would.

The prowler car went away and came back a third time and they were still sitting in the car, talking, and just then the police car pulled up behind them and stopped. At that point, the girl got out of the car, she walked up to her second floor apartment, and he waited to see that she was o.k. and then he moved out. The prowler car followed. He turned right, they followed him, but not making any signal to him. Finally, they turned on their red flasher and their horn and ordered him to the curb. One police officer got out of the prowler car. Siler got out of his car too. He was in civilian clothes. He was a police officer, though.

Then there's a difference in testimony as to just what happened. The police officer said that he was going to give him a ticket, that Siler didn't have his lights on, was driving without lights. He said that as he approached him Siler used filthy language on him. He said, "Don't you mother fucking white cops have anything to do but fuck with me?" Those are the exact words he was supposed to have said. Siler

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denies that he said this. But the police officer said that he said it in a loud and boisterous voice, that he was disturbing the peace. He immediately decided to arrest him. And he said, "You're locked up." And he grabs Siler behind by the belt, you know, the way they do, and Siler starts to push him away with one hand and pull out his credentials with the other and he said, "I'm a police officer." And they scuffled a little, Siler tried to show him his credentials -- that's what Siler said. The other guy said he was resisting arrest. The other police officer gets out of the car and then comes in, together they grab Siler and they fall down on the pavement and they handcuff him. The credentials fall on the pavement.

Then, Jones, one of the police officers, orders Siler into the prowler car, they're going to take him to the station and book him. Siler says he won't go until they pick up his credentials and his gun, which is in the car, which he is required to carry with him at all times, off duty or on. Then according to Siler -- he is handcuffed -- Jones comes around, belts him in the face, knees him in the groin, and punches

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him in the belly -- he's handcuffed. At this point, apparently, they discover the credentials and they realize that he is a police officer and then they know they're in trouble at least this is my theory. They wouldn't have done this if they'd known he was a police officer, I don't think. You see, the whole assumption that I have and that Willie Hardy has and others have, that this is typically the way a Negro citizen is treated by the police, not the same way you and I would be treated under the same circumstances. So, they called their precinct commander, a Lieutenant Drescher and he comes over with the sergeant. Drescher takes the handcuffs off Siler, puts him in his car, takes him to the station; one of the white police officers who made the arrest, drives the prowler car, one drives Siler's car to the station. They're already there when Siler gets there with Drescher, they're standing inside the doorway of a room. Siler and Drescher walk down the corridor, and Jones is there, the man who had, according to Siler, belted him in the nose -- by the way, his nose was broken, although it's not clear whether it happened then or later -- and kned him in the groin and punched him in the belly.

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And all of this is a matter of hospital records, because he had these contusions. He had a bite on his belly, by the way, teeth marks, and contusions and welts and a broken nose.

Well, Jones is standing in the doorway. Siler walks back down with Drescher. Siler says he thought that Jones made a motion to attack him. Jones says he was offering Siler the keys to Siler's car which Jones had driven to the station. In any event, according to Jones, Siler then attacked him, breaks away and attacks him, Siler's not handcuffed.

There's a little flurry -- there are a few blows struck -- but the only important blow is again struck against Siler. He gets the other eye blacked. Just a few blows are struck and they're separated and the police fall on Siler, spread-eagle him, and throw him into a lock-up. The next morning he's taken to be arraigned and there's some delay but eventually he is arraigned. In the meanwhile, he is interrogated by the higher police officials, and one of the charges later is that he was uncooperative. Well, he knew he was in hostile hands by this time and he wanted his lawyer, and he didn't want to talk without his lawyer.

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The police said he was a police officer and he had to talk when a superior told him to -- and tell what had happened.

Well, in any event, he's arraigned, and then three criminal charges are brought against him. A felony charge -- assaulting an officer -- that was the police station affair; and two misdemeanor charges, one is disorderly conduct, that was the loud, noisy, dirty language, and the other was driving without lights. The felony charge goes to a grand jury. They hear the evidence and dismiss it -- no true bill. Dismissed -- no indictment. The two misdemeanor charges are brought before a general sessions court, Judge Halleck -- son of the former minority leader of the House - - a Republican. He dismisses the disorderly conduct charge -- that's the loud, dirty language. And the whole result in the courts is, he's fined \$5.00 for driving without lights.

Siler says that's the one thing he's absolutely sure he wasn't doing. So, he's fined \$5.00. But, Siler brings charges against the police officers who had beaten him up, and he prefers charges also with the Human Rights Commission here, the Human Relations

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Commission of the District of Columbia, of police brutality charges.

The police then bring police charges against Siler, looking to his dismissal from the force. They bring in a nine-count specification, conduct unbecoming an officer, and failure to comply with regulations -- umpty-dumpty-umpty-dump -- failure to report his injuries within a certain time -- you know, the book.

A six-day trial board hearing is held, and they find him guilty on all counts. By the way, he's been suspended without pay since September 15th. Willie Hardy had hired him on her staff. He had worked for her, but I guess he's lost that now, because she left. And they found him guilty on all charges and recommended dismissal. He has appealed to the D.C. Commissioners, and on February 10th, the D.C. Commissioners held a two and a half hour hearing, and they now have

the matter under advisement, that is, for decision, whether to approve the recommendation that he be dismissed, or reverse, or what.

Well, I heard this whole story from Carl Siler himself, and I was satisfied in my own mind that this was a case of outrageous injustice. At the worst,

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the thing should have been washed out, as a little confusion and misunderstanding on both sides. But here is a man, out of a minor traffic violation, at most, while off duty with his girl, comes a beating up, a broken nose and the ruin of his career. Does this make sense?

Furthermore, the courts have considered the matter and they have washed the whole thing out except for a \$5.00 fine on the criminal side. Now the police are going to fire him, and have in fact, cut off his pay since the beginning. Well, some time in January, as I recall, Willie Hardy held a rally in a church, the Church of the Redeemer in Northeast, which I attended. She had all the civil rights organizations in the city there, I mean, the leaders, to talk for Siler. And she had even imported talent from New York. She's a great organizer. The NAACP was there, CORE was there, SNCC was there, and Marion Barry was there, and Julius Hobson was there, and Marion Barry made a fiery demagogic speech and Julius Hobson made an even more fiery, demagogic speech and I thought to myself, "Nobody can top that."

But then a fellow got up and he topped them both

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with ease. His name was Jesse Gray. He's from New York -- Harlem -- and he's a fellow who organized and led the rent strikes up there, and, boy, he is a volcano. But he made a lot of sense, bitter as he was. A lot of things he said made sense. He said, "This isn't just Washington. This is the way white police treat Negro citizens all over the United States...They call us 'nigger' or 'coon' or 'boy,' and then they start beating on our heads. What I say is that we should use the Siler case as a lever to hold a national conference on police brutality here in Washington, and we'll bring in people from Los Angeles, Detroit, and Cleveland and New York, and we'll show them the facts." Well, you know, that was an interesting idea. And everybody present thought that was great and they were going to organize that. And Willie Hardy held a meeting in her office which I was going to attend but didn't, a few days later, to organize it, and I understand it's still in process. How far its gotten I don't know.

Well, in any event, I was satisfied that this was a monstrous injustice, so I went to work and I talked to Commissioner Tobriner -- by telephone at home -- one Sunday. I talked to Tobriner, I talked to Duncan, I

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talked to Mathe, General Mathe. I talked to all three D.C. Commissioners and told them my views and expressed the hope (this is before the hearing), that they would give this their very closest scrutiny, because I said, "In my opinion, and I'm a lawyer and I've examined the case and I've carefully cross-examined Carl Siler and I believe that any fair minded man will say this is a monstrous injustice."

General Mathe made an interesting suggestion to me: He's the engineer commissioner, a new man. He said, "You took Siler to lunch; why don't you take the other side; why don't you take the arresting officers to lunch, and hear their side?"

I said, "That's a good idea, General. I'll do it if they'll go with me." I knew they wouldn't. I mean I assumed they wouldn't. So. I called up Police Chief Layton. He's the chief of police here, and I had a very interesting twenty minute talk with him. He courteously declined to let Privates Jones have lunch with me, or the other arresting officer, or Lieutenant Drescher, the precinct commander who was also in on it, he said that it was in regular channels, you know, was quasi-judicial

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and he didn't think and I understood. I mean, he was perfectly within his rights in saying that.

But then he launched into a defense of the police here. He said they treated everybody alike without any regard to color of the man. I said, "Well, Chief, this isn't the way I see it. But this isn't just Washington's problem, this is a problem all over the country. But the reason it's special in Washington is that we have a sixty-five percent Negro population and the police force is eighty percent white. And furthermore, the top two echelons in the police force are a hundred percent white. And in the third echelon, that's the captain echelon, there are only three colored police officers among many whites, you see. That's part of the problem."

Then two or three days later, William Raspberry, who is a reporter for the *Washington Post*, a Negro reporter and an excellent man, had an interesting article which seemed to indicate what the white police do when they sit around their orderly rooms in the afternoon or evenings. He had photographs of what they had written on their walls – scrawled -- and carved on it. It showed a gorilla, "A typical nigger bastard," it said. "I hate niggers," and stuff like that.

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I'm told by my Negro friends that this is common all over the city. I don't mean to say that this is every white police officer, but, I mean, there are enough of them so that it taints -- they do a lot of their recruiting from Southern states, you know, and they have built-in prejudices when they start. So then I talked to Joe Rauh, and I talked to Ted Dudley, and I've gone to lunch with Ted Dudley, and then I talked to Carl Shipley, the Republican chairman, because justice is non-partisan. I had quite a talk with Shipley and he has written me a couple of letters about the case. I talked to Bishop Paul Moore, because he's very active in civil rights, and I talked to a lot of other people whom I tried to get interested, including Newbold Noyes, the editor of the *Star* and Russell Wiggins, the editor of the *Post*, and Hollander, the editor of the *News*. I talked to them all personally.

Well, here's an amusing thing. On the day of the hearing, February 10th, I went down to it. That's the appeals hearing before the three D.C. Commissioners. It lasted about two and a half hours. I had written a letter to the President on this thing, the Siler case,

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explaining what I had done, that it was an outrage and I hoped that he would interest himself in it.

I sent it through Stephen Pollak, who replaced Charlie Horsky as the D.C. man at the White House. And I got a polite acknowledgment from Pollak, that's all.

But on February 10th, I went down to the hearing, and after the hearing, I distributed copies of this letter to the President, to the reporters at the press table, the *Washington Post* man, the *News*, the *Star* and the *Afro-American*. And one of the television reporters, the NBC man, saw me doing this, and came up and asked for a copy and I gave him one. So I gave away five copies. Well, the next day -- I didn't see it for several days hereafter -- the *News* had a story on this thing, and they had a statement in it -- I have this thing somewhere or should have it -- the gist of it was -- it was a story about the hearing, it was a very languid story, which seemed to think this was all a big bore and that the facts were obscure and murky and who knew where the truth lay, and so forth and so on. The reporter seemed to have a bad taste in his mouth, and had probably gotten out of bed on the wrong side that day. He was

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terribly bored about it all. Well, then down in the middle of the story, it says this:

A large man named Stephen Spingarn enthusiastically distributed pamphlets referring to the Siler case as 'Washington's Little Dreyfus Case in Blackface.

This is by a fellow named Samuel Stafford, writing in the February 11th *Washington News*. Well, naturally, this made me look ludicrous, and I didn't like it. So, I wrote a letter to the editor, Hollander, whom I had already talked to. I went down to see Hollander; he wasn't there. But Nicholas Blatchford, the managing editor, was there and I had a half an hour talk with him. He promised to run my letter and he did. And the gist of my letter is, and this is part of my credo of politics and philosophy of life. I said about Stafford's story that I didn't think that it represented, "one of his more shining hours." It seemed to me to be written in a mingled spirit of apathy and cynicism by a man with only a superficial knowledge of the Siler case.

Mr. Stafford apparently found the whole hearing a bloody bore. He announced that, "much of the dialogue was murky."

I agree that the case presented against Carl Siler

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was decidedly murky. But I thought the case presented for him by his able attorney, John Karr, was very clear. I regard the Police Trial Board recommendation of dismissal as an outrageous act of injustice and I hope the D.C. Commissioners will see that justice prevails. Then I referred to his account of me, which I've quoted to you:

With one minor cavil, I suppose that is literally correct. I am large (I have been described as looking like a Bull Moose without the antlers). He spelled my name correctly. I distributed a three-page memo (not a pamphlet), which I had written

about the Siler case -- describing it in the words quoted by Mr. Stafford -- to the four reporters at the press table (and to one TV newsman who asked for it), after the hearing. The main complaint seems to be that I did this 'enthusiastically.' This is a very grave charge indeed, if true. But I plead guilty. I hope that I do everything that I believe in with enthusiasm. 'Nothing great,' said Emerson, 'was ever achieved without enthusiasm.' Since early last December I have devoted quite a few days to a study of the Siler case and to activities which I believe are designed to correct its flagrant injustice.

I had lunch with Carl Siler, cross-examined him for two hours (I am a lawyer). I asked Police Chief Layton for his permission to take to lunch the white police officers who arrested Siler, but he courteously declined. I have read the transcript of the six-day police board hearing [1100 odd pages] and I have talked to many people about the case, including Commissioners Tobriner, Duncan and Mathe, D.C. Democratic chairman Ted Dudley and his predecessor, Joe Rauh, and D.C. Republican chairman, Carl

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Shipley. (I am a Democrat, but justice is non-partisan.)

On February 13, Mr. Shipley wrote me. [This is the Republican chairman.] 'Regardless of the outcome of the Siler case, you are performing a real public service in directing attention to this situation.' [He's written me another letter since then.]

I am a former Administrative Assistant to President Truman (whose omnibus civil rights bill I wrote in 1948), and later I was Commissioner and. Acting Chairman of the Federal Trade Commission.

A friend said to me: 'Stafford's story made you look pretty silly.' Maybe so, but I hope that Mr. Stafford is as satisfied with his story as I am with my conduct on the Siler case. Signed: Stephen J. Spingarn.

Now, the editors added a note to my letter. This is amusing because, you see, it justified all the work I went through to get this letter in the *News*.

We are glad Mr. Spingarn, a long-time public servant and a vigorous and effective one, agrees that Mr. Stafford's account of him was literally correct. The reporter's reference to Mr. Spingarn's enthusiasm for the Siler cause was an observation, not a complaint. Mr. Spingarn is an enthusiastic man.

HESS: I remember both of those. I read them in the *News* when they came out.

SPINGARN: Well, let's knock off.

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Sixth Oral History Interview with Stephen J. Spingarn, Washington, D.C., March 23, 1967. By Jerry N. Hess, Harry S. Truman Library.

HESS: Mr. Spingarn, what would you like to discuss first this morning?

SPINGARN: Well, first of all, I'd like to say something further about the role or the nature of an effective President as I see him. I'm thinking at the moment of Lyndon Johnson, but the same considerations, in my opinion, apply to all Presidents. In the context of what I spoke of yesterday, or earlier, anyway, about the unfortunate stigma that is attached in the minds of the American public to the words "politics" and "politician," in fact, in the minds of the people of the world everywhere. I said something -- I quoted Shakespeare and Jonathan Swift and I could give a dozen other quotes on that, or a hundred for that matter, which show that for centuries men have spoken disparagingly of politics and politicians, even great men who should have known better. Now, I referred to a lecture which my father made, a series of six, at the New School for Social Research in New York in 1931, which was reprinted after his death in the *Atlantic Monthly* of

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November '42, with a long introduction by his friend, Lewis Mumford. I have some excerpts from this and I want to read them. They're short. I didn't have them before me when I mentioned this because they pinpoint my father's political credo and mine too. Here is the quote from him. I want to add, remember this was written in 1931 and some allowances for anachronisms have to be taken into account. But basically, what he says seems to me to be timeless. Here's what he said:

I know that politics are out of fashion today among the intelligentsia of the world. We are told that politics no longer counts, that the important thing today is economics. But the truth is that poetry and philosophy and religion and politics are the four noblest occupations of men, and that all of us who have not some profound realization of the meaning of each one of these, misses something from the life of the spirit. Now, poetry and philosophy and religion belong to the realm of theory, and I take politics as the highest form representative of the practical spirit; that element of utility in life which is present in every act assumes its noblest form in politics. I wish to make clear that politics is a spiritual act exactly in the same sense in which poetry and religion and philosophy are spiritual acts. When the politician governs men, which is the hardest job known to humanity, the hardest and noblest, when the politician governs men, he is to be judged first and foremost by his success in governing men, just as in the case of a bridge, you want to know whether it is a good bridge according to the standards of engineering

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and not whether it is a moral bridge. The first test of the politician is whether he governs well, not whether he governs morally, that is a later question. Unfortunately, those who sit on the sidelines and don't realize the innate character

of government, are always terribly troubled by the rottenness that goes on in politics, and I don't mean to imply that there are not times when that rottenness should be our main concern, but what I mean is that always the man outside of politics sees it as a matter of rottenness and evil and people tricking and scheming. He confuses the weakness of the statesman's materials with the corruption of Government itself. And so the man who hasn't a philosophical view of life will take a life like Lincoln's and just rip it to pieces as if the art of governing men were the work of a saint. Now, the politician doesn't feel that sense that all is rotten in politics. He feels that the evil and good in the world are the very material with which he has to deal. He feels like the poet. The real poet, the great poet, doesn't say, 'My heavens, look at all this hard, prosy material I have to conquer and transfigure.' The outsider who hasn't the poet's creative flow thinks that, 'How can you ever make a poem out of this story? It's impossible, there's too much in it.' Another one says, 'This is the machine age; how can we make poetry out of machines?' The poet doesn't bother about those questions. So, the statesman, the politician, isn't worried as mere outsiders are worried by the clash of passions and the fact that some men are not to be trusted, and the fact that others will stab you in the back. That is all part of the game of politics. That is the material with which the statesman works -- human nature and its passions. In exactly the same way the poet deals with stubborn material of the world and makes out of it a poem, so the politician makes his poem which is in the government of the state. And it is a noble poem.

And that's the end of that quote.

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Earlier I referred to giving that, talking about that to President Truman, and also giving him some excerpts from Sandburg about some political shenanigans by President Lincoln that some people, especially those who see politics as tricky and dirty business, might have looked at askance if it weren't Lincoln involved. And I remember I also gave him another quote, I don't remember from what source it was, but it was also about Lincoln. And it also dealt -- it was not by Sandburg -- but it dealt with the same episode in a somewhat different fashion. That was the episode involving the statehood of Nevada, in 1863 when the statehood bill was before Congress. And according to this account, some of the Republican congressional leaders came to Lincoln and said it was a close thing and they needed some votes and that they thought they knew where they could get them but certain things had to be done, certain promises had to be made in order to get those votes, and what should they do. According to the account, Lincoln looked out of the window and he said something like this: "My name is Abraham Lincoln, I am President of the United States, and I wield immense power. This Nevada statehood bill is important

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not only to millions of Americans alive today but to millions still unborn. It may be decisive in what happens in connection with the abolition of slavery by constitutional means," or words to that effect. "So, I don't know what you have to do, and I don't care. All I say to you is, 'My name is Abraham Lincoln. I am President of the United States, and I wield immense power,'" and

according to the account they understood him and they went back, made whatever promises were necessary, and the statehood bill passed, which may or may not be true, but that was the account.

Now, bringing this a little up to date. Last fall I came across a series of articles in the *New York Times*, four articles on air pollution, its effect on national life and what it being done to produce clean air, to make the air clean. These are written by Gladwin Hill and appeared in the *New York Times*. I have before me the second article in that series which appeared in the *New York Times* of Tuesday, September 27, 1966, starting on page 1 of the *Times*, it's datelined Los Angeles. I will read the first few paragraphs:

In a large city in the Middle West a few weeks back, a nationally respected air pollution

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official concluded a disquisition on the nation's mounting smog problem by abruptly sweeping aside his slide rule, charts and tabulations and exclaiming:

'That's the official story. Now, do you want to hear the truth?

'The truth is that the critical ingredient in smog simply is politics. By that I mean people and their instruments of government, and their attitudes about a community problem.

'We know how to cure smog. It's not unduly difficult or expensive. The problem is getting the people in the community to support a cleanup program.

'The most important part of a program is not technical expertise. It's having a wheeler-dealer politician who can put it across with the political establishment in a community. We are long on engineering and short on wheeler-dealers. That's why our air is a mess.'

Now, if anything more perfectly pinpoints what I have in mind, that's it, and the importance of politics, and the wheeler-dealer, if you like. Lyndon Johnson is often stigmatically called a "wheeler-dealer," you see. Well, if he's wheeling and dealing for the public interest, I'm for him, and I believe he has been. So, here you have it, a great national problem. Everybody nowadays recognizes that air pollution is a great national problem. And here's an expert saying, "It isn't the expertise

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we lack; it's the type of politician that can put it across, the real wheeler-dealer that can knock heads together, can make effective compromises, can bring the opposing views into line, and get the community together on a program and the willingness to pay for it. That's what we need, and that's my concept of presidential politics too. And that's why I think that Harry Truman was an outstanding President, and that Lyndon Johnson is an outstanding President, and that both men

may go down in history as great Presidents, but it's too soon to make a judgment of that sort. That takes quite awhile, certainly another twenty-five or fifty years before men will be making considered judgments, I suppose, on either Truman, or Johnson.

Now, the next thing I'd like to talk about is Vietnam. For over a year, since approximately November, 1965, I have been researching this matter. When I say "this matter" I mean not the Vietnam policy itself, but the question of the presentation of our case for Vietnam involvement to the American people and to our allies abroad, not merely the Western world -- the whole free world.

I have come to the conclusion, and I believe I can

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document it, that our case is being presented most ineptly and most ineffectively, and that this is a major weakness in the whole Vietnam story, because as I look at the picture, we are "spending," and I put that in quotes, five or six thousand, or more, lives a year: twenty to thirty billion dollars a year on Vietnam, and we are slowly, I think, militarily, winning the war out there, the military war on the ground, but we seem to be losing, slowly, perhaps not so slowly, the other war, which is the war for the opinion of the American citizens, whose support to some degree or other, is indispensable to continuing that war to a successful or at least an effective conclusion. The American people are notoriously impatient with long continued inconclusive border wars. Witness what happened in Korea. The American people hailed with enthusiasm the first move when we went into Korea to resist the aggression when the North Koreans marched across the border. But by 1952 they were heartily sick of the whole thing, heartily sick of it, and it was a major factor in the defeat of Adlai Stevenson by General Eisenhower in the '52 election, and one of

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Eisenhower's most exceptional gambits or gimmicks or whatever you want to call it, was that famous statement which I believe Emmett Hughes wrote for him: "If elected, I shall go to Korea." And I predict that if the Vietnamese war continues in '68 that there will be a candidate, a Republican candidate, who will say, "If elected, I shall go to Vietnam." And perhaps with equal success.

However, the fact remains that we should be paying comparable attention to presenting our case effectively because I believe it's a good case. I do not say that a hundred percent of the truth is on our side; I know that it isn't. The perfectionists look for one hundred percent truth. There is no such thing in any controverted matter. In all human existence, you have to determine where fifty-one percent of the truth lies, or more, and then proceed on that basis. And I think that a good deal more than fifty-one percent of the truth is on our side though. I'm certainly aware that we, are not utter saints nor are the enemy utter sinners.

Well, briefly, in November '65, I wrote the State Department, and I identified myself as a former responsible Government official, said that I supported the Administration, its basic thrust, as I understood it,

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on Vietnam, which is as I understand, is that we are trying to deter aggression with the minimum use of our great military power that is necessary. It would be easy, of course, to end the war tomorrow, and just escalate up and wipe out North Vietnam, but that would be a catastrophe, which might very well start World War III, and in any event would produce hatred for the United States all over the free world. And it would be easy to pull out too, and that would be a disaster too, because if we pulled out unilaterally, I am confident that within six months or a year, another government:, probably in the same area, perhaps Thailand, Burma, the Philippines, would turn to us and say, "Local Communists supplied and trained and funded and led by the Chinese Communists are attacking our villages and towns and are making a great deal of trouble for us and we can't handle them. Will you help us?"

We'd have to make the same decision again, whether to help them or not. And if we didn't make it, each time we didn't do it, our credibility around the world with persons who were willing to do something to deter aggression would go down another big notch. And I don't think that would be good either for the world or for

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us, but I don't want to get into an elaborate exposition of the Vietnamese case, which in any event, I gave more attention to yesterday or the day before.

In any event, I wrote to the State Department and said would they send me whatever material they had. I was thinking of making some speeches on the matter, so would they send me whatever material they had for supporting the case for Vietnam involvement.

A month or six weeks went past, and I received a large envelope, very sloppily packaged, containing a huge mishmash of materials. There were speeches by the President, speeches by Secretary Rusk, speeches by Secretary McNamara, there were background papers, there were committee prints, there were all sorts of things. It would have taken a fellow a week to wade through that stuff, and there was no single coherent statement of the case. I should add that in that first letter I had also raised a specific question. I find that from time to time the people who oppose our involvement in Vietnam raise a new question which they hammer hard for a while and then pass onto another one. It seems to change from time to time. At that time a question

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that I heard a great deal from my friends who were opposed to Vietnam involvement was that the United States was responsible for persuading the Vietnamese government not to honor the Geneva convention and hold those free elections in 1956. So, in addition to asking for the general presentation of the case for our Vietnam involvement, I asked for a specific answer on that question, "How did you answer that question?" Well, as I say, a month or six weeks later I got a package of mishmash, no coherent statement, and no answer to that question.

I wrote again. This time I wrote, I believe, to Dixon Donnelly, who was and is the Assistant Secretary of State for Public Affairs, I specifically addressed it to him. Another month or six weeks went by, by this time it was about three months since I'd first written, and I did get a long, I mean, a four-page, single-spaced letter from a minor State Department official, answering to

my satisfaction the question I'd raised. It had taken me three months and two letters. And as for my main thesis, why are we in Vietnam, what's it all about, what's the background

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of it, as I say, I had not gotten anything that was satisfactory from the standpoint of any average busy man who wants this thing presented in some coherent fashion so that he can study it quickly and easily. I wrote Secretary Rusk my thoughts on the matter, that I thought this ought to be done; I wrote some suggestions on how I thought it could be done more effectively, I got no answer from the State Department. I let the thing sit for a while, and in early September, '66, since I was then about to do some campaign work, and possibly make some speeches (I didn't in fact make any), I again wrote the State Department, I wrote Dixon Donnelly, I think it was on September 8, and I also wrote Secretary McNamara because I hadn't gotten much satisfaction from the State Department in the past, and I thought that McNamara might be interested. I wrote him a letter making the same points that I'd made earlier to the State Department about the ineffectiveness it seemed to me their material was from the standpoint of a man who wanted to defend the case.

I never got an answer to the letter I wrote Mr.

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Donnelly; he has subsequently written me that they have no record of having received it. All I know is my return address was on the envelope so if they didn't receive it it would have come back to me. It probably just got lost in the bowels of the State Department. That can happen, but it happens too often. I have written the State Department on many matters over the years and I find that either the letter never gets answered or it takes weeks and months to answer. In any event, the situation with Mr. McNamara was different. On September 28, 1966, he wrote me that my ideas made sense to him, and that he was going to try to put them into effect, "Your grassroots approach," he said.

In late October I got a letter from Arthur Sylvester, who was then, he recently resigned, but who was then and had been for years, Assistant Secretary for Defense for Public Information. He said that Secretary McNamara had sent my material to him, that he had farmed it out for comments to interested agencies and people and would be in touch with me later. On November 8, I think it was the 8th, I received a phone

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call from a Deputy Assistant Secretary of State, named Harold Kaplan, whom I had never heard of, and he invited me to have lunch with him at the State Department. I discovered that I had gone around Robin Hood's barn to get to him. What had happened was, Sylvester had sent my material over to State and they now thought it was worth hearing my story, although I had been able to have no impact writing to them directly.

I had lunch with Mr. Kaplan, on November 14th as his guest in the State Department, and we spent two hours discussing this matter. I told him of my views, and I will go into more detail about them when I get through this statement of chronology. He listened and said -- oh, there's one thing that I should mention that I overlooked. Since I had received no reply to my September

'66 letter to Mr. Donnelly, asking for their up-to-date material on Vietnam involvement, I went down to the Superintendent of Documents Bookshop on North Capital Street. For the benefit of Government officials who just have to push a button and tell their secretary to bring them any

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government publications, this is the place for people who aren't in the Government have to go to buy it. However, it is a very good bookshop and the material is very well displayed. The State Department has whole racks of their material there. I went over their material and bought everything on Vietnam. Everything, and the other stuff too.

I remember all the poop I bought cost me thirty-seven dollars that day, although it wasn't all State Department by any means. I went home and looked over the State Department materials. There were only three items that seemed to me to be of much value and they were pretty good, but they weren't up to date. This was September '66, and the Government was selling these publications in its own bookshop, September '66.

Of these three publications that I'd say were worthwhile, two were thirteen months old and one was twenty-five months old, two were over a year old, and one was over two years old.

Now, I have the one that was over two years old before me here. This is a real horror case. It's

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a pamphlet of questions and answers called "Vietnam, the Struggle for Freedom," issued by the Department of State in August, 1964; it's Department of State publication 7724, Far Eastern Series 127, Office of Media Services, Bureau of Public Affairs, and sells for 25¢ at the Government Printing Office. It is, as I say, a series of questions and answers, it's thirty-one pages long, and question 22 on page 21 is as follows:

Why not send U.S. combat units to fight in South Vietnam?

And I will quote one paragraph, there are two paragraphs. I'll just read the second paragraph. This is from the answer to this question in the State Department pamphlet. It is being sold in September '66, and it was published in August '64, two years and one month earlier.

The Vietcong use terrorism in armed attack as well as propaganda. The Government forces must respond decisively on all appropriate levels, tasks that can best be handled by Vietnamese. U.S. combat units would face several obvious disadvantages in a guerilla war situation of this type in which knowledge of terrain, language, and local customs is especially important. In addition, their introduction would provide ammunition for Communist propaganda which falsely proclaims that the United States is conducting a white man's war against Asia.

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Now get this: The United States Government is selling this thing in 1966 when they have several hundred thousand ground troops in Vietnam fighting. They are selling this to the American public. I took this down to the White House on January 5th when I spent an hour with John

Roche who is a special consultant to the President and who works on Vietnam among other things. And his eyes bugged out a little and he said, "May I have that to show the President?"

And I said, "Sure, if you'll give it back to me."

And I gave it to him and he sent it back to me later so I assume the President has seen it too. This is only one example. It is one example of many horror cases.

Here is another thing: One of the main focuses of attack by the anti-Vietnam people today is the horrors of the U.S. atrocities in Vietnam. We are murdering little babies with napalm, and women and children and old men and we are war fiends and war criminals. We are doing awful things.

Bertrand Russell, Lord Russell, who is now 94

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years old, and who has been one of the world's great philosophers, there is no question about that, is sponsoring a war crimes trial, as he calls it, or a tribunal which purports to be going to try President Lyndon Johnson and Secretaries Rusk and McNamara as war criminals for these atrocities, a Nuremberg-style trial trying our top leadership as human fiends. He has assembled, or non-assembled, a group of illustrious judges from countries all around the world. Sometimes they come on his panel and then withdraw.

I'm not sure who is there at the moment, but he has had, and I think still has, Simone de Beauvoir and her boyfriend, Jean-Paul Sartre; and former President [Lazaro] Cardenas of Mexico; .Isaac Deutscher of the United States; for awhile, Danilo Dolci of Italy, the Italian reformer was there, but I believe he's resigned from that tribunal; Peter Weiss of Germany, and others, all distinguished intellectuals.

And I might note parenthetically that I wrote a letter to the London *Times* last August or September denouncing the Bertrand Russell war crimes trial. I wrote it to ten newspapers around the world, seven in the United States, one in France and one in Italy

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and one in Britain. Four have printed it to my knowledge, perhaps others that I haven't seen. The London *Times* politely declined my letter.

I then wrote my first cousin, Lord Walston, who is my maternal aunt's son. He is a British labor life peer, and was until a month or two ago, the Labor Government spokesman on foreign policy in the House of Lords. I asked him if he would select and send my letter to a newspaper that he thought might print it. He sent it to the *Daily Telegraph*, and they did print it. His judgment on that was good.

They printed it on September 21, 1966, and on September 30, 1966, the same paper published an answer by Lord Russell. Among the papers I've given the Library are his answer and my reply. I then wrote my friend, Lewis Mumford. Lewis Mumford is one of the great American

intellectuals. He is a philosopher, a civic planner, a deep thinker and a man of superb talents. He has been president of, I think it's called The American Academy of Arts and Sciences. In any event, it's an inner group of only fifty, which is supposed to represent the cream of the intellectuals

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of the United States, the top fifty. And he's been president of that. He's a brilliant man.

He was my father's great friend from about 1920 on, and my father converted him -- he was an idealistic pacifist in the twenties. My father persuaded him that that didn't make sense with the rise of fascism. And Lewis became an all-out interventionist in the thirties.

Then an event happened, I'm just guessing, that may have changed his mind back again. In 1944, his son, Geddes, a handsome boy of nineteen, was killed in Italy: He was an infantry rifleman, and he was serving as point man for his platoon. He was a volunteer in that capacity. A rifle company is the most dangerous assignment in the Army, and the point man is the most dangerous assignment in a rifle company. He was mowed down while out in front of his platoon by German machineguns.

My mother wrote me in Italy about this and said that Lewis asked if I would inquire into the circumstances, the details of his death, since he'd only gotten a general letter from the War Department.

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I did so. I sent some of my men down to the company with which he had served, it was then November, 1944, two months later, to talk to anyone who had known him. But the circumstances of war are such, that even on the so-called quiet Italian front, the attrition in an infantry rifle company are so great, that there was practically no one there who even remembered him. I think my men only found two people who remembered him.

But in any event, I wrote a nice memorandum, somewhat embellishing the facts, but not, I think, not misrepresenting the essential nature of the situation in any way, but the general idea was something that would be pleasing to a father, of course. I quoted the men who would talk about it, praising Geddes as a fine soldier, and a brave soldier, who had always done his duty and so forth and so on. I sent it to my mother who gave it to Lewis Mumford. After the war he wrote a book called *Green Memories*, which was the account of the life of Geddes, who died at nineteen. It was a beautiful book, and among other things he reprinted excerpts from my memorandum:

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It may be that the death of Geddes has something to do with where Lewis stands today on war. In any event, Lewis is deeply opposed to our involvement in Vietnam. He has been for years, and had been, in fact, opposed to things like NATO before that. In the fifties he thought we should withdraw from Europe, whatever that might entail. He's an idealistic pacifist, again, as he was in the twenties. He thinks anything is better than war, even surrender. At least that's my appraisal of what he thinks.

He bought his house from my father some thirty-five years or more ago in the country. It was next to our country place, but it's Lewis' year around home except when he is away at some university. This is in a little hamlet called Leedsville in the township of Amenia. It's about two and a half miles east of Amenia, and right on the New York-Connecticut line, halfway between the villages of Amenia, New York, and Sharon, Connecticut.

So, in the summer, when I visit my mother, as I usually do once a summer, Lewis and I usually have at least one argument about Vietnam. This has gone

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on for several years, so I know his position pretty well, and he knows mine. But in September I wrote him and I said, in effect -- well, I have it here. This is my exact statement:

I realize that this [that is, Lord Russell's trial] is a propaganda exercise in support of a position with which I understand you to be in full agreement. But for my own part I am revolted by this flat out attempt to equate U.S. leadership with Hitler and company. I'd be grateful if you could find a moment to write me, a line or two would be enough, of your opinion of the propriety and wisdom of Lord Russell's trial.

I wrote on September 27 last. He replied two days later. He didn't waste any time. Here's what he says, this is an exact quote.

Some old and valued friends share your extremely naive interpretation of American policy in Vietnam. As to Russell's proposed tribunal over war crimes and atrocities committed by the United States, it does not concern me nearly as much as the fact that you [myself] show complete lack of concern over the fact that we have committed them, though no one can read the news or look at television without being brought face to face with these atrocities. So that unlike Hitler's accomplices, we cannot pretend that we are ignorant or innocent. The methods that the Government has employed there have degraded our country, wrecked every pretense to being more humane than Hitler, Stalin, or Mao. The 'propriety and wisdom' [those were my words] of the American people tolerating these crimes, not Russell's investigation, is what I question.

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That was in September. I mulled that over for a long time, and on February 13, 1967, I wrote a memorandum, which I headed "Is Lewis Mumford a mirror image of McCarthy, a liberal McCarthyite." I started with his background:

Bertrand Russell and others, mostly intellectuals of world rank, propose a "trial" of President Johnson and Secretaries Rusk and McNamara as Hitlerian-type war criminals on the basis of alleged U.S. atrocities in Vietnam. This is a classic exercise on McCarthyism. Bertrand Russell and company want a debate on Vietnam. Fine, but they want to frame the debate in the context of a 'trial' of the leaders of the opposing viewpoint as Nazi-type human fiends. This represents a

central element of McCarthyism, namely, never engage your opponent in rational debate, instead vilify him.

Then I say that I have known Lewis Mumford since my childhood, admire his great talents, always liked him personally. I could not believe that he could stomach tactic like that of Lord Russell. I then refer to my correspondence with him in September 1966, quote from it, and then I come to my conclusion.

Though a man of many talents and virtues, Lewis Mumford is not living up to his own principles in this matter, though himself once a target of McCarthyism [this is true] he appears to accept without protest McCarthyite tactics when they are used on his side. I believe unfortunately that this is typical of the attitude of many idealistic

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liberals here and abroad on Vietnam. They are so deeply committed to their thesis that they are prepared to violate a basic liberal credo, that ends do not justify means, I am sending a copy of this memo to Lewis Mumford for comment.

That was on February 13th. Lewis is a fast correspondent, because on February 15th, he replied to me.

Dear Stephen:

Your libelous memorandum in the best style of the discredited master speaks for itself and answers itself.

Of course, the discredited master he is referring to is Joseph McCarthy. So we are trading insults, as it were, I say that he's acquiescing in McCarthyism; he goes a step further and says I am a McCarthyite. Continuing his letter:

If you have the faintest glimmer of insight into the essay I sent you on the morals of extermination, you would not have made such a preposterous comment on my criticism of the atrocities that our Government has committed with the connivance of the Congress and the passive consent of the American people in Vietnam. We are all involved in this infamous policy, even those who, like myself, have protested against it, and we are morally degraded by it, as every decent German was degraded by Hitler's extermination camps. Only the ignorant can pretend to be innocent. Faithfully yours, Lewis Mumford.

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Dear Sir:

You Cur!

That's my own addendum. I also sent a copy of this to Douglass Cater, at the White House, who is one of the President's speechwriters, because it seems to me that Lewis Mumford typifies an

important element in the intellectual community and their willingness to see always the beam in our eye, but not the mote in the other fellow's, and their willingness to acquiesce in McCarthyite tactics, and that's the only thing I can call Bertrand Russell's trial, because this is not an attempt to get the truth on the thing, it's an attempt to smear the American leadership, and thus stigmatize everything we do.

I'm going to give you this to Xerox and return.

Now, continuing my story about my efforts to get something done in Vietnam, I had this lunch with Harold Kaplan and he said that I'd shaken them up -- that story about the publication that the Superintendent of Documents was selling, denouncing what we were doing at the moment -- and that they were reconsidering, canvassing their whole approach.

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He said also that they were thinking of getting out as I had proposed (and I'll get into my proposals in a moment), a loose leaf booklet on Vietnam which would cover the back ground and then with tabs would cover the important questions that are being raised about it, which could be loose leaf and could be kept up to date. They were not going to do it in quantity, a few thousand copies was all.

I note that he told me that on November 14; in March, four months later, the State Department began to issue these. It actually put out the first three, they were dated February but they did not come out till March. I got them promptly.

The first three little fliers or brochures dealing point by point with aspects of the Vietnamese struggle and why we are there. I understand that about fifteen to eighteen will be put out. How long that will take I don't know. It took at least four months, because they told me that they were going to do something like this in November, to get out the first three, which do not seem to me, by any means, to be overwhelming documents. Moreover they apparently are not going to be put out in a loose leaf package in any event.

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I understand that about nine or ten thousand of them will be put out, that about nine thousand of those will go to individuals who have shown interest by writing the State Department or by appearing in State Department seminars and panels on this subject around the country, their mailing list of interested people, and the other eight or nine hundred will go to institutions which want multiple copies, libraries, colleges and so forth. None apparently are going to newspapers and magazines or abroad as far as I'm aware.

In any event, I had two hours with Harold Kaplan, who is a bright fellow, very intelligent, he had just been made Deputy Assistant Secretary of State in the Public Affairs Bureau, and he apparently has had and I think still has, prime responsibility for the presentation of the Vietnam story. He was at the Manila conference with President Johnson, and before that he was for two years public affairs officer in Saigon, so he certainly knows Vietnam.

On December 7, 1966, I had an hour with Assistant Secretary of Defense Sylvester at the Pentagon presenting my case and what should be done. I made

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notes in longhand for my presentation to him, which took about forty minutes, and then we spent another twenty minutes discussing them, something like that.

Here is a copy of my notes which I give you. I also have here copies of some letters which I wrote the State Department, particularly Dixon Donnelly, and Dean Rusk. I also wrote a letter to Mr. Katzenbach, the new Under Secretary on this subject. All these letters were answered by Dixon Donnelly on the first of December, 1966. My letter to Katzenbach was rather sharp about my opinion as to how good a job the State Department was doing in the presentation of our case. Mr. Donnelly says:

As for your letter to the Under Secretary, we are indebted to Assistant Secretary of Defense, Arthur Sylvester, for having referred your proposals to us, an action which led to your luncheon meeting with Deputy Assistant Secretary, Harold Kaplan, on November 14. As my Deputy, Harold Kaplan is responsible for directing the Department's public affairs efforts concerning Vietnam, and by discussing proposals with him you are in the right channel.

Mr. Donnelly thought that reassured me. On the contrary, that was what I was afraid of. He was making that statement, I suppose, because I had sent copies of my correspondence, to the State Department and told

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them that I was sending it to the White House and other places. In the Government, the bureaucrats like to keep you in channels. When you're dealing with routine that's the place to be, but when you're dealing with non-routine matters that's the wrong place to be. Get out of channels, you'll never get anywhere in channels. So, Mr. Donnelly thought he was reassuring me, but quite the contrary, I knew that I was in the wrong place if I was in channels because that's not where you get out-of-routine matters handled effectively.

Now, I give you this too, this Donnelly correspondence. And by the way, the first three pamphlets that they put out in March, one is "Basic Data on South Vietnam," two is "Why Vietnam, the U.S. Commitment," and three is "Negotiating Peace in Vietnam." And I understand that a considerable number of others are projected but are not yet put out, four "The Fact of Aggression by North Vietnam." These are not out yet. Five, "Legal Basis of the U.S. Commitment," six, "Who are the Vietcong and their Front," seven, "Terror and Atrocities in South Vietnam," eight, "Air Strikes Against North Vietnam," nine, "Elections and Political Developments in South Vietnam," ten, "Wars of

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National Liberation: The Communist Plan for Takeover," eleven, "The Geneva Accord," twelve, "Free World Assistance for South Vietnam," thirteen, "The Other War in South Vietnam," that's

the reconstruction and pacification, and fourteen deals with "Asian Support and Asian Programs," and fifteen, "The Military Struggle in Vietnam."

Now, getting to these atrocities. The Lewis Mumford type of intellectuals and the college kids too, talk continuously about atrocities. And when they see President Johnson and McNamara they call them war criminals and fiends. This is done all the time. Hubert Humphrey had the same charge leveled at him recently. So. I would think that we ought to be dealing effectively in the counter propaganda department with this atrocity question. In that material I just gave you is a Photostat from the *Washington News* of some day last fall.

In a single issue they had two stories, they were so juxtaposed in the same issue, they made such an impact on me that I clipped them, mounted them and had several hundred copies run off. One told of an error in U.S. artillery firing, where they made a 180

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degree error (in other words, it was exactly opposite -- this happens sometimes), and they fired the wrong direction and hit a village and killed some South Vietnamese by mistake. It was the artillery sighting that was wrong. This happens in all wars, unfortunately.

The other report, the same day, the Vietcong murdering deliberately hostages that they had captured and mutilating the bodies, hacking them to pieces. So, our "atrocity" was inadvertent killing of innocent civilians through error in artillery firing; theirs was deliberate murder. That seems to me to pose the difference.

I received a pamphlet of some forty-eight pages, called "A Study, Vietcong Use of Terror," dated May, 1966, issued by the U.S. Mission in Saigon, Vietnam. It contains actual cases, I mean, paragraph by paragraph it lists dozens and dozens, the date and the place and what happened, of atrocities, by the Vietcong, most of them involving civilian Vietnamese; bombs planted, throwing of grenades, deliberate murders, mutilation of bodies, dates, places, and what happened, dozens of these cases.

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And it has statistics over the years, you see, from '57 up to '66, on terror acts, assassinations, kidnappings, and so forth, by the Vietcong.

This is good stuff. I pointed out (it's dated May 1966), I pointed out that it should be brought up to date because there was a wave of Vietcong terrorism in September, 1966, to attempt to deter the elections, which were held and in which over eighty percent of the people voted in South Vietnam, but they had a wave of terrorism and many of these attacks were against civilians to try to deter them from voting.

And I pointed out that there was another wave in October, when Lyndon Johnson went to the Manila Conference, and that was supposed to associate terrorism and perhaps deter him from going to South Vietnam, which he did do, however. But there was a wave of terrorism at that time. And I said this thing should be supplemented and updated with those things brought in, and that it should be sent all over the free world, to every opinion molder, every government.

You can hardly get a copy of this thing. When

[#544 was omitted in numbering the pages.]

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I tried to get a copy they had to Xerox a copy for me. It's apparently for internal distribution. When I wrote Harold Kaplan and asked for ten copies he could only send me three. What sense does this make? They have the document, why don't they use it? Well, I give you this only as an example. I want to keep that, but I've given you the quote on that and the reference so that anybody who wants to look it up can get it, presumably from the State Department if they have any copies to distribute.

Now, I also have discussed this subject with Leo Cherne, who is the sparkplug of, what's it called, the Institute of Public Affairs or something of that sort, which is a large organization which attempts to advise businessmen in understandable English how to deal with their Government on taxes and labor and in other fields.

Leo Cherne is a hell of an operator, he's got more hats than you can shake a stick at. Among his other hats, he's chairman of the executive committee of Freedom House, and he supports the Administration position on Vietnam. I had lunch with him in New York

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in December 1966. I had been trying to get in to see John Roche at the White House for some time, and it turned out that Leo was a good friend of his and he gave me an assist there, and on January 5, 1967, I spent an hour in the White House, with John Roche going over the same ground that I'd gone over with Sylvester and Kaplan. And John Roche is a very able and savvy fellow, but I don't know just what the situation is, but I regret to say that I do not see any significant change for the better in the presentation of our case. I'm not trying to pin the blame on anyone. Actually what I think is needed is centralization of responsibility. Basically, my program amounts to this:

I say, one, this is a war. The State Department is running this thing on a nine to five, weekends off, basis, like a scene from *Tea and Sympathy*. They are minding the store so poorly that outdated material is being sold by the Government to its citizens, which is not only obsolete, but pernicious, I mean, in terms of present policy.

And they simply are not hitting the tack on the head with their material. I say: One, a war should be

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run like a war. This front, call it the counter-propaganda front, is almost as important as the military front in Vietnam. Believe me, they're running that like a war. There ought to be a generalissimo with full authority. Maybe it shouldn't be in State, maybe it should be somewhere else. State doesn't seem to be able to handle it.

And my experience with State over thirty years or more is rather frustrating in these things. It always seems to me that it's like punching a pillow. Everything is rather languid, no sense of urgency, even when there is urgency, and you often are confronted with, "We simply don't do things that way at State, we never have." My theory is that anything that you have done a certain way for a long time probably should be changed.

So, I would say, first, you need a savvy, prestigious official in charge, with the President's confidence and with authority.

Second, you need a wartime G-2 or G-3 command tent operation, no nine-to-five stuff. There should be a twenty-four hour shift on this. There should be

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shifts of men around the clock. They should be reading the cables and writing the stuff for the big men to see in the morning or to handle in other ways. It should be on a round the clock basis, the way any G-2 or G-3 operation is run during a war, the way it's being run in Vietnam today. This is not a nine-to-five, weekends off job. And obviously they're not paying much attention, they're not scrutinizing. I mean, somebody isn't even reading their own material or seeing how it's distributed effectively. Well, I've already covered that.

And third: The material itself: (a) a coherent story should be told. They're not telling a coherent story. Mishmash is not good enough. Don't send them pots of stuff. Send them a compact kit carefully planned out. (b) Then too, it should be at different levels of understanding and intelligence, because there are different levels of understanding and intelligence. Most of the State Department stuff is geared, let us say, to the college level of understanding.

There should be, I say, as a rough rule of thumb, maybe others might disagree, but this is a good place

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to start for purposes of argument. I say there should be four separate kits, one I would call the grade school level of understanding, one is the high school level. The median education of American citizens is 11th or 12th grade -- the median. Third, the college level, and fourth, the Ph.D. level.

These should be in compact kits, loose-leaf, so that they can be changed because there's a fast-moving situation. It should start off with a background story of the chronology and why we're there and then it should have tabs for the major questions that arouse controversy, like atrocities, and what we're doing to negotiate peace, and so on and so forth. And it should be compact all in one volume. And this should be put out in large quantities and it should go to every newspaper in the United States, every daily newspaper, every magazine and every daily newspaper and every magazine in the free world.

Since I didn't see any notable change in the situation, on February 6th, of this year, 1967, I wrote a memorandum to Walt Rostow at the White House. He is the President's chief assistant on National Security matters. The first

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paragraph gives the tone of the memorandum. The subject is: "Specific Proposals for Making a More Effective Presentation of Our Case for Vietnam Involvement Here and Abroad."

For over a year I have been researching this subject and the main fact that stands out as far as I'm concerned is the shocking ineptness, the languid 'who's in charge of the store' fumbling with which the State Department is conducting a vital aspect of the war in which we are spending five thousand lives and twenty to thirty billion dollars a year, and which we are slowly winning on the ground where the fighting is taking place, and it seems to me, losing here at home and among our allies by default, by the failure to present a good case with maximum, or indeed with even minimum effectiveness at every level of public understanding from the grade school to the Ph.D. level.

And I go on to explain what I've done on this. And I said:

May I talk to you on this? Although these [mentioning all these men I've talked to] are able and enormously busy men, I can't see signs of significant improvement. The buck doesn't stop anywhere.

Let me interject there that President Truman had a sign on his desk that said, "The Buck Stops Here," a famous slogan of his. I said:

Please note the attached copy of my February 2 memo to the President, a copy of which I placed in Mrs. McNamara's hands for her husband.

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I went around to the McNamara house one Sunday and rang the doorbell and Mrs. McNamara, whom I'd met, opened the door and I gave it to her and talked to her a few minutes.

May I talk to you on this, (this is to Rostow). I'm a former Administrative Assistant to HST, later FTC Commissioner and Acting Chairman, and in World War II I commanded a counterespionage outfit that captured five hundred and twenty-five German spies and saboteurs SD and Abwehr. I wrote the civil rights bill in 1948.

He doesn't know me and I'm trying to prove that I'm a responsible citizen whose views should be listened to.

Spingarn High School here is named after my father who is a founder and national president of the NAACP. Hubert Humphrey, John McCormack, Charlie Murphy, and of course, HST can vouch for my bonafides and abilities.

Now, I talked to Mr. Rostow on the phone about March 1st, and he said that he thought that Bill Borden over there was the fellow I should talk to. But today, I have a letter from Donald Ropa of the National Security Council Staff. It's dated March 21st and I received it today.

Dear Mr. Spingarn:

Pursuant to your telephone conversation with Mr. Walt Rostow earlier this month, Mr. Rostow has asked me to make myself available for any further elaboration of your views on the public relations aspect of Vietnam that you care to undertake. If this is agreeable to you, please

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call me in care of the White House switchboard, to arrange a time to meet that is mutually convenient.

So that brings it up to date. I will meet Mr. Ropa and will give him my forty minute lecture, I hope, and hopefully something may someday happen.

HESS: Does that bring us up to date on that?

SPINGARN: Yes.

HESS: Fine. I have a question because there's such a close correlation between our intervention in Vietnam in the sixties and in Korea in the fifties. Of course, you were in the White House when the North Koreans invaded. Do you recall any discussions at that time about what particular actions we should take, just how strenuous our actions should be at that time.

SPINGARN: I went over this with you. I've tape recorded that about how I made this proposal at a staff meeting at the time of the Korean war break out, of what we should do.

HESS: That's correct, yes. I asked you if you had discussed that with the President, and you said...

SPINGARN: I told you I rushed in where angels fear to tread and gave him a memorandum and then he opened up and

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told us what he was going to do. That's all on tape, I believe.

HESS: Fine. All right, you mentioned a few days ago that you had some additional things you'd like to say about a secret session of...

SPINGARN: I don't want to go into that yet.

HESS: What would you like to discuss?

SPINGARN: Let's see. Well, I have here, I told you about letters I wrote President Johnson which covered both my view of the ineptness of the Democratic National Committee during the 1966 campaign, a view, by the way, which I think was widely shared by everybody who had any dealings with them during the campaign. I mean, I've heard this criticism almost universally. The governors are criticizing, every Congressman and Senator I've talked to has said it, I mean, it's a universal opinion that the Democratic National Committee stunk during the 1966 campaign, with only a few bright spot exceptions.

I also covered in four pages, this was written at 4 a.m. on Saturday, November 5, 1966, three days before the election, to the President down in Texas, my views

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briefly on the Vietnam situation and there was a one page cover letter in which I said, "Mr. President, if you don't read anything else, please read the last paragraph." And I asked for an opportunity to sit down, after the election with him or with anyone he named, to give him my views on these matters. I never got a reply on that.

And I also told you about a letter for the President which I gave to John Roche who said he would give it to the President on January 5 when I saw Roche at the White House, which in one page goes over the same situation and suggests reorganizing the Democratic National Committee from stem to stern and suggests for its chairman Neil Staebler, Democratic National Committeeman from Michigan, former Congressman, former state chairman, who put "Soapy" Williams in for six terms as governor, former candidate for governor himself against Romney. He lost in '64 against Romney, and a remarkable combination of both a political thinker and a practicing politician. In the middle '50s, for five years, he was chairman of the Democratic National Committee's committee on organization, and he wrote the

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plan for field work, field organization for the Democratic National Committee which was put into effect and which I believe played a major role in the successful campaign we had in '58.

Of course, I realized there were many other fine choices whom I hardly needed to mention to the President such as Larry O'Brien, Jim Rowe, and Ed Foley, but in any event, the President made his choice which was to retain John Bailey, but what is particularly gratifying is that the President has obviously given the green light to reorganize and revitalize the Democratic National Committee, and it is being reorganized and revitalized. On March 10th, I think it was, it was two weeks ago tomorrow, it was a Friday, I attended a meeting of the full Democratic National Committee here in Washington, at which the plans and programs for the forward program were put before the full committee. And they look fine.

And they have new men. They have a man named John Criswell who has been there a while but hasn't been given the green light before, and he seems to be running the show as acting executive director and

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acting treasurer. He's bright, young, imaginative, and savvy. I had a talk with him and I think it looks pretty good to me.

They have brought in Bill Phillips, who has been for many years the staff director of the Democratic Study Group over at the House of Representatives, one hundred and eighty -- well, it was one hundred and eighty -- liberal Congressmen, House members in the 89th Congress, somewhat less in the 90th, and there's probably no better voter education and political research man in the country.

They brought in former representatives Charles Weltner of Georgia, a fine Georgia liberal who is going to run a youth drive, and they brought in former Congressman [Billy Sunday] Farnum of Michigan, an effective politician with a labor background who is going to run the old Matt Reese operation, registration and get out the vote.

So, it looks pretty good. Criswell bought my program, KOED, to harness the intellectuals of the 2000 campuses, the active Democratic professors on the 2000 campuses of the United States, not just the

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prestige schools, to work for the party within their expertise, to write speeches, write key position papers for our members in Congress, our officeholders at all levels, our candidates, our party organizations at all levels, to make their own speeches, to do political intelligence, market research, all sorts of things, and around the clock, all year around, not just in campaigns, home based to the Democratic National Committee with an experienced, politically savvy political scientist running the show.

So I am very much encouraged by what's happening and reports that I get from others such as Neil Staebler, confirm that things are moving and looking well at the Democratic National Committee. And to me at least, subject to the acid test of whether it all works out, this proves to my satisfaction that Lyndon Johnson is a great politician, because he made a mistake and now he's man enough to realize it and change his course, and things are looking up. Here are the communications to be Xeroxed and returned to me. By the way, I didn't have these yesterday, but here are a couple of other letters from Speaker McCormack about

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the KOED program. Here's one of February 13, 1967:

Dear Steve:

Just a few lines to let you know I received your message with enclosures of February 11. I am very glad to note the progress made by you.

That's on getting KOED adopted by the National Committee.

I certainly admire not only your sound judgment but your determination, fighting as you have throughout the years for the best interest of progress and victory of

the Democratic Party. If you have not got a hold of Congressman Lee Hamilton as yet, I hope you will.

And another letter of February 11th from the Speaker which I put in there. Apropos of Congressman Lee Hamilton, when I talked to the Speaker by phone, when I had a long phone conversation with him on February 6th, he said, "You ought to get together with Congressman Lee Hamilton."

And I said, "Where's he from?" The name didn't mean anything to me. And you know, the Speaker after all has several hundred Congressmen and he couldn't remember what state he was from himself. He had to ask. He's from Indiana, and he's a young fellow, about thirty-five, he's the son of a Methodist minister, I believe, and he's quite a charging, dynamic

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type guy, and the fact that he's thought well of by his peers is evidenced by the fact that he is chairman of the 89th Congress Democratic Club. That means the 89th Congress Democratic House members elected him their chairman, and that was the best class we've had in a long time, so it's a pretty good recommendation for him.

In any event, I called up Lee Hamilton and had lunch with him, and he told me that he had an idea that the Democratic Party was not reaching the campuses, the college youngsters, and that they were not getting our message at all. His idea was to organize congressional teams, particularly of the dynamic younger Congressmen who communicate effectively with college students, to have them make commitments to the Democratic National Committee that they would give some of their weekends on an expenses paid, no honorarium, just expenses paid basis, and they would fan out around the country in teams to college campuses, and there they would sit down, and it wouldn't be addressing mass groups, it would really be, as I understand it, having powwows with student leaders, the influence-molders on the

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campus, a dozen, fifteen, twenty, or maybe more, but not a huge crowd, sitting down unshirted, as it were, with your vests open, and talking back and forth, not just a speech, but a dialogue, in an effort to tell these young people what the case is for the Democratic position on various national issues, including Vietnam but not limited to that, many other things.

This makes a lot of sense to me and I'm glad to say that the Democratic National Committee is going to do it. They have decided to launch a program they call "Congress on the Campus." Senator Gaylord Nelson of Wisconsin is going to head it up on the Senate side, and Lee Hamilton on the House side, and they've got fifty teams of Congressmen organized to go out on the campuses on this job. It's going to start soon. It all ties in with KOED, too, I think, because KOED is leveled at the faculty, you see, and this is leveled at the students. Obviously, the two can be meshed to some extent. And Lee Hamilton and I have agreed that at some later time we will get together with Charles Weltner and Criswell at the National Committee and see if we can't figure out some way of meshing

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gears on all this stuff.

Here is an interesting piece of material, it's a profile of an able woman Democratic politician, Ann Branscomb, who has just been made vice-chairman of the Democratic Central Committee of Colorado. I had lunch with her yesterday, saw her for the first time in ten years, she's had an interesting and successful career, she's still in her thirties, and I wouldn't be surprised to see her Senator from Colorado some day, anyway in Congress.

In the 1966 campaign I was invited by David Chewning, the National Director of Operation Support of the Democratic National Committee, to do some writing for them, and I decided to do it. The hottest domestic issue was rising prices, high prices and inflation. It may already be forgotten, but prices did rise much more rapidly than they had previously for some years in 1966, and '65 too.

This was a very itchy matter on the domestic front. The housewives were screaming like crazy, and it was a serious liability politically to the Democratic Party in the '66 campaign.

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I thought I would do some writing on that, but when I went to the Democratic National Committee I found that they had nothing whatever that was adequate, no adequate writing on the subject, although it was the most important and itchiest domestic issue. It seemed absolutely ridiculous. It was another example of how poor the National Committee was. I cannot understand how a national committee wouldn't have good writing on the worst issue domestically.

So, I decided to write on it myself. But that meant I had to do the research too. I spent two days on research. My style of research is grabbing a telephone and calling an official, I mean, I called officials at the Bureau of Labor Statistics, and the Department of Labor, at the Commerce Department the Council of Economic Advisers, and Agriculture, maybe one or two other places. In each case I would ask a lot of questions and when he answered I would say, "Can you send me your poop documenting those statements, the tables and statistics."

So, two days of that and I collected a lot of material and I sifted through that and on Sunday,

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October 9, I sat down and I wrote fourteen hours getting up at about four or five in the morning, and I finished a fact sheet of ten pages. It was ten tables of statistics, and it was political argumentation geared, I hope, to the level of understanding of the average housewife, or her male compeer. I covered it with a little memorandum: My theory is that humor always attracts attention, and focuses interest. So here was my cover memorandum to transmit this thing. This is to whoever the addressee might be for that particular copy.

Subject: GOP Formal Charge that Ours is the Irresponsible and Cruel Party
 of High Prices and Inflation.

That's the exact quote from the Republican document on this subject.

On October 13, the Republican National Committee [I wrote this thing a few days after this cover sheet. I had written the basic document and in the meanwhile the Republicans had put out their document] roaring like an African lioness in the last stages of her accouchement brought forth on this Continent a new document conceived in ignorance and deceit and dedicated to the proposition that all Americans are created stupid.

This winsome ten-page document which is sponsored by Eisenhower, Nixon, Goldwater

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and all the rest of the GOP leadership, charges that the Democratic Party is the 'irresponsible, and cruel' party of high prices and inflation [snarl] and that this 'breach of the public trust will rightly be a prime issue in 1966. Attached is a magnificent ten-page document of the same date as the GOP opus (we Democrats move fast), which proves conclusively (I admit it), that the correct answer to this false and dastardly charge is the pungent word which General McAuliffe hurled at a sullen foe at Bastogne, or better still, Le mot de General Cambronne, which is describe in my pocket encyclopedia in this fashion: 'Cambronne, Pierre, French General, 1770-1842, commanded Old Guard at Waterloo. Replied to British invitation to surrender with a brisk vulgarism which has gained him immortality.' [That's the encyclopedia.] I have been coining brisk vulgarisms ever since in the hope of gaining immortality.

If I may intervene there, Le mot de General Cambronne is Merde. That means "shit" in English. This is the word which made him immortal. Today in France when a Frenchman wants to insult you elegantly, he says, "Je vous donne le mot de General Cambronne." "I give you the word of General Cambronne." General Cambronne was made immortal by only one thing, that one word he used at Waterloo.

Well, continuing my cover sheet:

This paper is, I hope, geared to the understanding of an average alert housewife with a high school level education and her male

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counterpart.

By the way, I would like to insert parenthetically, I hope no prissy prims are going to delete any vulgar words that I use. I hope those words go into the historical record. They should. I would deeply resent it if they were deleted. You pass that on, please.

HESS: You have done so.

SPINGARN: I have done so. I mean, there is a prissy prim thing that thinks that dirty words are not usable. But when a dirty word is relevant it should be used.

This paper is, I hope, geared to the understanding of an average alert housewife with a high school level education and her male counterpart. I have tried to give simple and meaningful explanations of economic matters and to make key points and statistics leap to the eye rather than remain sternly imbedded in the page. I obtained all my facts from official and other responsible sources and a highly competent authority who read my paper in final rough draft on October 10, assured me that he saw no bloopers in it. I am a former Commissioner and Acting -- Chairman of the Federal Trade Commission and before that Administrative Assistant to HST.

That's the cover sheet. Now, that highly competent authority: I got much help in collecting the research on this from the Bureau of Labor Statistics, naturally, which does a lot of this work. I talked at some

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length to Arnold Chase, assistant, or Associate Director for Prices, and on October 10, 1966, I took him to lunch at the National Press Club, and I asked him to read my draft and I said that I only wanted to ask you one question. I don't want any details, I just said, "Do you see any bloopers in it?"

He read it and said, "I don't see any bloopers in it."

So on that basis I went to bat. I gave the Democratic National Committee a copy that day, but I knew they weren't going to do anything with it for a long time because they moved so slowly. So, I went and had three hundred copies made at my own expense (it cost \$110), and I immediately -- it was dated the 13th, but it was actually off the press on October 12 -- and I then started sending it out.

I sent it to everybody at the White House, from the Beagles up, including Mrs. Lyndon Johnson, and the whole staff and the President; I sent it to every member of the Cabinet, except, I think, one Republican member, I sent it to every leader of Congress and many other Congressmen, I sent it to activist Democrats from here to Alpha Centauri, or at least to Hawaii.

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In the District of Columbia I sent it special delivery, when I sent it outside of the District I sent it air mail special delivery. In every case I put in a personal letter to the man explaining how important this document was, how badly we were being hurt by this issue, and how we should be pounding on it, and some personalities too, relevant to his own situation, if possible.

And I put these in fancy envelopes which I festooned with magic markers and special delivery stamps and all sorts of stuff so they would get through the outer defenses.

I received a letter immediately from the Speaker, saying that he thought it was so valuable he had written to John Bailey and asked him to send a copy to every Democratic member of Congress. Later the Speaker wrote me, sending me the original of the letter from John Bailey saying he was

going to do that. Actually, although I gave it to Bailey's people on the 10th, it wasn't issued as a committee document until the 27th of October, which was, what, about ten days before the election.

Here's a letter from Orville Freeman, Secretary

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of Agriculture:

October 28, 1966

Dear Steve:

I appreciate receiving your fact sheet on inflation. It is well done and I hope it is being widely circulated. We are doing some checking here to see what we can do to move it out on an even broader front. I agree with you. We have been hurt the most on this issue politically. We do need something new, hard-hitting, and effective to counteract and gain back some of that lost ground.

Sincerely yours,

Orville Freeman

Here's a letter from Joseph Califano, Special Assistant to the President.

October 31

Dear Mr. Spingarn:

Many thanks for your letter of October 12. We appreciate your taking the time to put together such a hard-hitting fact sheet. I have asked some members of the Council of Economic Advisers to review your papers and they believe it is a worthwhile document. Many thanks.

I note with pride that all the council members are Ph.D.'s in economics. I had one semester in economics as an undergraduate. I know nothing about it. My theory is that it takes a politically experienced

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ignoramus to write stuff of this sort, because he knows what the other ignoramuses want to know. He knows what they want to know, so he writes what they want to know about.

Here's a letter from Robert Kintner, Secretary to the Cabinet:

November 10

Dear Mr. Spingarn:

I had intended to write and thank you for your fact sheet on inflation, which we found helpful some weeks ago. I am equally grateful for your subsequent memos and suggestions. Be assured that they have reached the right people and will always be welcome.

Here's Robert Weaver, Secretary of Housing and Urban Development. I note that he is a Harvard Ph.D. in economics in the class of 1934.

October 18

Dear Mr. Spingarn:

Many thanks for your note of October 13, and the attachments. I have read the fact sheet with great interest and I think it is an excellent job. I hope it will get wide circulation and I shall probably steal from it from time to time.

It was good to see you the other night and I do hope that you will transmit my warm greetings to Arthur.

That's my 88 year old Uncle Arthur who has been,

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until last year, for 26 years the national president of the NAACP, of which Robert Weaver was for a long time the chairman of the board.

A letter from Wilbur Cohen, the Under Secretary of HEW.

I read the material very carefully and found it particularly useful.

A letter from Esther Peterson in longhand. I sent her a copy just before she left for Denver.

She wrote me:

Bless you, Steve. Your paper came just in time. It's good. Thanks. Esther.

She went out to Denver, you know, to head off the housewives who were storming the Safeways out there.

I got a letter from Claiborne Pell, Senator Pell, saying he was stealing some of it in speeches he was doing and many others.

And here's one I especially appreciated. I sent a copy to Sylvia Porter, the famous woman economist and popular writer who is syndicated in hundreds of newspapers and who in my

opinion writes the best simple English on economic matters in the United States without regard to sex. She is the outstanding simple English

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economic writer in the United States -- economic and financial, without regard to gender, in my opinion. I don't know her.

November 21

Dear Mr. Spingarn:

Thank you for your letter of October 23, which I have just seen on returning from a trip out of town. The material came in too late of course for an answer before the election. Actually you have done a wonderful job.

And so on. I have also attached hereto my fact sheet, the Democratic National Committee's reproduction of it as their document which came two weeks or more after I put three hundred copies out at my own expense. And obviously too late. I sent my draft out about the 12th of October. Even mine was too late, but it wasn't my fault because I didn't know I was going to write it until I found out they didn't have one.

I have here the official Republican pronouncement on this subject, dated October 13, 1966, which by coincidence is the date mine had on it, although I actually got it out a day earlier. I hadn't seen their document until after I wrote mine, of course. It had been formally approved by the Republican Coordinating Committee on October 3; that's the high

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command. It includes Eisenhower. Nixon, Dewey, Goldwater, Bliss, Dirksen, Ford, everybody.

And I want to make one comment further. It's only half the job to produce good political material, I mean, fact sheets and campaign material. The other half and maybe the harder half is to get people to use it. It isn't good enough to mail out routinely through big mailing lists. You have to do it the way I have done it here, I believe, and that is to send it to key people, send it special delivery, air mail, have personal notes in each case, and tell them why it's important and how it can be used. And then, if you send it to these key people, they will see that it gets reproduced all right. The Speaker of the House turned it over to Chairman Bailey of the DNC, you see, and said, "Will you send a copy to every Democratic member of Congress." Well, if the member of Congress likes it, he's going to see that it's reproduced locally in his own area. So that's the way you do it most effectively. I mean, mass mailings may be all right in addition, but not instead. This is the way you really do it, I think, politically.

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Seventh Oral History Interview with Stephen J. Spingarn, Washington, D.C., March 23, 1967.
By Jerry N. Hess, Harry S. Truman Library.

SPINGARN: In 1956 at the beginning of the presidential campaign, I was scheduled to make speeches under the auspices of the Democratic National Committee Speakers' Bureau. On October 15, 1956, I wrote President Truman and I gave the letter to Dave Lloyd that same day to carry out to Kansas City. He was going out to see the President. This is the text of the letter. His reply, which I will also read, has never been published, and I think it is a most interesting letter expressing in the President's own words how his views on civil rights were formed. This is the text of my letter of October 15, 1956:

Dear Mr. President:

I was most sorry to miss you when you came through Washington recently en route to Boston. I got down to the Mayflower about 9 o'clock having been told you would be there till noon, but the weather changed your plans. However, I had a nice talk with Mrs. Truman who long ago earned my eternal respect and affection by the way she made a freshman member of your staff feel at home.

I am making speeches under the auspices of the Democratic National Committee Speakers' Bureau, either general speeches,

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Small Business speeches, or before Negro audiences. You may remember that my father was president of the NAACP the last ten years of his life, and that Spingarn High School in Washington is named after him. Perhaps more important in this connection is the fact that you assigned me back in 1948 to the task force which helped prepare your civil rights message and program February 2, 1948.

The reason I write is this: Negro and other friends of mine sometimes ask me how President Truman with his Southern roots and traditions could be such an ardent exponent of civil rights and civil rights legislation. They want to know whether it is sincere or only political. Naturally, from my contacts with you I know how sincerely you felt about this, and I've always told them that. But it would be most helpful to me now if you could find the time to send me a few lines indicating why you felt so deeply that civil rights legislation, and civil rights measures generally, were vital to the country.

From recollection and from discussions with Philleo Nash, Charlie Murphy and Dave Lloyd, it is my understanding that your views are based first on the wave of intolerance and bigotry that swept this country after World War I, notably the fight which you made against the Klan and which they made against you in the early 1920s. I understand that you were fearful that the same thing would happen after World War II, and that several terrible events in 1946 brought the matter to a head as far as you were concerned. These, as I understand it, were particularly the brutal beating of Isaac Woodward by a police chief in South Carolina which resulted in Woodward's permanent blindness. [He was a G.I. returning to his family after a long absence in the Pacific.]

The other event of 1946 that I understand influenced you strongly was the lynching of four

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Negroes in Monroe, Georgia [two men and their wives]. These events, as I understand it, coupled with your experiences after World War I, were the principal things that motivated you in creating the President's Committee on Civil Rights and recommending the Civil Rights Program. These, and of course your deep conviction that it was morally right.

If I'm not asking too much, I would be most grateful if you could find the time to send me a few lines indicating whether I have the story straight, together with anything else you wish to say on this subject.

My best regards always to you and Mrs. Truman, and please say hello to Rose Conway for me, too.

Most sincerely, Stephen J. Spingarn.

Rose Conway, of course, was and is the President's Secretary. This is addressed to the Honorable Harry S. Truman, Federal Reserve Building, Kansas City, Missouri, where he then had his office.

Now, that letter was written on the 15th of October. On Friday the 19th of October, 1956, President Truman came to Washington and I went down to the Mayflower to see him. I've written a little longhand note to myself about that meeting. Here is what I wrote on that same day.

President Truman handed me this letter [and his letter is dated October 18, 1956] today [that's October 19] about 6 p.m. in his suite, number 666 at the Mayflower.

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He said laughingly he had carried it to Washington from Missouri to save postage. He told me I could use it in any way I saw fit where it would do the most good. [And I want to insert parenthetically that in the letter he had actually said at the end 'all this is for your personal and private information' which wasn't very helpful to a fellow who wanted to use it for speechmaking. But when he spoke to me afterwards, he, in effect, broke the sound barrier and said I could use it in any way I saw fit. However, I have never actually used it. That's just happenstance because I didn't make those speeches.]

He added [I'm reading from my contemporary note] if I wanted anything else I had only to call on him. I spent about forty-five minutes with Mr. Truman. Present also were Dean Acheson, Harry Vaughan, Dave Stowe, a Mr. Lamb, and one other man whose name I'm not sure of.

Here is the letter of October 18, 1956 that the President wrote me:

Dear Steve:

Thank you for your letter of the 15th. It contains most of the facts relating to the stand I have always taken on civil rights. Equal rights is probably a better phrase.

The Southerners, you know, have always tried to cloud the issue by talking about social equality, which has nothing at all to do with the right to education or the right to economically fair treatment in the business world.

The two incidents you mentioned had a great deal to do with my getting steamed up over the matter, but I had always been of that frame of mind. When

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I was presiding judge of Jackson County, I worked to see that the people of color received the same treatment as everyone else in our county homes and schools, and they received it as long as I was presiding judge.

About the time we started on this the Louisiana and the Arkansas Railroad and the Southern Pacific Railroad had Negroes working as firemen in Louisiana and Texas. Their engines were coal burners and the job was a terribly backbreaking one. When they went over to oil and the firemen could wear white collars and clean overalls, the inhabitants of the states along those two roads used to shoot the Negro firemen as they went by. This and the incident of the Sergeant and the assassination of the four Negroes in Georgia showed the lengths to which people would go.

In West Texas, Arizona, and California, however, they are just as mean or meaner to their Mexican laborers as the Southerners ever were to black ones. In the New England states people of color are treated just as badly as the Ku Klux Klan would be treated in Boston. [Incidentally, I note parenthetically that in the typewritten draft it was written as the "Ku Klux Klan was treated in Boston," and the President crossed out was and wrote in in longhand "as the Ku Klux Klan would be treated in Boston."] In the Dakotas, Minnesota, Montana and Idaho, the same attitude is maintained against the Indians.

You may remember the Indian serviceman with all sorts of medals who was sent home for burial at the cemetery in Huron, South Dakota. He was refused burial there just because he was an Indian. I sent a detail of soldiers out there and had him brought back to Arlington Cemetery for one of the finest funerals anyone ever had. All this is for your personal and private information.

Sincerely yours, Harry Truman.

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And I note again that he wrote it and he said, "Use it any way you wish."

HESS: That helped.

SPINGARN: Yes. But I have never used that letter. As I say, I intended to, but it just turned out and I got into another activity, speechwriting rather than speechmaking in that '56 campaign. I thought someday I might write about it, I didn't know what I would do with it, but I thought it would be a good thing to put it on the record for the Truman Library anyway. I have here some other letters from the President of this 1956 period that are short and I think I'll read into the tape. I might get them chronologically. Well, on January 16, 1953, four days before he left office, the President wrote me a letter. I was then Federal Trade Commissioner. I had been appointed to the Commission by him in 1950. My term extended into the Eisenhower administration, it lasted for another eight or nine months after he left office.

Dear Steve: [he wrote]

As my term of office draws to a close, I want to thank you for the service you have given the country during my administration. You showed energy, ability and devotion to the

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public interest as my Administrative Assistant. When I asked you to serve with the Federal Trade Commission you immediately proved effective in helping the needs, purposes, and accomplishments of that body.

I particularly want to commend your recent efforts to spotlight unethical pressures on the independent quasi-judicial commissions. This is beyond partisanship and I hope that members of both parties will join in the fight which you have launched.

I wish you every happiness in the future. Very sincerely yours, Harry Truman*

What he was referring to was this: I had (as the result of attacks, unfair, scrotum-level attacks on the Federal Trade Commission by the oil industry, the International Oil Industry, in connection with the publication of our staff report on the international petroleum cartel in 1952, and in addition a lobbying outfit injunction to its members to get to work on the Hill and get members of Congress to insist on the Federal Trade Commission killing a proceeding that was before it, a case in which a complaint had been filed and the Commission was in the process of its quasi-judicial deliberation), launched a campaign, a crusade, whatever you want to call it, to try to place the focus on ethics in Government, and on both ends of the ethics business. Everyone is very angry with the bureaucrat who betrays his trust, and

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so they should be, but there doesn't seem to be enough attention paid to the fact that for every corrupted man there has to be a corrupter. And the corrupted man is guilty but he's not really

quite as guilty as the fellow who corrupts him. Perhaps they're equally guilty but certainly he's no more guilty. I would say that the corrupting force is a little worse than the corrupted force.

HESS: He starts it.

SPINGARN: Yes. In any event, I wrote to most of the major national organizations, or many of them, anyway, that might interest themselves in business, labor, civic, church, and so forth, and presented the facts of the cases involved and tried to stimulate some discussion and consideration in context of the issues of ethics in government, with the idea, perhaps, of mobilizing public opinion against unethical pressures. In December I held a luncheon at the Willard Hotel, and I had the chairman and ranking minority members of all the regulatory agencies as my guests, that is, Republicans and Democrats, and I had representatives of the White House, and of the Republican and Democratic

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National Committees -- well, here's the guest list. I was the host and from the Federal Trade Commission we had Chairman [James M.] Mead, Commissioner [John J.] Carson, Commissioner [Lowell B.] Mason, Earl Kintner, who was my legal assistant, and later became chairman of the Commission, and Corwin Edwards, who was the chief economist; from the Federal Power Commission was Chairman Thomas C. Buchanan, Commissioner [Dale E.] Doty and Bradford Ross, the general counsel, who, by the way, is the son of Nellie Tayloe Ross who was the Governor of Wyoming and later while I was in the Treasury was Director of the Mint for a long time; from the Federal Communications Commission, we had Chairman [Paul A.] Walker and Vice Chairman [Rosel H.] Hyde. In most cases the chairman was a Democrat still and the Vice Chairman a Republican. It was still the Truman administration until December '52. From the Interstate Commerce Commission, we had Chairman [J. Haden] Alldredge and Commissioner [Hugh W.] Cross, and Commissioner J. Monroe Johnson. From the Civil Aeronautics Board, we had Commissioners Josh Lee and Warren Baker, legal assistant to Vice Chairman [Oswald] Ryan, or maybe he

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was chairman, I'm not sure; National Labor Relations Board, we had Commissioner [Paul L.] Styles and Commissioner [Ivar H.] Peterson; SEC, Commissioner Roland and Commissioner Adams; there were two congressional staff men there, Frank McCulloch, who was then administrative assistant to Senator Paul Douglas and is now the chairman of the National Labor Relations Board; Elmer Bennett, who was secretary to Senator Millikin, a Republican; from the White House was Kenneth Hechler who is now a fourth or fifth term Congressman from West Virginia; from the Treasury was Ed Foley, the Under Secretary; the Democratic National Committee sent Tom Yarborough, who was assistant director of publicity; the Republican National Committee sent Douglas Whitlock who was assistant to the chairman; and others present included Clark Clifford, who had been special counsel to President Truman; Felix Blair of the *New York Times*, Frank Delany, who had been solicitor of the Post Office Department, and Stanley D. Metzger, assistant legal adviser of the State Department. And here is a *New York Times* story about that luncheon.

I held a number of press conferences and went on

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TV and radio. I went up and visited Eisenhower's headquarters and saw Gabriel Hauge, who became his chief economic assistant. I wrote letters to both Eisenhower and Truman, and I wrote letters to the Republican National Committee, and the Democratic National Committee, and I got a beautiful letter back from President Truman, not the one I read, but a long letter dealing with that specific ethics business, and a nice letter from Stephen Mitchell, who was the Democratic chairman, and I got bland, say-nothing letters from the Republican chairman. And it was quite a lively thing for a time, especially in connection with the oil fights. I think I have told something of that, but maybe I should go into it more now, because what happened was this: And I have here, by the way, a copy which I will give you and which the Library can keep, of the famous oil report, the International Petroleum Cartel Report which was transmitted to Congress over my signature as acting chairman of the Federal Trade Commission in 1952, I think it was August. Yes, August 18, 1952 I transmitted it to Congress, actually to Chairman Sparkman of the Select Committee on Small Business in my capacity as Acting Chairman of the Federal Trade Commission.

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This report was prepared by our staff. It was based on the subpoenaed records of the oil companies plus investigatory hearings that had been held all over the world. It contained no conclusions, no recommendations, it contained only factual statements. It is, as I recall, 478 pages long, perhaps that was the original typescript, but anyway, it was a long report, and was prepared by the staff. It had not actually been formally approved by the Commission in the sense that a staff report, you know, becomes a Commission document when there's a formal statement or vote by the Commission to approve it. But, in any event, it was an important staff paper and originally when it was prepared it was sent to the White House and other agencies. And this had been, I think, in '51, and at that time there was a lot of trouble in Iran because Premier Mosadeq had nationalized the British and the Anglo-Iranian Oil Company which was mostly British, and there was great ado about that. There was some feeling at the White House and in State Department circles that our report (which did have factual evidence of skullduggery on the part of the oil companies vis-a-vis their host countries), might throw some fuel

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on a troubled situation.

So we were asked not to publish it at that time by the President. But there was considerable pressure for publication too. I want to emphasize that it was purely factual. It didn't purport to make any conclusions or recommendations, but the facts revealed were that the oil companies were collaborating to fix prices and divide up markets all over the world and that they were doing many other anti-competitive, anti-consumer things, and as far as their host countries were concerned I mean, the countries where they had concessions to drill, there were instances where oil companies had deliberately drilled dry wells because they had some kind of an agreement that they had to drill a certain number of wells during a particular period in order to keep their concession, and they didn't want to increase the flow of oil in the world, that would unsettle the market apparently, and yet they had to meet the requirements of drilling. So they took the

geologists out with what you might call reverse instructions, "Don't find oil," they said, and they deliberately drilled in places where they

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believed there would be no oil, so they would meet the terms of their contract with their host country, but they would not find oil. Now, obviously, they did this unknown to the host country, which would receive royalties if they hit oil, and brought it up, you see, and would not be very happy to know they were not looking for oil. They were looking not to find it.

Well, so finally certain deletions from the report which as I recall represented no more than five percent or so of its content, but certain deletions of perhaps the more provocative, vis-a-vis Iran at least, the more provocative statements or facts involved in the report, were deleted from the report, and it was then agreed with Senator Sparkman that his committee would publish it if we would send it to him, and I was acting chairman at the time and I did send it to him and they did publish it. That was August '52.

And immediately an outcry broke out in the oil industry, and they fell on the Commission with fury and they found this report a terrible document from their standpoint; they felt that it was not just merely the intrinsic report itself alone, but they felt it was

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the root of all their trouble with the Department of Justice, which was then bringing two great cases against them; one was a civil suit to recover, oh, sixty or seventy million dollars of claimed overcharges by the oil companies in connection with the sale of oil abroad, or to the purchase of oil for foreign aid purposes; and the other was a grand jury investigation to determine whether there had been anti-trust violations by these oil companies. And they felt that our document underpinned these legal proceedings, that the facts presented by it were a basis.

Of course, those facts would have been known to the Government regardless of whether the report was published to the public or not, but still they wanted somebody to beat over the head, so they fell on this report. I collected, I don't know whether it was sixty or seventy-five or a hundred, a large number of instances over a period of only a few weeks, I think, of attacks in the press, and in speeches by the oil industry, or on their behalf, against this oil report of ours. And our position always was that if there were any factual mistakes in the report, we invited them

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to write in and tell us, we would correct them. But if you'll give me that volume back a moment, my recollection is, that the only errata we found in the whole thing -- I think that this sheet in the cover which runs half a page which has been stapled inside the cover, represents the only errata that we found in the report, it's a half a page of a report that in this version runs 378 pages. We always invited them to write in to give us their documentation on any factual error in the report. We invited them, but they didn't want to do that. We said, "Let's have a hearing on that matter before the congressional committee in which you come in" -- the Senate Small Business Committee invited them to come in and make their attacks on the factuality of the report. No, they didn't want to do that. What they wanted to do was just the way Bertrand Russell doesn't

want to argue the question of Vietnam, he wants to vilify Lyndon Johnson and Secretaries Rusk and McNamara. And so they didn't want to argue with us, they wanted to vilify us.

It was the era of McCarthy, of course. And, editorials appeared in the trade press, the oil industry

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press, and they called us a bunch of cheap, Pendergast-type politicians, and that it was typical Pendergast politics, sleazy and corrupt. One beauty said, "Remembering Alger Hiss we suggest that everybody at the Federal Trade Commission that had anything to do with the oil report should be investigated by the FBI."

As I noted in a reply to that, we had been investigated, and we had the cleanest record in the Government. I had been counsel to the U.S. Secret Service. We had never had any occasion in which we had to prefer charges against an employee for disloyalty, and we had the Loyalty Review Board right in our own building as tenants looking down our necks, as far as that goes, so that this was a lot of nonsense, of course.

Well, it was a long struggle and I have documented it pretty well. I mean, I did at the time, and I think there's a great deal of literature in the Truman Library archives of my press conferences, television appearances, and radio and speeches and letters to the editor and news story coverage and so forth and so on,

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if anyone is interested in further analysis of the situation.

It seems to me that it does represent a typical situation in Government where an interest aggrieved by some Government action, but knowing that they can't meet the facts because the facts are against them, goes out and tries to vilify and thus intimidate the agency which has had the temerity to publish those facts. There's an old saying in the law and it goes back about 2,000 years, if my recollection is right Cicero said this: "If your case is weak on the facts, argue the law; if it's weak on the law, argue the facts; but if it's weak on both the facts and the law, all you can do is pound the table and yell bloody murder." That's not exactly the way Cicero put it, but that's the general idea, stigmatize your opponents. That was the oil case.

By the way, here are some other Federal Trade Commission documents which I'll give you and which the Library can keep. Here is a report that also went over my signature to Congress, "A Staff Report of the Federal Trade Commission on Monopolistic Practices in Small Business." This is an interesting item. First of all, here is testimony of mine at a hearing of the Small Business Committee of the House on the "Organization and Procedures of the Regulatory Commission and Agencies and their Effect on Small Business." And I testified with respect to the Federal Trade Commission on that.

This is an interesting situation: Shortly before I came to the Federal Trade Commission President Truman had sent to Congress a reorganization plan, I believe it was Reorganization Plan #8 of 1950, that's my best recollection on it. That plan, which was pursuant to a recommendation by the Hoover Commission, had reorganized the Federal Trade Commission and had provided for

what is known as a "strong chairman," and the chairman had many of the functions of the Commission, that is to say, the chairman appointed all members of the staff alone except for the Bureau and top chiefs and these were nominated by him to the full Commission and they were voted on by the full Commission but even there he made the nomination. He appointed them with approval of the full Commission. Also he was responsible for the

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organization of the Commission, and was responsible for the administration of the Commission, and this made the FTC, you see, sort of one giant and four Pygmies, relatively speaking. Well, Jim Mead was chairman, he was there before I got there, and he was the chairman during the entire period I was there. Jim Mead had been Senator from New York State for a long time and Congressman before that and he had run unsuccessfully for Governor of New York and then President Truman appointed him to the Commission, and he made him chairman when this reorganization thing went through. Jim was a wonderful chap, one of the finest men you could possibly ever know; he had had a limited education, and he didn't have a legal education, and on that side he was a little deficient, but he made up for that by judgment and sense that many able lawyers might not have had. In any event, he was a fine chap and he and I got along very well until I began to get a little restive under the "strong chairmanship" concept. I had nothing against Jim. It was only that, it seemed to me that the other commissioners had responsibilities without authority, you see, because, in

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effect, although we sort of put the final licks on things in terms of our approval, we really didn't put the stones together and so that we were approving things that we weren't really able to shape very much. That's kind of an oversimplified explanation, but there were difficulties, and I'm trying to think of actual examples. But I can't at the moment. There were plenty, but it's just that it's so long ago I've forgotten what the specific examples were.

HESS: Anytime one comes to mind we can cover it.

SPINGARN: I think that in some of the files I've given you you'll find them because there are a lot of FTC files and I think you will find samples of them there.

In any event, another problem arose between Jim Mead and me and that was this: I was the junior member of the Commission, when I was appointed, naturally, but Lowell Mason was a Republican; John Carson was an independent and Bill Ayres was 80 years old. But still, Ayres, as I recall, was automatically acting chairman when Mead was absent. But then Ayres died after I'd been on the Commission a year or so. Then Albert Carretta I believe was appointed to replace him. In any

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event, I then became the ranking Democrat, because Mason was Republican and Carson was an independent, after Mead. In any event, Jim made me acting chairman, he had that right, when he was away. In '52 and early '53 he was sick quite often for long periods of time, I think all told several months, so I was acting chairman for long periods of time relatively speaking. And during this period of time, my fight began with the oil industry. And that attracted a good deal of

newspaper publicity and my name was going out always -- they dropped the "acting" you see, and they just said, "Chairman Spingarn," that's the way it went. And Jim's friends began to tell him, "Aren't you chairman anymore." And to make a long story short, it got under his skin.

HESS: He didn't like it.

SPINGARN: He didn't like it, and one day he exploded at a meeting of the Commission and the gist of it was that "an acting chairman was supposed to be seen and not heard." I was just there as a formality, you see.

HESS: Fill the chair or something.

SPINGARN: Just fill the chair, that's right. It was to keep the chair warm, and I shouldn't be doing all these

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rambunctious things, you see. And he actually said, "People have been asking me, 'Are you still chairman?'"

Well, I know how he felt, Looking back I can see it was perfectly understandable that he felt the way he did. In any event, Jim naturally supported the concept of the President's Reorganization Plan #8 for a strong chairmanship. He was the beneficiary. How could he do otherwise.

But the interesting thing is he changed his mind later. Like me, he served into the Republican term, only he served a couple of years longer than I did. His term ran, I think, until '55, yes. And mine expired in September, '53. So he had a Republican chairman who was Edward F. [Jack] Howrey. Now, Jack Howrey was personally an extremely amiable and likeable fellow, very personable. But on the one hand he was a conservative Republican, and on the other hand, he had been an anti-trust, shall I say, an anti-anti-trust lawyer. He had been a lawyer for private litigants in trouble with the anti-trust authorities most of his adult life, for twenty years or so anyway. So, if you believe that the way to catch a thief is to set a thief

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on him, why, he was the right man. I'm joking. Ed Howrey was no thief, but his thinking was shaped by the fact that he always had been fighting the anti-trust agencies for his clients.

HESS: He was a big business man.

SPINGARN: All his life, that's right. And furthermore, the Republicans had been out of power for twenty years and there was tremendous pressure to "Let's get those damned Democrats out of those jobs and get good Republicans in, and to hell with the Civil Service laws," That was the pressure. And there was a lot of skullduggery went on, I'll tell you. And Jim Mead and I were fighting, you see, to see that nothing illegal was done in some sly way. You know, there are plenty of ways to skin a cat when you want to. We were there to try to see that the laws and regulations were observed as far as filling jobs or replacing people in jobs were concerned. And I can remember Howrey bursting out in anger one day at a Commission meeting. I think Mead

was there too, I'm sure he was. And we were critical of some appointment at top level he was making and he said, "If you fellows want to play rough

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I can play rough too," or words to that effect. He said, "You don't know the pressure that's on me." He said, "Why, the Republican National Committee has got six thousand or eight thousand (I've forgotten the exact number) of people who they want to feed into jobs. The pressure on me is enormous. I'm doing the best I can but you fellows don't know the pressure on me."

HESS: They had a list of job-seekers.

SPINGARN: That's right, yes. There had been a long famine, they felt. Well, so, Jim Mead began to bridle -- I mean, Howrey exercised the powers much more ruthlessly than Mead had, you see. And since Mead and I were both liberal Democrats of the same orientation, we usually voted together on Commission cases. It wasn't like it was with Howrey, who was a Conservative Republican of a totally different orientation as far as our cases were concerned and our policies.

HESS: Was Mr. Mead's health better now?

SPINGARN: Yes.

HESS: He was back full-time?

SPINGARN: Yes, he was back full-time. He seemed to have

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recovered by this time. He was a very vigorous man. He was a fine looking man, very handsome, erect and vigorous, you know. He was then about late sixty-eight or seventy, I would guess. Somewhere between sixty--even and seventy in the time I knew him, during the years I was on the Commission. And he died a year or two ago.

So, Jim began to feel restive under the strong chairmanship. And eventually he came to the conclusion that this was a bad arrangement, and that we should have five commissioners selecting their own chairman, perhaps on a rotating basis the way it had been before. And an executive director responsible to the full Commission who would be the administrative officer for the agency. And that was the way I felt.

Well, in 1955, Jim Mead's term expired, and it was a Democratic spot, however, because the basic law for the Commission provides that not more than three of the five members can belong to the same party. So, a Republican could not be appointed to this spot. Jim Mead wanted to be reappointed. As I recall, he had just hit seventy then; I think that's the way it was, he

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had just hit seventy. And that or other things may have been a factor, I don't know, but I think it was other things. That's my impression. I think that the Administration wanted a Democrat who might be more tractable, might be more likely to follow the guidance of the Republican

chairman, Jack Howrey. I'm just guessing, this is just speculation on my part. Jim Mead, obviously, was not going to be that kind of a commissioner.

In any event, William C. Kern was nominated by the President. Now, Bill Kern, whom I knew quite well, I mean, tolerably, was a senior staff man at the Commission during my period there, a senior lawyer. His father, by the way, was Senator from Indiana, and I think was Senate Majority Leader, and once a Democratic vice-presidential candidate. His brother, John Kern is judge of the tax court, and has been chief judge and mayor of Indianapolis, if I'm not mistaken. In any event, Bill Kern was a good lawyer and a good Democrat. There was no question about that, but he was also a close friend, a personal friend, of Chairman Howrey. And Howrey had promoted Kern from simply an upper-middle

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level spot on the staff, to one of the top positions. He had made him assistant director of the Bureau of Litigation, as I think it was now called. It had changed its name since my time.

In any event, this was the outfit that tried all litigation. So, what I'm saying is that (a) he was the personal friend of the Republican chairman, (b) he owed his most prestigious promotion to the Republican chairman. I'm not saying that there was anything wrong or bad with Bill Kern. He was a good man, he was a liberal Democrat, he was a real Democrat, but it just seemed to me that he had given certain hostages to fortune and that while I'm sure he would vote his own mind on the individual cases, when it came to policy matters affecting the Commission, I wondered if he wouldn't be a little more likely to be guided by the chairman's views than Jim Mead who owed nothing to the chairman.

HESS: He might feel he was under some obligation.

SPINGARN: Yes, that was the way I felt. In any event, whatever the case may be, Jim Mead came to me, he asked me to come down to the Commission for a powwow, and I did. And he asked me if I would go before the Senate Commerce Committee which would consider the Kern

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nomination, and oppose it on legal grounds, and his legal assistant, John Wheelock, who is now executive director of the Commission, suggested that there might be a legal or constitutional disability here, under the Administrative Procedure Act or Statutory Disability anyway, because Bill Kern had been for the past year the assistant chief district attorney, as it were, trying all the cases and reviewing, you see, and now he was going to sit on the Commission, and the question was, could he decide the cases that he prosecuted. And he had been prosecuting all of them, you see, because they all went through him. He may have only had a scattering knowledge of many, but still...

HESS: They were still in his department.

SPINGARN: They all went through him, every case passed across his desk. He had to approve, the prosecution. Wheelock just raised the question and I went to the law books and I spent

several days in the library, and I satisfied myself that this was a real and valid objection. I mean this was a good objection and that there was real merit to it.

But I said I wasn't going to go up as a volunteer.

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If somebody asked me to go, if Senators asked me to go, I would go. So Jim had been a Senator, and that was no problem. Immediately I began receiving telephone calls, and letters and telegrams from Senators asking me to appear. I remember Joe O'Mahoney of Wyoming called me on the telephone and asked me, and I got a letter from Senator Lehman of New York, and from others. Four or five Senators phoned or wrote me and asked me to appear, so I was not a volunteer, you see.

And I did appear, and I did make my legal argument with much citation of law cases and so forth and so on, and here it is -- this is the "Senate Interstate and Foreign Commerce Committee Hearings on the Nomination of William C. Kern to be a member of the Federal Trade Commission" on June 16, 1955.

By the way, I made a lifelong enemy out of Bill Kern, as a result of this, which I was sorry about. I mean, he was unable to understand, you know. I tried to explain to him. I'm sure it sounded very ironical to him but there was nothing personal in it. And there wasn't anything personal. The only thing personal about it was that I would have preferred to see Jim Mead on it rather than Bill Kern. I had a right to

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have a preference, and secondly, that there was, it seemed to me, a real legal obstacle here. Of course what he objected to was that while I praised Bill Kern to the skies, and I said he was an excellent lawyer, good Democrat and all that, I also said that he was a good friend of the chairman, the Republican chairman, and that he owed his last promotion, an important one, from the upper-middle deck to the top deck, to Howrey, the Republican chairman. And I said, "Jim Mead doesn't owe Howrey anything." And then I also pointed out, here or elsewhere, it was a fact, I have forgotten whether it was at this hearing or somewhere else, that the request that Kern be nominated didn't come from any Democratic source. It came from a Republican source. In other words, the Republicans were deciding who the Democratic nominee should be. I don't mean merely the President, of course, he had to decide that finally, but I mean the recommendation came up from Republican channels from below. That is the way it works, you see. It didn't come from any Democratic source below; it came from a Republican source. Of course, this is not, I must admit, too unusual. In

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any event, notwithstanding my objection, Bill Kern was nominated and confirmed. And here is the hearing on that.

I have here a number of letters from President Truman, some of which are of some interest, and since they're short I think I'll just read them in. Here is one written just after I left the Federal Trade Commission written on October 13, 1953.

Dear Steve:

I certainly appreciated your good letter of September 23, and I read the enclosure with much interest. It gave me a great deal of satisfaction to know I had appointed a Commissioner who was a real commissioner of the Federal Trade Commission.

Sincerely yours, Harry Truman.

I naturally take some pleasure in reading this kind of a letter because as I have recorded for you earlier I was bumped upstairs somewhat willy-nilly to the Federal Trade Commission, and the fact that Mr. Truman and I have maintained a warm relationship all these years since and that he still seems to think well of me and as recently as '64 endorsed me as his only choice among 178 Democrats, a large pack, indicates

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that there was nothing personal in what happened back in 1950. It's an axiom, in White House circles anyway, that White House staff men are extremely expendable. Here is an interesting letter from President Truman dated November 20, 1956:

Dear Steve:

Thank you very much for your good letter...

[Oh, I think I'll read my good letter because I have it here. It's rather amusing.] On 16 November, 1956 (now this is right after the defeat of Adlai Stevenson for the second time by General Eisenhower), I wrote the President:

Dear Mr. President: (that is, to President Truman)

It looks to me as if the prevailing political slogan this year is "Don't change an incompetent, bungling administration that has hopelessly fouled up our foreign policy in mid-stream."

At any rate, the country repudiated the Republican Party even if it elected a kind, friendly gentleman with a wide grin.

From my father and from you I learned not to look backwards at defeat except to analyze the reasons for this so that they can be corrected, but to look forward to new battles and ultimate victory.

It is not too early to start working toward 1958-1960 right now. Naturally, I am doing my feeble best. I am working on a little operation, which for laughs I call Operation KOED.

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The KOED stands for Knock On Every Door.

It is an operation which if put into effect, I believe, will tremendously beef up our effectiveness in 1958 and 1960, and vastly improve the presentation of our case to the American people. Charlie Murphy and Dave Lloyd can tell you about it, and I would welcome the opportunity to do so too when you are next in Washington or in New York.

If you can ever spare time from your many commitments it would be mighty interesting to hear your analysis of the election. Most sincerely, Steve.

HESS: Did you ever talk to him about his analysis of that election?

SPINGARN: Well, I got a letter from him. By the time I saw him it was long afterwards, it was ancient history.

Dear Steve: (this is November 20, 1956 from the President)

Thank you very much for your good letter of the 16th.

I do not understand the people and their viewpoint. It would seem that they were completely fooled on two or three matters which I will discuss with you the next time we see each other.

Your idea for 1958 and 1960 [that's KOED] seems as if it might be a good one and if you and Charlie [that's Charlie Murphy] and Dave Lloyd stick together, you should be able to work out something that would make us win in both years.
Sincerely, Harry Truman.

I have here a letter of November 1 from him too. This is interesting; this is before the election.

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Dear Steve: (this is '56)

Thank you very much for your good letter of October 22. I have been out of town, otherwise there would have been no delay in answering it.

I enjoyed my visit with you and appreciated all the things you had to say in your letter. [I think he's talking about now that civil rights letter, but I'm not sure. That was in October, you see. This is about two weeks later.]

The situation [now this is interesting] looked good until the Middle Eastern crisis appeared. [Remember this is right after the invasion of Suez and the Hungarian uprising and just before the election.] I really do not know what affect it will have

on Tuesday's elections. We can only hope for the best while we work like the devil to put the Democrats in. Sincerely, Harry Truman.

And then November 17, 1956:

Dear Steve:

I have been a long time answering your letter of the 5th, but I did appreciate your suggestion and I think you have something.

I had a long talk with Dave Lloyd and one with Charlie Murphy over the telephone, and I am disappointed that the Advisory Committee was not properly received by the Democrats in Congress. Things may work out all right however.

You could be of great help to the Democratic National Committee if we could ever get it organized to work for the benefit of the Party and not for individual members who work for the Committee. You may figure that out the best way you can. Sincerely yours, Harry Truman.

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Now, this was a time when the Democratic Advisory Committee had been set up and the members of Congress, the leadership of Congress didn't like it one little bit. The idea was that they regarded themselves as the spokesman for the Democratic Party, and they didn't want -- the idea of the Democratic Advisory Council was to establish party policy on the National issues and propagandize it. And they established different task forces in the different areas, the subject matter areas with experts, you know, and important former office-holders in them, and they worked up position papers, which were supposed to become party policy.

Well, Lyndon Johnson didn't like it, and John McCormack didn't like it and they regarded themselves as the fellows who made party policy when the party was out of power, that is when we didn't hold the Presidency. That was what the big ruckus was over at that time.

HESS: They thought they should be the leaders of the party opposition.

SPINGARN: Right. I, by the way, was a candidate at this time, when he's talking about, to be deputy chairman

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of the Democratic National Committee. He's saying that, "You could be of great help to the national committee if they were straightened out." Well, I'm not sure what his position vis-à-vis - in 1956 Paul Butler was chairman, and I'm just not sure what Mr. Truman's relationships with Paul were. I may have known at one time, but I don't know now. I mean, I've forgotten if there was harmony or not. I really don't know. Let's see, oh, since I'm dealing with elections, here's a couple of letters I had from Adlai Stevenson, one in '52 and one in '56. These may be out in the Library, are they, I don't know?

HESS: I'm not sure.

SPINGARN: Well, one is addressed to me in November 1952 right after the election by Adlai Stevenson, Governor. He was of course Governor of Illinois and had been defeated for the Presidency.

Dear Mr. Spingarn:

Thank you for your letter. I think you are quite right that we must support the administration when we feel it is the public interest [that's the Eisenhower administration] and reserve our criticism for intellectual and constructive use.

I think you are quite right about the importance

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of the National Committee in a new role and I hope to have a little something to say about that, particularly the Research and Publicity Division. [I had urged a strong research organization so that we could document our side on the issues through the national committee since we no longer have the Government agencies to help us on that sort of documentation with their experts, which you would ordinarily have if you have the Presidency.]

I think also you are right about developing some positive means of combating McCarthyism, which will evolve in new forms of attack to discredit individual Democrats, and I should welcome an opportunity to see your memoranda.
Cordially, Adlai Stevenson.

And that was '52. Here's his letter of '56.

December 7, ' 56

Dear Mr. Spingarn:

I know from Arthur [that's Arthur Schlesinger, Jr.] how helpful you were during the campaign and want to say to you, inadequate as this has to be, how very grateful I am. I know that the campaign as well as the election fell short of our expectations and yet I hope that we are entitled to the satisfaction of having at least made as hard a try at it as we could. Ever so much obliged. Sincerely, Adlai Stevenson.

Well, that leads naturally into the McCarthy thing he talked about in '52, because yesterday or earlier. I taped for you some comments on a project for the Democratic National Committee which Charlie Murphy and Averell Harriman and I were interested in. And it was proposed that I should head it up in the national

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committee, and Charlie Murphy, if my memory serves me right, asked me to prepare this memorandum which I found since I talked to you, to the tape, and I did prepare a memorandum which is dated December 15, 1953, indicating what such a project, what such an anti-McCarthy unit in the national committee would do, what its program would be, how it would operate and what it would do. And I'm going to lend you that to be Xeroxed and returned to me, including this little buck slip explaining it, which I wrote this afternoon here on top.

HESS: Fine. That will become part of your papers at the Library then.

SPINGARN: Yes. Now, I want to say this: To my recollection this thing came to a head -- I'd been propagating for something like this in or out of the committee somewhere, you see, ever since I got out and before. I mean, ever since I got out of Government. Well, this wasn't so long after that, actually, I got out in September, and this was December 1953.

But in November '53, the thing that brought this to a head, as I recall, was this. In November '53, I think that's the right date, Attorney General Brownell

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launched an attack on President Truman's handling of the Harry Dexter White case, and this became a cause celebre. And J. Edgar Hoover got into the act, and the thesis that Brownell was propounding was that Harry Truman had been notified that Harry White was a no-good subversive and he still put him in this International Monetary Fund, executive directorship or whatever it was, an important post in any event, representing the United States Government with this international organization, and he had the facts before him when he did this, that was the thesis.

And the House Un-American Activities Committee tried to get into the act and they sent a subpoena, they subpoenaed President Truman to appear before them and explain this whole thing. And I was up in New York and I went down to, was it the Waldorf Astoria, I'm not sure, whatever hotel it was Mr. Truman was staying at, and I remember spending hours there, in a skull session with the President, Charlie Murphy, Sam Rosenman was there, and others. I remember particularly Murphy and also Rosenman.

And as I say, Charlie Murphy and Sam Rosenman were there and the President, and we discussed for hours

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what the President's position should be on that subpoena of the House Un-American Activities Committee, and the question, I mean there was obviously a constitutional question, as to whether a congressional committee could subpoena an ex-President.

There was no question they couldn't subpoena an incumbent President, but could they subpoena an ex-President to make him defend his stewardship. And the general opinion was that they couldn't but then the question was whether procedurally he had to appear and refuse to testify, but answer the subpoena and then refuse on constitutional grounds, or whether he should just

write them that the subpoena was a nullity and he was not going to honor it or something like that.

Well, to make a long story short, the latter course is what he followed. He did not appear; he simply refused to honor the subpoena entirely. I don't know what the great constitutional authorities have said about the situation. I haven't read anything on it since, really. There was some journalistic discussion of it at the time, but I haven't seen the real constitutional authorities on the subject and I don't

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know what their opinion is. I feel certain that at least an ex-President cannot be compelled to testify, but whether procedurally he should honor the subpoena and then appear and say, "I stand on my constitutional rights," that would be rather embarrassing, you know, in a way, because it would look like he was claiming some kind of Fifth Amendment. I think it would be better for him, I mean as far as the appearance of the thing is concerned, I would prefer to see him simply write back and say, "You have no right to subpoena me and I simply will not honor it."

Well, anyway, here's the document which I prepared.

For some reason or other, this thing never materialized. I do not remember why. My understanding is that Averell Harriman was willing to put up the money, and that the money was in sight, but I'm not sure of that, it's all so long ago. That's my vague impression of the situation. It simply may have been (let's see, that was 1952), that Stephen Mitchell decided against it.

I have here another document. I tape recorded

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yesterday or earlier, the fact that in 1952 I was asked to prepare on short notice, on 24 or 48 hour notice a speech to be delivered by Senator Estes Kefauver, answering McCarthy.

McCarthy was going on a nationwide radio hookup, over five hundred stations, on the night of Monday, the night before the election in '52. And he was going to denounce Adlai Stevenson in his usual McCarthy fashion -- "Alger" Stevenson, as he liked to call him -- "Oh, pardon me, Adlai," he would say. And the idea was that immediately following his broadcast Estes would appear on a nationwide radio broadcast and answer and light into McCarthy. And I was asked to prepare the speech by Larry [Laurence G.] Henderson who was staff director of the Senate Small Business Committee and was working in the campaign. Larry had optioned the time. He had the radio stations lined up and I wrote the speech. And my notes show that the Springfield group, that is, the leadership of the Stevenson campaign had approved this project. But on Sunday the day before the broadcast Steve Mitchell, the Democratic National Committee Chairman, cancelled

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it out. The next day he reconsidered and decided he wanted it, but it was too late. The time had been given up and had gone elsewhere; we couldn't get the air time back; so it was never given.

But here is the speech, which I wrote for Estes Kefauver to give, and which I would also like back.

Now, I want to add to my material in connection with the '66 campaign. Here are some further letters. I mentioned the fact that Speaker McCormack had liked my fact sheet on high prices and inflation so much that he wrote Chairman Bailey asking him to send it to every Democratic member of Congress. Here is a second letter from Speaker McCormack sending me a copy of Bailey's letter, in fact, he sent me the original, actually, saying that Bailey would do so. And letters from a couple of other sources, congressional, Representative [Morris K.] Udall of Arizona, and Representative [Frank] Thompson of New Jersey who, by the way, is the chairman of the House Democratic Study Group, which composes, or did in the 89th Congress, 180 of the 295 Democratic members of the House, and I give you those to Xerox and return. Perhaps....here's one more. Here's a letter from Senator Claiborne Pell.

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Dear Steve:

Many thanks for the speech you sent along together with the memos to the Vice President and various Cabinet officers. I must confess that I've already lifted large sections of the speech and included some in one I delivered this weekend. Deep down I feel a little plagiaristic but I guess your permission negates that sin. Really, I'm immensely appreciative of your help. Warm regards, Sincerely, Claiborne.

Well, this was the speech on high prices and inflation, how to answer that charge by the Republicans.

Here's one I rather like -- a humor item. In the middle thirties, 1935 to '38, I was a young lawyer fresh out of the University of Arizona law school in the Treasury Department in the Legislative Section of the General Counsel's office. And in the very same room, room 170, a large room, sat a young lawyer from Northwestern University Law School, Stuart Tipton.

Tipton and I sat in the same room for three years. We used to go over to the YMCA and play handball about three times a week. I claim that I always beat the tar out of him but he has a different memory, he sees it differently.

In that office was drafted, but not by me, Stuart Tipton and another lawyer there named George Neal

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worked on it under the supervision of our assistant general counsel in charge of that operation, Clinton Hester, C. M. Hester, the Civil Aeronautics Act of 1938, and as a result of that Hester, Neal and Tipton all went over to Civil Aeronautics.

Hester became the administrator of the Civil Aeronautics Authority, and Neal became general counsel and Tipton the assistant general counsel of the CAB. And then, Tipton went to the Air Transport Association, that is the trade association of the scheduled airlines, and he became general counsel there, and a few years ago he became the president.

This is a job, I suppose, pays \$100,000 or so a year. You know, it's a very pecunious job. I'm just guessing, but I know it pays very handsomely.

I have a Republican friend named Louise Gore, who is a Goldwater Republican and a very nice gal except that she's nutty on politics, you know. She's been brainwashed by the Goldwater types. On individual human issues she's sometimes quite sound, but if she talks about national issues, she just parrots the Goldwater slogans. But she's a very effective politician.

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She's now Maryland State Senator from Montgomery County. She was in the House of Delegates until last fall, and she ran for Congress once against the state chairman, and in the Republican primary came within a hundred votes of beating him, on a statewide basis. So she's a pretty good politician. By the way, she owns and runs the Jockey Club which is probably the most expensive restaurant in town, aside from the Rive Rauche.

Well, one day in the summer of '64, I went out with Louise at a Republican Goldwater rally. I wanted to see what it was like. I was a Democratic spy you might say. In fact, it was out at Mrs. Tankersley's farm. She's a niece of Colonel McCormick of the Chicago *Tribune*, and a very conservative, Goldwater type lady. It was kind of a big rodeo, you know, it was a fundraising drive for Goldwater.

I went out there to see what it was like and I remember they had a book you signed and I signed myself, my name, and after it put "Democratic observer." But anyway, to my amazement, I found Stuart Tipton out there and he was no observer, he was with them. He was wearing a Goldwater button. I said, "Stu, you couldn't be." You know, we sat in the same room for three years,

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I don't remember any political discussions we had, we must have had them, but I'd always assumed that he was a New Deal Democrat like myself. It never occurred to me that he was anything else, you know.

He said, "Why, I've always been a Republican." Well, he was pretty quiet about it in the thirties I'll say that.

But anyway, a day or two before the election last fall in November, I telephoned Stu Tipton and I said, "Stu, I will make you a bet.

He said, "Name it."

I said, "I will bet you anything you want to [we finally agreed on a good lunch] that we Democrats don't lose more than thirty net seats in the House of Representatives." I said, "Twenty-nine or less I win, thirty it's a Mexican stand-off, thirty-one or more you win." He didn't even argue. He said, "It's a deal." I thought I had a good bet, but he was right.

HESS: You lost.

SPINGARN: I lost, and we lost forty-seven net seats, that was a stunning blow, you see. And here is a humorous memorandum I wrote him admitting my liability. And I

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took him to lunch at the Democratic Club which he was pleased to attend, he'd never been there before. And this is, I hope, humorous. There should be fun in politics. I mean, after all, the opposition are not fiends with horns on their heads, ordinarily anyway. There may be moments when you feel they are.

Well, now, what do I want to deal with next? I've told you that my brother's father-in-law, that is his wife's father, is Admiral Morison, Samuel Eliot Morison of Harvard, the naval historian, and I've told you about my correspondence with Sam:Morison because I was disturbed over his view of the corruption of the Truman administration, and particularly the source from which he got it. I don't seem to have the whole correspondence here, but here is one letter which I wrote him defending the Truman administration against these charges, the corruption and vulgarity of the Truman administration, for example, which I will give you and ask you to return to me in due ordinary course eventually.

Here is a copy of a letter that President Truman was replying to in the letters that I read you before.

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Here is the letter that upset me so much from Sam Morison. It's dated November 8, 1956.

Dear Steve:

I voted Republican again this year. I voted for Ike in 1952 for the following reasons:

1. Disgusted with the corruption and vulgarity of the Truman administration.
2. Admiration for the character of Eisenhower.
3. Hope for checking further inflation.
4. Winding up the Korean war.

Sincerely, Sam

Put this letter with the letter I gave you. That's the answer to it, you see.

HESS: That was short and itemized.

SPINGARN: Yes, short and itemized, yes. And that's one of the country's greatest historians. That's what disturbed me, you see. And he was going to write a one volume history of the United States. He had already written several two volume histories or more. However, I kept plugging him with material, and I was glad to see when he wrote his one volume history, I only saw it within the last year, that he has a much higher opinion of Truman now, and that he damns Eisenhower with faint

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praise.

So, things have changed in his mind anyway.

Here is a letter that is of perhaps no interest to anyone but me. It was written to me by my father in 1918 when he sailed for France on the AEF. Perhaps a lot of people today would think it was very corny, especially the people who don't like Lyndon Johnson or Harry Truman, and think they're corny.

So, he says: (I won't read the whole letter)

Goodbye dearest boy and good luck. I know you will grow up to be a strong, good, brave man and love your country as I love it.

That's it. I mean, there's more, but that kind of patriotism is considered almost obsolete.

HESS: It's considered old-fashioned.

SPINGARN: Very old-fashioned, it is. And, of course, don't misunderstand me, patriotism can run amuck. I mean, patriotism has its virtues and it can have its vices too, excessive, you know, where you become nationalistic and jingoistic and think that only your country has anything to offer and all other countries stink.

These are White House files of mine I'm looking through to see if I have anything.

Here's one from Margaret Truman. This might be

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interesting. It's dated February 23, 1953.

Dear Steve:

You were so grand to send me the beautiful volume of Lear. I have been holding my sides continuously. I took it home when I visited Mother and Dad and we all laughed. Many, many thanks.

The three of us are leaving for Hawaii late next month, and I must say I'm glad. Mother and Dad are fine but they need a complete change. Of course, they had to twist my arm to get me to go! Being by the ocean won't seem the same without our volleyball team. [She and I played on the same volleyball team down in Key West.] Thank you and the best to you and yours. Margaret.

I want to say this, you know, about Margaret and Mrs. Truman. They were wonderful ladies to the staff members. I mean, Mrs. Truman is a very intelligent and a very warm and a fine person. She was awfully nice to me and you know, when you're a new man on the team and sort of low man on the totem pole you appreciate that. Her problem as a First Lady as I see it was this: She's very shy and she hates the spotlight, so she always shied away from the spotlight, and therefore, she didn't do some of the things that other President's wives do because she preferred to remain, as nearly as possible,

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and it really isn't very easy, you know, for a President's wife, she preferred to remain in as much obscurity as possible.

And yet, she was an intelligent woman. She had been his secretary in the Senate, and she was a woman of very sound judgment and a lot of wisdom. I know the President depended on her a lot, there's no doubt about it. Her public image, therefore, I suppose was not nearly as good, it wasn't bad, I mean, but it was sort of neuter, you know, there wasn't much public image, but the image she had with the people who knew her was great. I never saw anyone say anything mean or bad about Mrs. Truman. Everybody liked her and she was good to people. She was just naturally good.

And Margaret was a surprisingly unaffected girl when you consider that she was the President's only child and all that. I admire the way she led her own life and did the things she wanted to do and didn't let the brickbats of music critics, or others, deter her, and it seems to me that she was and has become a very constructive and useful citizen. There was nothing spoiled, there was nothing pompous, there was nothing

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affected about Margaret Truman. She was just as natural as a young woman of her age can be. She was what, she was twenty-five or six when I came to the White House, I would guess. Somewhere on that order.

Let me discuss the Federal Trade Commission, I think. I mentioned how I was appointed to the Federal Trade Commission. I was probably one of the more reluctant appointees to that Commission. Usually men are delighted to be appointed to a regulatory commission, but I would have much preferred to stay at the White House, but that was not to be. The funny thing was this, actually, the President had nominated a man, I think it was Martin Hutchinson of Virginia, a

liberal Virginia Democrat, and Senator Byrd of Virginia said that he was personally obnoxious. He exercised senatorial privilege, and the Hutchinson nomination was defeated. He was defeated and rejected by the Senate on the basis of Byrd's objection to him. It was a vacancy caused by the death of another commissioner, a former Congressman from Tennessee named Davis. And that left a vacancy with about three years to run on the Commission. There are five commissioners and they have terms of six years

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each, and they're staggered.

So, I was told one day that I was to be nominated and that's the first news I had of it, and it went up that day. There was one rather ironical thing, or several perhaps: I had been working that spring, I think it was in May or thereabouts, on a veto message on the Basing-Point bill which was a very controversial bill that had passed Congress and which the President had to yea or nay. I was in charge of the task force that wrote the veto message, and I had the assistance of a few people, including Joe [Joseph S.] Wright, who was assistant general counsel of the Federal Trade Commission. And there were others.

I was much impressed with Joe Wright in the course of our conferences and powwows on this which lasted for some days, on the Basing-Point bill, on the preparation of the veto message.

When the vacancy appeared, I recommended that Joe Wright be considered for this vacancy, you see, just on the basis of my connection with him on the Basing-Point message. I didn't tell him and he didn't know that. After I was nominated for that vacancy, to my surprise,

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not long after the nomination, another Trade Commission lawyer named Dan [Daniel J.] Murphy called me. He was assistant director of the Bureau of Anti-Deceptive Practices, that covers false advertising, and after congratulating me on my nomination, he then went into another spiel and I soon realized that he was really mad at me. He thought I had betrayed him.

The gist of what he thought had happened was this: He reminded me, I don't remember it, that we had met up in Speaker McCormack's, it was then Majority Leader McCormack's office. I didn't remember. And he said that in the Speaker's office, someone there, I think he mentioned the man, it wasn't Mr. McCormack, it was someone else, had told me that Murphy had his hat in the ring for that vacancy. And this fellow had told him that I was working for him at the White House to get him the nomination.

Well, you know, this is standard political palaver. Murphy was from Boston and he was a constituent, and one of McCormack's people was giving him a little jazz, that was all, about how hard they were working for him and he had me, unbeknownst to me, lined up for him, you see.

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So Murphy was mad at me because he thought I'd sold him out to advance my own interests. But he was wrong, McCormack's office had never mentioned him to me and I hadn't even heard of

his candidacy. It was just a rather typical bit of, shall we say, exaggeration by someone as to how hard we're working for you. See, "We've got him lined up, we've really got him lined up..."

HESS: It's not that way at all.

SPINGARN: It's not that way at all. So, then, my nomination was sent up one day and the Congress adjourned the next day, and so the President gave me a recess nomination and I went to the Commission on a recess nomination, but of course, I still had to be confirmed by the Senate.

So, I appeared in December, I had then been a couple of months on the Commission, and by the way, one of the most vivid memories of the first few days on the Commission, on November 1, 1950, we were having a hearing, an argument in the Commission, and I was sitting on the bench with my fellow Commissioners, and all of a sudden we heard police whistles and sirens and they went on and on and on, and it sounded like this was

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a terrible, big thing, you know, but we didn't interrupt our hearing and we heard later in the afternoon that that had been the attack by those Puerto Rican nationalists on the President at Blair House and they had killed one White House policeman and one of them had been killed and all that; but to us it just sounded like the place was going mad with sirens blowing so hard while we were trying to listen to that case.

In December I attended a hearing before the Senate Commerce Committee on my nomination, and it was a surprisingly uneventful hearing. I didn't know what was going to happen, and I want you to remember that the Basing-Point bill was extremely controversial. There was an enormous lobby for it. They were extremely disappointed when it was vetoed. It wasn't public knowledge, but these things can't be kept unknown, I was in charge of the task force that wrote the veto message; I assumed that the people who wanted to know about such things knew it, and what kind of a reception was I going to meet? One of the Senators on that committee favored the Basing-Point bill, you see? That was the kind of thing.

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Well, I consulted with friends as to what my position should be, and I took a position which may not have been utterly courageous, but still seems to me to be the sensible position to take. When they asked my views on the Basing-Point bill, I said candidly that I had been in charge of the task force who wrote it, and that I was merely a technician. That the President had decided he wanted to veto the Basing-Point bill, I had been assigned to write a veto message and I had done my job. That was it. I didn't pretend that I was a great authority on the subject. I had the assistance of experts and that I was legislative draftsman and that was the kind of work I did all the time and that was my job and I had done it. If they wanted my own personal views on the Basing-Point, I hoped they would wait a few months and let me get my feet on the ground and study the matter more carefully and so forth and so on, then I'd be glad to give them my views.

This was a tactful answer anyway. The hearing went very well. There was no opposition, and Senator [Warren G.] Magnuson was the chairman then as now, wasn't he? I believe he was. Senator Magnuson has been a

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friend of mine, I don't mean a close friend but I had known him since the thirties when he was a young Congressman, in the late thirties or the early forties, and there were other friends of mine on the Committee. Several of them spoke up and said nice things about me and none of the Republicans interrupted to say nasty things. And then it seemed that the hearing was over and I began to think, "My goodness, there hasn't been much said about who I am, what I've done or anything." So, I piped up and I said, "Would the Committee like to hear a little more about my background," or something like that?

And Senator Capehart from Indiana, a conservative Republican, said, "Young man," or words to that effect, "I'm a salesman and there's one thing you know in the sales business, when you have a prospect ready to sign with his pen in his hand you don't interrupt him."

And I said, "Senator, that's good advice, and I accept it." So, my nomination went through swimmingly and oh, there was one other thing. But George Dixon, the columnist, first for the Washington *Times-Herald* and then the *Post*, now dead, wrote a column

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about this nomination hearing of mine, which I hereby give you, and he makes me -- well, here it is. This is December 21, 1950, in the Washington *Times-Herald*:

A burning desire to show off his erudition almost blocked ex-White House assistant, Stephen Spingarn from a seat on the Federal Trade Commission.

Mr. Spingarn has since been okayed and should ascend his throne as a lordly commissioner after the first of the year, but he almost high-browed himself out of it.

The newest FTC grand vizier has long been one of those hush-hush White House inner circlers with a passion for anonymity, but like most of that strange coterie he considers himself an intellectual. [That is not true.]

When President Truman nominated him to the FTC post, Mr. Spingarn was nominated before the Senate's Interstate Foreign Commerce Committee for questioning as to his fitness. The interrogation was led by the committee chairman, Senator Ed Johnson of Colorado. [He was the chairman.]

The whole thing was pretty perfunctory because the committee had already made up its mind to o.k. Spingarn.

But instead of just answering a few routine questions like could he read and write and what is the capital of the United States this week, and name the last two presidents in consecutive order, the nominee began displaying his erudition.

He dropped legal pearls from Blackstone and Justice Holmes [This is a lot of crap, you know. He's exaggerating enormously.], worked in a dose of Plato and referred offhand to Justice Brandeis and Socrates. [It is fascinating, the only one

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of those I mentioned was Brandeis who had made some famous statements about how the Federal Trade Commission should operate in its incipency back in 1915.] In this fascinating pursuit, he found a ready playmate in Senator Johnson who loves to toss around a little erudition too.

The two played a wonderful game matching intellects, but they got badly on the nerves of the other Senators who had never had no schooling to speak of.

Time and again these low brow legislators tried to bring the nomination to a vote and get it over with but each time Mr. Spingarn interrupted with a gem of learning.

Finally, our finest example of a self-made man, Senator Homer E. Capehart of Indiana could take this punditry no longer. The homespun solon snarled: "Mr. Spingarn, one of the fundamentals of salesmanship is that when you have a customer sold, the contract before him and the pen in his hand, you shut up."

And the other item in Dixon's column is about that great American, Senator Joseph R. McCarthy. I'll give you that. Put that in the Archives.

Now, going on with the Federal Trade Commission story, at first, as I say, I wasn't terribly happy with the Commission. I hadn't wanted to go there and it took me a while to get interested, but after a while I began to see that there was a lot of interesting work there too, and I began to get my nose rubbed in

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it and I became more and more interested.

While it's really for others to say what I did or didn't do, I don't pretend that my career there was very distinguished, I don't think it was, but I enjoyed it. I believe that the Federal Trade Commission could perform an enormously valuable service. I'm not sure that it has, but the problem has been that there are powerful forces that don't want it to perform a valuable service. The Federal Trade Commission and the Anti-Trust Division of the Department of Justice have in a sense jugular roles in our economy. They could make sweeping changes in the economy which if you believe in the elimination of anti-competitive practices, and if you believe in vigorous competition, presumably would improve the economy. But they have never been given the money, the staff, the backing, that they need to do that kind of a job. To give you an example, when I left the Trade Commission it had, as I recall, about 600 employees, less than 700 certainly, and it had an appropriation of between four and four and a half million dollars.

Now, the number of employees then was almost the

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same as it had been thirty-five years previously. In its first five years it had had about the same number of employees, and the only reason the appropriations had gone up, was because the average salary paid to a Federal Trade Commission employee had gone up from \$1800 a year, back in the early days to \$6500 or whatever it was in 1950, something on that order.

But in the meanwhile, in the intervening years, the economy of the country, the gross national product in real terms, not in inflationary dollars, but in dollars of the same value, had grown something like eight to ten times, and the Congress had passed statute after statute devolving more duties on the Federal Trade Commission but not giving them, in effect, more hands to do them with.

Obviously, you can't run a store that way and expect to do a lot of good. And then one of the troubles with the Commission, it seems to me, has always been that it tends to take the work that comes in on the tide, whatever reaches it, and that means that it takes a lot of small fry stuff, you know, and mishmash, and

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instead of advertently looking for the important areas and searching out the really jugular cases that are going to make the big difference, it's always swamped with little cases, skip tracer and hair tonic cases, and lottery cases and things like that.

A thousand of those is not worth one Basing-Point, one major price conspiracy case, I mean in terms of impact on the American economy and on its competitiveness.

So, that is the big problem, and one of the strange things is that I found out that our worst enemy it seemed to me was the Bureau of the Budget, worse than the Congress. Those technicians in the Bureau of the Budget -- I remembered making my presentation at the Bureau, Jim Mead was sick and I was in charge of the presentation. Of course, I had a team with me, but I mean, I did the talking and farmed out special areas to the men who had special expertise.

I remember starting off by saying that the Bureau of the Budget reminded me of the story about the small town banker who was blind in one eye and it was said of him that you could always tell which one was the

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glass eye because it was the one that had the kindly gleam in it. And that's the way the Bureau of the Budget has always impressed me, you see.

Well, this is just joking of course, but the fact of the matter is that I researched this and I found that over a period of ten years the average hack by the Bureau of the Budget on our estimates had been eighteen percent, if I remember my figures correctly, and the average subsequent cut by the Congress was only eleven, twelve, or thirteen percent. In other words, we got our stiffest cut on the average from the Bureau of the Budget.

And it seems to me that the Bureau of the Budget approaches our problem exactly as if they were dealing with appropriations, say for oyster forks for naval officers mess. Everything is equal on the appropriation level, and there's no attempt to determine, "Is this a function that is jugular and central and needs reinforcing?" No, the approach is always, "They must be asking for too much money, let's hack them." On the contrary, we could have used ten times what we were getting and well, easily.

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It just depends on how real an anti-trust and pro-competition thrust you want in this country. Heavens knows all you have to do is to read the public press to know that there's a lot of skullduggery going on.

Take the case of General Electric. They have the slogan, "GE, where progress is our principal product." I would say they ought to amend that slightly. I would say, "GE, where progress and price fixing conspiracies are our principal products."

General Electric has probably the worst anti-trust record, or did in my time and I don't think it's gotten any better, of any major company in the United States. They had had then, as I recall, forty or so anti-trust cases against them over the years. And you know, in the Eisenhower administration, at the end, they called them to book in a big price fixing conspiracy along with all the other major companies in the field, Westinghouse, and so forth, and so on, and for almost the first time in history, senior officials were sent to jail, only for thirty days or so, but it really shook them up, I'm told.

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They should send more of them to jail. The thing has been that violation of the anti-trust laws has been respectable and when an official's company is fined, and he gets a fine, do you think his neighbors in the country club think there's anything wrong in that?

No, but you send a man to jail even for thirty days and then they know this is wrong. If these were simply, shall we say, different interpretations of the law situations, that's one thing, but this was not that. In this case, I'm talking about at the end of the Eisenhower administration, by the way, it was the Eisenhower administration that brought the case, these were cases where these men were conspiring knowingly. They were using false names, they were meeting under assumed names in motels; they were using codes and phase of the moon things. I mean, it was cloak-and-dagger stuff, so that there could be no doubt that they knew they were violating the law by the way they were going at it. A book has been written called *The Gentlemen Conspirators*, and that's what they were.

Well, this is all background on the Federal

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Trade Commission. When I came on the Commission, there was Jim Mead and I've already spoken of him; there was Lowell Mason, who was a Republican member. Lowell was a delightful fellow personally, he was very conservative, he was a Taft Republican, and he had

been appointed by Mr. Truman, with whom he was on the best of terms. In fact, every year, Lowell Mason gave a baseball party at the opening of the baseball season, which the President attended, and it was a big thing. It was the first game at Griffith Stadium. And I was fortunate enough to be invited to one of those and I will always remember it. I went and somehow or other, I was directed to a seat far away from the presidential party, you see, all by myself. I wondered why that was, but who was I. I thought there just weren't enough seats up there.

HESS: What year was this, do, you remember, do you recall offhand?

SPINGARN: Well, it was either '51 or '52, I don't know which.

HESS: When you were a Federal Trade Commissioner.

SPINGARN: I was a Federal Trade Commissioner. It was

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either '51 or '52, I don't remember which. And suddenly the loudspeaker system burst into flame and it said, "Will Commissioner Spingarn please report to the presidential box," and by gosh I went up there and I discovered it was all a big mistake and I was supposed to be up there with the presidential group.

Well, Lowell Mason, one of my first memories of him is this. I mean, he and I disagreed strongly on policy, but he was a very likeable fellow, and he had many good qualities personally. For instance, shortly after I came on the Commission, Lowell, as I recall, had been overseas during the summer for a while. In any event, there was a ceremony in the main hearing room at which Lowell in the presence of the other Commissioners presented a beautiful ministerial gown with a velvet lining to one of our elderly colored messengers, who was also a preacher. Lowell had had this specially made for him in the best shop of that sort in London. Now, this was a darn nice thing to do. You couldn't help saying that a fellow who would do that couldn't be all bad, and so forth. Lowell was quite a character in many ways and he would probably say the same of me. He was a great boatsman, and he had

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a motorboat and he used to take the Commission down the river on that. I remember one occasion when we went down the river and he tied up at the amusement park down the river, whatever it's called, some miles down, anyway.

And, oh, who is that fellow who used to run that radio program? I've forgotten, but he had a motorboat and he had a bunch of Senators including Hubert Humphrey on it, and others. I remember we tied up and the parties merged. And I remember having a talk with Hubert Humphrey on that occasion. Hubert Humphrey is a pharmacist and the son of a former pharmacist, and the fair trade legislation was rampant in Congress at that time.

The Commission historically had always and always should oppose, in my opinion, fair trade, and this is true of Republican and Democratic Commissioners. It's always been opposed to fair

trade, because fair trade is a Madison Avenue name for a way of fixing prices, and fixing them at a higher level than they should be fixed.

And the theory is that you're putting up an umbrella that will protect the small businessman so

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that he can meet the competition, but you are screwing the consumer in the process, and you're taking a lot more money out of the consumers' pocket than you're putting into that small businessman's pocket. And anyway, I have my doubts whether he needs that kind of protection. And it is a fact that every study that has been made shows that in non-fair trade areas prices are much lower than they are in the fair trade areas.

HESS: Did you discuss the fair trade issue with Mr. Humphrey?

SPINGARN: Yes, I discussed it with him and we always argued about it, you see, because, as I say, all the small druggists are strongly for fair trade. They say they can't compete with chain drugstores, or the groceries who sell their products too, unless they get fair trade, because on the fair trade items, they just can't cut the prices down the way those fellows can. And if they could sell Pepsodent or Crest, or any of the standard products at any price that they chose, I mean, if anybody could sell them at any price that they chose, then big chains would be underselling them all the time on these highly advertised products. You'd never

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convince Hubert Humphrey that fair trade isn't o.k., but you'll never convince me that it is either, so there you are. Anyway, every great man is entitled to one small failing, and I see Hubert Humphrey's as fair trade. He'd see it differently.

But to get back to Lowell Mason. It was rather amusing because Lowell was the enfant terrible of the Federal Trade Commission. He made speeches everywhere. He made an enormous number of speeches. And he was always attacking the Commission. He had a standard speech and he had variations on it.

It was an attack on the Commission. And the general idea was that we were a terrible, dangerous, powerful bureaucracy that was "at your throat, Mr. Businessman, watch out," and he talked about some Russian commissar of justice whose procedure was to convict them first and then try them. And it wasn't quite clear in my mind whether he learned that from the Federal Trade Commission or the Federal Trade Commission learned it from him, but it was one way or the other according to Lowell.

Krylenko, I think this fellow's name was, and he was an ogre and we were associate ogres, you see.

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Well, you know, he was going around the country yelling about how awful an ogre, and how dangerous the Federal Trade Commission was. All the time he was sitting on the Commission, but of course he was usually writing dissenting opinions.

The funny thing was when the Republicans came in in '53, Lowell was still on the Commission and there he was high and dry, you know. He'd lost his pet song. How could he attack his own administration, which now had a majority on the Commission. That must have hurt him.

Now, I said that we ought to answer Lowell. The other commissioners had been sitting and letting Lowell do all this yelling about what an awful thing the Commission was, it seemed to me that we ought to make some speeches, a counter barrage. And I wanted to develop a speech program, but I never could get it off the ground. Nobody else was interested in it. And I was so busy with other things.

I mean, if I stayed on the Commission long enough I would have done it but I just didn't have time. By the time I got interested in it which was the last eighteen

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months or so, you see, there was just too much to do and too little time to do it. But I always had the feeling that the Commission was not putting its best foot forward in terms of public understanding of its work and its mission. I thought that one of the troubles was that so much of its language was wrapped in obscure legal and bureaucratic gobbledygook. I thought it ought to be put in more simple-to-understand English. And I still think so. And that's true of most Government agencies, I think.

Well, I remember too, speaking of Lowell Mason, that Lowell got very angry at me once because at a press conference on this oil cartel thing I referred to Lowell as a "Taft Republican." Now, this was after the election. Lowell had been a Taft Republican; he had wanted Taft to get the nomination. I did not realize that this was a secret. I thought, I just assumed that this was known, but of course, I should have thought of the fact that Eisenhower had won, Eisenhower was now President, Lowell wanted to be reappointed and he probably didn't think it was advisable from his standpoint to publicize the fact that he was a Taft man.

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So he got quite angry at me and he accused me of violating Commission meeting confidences. He had spoken frankly of how he favored Taft, you see. I didn't even realize it was a confidence. I thought it was just normal political talk. But as it turned out Lowell said it was a confidence and I shouldn't have divulged it publicly. But that was just one of those things.

When I left the Commission, there was a big affair, both when I arrived and when I left. I was sworn in at a public ceremony by justice Robert Jackson of the Supreme Court, whom I had known at the Treasury. He had been a Treasury lawyer back when I was a youngster. He had been a senior Treasury lawyer. I had known him though. And we had a big crowd of 500 or so people, I mean, of course, the Commission and staff was there, but I also invited everybody in the city that I could think of.

When I left they threw a jamboree and Lowell Mason was the master of ceremonies, and he did himself proud.

He's very good. He had taped a humorous record for the occasion. He started off by a brief introduction

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and then he went into the record, and the record started off with the "Hi-Ho Silver" theme song of the Lone Ranger, and it took off from the springboard that I had been a ranger in the Mesa Verde National Park for five summers during my college and law school days. It talked about Steve the Lone Ranger and he had looked up some dope on Mesa Verde, because he talked about Mancos Canyon and Lookout Point. He knew something about it. Maybe he had been there. He knew some details about it. The trouble (said Lowell), was that I had left the lone prairie and Mesa and come to the big city and gone wrong, you see, and he kidded me about being an ADAer, which I never was, and that a bird couldn't fly on one wing only, and so forth and so on.

Well, I had been ready for a little ribbing from Lowell. And I prepared myself for it. S. Klein's the big S. Klein's on the Square, they're now down here in the Washington area, but they used to be the big, cheap department store in New York on Union Square. They had made enormous buttons saying, "I like Lowell," because of some speech or something that Lowell Mason

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had done that they favored, that the management favored. And they put out these huge buttons and I had somewhere gotten one. It was huge. While Lowell was off on my right, I surreptitiously put this big button on my left lapel, and the whole crowd could see it but he couldn't, and they started to snicker and to break into laughter, you see. While he was beating me over the head, you see, I put on this, "I like Lowell. "

HESS: He didn't know what was going on.

SPINGARN: He didn't know what was going on for quite a while you see. But all the while he was giving me this ribbing of my liberal politics and whatnot. Lowell was conservative and from my standpoint he was wrong on practically every policy issue before the Commission. But a very likeable fellow.

HESS: One question on fair trade, when an issue like that was before the Commission, would you receive very much public opinion mail?

SPINGARN: No, the public opinion mail on that would primarily go to Congress when the legislation was pending. The Commission didn't receive much.

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HESS: The Commission wasn't bothered too much by that.

SPINGARN: Not on that, they might be on other things, but this was legislation, you see. The question is what would our view be on legislation. If you were a member of the public, why should you present your views to us, we weren't going to write the legislation. You would present it to the congressional committee and the Congressmen on that committee. They would be the operating people you would address yourself to.

Well, there was John Carson. John Carson called himself an independent, but he was a liberal and really a more Democratic type. However, it is true that he had a Republican background, I guess, because for many years he had been the Senate secretary to Senator Couzens of Michigan. He was a newspaperman, no legal training. He had had a lot of work in the consumer protection field, and he was a liberal and a very dedicated crusading sort of chap.

He told me once and I'm sure that it was true, because that's the kind of guy he was, that Senator Couzens had wanted to leave him an enormous sum of money, a million dollars I think was the figure

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mentioned, and he had declined. That was the kind of guy John Carson was.

He started off, I think, with a bad view of me, I hope I changed it, I don't know, but I was told by Earl Kintner who was my legal assistant, who later became chairman of the Commission, that before I came to the Commission (Kintner was a lawyer there when I came), Carson had told him that he had heard from Max Lowenthal that I was a scoundrel and a Fascist and all sorts of other nice things. So I hope I changed his mind before I got through. I don't know. He'd have to speak for himself on that. I personally liked him and got along well with him.

The other member was old Bill Ayres who was 80 or more years old. He was sort of a liberal Democrat from Kansas. A fine old gentleman, he died about the middle of my term. He was liberal, his mind was clear, but he was very old and he was awfully deaf and a little hard to work with. He had been a Congressman from Kansas.

And then Al [Albert] Carretta replaced him, and he was a lawyer and had been taught law, and worked for the SEC. He and I often disagreed on matters but there was always a good, friendly relationship between us.

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Eighth Oral History Interview with Stephen J. Spingarn, Washington, D.C., March 24, 1967. By Jerry N. Hess, Harry S. Truman Library.

SPINGARN: First of all this is going to be in the nature of a memorandum or letter to Dr. Brooks, Director of the Harry S. Truman Library in Independence, Missouri. However, I would like this to be part of the Spingarn files, too, the archival records because at least the second part of this letter I think will be of general interest to historians.

The first part of my letter to you, Phil, is specific, and the second part will be general. First, the specific. This is Friday morning, March 24th, 1967, and I am in my fifth day of tape recording my memories of the Truman administration and related matters as well as more up-to-date memories of political affairs that I have been involved in.

I am doing this at the invitation and the instigation of your Library. I have turned over to your able oral historian, Mr. Jerry Hess, a substantial number of papers which I have asked him to

Xerox and return to me. In addition, yesterday, I turned over to him four boxes which I would estimate contain four or five

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cubic feet of my files which I understand will be shipped out to the Library.

Now, with respect to the stuff that is going direct to the Library; that is, the four boxes or however many there are when they are shipped, I have no record or inventory of what is in those. I simply shoveled files from my White House and Federal Trade Commission periods into boxes and I couldn't even tell you what the titles of those files are.

I would, therefore, like you to do the following: I would like a detailed listing of each file by the name that I placed on it with some description of what is in it and particularly a description of how much of it is printed or mimeographed material and how much is in the form of copies of my own letters and memoranda or letters or memoranda to me or other typewritten documents or copies of typewritten documents.

In principle, I would like to get a Xerox copy of every typewritten document or carbon thereof in those files sent back to me in files under the same tabs or the same listing -- as I sent them to you. It is also

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possible that I may want copies of some of the ephemeral printed or mimeographed material which I am sending you and which I could not possibly reproduce, there would be no way of getting it now -- I don't even know what is there and even if I did it would be a terrible task and probably impossible to duplicate that material, so I am asking you, in effect, first, to give me an inventory -- a listing -- showing the name of each file as I named it, but not merely that, giving me some idea of what is in each file; and, second, I would like you to begin to Xerox the copy of all the typewritten material in those files and place them in the same file covers and after I have examined your inventory I will advise you to what extent I want other than typewritten material Xeroxed and returned to me. If there are any questions on this would you write me or tell Jerry Hess and let me know so that we can have a meeting of minds.

So much for the specific. Now to the general which I think may be of interest to some historians.

Under your direction, as I understand it, Jerry Hess has tried vigorously to keep me confined to the

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events of the Truman administration, whether actually White House events or Federal Trade Commission or whatever, and a lot of my recording has been on that.

On the other hand, like any other man, I am naturally somewhat more interested in current events that I am engaged in even more than I am in reminiscing about my past days in the Truman administration. Moreover, I think that Mr. Truman himself, and many historians, would be interested in things which I have discussed because all of them are political in character. I have

never engaged really in any activity that wasn't in one term or another political, in the broadest sense of the word.

Some of my work has been to try to beef up the Democratic National Committee in one way or another, for example. Other items that I have touched on are an attempt to defend President Lyndon Johnson who is a good friend of President Truman and who I see as a man rather similar to President Truman because, as I see them both, each is a regional politician, who started as a rather parochial local politician, and who grew to national stature and became a great national

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politician, but who did not shed, as no man really does, all of his parochialism and who therefore encountered the distrust in some cases, and the animosity or the contempt if you like, of some people, especially a certain ivory tower type of intellectual who found that these parochialisms or regionalisms grated, or who don't like Lyndon Johnson, for example, because he didn't go to Harvard and his wife can't speak French to Andre Malraux, and who would not have liked Lincoln for very similar reasons.

And who didn't like Harry Truman when he was President because he had been a haberdasher, and he didn't have a Harvard education either, or even a degree from Southwest Texas Teachers College.

It therefore seems to me that my activities on behalf of Lyndon Johnson, my -- shall I say -- unauthorized and self-starting activities on behalf of Lyndon Johnson and his administration might be of interest to Mr. Truman and to historians who are interested in the Truman administration, because there is a very real link, both personal, because there is a deep friendship between the two men and in character and style between the two men.

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The main difference between them, as I see it, is that Lyndon Johnson, by nature, is a very hard-driving type of man, who drives himself hard and drives people under him. And while Mr. Truman was a hard worker, he was not that driving kind of man. He worked hard himself, but he did it in what seemed to be a sort of relaxed way. He got up early in the morning, he did his homework, he took papers back at night and read them, but as I have pointed out, he never really beat his staff over the ears as Lyndon Johnson is reported to do, and as Winston Churchill was reported to do, and as Dwight Eisenhower from time to time was reported to do, and as many other top executives have done. As I have said before it has been my experience that the hard-driving executive, is usually difficult with his staff from time to time -- he's hard on himself and he's hard on them.

I remember, for example, I served eleven years in the Treasury, from '34 to '49 with the exception of four war years, during most of which I was overseas in the Army, and eight of those eleven years were under Henry Morgenthau who died last month. I wrote a letter

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to the *New York Times* at that time which appeared in the *New York Times* on February 18th, 1967.

And I said that I had great satisfaction remembering my years in the Treasury under Henry Morgenthau. I said that he was a hard-driving man. He drove himself hard and he drove his staff hard. He was not an easy man to work for, and I said he probably wasn't always right in all of his decisions and I don't know any man who is. But looking back on that period from the vantage point of a generation, almost, it seemed to me that I felt then and I still feel now, that the men who worked in the Treasury in those days (and they worked nights and weekends, too, a lot), felt that they were making some contribution to the freedom and security and welfare of their country, and the free world for that matter, and that gives a man a good deal of psychic income. I said that might be Henry Morgenthau's best memorial and let us not say that this memorial perished with him.

I got two letters as a result of that; one was from a fearless and courageous patriot who, however, refrained from signing his name. Two days later on the 20th, I received a letter from him, he had evidently

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written it -- the 20th was a Monday -- he had evidently written it the same day my letter appeared in the *New York Times*, and he said that Henry Morgenthau was a dirty Jew Communist, a traitor to his country, worse than Benedict Arnold, and obviously I was cut out of the same cloth, or words to that effect. It made my day. I could see this poor sick man sitting in his garret somewhere, thinking of ugly, anonymous letters he could write to people who, unlike him, were not afraid to sign their names to documents, in which they expressed their views.

I sent a copy of that letter to Bob Morgenthau, Secretary Morgenthau's son, who is United States Attorney for the Southern District of New York and who was the unsuccessful candidate for governor of New York back in 1962 on the Democratic side, and Bob wrote me back a few days ago saying he had enjoyed my letter and appreciated it in the *New York Times* and said he also enjoyed my "fan" letter -- the "fan" letter I sent him -- he felt the same way about it I did. We feel sorry for this poor fellow, this patriot, this fearless, courageous, anonymous, faceless patriot.

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Among the things that have interested me, as I say, has been the Democratic National Committee, and within the last month I succeeded in persuading them to launch, and they are going to do it they tell me within the next two or three months, a program which I call KOED to attempt to harness the energies and expertise of the activist Democratic professors on the 2,000 campuses of the United States, not just the prestige colleges, to the Democratic Party, with a home base in the committee run by a hard-hitting, extroverted, politically savvy political scientist, with actual experience in politics, the purpose being to run this around the year and not just in campaigns, and to give those who wish to an opportunity to work for our officeholders at every level, members of Congress and at lower levels, our candidates, our party organizations at all levels, write speeches, fact sheets, position papers, do political intelligence, political market research, surveys on politics, on issues, make their own speeches to local groups that are interested, and many other things. The name KOED is an acronym for Knock On Every Door, a rather gimmicky title

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mainly for promotional purposes.

Mr. Truman expressed favorable sentiments about this program way back in 1956 when I first originated it. I have a letter from him which I referred to on that and, so did Mrs. Roosevelt at that time. I've put in the Archives a letter of January '57 from her and she wrote several letters to Paul Butler, who was then the chairman of the Democratic National Committee in support of KOED, and Speaker John McCormack has written innumerable letters over the years and has been a major factor in getting this program into being.

At my request, only last month in a long telephone conversation I had with him, he called John Criswell who is the staff man who is really running the Democratic National Committee to urge him to put this KOED program into effect.

So did many others call or write Criswell at my request. Senator Claiborne Pell, Dean Stephen Bailey of the Maxwell Graduate School of Public Affairs at Syracuse, Evron Kirkpatrick the executive director of the American Political Science Association, James MacGregor Burns of Williams College, the Roosevelt and

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Kennedy biographer, and many other professional politicians, as well as these hard-boiled eggheads, as I call them, not the ivory tower type but the pragmatic type.

Well, it would seem to me that program ties in with Mr. Truman and it should be of interest. He once spoke well of it and I am sure he would now if I were to submit it to him again, but it didn't need it this time.

Similarly I have talked about my activities in attempting to get launched an organization to counteract the lunacies of the extreme right and left. Again, this was a field that Mr. Truman was very much interested in and I don't see why bringing that up to date is not strictly within the purview of the Truman Library. It is a continuation of his sort of thing, I mean, actually, such as his proposal for the Nimitz commission which aborted because Senator Pat McCarran, the then chairman of the Senate Judiciary Committee would not give the lawyer members of that commission the exemption from conflict of interest laws that they needed to take on this thankless, unpaid job. But the Nimitz commission

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was exactly in the same context -- I mean, it wasn't the same operation, but it was in the same context. I am sure that Mr. Truman would think well of the new Institute for American Democracy which I have talked about.

By the way, I want to report a victory yesterday in a matter in which I have already tape recorded the story, and it was in the paper this morning. I have told this tape that I am speaking to now about the Carl Siler case here in Washington. Briefly it involved a Negro police private who while off duty last September 15th on a date with his girl was arrested and beaten up -- in a ruckus arising out of a minor traffic violation -- by two white police officers. And then to add

insult to injury after being cleared by the courts of anything but a \$5 fine for driving without lights, the police department brought dismissal charges against him and after a six day hearing recommended his dismissal on nine counts.

A hearing on an appeal from that decision to the three District of Columbia Commissioners was held on February 10th, and yesterday the Commissioners, in

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effect, reversed the police trial board. They threw out seven of the charges; they restored Siler to full duty with back pay to September 15th -- he was suspended without pay then -- and they only sustained two minor charges which involved a fine of \$75 for him, so in any fair examination of the case, it was a tremendous victory for Carl Siler and the people who supported him.

And I want to say this, I don't pretend that my part was determinative at all. Aside from Carl Siler, who displayed both courage and good judgment in the way he handled himself after this episode, the two people who deserve the most credit are Mrs. Willie Hardy, who was his sponsor you might say and the sparkplug of the whole operation, and who is a remarkable woman -- I've talked about her. But one thing I failed to mention -- last fall, I think it was October -- Scotty Lanahan who is the daughter of F. Scott Fitzgerald and who was my colleague on the Reeves-Lanahan slate in the Democratic primary in 1964 and who now runs an excellent column in the women's section of the *Washington Post* about three times a week, it's too good for the women's section. I would like to

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see it get out in the broad pampas of the general news section.

In any event, she had a column on Willie Hardy, a whole column, and she called Willie Hardy one of the most important people in this city, and I wrote Scotty congratulating her on the fine column and saying that I fully agreed with her -- Willie Hardy is that kind of a person.

And the other person who deserves the main credit is John Karr, a Washington lawyer and a very able one who handled the main part of the legal case for Carl Siler and who did an effective job.

And, by the way, I called Carl Siler at 7:20 a. m. this morning, woke him up to congratulate him, and I said, "Carl, for whatever it's worth, I'm going to give you a piece of advice which you may have already thought of, but think it over anyway." I said, "If I were you, when I go back to the police department, as you are going to do, I wouldn't go back with a chip on my shoulder, I wouldn't blame you for feeling bitter about what's happened to you, but don't act that way. Go back with the spirit that that's water over the dam,

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it's behind me, I'm here and I'm going to do my best to be a good police officer from this day forward if people will let me. I think you will be happier, it would be better for you, it would be better for all concerned." He indicated that that made sense to him and since he is a sensible fellow, I am pretty sure that that is the way he will behave himself. And, if people will let him, on the other side, I am sure he will be a good, competent, efficient and effective police officer.

All I am trying to say to you, Phil Brooks, and to anyone else who hears or reads this, is that I would think that since history is a stream, not a series of isolated compartments, that what has happened to Mr. Truman since 1953 is of interest to the Truman Library, what has happened to the men who served him, and the country, particularly where it deals with public affairs, and all of my activities have been dealing with public affairs, though admittedly I have been dealing with them on a self-priming basis as a Democratic politician without portfolio, and perhaps spinning my wheels a lot, but as an enthusiastic citizen, and not loafing. I get up between four and

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six o'clock every morning seven days a week, almost without exception. I got up at 4:30 this morning -- that's how I find time to do all these tape recordings, because I do my other chores before I come over here at ten o'clock and I work right through usually until six or seven o'clock in the evening when I go out and have two or three drinks and relax, and I find that I need only four or five hours of sleep and I wake up refreshed.

Some people say that I am spinning my wheels, and perhaps that is true. One man said to me a few months ago, "You know, I think you are the last of the gadflies," and possibly that is true too. But my theory of the case is this: That there is a certain value in having an outsider with some experience in Government but without any commitments or investments in existing people or policies other than his own instincts and judgment, commenting on how things are running, because the people inside are sometimes too close to the woods to see the forest. All they can see are the trees and the bark on them. I try never to make merely critical remarks, I try always to present

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constructive alternatives of how I think things ought to be done. I certainly don't claim I'm always right, but I don't think I'm always wrong either. So with that somewhat prolix statement of my view, I will terminate this letter to you, Phil, and go on to other matters.

HESS: What would you like to take up first, this morning, Sir?

SPINGARN: I'm now going to talk about Oscar Cox., who died in early October, 1966. Oscar Cox was a Treasury lawyer when I first knew him in the middle thirties. He was assistant to the General Counsel of the Treasury who was Herman Oliphant, a brilliant and very able law professor who died in early '39. Oscar Cox was brilliant, imaginative, and an able lawyer. And he accomplished many worthwhile things. I think that in some ways, although no one can make that judgment for someone else, it's unfortunate that he left Government in '45 to go into private practice where he was very successful but never returned to Government. I think the Government could have used his many talents.

But in any event, when Oscar died the *Washington*

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Post of October 6, 1966 on page B-4 had a lengthy obituary, and the headline was OSCAR S. COX DIES AT SIXTY: DRAFTED LEND-LEASE ACT. And the *New York Times* of the same day in the story describing his death says:

Mr. Cox was the author of the Lend-Lease Act approved before the entry of the United States into World War II.

And it proceeds to quote Winston Churchill and others in this matter. It says:

Mr. Cox's lend-lease work was mentioned by Sir Winston in his book, *The Second World War*:

'The idea had originated in the Treasury Department,' the former British Prime Minister wrote. 'The departmental lawyers, especially Oscar S. Cox of Maine had been stirred by Secretary Henry Morgenthau.

It appeared that by a statute of 1892 the Secretary for War "when in his discretion it will be for the public good," could lease Army property if not required for public use for a period of not longer than five years.'

That's the end of the Churchill quote.

Mr. Cox's discovery of this statute according to a *New York Times* editorial in 1945 praising his service, permitted the United States to lease munitions of war to other countries and was the basis of the Lend-Lease Act.

And in an editorial of October 7, the *Washington Post*

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(on Oscar Cox), said:

The lend-lease concept, the idea of making American industrial might available to the allies in the period prior to direct American involvement in World War II, originated in Oscar Cox's resourceful mind, and the drafting of the Lend-Lease Act in which he played a principal role exemplified his sure handed legal craftsmanship.

Now, here is an interesting historical myth: (A) Oscar Cox did not draft the Lend-Lease bill; (B) the concept did not originate in his fertile mind, although it was a fertile and imaginative mind; (C) the drafting of the Lend-Lease bill was a routine legal chore which took about two hours one evening at the end of December, 1940, or early January, 1941.

The 1892 statute had nothing to do with it, and yet this myth has arisen. There was no credit really in writing this thing, because the bill had already been written about seven or eight months before and passed by Congress in the form of a bill to provide help to the Latin American

republics, and that was written, presumably, by War Department and Navy Department lawyers, unknown to me. And they may have borrowed that from somewhere else.

But my understanding of the situation, and I speak

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with firsthand assurance, because I was there, is that the lend-lease concept originated really in Franklin Roosevelt's fertile mind, and the putting of this concept into legislative phraseology it's true was done at the Treasury. It was done one night around the turn of the year, from '40 to '41, I think, perhaps right after the first of January. And the two lawyers who did it, did it in two hours or so, as soon as they found the earlier statute of 1940 that I spoke of, the Latin American statute; they knew their work was done for them. It was simply a matter of taking that out and making it applicable to this new situation, and blowing out whatever restrictions were in that statute so that you had more flexibility and more power.

It never occurred to them that they had done an historic task, and in fact, they hadn't because, as I say, the work had been done by other lawyers in the War Department or the Navy Department or both, and very likely they had plagiarized earlier lawyers, because no one ever knows. I have been a legislative lawyer most of my government career, and you're always looking for someone to plagiarize from.

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And as for the 1892 statute, I've had that looked up and that had nothing whatever to do with the case, although the mythology has grown. And the funny thing is, Oscar Cox has many great achievements to his name, but he'll go down probably in history as the man who wrote the Lend-Lease Act, and he didn't do it. After the bill was drafted that night only relatively minor changes were made in it, and then it was taken up to the Hill and put through. I am going to lend the Library, One: a Photostat of the obituaries of Oscar Cox, which give the record of what history now is saying happened: a memorandum of October 29, 1966, which I wrote, and which is headed: "Question: Who wrote the Lend-Lease Act of 1941? Answer: It was not Oscar S. Cox," which discusses that situation.

And a memorandum of November 2, 1966, written by Admiral Ernest R. Feidler, who is now the top man at the national Gallery of Art, he's the secretary-treasurer and general counsel, that is the equivalent of the secretary of the Smithsonian, titularly the top man, although John Walker, the Director of the gallery, is the man who you usually see in the newspapers.

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Ernie Feidler, like myself, was a young lawyer in the Treasury in 1940 and '41, and he later became a captain in the Coast Guard and then a reserve rear admiral, and the only rear admiral in the Coast Guard Reserve. And he deals with the question as to the relationship of that famous 1892 statute which Oscar is supposed to have discovered and used as the basis, and I think, disposes of that. And I have here also a press release of January 10, 1941, 12 noon. There's no heading as to who issued the press release. It's for immediate release. It may have been the White House, I'm not sure. It says:

The attached bill giving effect to President Roosevelt's lend-lease proposals will be introduced simultaneously when Congress meets at noon today by Senator Barkley and Representative McCormack., the two majority leaders.

And it then describes what the bill does and it attaches a copy of the bill. And it states, I read in the third paragraph on page one:

It follows the precedent established by Congress last June [that is, June 1940] when the President was empowered to authorize the Secretaries of War and Navy to manufacture, purchase and repair war materials for the American Republics. Under the present bill, this country is enabled to

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furnish war materials of every kind to any country whose defense the President considers to be vital to the defense of the United States.

You see, it pins the precedent on the 1940 act that I referred to. There's no reference to any 1892 statute, nor should there have been. I am going to lend you these documents which I would like Xeroxed and returned to me without fail.

HESS: All right, Xeroxed and returned.

SPINGARN: Right. And I might note that if any historians are interested in further discussion of this matter, and further investigation, I would be glad to talk to them and give investigative leads. It seems to me that this might make rather an interesting article for a historical journal, since the history books all say, or most of them say, that Oscar Cox drafted the Lend-Lease bill. So much for that.

First of all I'm going to start off with a general statement about this whole business of tape recording oral history, on the basis of my experience of doing this over the last five days.

Actually, in order to do a real job, the man who is doing the talking needs to do a lot of homework.

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I have done some, but I haven't done nearly enough. It would take at least as much time, and I think more, probably double the amount of time that he spends actually talking to get ready for the talking, to examine his notes and files and papers, to arrange them in an orderly and systematic fashion, and to make notes to himself on the way in which he's going to develop each subject, the main points he's going to talk about. If he doesn't do that, and frankly, I haven't had the time to do that, just to scratch the surface, there's obviously going to be a good deal of digression and wandering and rambling.

And moreover, he's going to miss important things and hit minor things and so forth and so on. I don't know what the experience of you, Mr. Hess, has been, with other people you've talked to, but have you had the feeling that they've done a lot of homework before they went to the tape

recorder; ordinarily, I would suppose not, I haven't. And I would suppose that they are too busy to do that, that they approach it fairly cold.

HESS: This is the general situation.

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SPINGARN: Yes, that they have really done very little digging in their files before they meet that tape recorder. And so they're talking largely from memory. I have done some, but I admit I haven't done nearly enough, and the more I talk the more I realize that you have to do your homework on a thing like this. Otherwise, the historical tape recording becomes less valuable than it would be with a man who spent several days going over and arranging his papers and organizing what he's going to say. But you can't expect busy men to do that for you. You're lucky if you can get them to talk to the tape, much less do all the preliminary work.

HESS: That's very true.

SPINGARN: Well, I think this is something that historians who examine these oral tapes should understand. They're interesting, they throw insight, I think, on things that probably don't go into the papers, but .that they should always be checked against the records in the files because men's memories years later are not as good as contemporary records.

I did a little homework this morning, not much,

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because I have just done a very superficial skimming of a file I have, much of it marked "secret and confidential," on "Internal Security in the Truman Administration," espionage and communism and things like that.

Throughout my Government career I was involved in loyalty and security matters.

As far back as 1939, I was the legal member of a three-man Treasury Un-American Activities Committee, which was then chairmanned by Martin Dies of Texas, who I don't think will rank in history as one of the greater members of Congress, had found, one way or another, lists of persons who supposedly belonged to Communist front organizations. As I recall, there were two or three thousand names.

It later turned out, if my memory serves me right, that these lists were, in some cases, mailing lists, and in other cases, they were the names of people who might have contributed two dollars; they represented in many cases, the most peripheral, or even no connection with the organization, because a man is not responsible for the mailing lists he's on.

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I get mail from some very subversive organizations, including far rightwing outfits and far leftwing outfits and far middle wing outfits. I enjoy getting all kinds of mail. I don't mind getting anybody's mail no matter how subversive he is. I would be glad to read anything that George Lincoln Rockwell wants to send me, and as a matter of fact, I have bought material of the John

Birch Society, because if there's one thing they teach an intelligence officer, it's know your enemy and the only way to do it is to see what he's doing and to read his stuff.

Well, in early 1942, just before the war, I was responsible for the Treasury firing a man who had been the chairman, and head man of a Communist front organization, but who disclaimed any membership or Communist sympathy. It was a rather interesting case because this gentleman was a friend of Eleanor Roosevelt's, and on one occasion when he was called before the House Un-American Activities Committee and she went with him and publicly showed her support for him.

Mrs. Roosevelt was a wonderful woman, but in those days (she became tougher in these matters later), but in those days she was a little gullible about such

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matters. She liked young people and she was sympathetic to their tales of woe. I can recall when she invited the American Youth Congress, I believe it was, over to the White House, in 1940 or '41, and this was during the period of the non aggression pact between Nazi Germany and the Soviet Union, and the Communist Party line at that time was that this was an imperialistic war and that they were against the war and we should stay out of it and we shouldn't help the British and all that. So when President Roosevelt made a speech urging aid to the Western allies, they hissed him, they booed him and hissed him, Mrs. Roosevelt's own guests. It was in all the newspapers at the time. It was rather an ironical situation.

Well, the gentleman I'm referring to, had been hired by the Treasury subject to a favorable investigation, and of course he was on the payroll. We had to do that in those days, the pressure was so great to get things moving, and when the investigation came in, it revealed that he had been the chairman for several years of this front organization. He denied that he was a Communist, or had any sympathies.

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I was asked to investigate the matter and make a recommendation and I did, and talked to a lot of people and looked up his records and eventually recommended that he be dismissed. But there was a difference of opinion. I remember my good friend, Herbert Gaston, who was Assistant Secretary of the Treasury, and who was the top man on internal security and loyalty matters, felt differently. He's now dead, and I admire Herbert Gaston, but I thought he was wrong on that. But anyway, the man involved was dismissed.

And years later, after the war, I read Elizabeth Bentley's book and she said that this fellow inducted her into the Communist Party at Columbia back in the early thirties, that he was the fellow who signed her card. And he also was dismissed in the early fifties as a Communist by some local school system in an adjoining state. And so I suspect that we were not too far wrong when we dropped him back in 1940 or '41.

I interrogated him myself at the time and he was a likeable fellow. Whenever you talk to a man who is

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pleasant and likeable you must try not to feel too sympathetic for him, but the fact remains, I thought that he didn't belong with us and we fired him.

During the war, I was a counterespionage officer; I served three years overseas, I was in the invasion of North Africa on November 8, 1942, I was in the invasion of Italy, September '43, I was on the Salerno and Anzio beachheads and at Cassino and so forth. The three years I was overseas I was a counterintelligence corps officer, and for two of those years I commanded the Fifth Army Counter Intelligence Corps (CIC), from the end of the North African campaign, throughout the Italian campaign, July '43 to July '45.

And during that period Fifth Army caught 525, approximately, German spies and saboteurs, Abwehr and SD agents, and we interned perhaps 2000 people as security risks, Nazi collaborators, ardent fascists and so forth. And we always modestly said that we were the greatest combat counterintelligence outfit in the history of warfare, which might have been a slight exaggeration, but we did a pretty good job, I think.

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And we also always said that in two years we had caught more spies than the FBI had in its entire forty years, or whatever was its history at that point. I think that was true.

Of course, the pickings were better. The last two hundred days of the war we caught 300 spies, if my memory serves me right. They were coming through the lines, they were dropping in by parachute, they were coming in by boat, they were stay-behind agents -- we were going crazy.

But higher headquarters estimated that we were catching about eighty-five percent of the agents that were coming in, which was considered a very high percentage, an excellent batting average.

And I remember at the end of the war, we picked up a German intelligence officer, a warrant officer I think he was, who had worked in one of the Abwehr truppe, which was a small spy organization, which trained or directed agents against us from the other side. And he said they had a commanding officer of this little intelligence espionage unit, called, I think, Lieutenant Trink, or something like that. And

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Lieutenant Trink was very dramatic. He had evidently read E. Phillips Oppenheim and all those spy stories and he liked to dramatize things. He used to go through wonderful secret ceremonies in which he clothed himself in knightly or regal robes and it was all dark and they took oaths in blood and things like that, with skulls and candles and all sorts of drama. Sometimes, he used to give his spies harmless injections and tell them that this was deadly poison and unless they returned within thirty days for the antidote they would die. And most of all he used to brag to his men about the exploits of Abwehr Truppe, let us say 190 or 150, I think it was, I'm not sure of the number. He used to say that the exploits of this remarkable little espionage outfit were going back all the way to the Fuhrer in Germany in Berlin, and everybody was very proud of them, they were doing such a great, terrific job.

But late in the war, toward the end, he got drunk one night with the man who we had caught at the end and he started crying and sobbing, our man told us. And he sobbed out that for six months he had been

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sending spies across against those verdammt Amerikanisch and that not one goddamned spy had come back. That was the real story, you see. He really sobbed his heart out, and the truth.

Then there was the story of Carla Costa. She was the best woman agent the Germans had in Italy. She had conducted several successful espionage missions coming across and going back, and a month before we caught her, she had personally been received by Mussolini at Lake Garda, at his headquarters there. He had given her a forty minute audience, private. He had given her a picture of himself and told her, "Young woman, if all Italian women were like you, we'd win this damnable war." This was September '44 and by this time it was obvious that they weren't going to win. But she was very brave, and a dedicated Fascist. A child of fascism, she believed implicitly in it.

She told me once, this is the way she talked, "When you lead me before that firing squad I hope you will look deep into my eyes and see if one of you representatives of the decadent democracies could die as bravely for your country as I will die for mine." Well, you couldn't help admiring a young woman like that.

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She had a teammate named Mario Martinelli. We caught him first, and he gave us information that helped us catch her, and then of course he identified her. But she refused to identify him; she pretended that she'd never seen him before. But he told us that she had an identification handkerchief on her. This was a handkerchief device that the Germans used for their spies coming back across the line, so that they could identify themselves to the German troops they met. The point was that when you heated it for twenty or thirty minutes over a candle, writing in German came out, and in her case the handkerchief read something like the German words: "Angehöriger der Armee. Luftflotte zu leiten." "Member of the Army. Take to Air Force Headquarters." She worked for an Air Force espionage group.

So, obviously, when we found that on her, that was the clincher. But she still refused to talk. Oh, she'd tell us what we already knew. She admitted she was a spy by this time, but she wouldn't give any details about her work or other people and that's what we wanted. We spent five days interrogating that

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young lady, night and day, in teams. I brought in Major Faccio who was commanding officer of the Fifth Army CS. That was the Italian counterespionage outfit that worked under me, under my operational direction. Faccio was a professional, a lifelong counterespionage officer. He didn't care whether he was catching Americans or British or Germans. It was all in the game. I liked him. He was a competent, hard-working guy, and very, very loyal to us. He may have been equally loyal to the Germans when he worked for them, but there was no question about it, he was with us at this time.

He told me how he had caught a British spy in Sardinia, and he had done it because in the dark he smelled the aroma of a foreign cigarette, and he knew that wasn't Italian, and he followed his nose to that cigarette and it was a British spy.

These are the little things that give men away, of course. The Germans were supposed to be great espionage people, but we found that their own methodicalness betrayed them. For one thing, that handkerchief trick. After you caught one handkerchief, you're naturally

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going to test every handkerchief you've found on a suspect. And we caught twenty or twenty-five people with handkerchiefs. They kept using it, you see, after it was blown.

Then there was the question of outfitting their spies. Some of them dropped from planes, and some came in by boat, or submarine, but most came through the lines. And they came through the relatively lightly defended area where most of the fighting was not taking place, in the western part of our zone. Naturally, where the troops are thinnest is the best place for spies. And there was one place I remember, a seven miles gap, where it was only patrolled by us once or twice a day. That was the only defense there you see, because the main fighting was somewhere else. It was very mountainous rugged country, so they came through the mountains. It was cold in the winter, and they had to be warmly dressed, and they had to have good marching shoes too, you bet. So the SD quartermaster up in Verona used to provide them with stout walking boots. Well, it simplified his work, and it simplified ours. We could recognize those boots at a hundred

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yards, you see, after a while.

And there was a question of the other equipment they carried. They tended to carry the same kind of concentrated foods, the same kind of gadgets like cigarette lighters, compasses, and things. They tended to tell the same cover stories. They tended to come from somewhat the same background, I mean, educationally, and politically. They tended to carry money in series. When they were given money at the beginning it was given to them in new currency which ran in consecutive numbers. They were always told to go out in the town and break it up, but it was a lot of trouble and most of them never did. So when you found a man with new currency in consecutive series, he was either a black marketer or a spy, one or the other, or both.

So these are the things which made our job much easier. And it was stupidity on the part of the Germans, their excessive methodicalness, you see, that did this sort of thing. I don't say we were always bright, but they weren't either. So Carla Costa was captured.

I remember Mario Martinelli. He was an interesting

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figure, a handsome chap, but he had had a very squalid career, including pimping and other things like that in civilian life, black marketing and pimping, and after we caught him and broke him he was delighted to confess. He talked and talked and talked.

We had a brilliant linguist named Gordon Messing in our outfit, he had gone to Harvard, where he got a Ph.D. in linguistics, he spoke seven or eight languages, and read twenty. It used to be jokingly said, and it was almost true, that Gordon Messing's idea of fun was to translate Flemish into Sanskrit, and vice versa.

He was taking this fellow's confession, and then he'd have to translate it, you see. He was writing it in Italian, I mean, Martinelli was writing his confession. He wrote a page, and three pages and five pages and ten pages and Messing knew he was going to have to translate it. He said, "Keep it short." Usually we asked them to tell everything they knew, you see, but still -- "Keep it short." He wrote fifteen pages, twenty pages, "Can't you keep it a little shorter?" Twenty-five pages, thirty pages, forty pages, and

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finally he ran up to sixty-three pages as I recall, with Messing pulling his hair out because he had to translate every word of it.

After we caught Carla and she wouldn't confess, Mario Martinelli said to me, "Give me a little time with her; I'll make her confess."

I said, "So, how would you do that?"

He said, "Easy. Red hot needles through her breasts and pubic parts." A nice fellow.

I said, "Interesting." Naturally, we didn't do that sort of thing. Carla Costa was subjected to nothing but psychological pressure. Once for two days I did restrict her diet to coffee and toast on the theory that if she tired a little and got hungry she would talk. But I had two army nurses chaperoning her and I said, "Whenever you say I ought to start feeding her again, I will," and after two days of coffee and toast they said, "You better start feeding her again." And we did. But we tried all kinds of psychological pressure. My theory was no violence, but psychological pressure is o.k., and I'll admit I put a pretty liberal interpretation on what constitutes psychological pressure.

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By the way, Martinelli was tried, convicted and shot, which he richly deserved. And if I'm not mistaken, as he faced the firing squad his last words were, "Viva la Alleate," "Hurray for the Allies."

There was an Italian-American officer in my outfit, then a lieutenant, a nice fellow, became a major. He spoke fluent Italian. Oh, my goodness, the name escapes me at the moment -- oh, Tonini was his name, Melio Tonini. Anyway, he was then a lieutenant, and he was the fellow who had interrogated and handled this case. And as the agent faced the firing squad he shouted to my lieutenant: "You're shooting an innocent man, lieutenant." It shook up poor Tonini for days. The dead man wasn't innocent however.

Sometimes they shouted defiance as they died, and sometimes they shouted approbation of the allies, you never could tell. In any event, Carla Costa got twenty years but she was soon released. We turned our captured spies and internees over to the Italians, naturally, after the war. And they very properly released them.

Personally, I would never shoot a spy, never.

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The reason is not any softness of heart, but the reason is you can never know when you may need that spy for information about some subsequent suspect you receive and he may fill in a valuable piece of information for you that may identify a subsequent agent. We had a case like that, there was a fellow, I think his name was Lancelotti, whom we shot. And a year later I would have given my right arm, almost, to have had that fellow to interrogate him against another man who I thought had worked with him, you see. That sort of thing.

It's all right to pretend you're shooting them. We used to discourage the Germans from recruiting Italians, and of course, naturally, being Italy, they used almost entirely Italian agents. I mean, who would you use in a country except natives of the country who speak the language? We tried to discourage Italians from enlisting in the German espionage service. We used to drop posters on the German side of the lines with pictures of the spies we'd captured and whom we said we had condemned, and some of them had been executed, but most of them hadn't been. This was designed to deter other Italians. "Do not engage

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yourself," we said, "in the German Intelligence Service, or you too will suffer this fate." And there was a good chance they would because we caught an awful lot.

But I wouldn't shoot spies. I'd line them up like books in a reference library and hold them. And the fact of the matter was, it was rather hit-or-miss whom we shot, too. You know, there was not much justice in that. They were fairly tried, I mean, we could have shot them all, because they were all guilty. But the point was, in the beginning we weren't catching so many so there was time to try them. But in the end we were capturing so many, that just the business of martialing witnesses and holding trials was beyond the capacity of the Fifth Army. So a lot of these people just as a matter of convenience were simply interned. It was too much trouble and was not worth it to try them. If they'd been caught earlier, they would have been tried and shot probably.

In any event, Carla told me that on a previous trip to Rome she had stayed with her parents who were anti-Fascist, and that her mother had locked her in the

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bathroom, but she'd escaped from the bathroom and gotten out and jumped in a car and gotten back to the German side eventually. I told her that her parents had technically been guilty of harboring a spy. They knew her to be a spy, you see. They hadn't turned her in and there were death charges for that. I showed her a telegram that I was sending to Count Sforza, who was a friend of mine, Carlo Sforza, who was later foreign minister of Italy, and who at that time was the high commissioner of the Eputazione, the purge of Fascists, in which I was requesting them

to arrest her parents and bring death charges against them. This was a lot of nonsense, of course, I wasn't sending any such telegram. But I showed one to her. This is psychological pressure, and we did a lot of other things. It didn't shake her a bit.

Finally, the way we broke her was this: She gave certain information about Rome, her parents and so forth there, which were leads down in Rome. We put that all in writing. I put a man into a jeep and he drove to Rome 125 or 150 miles back and turned it over to the Air Force CIC in Rome, a fellow named Frank

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Looney (there was a Rome base section of the CIC and there was an Air Force CIC in Rome. The Rome base section of the CIC should have handled it but I knew they would take their time, but I knew the Air Force would act fast for various reasons), and I said, would he investigate all the leads down there and shoot it back to me, and he made a very fast investigation and sent me back a 20 page report within a matter of three or four days. This is fast work, you know, the whole transaction. And it turned out they had caught a colleague of my girl, Carla, a fellow agent, and she had talked a lot about her and told about their work on the other side and how they had been trained and all that. So I trotted this into Carla and I read it to her, and I said, "Now, Carla, you have become very unimportant. We know practically all we need to know about you from this other gal we have captured. Now if you don't want to talk, I don't care, but it will be in your own interest, it will make a difference in your trial, you know, when you come up for trial, whether you do."

So, at that point she saw the light. And she

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talked freely and she gave us information which led to the capture of other agents although she bitterly denied this later.

I wrote three spy articles after the war for the *Saturday Evening Post* and I featured Carla Costa in the last article. This is late '48, these articles appeared November 27, December 4, December 11, 1948. In January, I believe, '49, I got a letter from Carla Costa in English. She didn't speak English, but someone had translated it for her evidently.

Dear Major Spingarn: (I was a Lieutenant Colonel later, but I was a Major when she knew me).

To make a long story short, she had read the articles in the *Saturday Evening Post*. Between the lines you could see that she loved the publicity that she was getting, but there was one thing that she did not like. I had called her a "stool pigeon," in effect. I had said she gave information finally which led to the capture of others. She said that she had never done any such thing, never. Let me give her the evidence that said she had. And I wrote her back and I said, "Oh, you did, all right, I'm

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not going to give you evidence, that's not for you, but you did. We have it in our files," and so forth and so on.

And she wrote me another letter and the correspondence languished there.

But years later in the fifties, my mother was going to Rome. Now, my mother speaks some Italian, lived a lot in Europe as a girl, speaks several languages, so I gave her a mission.

I said, "Mother, I want you to look up Carla Costa." I had her family's address in Rome, and I knew she had been released from prison. So mother was a little frightened by this, you know, this terrible German spy, but she went through with her assignment bravely. She called up Carla Costa and she invites her over to her hotel, and the two ladies spent the afternoon having tea together. And the funny thing was as I learned the story later from mother, mother was very apologetic about me. They talked about me and Carla was very generous and very considerate. Mother told her how much our family loved Italy. She said my father was a lifelong literary friend of Benedetto

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Croce, the great Italian philosopher, which was true. My father's first book was translated into Italian. He was twenty-four, it was his Ph.D. thesis, and it was made into a book in 1899 and was translated into Italian with a preface by Benedetto Croce, the greatest, probably, European philosopher of the twentieth century. And mother visited the Croces in Italy in the twenties and I visited Croce in September '43. His home was in Sorrento, on the Sorrento Peninsula, and that was right between the lines. There were German patrols in one day and American the other. We were afraid that the Germans would snatch him because though he was not an activist, he was a symbolic figure of freedom, and so some British officers, some British SOE officers, these were the intelligence operation guys, sort of intelligence commandos, picked him up and took him off to the Isle of Capri, just off the peninsula, which we now held safely. And I went out to Capri., oh, about two weeks after the invasion, and I spent a night with Croce. And he refers to it in a book later; he wrote a book called *Croce, the King and the Allies*, and tells how a high allied officer (I was a major),

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came to him, the son of his dear old friend, Joel Spingarn, and how we talked, and what he told me about the politics of the situation and so forth.

Anyway, mother told Carla Costa how we loved Italy, and so forth and so on, and Carla was very, very generous, if she'd known that, she said, she might have felt differently about me. Mother said that she was about 28 then, in '53 I think, quite handsome, she had been a little chubby when I knew her, squat and chubby, but she was quite handsome and rather trim and well dressed and she was going to the University of Rome, and she was just as good a Fascist as ever.

Well, that covers my war experiences.

Now, getting back, when I came back to the United States, I was appointed Assistant General Counsel of the Treasury by Fred Vinson, who was then the Secretary of the Treasury, and later became Chief Justice of the Supreme Court. Joe [Joseph J., Jr.] O'Connell was my immediate

boss, the General Counsel of the Treasury, and a very fine chap, later Chairman of the Civil Aeronautics Board.

And immediately I got involved in this internal

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security and loyalty stuff again. I was legal counsel of the Secret Service and of the Coordinated Treasury Enforcement Agencies and I also became immediately pivot man on all loyalty-security cases. Every case was referred to me first for decision as to what its further processing should be, whether charges should be brought against the man or what. Don Hansen, and I (he was my assistant), wrote the regulations setting up the Treasury Loyalty Board, and I was the legal member of this three-man board.

And in late '46, the President set up the President's Temporary Commission on Employee Loyalty. This, if my memory serves me right, stemmed first from the famous Canadian case of Igor Gouzenko, who had defected, he was a cipher clerk, from the Soviet Embassy in Ottawa, and he defected and brought with him files which proved a large Soviet spy network existed in Canada, some links I think reached into the United States, but anyway, mostly in Canada.

This and other disclosures of the period produced a lot of disturbance in the country and in the Congress about how good our security was. And a congressional committee,

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I think it was, yes, it was the House Civil Service Committee, held hearings on this matter. They made a recommendation. I've forgotten exactly what the nature of it was, but I think they recommended a presidential -- they made recommendations that looked to some action by the Executive, by the President in this field. Their report speaks for itself.

The President then set up this commission, the President's Temporary Commission on Employee Loyalty, six agencies were represented on it: Justice chaired it, and the Attorney General, was technically the Justice member, but his deputy was A. Devitt Vanech, who was always known as "Gus" Vanech, who was then at the beginning, the special assistant to the Attorney General, but in the course of the Commission's life, became Assistant Attorney General. I will get to him in a moment. And the Treasury, the State Department, the Army and the Navy (this was before they merged), and the Civil Service Commission were the other representatives.

In the case of the Treasury it was Assistant Secretary (later Under Secretary), [Edward H., Jr.]

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Foley and I was his alternate; and in the case of State, it was at first Assistant Secretary [John E.] Peurifoy, as I recall. I've forgotten there were several men, but Peurifoy was one of them. Then Donald Russell was there for a while. He later became Senator and Governor of South Carolina and president of the University; and there was another fellow too, for a while, State had several; and for Navy, it was John Sullivan, who was a friend of mine from Treasury days, because he had been Assistant Secretary of the Treasury. He was Under Secretary of the Navy then, and later became Secretary; for Army it was Kenneth Royall, who was Under Secretary and later

became Secretary; for Civil Service Commission it was old Harry Mitchell, who was then the chairman. And each man had an alternate or deputy.

The Commission met, oh, I would say, once or twice a week, as I recall, and the working committee met every day. And the alternates attended the Commission meetings with one exception, one we didn't, it was sort of classified, but of course, our principals immediately told us afterwards what had happened, so it

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really didn't make much difference. I, being the kind of fellow who records everything, sort of like a squirrel, maybe that's not the right simile, but I'm a great recorder. In any event, I wrote a memorandum every day when there was a Commission meeting or a working committee meeting and I kept a file. Nobody else did this as far as I'm aware, and the result was that I think that my files are by far the most complete, and I have given them to the Truman Library, two big volumes of file covers, one containing memoranda and the other clippings, mostly, and formal stuff.

Well, then, also when I went over to the White House, I worked on Loyalty-Security there, many aspects of it, I think perhaps I was the principal proponent of a Nimitz type commission thing. I wrote any number of memoranda on that sort of thing, and George Elsey and Charlie Murphy were also strong supporters of that concept. And I was briefly vice-chairman of the White House Loyalty Board, and so forth.

I also feel equally strongly about rightwing lunacy as I do about leftwing. I have worked since '52, I've discussed that, to launch an operation which would

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do something about counteracting these lunacies which are poisoning slowly the minds, or trying to, of the American people, and to try to produce some rational dialogue in this field.

An outfit named the Institute for American Democracy (IAD) which was launched last November, represents that concept and I hope they'll be successful. They won't be unless they get enough money and staff to do the job. The last time it was tried was in '64, and that failed for lack of financial support, and if IAD fails, it will not be tried again in our time, obviously, because two strikes and you're out in most leagues outside of baseball. It would be a long time before anybody had the gumption to try it again.

I want to refer any historians who hear or read this material that I'm giving now to a useful reference work which will give you the background of this next situation, it's the *U.S. News and World Report* for November 20, 1953. And it contains excerpts from the statements by Brownell and President Truman and others about this situation, President Eisenhower and all the principals.

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The main article on this point is on page 110, and it says, "All About the White Case," that's Harry Dexter White, or Harry White as he was known to those who knew him, and I knew him

somewhat. He was first director of Monetary Research, as I recall, and later Assistant Secretary of the Treasury, while I was there. A very brilliant guy, but not to me an attractive personality. He always impressed me as a fellow who was delightful to the point of obsequiousness to his superiors, and very rude, mean and curt to his subordinates, or those below him in rank. Not a particularly delightful trait; but he was brilliant.

In any event, on November 6, 1953, Attorney General [Herbert] Brownell made a speech before the Executive Club of Chicago in which he denounced Truman's handling of the White case. I haven't really read this recently, but I've given the reference. I'm not going to try to analyze exactly what was said. I'll leave that to people that want to work on it. But the gist of it is, that he denounced Truman's handling of the White case, and, in fact, virtually imputed disloyalty to Truman, because the gist of it was that Truman had been

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advised that White was a spy and a traitor and then he appoints him as U.S. Executive Director of the International Monetary Fund.

Truman made a denial the same day. Among other things he said, "I want to make it perfectly clear that I inherited White from the Roosevelt administration. He was not an appointee of mine, he was working for Henry Morgenthau, then Secretary of the Treasury, when he left. As far as I know I never met White personally or talked to him. Apparently the Republicans have adopted the tactics of Senator McCarthy as a desperation move. It doesn't matter what they do, they can't breathe life into a corpse and they know it."

Harry White was dead. And it did seem a little peculiar, to say the least. Whether Harry White was guilty or not, he had never been convicted or indicted, he had denied the charges under oath and yet here was the Attorney General of the United States saying about a dead man that the charges were true and that the President had not done his duty to his country in connection with the handling of the White matter. It was in the best traditions of Senator McCarthy, there's

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no question about it.

And President Eisenhower was typically ambivalent when he was questioned at a press conference, this is the press conference of November 11, 1953. I note that Tony Leviero, now dead (Anthony Leviero of the *New York Times*, a fine reporter, and a good guy, who covered the White House and whom I knew pretty well and had social contacts with), asked Eisenhower the jugular question:

Mr. President, I think this case is at best a pretty squalid one, but if the grand jury under our system has found a man, has in effect cleared that man or at least decided it was insufficient evidence to convict him or prosecute him, then is it proper for the Attorney General to characterize that accused man, who is now dead, as a spy, and in effect accuse a former President of harboring that man?

That was quite plain in the statement of the Attorney General.

Here is the Eisenhower answer. At that time, apparently, they had to be paraphrased still. They weren't direct quotes.

All people were trying to get now is his personal opinion about certain things.

Mr. Eisenhower answered:

He is not a judge nor is he an accomplished lawyer. He has his own ideas of what is right

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and wrong but he would assume this. Reporters were asking him questions where with all of this in the public mind the attorney general is here to answer it himself. Let him answer it.

QUESTION: Mr. Leviero: He has refused to answer the questions, you see. [Laughter]

QUESTION: Andrew Tully, Scripps-Howard: It is true that Mr. Brownell is here, but he won't see reporters. I wonder if we could ask you to exert your influence to get him to see us? [Laughter]

Eisenhower replies:

Of course, after all, he felt that reporters were probably getting a little more impatient than Mr. Brownell thinks they should be. He doesn't know exactly what the attorney general has in mind. He is certainly ready to talk to Mr. Brownell more about this when he returns to town, but he is not going to give them orders as to methods in which he handles responsibilities of his own office. The President said he wanted to say that he had found Mr. Brownell interested in justice and decency, and cleaning up what he has got to clean up. We have gone ahead in many lower echelons, he added. He pointed out that there was a report published that we've got some fourteen hundred people that we thought were security risks. Mr. Brownell now has published a particular case and has aroused tremendous interest. Now, we will see how he handles it, and Mr. Eisenhower is not going to color his case or to prejudice his case in advance by talking about it.

QUESTION: Mr. Tully: Mr. President, can you give us any indication of what the proof of these charges is that are going to be offered by Mr. Brownell?

EISENHOWER: Of course, he can't. Mr. Eisenhower said that he would repeat that Mr. Brownell has got to handle this case in his own way. The President does

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not suppose and he does not intend to be one that is a party to what looks like rank injustice to anybody. That is all he can say on this.

QUESTION: Mr. Leviero: One more question. Insofar as we have been allowed to know the facts, the case rests on the testimony of two confessed traitors Whittaker Chambers and Elizabeth Bentley. I wonder if the FBI independently has developed any evidence to sustain the charge of espionage.

[Good question, say I.]

Mr. Eisenhower said that reporters would have to ask Mr. Brownell. [The President didn't know.]

QUESTION: Robert Riggs, Louisville *Courier-Journal*: There has been some question as to whether the FBI report said Mr. White was a spy, or whether it said he associated with Communists. Did Mr. Brownell say that the FBI report he used called him a spy?

The President said he was going to answer his last question on the subject that morning and leave. He had told them, Mr. Eisenhower said, that Mr. Brownell came and reported to him that there was evidence that there had been subversive action and that high Government officials were aware of it. He gave the name as Mr. White. He said the evidence was so clear that he considered his duty to lay it out, because, Mr. Brownell said, "Certainly, I am not going to be a party to concealing this."

The President told him, "You have to follow your own conscience as to your duty."

Now, that was exactly what he knew about it. That's the end of the excerpt from the press conference that I have, and that sort of presents the context of the picture.

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Well, immediately the House Un-American Activities wanted to get into the act, and in November, a subpoena, dated November 9, was served on President Truman, who was then in New York City, directing his appearance before the House Un-American Activities Committee on Friday, November 13, in Washington. The chairman of the House Un-American Activities then was Harold H. Velde. Velde was a former FBI man, and he too will not go down in history as one of the greater Congressmen, in my opinion. It's a funny thing. I've known quite a few ex-FBI men, many of them good guys. But the ones that go into politics all seem to be right wingers or become that way, and you could almost go down the row on that. There may be exceptions that I can't think of at the moment, but the ones I think of are pretty rightwing and Velde was like that.

In any event, this letter was read by President Truman to reporters at a press conference on November 11, in New York City. At that time, I was in New York City too, and Charlie Murphy called me up and asked me to come down to whatever the hotel the President was at,

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my impression is it was the Waldorf, but I may be wrong. In any event, I remember Charlie was there, and Sam Rosenman was there, and there were others there, I've forgotten who all, the President, of course.

We discussed this subpoena at some length and how the President should respond to it, I remember I think there was general unanimity, I mean, this is a long time ago, and I don't really remember with great detail the discussions, but my general impression is that there was general unanimity (maybe I'm just searching my own mind on this from what I thought), but my impression is that the general feeling was that they couldn't constitutionally require a former President to testify, but the chief question might be whether he should simply refuse entirely to come, or he should appear and refuse to testify on the grounds that he was exerting the constitutional rights of the President's office. I remember ruminating out loud: "It would be nice if we could get Professor [Edward S.] Corwin's -- of Princeton -- opinion on the subject." Corwin was a great constitutional authority who every couple of years wrote a new book interpreting the Constitution. I was

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startled to find that one of the senior lawyers present not a Government man, not Charlie Murphy, had never heard of Corwin. You never know where gaps in people's knowledge are. It was Sam Rosenman, actually.

But a reply of some sort was knocked out and Charlie Murphy was the principal drafter of that reply, as I recall. And I got in a few licks on it, others got in a few licks on it, but Charlie did the bulk of it. And, as usual, Charlie was the "take charge" guy when it came to getting something done. Everybody was there to talk, but we had to get something down on papers, you see. Charlie was the fellow who got something moving in that direction, getting things down on paper. The text of the President's letter is here (in this issue of *U.S. News and World Report* which I referred to), to Velde, saying he was simply asserting the constitutional rights of Presidents in declining to comply with the subpoena.

In spite of personal willingness to cooperate with your committee, I feel constrained by my duty to the people of the United States to decline to comply with the subpoena. In doing so, I am carrying out the provisions of the Constitution of the United States and following a long line of precedents commending with George Washington himself in 1796.

And so this is November 1953. I'm not absolutely

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certain how the next step took place, but I'll describe what happened. I learned from Ed Foley, who had been Under Secretary of the Treasury, and my longtime friend and boss at the Treasury, that John Snyder, who was Secretary of the Treasury, he replaced Fred Vinson about a month of two after I came back to the Treasury in '46, and he was Secretary until Mr. Truman left office. He was a great friend, of course, of President Truman's -- also from Missouri. And John Snyder and Ed Foley, one or the other or both, had gotten some intimation that either the House Un-American Activities Committee or the Senate Internal Security Committee, I think the latter, planned to hold hearings on this matter and call the Treasury officials, because Harry White, of course, was a longtime official of the Treasury. He had gone to the International Monetary Fund, presumably on John Snyder's recommendation that he be made U.S. Executive Director of the

Fund. And there were other names in the Treasury that had been in the public prints in connection with allegations of communism and espionage.

Well, it then developed that Snyder had talked to, I suppose it was the first Secretary of the Treasury

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under Eisenhower -- George Humphrey -- that Snyder had talked to.

There was one link in the Treasury with the old administration, and that was "Chappy" Rose, Chapman Rose, who was Assistant Secretary of the Treasury under Humphrey. "Chappy" Rose is a Republican, he is a Cleveland lawyer and a good one, and he had served in part of the Roosevelt and Truman administration in the capacity as Deputy Director of Contract Settlement. And in my last year or two years at the Treasury I was Deputy Director of Contract Settlement, in addition to my other duties, you see it was a liquidating operation, and it only took a little of my time, but still there had to be someone to handle it. The Secretary was the Director, so the Deputy Director was the fellow who had to actually do the spade work, whatever was to be done, but there wasn't much by that time.

"Chappy" Rose was in private life, counsel with George Humphrey, or his firm was, and he brought him into the Treasury as first, Assistant Secretary and then as Under Secretary, he was Assistant Secretary at this time, and I guess the contact was made through him.

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But in any event, John Snyder and Ed Foley had gotten permission from the Eisenhower Treasury to have access to the files on the loyalty cases which then might be an issue, the cases in the Truman administration, you see. Obviously, if you're going to testify on how you handled the case, how the hell are you going to do it unless you have the files before you. Nobody can remember things that happened years before, nobody, I mean, unless you have absolutely a photographic, photoelectric cell for a brain. You have to be able to refresh your recollections from files, men who handled a million things, and this is just one of them.

So they had gotten that permission and I immediately saw that I needed that permission, because I was the man who did the spade work. These were the top level men and they might have to justify it, but I was the man they were going to look for at the staff level as the fellow who had done all the memoranda and things, they were mine you see. If they looked through the files they'd see Spingarn's name all over everything, and they'd say, "This fellow we've got to talk to." That was

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obvious. So, with that background I'm going to read you these notes which I saw this morning for the first time in years. This is called "Notes for SJS Special Internal Security File." It's in longhand, my longhand.

Here I have "Wednesday, December 2, 1953."

Late this afternoon I saw Assistant Secretary of the Treasury, Chapman Rose, with Captain Ernest Feidler.

Now, Ernie Feidler was a Coast Guard captain, then. He had been Ed Foley's assistant when he was Under Secretary, and at Chapman Rose's request he remained there to be his assistant for a while, for six months or so, when Rose was Assistant Secretary.

At my request Rose said I could have access to Treasury Loyalty files on which I worked while in Treasury, and copies of papers therein, on the same basis, as Treasury had already accorded to Messrs. Snyder and Foley

That's Secretary Snyder and Under Secretary Foley.

So, thereafter, I spent several days in December and I think possibly in January, December '53 and January '54, several whole days in the Treasury going through these files and copying excerpts from the files that I thought I might need in case I had to discuss any case which I had handled while I was in the Treasury. And

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I was given full access to the files and permission to copy them and take excerpts out and I did.

This morning I got up at four thirty. I was running through this file and I came across a memorandum I totally had forgotten I ever wrote. It's in my longhand and is the only copy. It's dated Sunday, June 27, 1954, Now, this is, as you see, about six months later. It shows that my labors were not altogether -- it turned out that they were unnecessary -- but it shows that they might very easily have been necessary, I mean, the several days I spent going through those files in the Treasury in December '53 or early January '54. This memorandum I have headed "Re: Jenner Internal Security Committee, Canceled Hearings of June 25, 1954." This is dated June 27, two days later; I'm reading how from my longhand memo:

On Tuesday morning, June 22, 1954, Robert McManus of the Jenner [Jenner ISS, I keep saying -- that means, Internal Security Subcommittee of the Senate Judiciary Committee, of course.] Robert McManus of the Jenner ISS staff phoned me to request my attendance at an executive session of the ISS [The Internal Security Subcommittee] on Friday, June 25, at 10 a.m., in Room 155, the Senate Office Building. I said I would be there and asked what the hearing was about. He said it was about the old Treasury Loyalty cases, 'Adler

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and so forth.' [The Adler Case was often in the public print so I have no hesitation in mentioning it.) I inquired whether any other former Treasury officials had been invited to this hearing, and he said, 'no.'

Which is interesting. They didn't start with Snyder or Foley; they started with me. I thought it might be that way. I was the fellow who had done the spade work. Now, mind you, they give you three days notice, you see, of a hearing at which you're supposed to defend your reputation, in a

context -- this was the middle of the McCarthy era, you'll remember that -- in a very inflammatory and provocative context. A hostile, Republican committee attacking Democrats. You knew what to expect when you went up there.

HESS: They gave you three whole days to get ready.

SPINGARN: Three whole days, yes.

HESS: Not very much.

SPINGARN: That afternoon, June 22, I went to the Treasury Department and conferred

with Assistant Secretary of the Treasury, H. Chapman Rose. [Now, don't forget that H. Chapman Rose was a Republican, Assistant Secretary of the Republican Treasury Department, headed by a Republican, George Humphrey, under a Republican President, Dwight D. Eisenhower.] I told them of the Friday meeting and told them there was a problem involved in which I would appreciate the views of the present administration. I referred to the Truman 1948 directive prohibiting Government

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officials from testifying about the handling of loyalty cases without specific presidential approval. I said it was my understanding that the Eisenhower administration had continued this directive in effect. Mr. Rose said that recent events made that pretty clear. I said there were two questions about the interpretation of that directive.

When he talked about recent events I think he was talking about the famous letter, I believe it was May 17, 1954, that President Eisenhower wrote to, I think it was either the Secretary of Defense, or the Secretary of the Army, Stevens, in connection with the McCarthy hearing. Senator McCarthy had been trying to get certain information from the Executive Branch, and if my memory is right, on May 17, 1954, President Eisenhower wrote a letter, relying, in effect, on the Truman directive, and continuing, in effect, the directive about not making this type of information available, without an expressed approval in each case of the President. And that's what he means, I'm pretty sure, but that, "recent events made that pretty clear."

This is a month later. I said:

There were two questions about the interpretation of that directive with which I was confronted in connection with any testimony I gave about the handling of old Treasury loyalty cases. One: Did it apply to former officials such as myself,

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as well as incumbent officials: Two: In connection with the old Treasury loyalty cases, which the Internal Security Subcommittee was now considering, had the

new administration waived the application of the directive insofar as former officials as my self were concerned, by virtue of Attorney General Brownell's testimony of November 17, 1953, before the same subcommittee, when he discussed these cases and criticized their handling [that is their handling by the Truman administration].

I told Mr. Rose, that in my opinion, the 1948 directive as continued in effect applied to former as well as incumbent officials, but that Mr. Brownell's testimony last November had the effect of waving the directive, so that I could testify fully and freely about these cases.

However, I said that was only my opinion; that was obviously not authoritative. I told him I did not want to find myself in the middle of a constitutional conflict between the Executive and Legislative branches and I therefore requested that I be given a statement, in writing, before the Friday hearing, by an appropriate Administration source, setting out the Administration's views as to where I stood under the 1948 directive and the question as to its interpretation in the present situation which I had raised with him.

I said I was anxious to testify before the Internal Security Subcommittee, because [and I emphasize this] because I believe that the Treasury had handled its old loyalty cases in a sound and responsible manner, and my purpose in seeing him was to iron out any possible impediments that might stand in the way of my testifying fully. I emphasized to Mr. Rose my feeling that Mr. Brownell [the Attorney General] that Mr. Brownell's testimony last November had constituted a waiver of the 'no testimony' directive. I said it would be most unfair for the Attorney General to, in effect, waive the directive as far as he was concerned

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so that he could criticize the previous administration's handling of certain loyalty cases, and still have the directive to remain in effect to keep us from answering those criticisms.

Mr. Rose said he would undertake to get me a statement in writing of the character requested by me before the hearing, June 25. He said that since the questions involved were of more than Treasury concern, that is, of Government-wide application, he would consult the Department of Justice on the matter. I thanked him and left. The next day, Wednesday, June 23, about noon, Mr. Rose phoned me. He said that because of the many ramifications of the problem, he would be unable to furnish me with a written statement desired before the hearing. He said that on the basis of the checks he had made he was able to tell me that he had found no objection from any administration quarter to my testifying fully before the Internal Security Subcommittee about the handling of the old Treasury loyalty cases.

I thanked him and said that I would tell the subcommittee the advice which he had given me orally. He said of course that was understood.

The next morning, Thursday, June 24, Miss Humphrey of the Internal Security Subcommittee staff phoned to tell me that the subcommittee had canceled the request that I appear at the executive session the next day. She had no particulars as to why, so I phoned Robert McManus of the Internal Security Subcommittee staff, Republic 7-7500, Ext. 2666, who had first called me on this matter. I asked why the hearing had been canceled, and he said the subcommittee was just so busy with other matters that they had to call off my appearance. He said he didn't know when or even if they would call me again, but assured me that I would get ample notice if they did [three days, no doubt] decide to call me.

I said I was disappointed, that I looked forward

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to the hearing, and that I had gone to some trouble to get ready for it by seeking administration advice on where I stood insofar as the legal and constitutional questions involved were concerned. I told him of my talk with Rose and what Rose had told me the previous day. I told McManus that I was anxious to appear before the Internal Security Subcommittee now that the impediments seemed to be removed, particularly because I wanted to straighten out the record resulting from Harold Glasser's testimony of April 14, 1953, before the Internal Security Subcommittee.

I referred McManus to my April, 1953, correspondence with Robert Morris, the former chief counsel of the Internal Security Subcommittee on this matter, which McManus said he hadn't seen, and told him that I thought the Internal Security Subcommittee had been less than fair on this matter in failing to print my letter to Morris in the hearings, with the Glasser testimony.

I asked McManus if Attorney General Brownell had ever asked the Internal Security Subcommittee for an opportunity to substantially correct his testimony of November 17, 1953, before the Internal Security Subcommittee [that was the testimony criticizing the Truman administration and the Treasury for the handling of those cases]. McManus said not that he knew of. I said that Brownell had made a substantial misstatement of fact at the November 17 hearing which was very prejudicial to the individual involved, that this misstatement had since been called to the attention of the Department of Justice and that if Mr. Brownell did not publicly correct his statement it was a clear flat error of fact [prejudicial to an individual on his loyalty]. It seemed that he had committed something approximating moral, if not legal, perjury. He let stand uncorrected sworn statement which he now knew, even if he didn't originally, was not supported by the facts in the possession of his department. I intimated to Mr. McManus that in the interests

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of truth his subcommittee might care to hear my information on this matter. He was noncommittal and we ended our conversation. SJS

I never heard another word from that subcommittee to this day.

HESS: That was the end of that.

SPINGARN: That was the end of that. You notice, I made myself freely available, I had interesting testimony that showed the Attorney General had made a flat misstatement of fact, publicly prejudicial to an individual's loyalty, which he never corrected, as far as I know. They didn't want to hear it. Now, I think that's interesting. This has never before been made public as far as I know. By the way, I have in here some other correspondence. I have here correspondence about this Robert Morris episode which I referred to. Robert Morris, who was, as late as '53 anyway, Chief Counsel of the Senate Internal Security Subcommittee, I felt behaved unfairly in a matter in which I was involved vis-a-vis his subcommittee. Remind me after lunch to give you copies of these papers to be Xeroxed and returned to me.

Ninth Oral History Interview with Stephen J. Spingarn, Washington, D.C., March 24, 1967. By Jerry N. Hess, Harry S. Truman Library.

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SPINGARN: Well, I mentioned this morning, when we broke off, the Robert Morris episode, and I have my file on this before me -- and I think I can best describe it by reading excerpts from some papers in this file. Here is a memorandum from my personal file which is dated April 14, 1953, and this is the text of it:

Jack Doherty, of the New York *Daily News*, called early this afternoon (I was a Federal Trade Commissioner at this time) to say that my name had been mentioned at a hearing this morning of the Internal Security Subcommittee of the Senate Judiciary Committee.

He said that while Harold Glasser, a former Truman official, was testifying, the Subcommittee counsel, Robert Morris, asked him if he knew that after a conference with me (that is me, Stephen Spingarn) at the White House, Victor Perlo, also a former Treasury official, had been cleared. I told Doherty that there was no truth to the allegation inferred by this question.

I then called Robert Morris and asked him to send me an excerpt from the testimony mentioning me as soon as possible. He said that he would do so. I also told him that there was no truth in the statement referred to above. He said that they would be glad to have me correct it if I wished.

I told him I would be glad to do so, and, of course, my call to him was in the nature of a

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correction, but that as I understood it, I was limited insofar as disclosure of details of a loyalty case were concerned by President Truman's directive precluding the disclosure of such information, which directives, as far as I was aware, had been continued in effect by President Eisenhower. I indicated that I would look over the transcript he sent me and let me know what, if anything, I wanted to do about a correction, (and I initialed that memorandum for my file).

Well, then I received a letter dated April 16, 1953, from Robert Morris, chief counsel Internal Security Subcommittee to me:

Dear Mr. Commissioner:

Here is the excerpt from Harold Glasser's testimony before the Internal Security Subcommittee on April 14, 1953, which I promised to send to you.

And here is the excerpt; I'll read it, it's quite brief.

This is testimony of Harold Glasser on April 14, 1953 before the Internal Security Subcommittee:

MR. MORRIS: (Chief Counsel) In 1946 did you know that Victor Perlo was a Communist?

MR. GLASSER: I refuse to answer that question on the grounds it may tend to incriminate me.

MR. MORRIS: Did you try to get Victor Perlo a job with the State Department in 1947 at a time when you knew he was a Communist?

MR. GLASSER: I refuse to answer that question on the ground it would tend to incriminate me.

MR. MORRIS: Did you know that Victor Perlo, according

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to a security report of which you have knowledge, was a member of the Communist Party?

MR. GLASSER: I refuse to answer that question on the grounds it would tend to incriminate me.

MR. MORRIS: Did you subsequent to that time recommend Victor Perlo to a position in the State Department with the Intergovernmental Committee on Refugees?

MR. GLASSER: I refuse to answer that question on the grounds it may tend to incriminate me.

MR. MORRIS: Do you know whether or not after that information was known, subsequent to a conversation with one Stephen Spingarn at the White House, Victor Perlo's Treasury record was cleared?

MR. GLASSER: I refuse to answer that question on the grounds it may tend to incriminate me.

MR. MORRIS: Did you ever have a conference with or concerning Stephen Spingarn at the White House?

SENATOR WELKER: Did you ever have anything to do with clearing the record on Victor Perlo?

MR. GLASSER: I refuse to answer that question on the grounds it would tend to incriminate me.

MR. MORRIS: Do you know that a Treasury investigation was conducted of you in 1942?

MR. GLASSER: I did know that there was a Secret Service investigation of me. (That's the only question he answered.)

MR. MORRIS: Did Harry Dexter White aid in clearing you in that investigation?

MR. GLASSER: I refuse to answer that question on the grounds it would tend to incriminate me.

So there's the excerpt that Morris sent me. You see

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the gist of it is that he asked him a question as to whether or not Glasser had information that Victor Perlo was a Communist subsequent to a conversation that one Stephen Spingarn -- I slightly resent that "one" as if I were an unknown nonentity -- to a conversation with one Stephen Spingarn at the White House, Victor Perlo's Treasury record was cleared -- Glasser refused to answer on the grounds of possible incrimination.

Mr. Morris then said, "Did you ever have a conference with or concerning Stephen Spingarn at the White House?" Senator Welker then interjected with a question, "Did you ever have anything to do with clearing the record of Victor Perlo?" and Glasser then refused to answer; presumably he was making the same refusal to both the Morris and Welker question.

I then wrote Mr. Morris on April 17, 1953, after receiving that letter from him and the excerpt:

Dear Mr. Morris:

I today received your letter of April 16, 1953, enclosing an excerpt from the testimony of Harold Glasser before the Internal Security Subcommittee on Tuesday, April 14, 1953. I requested that you send me this excerpt on April 14, after learning from the press that my name had been mentioned by you in the course of your interrogation of Harold Glasser, who was

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a former Treasury Department official, about Victor Perlo, a former subordinate of Harold Glasser's in the Treasury Department.

Both men left the Treasury Department in 1947 at which time I was Assistant General Counsel to the Treasury acting, among other things, as legal counsel to the U.S. Secret Service and the other coordinated Treasury enforcement agencies. I was also the legal member of the Treasury Loyalty Board at that time and in the latter part of 1946 and the early part of 1947 had been alternate Treasury member of the President's Temporary Commission on Employee Loyalty and a member of the working committee of that Commission which drafted the recommendations which became the present Government Loyalty Program.

In 1949 I transferred from the Treasury to the White House staff and in 1950 became Administrative Assistant to the President of the United States until October of that year when I assumed my present post of Federal Trade Commissioner.

In your questioning of Harold Glasser on April 14, according to the excerpt which you have sent me, you asked him if he knew, 'That Victor Perlo, according to a secret report of which you had knowledge, was a member of the Communist Party.' You then asked him if he knew, 'Whether or not after that information was known, subsequent to a conversation with one Stephen Spingarn at the White House, Victor Perlo's Treasury record was cleared.' Mr. Glasser refused to answer both questions on the grounds that it might tend to incriminate him.

The purpose of this letter is to state that any intimations which the questions you addressed to Mr. Glasser (or his refusal to answer them), may contain that the Treasury record of Victor Perlo was cleared after or as a result of a conversation with me at the White House (or anywhere else), is completely untrue.

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I was one of the Treasury officials who participated in the handling of Treasury loyalty matters during the last three or four months of Victor Perlo's employment by the Treasury Department. The files of the Treasury Department contain the record of the handling of such matters. It is my understanding that Government officers and employees are prohibited by presidential directive dating back to 1948 from discussing details about Government loyalty cases to congressional

committees, that President Eisenhower has not rescinded these directives, so that, therefore, they are still in effect. I would like to state, however, that if President Eisenhower should decide that the national interest would not be prejudiced by making available to your subcommittee the loyalty files of the Treasury Department hearing on the Victor Perlo matter and by lifting the prohibition against oral testimony in this matter by Government officials, I would be available to testify before your subcommittee about my remembrance of the Treasury's handling of this matter which, I believe, was both sound and responsible. Incidentally, in 1951 the Republican Chairman of the Central Loyalty Review Board praised the Treasury Department in the highest possible terms for its past handling of loyalty matters [that was Hiram Bingham, former Republican Senator from Connecticut, a very conservative man].

I might add that during the past twelve years, I've spent from one-third to one-half of my total time working on counterespionage and security matters; this has included three years of service overseas in several countries during World War II as a counterespionage officer. During two years of that time, I was commanding officer of a counterintelligence organization -- the Fifth Army Counterintelligence Corps, which captured over 500 enemy spies and saboteurs. I am proud of the work which I have done in this field, and I have been honored by receiving a number of

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commendations for it from outstanding Americans. While it is difficult to approach the subject of one's own record with the necessary objectivity, I believe that my experience has particularly qualified me for trying to do an honest job of balancing the delicate considerations of security and individual rights in a free country during a period of great turmoil and tension, if for nothing else. And, though extremists of both sides tend to overlook it, that is the job that has to be done in each of these loyalty or security cases.

I detest all forms of political totalitarianism whether it is the leftwing or the rightwing variety -- communism or fascism. To the extent of whatever abilities I have, I have worked and shall continue to work to prevent the encroachment of any of these forms of totalitarianism or their hateful methods of operation on our country and its free institutions.

I request that this letter be incorporated in the transcript of your hearing of April 14 at the point at which the reference is made to my name. If for any reason this is editorially impossible, I request that this letter be reprinted in the same volume of your hearing and that there be a cross-reference at the point at which my name is mentioned to the place where the letter may be found.

That is the end of my letter.

I then received another letter from Robert Morris, dated April 20, 1953:

Dear Commissioner:

Thank you for your letter of April 17, which I could not read until this morning.

As you may know, any variation of sworn testimony should be accomplished by other sworn testimony.

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For that reason the Subcommittee has always taken the position against receiving a letter when the witness is available. For that reason, I ask if you will not try to work out an arrangement whereby you could come here and we would have an Executive Session and get the record straight.

Wish you could give a week's notice on this, and we would arrange it very quietly here with one of the Senators. I assure you that we will make every effort to see to it that nothing but the full facts appear in the Record.

Sincerely yours, Robert Morris, Chief Counsel, Internal Security Subcommittee.

Now, I naturally found that letter highly unsatisfactory; so I wrote him. His letter was the 20th. On the 21st of April, 1953, I wrote him again:

Dear Mr. Morris:

Thank you for your letter of April 20 replying to mine of April 17.

You state that, 'As you may know, any variation of sworn testimony should be accomplished by other sworn testimony. For that reason the Subcommittee has always taken the position against receiving a letter when the witness is available. For that reason, I ask if you will not try to work out an arrangement whereby you could come here and we would have an Executive Session and get the record straight.'

I am not clear as to the relevance of your statement that 'any variation of sworn testimony should be accomplished by other sworn testimony.'

The excerpt from your hearing of April 14, which you sent me in response to my request for a transcript of any portion of those hearings containing

[#734 was omitted in numbering the pages]

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a reference to me, indicated that the only references to me were in two questions put by you to Harold Glasser, who refused to answer the questions. This hardly

constitutes sworn testimony. However, if you wish, I shall be glad to give you my April 17 letter in the form of an affidavit (as a sworn statement, in other words).

As I told you in my April 17 letter, directives by President Truman which have been continued in effect by President Eisenhower appear to preclude me from testifying before your committee in executive session or otherwise, about the details of an individual loyalty matter in the handling of which I participated as a Treasury official. It has always been my understanding that Mr. J. Edgar Hoover, the FBI director, has been one of the strongest proponents of these presidential directives against the disclosure of information about individual loyalty matters. I am rather proud of my own participation in this matter, and I should have no objection to testifying before your committee in public or in executive session if the presidential ban were lifted, but I'm certainly not going to violate presidential directives.

As you know, the issues connected with the presidential directives against the divulgence of loyalty information involve an historic controversy between the Executive and Legislative branches of our Government which goes back to George Washington. I suggest for your consideration that a Republican headed committee of a Republican Congress is in a good deal better position to reconcile the historic viewpoint of these two great branches of our Government with a Republican President than is a Democratic commissioner of the Federal Trade Commission.

At that moment, of course, Republican President Eisenhower was in the White House, and there was a Republican Congress --

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both houses were Republican -- and Robert Morris was a Republican and Chairman Jenner of his subcommittee was Republican -- in other words how did they expect me to go to a Republican White House and straighten out this matter if they couldn't straighten it out as to these directives barring my testimony on this matter.

I have added an addendum of August 24, 1953; I was writing in April:

I have received no reply to this letter from Mr. Morris. The Glasser hearings before the Internal Security Subcommittee were not printed until this month (that's August, 1953) and I did not receive a copy of them until today. Despite my request, these hearings do not contain my correspondence of April, 1953, with Mr. Morris about this matter.

So, he didn't put it in as I requested. Now, I note that, among other people, on June 2, 1953, I wrote to J. Edgar Hoover, Director of the Federal Bureau of Investigation:

Dear Mr. Hoover:

I am sending you herewith self-explanatory copies of correspondence which I have had with Mr. Robert Morris, Chief Counsel of the Internal Security Subcommittee of the Senate Judiciary Committee (my letter of April 17, 1953, his reply of April 20, 1953, and my further letter to him of April 21, 1953).

I request that the attached copies of this

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correspondence be placed appropriately in your files.

Sincerely, Stephen J. Spingarn, Commissioner.

Here's another memorandum for the file -- from my file -- which I wrote August 24, 1953:

On Friday, August 21, to Mal Harney, Chief Coordinator of Treasury Enforcement Activities (and I will state parenthetically that Mal Harney is one of the finest Federal law enforcement officers that I have met. He was a career man and spent his entire adult life in the government; he's either an Independent or Republican, certainly not a Democrat. He's quite conservative, but he's very fair-minded, basically, and a savvy and perceptive sort of fellow. He and I worked closely together for several years, we're still friends, and, though we often disagree, we can always talk about our disagreements and we have respect for each other anyway.) He called me (he was Chief Coordinator of Treasury Enforcement Activities then) to ask if I had seen the reference to myself in the *Washington Star* of Thursday, August 20. I had not, but I got a copy of the *Star* which contained an excerpt from the testimony of Harold Glasser before the Senate Internal Security Subcommittee on April 14, 1953, including the reference to me in two questions asked of Glasser by Robert Morris, Chief Counsel of the subcommittee.

After being advised by a newspaperman in April, After the Glasser testimony took place, about the reference to me, I had obtained a transcript of the excerpts pertaining to me from Mr. Morris and had written him concerning my version of the matter and asking him to place my letter in the record of the hearings. The Glasser hearings were not printed until a week or so ago and I first obtained a copy of them today, August 24. The references to me on page 80 of these hearings were the same as in the excerpted transcript which Morris had furnished me

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in April, but despite my request, my version of the matter was not printed in the hearing.

This morning, that is Monday, August 24, 1953, I called Mr. Herbert Corn, Managing Editor of the *Washington Star*, referred to the Glasser testimony which the *Star* printed last Thursday, explained the situation, and asked if under the circumstances he would be good enough to send a reporter over to see me and get

my story about this matter. He said he would be glad to do so and this afternoon at 2:30 Mr. Allen Drury (Allen Drury? That's the fellow who wrote *Advice and Consent*, I had forgotten all about this) Mr. Allen Drury a Washington *Star* reporter, came in to see me. I gave him copies of my correspondence in April with Mr. Morris and further details about this matter.

Now, here's a further repercussion -- incidentally, I should say that on April 20, 1953, now that was six days after the Glasser testimony, I received a letter from Art Stitt in Cleveland, Ohio. Now, let me explain for a moment who Art Stitt is, because Art Stitt was then chairman and he had been the founder and spark plug, really, of an organization known as -- which is still in existence -- called the National Counter Intelligence Corps Association. It's an outfit composed mainly of alumni of the Army Counter Intelligence Corps -- CIC -- some thousands of them; and it's been essentially a social organization for the boys to get together and swap lies about their great achievements in World War II.

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We have a convention once a year and we have a publication that comes out every two months called the *Golden Sphinx* and so forth.

This was true until 1962 when something happened when a very rightwing essentially Birchite type of chap became chairman and chief executive officer of our organization and started using our publication as a sounding board for his extremist rightwing views.

Art Stitt, who is now dead, was a fine chap; he was the founder and for fifteen years national chairman and then he resigned to become a Methodist minister, and if there is a heaven, I'm sure Art is looking down at us from there because he was a good man. In any event, he wrote me on April 20, 1953:

Steve,

I have a delicate matter that concerns you personally that I wish to bring to your attention. I have received from Chicago an article from the Chicago *Daily Tribune* dated April 15, 1953. This article had to do with the investigations of one Harold Glasser and a short paragraph in the article reads, 'The witness refused to discuss an instance in which he was alleged to have secured from Stephen Spingarn, a White House Administrative aide, a clearance of the record of Victor Perlo, who had been accused of being a Communist agent.'

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This clipping is not mine and I was requested to return it or I would forward it to you. Inasmuch as I had been mailed the clipping, I thought it important that you know about this. This is for your personal information and should I hear any more about it, I shall advise you.

Sincerely, Art Stitt.

Well, you see these were McCarthy days and this sort of reference created little whirlpools of trouble and tensions. The people thought, what about Steve Spingarn. Is he really a Communist agent or sympathizer. They read these nasty little items in the newspapers and the lie goes around the world before the truth can get its pants on. So I wrote Art back April 28:

Dear Art:

Thanks for your letter of April 20. You need have no feeling that the matter you mentioned is a delicate one. I handled loyalty and security matters for the Government for a number of years, in fact, until I came to this commission (that's the Federal Trade Commission) in late 1950. Anyone who handles such matters inevitably gets his name thrown around. The implications of the quotation from the *Chicago Tribune* of April 15 which you sent me are entirely without truth, as the attached letter of April 17 to the Chief Counsel of the Senate Internal Security Subcommittee (that's Robert Morris) states: "The witness, who refused to discuss the matter, was following a pattern of refusing to discuss anything except his name and the like.

And incidentally, in 1964 Art Stitt wrote a letter

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endorsing me -- I think it was to the President but it was to some senior official of Government -- endorsing me for a place on the National Commission on Farm Marketing which was a presidential commission to be composed of five Senators, five Congressmen and five public members to be appointed by the President, and I was being considered for one of the five public members.

Art Stitt wrote:

I knew Mr. Spingarn by reputation as far back as 1942. He had an excellent war record with three years of overseas service.

He served with honor with the CIC in the invasion of North Africa and Italy and was pinned down like any other GI on the Salerno and Anzio beachheads. He later was the commanding officer of the Fifth Army Counter Intelligence Corps, perhaps the outstanding CIC effort of the entire war. I founded and organized the National Counter Intelligence Corps Association, which became the alumni association of the CIC.

Mr. Spingarn was a member of the Board of Governors of which I was chairman until I retired in 1962 to enter into the ministry. In this capacity I became intimately acquainted with Stephen Spingarn. He is a fighter, aggressive, articulate and not afraid to work for what he believes in. Spingarn joined with myself and some others recently to keep extremism out of the National Counter Intelligence Corps Association, a matter in which we were successful. I gladly

recommend Stephen J. Spingarn, a man should I be in a fight, I would want on my side. (That's Art Stitt.)

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Now, at the same time, I wrote a letter to my friend, Drew Pearson. I was trying to cover all bases here, J. Edgar Hoover, Drew Pearson. This is dated August 26, 1953 -- it's after that unpleasant article appeared in the *Washington Star* linking me, it also appeared earlier in the *Chicago Tribune*:

Dear Drew:

Attached is some correspondence which I had in April with Robert Morris, Chief Counsel of the Jenner Internal Security Subcommittee of the Senate. The correspondence is self-explanatory but briefly the situation is this:

I then go over the situation as I have reaccounted it so far -- what happened on this thing and the failure of Morris to include my letters in the hearings although he had thrown my name into them, although Glasser had said nothing whatever about me he was just following a pattern of refusing to answer virtually all questions, and the fact that this had appeared in the *Washington Star* and so forth -- and then I went on:

It seems to me that this is an example of unfair play on the part of Jenner's subcommittee. I suppose there's no point in getting one's blood pressure up although it's certainly irritating. Since you are a collector of such items and an exponent of fair play in such matters, I am

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reaccounting the incident to you for whatever use you care to make of it. My position on the whole matter is quite fully set out in the attached correspondence with Morris: (Then I go on to recount my own record.) I said that my work in counterespionage had received the high praise of General Mark Clark and General Alfred M. Gruenther -- see attached copy of Gruenther's letter to me.

I have a similar one from Clark. Both these fellows said in a letter to me in 1953 that under my leadership the Fifth Army Counter Intelligence Corps had virtually destroyed the German espionage organization in Fifth Army territory in Italy, and that they had had no serious trouble with either espionage or sabotage in the course of the combat operations in the Fifth Army as a result of our good work. I continued to Drew:

I am proud of my record in this field which I would be glad to match with those of Senator Jenner or Mr. Morris', and since I am leaving the Government on September 25 when my term is expired, I do not want to see my record vilified even if only by unsupported incidents without an opportunity to reply.

I hope that all goes well with you and Luvie. (That's his wife.)

I think this ends this episode -- no, here's a little kicker to it. On September 9, 1956, I wrote a longhand memo for this file:

On September 8, 1956, I sat by chance next

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to Mrs. Edna R. Fluegel at the final American Political Science Association Convention lunch at the Statler. Russell Wiggins of the *Washington Post* was the speaker.

There was a rather amusing incident. As I came down the hall into the luncheon, the receiving committee thought I was Russell Wiggins and greeted me as the honored guest -- the speaker -- and I had to disabuse them and later Russell Wiggins when he made his speech made some comic reference to the fact that he didn't know who was more discredited by this comparison of him and me -- Wiggins is, of course, the Editor-in-Chief of the *Washington Post*.

Mrs. Fluegel told me she was a consultant for the Senate Internal Security Subcommittee and had worked, among other things, on its Institute of Pacific Relations report. Her main job is teaching at Trinity College here. I told her about my two experiences with the Internal Security Subcommittee: (A) The 1953 episode in connection with Harold Glasser's testimony and my unsatisfactory correspondence with Robert Morris about the matter and (B) The 1954 contact with the subcommittee and specifically with Robert McManus of its staff -- I've gone over that earlier today. I told her the conversations I had at the time with Chapman Rose, the Republican Assistant Secretary of the Treasury of the Republican administration of General Eisenhower, and also of my earlier examination, with Rose's permission, of the Treasury Loyalty files. I said that Robert Morris had a reputation for fairness which I was sure was deserved but that my own experience with him in 1953, though a minor matter, had seemed to me less than fair.

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Well, Robert Morris was hailed as a refreshing new light in this Internal Security field, at first. There had been a lot of, well, McCarthy and Dies and people like that, bulls in china shops, who weren't interested in fairness they were just interested in making headlines -- fairness was the last thing on their minds.

Robert Morris had at least been a police court judge and he was supposed to be a conservative, but fair. Well, this episode didn't seem very fair to me and his later record seems to indicate that he lost what fairness he had.

Since he has left Government, he has gone increasingly more and more to the right and now he is one of the rightwing ideologists of the country, I mean the extremists.

He has written a book which is on the approved list of the John Birch Society and recommended by them; he has addressed one John Birch Society meeting that I know of; he's a right winger and he spouts rightwing crap -- that's the only word I can use for it.

He's run unsuccessfully, repeatedly, as a Republican. He ran against Clifford Case up in New Jersey, I think twice, and did poorly. He went down to Texas and became

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president of an outfit that calls itself the University of Dallas, but actually it was my understanding it was brand new and only had about 600 students despite the far reaching name of University. He ran down there for, I think it was the Senate, anyway, for a major Federal job and did poorly in the Republican primary, so he's not a person of any consequence in his own party, politically, but he does a lot of talking and writing.

Now, he was the chief counsel for the subcommittee. Senator Jenner of Indiana, who I would say was -- if you were ranking the Senators, there were ninety-six in those days, I would say that McCarthy would be the ninety-sixth and Jenner the ninety-fifth in order of merit -- that would be about my rating of him, and I think that historians generally will agree with me that Senator Jenner was not exactly a shining figure in the United States Senate.

He was sort of a junior partner of McCarthy, and he was the fellow who did a bigger hatchet job on General George Marshall than McCarthy did -- I've forgotten the exact phrase but the gist of it was that General Marshall was a traitor to his country -- there was no other way

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to describe what he said and this is so nonsensical that it hardly needs any characterization. You can approve or disapprove of things that General Marshall did he wasn't always right, I'm sure, but he was a dedicated man who deserves great credit from his country for what he did in a time of terrible peril and challenge. Here's another tie-in by the way, concerning Robert Morris. In 1963 I was invited and went to a meeting at Fort Holabird, which is the Army's intelligence center, at which the Policy Committee of the National Counter Intelligence Association goes every year in April -- it's a standing invitation for the Policy Committee to come there to spend the day with the bigwigs the generals and top people, to be shown around the intelligence center, lectures, indoctrination, statements and lunch and so forth, and it's an interesting experience if you don't do it too often -- I've done it quite often.

I went there and our new chairman of the National Counter Intelligence Association was there, Herbert Lightner. I'd known him for years only casually as a pleasant, amiable chap, and had always been on casual friendly terms with him.

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We had a pleasant day there, but I had been reading the *Golden Sphinx* the publication of our outfit, and I discovered that it had suddenly become very rightwing; it hadn't used to be, it had been sort of a social paper which simply discussed what was happening to old cronies and friends. Now all of a sudden it was coming out with rightwing political stuff -- very rightwing. I asked Herb Lightner in the presence of Judge Ralph Powers -- now Ralph Powers is a close

friend of mine of more than twenty-five years standing, and we like to say we soldiered together on three continents, which we did -- the United States, Africa and Europe, and he's a Judge in Maryland and a fine fellow. He was the CIC theatre commander in Africa and then he was the CIC commander in Austria. I was actually a few months senior, to him in grade, we were both Lieutenant Colonels, but he held the senior job, and he was a good man and did it well. Well, in the presence of Ralph and myself I asked Herb Lightner, where he got some of this material and he said he was getting most of it from Robert Morris' writings, and so that interested me because I knew

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that Morris was very rightwing and I also had this previous contact with him.

I went back home and a month or two later, a later issue of the *Golden Sphinx* came out, the National CIC Association publication, and this really shocked me, I mean it was so bad.

It contained an article which, quoting from Robert Morris' first, I think, and then Fulton Lewis then, took off on an attack or used their attack and then sort of took off on its own against Secretary McNamara and other Government officials.

Now there's no reason why you can't attack McNamara or anybody but this was not an attack on their wisdom or intelligence it was an attack on their integrity and loyalty, and the gist of it was that they were traitors and Communists and that was the direct, clear implication you see. Now this is fantastic. It was especially fantastic since the National CIC Association maintains an official liaison with Army Intelligence and there is a liaison officer appointed by the Army between us, and as I say we are invited once a year to come over and visit and spend the day with them.

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The Army Intelligence Chief, ACSI, as he is called, the Assistant Chief of Staff for Intelligence, annually, almost every year, comes down and addresses our convention wherever it is -- it's in a different city each year, and so forth.

Now how did they think that they were going to attack the integrity and patriotism of the Secretary of Defense and continue that kind of relationship -- it was nonsense -- a relationship which our organization valued very highly, obviously.

There was another article in the same publication to the effect that there was some secret organization "X" which was corrupting our school children and brainwashing them toward communism and this was being done apparently with the connivance of the U.S. Government and this was more sinister than the Russian Secret Police -- oh, you know the usual rightwing crap -- the conspiracy theory, only way up in the clouds.

I then sat down and wrote a memorandum to Herbert Lightner in which I said this was nonsense, this was absolutely fantastic; first of all I telephoned him several times and finally talked to him and I wrote a

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memorandum and I sent the memorandum to other senior officials of the outfit, and I said this was fantastic, that this stuff was nonsense, that he was getting it from rightwing nuts like Robert Morris, and that how could he expect us to continue a relationship with Army Intelligence if he was going to publish stuff like this.

Well, I wrote four memorandum like that, each different, you see, and the discouraging thing was how little response I could get from any of the other Board of Governors and officers of the outfit. I don't mean that they disagreed with me necessarily, some may have, but they just didn't want to get involved, you know, this was a minor activity on their part and why get involved with this Spingarn crusade.

Several people were with me, Art Stitt was one, and there were others, Ralph Powers was another, he was our former national president, but most of them just simply disregarded them; I'd write them personal letters and they wouldn't answer them, they didn't want to get involved.

In any event, since I wasn't able to make any headway within the organization, really, because Art

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Stitt was out, Ralph Powers was out, I mean these were alumni but they weren't in the power group. I then turned to the Department of Defense I called the General, Major General Fitch, and I told him all about this and I talked to other generals and colonels and I talked to top civilian people in the Defense Department and I sent them this excerpt from this thing denouncing McNamara and the other stuff and I said I'm not trying to hurt this organization, I like it -- it's a fine organization, I'm trying to put it back on the right road.

Now I said General Fitch -- I talked to him several times on the phone -- I said you can help, I said you're going down to our convention in Miami in August, why don't you talk cold turkey to the boys down there, tell them they can write anything they want to in their publication but they can't expect to continue a relationship with you if they write stuff like that -- I mean you're not going to continue a relationship with an organization that says your boss is a subversive, how can you, you know, and so on and he said he would do that and he did do that, he told me later and I'm told by others that he did it, but Lightner denies that anything was

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ever done in Miami, but the fact is that although it hasn't been completely cleared up, the *Sphinx* has never gotten that bad again, there are foot faults but it's never been that bad since -- I mean others have seen, if Lightner hasn't, that they can't be that bad -- you know there's a little right wingism here and there but not that bad, so we did cool it off, but Lightner says that I am a traitor to the outfit, and he denounces me and oh, my goodness.

On January 16, 1967, I had been invited to an all-day conference that the National Education Association was throwing, it's an annual affair, on "The Critics and the Schools" and this was the lunatic right in the schools and their attacks on the schools. A hundred odd people had been invited and they were all supposed to represent organizations, but I didn't represent any

organization. When they wrote me and asked what organization I was with, I said I represent only myself, but they invited me anyway and I went.

I sent them a personal history statement since they wanted dope on me. When I got there, I discovered to my consternation that they had listed me as representing

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the National Counter Intelligence Corps Association (NCICA), so then I felt I had to do something. I wrote a letter to the man who ran the conference, Dr. Edwin Davis, and I explained this whole situation and I talked to him on the phone and I took some little trouble to make him understand what it was all about, but he didn't at first, so I wrote him a second letter, and to make a long story short, I convinced him finally and he wrote me a letter saying it was all a mistake and I sent all this to Lightner.

I also sent it to Secretary McNamara, I sent it to General Yarborough, the new chief of intelligence and to others in and out of the National Counter Intelligence Corps Association. I have given you copies of those letters of January 17 and January 19 and 21, 1967.

There's a rather amusing letter which I have quoted there. Lightner wrote an attack on me to a friend of mine named John Schwarzwald. Schwarzwald was one of the best CIC officers and we were friends in North Africa and later in Italy, and after the war he got his Ph.D. in education at the University of Houston and now

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he's the general manager and executive vice president of the educational television setup in Milwaukee and St. Paul. By the way, one of his students at the University of Houston was Jack Valenti. John is a good guy; he wrote a book about the CIC after the war called *We Caught Spies*, it's a good book, an interesting and amusing book.

So, Herbert Lightner, who in private life is the State Auditor of the Pennsylvania State Liquor Authority or something like that, wrote a vehement attack on me to Schwarzwald -- you know one of these somewhat exaggerated style attacks, and Schwarzwald wrote him back a Christmas note saying:

Dear Mr: Lightner:

You're sick! I suggest you go to your doctor. I suggest you show him not only the letter you sent me but the many other letters like that you must have in your files, then follow his direction; do exactly what he tells you to do. If you do, I am sure you will spare your family a great suffering because you are a sick man.

Schwarz.walder authorized me to use that letter which I have, and I quoted it in my letters which I gave you. Well, anyway, Robert Morris, my hero of 1953, has become my friend Herbert Lightner's real hero but the funny

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thing was I forgot to mention this -- Lightner suddenly backed away from Morris when I called Lightner and said: "You remember telling me that Robert Morris was the source of your material."

I never told you that, that's a lie.

I said, "Herbert, you not only told me that, Ralph Powers was standing next to us, he remembers it too," Judge Powers I said. And Ralph Powers subsequently wrote a letter confirming that, but he called me a liar over and over again on the phone because I said he told me that Robert Morris was a principal source of his material on political stuff, communism, etc. Well, so much for that.

As an addendum to the Robert Morris episode, Mr. Hess, I'm handing you herewith a letter of mine to the *Washington Evening Star* which appeared in the August 26, 1953 issue of the *Star* under the heading "Mr. Spingarn Answers." They evidently decided after Mr. Allen Drury had interviewed me, that my letter was adequate for this purpose rather than a news story and that's what happened, so I'll give you that to Xerox and return to me.

In connection with the Robert Morris episode, I want

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to add something -- all the papers on this are already in the Truman Library and have been for several years but I just want to sort of pull them together with a little statement perhaps. As I have said, I was probably the pivot man on loyalty and internal security matters at the White House because I'd had a lot of experience in it and I was interested in it and I don't mean that a lot of their people didn't get into the act, but I was the fellow that was looked on as the expert in the field. It doesn't take very much to be an expert at the White House because there is so many subject matter areas, that nobody could possibly be an expert on all of them, so if you had just a smattering of information on something you suddenly became the expert sometimes.

But in any event, this is something I had a lot more than a smattering of information on, and, as I pointed out, I always thought that whatever I might not be able to do this is one thing that I had excellent qualifications for because, in my judgment, most people who deal in these internal security and loyalty matters approach it from either the standpoint of the security

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man or the civil libertarian and the security man says that all doubt should be resolved in favor of security and the civil libertarian says that all doubt should be resolved in favor of civil liberties.

Well, it so happens I've been both a security man, a security officer, and I have been and am a civil libertarian, and I know that both considerations have to be brought in focus, that you have to balance the equities of national security against the equities of individual rights and civil liberties, and the freedoms that we stand for. In any given situation you must strike a balance at different points according to the dangers of the problem or situation or the context or the era that you're in -- I mean in a period of total war you do things which shock you sometimes from the civil libertarian standpoint and sometimes you're wrong, too.

I mean we did an outrageous thing in interning the Japanese on the west coast in World War II and we know that now, but on the other hand, everybody was panicked by the Pearl Harbor attack, it was considered quite likely that the Japanese might attack the

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west coast of the United States and perhaps we hadn't established a good enough rapport with our Japanese-American citizens and the non-citizens, too, certainly there was a widespread belief that one Jap was like another Jap and whether he was a citizen born here or not you couldn't trust them and that sort of thing was all too rampant.

Roosevelt went along with it. From my understanding it was based largely on the judgment and recommendations of General DeWitt who was commanding the west coast -- that area, and naturally the military mind automatically leads to this kind of conclusion -- it should have been checked but it wasn't.

I will say this, I was with the Fifth Army in Italy we had first, a nisei battalion, the Hundredth Battalion of Japanese-Americans from Hawaii and some of them, I believe, were men who came out of these concentration camps in the States, too, but mostly Hawaiians -- I mean these relocation centers or whatever they were called -- and then later it was a whole regimental combat team, the 442nd, and in July, 1944, I was commanding officer of Fifth Army CIC and we went into Leghorn, Livorno the

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Italians call it, with the assault troops and we had to handle what was called at that time, a S-Force, a security force, and the idea was to arrest any known enemy agents who were in the area whom we had advance information on, and to seize quickly, before documents could be destroyed, any intelligence headquarters where we might pick up useful information or headquarters of any kind, in fact, and we had as our guard battalion the famous Hundredth Battalion, the Japanese-American battalion.

Well, it turned out that it was an exercise in futility, Leghorn was a ghost town, there was nobody living there. I will never forget walking down to the harbor through a sea of mines, they were everywhere -- you could see them, they weren't concealed, because they expected an attack from the sea and these were mostly anti-tank mines but there were anti-personnel mines, too. You could see them; they were like prickly cucumbers all over the place and believe me you walked carefully because if you stepped on one of them up you went, of course, and they were all over, every few feet. The Hundredth Battalion and the 442nd later, had the

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finest combat record of any small unit in Fifth Army. They were the apple of General Mark Clark's eye. Of course, Mark Clark was not unaware of the value of publicity and this was naturally attracting publicity.

These fellows felt that it was their special responsibility to prove that Japanese-Americans were good Americans, and they fought like tigers; they won more decorations than any unit of their size in Fifth Army. Furthermore, they had one absolute fantastic record they never had a

desertion in the whole Italian campaign; no other outfit could claim that record, you know there are always desertions, I mean a fellow shacks up with a girl, he goes over the hill and that's it, you know. Maybe he's just gun shy and wants to get out of it but whatever, there are desertions in every outfit in war -- but they never had one.

The only kind of desertion that the Hundredth Battalion and later the 442nd RCT had was the other way; when their men were wounded or sick and sent back to hospitals, they used to go AWOL or desert the hospital to rejoin their unit -- that was unusual, you see, most men were glad to stay in the comfort of the hospital

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as long as they could. So they had a great outfit, there's no question about it -- well, I'm getting away from this civil liberties thing but I'm trying to exemplify how wrong we were on what we did to the Japanese-Americans and that's generally admitted by everyone now. But the Supreme Court went along with it at that time. Now, it is certainly true that -- well, let's put it this way -- let's not take a combat situation let's suppose there's a flood, the river is rising, it's going to inundate whole areas, the dikes are crumbling and there's a question as to how much territory you can save from total inundation. You will do things immediately like destroy buildings by demolition to knock them over in the path of the thing to do other things. You will seize property, you will expropriate, you shoot people if they are looting, and things like that, because it's a catastrophe and terrible things will happen, you're working against instant catastrophe and you do things that you wouldn't do under ordinary circumstances. You totally forget civil liberties for the moment, don't you, it may be wrong but the thing is to prevent disaster, everybody is dying or

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a whole territory being destroyed; that's the extreme situation but another extreme situation is when you're being attacked by an active enemy, I mean actually attacked in war, then you do things that you wouldn't ordinarily do, though -- even there, there are limits to what you are willing to do in our kind of a country.

In any situation you have to balance the equities one against the other, and above all you have to remember that: (a) There is no such thing as total security, there can't be, there shouldn't be. I discovered that the security officer always recommends more than he needs or more than he should have. Total security would bring all operations to a total halt. I mean for instance, in North Africa we had one railroad that ran up from the port of Casablanca which was the main supply line, ran all the way up to Tunisia where the fighting was, eventually, just one railroad. Naturally, this was a vital link. Well, there were trestles and bridges and tunnels any one of which could be dynamited, could have been blown up. We were asked to make a security study of the thing. We made a security study and, my goodness, we recommended

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a squad here and a platoon there and an enormous number of troops guarding that line; there wouldn't be any troops left to fight the war in Tunisia but, of course, the security officer doesn't care whether they follow his recommendations; he sits back and he says well, I've made the recommendations if they don't follow them, what happens is their affair not mine -- they are

responsible, not me -- he has covered himself, you see. This is something you have to remember; he will always recommend more than is needed, and total security will bring any kind of administrative operations to a total halt.

Actually, there are times when you just throw security utterly overboard if you want to move fast, and the Army found that out; sometimes in rapid forward operations they didn't use any security at all, they transmitted orders in the clear instead of in code which would normally be the case, on the theory they didn't have time to code at one end and decode at the other and they were moving so fast that even if the enemy was intercepting them, it wouldn't do any good; these were instant orders and it was more important

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that they got there fast and understood fast than that they were not heard by the enemy, that's what it amounted to.

This is the sort of thing you have to remember; don't let your security officer hamstring you, tie your arms and legs so you can't do anything and also remember this, that if you turn your country -- now people say we're in a cold war, we've got to behave that way, well, now, we've been in a cold war for twenty years and chances are we're going to be in a cold war for another twenty, thirty, fifty or a hundred years so this is the lifetime probably of everybody alive today, very likely, and their children.

The question is, are you going to imitate the enemy, the Communist or the Fascist, in order to cope with them? Are you going to turn your country into a totalitarian country? What have you won then? What's the use of fighting them?

The answer is you have to fight them within the framework of your own institutions, your free institutions and these are part of the strength of the country, a large part of the strength of it, so they must not be jettisoned.

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On the other hand I find myself sometimes impatient with these extreme civil libertarians who fail to see any danger whatever in Communist espionage or penetrations of that sort and who say why shouldn't we hire Communists in Government, this I am also impatient with. The Government has a right to protect itself against this thing; on the other hand it shouldn't set up an army of security to protect against trivial dangers -- I mean a national park ranger in Mesa Verda National Park, where I once worked, suppose he was a Communist spy, what the hell could he do, some fellow like that -- I mean let's assume for purposes of argument that you would prefer he would not be a Communist, but it's silly to erect an elaborate security organization to make sure of that. What you really need, I'd say, is an effective counterespionage organization which penetrates the enemy espionage organization and would therefore learn where the dangerous agents are and either arrest them or keep them in place under surveillance to see what they're doing and who their contacts are. One million dollars spent on that kind of work, and possibly that million might be spent in

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bribing enemy officials to come over to our side -- I mean intelligence officials, espionage officials -- one million dollars spent on that work is worth one hundred million dollars in security guys walking around the pavements ringing doorbells and asking neighbors questions.

Now there's always been a question in my mind, at least there was in the forties, how effective the FBI really was in this penetration and real counterespionage work. I have said before that I regard myself as something of -- I won't say an expert -- but I think I know more than most people know about counterespionage. After all I ran an outfit that caught quite a few hundred and I've interrogated them myself, I'm not talking from the position of a man way up there who had no personal contact with it, I was down there doing the job, interrogating and that sort of thing, writing reports on it and I think that the question is how good is the FBI. Let me put it this way I want to give a balanced picture of the FBI -- on the one hand I think J. Edgar Hoover deserves great credit for raising the level of enforcement personnel generally, for requiring college

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degrees, for establishing good training courses, for establishing excellent laboratories, for making it available to local and state police, for a central fingerprinting operation and things like that. On the other hand Mr. Hoover has been director for forty-three years of the FBI and it's been a long time since anyone outside took a real searching look -- it's impossible now.

The President of the United States could fire all his Cabinet officers more easily than he could fire J. Edgar Hoover, and the first thing that every new President does is take an oath of loyalty to J. Edgar Hoover to assure the country that he is going to keep him on -- he's got to. No Attorney General since, I don't remember when, but no Attorney General for over twenty years has been able to deal with J. Edgar Hoover. He deals with him as the head of a sovereign state not as a subordinate. Now Mr. Hoover has been far from the worst security chief for this country. We could have had, because this job tends to attract, in other countries at least, it hasn't attracted the noblest of men, and yet I'm not sure it's good for a

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single man to dominate this very sensitive setup for so long, because after all he has at his disposition the lives and reputations of everybody in Government or in fact in the country and some people thinks he trades on that to some extent, at least he trades on the knowledge on the part of others that he has or perhaps has that information.

Nobody likes to tangle head on with the FBI, nobody important anyway, who has a career or stakes, certainly not anyone in Government. But the question is how good is the FBI in the real counterespionage operation? All I can say is that at least in the forties it seemed to me that they were very bumbling. I have said before and I'm going to repeat it, that the Elizabeth Bentley thing struck me as an absolute piece of the most amateur foul up I have ever seen, because this woman was the mistress of Jacob Golos a known Soviet agent; he'd been indicted and convicted as such as an unregistered Soviet agent in 1940. She said herself she was shackled up with him for years -- he was her lover, and it was a very clumsy espionage operation that Golos was running, because she came down from New York every two weeks for three and a half years and she went out to the Silvermaster home, Nathan Gregory Silvermaster, in the upper

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Northwest on the Washington side of Chevy Chase. She had dinner, spent the evening there, William Ludwig Ullman, Lud Ullman whom I knew, a Treasury economist, lived there. He was a bachelor and he lived with the Silvermasters. He was a camera fiend and he maintained his camera laboratory or whatever you call it, a darkroom, in the basement and according to Miss Bentley at the hearings in 1948 and later in her book, the network of agents who Silvermaster controlled filtered in their purloined Government documents to Ullman and he microfilmed them and gave them back to them to put back in the files and every two weeks she would pick up fifteen, twenty, thirty rolls of microfilm -- several hundred pictures all told. She said she put them in a shopping bag which she carried and she took a bus or taxi down to Union Station, took the train back to New York and turned it over to Golos -- for three and a half years.

Furthermore, we know that the FBI knew who Golos was. She reported that she was repeatedly being tailed by the FBI. Well, if they were tailing her, why would she be bringing these stolen documents out for three

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years? I mean it's all very well to watch an agent to get his contacts and all that but not to let him get away with thousands and thousands of secret papers in the meanwhile. That you can't very well countenance. I mean, to let them wait a few weeks or two or three months that I might say would be all right but not three years. And then Golos dies in her arms in 1943 or 1944, she then reports to a different chief, a Russian, she becomes disenchanted with him. He's crude and arrogant. She decides she hates the Communists and she's going to turn loyal American again so she decides to go to the FBI. She goes up to New Haven, she's afraid she'll be tailed by the Communists in New York so she goes there in August, 1945, I think it is, and she tells her story to the FBI and they tell her they'll be in touch with her. She doesn't hear a thing from them for two and a half months I think it is.

Then they contact her again and they make some kind of arrangement with her to meet her Russian contact and he turns money over to her and that satisfies the FBI that she's the real McCoy, when the Russian turns

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money over to her.

Then they sit down and they pump her dry of information, they write it up in a tremendous report, this was early November, 1945, and they ship it everywhere or at least they ship it all over the Government -- highly classified, but everywhere.

Now the information they have is based almost exclusively on what Elizabeth Bentley told them plus what Whittaker Chambers told them, but Whittaker Chambers' knowledge broke off in 1938 because that's when he left the party -- I think it was 1938 it was about that time -- so his information was old, but hers was current up to 1945.

They make such investigations as they can, but they're very small because by this time the ring has collapsed apparently -- the war is over -- the ring has collapsed and it's no longer functioning, but they immediately turn all this information over, and I have no doubt that the main thrust of what Elizabeth Bentley says was correct -- I mean I believe it -- but on any given peripheral individual whom she didn't know but only heard about I would certainly want a lot more information before I would say this guy must be among them,

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because she is constantly repeating hearsay about what she heard from this or that source, she doesn't even know where she heard it sometimes and her memory -- she would contradict herself sometimes -- and she is not, it seemed to me, on detail and on peripheral matters the most reliable of witnesses, I don't mean she means to be wrong, but her memory seems to play tricks with her and she's not a lawyer and sometimes she talks as if she knew something and actually it turns out that it was only hearsay information from some other source, about someone she'd never met or seen. This you can't absolutely depend on, obviously.

For example, you have to remember this, if Mr. A. a Communist official says to Miss B., a minor Communist functionary, that C. in Government is our man, that doesn't mean it's true. This may be locker room fight talk, that doesn't mean it's true. He may be trying to give her an impression of what an effective espionage organization we have and what we're doing, so he may be naming men as our men, who may know nothing about it and are not in the slightest his men, or, as a matter of fact, this might be a device for trying to vilify and kill the career of a

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man who is against them by planting in the minds of the security police that he is their man; there are a lot of angles to this, you have to be careful.

I say that was a very clumsy operation; it was clumsy on the part of Mr. Golos and the Russians because you just don't do things that way, I mean not a sensible espionage outfit, you have cut outs, you don't send them from a spy master to the source and then back again, I mean, why children could catch a spy that way but the FBI didn't, now why not? I'd like to know the answer to that. Then they took several months apparently to believe her after she came to them and yet when they sent their report to the Government, they were very mad because everybody doesn't believe it instantly about everybody named in that report, and there were a lot of important people named in that report some of whom had had a long and apparently faithful service in Government. Now that was the problem.

In the Treasury in that period we had a number of cases, I'm not going to name any names, but we had a number of cases which came out of that report and there were five names in the Treasury that were the key names.

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The information on all of them was based essentially on Elizabeth Bentley. I'll take two of them that I know particularly. These men denied under oath that it was true. As far as we in the Treasury were concerned, we had never until that moment seen or heard of Elizabeth Bentley. She was an anonymous informant; what would you do if you were a fair-minded man and a man

who has worked in responsible roles and apparently very well and effectively, had been commended -- he's obviously able whatever else he isn't -- has worked ten years in your department and he looks you in the eye and under oath states there's not a word of truth in that, and all you know is that an anonymous report from an anonymous informant whom you have never seen says he is a Communist, now you're on a loyalty board, what do you do?

And that was the problem in the Treasury -- in 1947 and '48 we were wrangling all the time with the Department of Justice over this situation. They had given us this huge report which contained essentially only the allegations of Whittaker Chambers which ended in 1938 and the allegations of Elizabeth Bentley and peripheral investigations that they had made which

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were of very little additional value. It simply proved in some cases that she knew the people she was talking about and about non-subversive matters she had some accurate information on them, you see. Well, maybe she found it out other ways, who knows?

They actually were able to get no really significant information substantiating what Bentley and Chambers said. It relied essentially on what they said, that was the main thrust of all the evidence and in effect we said, what the hell; if our people deny this under oath, what are you going to do, are you going to fire them? They wouldn't even produce her, you understand, as a witness -- no, no, we couldn't interview her, theoretically she was unknown to us.

So let me mention this, the great FBI was so adept at this point they were trying to cover her; they sent us two reports in 1946. One was a general report about espionage in the United States. There were two reports and this first one named a lot of people who had been involved and it specifically named Elizabeth Bentley and described her, you know, she'd been to Vassar and this and that and the other thing, about her life, you see. The other was based entirely on her

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information, she was given an informant's cover name, and it described enough about her, so that when you tied it in with the other report you knew immediately that this was Elizabeth Bentley. The FBI sent those two reports to us within days and one specifically based on her information was supposed to hide her identity but we knew immediately who it was, immediately. Any simpleton could look at the two reports and say, well, obviously that's who it is, no doubt about it. This was the great FBI, you see, but this was pretty clumsy.

Well, I hope they've learned. I still say that a lot more is done by penetration and this may involve buying people on the other side or luring them out. I don't know what they're doing in this and I hope that they're doing a good job. You can spend millions and tens of millions on pavement cops running around getting the gossip of the neighborhood and you get an awful lot of crap that way because there always will be malicious and spiteful neighbors who will say mean things. Oh, that woman is a Communist, I know she is -- how do you know she is -- well, I heard her say that she thought the Government ought to own the

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railroad and that she didn't think they were being run very well, you know. That's the way it goes, only half the time you won't even get them to give a reason but the reason will be that silly.

So to get back to the wrangle between Treasury and the FBI, we kept saying well, now, either go out and make a full field investigation, intensive, of this individual and turn the original reports, not your summaries of them, over to us, or give us permission, you give us the investigative leads, the names and all the information you've got and let us, the Treasury, do it -- but they wouldn't do it either way.

They just said fire them, we think you ought to fire them, and we said we thought we ought to have more information before we fired people who had been there for years, and all we had was unknown confidential informants who alleged that they were Communists.

I went over with Ed Foley, who was Assistant Secretary of the Treasury. I went over with Lee Wiggins, who was Under Secretary, a conservative banker from South Carolina; but he became just as mad at the FBI as I did, and at the Justice Department, generally,

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after he dealt with them for a while.

It seemed to me that the intransigence of the Justice Department and the FBI in this matter -- it was the whole Justice Department including the FBI -- Tom Clark and company -- that their intransigence aided the retention of Communists in Government for this reason: that no fair-minded man sitting on the loyalty board, and presumably you get fair-minded men, with an employee looking him straight in the eye and under oath saying it's not true, is going to order that employee fired if all he's got is a written report saying that some unknown person says this fellow is a Communist, that's all, I don't think so. If the employee stands up and takes the oath and says it's not true and all you have is a boilerplate report saying that informant 101-X says that they knew this person -- well you can think of a million ways there might be a mistake. For heavens sake, there was Anna Rosenberg, who was Assistant Secretary of Defense. Somebody got up at her hearing, I think it was on her nomination to be Assistant Secretary of Defense in the early 1950s during the Truman administration, and said that Anna Rosenberg had been a Communist, they'd known her in a

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Communist organization up in New York. Joe McCarthy was involved in that operation and you know who else was involved, Gerald L. K. Smith, the eminent hate monger of thirty odd years standing -- Joe McCarthy and Gerald L. K. Smith, a great team. Well, it turned out that there was an Anna Rosenberg in some Communist front organization but it was a different Anna Rosenberg. The name Anna Rosenberg in New York is a pretty common name. This can happen you know, I mean when you're dealing with this sort of thing so it's a person with the same name or maybe even it's a confusion of identities because they look alike, many things can happen, and you can't interrogate the person, the unknown informant. So all I'm saying is that in 1947 and '48 the Justice Department probably deferred or protracted the elimination of some bona fide Communists by their failure to either provide the information on which fair-minded men could

rule on the case or let the Treasury or the other agency go out and look for its own information, because we had an investigative organization we thought was pretty good, too.

I started all this on the balancing of the equities. Now this is a big job really and there are very few

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people who have been on both sides of the picture. Now when I was in the White House, we found that on internal security measures, the Attorney General's recommendations always came from the FBI -- started there -- it was totally a security recommendation, on internal security legislation for instance. And yet there are tremendous considerations of civil liberties involved in these things but that aspect was never being considered by anyone, really, theoretically by the Attorney General, but actually it didn't work that way.

Now we had one situation, there was a bill, I think its number was HR-10, and this would have been the 81st Congress I guess, whatever the Congress was in 1950. HR-10 was an immigration bill and it was a very strong drastic immigration bill. I've forgotten the details, but the general idea was to give the Attorney General enormous power to detain people who had been ordered deported -- he could detain them for life under this bill, intern them, you know, if he couldn't find a country that would take them. It was a very drastic bill with a lot of tough provisions in it, I've forgotten the details.

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In any event the President and the Bureau of the Budget had previously advised Attorney General Tom Clark that this bill was not in accord with the President's program, that meant that the Administration did not approve of it. But Clark went to the Supreme Court and McGrath became Attorney General and we discovered from outside sources -- I mean it didn't originate in the White House -- but someone advised us that the Department of Justice was pushing the bill on the Hill -- HR-10 -- so I took the matter up with the President and he instructed me to go over and talk to Attorney General McGrath about this.

Before I did this so that there would be no doubt about my authority to do so, I wrote a memorandum for the President's signature to McGrath -- I have given it to the Library -- in which he says in effect I've asked Steve Spingarn to discuss this matter with you because he knows my views and in summary they are this, and then the President, in this memorandum, proceeded to say that we should have effective internal security laws on the one hand and on the other hand we should make sure that they do not unduly encroach on civil liberties and we have to balance these things against each other

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and so forth -- in other words it was a balancing of the equities and he had wanted to be sure that the Department of Justice would scrutinize every internal security measure both from the cops side and from the civil liberties side, and I think there was a suggestion in it that he (McGrath) had a civil rights section, well, let the bill go through them too, you see, the opposing points of view and let him iron it out, that was the idea, both balanced judgments on it -- I don't have the exact verbiage but it's in the Library this memorandum -- and the President signed it and I took it

over and discussed it with McGrath and he said that of course he wanted it that way, he hadn't known about HR-10, the bill was around, he didn't realize it wasn't in accord with the President's program, he would certainly see that it was stopped -- he was very cooperative.

Some years ago a young professor from Kenyon College came to see me, I would place this around 1960 or '61, Richard Longaker. He later wrote a book *The Presidency and Individual Liberties*, published by the Cornell University Press, and I was naturally delighted to find that he took my memorandum, the one that the President

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signed sending me over to see McGrath,, and said that this was a model statement, a model statement by a President on the balancing of considerations of security and individual rights.

Now I'm going to get into the President's Loyalty Commission; I don't think there's any necessity in classifying what I'm going to say. I started off with some statement about the President's Loyalty Commission but I stopped, now I want to get back to that.

I have told you who composed it. First of all we were unfortunate in the choice of chairman I don't think any one who sat on that commission will disagree with me on that. I have never seen so incompetent and ineffective a man in so responsible a role the whole time I was in government, [A. Devett Vanech] Gus Vanech. I'm sure he's a pleasant chap and good to wife and children and all of that, but my goodness, how he ever got that post I'll never know. It was so bad and there was so much criticism of him almost from the beginning from the members, that some time in the course of the proceedings of the commission he suddenly embarrassed the hell out of us, because at a full meeting of the

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commission with all the members and all the alternates present, he suddenly exploded, and among his other unfortunate liabilities was the fact that he couldn't speak the king's English. Maybe I'm being a snob, but I would expect that a man who has gone to law school could talk literate English. I don't mean that he has to talk Boston or Oxford English but you would think that he would be able to speak reasonably literate English anyway, but he couldn't.

he broke into flame one day to the terrible embarrassment of everyone present. He was a special assistant to the Attorney General and his name was up to be promoted to Assistant Attorney General and he suddenly said, "Some of house guys has been talking to the Attorney General about me and saying mean things about me. You're hurting my chances to be Assistant Attorney General," and so on and so forth for some time. Well, assuming it was true, it was a ridiculous way to handle the situation in public before the whole group, most of them knew nothing about it until that point. I didn't know at the moment who had talked, I certainly hadn't. If I had had the opportunity, I might have but I hadn't.

All he did was make himself look like an ass. Well

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there was a long embarrassed pause and on by one the commissioners denied that they had done any such thing and the meeting proceeded, and then eventually Gus was promoted to Assistant Attorney General and to my horror he was later promoted to Deputy Attorney General – the second ranking job in the whole department.

Years later I remember talking to Thurman Arnold about this, who had been Assistant Attorney General in charge of antitrust in the early '30s and who was a great man, brilliant man, and he said, "Gus Vanech, chairman of that commission. Why," he said, "in my Justice days Gus was the fellow you went to when you wanted furniture for your office, or an automobile." Well, all I can say is that seemed to me about all he was equipped to do.

Later in the early '50s, Gus stumbled or his past caught up with him, and I don't mean to be unkind to a man who has had troubles, but it did all appear as a matter of public records, I mean it was all over the newspapers, naturally, that Gus had had an awful lot of trouble getting admitted to the bar, that he flunked the Connecticut Bar examination I think three times running

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and that he had then finally got admitted by going down to, I think it was Tennessee, and getting admitted in some way in the course of a week and there was some question as to whether that was legal, because I think he had to swear that he was a resident of the state of Tennessee, and things like that you know.

Anyway he lost his job at the Justice Department but he should never have gotten to the eminence that he achieved, at least on the basis of my view of him. He was not the only Justice man. There were two pretty sharp apples from Justice backstopping him, one was Dave [David N.] Edelstein, who is now a Federal judge and the other was Vincent Quinn, who, I'm not sure if he isn't a Federal judge now, too, anyway he became Assistant Attorney General later and I'm not sure where he is now, but these were the fellows backstopping poor old Gus, and I remember some of the other backstops -- I worked with them on the working committee -- there was a good man named Stanley Goodrich, who was a State Department working committee man, he'd been a lieutenant colonel of counterintelligence in World War II and although he was a Republican from Maine, he and I agreed on most things; the subcommittee often split

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four to two with Goodrich and me in the minority and as I think I've said before, I said one time I thought we ought to have a theme song called "Patience and Four to Two," there was a very popular song at that time, "Patience and Fortitude." And there was Larry Meloy, who died recently, who was the General Counsel of the Civil Service Commission, he was our chairman and a likeable, conservative chap. There was a lieutenant colonel from the Army, he had an old Virginia name but I forget it now, and he was a card. On one occasion, he said very seriously, "You know a liberal is only a hop, skip and a jump from a Communist." I naturally differed with that since I regarded myself as a liberal and I knew I wasn't a hop, skip and a jump from a Communist, and I said to him, or at least I hope I did, maybe this is staircase wit, I said to him, "And I suppose a conservative is only a hop, skip and a jump from a Fascist?" In any event his thinking processes are exemplified by that remark, they were very conservative, he was one of the Army representatives but there was a much better one, a good man, from the Army, a civilian

named [Kenneth D.] Johnson, and Johnson was a fine man and an able man. He later became Dean

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of the Columbia School of Social Research, he's now dead -- a good man. I forget the Navy man at the moment but I don't have any special recollection of him; he didn't play a very important part in the whole picture [Marvin J. Otilie].

I would say on the working committee the men who were most active were Meloy, the chairman, and the two Justice men -- they came in a little later -- Edelstein and Quinn and Ken Johnson, Stan Goodrich and myself. These were the men who did most of the work.

In any event the big thing at the beginning, the big question was how big a problem are we dealing with. Here was a commission set up to write a loyalty program for the Government. Well the first problem is how serious is the loyalty problem? For weeks we struggled to get some meaningful statement from the Department of Justice without any success; is it a one division war, is it a five division war, is it a twenty division war; do we need rifles, machine guns or atom bombs? We struggled with this without success and I was particularly insistent on trying to get some meaningful information. I wanted to get J. Edgar Hoover before the commission and cross-examine him and, in fact, I prepared a very

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long list of very provocative questions for him but they were never used. Eventually there was a secret session, so called, of the full commission. It was the only session from which the alternates were excluded and Tom Clark, who didn't attend the commission meetings at all, attended that one; and he talked to the other commissioners and he told them -- now this is ancient history, and I'm not going to name any names, but I see no reason why I shouldn't discuss this fully. Of course the commissioners, naturally, right after the meeting told their alternates, so it was no secret. Tom Clark told them that there were twenty-five known Communist agents in the Government and he told us the Treasury had five and he named the five. These are the five I was talking about previously and I've also told you that the basis of this was Bentley and Chambers. I think that this probably had some influence on the matters of the commission, if not us at the Treasury, the others. The Attorney General making a statement like that carried some weight with them and it possibly, I'm just guessing, just speculating, possibly may have influenced them into writing a stronger program than they would have otherwise.

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In any event the whole thing is laid out in my memorandum and I probably will be inaccurate in describing it now and to the extent I differ now with that memorandum I'm wrong now, you see, since I was writing about contemporary things. I reserve the right to disagree with myself twenty years ago, I reserve that right but I don't think I would disagree, from what I remember of it, very fundamentally.

My theory was then not to erect an enormous, cumbersome security machinery that would spend millions of dollars and slow down administrative operations tremendously; the best way to fight

things is to grab a bull by the horns, not by the tail, don't grab the chimney by the smoke, always look for the center and go for that.

I kept saying and arguing that what was really needed was a better counterespionage organization. A few silly fellow travelers in unimportant jobs didn't make nearly as much difference as genuine spies in sensitive jobs and a good counterespionage organization should be going for them and trying to penetrate the enemy espionage, and money spent there would be worth ten times what it would be spent on pavement cops going around

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collecting a lot of malicious gossip among the neighbors.

You do get an awful lot of crap, I'm telling you. You have to listen to it. I remember in Italy during the war we'd go into a town and we'd set up shop and say, "All right, who are the spies," no, we didn't put it quite that way, but I mean we were known by this time and they came flocking to us with information. People would line up outside our headquarters to come in and tell their stories and you heard a good deal of vindictive, mean talk. A lot of people tried to air their prejudices and get rid of their enemies.

HESS: Why wasn't it decided to go after the more important people who might have been Communists in Government rather than to have more of a blanket plan, as came out?

SPINGARN: Well, the theory was I mean as Gus Vanech used to put it, I disagreed with his thesis -- well, let me put it this way; there was considerable disturbance over penetration in Canada and the United States and there's no doubt there was some penetration. The idea was to set up an organization that would make that penetration difficult, impossible if possible, and also there was a theory that the Government shouldn't have to employ

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a single Communist for any job. Now this involved a considerable screening operation, you see, and personally my theory is this: You should guard the diamonds with great care but not the toothbrushes; if you guard your diamonds and toothbrushes with the same degree of care, you will give too much care to the toothbrushes and not enough to the diamonds. You see, you're diluting. There's only a given amount of time and money and personnel for anything, so the thing is to pick the sensitive things and to guard them terribly carefully but don't waste your time guarding unimportant things, that's a fundamental in security.

HESS: What members of the commission argued on your side and what members did you feel were on the other side? Is that a fair statement?

SPINGARN: Yes, I think it's a fair statement but it's hard for me to remember, of course, Ed Foley and I thought pretty much alike. John Sullivan was strong for all-out security as I recall; I think Ken Royall inclined to be that way but he was tempered somewhat by the fact that he had an awful good man in Kenneth Johnson at his side; Ken Royall was not as hotheaded as John Sullivan I would have said, or as all-out. The State Department

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men changed every few weeks so I have trouble remembering where they stood. There were at least three of them. I remember for State there was [John E.] Peurifoy, there was [Donald S.] Russell, and there was [J. Anthony] Panuch. Mr. [Harry B.] Mitchell was so old and feeble I don't know where he stood,, he was well into his seventies -- he was the Civil Service Commission Chairman -- and who else was there, oh, Gus Vanech.

Gus was impossible; he was an all-out tiger, and he couldn't even make sense, he just blurted blab.

Anyway let me put it this way, I don't think that was the worst of all security systems, it provided that everybody coming in had to have a loyalty screening and this involved simply the agency check up to the point derogatory information was found, then if that was found, a full field investigation. There was a question in my mind whether, well I don't know I mean I'd have to think about it and look over the files before I made any considered judgment. I still think though that it might have been wiser to name sensitive jobs that you were going to do a real job in and give them all full field investigations and pay less attention to the other non-sensitive jobs; and also I thought there ought to have

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been more concentration on actual -- we did put something in the report that I wrote, about intensifying counterespionage but I think it was just window dressing myself I don't think anything ever happened on that.

We were addressing the FBI, which presumably doesn't pay heed of anybody. Now there was one thing I was proud of, some people may disagree with me, but I insisted that we ought to get in the subversives of the right, too, you know, the Ku Klux Klan or the Nazis, and so we did write them in, I was the fellow who agitated and wrote the first draft of that. We did get something in about people who advocated the use of force or violence or followed the policy of denying others of their constitutional rights, something like that, I've forgotten the language of that, but it was intended to cover -- I mean, the pure civil libertarian who say O.K hire the Communist, hire the Ku Klux Klan, but I might say, well, if you're talking about a caretaker for a latrine in Lafayette Park I don't really care who you hire, I don't see much point in spending a lot of money to make sure he's not a Communist; I don't see any more reason why you should hire Ku Klux Klan members than Communists, I really don't, and yet this did raise problems.

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The director of personnel of the Treasury, I forget his name but he's dead now, he was a nice fellow from Alabama, and he was on our Loyalty Board and he said to me, "You know it's just by the grace of God that I didn't join the Ku Klux Klan back in the '20s, because in my home town in Alabama that was a very respectable organization then. I don't know how I failed to join it." I sympathized, I knew him, that was a very respectable organization in Alabama then, I'm sure it was. I don't think it would be today, for the most part, but it was then.

HESS: A little bit more socially acceptable back then.

SPINGARN: Yes, nobody thought it was subversive, on the contrary, a high patriotic, Christian organization, keeping those God damn foreigners and that low class of people out of places they didn't belong in. Well, looking back on that operation, I think we could have done a lot worse; as I recall the first standard for loyalty, I mean for determining what the standard or test you had to apply in case you went to remove a guy, was within reason, but then they kept watering that thing down.

After I left the White House they reversed the

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burden of proof, as I recall. Originally the burden of proof was on the Government, then they put it on the individual, that they wouldn't retain him unless his retention was clearly consistent with national security. How in the hell does anyone prove that his retention is clearly consistent with national security? You could take General Marshall and you would say, well, Senator Jenner and Senator McCarthy say he's a subversive, obviously since they are Senators of the United States, and his retention could not be clearly consistent. If you're General Marshall, that's ridiculous, but suppose you're a pipsqueak down the line nobody ever heard of you before people say that you are a subversive -- what chance do you have?

HESS: That would be the end of him.

SPINGARN: Yes, and then the Eisenhower administration came along and boy, they started playing the numbers game. They merged loyalty and security, and then they would issue new figures every week beating their breasts and shouting about how many of these Truman, Roosevelt subversives they were removing. They merged loyalty and security. Now security involves people who drink too much, it involves homos, it involves blabbermouths, it involves

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people who are in bad debt all the time, all sorts of things, most of them have nothing to do with loyalty, just character defects, that's what most of them are.

But they were merging security and loyalty and they were announcing it all as if they were removing subversives. Actually, I have a definition, slightly humorous, of a non-subversive, a non-security risk, let's put it that way. A non-security risk, I'd say as a seasoned security officer, is a deaf, dumb, blind eunuch, who doesn't drink, smoke or take narcotics -- everyone else is a security risk; anyone who has any human sensations and feelings, and emotions is a security risk, and it's true.

I remember for instance, I don't think I've told this on tape, have I, about the Hoey Committee? Well, in 1950 when I was at the White House, this is the Joe McCarthy period, a subcommittee was set up under Senator [Clyde Roark] Hoey of North Carolina, I think it was a Government Operation Subcommittee, but I'm not sure, to investigate homosexuals in Government. Joe McCarthy was making a lot out of that, you know. They had as chief counsel an ex-FBI man named Francis Flanigan, and I was White House liaison man. I remember Charley

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Murphy and I going up and having a talk with Senator Hoey on the thing at the beginning, agreeing that I would act as liaison man with the committee, we would work out arrangements for cooperation. It was a question of what we wanted to disclose on this very delicate, sensitive matter. It's a terrible thing, I mean, a man who may have had a wonderful career in Government, just the charge of homosexuality may wreck his whole career not to mention his family fortunes, and a lot of other things.

Look at the case of Walter Jenkins; Walter Jenkins' career was destroyed because, as I wrote to the *New York Times* at the time, and it was published, of a compulsive aberration which society viewed as so minor he could post \$25 or \$50 collateral and forfeit that and that was the end of it. That was the way society views this thing as a crime, but it was so horrible to the moral senses that his whole career was destroyed, as a result, his Government career, after twenty-five years of loyal service.

I didn't know Jenkins well but I had some meetings and talks with him and he helped on this KOED program, he helped open doors, he was then Vice President Johnson's

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right-hand man, his number one aide. To me he seemed like an imaginative, able, hard-hitting, hard working Government official, a good man. You could have knocked me over with a feather when I read that thing, I wouldn't have believed it for a moment.

Anyway Flanigan came down to see me, we had a long talk about the whole thing. I asked him, "What documentation do you have? I can see the homosexual as a security risk, but he's one of many. What documentation do you have that he is a particularly bad security risk?" He said, "Well, it's funny. I haven't been able to find anything on this country," and the only case he could give me was a colonel who was a chief of counterespionage in the Austro-Hungarian Army in 1914. He was a fairy and he had been a Russian agent. He sold out the Austria-Hungarians, their military secrets. That was reaching pretty far back, I thought, in a different country forty years earlier. Of course, we've had a few cases in this country since then and the British had the case of, oh, what were those two fellows' names, you know those foreign service officers who defected?

HESS: I can't recall their names but I know who you mean.

SPINGARN: Yes, two foreign service officers. There was

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homosexuality in one or both of those instances according to reports. In this country we've had the cases of those two mathematicians at the National Security Agency who defected, but I'm not clear to what extent in either case that was the determining factor in the defection, or a major factor.

In any event, I would say that there are two risks involved with homosexuals, one is that he can be blackmailed, and this is a charge that can destroy a man's career, you see, so it is a serious thing, and the other is that they live in a milieu of their own, a sort of separate world of their own

which crosses all sorts of caste and cultural lines, a chauffeur and a Cabinet officer might have a homosexual affair, that sort of thing. In their own world there are no caste lines, and this is useful in espionage organizations because if you happened to know that an important Government official had that weakness you could infiltrate a handsome young chauffeur maybe or someone else. But on the other hand it is also true of heterosexual male, that if he has an exceptional weakness for women you could infiltrate a woman into his life, too, and it is much more likely, in my opinion, to happen that way.

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In my experiences it has happened much more that way in espionage. This is the whole history of the thing. There was a case of a United States Senator which is well-known, I mean this has been in the newspapers, I won't mention his name, but a United States Senator who was chairman of a powerful war committee throughout World War II, who was a notorious homosexual who was once caught in a house of prostitution near the Brooklyn Navy Yard, I mean a male house of prostitution, and there are other cases, but there is no indication that there was any breach of security, so I'll go back to my definition of a non-security risk.

The homosexual is one kind of security risk and yet he's only one and I don't know whether he is worse, more or less, than others. I would say that the excessively red-blooded heterosexual male, who has no discretion in such matters, and who blabs freely when he is in bed with a lady is likely to be a worse one. And then the fellow with delusions of grandeur, the fellow who wants to show everybody he knows more than they do and who just has to tell them what he knows, he may be the worst of all.

We had a case at Fifth Army, involving a key officer

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who was a homosexual, and one of my men reported that this man had made personal advances to him. This man disliked my outfit, CIC, and naturally he would because a man of that sort would dislike an investigative outfit automatically, he'd feel some danger from them. He had done some nasty things vis-a-vis us. I thought in my mind should we do something about this, should I report this, but here was the problem: This man was a West Pointer, he was close to the top brass, I was not, I was a civilian soldier and I was not. I don't mean in any wrong way but he was a highly regarded and respected officer who held a key job. I mean if he had been disloyal, he could have done enormous damage, he could have revealed all the secrets of the whole Army.

This is not the kind of a charge you make lightly against an important man. If you make it against a man and fail, I mean I knew if this charge didn't stand up or if they didn't think it stood up, that I would be out walking guard in the Aleutian Islands, that's about the way it would happen. So I thought it over very carefully and I said to hell with it and we went all through the war, this guy was in this key spot

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all through the war and we won the war, and he remained just as flagrant a fairy at the end as he was at the beginning. I mean I kept hearing reports about it from my people, advances he had made and things like that.

I don't remember actually what happened to the report of this Committee. They came in with a report but I don't remember what was recommended. Those were the days that McCarthy was pounding this situation, among others, very hard. I think it was about that time that an article appeared called "I Was a Homosexual in the State Department for the FBI," or something like that. Well, I think that covers that.

Now, first of all I want to restrict this tape on what I'm going to say now about Clark Clifford and an episode or two involving him, and my own life and career. I want this closed and not used or made available to anybody until five years after Clifford's death.

Clark Clifford was my original boss at the White House. I first met him in I think it was January, 1948, when I went over on detail for a little while to work on the President's Civil Rights Bill. That was only a

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couple of weeks.

My impression is that he was away with the President during the campaign -- I did see him at the beginning in September 1948 when I went over there but he was away most of the time, but then in January, 1949, I think it was, he called me over to the White House, it was then or thereabouts, and asked me if I'd care to come over permanently as his assistant; he asked me some questions about myself I recall and asked me if I had any skeletons in my closet and I assured him that as far as I knew I had none, unless he regarded the fact that my father and uncle were presidents of the NAACP as adverse information, he assured me he didn't. He told me the White House was very much of a small family and that the people had to fit in in personality and temperament, I mean that's natural that they wanted people who would fit into the group.

We had a little friendly talk, and I remember the question came up as to why didn't the FBI like me. It seemed that someone, I don't know who it was, I think it was Gus Vanech -- my old friend Gus Vanech -- had suggested to somebody at the White House, just mysteriously, that the FBI didn't like Spingarn. I explained it

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wasn't that they had anything subversive on me, it's just that I had been in, shall I say, policy disagreement with them on a number of issues, and I mentioned the latest one which was the internal security bill that they were plugging, and how the Treasury report on this, which had been written by me, had been approved by the President and the Budget as the Administration's position, then they wanted to reopen the matter and they sent a young lawyer named Mike Horan over to the Treasury and he talked to Tom Lynch and me, and he didn't just want to reopen it, he just wanted us to reverse ourselves and acquiesce in the Justice-FBI position. That didn't strike me as particularly good negotiations. I mean, we had been approved by the highest authority, why should he think we would reverse our position? The Budget spoke for the President on this. Why should we reverse ourselves because a young fellow named Mike Horan asked us to? We still thought we were right and he was wrong.

They had some silly things in that bill, I mean it's usual for a security agency -- they want to throw a dragnet over everything. They don't want to hit the target or the bulls-eye, well, they say, we might

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be able to use this, and so forth and so on. They had a provision, for example, in this bill of theirs that we commented on, I've forgotten the exact details, but they wanted everybody who had received training in the operation of foreign intelligence services to register with the Department of Justice or somewhere. It was designed to catch the "sleeper agent" in this country who had been trained to come here as a spy but not to operate for several years. Now suppose he's picked up before he's done anything, there's nothing you can charge him with unless you have his registration provision. So he was required to register, you see, because he had been trained by a foreign espionage service even if he hadn't done any espionage. That was all right, but their provision would have required every academician who ever studied foreign intelligence operations, you might have had thousands of professors and students and as far as that goes, every CIC man had studied the operations of German and Nazi intelligence and things like that. It was stupid. Thousands of people would have had to register who had no connection with the real case, but it was a typical internal security measure -- throw a loose net around everybody, you see, the you

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sift out the ones you want -- didn't make any sense.

I told Clark about this, told him there had been some disagreements between Treasury and Justice. I was counsel of Secret Service, and between the Treasury cops and the Justice cops there was a certain built-in friction. The Treasury cops understandably rankled a little because the FBI was always getting the credit for everything; you'd pick up a newspaper and you'd see, "G-men catch this crook." Now everybody supposed that G-men were the FBI, but when you looked down, it was a narcotics agent or internal revenue agent or customs agent or alcohol tax, all Treasury agents. They were big publicity hounds and our people weren't, and there were other things, they were always getting the big treatment; they were getting better retirement benefits. When anything was being given away, the FBI was first in line.

We had this situation in the Treasury. The FBI in 1947 put through a special retirement bill giving them better retirement privileges than the rest of the Government cops on the grounds of risk and hazard. We wanted to climb aboard that bill and get it for our people, too, but they fought us off, they repelled

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us, they even convince Secretary Snyder that we shouldn't be on it, and we weren't. They said they'd make the precedent and then we could get on the next year, and we did, as a matter of fact. I was the legislative counsel; we got the bill and I marshaled the witnesses and Don Hansen and I wrote Snyder's statement, and I coordinated the whole thing, and we pushed the bill through. It was a pretty good little lobby operation. We had teams up there, but the funny thing was that the FBI had gotten it first on the grounds of greater risk and all that. The insurance companies at that time had rescinded the premium pay for FBI, that is they no longer required

them to make premium payments on account of extra risk, but they wouldn't do it for our people. The fact of the matter is that the FBI is one of the safest places in the whole country; once in a while a FBI man does get bumped off, one every two years or something like that. It was much more dangerous being on a city police force, and our people were killed and maimed much more often than the FBI, I mean, nobody is shrewder or cooler-eyed than the insurance companies. At that time around 1947 or '48 they had taken off the requirement of premium payments

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by FBI agents for insurance, but when he said, well, the FBI has got it -- oh, no, not you fellows; you're too dangerous.

The FBI got their retirement bill first and we got ours second and that's the way it always works. Then there was the disagreements over the loyalty cases in 1947, and there have been the disagreements on the Loyalty Commission, there had been these little frictions, you see, and I was always the cutting edge for the Treasury. I was always the fellow they bumped into.

HESS: You were always out in front.

SPINGARN: So I told Clark Clifford this, and he agreed that these were matters of policy disagreements and not anything else. Well, Clark was, I think, already committed to going out into private practice, which he did in January, 1950. I went over on an informal basis in January, 1949, and it was confirmed in February.

I think he was already committed because as far as I could see, if he was concentrating on White House matters (and I was his only professional assistant), I never saw it. I saw him only occasionally, I can only remember a few subjects or assignments that I

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got from him, there must have been others, but I can only remember two or three.

For instance, one day he said to me that the President had been much interested and wanted to know the background of the Alien and Sedition Laws of 1798, would I give him a memorandum on that; so I went to the library and I spent two or three days and I wrote a four or five page single-spaced memorandum giving him some background on the laws, their provisions, their history, the prosecutions under them and the impact on the political scene both then and later of these things. It was really a memorandum in my own opinion, of what was happening right now -- that was in 1949 -- because, although McCarthy had not yet appeared, we still had the Alger Hiss case and all that business, Whittaker Chambers and Bentley, and this was very hot stuff, and in my memo I squared up the "then" period against the Alien-Sedition Laws period. I made some recommendations also as to what I thought the President ought to do.

Well, that was one thing; it took me three or four days. Then on another occasion, he called me up one morning, I remember, some southern politician, I think it was a southern Governor, I don't remember, had come

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up with a proposal that a law be passed requiring every business to hire ten percent Negroes. Clark wanted a memorandum by that afternoon on this, you see, so I gave him the memorandum that afternoon -- that was a four or five hour project -- saying that it was probably unconstitutional, and it was silly to begin with. It was impractical and probably unconstitutional, I assumed it was. It's one thing to say you can't discriminate, you know, you mustn't discriminate but it's another thing to have to take ten percent whether competent or not. In some areas you couldn't possibly get ten percent, of people who have had the proper training. You might get some other areas where you'd get twenty percent, you see, it worked the other way, but you couldn't in many skilled areas get ten percent because they didn't have the training -- certainly not in 1950 or '49.

Well, most of the things he had me do seemed to be favors for important people from Missouri -- friends. On quite a few occasions he would phone me or usually just send me a memorandum and tell me -- I remember one was Bishop [Ivan] Holt of St. Louis. He was going to Europe that summer, as I recall, and going to a lot of

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countries, and I was to call the State Department and make arrangements so the red carpet would be rolled out for him by our embassy in each country, and this involved a number of memorandum, letters and phone calls back and forth.

It wasn't a big job, it was certainly not what I thought I had gone over to the White House for -- I was doing more interesting work at the Treasury than that, but I didn't grumble about that. I believe that you do what you're told to do and you work and if you don't like it you leave. But that fact remains that I wasn't getting enough work, I was getting very little work from Clark. And if he was playing an important part in the affairs of the White House, I didn't see it.

It is true that he sat in on the last rounds of the speech conferences and things like that, but that didn't amount to much. That was usually a matter of crossing "t's" and things like that; there are rarely major changes made at that stage. It's usually just minor style changes, and sometimes he sat in before that, I mean, sometimes he sat in at earlier stages. But it didn't seem to me that he was pulling an awful

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lot of water at that time. Others may see it differently.

From where I sat I didn't see it that way, so I used to go in to see Charlie Murphy, who was Administrative Assistant to the President then. I said, "Charlie, I don't have any work to do, have you got something?" And Charlie was always glad to have another hand because he was always snowed under with work. So most of the time I was working on assignments from Charlie Murphy that year, and it turned out well for me because when Clifford left, I was promoted to Murphy's place and he was promoted to Clifford's place and obviously if I hadn't done a lot of work for Murphy, although Murphy had known me for a long time, but still if I had only been sitting there at a distance from him, I expect I wouldn't have gotten that post, and I know to this day that Dave Bell and Dave Lloyd both deserved it more than I did. But they got it later, I mean the title of Administrative Assistant to the President. Anyway, Clifford left. Now

when I became Administrative Assistant to the President, among my other duties I was legislative man, and I was aviation man. Now under the law, the domestic decisions of the Civil Aeronautics

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Board do not come to the president but the foreign, that is the ones that involve traffic between the United States and other countries by air and the routes and things, have to be approved by the President, the CAB decisions in that field. It was very pleasant in the fact that Joe O'Connell, who was my old Treasury boss, was the chairman of the Civil Aeronautics Board and Joe and I had not only been colleagues on the Treasury, he the boss, and I his chief assistant, but we were friends and have been for many years, in fact we both had been assistant general counsel together, no, but anyway I had been a Treasury lawyer and when he was assistant general counsel he and I worked on the same level and he and I were friends -- social friends as well as business friends, and so it was pleasant to work with him in complete harmony, and we got along well and I could always call on him for, well, he was always cooperative, he was a good man.

Well, then there came a major case. Now Clifford had gone out and, among other things, he had become counsel for Howard Hughes, who owned a controlling share in TWA, Trans World Airlines, among many other things. And the most important case of that period,

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airlines case, was the Pan Am-TWA-AOA case. Now, if I have the details wrong, I defer to the record, I'm reciting from memory I haven't looked at this in a long time, but as I remember it, I think I'm substantially right, this was the situation: There was three American airlines between here and Europe at that time, Pan American, the biggest; TWA, the second; and a smaller one AOA, American Overseas Airline, and both Pan American and TWA were contesting to take over AOA's routes absorb them. Now Clifford was lawyer for Howard Hughes, he wasn't counsel for TWA actually, but he was Howard Hughes' personal counsel and I think he may have been counsel, I'm not sure of this, for the Hughes Tool Company. Anyway he was Howard Hughes' counsel in some way or other, and I'm sure he was getting a huge retainer for this. I knew this case was coming up, you see, so I went to the President and I told him I wanted to disqualify myself on that case since I had been Clark Clifford's assistant and since he was the lawyer for Howard Hughes who was on one side of that case. I didn't think that I should have anything to do with the case, and HST agreed with me. It was arranged between us that I'd make the arrangements with Frederick

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J. Lawton, who was Director of the Budget. The usual situation was this; When the CAB made a decision, it sent it -- I don't know if it sent it direct, I think it sent it to the Bureau of the Budget or maybe sent it to the White House to be sent to the Bureau of the Budget, but anyway it went to the Budget. The Budget then collected the views of other affected agencies, the State Department would be interested, you see and others, perhaps the Post Office Department, and several others, and then it sent the whole thing to the White House and that went to me with its recommendation, the other agency views and its recommendations, and then I went over them and made my recommendations, the final recommendation to the President as to whether he should approve or disapprove the CAB decision. So it was arranged that Fred Lawton should

take it up with the President, and I would not be involved at all, but of course, it was a tremendous and fascinating case and I kept myself advised on what was happening, developments in the case even though I wasn't participating in any way.

Well, the thing got really well fouled up, the CAB by a three to two vote decided that TWA should have the route. That decision went to the President, he signed

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it and approved it, and if my memory is right, it was sent back to the CAB and then almost immediately, now this is my recollection the record will show, I defer to what the record shows, but this is my recollection, it was very much like this if not exactly. The White House then telephoned and asked that the file be returned to the White House. The President's signature was then erased rather clumsily and he then added a memo of some sort disapproving the decision, and I've forgotten whether he directed that it be reconsidered, I've forgotten what the exact nature of his direction was, again I defer to the record on this. In any event he withdrew his approval and, in effect either threw the AOA routes to Pan Am entirely or at least threw it open, my impression is that it was then thrown to Pan Am with a reversal, or it was at least in large part thrown to Pan Am with maybe some sop to TWA, but before it had been all TWA, period. Pan Am being the largest, the majority of the board had thought they shouldn't give the bigger competitor another arm, you see, that was the main thinking, as I understand it. I have memorandum in my files somewhere which I really should look up and put into the same package as this tape, you see, somewhere

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or other I have longhand notes, maybe what I'll do is look them up later and give them to you and ask you to associate them with this tape with the same proviso that five years should elapse after Clark Clifford's death before any of this becomes open to any one.

HES: It can be done without any trouble.

SPINGARN: Yes, because I do have longhand contemporary notes on the things that happened then and now I've been talking from my memory which is a very fallible instrument, but the recollection I have is this: That at the time the file was recalled, after it was signed and then recalled, there was a conference at the White House and Oswald Ryan, who was a Republican and vice chairman at that time, was called over to the White House but not Joe O'Connell. Now Oswald Ryan had voted in the minority on this three to two decision for TWA, Joe had voted in the majority but O'Connell was not called over, you see, this seemed peculiar, and Joe O'Connell thought it was very peculiar, in fact he deeply resented it.

In Washington circles, for whatever it may mean, Oswald Ryan was sometimes described as vice president of Pan Am for CAB operations, I say that's what some

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circles in Washington thought. He was a pleasant fellow, but I'm just saying how some people described him, however apt the description may be. In any event this was, as I recall over the Fourth of July weekend in 1950 if I'm not mistaken. Joe O'Connell came over to see me, or

maybe we talked on the phone, I forget which, he was very angry and he said he had written the President and asked why he wasn't invited -- after all he was not only the chairman of CAB but he had voted with the majority on this decision, why wasn't he consulted before they were reversed. The President wrote him back saying, "You were invited," now the President was simply misinformed by somebody, I think I know who it was but I won't say so.

HESS: This is going to be closed.

SPINGARN: Well, it simply had to be Matthew Connelly. I think it had to be. Connelly and [John R.] Steelman were in the middle of this picture, it was one or the other and I think it had to be Matt Connelly, in any event, Joe knows he was not invited, he knows that, I mean, he told me that, that there was no telephone call to him, no invitation to him.

HESS: Would you like to put an additional restriction on

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this linked to five years after Mr. Connelly's death?

SPINGARN: Yes, both of those, all right let's make it that way, five years after the last of the two has passed away.

Joe knows he wasn't invited, he told me this, and yet the President wrote and told him that, "You were invited." But he wasn't, and naturally, you could see how the chairman of an agency would feel when a dissenting member in the minority on a case was invited over and then he is reversed without a chance to put in his views. Well, Joe had tried to resign before, he tried to resign because he wanted to go into private practice but now this made him feel certain that he had to resign, so he wrote a rather hot-tempered letter, I mean it was a little hot-tempered, he was mad.

I tried to dissuade him, he called me up and said he was sending it to me, the President was at Blair House and he wanted to see that it got to him there, it was the Fourth of July weekend. I had tried to argue him out of it. I said, "Joe, wait, sit on it for a while, think about it for a few days, don't do this in haste," I couldn't budge him, well, it was his decision,

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I couldn't make it for him. We argued for a long time and I tried to persuade him to think it over during the weekend. I said, "Why do you have to do it now, why does it have to be done this quickly, why can't you wait until the weekend is over?" But he insisted and I said O.K. and he sent it over to me and I sent it over to the President at Blair House. My impression is that he never got any real reply, you know, because his letter was sharp, that he got either a formal acknowledgement, a cold formal acknowledgement, or nothing at all, when in ordinary course, a man like Joe O'Connell who had long and fine service would have gotten a beautiful letter from the President when he left. But he didn't get that kind of letter, at least that's my distinct impression. Anyway, the case was still reversed and obviously Clark Clifford was fit to be tied and Clark called me up, and in my long hand notes I have an account of this, he called me up and he came to see me in my apartment across the street one night and he, naturally was very distressed.

Clark knew, I don't know from what sources, he had plenty of lines, he knew what had happened, you see, and obviously his best client -- I assume Howard Hughes

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was his best client and his best-paying client, I'm just guessing this, but certainly he was not working for him for peanuts -- his best client had just been stabbed in the back, after what seemed to be a win, in the dark as it were, behind closed doors, in this peculiar way.

He wanted my opinion as to whether he, Clark Clifford, should go to the President and inform the President that he had been sold out by his own people, that's what he wanted to tell him. I said, "Clark, you can't go to the President in your present posture." I said, "Before you got to the President, you have got to resign your commission, your retainer, with Howard Hughes and give back your retainer otherwise you are going to the President and you are trading, in effect, on your relationship with him but you're an advocate for one side of this case. You can't do that. If you want to tell the President, and believe me you would have my complete endorsement," I mean, I would have been glad to see him do that as a dispassionate, objective bystander who was out of any pecuniary interest in the case, but as long as he had any money interest in the case, how could he do it, because he had the access to the President as the President's former

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Special Counsel and friend, and he couldn't go and say to him, "You've been sold out by your own people," because he was doing to for money.

Well, Clark said he'd think about doing that, of course he never did, and I don't know if he went to the President or not, I don't know that, I would be interested myself in knowing whether he ever went to the President, but it seemed to me, I mean this is an ethical judgment. I'm not going to blame Clark too harshly for this thing, but it seemed to me that he did owe the President the duty of advising him that, shall we say, he was sold out by his own people in some peculiar way, but he had to do it as a dispassionate person and that meant giving up a big handsome retainer and this he wasn't willing to do, at least he never gave up the retainer, whether or not he went to the President or not I don't know. Anyway, Pan Am got the lion's share of the pie but then there was some compromise made with TWA, but Pan Am was the one that came out ahead on this deal and all I can say is, there was a lot of shouting about the way this had happened. It looked mighty peculiar to me too and I' glad that I disqualified myself on that case and wasn't

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involved in it, but I'm sorry it went the way it did, because I don't think the President was well served in this particular matter by whoever served him.

Well, now that's item one, item two, and the one that really stuck in my craw because of Clark Clifford was this: Probably in 1951 or '52, I don't know, well anyway sometime while I was on the Federal Trade Commission, I would place it around 1952, Clark Clifford came down to see me and had a long talk with me. He came down as a lawyer for various interests, the Pennsylvania Railroad was one and various others, this was perfectly appropriate, I mean, a Federal Trade Commissioner, except on a matter which has reached the quasi-judicial stage

where a complaint has been filed, can see anyone and should see people who want the Commission to move into some area or other. So I remember, Clark hoped that we would favor or oppose certain legislation that the Pennsylvania, or whatever side he was on, I think he represented Pennsylvania Railroad, and he wanted to know did we agree with the railroad and I said no, we were on the other side and we had already made our decision and that ended that. There were several other matters, but finally there came the main thing he was

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there for, he was representing a competitor, I've forgotten the name of the firm he represented, of the Luria Company, which was the principal scrap iron company in the United States, a major source of steel, collecting and bringing in scrap iron, that's my recollection of the situation, again I defer to the formal records of the Commission on this matter. He wanted the Commission to launch an investigation of Luria for possible violations of the antitrust law. The Commission, in fact, was already considering this and I was the commissioner, in fact, assigned to make the recommendation to the full Commission on this matter. If Clark Clifford had never appeared in my office, we were going to do it, the point was this was the middle of the Korean war, and steel was needed badly and anything that impeded the flow of steel and scrap into the steel mills was obviously something to be dealt with, so this was a highly worthwhile investigation from our standpoint. Clark discussed the thing with me on the merits which is entirely right, and everything went well until he left, and then as he left he stood in the door and said, "By the way, Steve, there'll be a \$25,000 fee for me if the Federal Trade Commission

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launches an investigation." In other words, just our beginning an investigation meant a \$25,000 fee for him.

Well, I thought that was a rotten thing to do, I mean, remember this, he obviously thought that I felt under obligations of gratitude to him, I had been his assistant in the White House. Why should it make any difference to an honest Government official whether a lawyer gets \$25,000 if the official owes something, why should it make any difference to him, quite the contrary, why should it make the remotest difference to him, why should he be reminded of such a thing. I'm not suggesting for a moment that Clifford was suggesting that I cut in on it, that was the furthest thing from his mind or my mind. It never occurred to me. That wasn't the thought, no, it was only that he thought that I was under bonds of gratitude to him and that I should help him. Well, I didn't feel that way and even, I mean, even if I had been under bonds of gratitude to him, the last thing you do is to use your Government powers to pay off gratitude debts. You pay them other ways, but you don't use your official powers to do it, although a lot of people seem to think

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so -- you know it's funny, a lot of people come to me, "Well, you're a friend of mine."

And I say, "I don't give a God damn if I'm your best friend, if you want me to lend you some money personally, come on ask me, I'll lend you some. But don't come to me and ask me to do some official act on your behalf, that I have no right to do for you, and in fact, you were asking me to do a corrupt thing, and I'm ashamed of you."

That's the line I take with them and that sets them back a little. The funny thing is, this is not malevolence on the part of people. This is particularly true of women, they simply don't understand why you can't do something for them. "You're running this big agency, you have all that power, why can't you use a little of it for me, I'm your friend," but men do it too. But Clark knew better than that.

Well, Clark Clifford is far from being the worst of the lawyer-lobbyists in this town. But that what he is, he's an enormously successful lawyer-lobbyist. I'm sure that he makes huge sums, I have no doubt whatever, and he has great prestige. I have heard him

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laugh about the fact that his clients think he had influence, of course he doesn't have any influence, you know, he was just pooh-poohing the idea that he had influence. Well, that's the most effective ploy there is. I mean by that everybody who reads the national press, I mean anybody who is familiar with national affairs in any big corporation knows that Clark Clifford stands aces with President Johnson, that he stood aces with President Kennedy, and that he was President Truman's Special Counsel. In other words, he has been high on the roster of all three Democratic Presidents since World War II. He was a Special Counsel of Truman, he was President Kennedy's transition agent, arranging the transition between the Eisenhower and Kennedy administrations, he is an intimate consultant and advisor to Lyndon Johnson, and he is Chairman of the Foreign Intelligence Policy Advisory Board, or some such thing, he has been out to Saigon, I think he was at the Manila conference, if I'm not mistaken. And a very important Federal official, whom I will not name, told me a month or two ago, when we had lunch, that a matter that came up in his agency not so long ago and the President phoned him and was

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consulting with him on the matter and it was obvious that Clark Clifford was sitting at the President's elbow, because the President kept saying, "I want to talk to Clark," and acting as if Clark was sitting at his elbow and he was talking to my friend, who is also a friend of the President's and Clark's, Clark was sitting there, and he was listening to Clark and getting advice from my friend, an agency head, at the same time.

He takes advice from him and everybody knows that and Clark has done a wonderful job of burnishing his image because here when somebody writes a book, Cabell Phillips for instance, here's this book *The Truman Presidency*, and when you look at the preface he says, "A great many people have helped me with this book and I have acknowledged my debt to most of them in the text and the notes and sources. There are a few, however, whose encouragement and assistance were literally indispensable and whom I want to pay a special measure of gratitude. Clark M. Clifford, who was the White House Special Counsel of the 1946 to 1950, was the most effective and the most heavily relied upon member of President Truman's personal staff. With great patience

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and generosity, Clark gave me many hours of his time and a virtually free rein on the voluminous personal files he brought away from the White House." And in the notes in almost every chapter

and at the end of the book, you find glowing tributes to Clark Clifford, and to the help he gave on that particular chapter. These are the notes on sources, and many of them, chapter six, chapter five, "Those who have been most helpful in this respect," that is interviews, files, "are Clark M. Clifford," he always leads, "Oscar Chapman, Paul Porter," and chapter six starts off: "I've been greatly assisted in the preparation of this chapter by Clark M. Clifford," and so on down the line, chapter seven, "Clark Clifford," chapter eight, "I've had the generous assistance of Clark M. Clifford," first name mentioned, and so on. Well, I'm not saying that Clark shouldn't do this, of course he should, and as a matter of fact it's a tribute to his astuteness that he does because the result has been -- I took Cabell Phillips to lunch a month or two ago, he's a friend of mine of long-standing, and I said, "Cabell, why do you have to perpetuate this myth that Clark Clifford was the only first class man on the White House staff?"

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And he said, "Well, he was so helpful to me," in effect, he said, "He was so helpful to me."

Cabell Phillips is an awfully nice guy and a very competent reporter but he's like most human beings, the man who helps him the most becomes the best guy, this is natural.

Now on my books Charlie Murphy is worth three Clark Cliffords; (a) Charlie has a better, keener mind, what Charlie lacks is façade, that's what Clark has, wonderful façade. He's a big handsome impressive man with a fine personality, and he looks like a big-leaguer. He looks like a President might, you know, a lot more than Mr. Truman did, as a matter of fact, if you want to get that way about it. It used to be said of Warren Harding, "By God he looks like President," well, he did look like a President but he didn't act like a President, so that's not the only test.

Now it's only fair to say that Clark Clifford is an excellent salesman of other men's ideas, but he's not an original thinker. In the White House we used to call George Elsey, the man who did Clark Clifford's thinking for him, George was much brighter, much quicker, much more perceptive than Clark. I don't mean Clark

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is stupid, he isn't, not by a long shot, he's smart, but he has a rather shallow and sometimes even naïve tactical sense, he's got good tactical judgment on political matters, and he's got great effectiveness in peddling other men's ideas, and that is not a talent to be minimized, but on the other hand, the men who produced those ideas, the men who did most of the work and sweat on the speeches and messages deserve some credit, too. Charlie Murphy was the quarterback on that team and he had some brilliant guys like Dave Bell and Dave Lloyd and George Elsey, who was also Clark's man, and he had Philleo Nash, really, because Nash worked more with them than he did with Niles, and he had Ken Hechler, Dick Neustadt and, well, there was quite a team there and these men have made their mark since and Clark Clifford has made his mark in a way, and yet it is interesting that of that whole group, Clifford is the man who has done the least Government service since then, I mean, his service has been these sort of ad hoc projects, and he has continuously been engaged in a very lucrative lawyer-lobbyist practice. I don't blame him, but on the other hand, I think that men who have -- well, maybe I shouldn't make moral judgments, that's not really it but, anyway, I admire Charlie

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Murphy a lot more than I admire Clark Clifford. And another thing, Charlie Murphy has a much higher ethical sense, Charlie Murphy would never in the world have said a thing like that to me, that there was "\$25,000 in it for me." I feel a debt of gratitude to Charlie Murphy as I did not feel to Clifford, actually. Clifford evidently thought I did but I didn't. Quite the contrary, I felt that Clifford had not used me very well at the White House, you see. I didn't feel the least bit of debt of gratitude to him, and, as a matter of fact, when I was kicked upstairs to the Federal Trade Commission, Clifford seemed very concerned; he called me up and he seemed very concerned, I went to see him. I discovered he was not the least bit concerned about me, what he was concerned about was that this was a behind-the-scenes attack on him and his influence at the White House by Matt Connelly and Steelman -- I'd been his assistant, that they were trying to get rid of the Clifford influence at the White House.

HESS: That was his impression of this.

SPINGARN: That was his initial impression, that it might

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be that, but then he made his own explorations. I don't know whom he talked to, but he satisfied himself that this was not the case, that they were not hitting at him through me, and then he lost all interest in my case, immediately.

I don't mean that there is any reason why he shouldn't take a great interest in it, but, I mean, he made it so obvious to me what his only interest in the matter was, that naturally, I didn't feel any particular gratitude for that initial flare -- you know, when he first showed interest, I said, "Oh, this is fine, Clark's interested," then when I saw what he was really interested in I just said, "Oh, well." So I didn't feel any sense of gratitude toward Clark Clifford because we'd never established -- I don't know, I must have been to blame to some extent. I don't know what the fault was, but we never established a real rapport, he never used me. I mean our superficial relationship was always friendly, but shallow, you know, and that was all. Charlie Murphy is also, in a sense, a lawyer-lobbyist during his eight years; he was a lawyer and I guess he registered to lobby on some occasions. Every lawyer with a Washington practice is likely to

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register, there's nothing wrong with being a lobbyist. But Charlie Murphy doesn't operate that way, he would never -- Charlie Murphy had a very high moral value, probably higher than mine in some respects. I don't think higher in the stage of government business, but I will tell you one thing about Charlie, because this is going to be years before this is opened, he is very much like Harry Truman in his ideas, of shall we say, sexual morality.

I mean he's a one-woman man just like Harry Truman, you see, now General Eisenhower had girl friends, Kay Summersby, for example, it is said that John Kennedy had girl friends, most people say that Lyndon Johnson doesn't, he looks to be flirting a lot, but he is (I think), a one-woman man. It was said that Roosevelt had them, most Presidents, certainly Harding had them, *The President's Daughter* by Nan Britton, and so forth. Anyway, Presidents are human beings, after all, and my theory is that man is naturally polygamous, woman is monogamous. She has

inflicted monogamy on him, it's good for her but bad for him. My theory is that it takes more than one good woman to understand the many

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facets of my noble nature but I like them to try. I'm a happy middle-aged bachelor in that department and I wouldn't be if I was restricted to one woman, I am sure.

Well, getting back to this thing about Charlie; some time when I was on the Commission, he consulted with me on a security case involving a State Department official, I've forgotten the name of the official, but the point about this was that the President -- I think this was a case that McCarthy was making something out of -- anyway, it had hit the headlines and it was in a White House "flap" and Charlie and the President had discussed it, he wanted my opinion on this thing. Anyway, to make a long story short, I've forgotten all the details of the case, but Charlie had decided finally that there was nothing to this subversive stuff but he was deeply shocked to find, and so was the President, I believe, to find that this man who had been in the Orient without his wife, had been shackled up with some local girl during the period he was there. I admire Charlie Murphy intensely, I regard him as one of the finest human beings that I have met, in many ways, and a very able guy, but on this particular

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point he and I would not see it the same way. I think that I know more about human nature in this department than he does. I mean this is the nature of man, I mean he's there without his wife, what the hell do they expect him to do? I was overseas for three years and I commanded a small rather compact unit. Now, many of these men were married, and I can say that some of them held out for a long time, but before the war was over, I don't think there was a single man who hadn't succumbed. What do you expect of human beings? I was amazed to find that this poor fellow was in trouble with the President and Charlie, not on any subversive grounds but because they had found out that he had had a mistress, an Asiatic mistress, whom he was living with while he was there.

I don't know what happened to him, but this is interesting. And there was another occasion when the President's views on this were brought forcibly to my attention. I think I mentioned it, but I don't know if it was on tape or not. One day Jim Mead and I went in to see the President. We saw him quite a few times, I think this was on the Federal Trade Commission appropriation in the fall of 1952. It was Jim's and my

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thought, and I may say with simple pride I was the particular instigator of this, after the elections, it was a wonderful opportunity for the President (a) to help the Commission; and (b) to put the new Administration a little on the spot by giving us a more generous appropriation than the Budget was willing to give us. The Budget, those glassy-eyed, beady-eyed, S.O.B.'s at the Budget, with that kindly gleam in their glass eye.

I should say at this point to the extent that I'm repeating anecdotes told outside this section, these anecdotes can be used if they are on outside tapes, you see -- they are just incidentals.

HESS: From the portion that is to be closed.

SPINGARN: Yes, I mean this whole tape will be closed, but I mean if I've repeated an anecdote here. I'm not sure, I've been talking so long that I can't remember all that I have said. If any of these anecdotes have been told outside this tape, they shouldn't be suppressed on the outside tape, just this tape will be closed, the whole tape.

So the idea was to help the Federal Trade Commission, which certainly needed the money, and also to, perhaps,

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hopefully, embarrass the Eisenhower administration a bit, because if we could get the President to up the amount that the Budget would give us, well then the new administration would be in the position that one of their first acts would be of having to cut back on antitrust appropriations and that would make a good little issue for us, hopefully. And we did get a million more than we ever had gotten before, which doesn't seem like a lot of money but to the Federal Trade Commission, especially in those days, that was a lot of money. We'd never gotten more than a four and a half million estimate in all our life at that time, and we got five and a half million in the last Truman estimate.

In any event, as we went in, Joe Guffey the former Senator from Pennsylvania, was waiting, an old man, and the President and Jim Mead had both served in the Senate with him. They started reminiscing about him and the President said, "The trouble with old Joe Guffey is that he never accepted the responsibilities of marriage." A lifelong bachelor. Well, Jim Mead winked at me, and then he said to the President, "Well, you know, Mr. President we have another fellow like that

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around here."

The President looked at me and he suddenly remembered that I was a bachelor and then being the kind-hearted guy he was, he said, "Oh, Steve, I didn't mean you," and so forth and so on. I knew that the President wasn't talking about me, but that's the way he really felt.

He thought of marriage as a responsibility that a man had to accept, you see, by golly, I don't think of it that way. I don't know of any law of nature that says that man has to accept such a responsibility. I regard marriage as a romance in which the hero dies in the first chapter, and I want to live, and I do. And I have often said that I, there have been times in my life when I nearly feel off the bridge, but fortunately, at the last moment, or somewhere along the line, something happened and averted disaster, and I have often said, if I may interject this personal note, that there is one condition under which I would marry. First of all it would have to be a woman far beyond my deserts, beautiful, brainy, witty, charming, warm, affectionate, delightful - - Ingrid Bergman, let us say, for example. Second, I would have to be rich enough, and it would

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have to be my money, no good if it's hers, she can have money on her own in addition, but not in lieu, I would have to be rich enough to own a house with a he wing and a she wing and a center - a big he wing for me and a big she wing for her and a center. By prearrangement, in the afternoon, around five thirty or six say, we would meet for drinks and dinner and then romance. I have introduced a little embellishment of my own that I rather like, this would take a bit of money, but in the far reaches of the night after romance had had its sway, I could push a button and she could push a button, we'd both have independent buttons, and when either one of us pushed a button, a wall would open and your bed would slide back to your wing on tracks, and it could go the other way, too, you wouldn't even have to get out of bed. That marriage I could stand.

Getting back to Clifford, actually, to take a more serious note, this had a considerable effect on me, I was going out into the cold cruel world. The thing that I was best equipped to do was be a lawyer in Washington Federal practice, that means a lawyer-lobbyist. My whole training was that and I think I could have

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done well, at least I think I could have. I believe I was well equipped to do that.

But then I saw what, it seemed to me, you had to do, the hostages you had to give to fortune for that, even a fellow like Clark Clifford, who was certainly far from the worst in this department, and I have seen others I could mention. I saw something that Tommy Corcoran did a few years ago, ten years ago to be exact, well, I don't mean that it was corrupt, I just mean it wasn't the kind of thing I'd want to have to do, let's put it that way. It involved his blocking the publication through his friendship with an important member of Congress, blocking for a while the publication of a report which made some interesting observations, and analysis of the relationship between senior officials of the major regulatory agencies and the lawyer-lobbyists who work there, of whom he was one. He blocked it for some time before, but fortunately not permanently, he would have liked to block it permanently, I'm sure. I'm not saying that was corrupt. I just don't think I would want to have to be doing that kind of thing.

I remember in that particular episode, I had lunch with Drew Pearson one day, and he talked to me

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about it, and I told him what I knew about this situation in the fall of 1956, I think, and he really knew more than I did, he was just checking out his knowledge with me, so I didn't really give him anything but simply confirmed what he already knew and later I talked on some other matter to Tommy Corcoran (Pearson had written some columns about Tommy Corcoran and what he had done on this). Later I talked to Tommy Corcoran on another matter and I discovered he was angry at me and he exploded in my face when I called up to ask him to do something on another matter, a public interest matter something like KOED, you know, and he exploded in my face, and he said you so-and-so, you gave Pearson that story about me, and I said no, I didn't, he talked to me but he already knew the story, he knew more than I did about it. I said laughing, "Tommy, he gave you a million dollars worth of publicity, what are you complaining about? He reported that you were able through your influence on Congress to block the publication, for a

time, of a congressional report; you got a million dollars worth of publicity.” Maybe not, but it was worth a good deal, I mean, people read that and they say, I mean,

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corporations, lawyers, read that sort of thing and then they say, “Boy! Tommy Corcoran can really do things,” he wants the game but not the name, to work both sides of the street. Anyway, it affected my life in a way, this business, looking at Clifford and Corcoran and others I knew. I don’t want to seem too good for this world because I’m not. If I had had the pressure these fellows had, if I had a family to support and I had no money whatever, I’m sure I would have done what they did, so that is, shall we say, the rub of the green. I mean circumstances in which you find yourself make a great deal of difference. The point is this, when I came out of government (a) there was a Republican administration and a Republican Congress (b) a very reactionary climate -- the middle of McCarthyism (c) I was a controversial figure anyway because I was carrying on a fight at this juncture with the international oil industry, holding press conferences, going on television and radio and all that stuff. I was offered only one job when I came out and it wouldn’t have made much difference, because I was offered the job of Staff Director of the new National Issues Committee, a committee of which I myself was a member, Mrs. Roosevelt and Clark Clifford, and the Truman Cabinet and everybody.

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It was designed to keep the liberal Democratic side of the issues before the country. Well, a delegation of several came to see me at the Federal Trade Commission and offered me the job at the same salary I was getting at the Commission, and I thought it over but turned them down. I turned them down because I had some other ideas of what I wanted to do and, anyway, I thought the job that they had was going to be heavily fundraising, and I didn’t like that, and I knew I wasn’t any good at it. Well, they only lasted a year or two, they couldn’t raise the money and they went out of business, so it wouldn’t have made much difference. But I was anxious to launch an anti-McCarthyism operation, a Truth Foundation, and I approached Dean Rusk, he was president of the Rockefeller Institute, I approached Robert Hutchins, I talked to him, he was the president, then and now, of The Fund for the Republic which has just started up. I approached Paul Hoffman.

But I couldn’t make any time at all, it was the middle of McCarthyism, they were all timid about their tax exemptions. But I was determined that I was not going to be a lawyer-lobbyist and that certainly has been an important factor in my subsequent career or

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lack of perhaps.

I haven’t loafed although I haven’t held a regular job since I left the Truman administration. I’ve worked hard, I get up at four to six o’clock in the morning seven days a week, almost without exception, and I start working. I work on projects of my own choosing, I have talked about some of them, KOED, and the Truth Foundation, and other things. I work probably harder on a given project and devote more time to it than another man would because I have the time and I like to work. I work every day until six or seven o’clock. I have a lot of energy. I only need about four or five hours of sleep. This hasn’t been my whole life’s pattern but it has been for some time

now. It has been a source of frustration to me that I was not able, I mean I realize it was impossible during the Eisenhower administration, but it's been a source of frustration to me that I wasn't able to get back into the arena where the action is since the Democrats came back in. I've never quite been able to understand why. As far as I have been able to determine, there are no black marks on my record, there are no strikes against me, nobody's saying, "No, we can't," but it just doesn't

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happen.

The Kennedys, of course, had an obsession about age. I'm fifty-eight now, so I was fifty-two when Kennedy came in, anybody over forty-five and certainly over fifty was over the hill as far as they were concerned, but I will match my energy with any average man of forty, I think I've got more.

In any event, nothing happened. Then when Lyndon Johnson came in, I thought since I am five whole days younger than my President, a young man, you see, that there was more opportunity there but still it hasn't worked that way. I have tried in several ways, I have tried being modest and waiting for offers to come, and then I've tried going out and getting massive support, and in the first occasion it seemed as if they said "Well, has no real support," and the second they say, "He's got too much support, he is overeager." You have to find just the right amount of support, not too much.

In 1964, for example, there was a presidential commission, the National Commission on Farm Marketing, it was set up by statute, last for two years. It had a million and a half or two million dollars to

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spend, it was to make a searching study of the whole food distribution system, the seventy billion dollar a year food distribution system, from the farm to the table and analyze who gets what in between, and figure out if there's better ways of doing things that will benefit both farmer and consumer, as well as being fair to others involved -- make recommendations. It was to be composed of five Senator, five Congressmen, and five public members, to be appointed by the President. It was a virtually unpaid job; you got a hundred dollars a day while actually engaged in the work of the Commission which might mean that you'd get two or three thousand a year, because a commission like that wouldn't meet more than twenty or thirty days, the staff would be working but the commissioners wouldn't meet more than twenty or thirty days a year.

Well, I went out to see what I could do in the way of support. I got fifteen Senators and sixteen Congressmen from twenty states, from Alaska to Georgia -- I got Georgians to endorse me although, as I say, my NAACP connection might have been thought to exclude that, I got quite a few Congressmen from Texas, including Wright Patman and various others, and I

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got Hubert Humphrey, after he had gotten his own men on the commission. President Truman endorsed me, Thurman Arnold endorsed me, all the Cabinet officers with an equity in the

legislation endorsed me, Orville Freeman of Agriculture, HEW endorsement, Rand Dixon, the Chairman of the Federal Trade Commission and Everette MacIntyre, another Commissioner, endorsed me, Esther Peterson endorsed me, two of the three major farm organizations, The Farmers Union and the National Grange endorsed me, I was their first choice, the AFL-CIO endorsed me, I was their first non-labor choice, The Machinist's Union endorsed me, their only choice, I think, first anyway, the executives of the twenty-four railroads endorsed me, four or five small business organizations endorsed me and so on, but I didn't get it. He had too much support, they said, he was overeager. I had more support than all the others put together, I think. There were several hundred candidates in the field, it turned out, and I was told by a friend in the White House at the time, that it narrowed down to six people and I was the sixth man for the five slots. It's only fair to say that the President appointed good men. The last spot was filled by the dean of the University of Missouri School Agriculture, you could

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hardly quarrel with a choice like that for a Farm Marketing Commission. But there you were. So I continued to work in my own way picking projects of public interest from my standpoint, pro bona publico, public interest projects, and working on them in my own way. Perhaps I spin my wheels but I think I also accomplish some things. I finally sold the KOED program. Yesterday, I don't think I put this on tape on the Siler case, did I? We talked about it, but did I put that on tape?

HESS: Yes, early this morning about the Siler...

SPINGARN: The win? Yes, did I put that on tape?

HESS: About Siler going back to work?

SPINGARN: Yes, I put that on tape.

HESS: Yes.

SPINGARN: Well, I just want to mention again that I worked hard on this Siler case and yesterday we won the Siler case; the commissioners reversed the police board and sent him back to work with full pay for the six months he's been out, and other things that I have helped accomplish. I can't always point to whether I was responsible because that's not the way life is, but I work on something and sometimes something happens.

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The Institute for American Democracy, I think in some small way I've played a part over the years in that being there, through the work I did, dating back to 1952, in pushing this sort of thing -- that's the Institute to fight left and rightwing extremist -- but I would like, if I could find a useful niche, to get back into the arena where the action is, and I still am hopeful that I will.

The purpose of all this has been to discuss the, wholly unknown to him, effect of Clark Clifford on my career, and this is a matter of speculation, you understand, because I don't want to put all the blame on Clark by any means. Obviously my own inadequacies or opinions and speculations,

right or wrong, have played some part in all of this, but to me it means that while Clark Clifford has many talents, that his talents are showmanship essentially, and while these deserve respect, or at least approval, they're valuable, they should not be given the kudos of saying that he was the only first-class man on the White House staff, because the other less showy people, and Charlie Murphy is a prime example, the other less showy people aren't able to produce the showmanship that

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apparently is necessary to convince people, who should be more astute, I think, or perceptive, as to what are the values, what are the abilities, what are the talents that make an outstanding presidential assistant. I'm not going to say that President Truman had the greatest White House staff that was ever assembled, but I think he had a lot of good men around him, and I don't think he had any more cronies and mediocrities than most Presidents have. President Kennedy had a "crony" named David Powers, President Eisenhower had George Allen, every President needs someone like that, and there were mediocrities around Kennedy too, I'm not going to name any but I can think of one or two that I wouldn't have rated very high from my knowledge of them, and there were certainly mediocrities around Eisenhower, and there were even mediocrities around Roosevelt, at times, not all the men he had were first class, and I'm sure that's true of every President.

I would like to see perceptive historians do an historical reevaluation of the Truman staff, not in terms of who looks the most like a big-leaguer, but in terms of who produced the goods, and Clark deserves his share of the credit but he shouldn't get the total

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share. End of chapter.

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Tenth Oral History Interview with Stephen J. Spingarn, Washington, D.C., March 27, 1967. By Jerry N. Hess, Harry S. Truman Library.

HESS: Mr. Spingarn has just indicated that he has a few more remarks that he would like to say about the Clark Clifford matter, so our restrictions that we mentioned Friday will still be in effect for what we put down now, and that is that this is to be totally closed until five years after the death of Clark Clifford..

SPINGARN: Now, I forgot to add this part to the incident which I recounted in which Clark Clifford came to see me when I was Federal Trade Commissioner, I place this as probably 1952, and, among other things, he was urging the Federal Trade Commission to launch an investigation of the Luria Company, which was the largest scrap dealer or company, iron scrap company in the United States, as I understand the situation. He was representing a competitor of theirs and he wanted the Federal Trade Commission, this is a normal procedure, to investigate whether it was a violation of the antitrust laws, within the jurisdiction of the Federal Trade Commission.

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Now I recited how, after having argued the case entirely on the merits, he said, with a smile as he left, that there would be a fee of \$25,000 for him, Clark Clifford, if the Federal Trade Commission merely launched an investigation, it was hinged merely on our launching it, not on its successful outcome from his standpoint.

I should have added that that statement delayed the launching of the investigation several months, probably, because Clark didn't realize it, of course, that we would have made that investigation if he had never come to the Federal Trade Commission. We were already looking into the matter, I was the commissioner in charge of making a recommendation, and I was prepared to make a recommendation that we make such an investigation on its merits, before Clark ever came to me. When he made that statement, I thought, first of all, that I should reconsider the matter and I asked for further investigative material of the case and the long and the short of it was that it was several months of preliminary investigation more to determine whether or not we would make a full-fledged investigation looking to the issue and serve a legal complaint against the Luria Company,

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as a result of that last statement of Clark Clifford's.

Then subsequently, after the investigation was made, the full investigation, our staff recommended that a complaint be issued against the Luria Company, this is the formal procedures of the Trade Commission, looking to the issuance of a complaint, a hearing on that before a trial examiner, if he finds that the complaint is right, his verdict may be appealed to the full commission, and if the Commission decides so, a cease and desist order may issue against the company or individual against whom that complaint has been issued.

When the staff finally came up with a recommendation for a complaint, following that investigation of Luria Company that Clifford had favored, which we did make, and which we made strictly on the merits, it would have been made anyway if he had never appeared at the Commission, the case was still mine, that is the staff recommendation came to me to make a recommendation to the full commission as to whether or not a complaint should issue. Only the Commission can issue a complaint, of course.

At that time I requested, because of Clark

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Clifford's intervention in the matter, that the case be reassigned to another commissioner, and it was reassigned, and if my recollection is right, it was reassigned to Lowell Mason, my Republican colleague, I believe that's the case. In any event, I recall that a complaint was issued, but the Commission did not decide the case before I left, so that was decided sometimes afterward. At one time I knew what had happened but I have forgotten now and anyone who is interested will have to go to the Commission records and look up the history of the Luria case. That completes my statement on that.

HESS: That completes the restricted area.

SPINGARN: That completes the restricted area, now we go back to other subjects.

I would like to talk about ethics in government as I saw them over the span of my Government service -- in different agencies.

Now, first of all, in my Treasury days, I was a relatively minor official, even at the end I was Assistant General Counsel and Treasury Legislative Counsel. I can't say I was bothered much with lobbyists who were trying to wine and dine me, or anything of that sort, the point

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was that the area in which I worked was not the type of thing that the lobbyist would normally be infesting, the Internal Revenue Bureau was the place where you might expect a lot of high-powered lobbyists around, and we know now from the cases and situations that arose in the early fifties, that they were there, Henry "the Dutchman" Grunwald and his peers and others.

My friend, Charles Oliphant was a victim of this sort of thing, I won't say he was an altogether innocent victim, but he was foolish, not corrupt. Charley Oliphant was the son of Herman Oliphant, who was the first general counsel of the Treasury. There never had been a central lawyer running the whole legal staff of all the bureaus until the post was set up under Henry Morgenthau in 1934. Herman Oliphant was a very brilliant man. He'd been a law professor at Columbia and Johns Hopkins. He was a man, however, who did not -- he was a brilliant lawyer, had a wonderful mind, and it was extremely valuable to have contact and listen to him, and I had an opportunity to do that at some length and profited by it, but he was an intellectual and he didn't have the gift of dealing with people easily and comfortably, and so he tended

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to surround himself with buffers, with men who could deal with people, although some of them were not of his caliber as lawyers or in intelligence, but they had the gregariousness that he lacked.

In any event, his son, Charley, had been, as I understand it, a great disappointment to his father, because he had not had the brilliant record that his father had, he did rather poorly in law school and so forth, this was quite a blow to a man who had been a top lawyer and a brilliant law professor, and the impression I had was that Charley had always stood in his father's shadow and that his father had not treated him with the understanding, perhaps, and so forth, that Charley needed. In any event, Charley became a young Treasury lawyer, his father died in 1939 and Charley moved up the ladder and showed considerable ability to make his way. Eventually, he became Chief Counsel of the Bureau of Internal Revenue, a very important key post, obviously, with a staff, I don't know, three or four hundred lawyers under him and then, as I see the picture, another unwise gentleman named Lamar Caudle, was Assistant Attorney General in charge of the Tax Division of the Department

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of Justice. These men were sort of opposite numbers, that is to say, Charley was Chief Counsel of the Bureau of Internal Revenue, which handled, essentially, the civil side and Caudle was the Chief of the Justice Tax Division which handled all of the criminal prosecutions. Naturally, they

had to work together closely. Now, I didn't really know Caudle, I mean I may have met him casually, but I didn't know him, all I know is what I have read about his situation and case, which is a matter of record. He went to prison eventually.

But he impressed me as a country boy, I mean, he came to the big city and was taken in by the city slickers. They took him up on the mountain peak and they showed him the panoramic view, and to make a long story short, all these big operators were wining and dining Caudle. They would take him down to the Kentucky Derby on lavish weekends and to the World Series, and all this sort of thing, treating him like a visiting Pooh Bah, naturally very pleasant, but they weren't doing it for fun, they were doing it because they hoped to influence his judgment and decisions in tax matters, some of them. It seemed to me that Charley got somewhat caught in this trap, perhaps by Caudle

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at first, who brought him in on lavish trips to the World Series at somebody else's expense, a taxpayer's to be sure, a big taxpayer, to be sure, and Charley became friendly with Henry Grunwald, who must have been a remarkable man, I never knew him but he seems to have been a friend of everybody, Republican and Democrat, in the city of Washington, and I recall that Senator Styles Bridges, one of the top Republican leaders of the Senate, in the late forties and early fifties, used Grunwald as an emissary down to the Bureau of Internal Revenue, on a tax case involving millions in which a big Baltimore liquor dealer named Hyman Harvey Kline (or Klein), was the subject of a tax investigation.

You might justifiably wonder why a Senator from New Hampshire was so interested in the case of a Baltimore liquor dealer. A man named Jules Abels wrote a book about "the Truman Scandals" in which he recounted this case, Abels was a Republican official of the Eisenhower administration, and the book was first released at Republican National Committee headquarters in 1956.

He was so fair-minded about it that he covered this whole case, spent seven or eight pages on it but

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he never mentioned the fact that Styles Bridges had any interest in it, which to me seemed to be a very major feature of the whole case. The Democrats involved were well covered by Mr. Abels but Styles Bridges was not present.

Anyway, Charley Oliphant got involved in all this, let Grunwald befriend him, make loans to him, and things like that, take him to lunch often, the usual entrapment of the lobbyist working on a shall we say a not too sharp-witted, in this particular area, public official. I do not believe that Charley ever did anything corrupt, but when this picture was exposed, it didn't look good, there's no question about that. It didn't look good, and Charley was forced to resign, in 1951 or '52. Well, that's one case.

Now, this is typical, one day a senior official of the Treasury, Bill Parsons, called me, Bill Parsons is a fine chap and a man of integrity and an honorable public servant, he was the

Administrative Assistant Secretary of the Treasury, and he wanted my advice as a lawyer, friend and fellow official. He had received from one of the big movie companies, by registered mail, return receipt requested, a seasons pass to

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all their theaters for him and his family, to their movie theaters, and he wanted to know if I thought he should accept it.

I said, "Bill, I don't think so. These people have big tax problems with the Government, with the Treasury, with the Bureau of Internal Revenue," I said, "if you used that pass once or twice a week, for your family, it would run into several hundred dollars a year. Why did they send it to you? Another thing, they sent it to you by registered mail, return receipt requested, and all that, you see." I said, "If I were you, I would send it back the same way." I think he did. Well, there are so many ways that lobbyists try to get in to you, you see. They start so subtly, then they wait a long time before they start expecting returns on their investment.

One of the things I objected to throughout my Government career was the fellow who takes you to lunch. Now when you get to the bill paying, you know, normally the point was that he's a friend of yours, he's an ex-Government official whom you've known, but he's now representing some outside interest. Now this is the normal situation, he calls you up and, I mean, you

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would go to lunch with him because you're friends with him, good friends, but he wants to talk business, of course, which is all right, I don't know any reason why you shouldn't talk business at lunch as well as any other time, the only thing is that when the bill comes, you can never pay your share, you can't do it, he won't let you, and you know that you're going to appear on an expense account; that's what annoys me, if you let them pay it, you're going to be on an expense account. He's going to say, "Ten dollars luncheon bill entertaining Stephen Spingarn, Administrative Assistant to the President," or whatever I am, you see, very annoying. So I tried to avoid those, except in cases where a real close friend of yours, I mean, you know, you're not going to make a Federal case out of one lunch with a real friend, even if he is going to put you on his expense account. But I've always tried to pay those bills, but it's impossible with these fellows cause they want you on their expense account. Unless you want to make a scene in the restaurant, you're going to have to let them pay it, he will argue and shout longer than you will, you know. Well, it's a piddling thing, but it's symptomatic. I

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hope that no one will suppose that a Government official can be bought for one lunch, but it creates an atmosphere, you know, of friendliness.

Now, apropos to that Bill Parsons episode, when I was at the White House, I received one day in an envelope, and it was just loose, without a cover note or anything, and without any registered mail, return receipt requested, a seasons pass to all the Washington Senators' ball games at Griffith Stadium, I received it without any note or anything. It was my first inclination to send it back, but I made an inquiry and I discovered that for many years, Clark Griffith had been giving the President, he gave the President, I believe, a gold one, and he gave every senior member of

the staff a seasons pass, this had been going on for years, it had become rather a tradition, so since I had now made the senior staff, as Administrative Assistant to the President, I automatically got one. I said to myself, I'm not going to be -- nobody ever thought of returning them, you know, and I wasn't going to be three steps to the right of the Pope, so I kept it. I was so busy that year, I never used that pass once, so I didn't benefit from it, but I thought to myself later,

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"Well, you gave Bill Parsons sanctimonious advice, but when you got a seasons pass to the ball park, you kept it." You don't always do what you tell the other fellow to do, but it seemed to me that there was a different situation here. And Clark Griffith didn't need my help to come into the White House and see the President and, actually, all he ever saw the President about, as far as I know, was to invite him out to the first game, or something like that.

When I got over to the Federal Trade Commission, I found the lobbyists thicker. Well, I won't say that; they were pretty thick around the White House, especially in jugular affairs, like the airplane cases, I have described something about that in the closed tape when I talked about the Pan American, TWA, AOA case.

HESS: Were there any others that you could...

SPINGARN: I can't recall at the time, but I will say, I remember the General Counsel at Eastern Airlines coming in to see me, I've forgotten his name now, he was a nice fellow, Republican I believe, and Eastern Airlines, of course, was presided over by that great American, Eddie Rickenbacker. Eddie had a terrific war record, he was the outstanding ace of World War I, a Congressional

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Medal of Honor man, and he had a terrific war record for which he deserves much credit and he had that remarkable survival feat in the Pacific where he was adrift in a small boat for I don't know how long, weeks, and survived. He was a man of courage and great abilities, but politically he was reactionary, oh, my, he's off to the right of Goldwater.

I was the aviation man at the White House, and all I remember is that the Eastern General Counsel, whose name I can't remember, came in and told me, it was some case that was going to the President, he said he had never before come to the White House to lobby his case, as he put it, or to try to attempt to discuss it with the White House, after it left the CAB, you see, but that he knew that his competition was doing that, and I've forgotten who his competition was in this particular case, if it was Pan Am, he was sure right, and they weren't the only one. The competition was doing it and so he thought he ought to come in here and speak his case, and I told him my door was open to everybody, I was perfectly glad to listen to anybody who had anything to say on the case and I listened to him, I don't remember what the case was and I don't remember how it was decided, I just remember

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that incident.

Oh, I remember that we got frequent calls from members of Congress, I remember Senator Pat McCarran calling me from Nevada on one airline case, that he was most interested in, but that's the normal run of things.

Oh, I remember one little incident, you know these ethics in Government things run into so many ramifications, one day, I think it was Congressman George Miller of California, who is still in Congress, came down to see me with a lawyer on a private relief bill which was before the President after having passed the Congress. I vaguely recall that the bill dealt with an immigration case, and it dealt with a woman, I think, who was a servant of a family in California, a foreigner. And it had something to do with, I recall, permitting her to remain in the United States. I don't remember the details. Apparently, her time had ended and she would have to go back unless she got this bill through, that's all I recall about it.

My recollection is that the Immigration Service of the Department of Justice had recommended a veto, too, but they had this boilerplate rule, if it fell into a category, they automatically recommended for veto,

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regardless of how sympathy-inspiring the individual case was, they didn't seem to look at the individual case, you see, if it fell into category (a), a veto was automatically recommended. Well, I didn't see it that way and neither did the Bureau of the Budget, which meant essentially Roger Jones, who was Assistant Director for Legislative Reference, and we recommended signing bills even though Justice, or some other department made some boilerplate recommendations for veto. I think this bill was in the category, the main department involved, would recommend a veto, but we were considering otherwise.

In any event, Congressman Miller came in with a California lawyer -- and they told me about the case and I assured them that I would give it my closest attention and make whatever recommendation I thought was right to the President, but, of course, it was up to the President in the final analysis and I couldn't tell them what he was going to do. To make a long story short, he signed the bill, in spite of a veto recommendation, that's my recollection.

This was in the middle of summer, and at Christmas I got a box of dried candied fruit from the lawyer, you

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know, a two pound box worth three or four dollars, with a note of gratitude. I wanted to send it back to him because I don't want gifts, I hadn't done anything but my duty and so forth and so on, but it seemed so piddling to go to all the trouble of sending a two pound box of dried candied fruit back, in addition to which, I don't like dried candied fruit and so I gave it to my maid.

So there you are, you see, had I transgressed the law of ethics by accepting this gift? Well, you have to make judgments of what reasonable men will do under these circumstances. All sorts of things like this arise.

Now, when I went over to the Federal Trade Commission, I found that there was a good deal of lobbyist activity over there. This is natural because the Trade Commission issued cease and desist orders, which are hurtful to the firms they're issued against, and are helpful to the competitors of those firms. The Federal Trade Commission is by no means as jugular an agency as the CAB which allocates routes between airlines, boy, there's hundreds of millions of dollars wrapped up in those decisions, or the Federal Power

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Commission, or the Federal Communications Commission, or the Interstate Commerce Commission. These people deal with matters where there are hundreds of millions of dollars involved, and whether to decide it up or down, yea or nay...

HESS: Who gets in and who gets left out in the cold.

SPINGARN: Right. There I know the lobby activity is very intense, naturally, this is the nature of our Government. And when I say lobby activity, I mean, there is a legal and legitimate lobby activity and there's also illegal and illegitimate lobby activity. Now, when I first came to the Treasury, I lived then as now in the Anchorage, where I am right now. I am sitting in the Rayburn Memorial Room, which is part of the suite that Speaker Rayburn lived in for some thirty-five years or more here, and I've lived here since 1946. Anyway, a lawyer representing large corporate interests, who had a big case before the Trade Commission at that moment and who also lived in the Anchorage then called me up, and I had just been appointed to the Commission, and commented on the coincidence that we both lived here and invited me to have lunch, but I didn't accept his invitation since it was perfectly obvious what the

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purpose was. And I remember a couple of years later -- this was a very able lawyer, but he's not one of my favorite citizens, I'm sure he represents his people very effectively, I mean there was nothing seriously wrong in what he did, it was a perfectly normal thing to do, perhaps, it was also perfectly normal for me not to accept -- I was Motions Commissioner for a long time, I passed on procedural motions on behalf of the Commission, the most common thing was a request for continuance, you know, on a hearing, something of that sort, or for the filing of a brief. One day this lawyer called me up and he wanted to come in on what to me sounded obviously a substantive matter, he was trying to use our procedural tent to hide a substantive proposition which I had no authority to pass on alone, and I told him so on the phone. He said, well, he didn't think so, could he come in, and he did come in with his clients and obviously it was substantive, I couldn't hear it without hearing the other side, you see, at the same time, and even on procedural motions, the other side had a right to make their pitch, whether they were for or against it, you see, usually they came in together but they didn't have to. You could

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simply get the request from one side and then ask the other if they objected, and if they did or didn't why then you make up your mind what you should do. But he came in and argued this matter and I said, to me, it seemed clearly a substantive matter, that the Motions Commissioner shouldn't decide, and I said, "Well, I told you so on the phone." I said, "It seems to me that you

wasted my time and yours," and that made him so mad that he stamped out of there without another word, just got up and stamped out without a word.

There was an elderly lawyer, a rather distinguished looking citizen, who came into see me, and told me he had been a student of my fathers when my father was professor of comparative literature at Columbia University, he'd known him anyway, maybe he'd even been in the same class, anyway there had been some connection at Columbia between him and my father, and he invited me up to his, I'm told, attractive summer home up in New England for a weekend. He extended other invitations, none of which I ever accepted, but this is, as I say, rather normal.

I also heard accounts about at least one official at the Commission, I can't say with absolute certainty

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that these are true, but I heard them from many quarters, and that is at every Christmas his office was loaded with cases of whiskey and various other fairly significant gifts from warm-hearted lawyers and firms that did business with the FTC. I didn't think this was at all in the order of things. I don't think a Government official should accept gifts from people who do business with his agency. I suppose you always run into a rule of reason if they send you a fifty cent calendar or even a three dollar box of dried fruit. But when it gets into cases of liquor or even a bottle or two of liquor, I think they're getting beyond the rule of reason.

I think Senator Paul Douglas used to say that he would accept anything on which he didn't place a value of over three dollars, or something like that, other people take five dollars, anyway, somewhere in there. You know there is a legal maxim, de minimus non cura lex, the law does not concern itself with trifles, and there is some point at which you shouldn't have to be bothered with sending back calendars or letter openers, or things like that that are sent out for advertising.

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Anyway, I took a keen interest in this area of ethics, and I tried to get the Commission to adopt ethical standards, and we did eventually adopt, as I recall, a code on ethical standards. I think there's value in these things because no one can say later, well, there wasn't any rule about it, and I didn't know, and so on, if you have laid down rules for guidance.

I think every agency in the Government, I think this may have happened since my time in Government, but every agency in the Government should have, there should be a standard rule and then with variations applicable to the agencies special functions and problems, if necessary, and then there should be a committee in each agency which will consider requests from any agency employee as to whether such and such conduct on his part was within or without the rules, because you get these borderline situations where he honestly doesn't know.

Maybe there is all this, I mean since my time in Government, but this is what I would have projected when I was in Government. And then there should be an overall committee which would advise the agency committee on some standard Government policy on the more important issues of controversy or problems.

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Now, my impression is, that something like that now exists in Government but it's since my day.

In any event, we did adopt, as I recall, some kind of FTC ethical code, but one thing we didn't adopt which I thought we ought to and that was a "no practice" rule for commissioners and the very senior staff, I think the proposal as I drafted it and submitted to the Commission was, that no commissioner and no staff man of the grade of GS-15 or above, should practice before the Commission within two years after he left the Commission. This was controversial at the Commission, especially among the senior staff, because practically everybody who leaves the Commission, all the lawyers, expect to practice before it, this is normal, I can understand that. Before that, in connection with our ethical code, as I recall it, we had actually adopted a rule which included a no moonlight law practice rule for our lawyers. Tradition has been that some of our lawyers have sundown offices, that is they have law offices at night and on weekends, did a little legal work.

This is a clear invitation to people so minded, to

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line up that lawyer on their side, by using him as a private lawyer and then they go to see him in his official capacity, and it's pretty hard for him not to be friendly toward them, if he's their lawyer on the outside on some matter. I mean, this doesn't need spelling out, it's a clear invitation to unethical activities. So we passed a rule that this was to end, and I remember an elderly lawyer, a man approaching seventy and about to retire, came in and had an argument with me over that. He was going to retire and he had a sundown office, he had his name up and he wanted to retire to that office and he didn't want to close it up. He was mad and we had quite a sharp argument, but I said I didn't see how we could make an exception in his case. If we did it for him, why shouldn't we do it for anyone else who wanted to do it, and he stamped out in a huff. He was an unusual fellow, another very rightwing guy that detested everything the Truman administration was doing, and he used to write letters to the editor complaining about it. He was a segregationist and everything, you know. He just hated the Truman position on civil rights, and he hated the Truman administration, he was mad at about

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everything. Some people thought that the Commission ought to curb those letters he wrote to the editor while he was a Commission official but I didn't. I didn't like them but I thought he had a right to write them if he wanted to; just an expression of his opinion.

In any event, the two-year rule I speak of, I couldn't get it through the Commission, and some of my fellow commissioners said if there are specific cases where influence is being used by former employees, let's deal with them, but let's not pass this general, blanket rule.

Later, an individual case did come to my attention, and I said, "All right, you wouldn't pass my general rules, you said let's deal with the individual cases, here's one," and this was the case, I mean, I want to say there was nothing corrupt in this, but it indicated to me the desirability of that two-year rule of mine. Former Commissioner Robert Freer, a Republican, now dead and a nice fellow, practiced before the Federal Trade Commission, had a fairly extensive practice

before the Commission. He and I were on friendly terms, he'd come in to see me, he'd drop in to see me once in a while, I liked him, and he was well regarded at the Commission.

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He had been a staff man, who had made his way up to commissioner, and he was well thought of at the Commission. Well, I've forgotten all the details of this case, just the general thrust of it, but I kept a file on it and I can't find it so I may have given it to you, Jerry, somewhere along the line I think, I hope so, because I can't find it in my apartment, it dealt with this case.

I think I called it the Rexair File, I believe that was the firm involved, I'm not actually certain of that, but anyway, Bob Freer was the individual involved, plus one of our Commission staff lawyers. As I recall what happened was this, my legal assistant at this time was Earl Kintner, a Republican, who later, by the way, became General Counsel and later Chairman of the Federal Trade Commission, and one day, as I recall the situation, Kintner told me that one of the staff lawyers, I won't mention any names, it doesn't really make that much difference, had told him on the street when they'd met, that Bob Freer was very unhappy because he was representing the Rexair Company, that's the name that sticks in my mind. The Commission had made some investigation looking to the possible issuance

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of a complaint. The staff had recommended the case be closed without a complaint. It had come to me and I wasn't satisfied with the staff recommendation. I ordered the case reopened and a further investigation which still might result in a complaint. The further investigation was still being made. I wasn't satisfied that this thing had been exhaustively enough explored before closing. Freer was unhappy because he had notified his client that the case was closed on the basis of the staff recommendation which is almost always the case, and he had collected his fee on the thing, you see, so he was unhappy. According to Earl Kintner, this lawyer, who was a staff lawyer and a friend of Freers, they had served on the staff together, that was the rub of it, you see, dealing with friends. I am not suggesting for a moment there was anything that might have been in the least corrupt about this thing, it was an ex-staff man and an ex-Commissioner talking to a friend on the staff, who feeling friendship for him, goes to bat for him on a sort of personal basis. And as Kintner recited this thing, the Commission lawyer wanted Kintner to lay these facts before me about Freer's embarrassment in

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the hopes that this might dissuade me from keeping the case open.

When Kintner told me that, I was annoyed, this wasn't the way to do business. It was being suggested that on a purely personal and friendship basis, because Freer was embarrassed, I should do something on that basis. This is no way to exercise the functions of Government obviously on that kind of a basis. So I then called in the staff lawyer involved, and he denied, as I recall, having told Kintner that he wanted Kintner to pass this on to me, he just had told Kintner about the situation, but had not made a request that it be passed on to me. As I recall it, what Kintner said, and I am confident that Kintner told me the truth, what possible reason would he have not to; he came to me and told me what he had been told, but then the other fellow realized how that sounded, and watered down the story. The original story was that Freer had asked him

to pass on to me, somehow, the word of what had happened and his embarrassment, in the hope that this would influence my judgment, evidently. Well, then this fellow came in and there was a conflict of testimony between him and Kintner as to what he had said to

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Kintner, that was the nub of it.

It made a good deal of difference as to whether he had asked Kintner to tell me or whether he had just mentioned casually, you know, friends talking on the street, I mean, it's a different matter. Well, I called in the lawyer involved, and he now denied having told Kintner what Kintner told me he had. So I presented this to the Commission. Well, nobody likes these cases, these are always prickly. That's the reason you should have a rule, because when you get to the cases, they are always prickly, you're usually dealing with friends, when you're dealing with staff men, and nobody wants to hurt a friend, especially when you don't think there's any major corruption there. It was just a question, is this the way the Commission should do business? So the Commission then authorized an investigation, or at my request it was made. An investigating officer was appointed and he investigated and interviewed everybody and took statements from them including me and Kintner and the staff lawyer that I referred to, Freer and so forth, and it broke down into a conflict of testimony again, one said, "Yes," and the other said, "No," and the Commission decided to wash it out without doing anything. But to me, that only underlined the necessity

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for a rule.

You see, of course, the fact of the matter was that Freer had already been out more than two years when this happened, but the fact is this, though, a commissioner or senior staff man when he leaves, immediately has a good deal of influence, if he's liked particularly, with the men around him, and who are subordinates. They can't help that, they treated them with respect while he was there, they can't help feeling some, and maybe they're under bonds of gratitude to them for promotions and things like that. That cools off rather fast, though. If you can't practice before the Commission for two years, a lot has been forgotten, and the old rule, "What have you done for me lately," applies in all human existence. I still think that two-year rule would be wise. It indicates the difficulty of dealing with ethical situations as they arise in the absence of a general rule covering that category of cases, because here was an ethical situation, and yet when you try to grapple with it, it sort of fades away like smoke.

Well, my main complaint about ethics in Government, though, I think, is embodied in my fight, in the

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last year of my tenure on the Commission in '52 and through September of 1953, first with the fair trade lobby, I've forgotten what it was called, but that's what it amounted to. We had issued a complaint in a case involving the fair trade issue, I think it was against Eastman Kodak, I'm not certain, and this lobby had sent a newsletter out to their people urging them to descend on their Congressmen and Senators and get them to get the Trade Commission to drop the case. I then

wrote a letter to this lobby saying, if they wanted to come in and intervene in the case, I would personally vote to permit them to come in as interveners in the case, to present their case before the Commission, but this is a quasi-judicial case, and nobody should bring pressure on the Commission to drop a case this way, and I, for one, was not going to succumb to that pressure, and so forth and so on.

The second situation that arose, I've already described, was the oil report in which a staff report of ours called "The International Petroleum Cartel Report," three hundred and seventy-eight pages, no conclusions, no recommendations, just facts, facts from the subpoenaed files of the oil companies and

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from investigations of them taking place in countries around the world, so infuriated the oil companies, that instead of coming in and attacking the report on its merits and saying it's wrong, factually, which they couldn't, because it wasn't wrong, they tried to vilify the Commission and the report and anybody who had anything to do with it, and not only in the United States but all over the world, all around the world.

I went on television, had press conferences, there was quite a to-do about it. I wrote to national leaders and organizations all over the country including President-elect Eisenhower, went up to New York and tried to see him and did see Gabriel Hauge, and I wrote President Truman, who gave me a long and most appropriate reply endorsing what I was doing, I wrote Paul Butler, the Democratic chairman, and got a good letter from him, I wrote the Republican chairman, because, after all, ethics is non-partisan, and I knew the Republican administration was coming in. I got good answers from the Democratic side, and bland, non-responsive answers from the Republican side, generally speaking, which, I suppose, was to be expected. I had a large luncheon

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at the Willard to which I invited representatives, the chairman and ranking minority members, who were still, usually Republican, of all the regulatory commissions, and representatives of the Eisenhower administration, the Republican National Committee, the Democratic National Committee, Clark Clifford was there and others, and we discussed this back and forth. Of course, this was December, 1952, a month after Eisenhower had been elected but before he was inaugurated. There was general agreement that the regulatory commissions should resist these pressures, that we ought to form a working group, but nothing was ever done to implement that because new men came in, new teams, and with different ideas.

Well, I also wrote national organizations around the country and tried to get them to raise their voices in attacking improper pressures, because the typical situation in Government is that everybody yells about this corrupt scoundrel of a public servant who had betrayed his trust, but usually there is very little outcry against the man who made him betray his trust, and I say there ought to be just as much attention to the corrupter as to the corruptee.

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I also said that the best way to prevent unethical pressures of this sort, is to spotlight and pinpoint them as they start, not wait until they hit you, but as they start. Put the focus of the spotlight on

them and attack them, you see. That makes it a little harder for them to get rolling. You should shout, "Oh, oh, look at what that lobby over there is doing, they are writing to their constituents, and asking their constituents to get the Senators and the Congressmen to descend on the Federal Trade Commission and coerce them into doing something -- not on the merits, but just because that's their side of the case."

We had one interesting experience I shouldn't overlook. This is a very famous Congressman and he's still in Congress, I won't mention his name, he's the chairman of an important committee, was then and is now, and it was a case involving a watch company. I forget the details of the case, just the main thrust of what happened, but, as I recall it, our lawyers had worked out some kind of a consent settlement with the watch company on a case against them, it was in the process of being formulated, they wanted a little better terms, apparently, than our lawyers were offering them. So

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this Congressman called me up, and I believe he called every member of the Commission, to urge us to give sympathetic treatment, do this and that, you see, in the settlement of the case. Well, that was all right, you expect that from a Congressman, but then one of our senior staff men came in a few days later and told me something that I found interesting. He said he had called the lawyers representing the watch company, up in the city they were in, and had asked for the lawyer handling the case, and, by gosh, he had been referred to that Congressman, who was also practicing law, and he was the fellow handling the case. He was wearing two hats on this thing -- one as a member of Congress, working for a constituent, which is perfectly all right, and the other as the lawyer handling the case for them, too, which is not exactly all right. It's only fair to say -- this is a good Congressman by the way, he's no scoundrel by a long shot, he's had a long and honorable record, I don't think this was one of his most glorious hours -- but it's only fair to say that we got the settlement we wanted in that case, I mean, the Trade Commission, we did not, as I recall, give in to the Congressman, and he never attempted to bully, rag, or coerce us. Sometimes

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a certain type of individual will say, well, the sons of guns, they wouldn't do what I wanted to, they come up here wanting something, I'll whack them good, but he never tried that.

There was another case that comes back to me. When we were having the trouble with the oil companies in late '52 or early '53, I guess it was early '53, right after the Republican 83rd Congress came in, and a Trade Commission staff man, whom I knew, told me that he rode in a car pool with a fellow who was sitting with the House Appropriations Subcommittee that handled our appropriation, and they were down at the Bureau of the Budget, I believe, holding meetings with the Budget people, and also with an advisory group of outside people that they had, as I recall the situation, and, son-of-a-gun, one of the advisory group was an oil company man. We were having a knock down drag out fight with the oil companies, who were attacking us, it didn't make me feel happy to think that an oil company man was going to have anything to say about what our appropriation was, obviously, he'd like to reduce it to zero, I suppose.

This story was later reprinted in one of the labor

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weeklies about this oil company man sitting in on the secret sessions of the House Appropriations Subcommittee. Well, when we were up before the House Appropriations Subcommittee a little later, I raise this when it came my turn to talk, I recounted this episode and said I realized that the Appropriations Committee could meet with anyone they wanted, but on the other hand, I wanted them to know of this situation, that we were having this serious controversy with the oil companies and that, therefore, it didn't make me, at least, feel very happy to think an oil company man would have any voice whatever in deciding what our appropriation should be, and I hoped that the Appropriations Committee would bear that in mind when they went over our appropriations, if any cuts had resulted from his interventions, or something like that.

I remember that it was rather a hot exchange, not on my part, I've never gotten heated with members of Congress on committees, I have taken a lot of stuff and nonsense, I've been insulted on many occasions but I've made it a rule never to get mad and never to answer back but just reply, always politely, because you can't win in these exchanges -- your best bet is to keep your

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temper and answer politely, even if you're being really insulted, which sometimes happens when some of them, this is unusual, but some of them can be very brutal and rough on a witness if they want to discredit him. They can call him stupid and ignorant and deny that he's telling the truth, all sorts of things. The thing is to hold your temper and reply temperately. Well, I remember one Congressman didn't think much of my source, he obviously was anti-labor and the fact that it was in the labor magazines showed him that it couldn't be true to begin with. I knew it was true from firsthand testimony from the staff man who rode in the pool. I mean, why would the fellow who was present at the meeting tell him a lie about it -- of course, he was telling the truth. I believe that I had some correspondence with a Congressman on that committee on this matter, too, he's now a Senator, a Republican Senator. He took me sharply to task.

Anyway, I will say this, certainly these lobbying activities, these attempts to influence people, exist and they have done it in every administration, I suppose, since the beginning of time, and as the Government today has more powers and greater ability to give or withhold

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or affect matters which involve enormous sums of money, why obviously there will be greater pressures brought to bear, this is the nature of things. I think, in my experience, and I'm talking about the years I served in Government, that the Government on the whole, with some exception, was remarkably free from major corruption, I don't mean to say there weren't individual episodes, there were, of course, but if you take it as a big picture, I think the Government's record would compare favorably with that of business, let us say, during the same period as far as dealing honestly with its "constituents." As I've noted before, it's always seemed to me that the Truman administration had its minor scandals, which have been well publicized, mink coats and deep freezers, is the phrase that usually goes around, well, these are unfortunate but they are still on the order of rather minor events. It seemed to me that the Republicans on the other hand, are no more free of minor corruption than we are, I could recount many episodes in the Eisenhower

administration which involved that sort of thing. But they go in more heavily for major corruption, which is usually, not necessarily, but sometimes, quite legally done. I

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mean in the case of the Teapot Dome thing, that was corrupt and illegal and bribes were passed.

On the other hand, in the case of the Dixon-Yates, it was almost legal; it would have been legal if they hadn't so foolishly had that conflict of interests by placing that First Boston Corporation official in the Bureau of the Budget, too, so he was on both sides of the fence in his dickering with the Government. Aside from that, though it was legal, but it still was greatly contrary to the public interest, and I'm glad this thing was killed, and it was killed largely through the intervention of Estes Kefauver, Joe O'Mahoney and other public interest Senators who didn't let the rascals get away with it. I think that covers what I wanted to say about ethics in government.

Continuing with the Federal Trade Commission, I think I ought to say a word about the staff of the Federal Trade Commission, I have talked about my fellow commissioners. We had some able men on the staff, some, perhaps quite a few, who wouldn't fall into that category, but that's the case in every agency. Naming some of the abler men there, among the lawyers, a man who impressed me greatly was Joe Wright, Joseph S.

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Wright. He was a small town boy from Montana. He had come to Washington to work for Senator Burton Wheeler, as I recall, in the mid-thirties and then come to the Federal Trade Commission. When I first met him, he was Assistant General Counsel of the Federal Trade Commission, and in the spring of 1950 I was in charge of a White House task force to write a basing point bill veto and I brought Joe Wright over, he came over from the Federal Trade Commission to help me on that, among others. I was much impressed with him. The fact of the matter was so much so that unbeknownst to him, I recommended him for the next vacancy on the Federal Trade Commission, and I found him very helpful while I was a commissioner, often consulted him and always found his judgment good. Now I'm glad to say that my judgment on Joe has been vindicated as to his ability by the subsequent course of events, because while I was still on the Commission, the Zenith Radio Corporation, lured Joe away from the Commission to be their General Counsel, solicitor or chief lawyer, and he is now president of that huge firm and has been for some time, and it has had, apparently, great success under his stewardship, and

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this was a man, who when he went away there, he was a bureaucrat, a civil servant, his entire career of some fifteen years or so was working up through the ranks of Government, and you wouldn't have thought that was the ideal preparation to become president of a great business firm, would you, but he did it and, apparently, he's done a bang-up job there, too, anyway he is their president.

Incidentally, amusingly enough, when I first went to the Commission, I needed a legal assistant, every commissioner is entitled to a legal assistant and that's the most important appointment he makes. All the individual commissioners got under the reorganization plan, which provided for most appointments by the chairman, was their own immediate office staff, their secretary, their

legal assistant and messenger -- well, the secretary is important, too, but the most important is the legal assistant, of course. These were regarded as very good jobs by the Commission legal staff; they bring you in contact with the commissioners and they often lead to promotions, so there is considerable competition for them. Six or eight commission lawyers applied to be my legal assistant. I interviewed them all, and there

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was some good men, in fact, almost all of them were good men and amusingly enough, two of them became chairman of the Federal Trade Commission, two of the men who applied to be my legal assistant. One is the present chairman, Rand [Paul] Dixon, and the other was Earl Kintner. Strangely enough, in spite of the fact that Earl was, I think, the only Republican in the group that applied, and I was a dedicated Democrat, I picked him. I figured what I needed was professional competence and I believed that he was, probably, the best of a good group, and I think that my judgment on his professional competence was vindicated, but there was an amusing backlash, later, on the political side.

Earl was a loyal and faithful legal assistant until the election of '52 and then I could feel him falling away from me, immediately; he didn't want to be too closely associated with a liberal Democrat when a fairly moderate or conservative Republican administration was coming in, and he had ambition. He was not only a good lawyer, but he was no mean politician. To make a long story short, first of all, he got himself selected as General Counsel of the Trade Commission.

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I do not think he was actually the choice of our new Republican Chairman. I think that Earl lobbied so well on the Hill and elsewhere, that he was sort of rammed down the throat of the new Chairman, because I think that, quite frankly, the new chairman might have looked a little askance at a fellow who had been working for me for the last three years. Earl was well aware of this. In any event, Earl wasn't sure that I would vote for him for general counsel. I reassured him, because after all, I knew that he was very able and I couldn't imagine that the Republican administration could have gotten anyone better than Earl, I mean, he was a good lawyer. Politically, he'd become undependable from my standpoint. I was holding, for example, a series of meetings which I tried to bring together, Republicans and Democrats to work out some sort of collective security fight against Senator Joe McCarthy, who was doing a lot of damage then. I sent the Truman Library accounts of the meetings I held and the people I invited, and those who came, and there was some very illustrious names on my invitation list, although, not all turned up at the meetings. I tried to get people like Allen Dulles and Henry

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Cabot Lodge, I've forgotten who all. I did get some good men, but it was hard to get important Republicans.

I wanted Earl Kintner to come to this thing, but he ducked out. He was my legal assistant, you see, but he didn't come, although I invited him. And there was another thing, Lowell Mason, my Republican colleague, for years had been running up and down the country making speeches before business groups, attacking the Federal Trade Commission, of which he was a member, and he had a sort of boilerplate speech which he made in various forms, I've mentioned it before,

but I think it is appropriate to summarize it here. As I recall, the idea was that the Federal Trade Commission was a powerful bureaucracy and it's at his throat, it is later than you think; he talked about some Russian Commissar of Justice named Krylenko, or something like that, who condemned first and then tried the case, that was his form of justice, and it wasn't ever clear to me whether he had learned that from the Federal Trade Commission or we learned that technique from him. In any event, we were soul mates, Krylenko and the Commission, as far as Lowell

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was concerned, in our methods of operation. Nobody had ever answered Lowell. I thought somebody ought to start making a few speeches against Lowell's thesis, and I wanted Earl to collect material on Lowell's speeches as a basis and start helping me to work up some speeches, opposing his thesis, but it was true that Earl was busy, he could never find time for that. He was very unhappy about the assignment to begin with, because he felt that this would put him in trouble with Lowell. I assured him that I would go to Lowell and tell him exactly what I was doing, and that Earl was doing it under my direction and not at his own instigation.

And I did, I told Lowell, well, Earl has got to take orders from me, but this is my idea not his, I assure you. Well, we never got around to doing that, but then the payoff was this, and this really had its elements of humor. When Earl was made General Counsel, there was a luncheon given for him by the Commission, the commissioners and the senior staff feted Earl, and everybody made a little speech. Well, a few days before that, the announcement of Earl's appointment as General Counsel had been made and the press releases

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had been issued, and the press release, as I recall, was two pages, single spaced and it recounted blow by blow, Earl's career from birth, including being valedictorian of his high school class, and such minutiae as that, but all it had to say about the last three years of his life was, that he'd been legal assistant to the Commission, they never mentioned my name, he hadn't been legal assistant to the Commission, he had been legal assistant to Commissioner Spingarn, you see, but the whole last three years of his life were boiled down to an ambiguous statement that hid what he had really done.

I was amused by this. I understood the reason, and when I got up to make my speech, I made some, I hope, humorous remarks on the subject, I said it was hard to tell where Earl had been for the last three years from reading this lengthy history of his. I wanted to assure them that if anyone was interested, I'd be glad to tell them where he had been, he'd been in my office helping me -- I don't know what I said, but it was all kidding Earl. Everybody laughed and that was all right. I wasn't hurt by that.

But then something happened that was different.

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I appointed a fine young chap named Paul LaRue to replace Earl as my legal assistant, and I thought, in ordinary course, a short press release on this was in order, to get everyone around the Commission to know that I had a new legal assistant, and so forth, and give LaRue the proper status. So I wrote a little press release, just a couple of paragraphs, it was half a page, I naturally

stated that he was replacing Earl Kintner, who had been my legal assistant for the previous two and a half years and who had now become General Counsel.

I wrote this out myself and I sent the draft down to our press office to type up for final issue. Within twenty or thirty minutes after I sent it down there, Earl appeared in my office with the draft in his hand, and he begged me to remove the reference to him in my own press release.

Now, that really shook me, it made me angry, very angry and I gave him a tongue lashing, and he assured me that this was simply a tactical matter, that if I would watch his career as General Counsel, I would be proud of him, because he was going to be a good anti truster and so forth and so on, but this was

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tactical, you know, there's nothing personal in this. I assured him that I thought it was a very scrummy trick, that you couldn't rewrite history to eliminate the last two and a half years, and even if he could rewrite his own history as he had on his own press release, he couldn't rewrite mine. He had the gall, in fact it was pretty stupid, to think that he could do that.

After I had thought it over, I sat down and I wrote a letter to Earl, in which I recited his infamy and how I had befriended and picked him for my legal assistant, that he served ably for two and a half years, and now he had the temerity to do this, and so forth. It was a very sharp letter and I was going to send it to him and with a notation that a copy was being placed in his personnel file, or something like that.

Well, I wrote the letter in rough draft, and I thought of it overnight and the next day I decided not to do it quite that way. I simply called Earl in and I read the draft letter to him and then I said, "I'm not going to put it in the personnel file," I said, "I just wanted to get it off my chest. I feel better

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now, now that you know what I think of you," that was it. Earl became General Counsel, and after I left, he became Chairman of the Commission, and, by the way, he's a very able guy, let's not underestimate his talent.

He was for a couple of years president of the Federal Bar Association, and he was the sparkplug of their putting up their own building. It's on H Street. He was also the sparkplug of the Federal Lawyers Club, which they sponsored, which is now a very successful enterprise in that building. He's a fellow who gets things done, and I think he had a slightly guilty conscience about me because every year .since I left the Commission he sends me a Christmas card, every year, and I've never sent him one during the whole period. Three or four years ago I ran into him at the Federal Lawyers Club, his Federal Lawyers Club, since he was the president, and I went over and said, "Earl, you know I've been annoyed at you about long enough, after all there is a statute of limitations on this thing," so we shook hands and I sent him Christmas cards ever since.

He is very able. All of us have done things

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that we're not too proud of, and I can't say that I think that was one of his shining hours, that occasion, but that he has great ability, no one could argue. Now that's Earl Kintner.

Then there was other men, Joe [Joseph E] Sheehy who was head of the Bureau of Antimonopoly, a fine chap, a fellow of the finest quality, and Everett MacIntyre, who was his principal assistant, and Everett is a wonderful man and a very dedicated antitrust lawyer. He, subsequently, a couple years after the "new team" came in in 1953, he went up to the Hill as General Counsel of the House Small Business Committee, and eventually, as he was a great friend of Wright Patman, the Chairman of that committee and now the Chairman of the House Banking and Currency Committee, on the urging of Wright Patman, he was appointed to the Commission, and he is now a Commissioner. Then there was other men whom I remember, good lawyers, such as Vic [John A.] Buffington, Bill Tinsley, there was an assistant general counsel from Mississippi whose name I can't remember, he was a nice fellow and a good lawyer, and there were others. It's hard to remember them all, I don't want to slight anyone.

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Among the economists, the two men with whom I worked most closely were John Blair, a very able and dedicated antitrust man, and a fellow full of ideas; he has for many years now been the chief economist of the Antitrust Subcommittee of the Senate Judiciary Committee, extremely able, and another extremely able economist was Bill Johnson, William Summer Johnson. Bill became Chief Economist of the House Small Business Committee under Wright Patman, and he became staff director of the joint Senate-House Committee on the Economic Report, and he became staff director of the House Banking and Currency Committee, and two or three years ago he left the Hill and became an economic consultant for a while, and a year or so ago he went out to Hawaii to settle, and he is now the State Economist of Hawaii and was very active in the 1966 campaign there. He's a liberal Georgian, and I rate this type of liberal, liberal southerners, as one of the best breeds we have in this country, because it's easy for a man to be a liberal in an environment where everybody he knows is a liberal, a New York liberal, or a Chicago liberal, or a Los Angeles liberal doesn't deserve much credit, probably in the circles

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in which he moves, he would be despised and scorned if he were anything else, but a fellow who is liberal in Georgia or Alabama or Mississippi, he has to be a game fish swimming upstream. His liberalism is against the grain of his own background and environment, that's much harder to do, so I rate them as an unusually fine breed of cat.

Well, Bill Johnson is that kind of fellow and he's a dedicated anti-truster, too, He and I worked very closely on many projects together, and we were flashing air mail, special delivery letters back and forth between Hawaii and Washington during their last campaign, too.

Then there was Corwin Edwards, who was a distinguished economist, who had a long reputation as a professor of economics, I think he was at Northwestern, now he's out in one of the Oregon schools. I've forgotten whether it's Oregon State, or the University of Oregon. He's been a consultant in many capacities for the Government. He was consultant to Esther Peterson on her Consumer Protection White House operation. He's a fine chap and very able.

There was John Wheelock, who was Jim Mead's legal

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assistant, the chairman, a moderate, pleasant, likeable fellow from Tennessee, he's now the executive director of the Commission, he's got the chief staff job. Well, there were others whom I've probably overlooked but I have mentioned the men whom, I suppose, whom I worked with most closely.

Now one thing I want to mention is the tempo of the work at the Federal Trade Commission. I have been used to a much harder tempo, a much more driving tempo, actually. I had come from the White House where we worked night and day and weekends. I talked about my running the task force that wrote the Defense Production Bill and I found that I got the assignment on a Saturday morning, on July 15, 1950, and the bill was completed and taken to the Hill on Wednesday, July 19th. We were working night and day for four days. That was a awful stretch, just a blur, you know -- I mean all day Saturday and all night Saturday and all day Sunday and all night Sunday, my goodness, it was awful. I was there until midnight or two o'clock every night and up in the morning reasonably early, too. This was not atypical, there was always a crisis at the White House on something.

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Now in the Treasury in the '30s, we were working in sort of a crisis atmosphere, there was an awful lot of night work and an awful lot of weekend work at the Treasury, and after the war, that is after I came back to the Treasury, the three years I was there then, the work was heavy but it was not as heavy as it had been in the '30s. It wasn't quite that crisis atmosphere as much then as had been, but when I got over to the Federal Trade Commission, I found a thoroughly different tempo, it was strictly an 8:30 to 5:00 tempo, hardly anyone worked overtime, relatively few, while there were many dedicated and hard working people there, the fact remains that there wasn't the accelerated tempo. It was an old line agency, for one thing. The Federal Trade Commission dated back to 1914, actually set up in 1915 under a '14 statute, but I think that probably the thing was that this was an assembly line of cases, the Commission.

There were six or seven hundred employees when I was there and probably two hundred and fifty of them were lawyers, something on that order, and then there were many economists, statisticians and accountants besides, a heavily professional group. And when you

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have a never ending chain of cases, you see, and it doesn't make any difference how many you dispose of, that just means other cases have moved in on you, as fast as you dispose of some you get more; there isn't the incentive to work seventy or eighty hours a week that there would be if you were working on different matters, one time one thing and one time another.

Here it was case after case after case, and the man worked in either one category, at that time they were divided into two main bureaus -- anti-monopoly and anti-deceptive practices -- antimonopoly handled the so-called antitrust cases, the price fixing and Robinson-Patman and so forth and the anti deceptive practices handled the false advertising and deceptive practices, so I

think that had something to do with the way the staff worked, most of them, I don't mean to say there weren't exceptions.

But I used to stay, I used to come in late, but I used to stay till six, everybody left at five, I'd be there all alone until six or later every night, and then I'd take my work home and read. An enormous part of the commissioner's job is reading briefs and memorandum,

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you see, and you can do that anywhere, of course. I used to take that home and read them at night, read them weekends. The first few months I was on the Commission, I didn't work too hard, I was still licking my wounds a little, I hadn't wanted to go there, but then I began to become interested in the work and I began to work harder and pretty soon I was working full tilt, or pretty near.

I wasn't working as hard then as I am right now, though, although I don't have any assigned job. I've been getting up, since September at least from four to six almost every morning, I was up at 4:45 this morning, for example, Jerry, I probably had knocked out half a dozen letters and memorandum before you woke up.

There's one factor I want to mention. Although I was a White House staff man, had been assistant to the President, there was never, not once in the whole time I was there, any White House pressure on me on a single case, to decide that case one way or the other, I just want to make that a matter of record -- not once.

I would like to say that when I left the Commission, I issued a press release, my term ran out on September 25th,

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and I issued a press release September 21st, a sort of a final swan song, and I summarized my views based on my three years experience on the Commission, of how an antimonopoly agency such as the Federal Trade Commission, should operate in order to serve the public interest most effectively. I'm going to give you this memorandum which I asked to be Xeroxed and returned to me, and I will note only my list of the headings. (1) to be worth its salt, the Commission must be truly independent, (2) to be effective, the Commission must have a highly competent and uncowed staff, which genuinely believes in the objectives for which the Commission was established, (3) the Commission should not be afraid to deal with controversial matters and should be tough enough to take its lumps for doing so, (4) the Commission is substantially too small for the job it has, and it should actively seek adequate appropriations, (5) the Commission should strongly resist the current efforts to weaken or emasculate the antitrust laws, (6) the Commission should strongly resist efforts to influence its quasi-judicial decisions in extralegal ways, (7) the Commission should select its cases. more advertently, (8) the Commission

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should do more work in the economic reporting field, (9) the Commission should not rely on unenforceable voluntary agreements to discontinue illegal practices in the antimonopoly field, (10) the Commission should make the meaning of its work more understandable to the Congress

and to the public, (11) the Commission should not wrap its quasi-judicial robes too tightly around itself.

Those are the points I made. I want to mention a little more on two of them, I think. I said (1) to be worth its salt, the Commission must be truly independent. Now, of course, I was a presidential man who came over there and, of course, what I was really objecting to was too great presidential domination of this so-called independent quasi-judicial commission, which is supposed to be independent and the President had no right to influence its decisions, but the fact is, of course it can't be avoided that he appoints the commissioners. I mean, they would have to be appointed presumably by the President, but its appropriations have to go through the Bureau of the Budget, his agency, which regularly cuts us more than Congress. I pointed this out, the average cut of the Budget over the ten

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years previous to the year I made this check while I was on the Commission, was I think eighteen percent a year on the average, whereas the Congress only cut us another twelve or thirteen percent, if my memory is right, on the average.

Then our legislation had to be cleared with the Bureau of the Budget. I think we should send our budget direct to Congress without going through the Bureau of the Budget, I think we shouldn't fool around with the Bureau of the Budget on clearing legislation. As a matter of comity, we might send them copies of what we're going to send up, but not ask them to let us know if it's O.K. or not.

Then there's the question of the strong Chairman, I've mentioned that, who dominated the Commission, and who serves at the pleasure of the President, as Chairman. He's his man, he makes all the appointments, virtually, and he really runs a large part of the Commission. The other commissioners, of course, have the same voice in quasi-judicial decisions but in the administrative operations, they do not.

Then there is the question of appealing our cases; we have to get the approval of the Solicitor General to

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take our cases up to the Supreme Court, again he's the President's man, and so forth and so on.

So, although, it is said that the Commission is independent, in fact, they are very heavily under the domination of the President. Your point of view shifts, depending where you are, obviously, and when you are in the White House, you're likely to be a White House man, but when you get to be an independent commissioner, you are an independent Commission man. Maybe that sort of typifies how human nature operates.

The other point I wanted to mention is the, I think it's number six, no, I had it number five; "the Commission should strongly resist the efforts to weaken and emasculate the antitrust laws," and six too, I guess; "the Commission should strongly resist efforts to influence its quasi-judicial decisions in extralegal ways." Sometime after or around, I think it was December or January, I've

forgotten exactly when, but around the beginning of the takeover of the Eisenhower administration, I held a luncheon at the Willard and I invited the leaders of the antimonopoly conference, which consisted of small business organizations, and some labor organizations, and some farm organizations,

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which had been kind of a loose coalition to work against monopoly. I invited both Republican and Democratic members of Congress. Estes Kefauver was there for one, and I invited Senator William Langer. Senator (Charles William) Tobey came, he's now dead, a Republican from New Hampshire, and others, and the point I tried to make in my keynote speech to them, if that's what it was, was that I felt we had a lot of work ahead of us, those of us who believed, in both parties, in anti-monopoly. I said I didn't think my administration had done too good a job on it, frankly, I couldn't give them a very high rating. I didn't say that it was very bad, but I didn't think it was terribly good, and from what I had seen I didn't think the next administration was going to do any better. There were ominous signs on the horizon already, you see, along those lines. So I just suggested to those in both parties -- heaven knows antimonopoly should be a bi-partisan, non-partisan sort of issue. Those of us in both parties, who believed in antitrust and antimonopoly work should hang together and try to resist the pressures to emasculate this work.

Well, I could elaborate on each of these points,

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but I think the paper here says just about what I would say, and I still stand on what I said in there.

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Eleventh Oral History Interview with Stephen J. Spingarn, Washington, D.C., March 28, 1967.
By Jerry N. Hess, Harry S. Truman Library.

HESS: All right, Mr. Spingarn, what would you like to discuss this morning?

SPINGARN: Well, quite a few things, but I'm going to start with something that is so contemporaneous that the last development was a phone call a half an hour ago, which involves Mr. Truman directly.

President Truman was a strong supporter of home rule for the District of Columbia. He recommended it repeatedly to Congress. I can remember in one of the papers which I believe I have turned over to you, it's a memorandum, I think, for the file, which I wrote saying that I had reported to the President (this would have been 1950), that there were over two hundred signatures on the discharge petition in the House to discharge the House District Committee on the home rule bill. That committee has always been the stumbling block and the bill has passed the Senate over and over again, but it's hard to get it out of the House Committee, especially when it's usually chaired by a conservative, Deep South Democrat, with a segregationist outlook.

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In any event, I reported to Mr. Truman that there were over two hundred signatures on the discharge petition, two hundred and eighteen being required to bring the bill to the floor -- discharge the committee and bring the bill to the floor. He told me to go ahead and do whatever we could do to get these other signatures. And I recall that Dave Lloyd and I and others did work on that.

But we didn't quite make the grade before adjournment. In any event, it is only one of many instances of Mr. Truman's interest in Home Rule. I recall writing letters to Congress for his signature on the matter and other related activities on that.

Well, I'm a strong proponent of Home Rule for the District of Columbia, as I think every sensible citizen in the District of Columbia should be, and all the straw votes here and the referenda show overwhelming support for Home Rule, although the Board of Trade and some of our more well-to-do citizens are timorous about it because they think it's going to mean a raise in taxes, among other things. Also the hidden factor is the fact that in a city with a population that is about sixty-five percent Negro, we

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obviously are going to have a preponderantly Negro Home Rule government, and this frightens some people.

And I say to them, "We have the outstanding Negro leadership in the entire United States, probably in the world, in the city of Washington -- Howard University, and men like President [James M.] Nabrit of Howard, and Dean Clarence Ferguson of the law school, and Robert Martin up there -- many, many others, Frank Snowden,, a Republican, I think, by the way, a friend of mine who is the dean of the liberal arts college, we have Cabinet officers, a Cabinet officer in Robert Weaver, there's Thurgood Marshall, the Solicitor General, and so on down the line.

There's so many brilliant and able Negroes in this city that if we could produce a hundred percent Negro government composed of our best Negro leadership we'd probably have the best municipal government in the United States, and while there's always the risk that you may have some demagogues, I believe that preponderantly you will get a pretty good leadership in any municipal government, and it will be, I suppose, at least, probably more than half Negro. And I personally would be delighted to go before any Negro

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electorate and present myself as a candidate for whatever was available in Home Rule government, and I think I'd have a pretty good chance.

I get along famously with the Negro politicians of this city and with most Negroes that I meet. If you present yourself as a human being to another human being, there's no problem, any more than there would be with a human being of any other color. You may have your differences but they're not ethnical, they're based on individual human relations.

So, I'm a member of the Home Rule Committee, and the president of the Home Rule Committee is David Carliner, a distinguished Washington lawyer, very able, with a very fine record in the

field of civil rights. He has long been -- he is no longer -- but he was until recently the president of the District chapter of the American Civil Liberties Union, and he's handled a lot of civil rights cases.

Some weeks ago, some time back, Dave Carliner asked me -- it is his idea (and I think he's right), that one of the troubles, one reason why the District has not been able to get Home Rule, is that there is no support, or very little support outside the

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District of Columbia in the rest of the country.

So to improve that situation, and to gather support from other areas, the idea is to form a national committee on Home Rule for the District of Columbia with representation from all over the country. And it is his thought, and it makes absolute sense to me, that we should try to get President Truman and President Eisenhower as honorary co-chairmen of that national committee.

So he asked me some time back, I would say a couple of months or more, if I would help in trying to get Mr. Truman to accept the co-honorary chairmanship of that committee, and I said I would.

I didn't know what the situation was. I know that the President's health is not as good as it has been in the past, and that he therefore should and does limit his commitments, but on the other hand, this would be purely honorary and there would be no work involved. It would be symbolic for both him and Mr. Eisenhower.

I said I would do whatever I could. So about three weeks ago the Home Rule Committee gave a reception on the Hill for the members of the District Committees

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of the House and the Senate, which I attended, and again Dave Carliner spoke to me about this. I suggested to him then that he prepare a letter to Mr. Truman and that he give it to me. I told him that Charlie Murphy was going out to Independence and was going to make a speech to the trustees of the Harry Truman Library Institute, of which I'm a member, and that that would be an excellent opportunity, because Charlie Murphy is, I believe, outside the President's immediate family and immediate entourage, the man closest politically in the whole world to President Truman, at least that's my impression, outside of the immediate entourage, and the family. And he has worked with him all through the years since he left the Presidency. So Charlie Murphy would be the perfect man to ask the President if he would be willing to do this and he was going to be there on the spot, which is the best way to do anything, not do it by mail, or even by telephone.

I suggested to Dave Carliner that he cover three points in the letter: One, naturally, explain what it was all about, why Mr. Truman's sponsorship would be helpful, and that Mr. Eisenhower would also be

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solicited; two, explain that there would be absolutely no work involved, it was purely honorary so that Mr. Truman and his family wouldn't feel that he was making another work commitment; and three, remind him, which is almost unnecessary, of his own repeated efforts and activities on behalf of Home Rule for the District of Columbia while he was President, and even since.

And this morning, just about half an hour before I came over here, a woman from the Home Rule Committee called up and said they had the letter, where should they send it, and I told them to send it by messenger to me here and I will receive it sometime this morning. I will then turn it over to Charlie Murphy. I've already talked to Charlie and he's agreed to take the letter out there, and sound out Mr. Truman on the situation. So, this is quite contemporaneous. Of course, I don't know whether Mr. Truman can or will accept, but we'll see.

While I'm on the subject of Home Rule, which is a civil rights matter, and which, by the way, was one component of the President's civil rights message of February 2, 1948, I have before me page 5 of a paper by Professor Alonzo Hamby of Ohio University at Athens,

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Ohio. On December 29, 1966, Professor Hamby and I were guest speakers and commentators at the first major session held on civil rights in the Truman administration by the American Historical Association. It was at their convention in New York attended by 6,000 historians last December. On December 29, their principal session was on civil rights in the Truman administration.

Professor Barton Bernstein, whom I have already adverted to, delivered the main paper, and Professor Hamby and I then commented. We were originally scheduled to have fifteen minutes each, but I asked for and got thirty minutes, and so Professor Hamby had fifteen and I had thirty, and perhaps took forty, and he criticized Professor Bernstein's paper in polite, professorial and academic terms -- I thought Professor Hamby's paper was excellent; and mine was in, shall we say, less polite and less academic terms, but it was highly critical.

Subsequently, Professor Hamby sent me a copy of his paper, which he had read, and here from page 5, I read a statement which makes complete sense to me, and which I think is interesting in the terms of what

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Professor Bernstein said too, in the context of what Bernstein said, and which to me is a picture of the real world as distinguished from the world of the ivory tower perfectionist, who doesn't understand that the best is the enemy of the good, and that all advances in human progress are made by compromise and barter, as Edmund Burke once put it -- all of them. I'm quoting now, from Professor Hamby's paper:

It is probable that much of the legislative portion of the Truman Civil Rights program, as distinct from the executive action, was symbolic and rhetorical in design. It advanced without serious expectation of its passage, as a way of showing that the Administration wanted to give recognition and endorsement to Negro aspirations.

Now, I wouldn't fully agree with that passage. I'll comment on it when I get through.

For example, in May, 1950, Mr. Stephen Spingarn, then a White House Assistant, sent a memorandum to Charles Murphy, Special Counsel to the President. He wrote, 'My own view is that we cannot win the FEPC cloture fight in this Congress, but that it will be pretty important in November how we lost it.' (That's the end of the quote.) He [that's me] recalled the importance of Negro votes to the Democrats in the 1948 election and warned, 'That could change, especially if the Democratic Administration looks as if it were not backing up its fine words about civil rights with hard-hitting efforts to get action, but only apathetically going through the motions.' This memorandum, of course, did not indicate a lack of commitment

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or sincerity, as Mr. Bernstein remarks [that's Professor Barton Bernstein] in a footnote, 'Perhaps no member of Truman's staff was more committed to civil rights, [that's myself, he means]. It was rather a dispassionate analysis of a political situation and a call for a symbolic action. Any historian who discusses Truman's legislative leadership on civil rights must come to grips with the analysis that the vote simply did not exist.

Now, with that last statement, I fully agree. I don't think the action was quite as symbolic as Professor Hamby would put it, because there were real efforts, but I think every one of us knew that the vote simply didn't exist and the best we could do was to do our best. And it is true that in 1950 we made two efforts, task force efforts (I've described them in previous recordings), to break the filibuster and to bring the bill to a vote (that was the FEPC bill, and I was in charge of the, task force that made this effort). But the votes just weren't there. I don't believe that the Almighty himself could have run the bill through the Senate in 1950. That's my opinion.

I will also note that we were doing other things, outside the legislative field, to make it clear that the Truman administration meant business. There was the desegregation of the Armed Forces, the Army particularly; there was the amicus curiae

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briefs by the Department of Justice in private civil right litigation; there was the beefing up of the civil rights section of the Department of Justice, and all these were meaningful things. There was desegregation within the Government itself -- Government facilities. I'll give you that to Xerox and return to me. That's the paper I just read from.

Now, yesterday, I believe it was yesterday, wasn't it, that I dealt with the secret meeting of the temporary commission, or was it earlier?

HESS: Friday, I believe, but that's of little matter.

SPINGARN: Little matter, right. I previously discussed the Truman Temporary Commission on Employee Loyalty in 1946 and 1947. I was the alternate Treasury representative and a member of the working committee that wrote the program. I have told of a secret session of the Commission. It was actually the only session of the Commission which the alternates, the working committee people, didn't attend. The reason as I recall it was this: We, and particularly - when I say, "we," I mean Ed Foley and myself, but also other members of the Commission, kept digging in with the question "How serious is this problem?" That is, addressing it

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to the Attorney General and the Department of Justice. Before we write a program, we have to know, "Is this a one division war? Can we handle it with rifles and machineguns, or is it a five, ten, twenty division war? Do we need tanks and flame throwers, or even atom bombs?" I mean, this is all jocular, but that symbolizes the kind of question that we were asking.

The Attorney General, to me at least, seemed quite evasive on this matter. I mean, he said it was serious, but he didn't give us any facts. So, finally, this secret meeting was held. It was early, I would place it in probably February, 1947. It might have been January. And it was the only meeting, as I say, at which only the members as distinguished from the alternative members attended, and the Attorney General, who was then Tom Clark, was present. And, of course, all the principals told their alternates afterwards what had happened, as might have been expected, so that it was known to us. Clark said that there were twenty-five persons who were seriously suspected of being Communist espionage agents, Soviet espionage agents in the Government at that time.

HESS: Were these twenty-five in high positions?

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SPINGARN: They were in positions at various levels. Mostly, I would say in the middle grades, rather than in the high grades, but one or two, a few in fairly high grade positions. And he said that five of these were in the Treasury. I'm not going to mention their names, although the names have been thrown around in the public prints pretty freely since then.

But these people are still alive, so far as I know, all of them, and there's no point in giving them further publicity. None of them have actually been adjudicated by any tribunal, that I'm aware of, to have been guilty of betraying their country, guilty of espionage, although I'd frankly say that I think that in most of the cases that I studied, and I studied, naturally, the five Treasury cases with the greatest care.

I was the key Treasury man on such matters. There was strong reason to believe, to suspect that this was quite likely the case, although there were also discordant facts which a defense attorney would have made a great deal out of, and no one can say what would have happened if the thing would have been brought to trial, but it was never brought to trial

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because the Department of Justice simply couldn't produce evidence that would convince even a grand jury, apparently.

One of these men was brought before a grand jury, one of our Treasury people. The charges against him were based entirely on what Elizabeth Bentley had said about him. That was the total charge. And he denied it under oath. Now, what are you going to do under those circumstances. She, as I recall, had never met this man. She was talking from hearsay. That's my recollection of the situation.

Now, what would you do when an informant, a person who admittedly had been a traitor to the United States, had been a spy for the enemy, but who now is on your side, or says she is, and I think she meant it, gives you information -- hearsay information -- and the man himself appears and under oath denies it. And there is no substantial supporting evidence that would stand up in a court of law. That's the problem.

All right. Obviously, in the most sensitive positions in Government, you have to -- I say, "You have to" -- I mean, it's my opinion that you have to go beyond the strict rules of law and say that if the

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suspicion is strong enough that you should at least move that person into a non-sensitive position. But you have to be very careful that you're not destroying a man's career on the basis of mere suspicion, which may not be true, because it's possible to suspect anybody. Senator McCarthy and Senator Jenner strongly suspected George Marshall -- General George Marshall. Jenner called him a traitor, and McCarthy wrote a whole book about it, *Retreat from Victory*, or something like that.

They even threw serious doubts -- well, Robert Welch has said that Dwight Eisenhower was a dedicated conscious agent of the Communist conspiracy. A lot of people, believe it or not, listen to Robert Welch, I mean, his impact is far beyond the eighty thousand or so, members of the John Birch Society. I estimate that about ten percent of the population in the United States will listen to anything in this field, and will believe it.

That is, they are essentially people who believe in the conspiracy theory of history. They believe that nothing happens because of circumstances, or forces greater than men, or the fact that men are not omniscient and not all-wise and not all-sensible,

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because sometimes they make mistakes, even the best of men.

No, it all happens because a sinister conspiracy of evil men, world-wide in character, is determined to overthrow all democratic governments and establish Communist conspiracies everywhere -- a Communist government. I would say that maybe ten percent of the electorate of the United States believe that idea, but this is just speculation on my part, based on what I've read about the impact of the rightwing materials.

So that if there are roughly seventy million people voting in the United States in presidential elections, that means that seven million of those, roughly, I would say, would believe and vote

for any candidate who espoused this theory, however lunatic his suppositions and assertions were.

Well, getting back to the Temporary Commission on Employee Loyalty. So, it then developed that a secret report, an FBI report, based on the Elizabeth Bentley disclosures had been sent to the Treasury, in, I think it was February '46. This was a year earlier. And this is the same document, or a later version of the same document, that had been sent to the White House

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in November '45, and which Herbert Brownell made such a to-do about in November '53, when he accused Mr. Truman of having mishandled the Harry White and other loyalty cases, particularly the Harry White case, and promoting White after he knew that he was a Soviet agent.

What Mr. Truman knew was that an unknown woman named Elizabeth Bentley, who no one had ever heard of before and who herself had been a traitor said that, and she had never met Harry White. Whittaker Chambers had had something to say on the subject, but I don't believe that he ever met Harry White either. Actually, Whittaker Chambers said later, and he told me this, because I interrogated him once in '48, I think it was, '47 or '48, one or the other. I interrogated Whittaker Chambers up in New York in the offices of *Time* magazine about these Treasury cases, and as I recall he told me that he didn't believe Harry White was a Communist; he believed that he was a man who thought he was smarter than the Communists, and he could use them, but really they used him.

That was just about the way that Whittaker Chambers expressed it to me, as I recall it. And when I said

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"me," it was also to Mal Harney, Malachi L. Harney, who was then the chief coordinator of Treasury Enforcement activity. There was a Treasury Enforcement Coordination Committee, and I was the legal member of that committee. Mal was sort of the policeman, and I was the lawyer on all these loyalty matters, you see, within the Treasury. He was responsible for the investigations or for supervising them, and I was responsible actually for deciding who should be investigated and what it all meant when you got the reports back.

I don't mean that I was the final authority, but I was the fellow who did the first go-around on it. Ed Foley and Secretary Snyder were the final authorities on this, of course, and Under Secretary Wiggins of South Carolina, was also involved in this picture. Incidentally, Lee Wiggins was a staunch conservative, but I found him mighty sound and sensible on loyalty and security matters. He was no witch burner.

Well, so, it then appeared that this report had been sent to the Treasury in '46. Now, Ed Foley had never seen it, and this resulted because a somewhat ludicrous thing had happened, which has never been disclosed before to my knowledge. Ed Foley had never

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seen it, and it turned out that Attorney General Clark was therefore a little suspicious of Foley's relationship with Secretary Snyder, because he knew that since Snyder had been sent the report, and since Foley, his Assistant Secretary didn't know about it -- and here Foley was representing the Treasury on this loyalty commission -- it seemed to him that Foley was not fully in Snyder's confidence on this matter. This we learned, you see. But then it turned out that that was not the case at all.

The fact of the matter was, Snyder hadn't seen it, and this is what had happened. It's ludicrous. Fred Vinson had been Secretary of the Treasury until I think, June '46. The report had come in while he was there. You will note that he had done nothing about it.

Fred Vinson was certainly no radical, he became Chief Justice of the United States -- he had done nothing about it. I think that I would have been more active if I had been in his place. I would have started the investigative procedures in connection with the people involved, looking to determination as to whether they should be kept or fired. But that's

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Monday morning quarterbacking. Nothing had been done and I don't -- Mr. Vinson is dead -- I don't know why. I can hazard a guess, and that was that again that these statements by an unknown informant -- because this informant was disguised in the report -- who had been a Communist herself, about people who had had long, and apparently honorable Government careers, and who in most cases were extremely able, and who had achieved credits recognizing their abilities, recommendations and awards, commendations. It was natural for a fair-minded man to look at that and say, "My goodness, what am I going to do about this?"

They were paralyzed because the FBI had simply not been able to produce additional information that documented Elizabeth Bentley's statement. This was curious to me because she had been coming down to Washington, as I pointed out previously, for three to three and a half years, on a very clumsy espionage operation, according to her own story, her own book, *Out of Bondage*, and according to these reports too, which I read, later, after this episode I referred to -- read, I studied them over and over again.

She had come down here once every two weeks. She was

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the mistress of Jacob Golos, a known Soviet agent, he'd been convicted as an unregistered Soviet agent in 1940 --paid a fine. She said herself she was frequently pursued by the FBI and she tells the stratagems she used to throw them off, and yet she came down from Golos, she went to the Silvermaster home out in Chevy Chase, far Northwest Washington.

Lud Ullman, William Ludwig Ullman, a Treasury economist, a bachelor, lived with the Silvermasters. He was a photographic bug and he had a dark room, a laboratory, or whatever you call it, in the basement of their building (this is a fact).

And there she says the various agents of the ring filtered in the documents that they had lifted from Government files, they were microfilmed and then returned, and put back in the files, and

once every two weeks she picked up the microfilms, which ran, I think, she says, twenty or thirty, or forty rolls, running hundreds of separate films, pictures. She had dinner there, she put them in her shopping bag, she toddled down to Union Station, and took the train back to New York. She went to Golos and turned them over to him.

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Very clumsy operation, no cut-out, nothing. Direct from the spymaster to the source of the information, and back again. This went on for three and a half years and the FBI only learned it because Golos died. She went on for a while with another spymaster running her, a Russian, a member of the Soviet Embassy and she became disenchanted with his arrogance and rudeness -- she'd had a nice relationship with her lover, naturally -- and she defected back.

She went to the FBI in New Haven in August '45 and told them. She didn't hear anything further for two and a half months or so, and then they got her to contact the Russians again and while the FBI was tailing her, the Russians turned some money over to her and that apparently satisfied the FBI that she was on the up-and-up.

Then they immediately produced a report almost in twenty-four hours, you know, about what she said. By this time the ring had collapsed, apparently, and it was no longer possible to produce evidence about its activities, except on her testimony.

Why hadn't they been doing something about that for the past three and a half years. I'd like an

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answer to that question and I've never had it. Maybe there's something I don't understand and don't know, but it looks to me as an old counterintelligence officer who ran an outfit that captured five hundred odd German agents, Abwehr and SD, in Italy during the war, that the FBI fumbled the ball badly on that one. And then they want to turn it over and put the ball in somebody else's court, by saying, "Well, now, here's the story from this very truthful woman, Elizabeth Bentley; you should fire these people right away." And maybe they should have been fired, but fair-minded men naturally want evidence.

All right, so I say that a major element of the fault, it seems to me, in this case, was Justice and the FBI, and their failure to have followed this thing while it was in operation -- this ring -- and produced the evidence with which you could deal with these people, not only fire them, but of course, they should have gone to jail if this were true -- all of them.

Well, in any event, it seems that the report came over in February 1946 and Mr. Vinson was Secretary. In June he was nominated to the Supreme Court -- Chief Justice -- and John Snyder was named to replace him.

After the Attorney General had talked to Foley,

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Foley went to Snyder and asked him did he have any information about these five people in the Treasury, which Tom Clark seemed to think he did.

Clark had said to Foley something like this, "Well, ask John Snyder, he knows the story." So Foley goes to Snyder, feeling a little foolish, I assume, because here he is representing the Treasury on this thing and yet he doesn't know anything about the most important fact about loyalty in the Treasury, obviously. And he was in charge of all the loyalty procedures.

Nor did I who was his deputy, as it were, on this. I was at the working level and he was at the upper level.

Well, so he goes to Snyder, and Snyder says, "Oh, yes," -- something like this, I mean, this is my recollection about what happened. "Oh, yes," he says. "I remember just before he left, Fred Vinson pulled some files out of the safe in his inner office and he shoved them into my hands. He said I should look this over, and I had many things on my mind and I looked them over and saw they were FBI reports and I shoved them back in the safe and I forgot about it." And there it had been sitting in the safe for a year, you see.

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Now that's what happened. Nobody had read it; nobody had read it. It's ludicrous, isn't it? So, it had been sitting in the safe actually since February 1946 when Vinson got it. He did show it, but he didn't emphasize sufficiently what was in it apparently, so that Snyder got a feeling -- they were just FBI reports. Well, the FBI produces an awful lot of reports, you know, and all he knew was it was some kind of FBI report on the Treasury, and that he ought to read it sooner or later. I'm sure he intended to read it, but he stuck it back in his inner office safe and there it languishes until almost a year later -- this scene with Vinson was June, I'd say, '46. Now, in roughly February of '47 the matter is brought to his attention again.

Well, I'd like to say two things right there. It's true, you might say, that somebody was a little at fault here. I think that if anybody was at fault, it was probably Fred Vinson for not sufficiently telling his successor what was in these reports, and that he ought to make it a first priority matter. He obviously didn't impress it on him enough.

HESS: Telling him how important it was.

SPINGARN: Yes, that's one thing, but it must be remembered

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that Vinson had done nothing himself between February and June, so far as I know about this.

I didn't come to the Treasury until April 1, '46, but I wasn't aware of anything that happened in that period about these people.

The second is, the Department of Justice and the FBI. If these people were really that bad, why didn't Tom Clark talk to Snyder when he saw nothing was happening there, they still continued in their jobs. And as far as the FBI was concerned, I assume that since they were five of the twenty-five known or strongly believed Communist spies in the Government, they were being

tailed night and day by the FBI during this period so they couldn't have done anything, made any contacts or passed any information that wouldn't have been known to the FBI.

So presumably, if the FBI was doing its job, the security was being protected, because I would assume that if these people were that serious suspects that they were under continuous surveillance by the FBI from November '45, at least. And during all this period that the material in the Treasury was languishing in the safe. And as I say, one, the FBI should have been

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tailing them, and maybe they were, I don't say they weren't; and two, if it was that serious, the Attorney General should have said to the Secretary, "John, have you looked over those reports?" You know, he should have brought them to his attention. They met weekly, after all, maybe oftener. He was at the other end of a telephone. Now, that's what actually happened.

Now, I remember Ed Foley turning over these reports to me in his office one day. I must admit I was somewhat startled. And I read these things with the greatest care, and went up and briefed Ed on -- I think I summarized it for him -- briefed Ed on what it had to say about Treasury people. It was a huge report, of, I don't remember, a couple of hundred pages maybe, a huge report.

They kept issuing subsequent additions and they got bigger and bigger. And they kept adding to their investigative material, but the fact of the matter was, none of the investigative material they produced was more than piddling in substantiation of the case -- all this proved, really was that Elizabeth Bentley did know some facts about these people. She knew there was a darkroom in Silvermaster's home. There was a darkroom,

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you see. That sort of thing. It's circumstantial, because any camera bug might have a darkroom. It doesn't prove he's using it to microfilm Government documents for the Soviets. It was true, but still it was circumstantial evidence that she knew the people she was making allegations about.

On the other hand, she often -- she was a woman, an emotional woman, she was not a lawyer -- she often gave information based on hearsay, which sometimes she filed to mention was hearsay, and she stated it sometimes as if it were a known fact to her, but when you interrogated her closely on it, it developed that someone else had told her, you see, which is quite a different matter, and of much lesser weight, naturally, as any lawyer knows, than the things you know of your own personal knowledge. And there were things like this: She said that "A" a prominent Soviet spymaster had told her that "B" in the Government was "one of ours." Well, this might or might not be true. Soviets like any other conspiratorial group keep the enthusiasm of their people up by making it appear that "everybody is with us," or "we have all sorts of friends;" "He's ours, and he's ours, and he's ours." This may or may not be true.

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They can throw names around very freely, just like a good lobbyist will throw names around. And when you're at the White House, your name gets thrown around all the time in lobbyist

contexts. "You know, Steve Spingarn down there. Well, he's working for us on this." I've never heard of them, of course.

This is rather irritating to put it mildly. I ran into that situation. I'm digressing a little, but it's the same sort of situation. A fellow who had been in CIC with me overseas during the war wrote me. He was an Internal Revenue agent, I believe, out in Michigan, and there was some case involving criminal charges against someone. I forget the name of the case and the details. But he was told - he wrote me -- that the suspect or his lawyers or his proponents were circulating the word that they had Steve Spingarn in their pocket at the White House, and he was going to settle it, fix this whole case for them. I had never heard of the man or the case.

By the way, I think in the same case they were throwing Wally Graham's name around, the President's doctor, General Graham, a splendid guy of the finest quality. And I told Wally about it and naturally he

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was annoyed too, because he had never heard of them either. This is the usual role of the five percenter and the fixer, you know. I remember, I think it was in the Caudle case, it was in that context, I believe, but this is all a matter of record, where one of these fix artists was telling a "pigeon," whom he was trying to impress, that he was going over to talk to -- maybe it was Caudle or maybe it was someone else -- someone who was involved, some Government official, in a lobby in a hotel. He was to watch them, and if he raised his hand or put up his handkerchief - or some signal -- that meant the fix is in, you see. He had arranged it. But who can prevent a man from coming up to you in a lobby and then putting a handkerchief to his nose and somebody else saying the fix is in, you know. Anybody can do that.

Well, to get back to the Loyalty Commission. So immediately we were galvanized into action on these cases, these five in the Treasury. And we looked at the files, and we said, "My goodness, what are we going to do? This is pretty thin information on these people."

So, we went to Justice and we asked them to give us the raw FBI files, not the summary of the reports,

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but the total files of the investigation on this, and then let us use whatever leads were there to fill in any chinks in the thing so that we would have all the facts that it was possible to get. But they wouldn't do that -- they wouldn't do that.

On the one hand, they didn't want to give us those reports, and they didn't want us to investigate. They had the investigative jurisdiction, of course, in loyalty matters. They didn't want to do either, and we argued this back and forth for a long time. And their idea was that we should fire these people, just fire them out of hand, you see. But our thought was that we had an obligation to people who had spent years in the Government. Maybe it was true, that they had produced evidence on which a fair-minded man would convict, or rule adversely even if these people would deny it under oath at a loyalty hearing that these charges were true, but they never showed it to the Treasury. You had to assume that a sworn denial was quite probable, and in fact, one of

our five suspects went before a grand jury and did deny the charges under oath, and the grand jury refused to indict. If that happened, no fair-minded group of men would have dismissed

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them on the basis that there was reasonable grounds to believe in disloyalty on the word of an unknown informant, a paper report with an unknown informant "testifying" against a man known to you for years of hard good work, and denying under oath that it's true.

So, it seemed to me that, to the extent that there was delay in these cases, it was the fault of the FBI and the Department of Justice, in principal. part, by their refusal to either make available sufficient information to us, or to let us investigate further -- give us the leads and let us investigate. In any event, all of these people left the Treasury -- let's see, as I recall, all left by the end of that year in one way or another, resignation, or one way or another.

HESS: By the end of '47.

SPINGARN: By the end of '47, with one exception, and this was a man against whom we, in '48, preferred loyalty charges, he was one of the five. I was charged with preferring loyalty charges, and I was the legal member of the loyalty board that heard the case, and I interrogated him at length myself. The loyalty board did not find sufficient grounds to hold against him. And in fact it was pretty obvious that would be the result

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because Bentley had never met him. All she knew about him was -- he had been overseas when she was doing her job -- all she knew about him was that she heard from someone that he was sending in his Communist Party dues -- she heard from somebody. Whittaker Chambers -- Mal Harney and I went to New York I believe it was in the spring of '48 and we interrogated Chambers for an hour or two at the *Time* magazine offices, on this case, and we also talked about the others we were interested in although they weren't involved at that moment at a hearing level. In fact they were all gone from the Treasury by that time.

And Chambers said he had never met this man, but there was one reference, way back, in the thirties, to a name, which was unusual, a first name, mind you, an unusual name, that someone had said to Chambers that there was a fellow with this unusual first name in the Treasury, who was one of ours, a Communist. A very tenuous, thin thing, not even a last name -- just a first name, and this was -- now we're talking about events ten years or more later, you see. That was the total evidence, and this was a highly competent man who had been a Government official for years.

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So, I'm illustrating what I mean, that you have to have real information. You can't destroy careers on the basis of tenuous hearsay, even if you later find out that there was fire as well as smoke. McCarthy used to say, "Where there's smoke, there's fire," and my answer to this is: "Where there's smoke, there may be a smokescreen, not a fire." In war you use smoke to disguise what you're doing, you see, and that's what McCarthy did. So, there's not necessarily fire where there's smoke in this field. McCarthy created the smoke and then he said, "There must be fire because

I've created smoke." So, that was the way it happened. I'm trying to think if there's anything else that I should add to this story. But this did have the effect, that so-called secret meeting, plus the revelation to us in the Treasury, at least, of this report, which we had not seen before, and which was disturbing, there's no doubt about that, disturbing in its implications, but not very satisfying - it was thin gruel, though it was terribly disturbing in its implications. But the evidence was thin, and was virtually all based on what one woman said, who had been, admittedly, a Communist spy, plus a little from

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Whittaker Chambers, who had left the party in '38, almost ten years earlier. So his information was outdated in most cases, and sometimes his memory wasn't too good.

For instance, when Mal Harney and I interrogated him on this case I referred to, and he talked about the other people in the Treasury who had left by this time, and we talked about another man, a prominent guy, and I'm going to mention his name because he's the man with whom my name was connected later by Robert Morris, in that public hearing of the Senate Internal Security Subcommittee. (Incidentally, Robert Morris has been going more and more to the right in recent years. He is now one of the oracles of the far right who is hailed as a seer and a patriot by the John Birch Society and their think-alikes.)

His name is Harold Glasser. Harold Glasser was one of the top economists in the Treasury. He was Director of Monetary Research. And he had spent a year down in Ecuador and gotten a decoration from the Ecuadorian government for his good work; he'd been in the Treasury ten or twelve years, he had been economic consultant to General Marshall when they went

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over on the Austrian Treaty, things like that.

He was a hell of a good economist, there's no doubt about that. But was he a Soviet agent? I don't know. He's the fellow who went before the grand jury and denied under oath that he was. He subsequently resigned in '47, which may or may not have indicated something. But when we mentioned his name to Whittaker Chambers, Whittaker Chambers had never heard of him, never heard of him, the name didn't mean a thing. But a few years later in his book, *Witness*, which came out in '52, he remembers him. He devotes, not much, but a little space to him.

I noticed that contradiction. When we interrogated him in '48 the name meant nothing to him, but in '52 he remembers it. What does that prove? Obviously, if this case came on and you were a lawyer you'd make a good deal out of the fact that in '48 he couldn't remember him when his name was there, when he was asked about him, and in '52 when he writes the book he suddenly remembers him.

Of course, the human memory is a very faulty machine, as anyone knows. But this is not the kind of evidence that fair minded men convict on.

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I have given you material in '53, it dates '53 and '54, after the Eisenhower administration came in, after Herbert Brownell, the Attorney General attacked President Truman on the grounds of mishandling the Harry White and other loyalty matters, and after the Internal Security Subcommittee of the Senate under Robert Morris indicated that it was going to call Treasury officials, starting with me, in fact, I was the only one that was notified, and then they canceled it out in June '54 roughly, to be interrogated about the handling of these Treasury cases.

You will recall that I got clearance from the administration, the Republican administration (I am a Democrat), to go up and testify about the handling of these cases, despite the Truman directive of '48, which had been continued by the Eisenhower administration, that Government officials (and I believed, and I think now that this is fair, that it applied to former officials -- it would not mean much if a man could resign and then suddenly start talking about these things), should not talk to congressional committees without explicit authority from the President about the details of loyalty cases, which they'd handled or knew about.

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I said I hoped they'd waive it because I believe that our handling of these matters was sound and responsible and I said that I would be glad to go up and testify about it.

I had spent several days with the permission of the Republican authorities of the Treasury Department, in the Treasury files, going over and excerpting the files of these cases on which I'd worked. I was prepared; I was loaded for bear.

But the Internal Security Subcommittee for some reason did not meet this challenge, although I told them that I would be glad to go, would like to go. And I told them that I had gotten clearance to testify, but they did not meet this challenge, why I do not know. I would still go up there, although my memory is naturally dimmed on this -- this is almost twenty years since I handled these cases, and it's thirteen or fourteen years since I looked in the Treasury files on them. So, my memory is dimmed, and I would not be as effective a witness as I would have then.

But I have made my case right here, in essence, not on the individual cases, but on the general context of what I believe.

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So undoubtedly, at least as far as the Treasury was concerned, let's put it that way, and I suspect all the agencies too, this statement that there were twenty-five persons in Government strongly believed by the Department of Justice to be Communist agents, spies, naturally had an effect on the other members of the Commission. And as far as the Treasury, which was the most analytical, I think it is fair to say, the least willing to accept, without scrutiny anything that Justice said in this matter, it possibly made us a little more willing to go along with the rest of the Commission.

Although if you look my record over, I think you'll find that I continued to want to scrutinize the whole picture, and I continued to insist that I thought the real answer to national security in espionage and Communist fields was a hard-hitting, effective counterespionage organization that was finding these people through its own means, double agents, bribes to defectors, and that sort

of thing, rather than erecting an enormous facade of security cops who run around ringing doorbells and asking people, "What do you think of your neighbor? Is he an honest, loyal, patriotic American?"

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And then people who don't like their neighbor are likely to give a lot of information that doesn't look very good on the record. I've seen many reports where a person would say when interviewed that they thought Mr. "A" was a Communist and when asked why, "Well, he's in favor of Government nationalization of the railroad," let us say, or even, "He attends mixed parties, at which there are Negroes and whites." That sort of thing. That means to them that he's a Communist. I mean, this is fact, I'm not inventing this. This happens over and over again.

Now at the same time in '46 when the President set up this Commission, (A), there had been the case of Igor Gouzenko up in Canada, the Soviet code clerk who defected and brought files with him which revealed that senior Canadian and other officials were working with the Communists, and were involved in Soviet espionage.

There is no doubt that in another era -- it must be remembered that in the thirties, the principal menace was nazism, fascism, and except for the interregnum of the non-aggression pact between '39 and '41 which should have alerted any sensible person to the fact that you couldn't trust the Communists, that they could

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turn on a dime even on that issue. Except for that period, of course, the Communists were vehemently anti-Fascist, anti-Nazi.

I remember in World War II, for instance, in Italy, there were two sergeants, they were sergeants first, and then they were commissioned in OSS -- General [William J.] Donovan -- and back in the states, some people raised the cry that these fellows were Communists. I remember they were known everywhere as Irv and Ski. The first name of one was Irving and the last name of the other ended in ski.

Well, these fellows had fought on the loyalist side in Spain. They were highly experienced in guerrilla warfare. They were excellent men for training our people, the OSS people in guerrilla warfare. Our people were dropped on the other side of the lines, you know, and they needed to know this sort of thing. Or they worked with partisan groups. They dropped to join partisan groups and help them, and direct their activities, and arrange for arms drops and things like that. This is the type of person they needed for that training.

My impression is that it was quite likely they were Communists, from what I heard then and later,

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and General Donovan (the OSS chief), said, when he was attacked for this, that he didn't know whether they were Communists or not, but they were the best qualified men in that outfit to train people in guerrilla warfare and he knew they were all out against the Nazis, which was true.

Now I would say -- and I had the same experience myself, I found that in Italy, that the most aggressive and active and dedicated anti-Nazis among the Italians were the Communists. And I would say as far as fighting is concerned, use them, but don't let them get into political or intelligence centers which they can exploit later, use them only for fighting.

On one occasion in Italy, where I was commanding officer of the Fifth Army Counter Intelligence Corps, I was asked to investigate a Negro soldier in the 92nd Division, which was a Negro division, on the grounds that some of his fellow soldiers in a rifle company said he was making all kinds of Communist propaganda, his fellow soldiers and noncoms reported this.

The request came to me to investigate him. He was a rifleman in a rifle company, fighting the enemy.

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And when it came to me I said I wasn't aware of any War Department directive that said that we couldn't use Communists as riflemen. I said as far as I was concerned I couldn't think of a better place for one, but if they would give me any War Department directive that said we shouldn't use Communists as riflemen, I would be glad to make the investigation. But I didn't see what difference it made. He was fighting the enemy. And that was the last I heard of it. They didn't press the request.

There was a Communist named Robert Thompson, I don't remember where he was, but I only remember because I read a book by John Roy Carlson after the war about the lunatic right and left groups, immediately after the war. This wasn't his original book, *Under Cover*. That was his original book published about '43. It dealt mostly with the prewar Fascist groups, and this dealt with postwar. It was called *The Plotters*, I think -- John Roy Carlson. And there was a known Communist, he became an official of the Communist Party after the war, Robert Thompson, I've seen his name from time to time -- I think he's dead now -- but he had won the DSC, the second highest award for gallantry. And there's

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no doubt that the Communists were among the most aggressive and most vehement anti-Nazis around.

Now, in Italy, I had this interesting dilemma, vis-a-vis the Communists. There was an organization called the Comitato di Liberazione Nazionale, the Committee of National Liberation, and it was a federation of anti-Fascist groups that had been underground up until the fall of Mussolini. It ranged from the Christian Democrats on the right to the Communists on the left. And it had the Republicans and the Partito d' Azione, and the Socialists.

When I went into Naples, for instance -- naturally, these are the people you would look to for useful advice on whom you could trust and whom you couldn't.

And the group would come in, you see, the Catholic Party, the Christian Democrats on the right, all the way to the Communists on the left.

I would tell them something like this, I had a little speech. I would say that I couldn't use five or six different viewpoints on the same person. This would simply confuse me. I said that I hoped that the left would lean a little to the right, and the right would lean a little to the left and they would come

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out somewhere near the center and give me a composite viewpoint. If each of the groups in there gave me a separate viewpoint on each person, I would simply be confused, you see. In each case I asked them to appoint one man who would serve as spokesman, and who would attempt to give me a unified opinion. And that's the way it worked. And it didn't work too badly either.

So I think that I have covered the Employee Loyalty Commission. I did want to emphasize this: In '46, the Gouzenko case and the fact that we in the thirties had been focused primarily on anti-fascism and anti-nazism, and since the Communists, with the exception of that two-year period from '39 to '41, had been anti-Fascist, anti-Nazi, it was understandable that they hadn't paid great attention to them, as later took place.

But the situation had changed. Nazism had been destroyed; now we had another antagonist and we had to shift our thinking process, and therefore these disclosures indicated that there was some reason for believing that some of these people had embedded themselves in Government. I don't think it could ever be said that they had in any major way affected top Government

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policy except in the way that it would have gone anyway, because they were anti-Nazi and so was any fair-minded man who didn't belong to the German-American Bund, or the Ku Klux Klan, or the then contemporary equivalent of the John Birch Society.

So there was considerable pressure from Congress and the public to do something about loyalty in the Government, at that time. A congressional committee, the Civil Service Committee of the House, had produced a report recommending something of the sort, and that, as I understand it, plus the then still secret '45 report on Bentley, was the basis for setting up the Loyalty Commission. At least, that's my understanding of the matter.

Something had to be done; it had to be done because there was a need for it, and it had to be done to reassure the country that this matter was being handled well. These are both considerations, and while if I had written the final report alone it might have been somewhat different, I mean the report of the Loyalty Commission; I don't think it was such a bad report by and large.

I don't know what I said finally about it back in '47. I'd have to check to see what I said then and read

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it over to make sure, but as I look back on that thing, I don't think it was too bad a report.

We ironed out a good many things and I think that progressively, though, especially after McCarthy came along, that the picture was worse, even under the Truman administration. Because in 1951 Truman issued a new directive diluting the degree of evidence necessary to sustain a finding of disloyalty, and that I was very much opposed to and I think it was a mistake.

When the Eisenhower administration came in they reversed it entirely so the total burden was on the man accused, which seems to be contrary to all our concepts of fairness. All you have to do is make an accusation and then it's up to the man you charge to disprove it, not you to prove it.

Then they put loyalty and security together in the same pot and when they fired hundreds and hundreds of people on security grounds, which might mean only that they were drunks or homos or blabbermouths or didn't pay their debts, they talked about getting rid of Communists and security risks in the Government.

Well, there's always been this kind of turnover in the Government. The numbers game was played by

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the Eisenhower administration for several years, and this was the result of the work of that eminent patriot, Senator Joe McCarthy. I would like to quote for him, in his memory what Dr. Samuel Johnson said almost two hundred years ago, to Boswell, who was that CIC man who tailed him around all day and all night, wrote about every time he belched, but he was a very perceptive observer nonetheless. Johnson said, "Patriotism, sir, is the last refuge of a scoundrel." And Boswell said as I recall something like this: "Dr. Johnson didn't mean true patriotism, true love of country, which is a noble and fine thing, What he meant was that pretended patriotism which in every country and in every time was cloaked self-interest."

And that was McCarthy. He was no patriot. It was the last refuge of a scoundrel. He was cloaking self-interest under the guise of patriotism. End of chapter.

I'd like to talk about my relations in recent years with historians who have come to see me in the search of information about the Truman era. First of all, I have met some fine men and some able historians, with whom my relationships have been very satisfactory.

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For example, Professor Alan Harper of Queens College, whom I have found to be reliable and conscientious and responsible. I can think of other historians, a young man named Richard Longaker, who saw me several years ago and who later wrote a book, called *The Presidency and Individual Liberties*, published by the Cornell University Press around 1962. I appreciate him because he took a statement that I wrote for Mr. Truman, which Mr. Truman sent while President, to the Attorney General, CJ. Howard] McGrath, about the weighing and balancing of internal security consideration and individual rights considerations, and he said that this was a model statement by a President on this difficult subject. Since I wrote it I naturally found this pleasing.

And I recall Professor [William E.] Leuchtenburg of Columbia who was program chairman of the American Historical Association convention and who graciously and immediately gave me more time than the program called for when I phoned him and told him I couldn't handle my critique of the Barton Bernstein paper on civil rights in the Truman administration in the fifteen minutes allotted me. So he gave me thirty, and I

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even ran over that.

On the other hand I have had some very frustrating experiences with historians, and Barton Bernstein is one. On the two things in which I have gone to the mat with him on issues of fact I have found that he was wrong. I could use a stronger word, but I won't.

It seemed to me that he was so committed to a thesis that he was willing to blow up something into evidence which was not evidence at all, perhaps even fabricated, certainly distorted wildly. Then there was another young professor. He had written -- I won't mention his name -- he had written a thesis, several hundred pages about civil rights in the Truman administration, I had in the past borrowed this thesis and returned it to him, and when he learned that I was going to be a commentator on the Bernstein paper, he wrote me and sent me the thesis saying that he thought Bernstein had plagiarized from his paper. I wrote him that I would return the thesis -- it was sent at his instigation, not mine, although I was glad to get it. I returned it in January '67 after the meeting in New York, the Historical Association. I also wrote him that I was not going to get in the middle between

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him and Bernstein on a question where I didn't have the time and it wasn't my business anyway to decide who had plagiarized whom, and that was an affair between him and Bernstein.

Well, early in January he started writing me letters demanding his paper back, and I wrote him, within a day after I got his first letter, I wrote asking him would he reconsider, I said, because I could now see that I was going to spend the rest of my life defending Truman on civil rights matters, among others, and his paper was, if nothing else, a useful chronology of the events of the Truman administration. If he couldn't let me have it -- if he didn't have a spare copy, would he let me know and I would then have his paper Xeroxed, you see, which would take a couple of days, maybe, two hundred pages. Several days later, long after my letter should have reached him, he writes back with another somewhat choleric demand for his paper back. I assumed our letters had crossed, although the time interval was such that it shouldn't have been. So I wrote him again giving him the benefit of the doubt and saying politely that I would have it Xeroxed you see, and return it

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within two days or so. And then I got a third and a fourth letter from him without any reference to any of my letters but simply demanding in increasingly more choleric terms that I return his paper, you see. These, needless to say, annoyed me. I couldn't understand why he didn't answer or make some advertence to my request and my letters. But I did Xerox his paper and returned it to him, and after it was returned (this wasn't his fault), I got, I think, a fourth letter from him,

again demanding that I return his paper, which he had sent me at his own instigation and which, by the way, I actually returned in the month I said I would. This I found a little frustrating.

Then there was a young man out at a great Middle Western university, a professor of history. He wrote me; he sent me a memorandum which I had written and forgotten about back in March, 1950, to Charlie Murphy suggesting that we ought to have a conference at the White House to consider what should be done if the Supreme Court outlawed the *Plessy vs. Ferguson* doctrine, that separate but equal accommodations were Constitutional. I said we'd have all kinds of problems about what to do with state programs which were in deliberate violation

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and even state statutory directed violation of any anti-segregation ruling. Of course, this was four years before the ruling actually came down but I didn't know that.

I also said I didn't think that there was going to be such a ruling, that I had talked to Solicitor General Philip Perlman on that and he didn't think so, but we had to consider that it was possible. They didn't have to reach the Constitutional point. He thought they were going to simply rule in these cases (which mostly involved higher education), that the accommodations did not meet the *Plessy vs. Ferguson* test. They were separate, but they were not equal. And that's the way they did rule. In any event, I discussed the different programs that we might have to consider, and how we might have to handle them, and whether there should be a deferment of time, a year, for them to get in step with the anti-segregation ruling and so forth. And this young man wanted to know if that conference had ever been held at the White House and asked other questions about how the amicus curiae doctrine -- the business of the amicus curiae policy of the Department of Justice, filing the amicus curiae

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briefs in support of private litigants, had arisen. It started in the Truman administration while Phil Perlman was Solicitor General.

And I wrote him back that as far as I could recall no such conference had ever taken place because the Korean war had come along a few months later and we were too busy with that to worry about other things. And secondly, that I didn't know anything about the evolution of it, but I had talked to, I think, it was Abe [Abraham J.] Harris who had been Assistant Solicitor General. He gave me a number of names of people who would know. The Assistant Solicitor General, actually, was not the Assistant to the Solicitor General. He was the legal counsel, as he is now called. But he had that title. He didn't handle Supreme Court litigation, but he gave me the name of Arnold Raum, Bob Stern and Phil Elman, and maybe one or two others. I wrote all this out to this man at Wisconsin.

In other words, I did quite a bit of work for him -- several hours -- in research through my own papers, in telephone calls, and in waiting memoranda, and so forth. I said to him, "Now, I have been glad to do this

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for you, will you do me a small share in return." I said, "I wrote the official Democratic Party document on how to answer the Republican charge that we're the party of high prices and inflation in the 1966 campaign. Here it is, I wrote him, and here is the official Republican document, charging us with that. Would you ask somebody in your political science and in your economic department to look these papers over and ask the economists how they rate them on their merits, as economic documents, and ask the political scientists, how do you square them off together against each other on the merits of their political polemics. How effective are they as political documents?"

And he wrote me back saying that he had only been there six months and that he didn't know anybody in the political science or economic departments. And I wrote him back and I said that he was flunking the test. He ought to get out and cross the expertise lines, and furthermore he didn't have to know anybody in those departments, this was a good way to meet them. I could have written to the heads of those departments myself and probably gotten this chore done, but since he had

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asked me to do something. I mean, this was an interesting project -- for political scientists and economists -- I thought it would be a matter of some interest. I felt sure that it would be little or no trouble at all on his part. It would take an hour or two of his time at most, no more than I -- had taken in working for him, but he never did it. And he was indignant, actually. He wrote me an indignant letter saying, nobody had ever treated him this way. You yourself, Mr. Hess, have told me that President Truman had said that if he answered all the requests he got from scholars he'd be writing a lot of M.A. theses, and Ph.D.'s too.

Well, then there was a young man from the University of Pennsylvania, a graduate student who was writing his Ph.D. thesis. He called me up and I invited him to have lunch with me at the National Press Club. And he was writing his thesis on the Truman Temporary Commission on Employee Loyalty, which I've just been talking about -- twenty years ago. He had been out to the Truman Library in Independence and he had looked over my files, because they're the most extensive on this. I was the only member of the working committee of the

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Commission that kept daily memoranda -- wrote daily memoranda about what had happened. And he asked some pretty sharp questions about this thing. Incidentally, I have today answered the question he asked. That was the question. What happened? Why? He said at some point in the life of the Commission it seemed to him that the Commission had suddenly changed pace, that its attitude had suddenly changed. Why? He's right. That was a ,pretty sharp question. It did change to some extent, and I have told why and when it changed.

Now, before I talk to a man on these historical matters, I want to know what his general outlook is, because I have a perfect right to talk to anyone I want to, and refuse to talk to anyone I want to. The first thing I find out, when they're writing about matters such as this, is what is their general political outlook. I don't care if they're Democrats or Republicans. I don't care whether they're conservatives or liberals. My impression is that Alan Harper is a Democratic Socialist, or

was anyway, a *New Leader* magazine type. But he's a hard-hitting, pragmatic type of liberal, strongly anti-Communist, and has very little use for

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the ivory tower type of liberal who is a perfectionist and doesn't understand that the best is the enemy of the good. Although I myself am not a Socialist, I see merit in his kind of thinking as I have just described it. I believe in enlightened capitalism, regulated in the public interest.

When I cross-examined this young man from Pennsylvania it turned out that he was what I would call a latter day Wallacite, no Communist, perfectly sincere. But he thinks, as the Wallacites did twenty years ago, that Communists are only leftwing liberals, extreme leftwing liberals. If they happen to be with you on a cause, you can make common cause with them. Over and over again, liberals have found in the past I mean, before his time, that this was not true, you couldn't. And that's why the ADA, which I have never belonged to, by the way, was formed, because up to that time, whenever liberals formed an organization, they admitted Communists, and the Communists would usually corrupt the organization, take it over and steer it in their way, because they were the people most dedicated, most willing to spend long hours. When there were meetings they would stay to the bitter end

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when everybody else had gone home they'd put through the resolutions that the others had fought against. Up to that point they'd block everybody else's, and then when everybody else had gone home they'd put through their resolutions, that sort of thing.

So a small group of dedicated people in an organization which doesn't mean the life blood of the average man can control it, because the others aren't that much interested, and they won't go to all of these lengths, and moreover they're not cohesive. They represent different points of view. They quarrel among themselves.

But he thought that the Communists were just leftwing liberals, moreover he thought that the underdeveloped countries might be well advised to start off with Communist governments because you needed so much public investment in order to get them off the ground. The little fact that once you have a Communist government it's awfully hard to get rid of it apparently didn't enter his mind. I mean, after you've had any totalitarian, really totalitarian government, that's the trouble. I would say that there might be a sense in starting off with some kind of Democratic-socialist government,

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because you do need a lot of investment in the public sector in some of these underdeveloped countries, and capitalists who want big returns on their money are not going to take the risk. Why should they in a country whose future is very doubtful. But communism, no.

In any event, I wouldn't want Bertrand Russell interviewing me to write the report on that loyalty commission, or even my good friend, Lewis Mumford, whom I've had some correspondence with lately about Vietnam. It isn't that I wouldn't be glad to have a drink with Bertrand Russell or Lewis Mumford and talk things over at any time, but I don't want them to be representing my

views on history, or to be reporting them, because their commitments are so contrary to my views, that I don't believe they could do it objectively, it's impossible. Even as Barton Bernstein would have trouble doing it.

So in any event, after I had talked to this young man for a while, I said, "No, I'm sorry, we can have a nice lunch here, but I'm not going to give you any further information on this subject, because you're not the man I would want to write this up." Needless

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to say, he got quite angry, and our parting was less than harmonious, because he was indignant, and he wrote me afterwards and I wrote him and we both tried to explain our points of view.

But my point of view is basically, as far as talking to historians, that is on highly controversial issues, I mean, it doesn't make much difference if the issue is not controversial, on the highly controversial issues where there are strongly opposing points of view, I want a man who is neither beyond the last outpost of what I call liberalism on the left, that is totalitarian communism or something, or beyond the last outpost of conservatism on the right, I mean over on the lunatic right, the John Birchers and the like; neither kind of man am I willing to have interrogate me on historical matters.

Secondly, if a man expects me to devote a lot of time to him, I expect that if I ask him for a little of his time to do something that is of interest to me, that he's going to do it, because my time is valuable to me and I would hope that he would understand that, and he would not regard it as some kind of an outrage for me to request equal time. So this is my memorandum to historians.

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I have a great many papers here; here for instance is a memorandum from me, dated June 28, 1950, addressed to David Bell, who was then Charlie Murphy's assistant at the White House, and he in turn read it and sent it on to George Elsey. It's about my paper, which I have given you a copy of, written in 1948 making recommendations for improvements in U.S. counterintelligence and secret intelligence, including CIA, and Dave read it and wrote George Elsey, "Didn't I understand" (this was in longhand on the draft), "that there was a good group reviewing the CIA setup and procedure -- Admiral Souers." (Admiral Sidney Souers was then the executive secretary of the National Security Council -- no, by this time, I guess he was director of the CIA, either had been or was. He was for a time director of CIA, and I've forgotten whether -- he was either in that job or at the White House at this time. I guess he was at the White House by this time.) "Has Admiral Souers ever seen this document. It's fairly stimulating to me, as a layman at least. DB" That's David Bell. And George Elsey wrote, "Steve: Won't you show this to Souers. I think he should see it and so should Admiral Hillenkoetter."

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Admiral Roscoe Hillenkoetter had replaced Souers as director of CIA. I'll give you that to Xerox and return.

Here is a document that to me is at least rather fascinating. In 1948 I wrote three articles which appeared in the *Saturday Evening Post*, November 27, December 4 and December 11, 1948,

called "How We Caught Spies in World War II," about the many hundreds of German agents, actually they were virtually all Italians, because it was in Italy, that we captured them during World War II. I was commanding officer of the Fifth Army Counter Intelligence Corps throughout the Italian campaign, 1943 to 1945. Now, my article was sold by my agent to several foreign publications. It was sold in France to *France Soir* the largest circulation newspaper in France; it was sold in Italy to a publication called *Tempo* in Milan; I think it was sold in Indonesia, and in other places. A month or two after my article appeared in *Tempo* in Milan, in Italian of course, an answer appeared, a two-article series called: "The Italian Spies Reply to Spingarn." It was by a fellow known as Georgio Pisano, who was a German spy during the war who knew Carla Costa, whom I've

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referred to, and others.

His thesis, in effect, was that I was bragging about something that wasn't much to brag about because he was satisfied on the basis of his information and what he had seen, that a double agent, a defector in German espionage circles, had turned over to us a total list of all the German and Italian spies, and so it was sort of like shooting fish in a barrel. It hadn't been our great work, it was just that some traitor had sold them out.

Well, it wasn't quite that simple. He was wrong. The fact of the matter is that most of our information about Italian agents was done by sweat, that is by lengthy interrogation of captured agents about the people they'd been trained with and associated with on the other side, you see. That was where most of it came from. It is true that we, that is, the allies, had double agents in German ranks, in the Abwehr, for instance.

The fact of the matter was we, that is, the allies, did have German intelligence officers on our payroll, as it were, but we couldn't use their information on suspects unless we got it independently from our own

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sources, otherwise, we'd have blown them. You see, they were too valuable to blow that easily, do you follow me?

HESS: Yes.

SPINGARN: If they reported to us who their agents were and we had no other information, it would soon become apparent that it was an internal leak. So we had to have outside information. So it was a matter of policy at the highest level, that no agent was ever reported even though known to us, until we had independently confirmed it. Thus, we saved these valuable double agents, you see, who were too valuable to be blown for mere names of the agents they could disclose.

So, we really got our information the hard way from interrogating suspects and captured agents. It was like a snowball. Initially we weren't catching many, and then the flow became greater. In the beginning of the Italian campaign, we caught very few agents for the first year. But then we

knocked the German air force out of the air, virtually, for all practical purposes, and they had to substitute ground espionage for aerial photography and reconnaissance, which is indispensable to any army. So they tried to do this

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by mass espionage efforts, and by sending spies over in great numbers. And then we began to catch them in droves. And every spy we caught, of course, knew other spies, because they were trained together, and they went out on missions together. So, in this way, we built up an enormous list. In fact, after a while, the problem was how to make the list usable, there were so many names on it.

I was complaining. Every day, sometimes two or three times a day, from the Fifteenth Army Group, our higher headquarters, would come down a list of names and identifications, physical indicia, and other facts about new agents, known and suspected. With fifty or a hundred of these sheets in your hand, each one alphabetical in itself, but not together, it was almost useless. So I urged higher headquarters to put this in a pamphlet form, with all the names alphabetical and then cross references to the basic memoranda which contained further details on the individual agents, stuff that one of our CIC agents could put in his pocket and carry around and use as a screening device.

This violated many concepts of security, but it met the key precept which is, "Get things done." This

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was classified information, but our people were carrying it around in their pockets. And it turned out to be very useful. In the meanwhile the lists would come down with the new memorandum, and our agents were instructed -- there were spaces between each name -- to write in longhand, at the proper alphabetical point, the new names as they came down. Then every month or two all of them were collated and a new pamphlet was put out. This was a good working tool, in screening people. Of course, each office and sub-office in my outfit had the total file of memoranda, of all the supporting documents. So it was not true at all, as my spy friend, Mr. Pisano, thought, that we had found all those names at one crack, or been given them all by some German traitor. At least that was his theory of the thing. This is a translation of this Italian's, the spy for the Germans, two articles in the magazine, *Tempo*, which I give you to Xerox and return to me.

HESS: Does that pretty well wind that up?

SPINGARN: Yes.

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Twelfth Oral History Interview with Stephen J. Spingarn, Washington, D.C., March 28, 1967.
By Jerry N. Hess, Harry S. Truman Library.

HESS: What would you like to discuss this afternoon, sir?

SPINGARN: To start with, I want to turn over to you, Jerry, the large batch of material in this folder here, which I will ask you to have Xeroxed and returned to me. There are some things that I might just briefly mention. Here, for instance, is a newspaper story from the *New York Times* of the 1950 convention of the National Counter Intelligence Corps Association, and there is a picture of General Mark Clark, who was our principal speaker, and others including myself.

I was at that time administrative assistant to President Truman and I had served as Mark Clark's Fifth Army Counter Intelligence Corps commander in the Italian campaign. I carried up to the convention for Mr. Truman, a message to the National Counter Intelligence Corps convention which, in fact, I had drafted, commending them and the work they had done, but warning against "Gestapo tactics" by CIC or other U.S. security personnel. I'll just put this in the folder here.

Here is an extremely interesting letter, to me at

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least, a longhand letter of 19 January 1945, from Lewis Mumford to me. He says: "Today we received your note about young Geddes." Geddes was Lewis' nineteen year old son, his only, son, who was killed in action while an infantry rifleman, point man for his platoon, in Italy, in September, 1944. This is now four months later, and at his request relayed through my mother, I had made an investigation of the circumstances surrounding Geddes' death and sent the report of this to my mother to pass on to Lewis. He later, as I have already said, wrote a book, a beautiful book about Geddes called *Green Memories*, in which he incorporated some of the material I had written. I think this is particularly interesting in view of my recent, late '66 and '67, correspondence with Lewis about our Vietnam involvement, and the atrocities in Vietnam.

I've always felt Geddes' death may have had a great deal to do with Lewis returning to his position of idealistic pacifist which he had been in the twenties, before my father persuaded him that this didn't make sense in a world in which aggression was on the move.

There is also a letter somewhere in this folder from Hiram Bingham, who was chairman of the Central

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Loyalty Review Board of the Government.

Hiram Bingham was a conservative Republican, he had been United States Senator from Connecticut, and he was chairman of the Loyalty Review Board, which supervised the work of the agency loyalty boards during the Truman administration. This letter was to Secretary of the Treasury John Snyder, congratulating him on the fine record that the Treasury had had, and the good work its loyalty board had done in the loyalty field. This letter is dated 1951. I think it's interesting in the light of what I had to say about the handling of Treasury loyalty cases, three or four years earlier in '47, in connection with the disclosures that came to the Treasury abruptly in the middle of the deliberations of the Truman Commission on Employee Loyalty.

As an afterthought, I might add, in connection with Mr. Bingham's letter, in 1953, that is two years later, I was acting chairman of the Federal Trade Commission and I was engaged in a

public debate with the international oil companies answering their attacks on the Federal Trade Commission because of the publication of the FTC staff report on the international petroleum cartel, the international oil monopoly. They had a pamphlet

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prepared, which contained attacks on the Commission which they sent to Government officials and opinion molders in sixty-seven countries, and one of these attacks said, "Remembering Alger Hiss, we think that everyone in the Federal Trade Commission, who had anything to do with the oil report should be investigated by the FBI."

I went to Mr. Bingham, who was then still chairman of the Loyalty Review Board for the whole Government, who was in our own building, a tenant of the Federal Trade Commission as it were, and I asked him to give us a letter similar to the one he had given John Snyder, because we had had possibly an even better record. We had never found it necessary to prefer charges against any employee of the Federal Trade Commission on a loyalty matter. Mr. Bingham said that he thought he could do so only if the White House authorized him to do it. I then called up Donald Dawson, who handled such matters at the White House, and asked him if he saw any objection to doing that, and he said no, he thought it was a good idea, and he authorized me to tell Bingham that and I went back to Bingham and told him that but he still wouldn't give me the letter. And then he went into a tirade.

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At this time Mr. Bingham was close to eighty, and he told me he had to consider his future, that there were a lot of people attacking him, that Mrs. Roosevelt had been over to the White House only the other day, he said, and that he was sure that she was over there to attack him and so forth and so on. I found it rather interesting and, frankly, rather amusing, but I didn't get my letter.

I have to say that I felt a certain admiration for a man of eighty who was thinking about his future, but that didn't get me my letter.

Now also in connection with the question of Communists in Government in the Truman administration, I have here a newspaper clipping from the *Evening Star* of October 2, 1952, that was during the middle of the 1952 campaign between Eisenhower and Stevenson and it contains a long statement by General Bedell Smith who was then director of the Central Intelligence Agency, and who, of course, had been General Eisenhower's chief of staff throughout the African and European campaigns, and he says that both nominees, that is both General Eisenhower and Governor Stevenson had

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agreed not to make the CIA a campaign issue. Here is a quote from General Smith:

It would be well if there were no further serious attempts to exploit either this organization (the CIA) or the general subject (of Communists in Government) for political purposes, as in my opinion plans for Communist elimination from

sensitive places in the Government and the machinery which implements these plans are about as effective as can be devised under our American system.

This is General Bedell Smith, General Eisenhower's chief of staff, and then director of the Central Intelligence Agency, talking in the middle of the 1952 presidential campaign.

HESS: At a time when it was a very hot issue.

SPINGARN: In the middle of McCarthyism, at a time when it was a very hot issue, and a lot of mileage was being won or lost on that ground. Here is the program of the third annual National Counter Intelligence Corps convention in New York, in 1950. The program says, among the other things on the program is: "Message from President Truman delivered to convention by Stephen J. Spingarn, administrative assistant to the President." Here is some interesting, well, interesting to me if no one else, souvenirs of

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the war years. Here, for instance, is a letter I wrote from Italy on 19 March 1945, to Alberto Tarchiani to congratulate him on his recent appointment as Ambassador to the United States. I had met him in the first weeks of the Italian campaign during the Salerno beachhead phase, and other mementoes and letters of the war period. I notice with amusement here, an organizational chart which I made for my Counter Intelligence Corps outfit before we went into Italy, showing how we planned to operate. Being a good bureaucrat, I naturally thought in terms of an organization chart, and, after all, you had to organize them somehow, and I want to say that this may look good on paper, but it never works at all like this, it just never worked that way at all, and that's been my experience with most organization charts that are prepared before an operation, they just never work out that way at all.

Here is this thing all beautifully typed up, the same organization chart, "Approved, Stephen J. Spingarn, Major, MI, commanding," yes, sir.

I have here copies of, for instance, the *CIC Reporter* for June, 1948; July, 1948 and some other

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issues. The cover of the June issue is called, "The Future of CIC" and it has headlined "Taylor," who was an assistant to the Secretary of the Army, I think, in which he says:

The CIC inherited some wartime conditions, many factors which could no longer be justified as necessities. I am satisfied that there has been almost day-to-day improvements and corrections that were necessary to the organization.

It has a quote from me under the heading "Spingarn" and I say:

Ignorance of even the fundamentals of counterintelligence was displayed by top War Department counterintelligence personnel who visited us overseas during World War II. This setup will not be good enough for World War III [which I hope never happens].

And there is, by the way, my program for CIC and CI, starting in this issue and continuing into the next, which I presented to the Joint Chiefs of Staff as well as to the National Counter Intelligence Corps Association, and I also drafted a resolution summarizing and endorsing my program. It was unanimously adopted by the convention of the National CIC Association in '48 and readopted in '49, '50, '51, '52 and I think right up to 1953, and submitted to the President and others. I have here, also, the transcript, after I submitted my recommendation

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to the Joint Chiefs of Staff through General Gruenther, who was then the staff director of the Joint Chiefs of Staff and who later became Supreme NATO commander under President Truman, as I recall, and who had been my chief of staff at 5th Army, at the end of the African and throughout the Italian campaign.

He set up a staff committee of the Joint Chiefs of Staff before which I testified, this is my testimony on my recommendations, before that staff committee, is '48, but in '52, Lawton Collins who was Army Chief of Staff under President Truman, wrote me a letter which I have included in other papers I have given you, which says a number of my recommendations had been put into effect.

There are many other things in here, but I'll just let them speak for themselves.

There is one thing here that I think is of interest -- has great human qualities -- and that is my Carla Costa correspondence file. I already described how I wrote the three articles in the *Saturday Evening Post*, and then I got a letter from Carla Costa. You could see that secretly she loved the publicity I was giving her. But she said it wasn't true that she had ever been a

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stool pigeon or squealed. Here is my correspondence with her, and also I asked my mother to look her up in 1959 and Mother bravely did so and invited Carla to her hotel in Rome and the two ladies spent the afternoon together having tea and dissecting me, and here is Mother's longhand letter to me describing her interview with Carla Costa. It's rather amusing and I certainly want you to take good care of it because I want it back. I may write some more about Carla Costa someday, she was an interesting young lady. As a matter of fact, what I would like to do is to get some good journalist who is in Rome, to look her up and write a story about where is she now and what is her thinking now, this is more than twenty years after the war. Carla would be around forty now, she was eighteen or so when we arrested her. When Mother saw her, she was as good a Fascist as ever, I suspect she still is, she was a child of fascism. She was a very brave young woman, we couldn't help admiring her heroism, even in spite of her benighted ideas.

Now here is an item that is interesting. While I was at the White House, I received, from a fellow whom I could remember (if at all), only in the vaguest terms,

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but addressed to me as "Steve," and writing on the letterhead of the American Associated Insurance Companies, he was evidentially a CIC veteran whom I had met at a CIC convention, among other things he wrote:

A client of mine has a war reparation claims pending against the Netherlands Government but is getting the well known run around. This claim concerns some fourteen thousand of personal properties and so forth. It's been kicked around for several years now and the best settlement offer he has received to date is three hundred dollars. My client, who is just about to abandon the claim to a lost cause, said you could practically write your own ticket as to the fee, in fact it was offered to me on a fifty percent contingent basis on anything recovered over the three hundred dollar original offer. With the potential recovery of the full amount, we would all fare handsomely. I would appreciate it, Steve, if you would give it some thought. If you are in a position to handle that matter, let me know and I'll secure full particulars.

He's writing to an administrative assistant to the President whom he thinks will take a case against a foreign government on a fee, I mean, I don't think he did this in bad faith, you know, the matter is perfectly openly stated, he thinks that maybe I practice law on the side. I couldn't believe that an intelligent man would think that this would be possible, you know, and I wrote

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him a letter which is pretty sharp, in fact, very, very sharp. This is July 11, 1950:

Dear Mr. _____:

While you addressed me as "Steve" I do not remember meeting you, though I assume from the context of your letter I must have done so at the last CIC convention. I received your letter of July 8th this morning and it nearly shocked me out of a year's growth. I have been almost sixteen years in the Government, including my three years overseas with the Counter Intelligence Corps, and I'm frank to say that I have never been approached so blandly with so insulting a suggestion as the one contained in your letter, that I, a Government official, should represent in attorney capacity, a client of yours attempting to obtain settlement of a war reparation claim pending against the Netherlands Government. Is it really possible that you could, apparently in good faith, make such a suggestion which is so contrary to the most minimum standard of good morals and ethics? I am frank to say that I'm deeply disturbed by the thought that a fellow veteran of CIC, an organization for which I have great fondness, could even entertain such a cynical and contemptuous attitude towards his Government and its employees, much less put it into words. I hope, indeed, that this does not reflect the standards of ordinary decency and fair play with which your CIC outfit operated during the war.

This is a pretty rough letter but I believe that yours rated it. I am compelled to say that I think you owe me an apology. Very truly yours, Stephen J. Spingarn, Administrative Assistant to the President.

This was a rough letter, perhaps too rough, but I was mad when I read that letter of his. I mean I don't think

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there was anything corrupt about it. It just never occurred to him that there was anything wrong about this. He was very above-board about the whole thing, but he's a lawyer, you understand. That he could have really thought that a presidential assistant would act as an attorney in a claim against another Government, my goodness! And then he writes me, this time he writes Mr. Stephen J. Spingarn:

Dear Sir; [This is July 28, 1950.] With considerable esteem I regard your letter of July 11, 1950, as truly a literary masterpiece. It clearly reflects your heroic stature and qualities of statesmanship. [Dripping with sarcasm.] It is encouraging to note that a man of your astute perception stands near the helm of our ship of state ready to assist our skipper through troubled waters. I trust the tact and diplomacy you employed, is characteristic of that generally practiced in Washington today. Sincerely, Thomas H. _____.

P.S. Ste – whoops -- never again shall I take thy sainted name in vain. Me thinks you are working too hard. When that over inflated cranium of yours returns to normal, reread my letter of July 8. In good faith I extended to you an honorable business proposition provided you were in a position to engage in the private practice of law and I thought I made it quite clear that offer was for your consideration only in the event that you could so practice. Any other interpretation is of your own construction.

Well, now I read all of this with considerable

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amusement, I'm frank to say, but at the time I was angry because it seemed to me that no one should have thought that there was any possibility that a presidential assistant could handle such a case. What kind of a Government would it be if such things happened. It would be a Government riddled with corruption.

HESS: That particular letter is already in your papers at the Library. I remembered it when you started reading that.

SPINGARN: Well, I'll throw it in anyway. You can hitch it up with the tape.

HESS: It's been quite a while, several years since I've read it.

SPINGARN: But this fits into my concept of ethics in Government. The first thing is to make people understand what are ethical principles of Government, not to treat their Government with contempt or to think that Government is composed of people of low ethics that can easily be corrupted or at least persuaded to do things that are unethical, if not worse.

Now, here too, is material -- well, I guess this is mostly personal. One of the things it contains is the legislative history of the Foreign Property Control

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Statute and the extension made of it by the first War Powers Act of December 18, 1941, on which I worked. Does that strike any responsive chord? I'm pretty sure there's a copy in the Truman Library already.

HESS: There could well be. I just don't know.

SPINGARN: I'm pretty sure there is. The point is, it simply recites the fast moving events that night after Pearl Harbor, revolved around immediately getting war powers legislation through, particularly with respect to the extension of foreign property control, which meant blocking the efforts of the enemy to use assets in this country of the nationals of countries whom they'd overrun and could control.

There was a fight after the legislation was passed, even while it was still pending, there was a big fight between the Treasury and Justice Department as to who was going to get that job -- foreign property control and the alien property custodian function. Each department had its own draft of legislation, but the Justice hadn't been very bright. Their idea of what to do was simply to re-enact the World War I Alien Property Control Act and that's what they did. That was the way the bill

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originally went up. And when we got up before the House Judiciary Committee, they looked at the old act, and it talked about kingdoms no longer in existence and it was obsolete in so many respects that they said, "How can you re-enact something that isn't applicable, isn't pertinent in many respects?" The Justice people kind of stuttered then because it really didn't make sense. They needed new legislation, you see.

Now the Treasury had a draft, it was only a page or two long and theirs was dozens, the old act was many pages long. Ours was a flexible thing, and functions under it could be put anywhere.

The old statute definitely put it in Justice, ours let it up to the President to decide. That left it open and we could still fight for it to function in Treasury. I had it in my pocket. We were riding back in a cab from that first meeting when the committee had looked askance at this extension of re-enactment of an obsolete statute, and Oscar Cox, who was then Assistant Solicitor General representing the Attorney General and he was really quarterbacking this deal, on this bill. Oscar had been a Treasury lawyer until not very long before that and I knew him well. I knew he liked flexibility,

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if he liked anything he liked flexibility in legislation. He didn't like long spelled-out statutes, he liked things with a lot of room for delegation and maneuver. So I took this out of my pocket and I showed it to Oscar, and I said this thing will do it and it will do it very easily and quickly and

with lots of flexibility, I gave him a little sales talk and he bought it right away and that was the thing that went into the bill instead of the Justice draft.

When Justice learned about that, they were fit to be tied they were so mad, oh, they were fit to be tied. And I can remember one Sunday, Oscar Cox presided at a debate, you might call it, between Justice and Treasury in his office as to whether to go back to some Justice version, they by then had their own revised draft, which was definitely going to put it in Justice, or keep the Treasury's version which by now was already in the bill, you see, and they argued that ours was unconstitutional, too broad a delegation and all sorts of things.

Frank Shea was the Justice Department lawyer and he was then Assistant Attorney General in charge of the

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claims division, and he was going to be, obviously, the alien property custodian if this thing went through, so he had a wide personal interest in this thing as well as a departmental interest. Oscar Cox had Francis Biddle, who was Attorney General, he had Francis Biddle's proxy, he was going to decide this debate right then and there that Sunday, and Shea was there with an assistant and I was there with -- he wasn't my assistant, but at this particular moment I was in charge of the Treasury team, Ansel Luxford, a very able lawyer now practicing law in this city and the debate went on before Oscar for some time, and after a while Oscar closed the debate, and he said he was satisfied, he'd go along with the Treasury draft, and Frank Shea was so mad, I'll never forget it, I mean, there was still some details to be tidied up. Frank Shea cracked his hat on his head, his face broke into a black storm, and without a word he stormed out of there -- mad, mad, mad -- he left his assistant behind to carry on with the details, I'll always remember that little episode. As events turned out, we won the battle, but we didn't win the war. We got the provision in there which would have permitted it to be in

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Treasury, but eventually the alien property function was put in the Department of Justice. That's an amusing item. A few minutes ago, I referred to that letter that Hiram Bingham wrote to Secretary Snyder congratulating him. Here's the letter, November 7, 1951:

The Honorable Secretary of the Treasury [That's John Snyder, although his name is not mentioned.] My dear Mr. Secretary: In reviewing the accomplishments of the various executive agencies under the loyalty program, I have been so favorably impressed with the record established by the Treasury Department that I am tempted to send you my congratulations. The efficient and prompt manner in which your Department has always handled matters concerning loyalty, has won our wholehearted appreciation. I have also been impressed by the remarkable work done by your Department in keeping out ineligible persons concerning whose loyalty there might be reasonable doubt. I thought it might interest you to know that a fine record for loyalty has been made by the Treasury Department. Cordially yours, Hiram Bingham, Chairman, Loyalty Review Board.

Remember Hiram Bingham was a conservative Republican who had been Senator from Connecticut, and I might add a funny story about this. This letter is dated November 7, 1951. In January, 1953, or December, 1952, I went in to see Mr. Bingham, as I've mentioned, to get a letter for the Federal Trade Commission along these lines. I had a copy of this letter and I waved it in his

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face. I, after all, had set up the Treasury Loyalty Board, Don Hansen and I, he was my assistant, had written the regulations and I was the legal member, and I had gotten it started so that I felt that I was much involved in whatever this letter said about the Treasury's record. He said to me -- now, of course he was trying to fight off my attempt to get a letter from him for the Federal Trade Commission -- "Oh," he said, "that letter has risen to haunt me before," or words to that effect. He said, "You know how that letter got written?"

I said, "No, tell me."

He said, "Well, John Snyder had me over to the Metropolitan Club one night and we had a few drinks together and he asked me for this letter and in a weak moment I agreed to give it to him." He said, "I've regretted it ever since."

Well, maybe so, but the fact remains that he may have had a few drinks when he agreed to write it, but he wrote it, and he wrote it on the basis of the record of the Treasury Department and he had the files and he reviewed their cases and I'm sure he wasn't lying when he said they had a good record, because

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they did have a good record, and all he was sorry about was that he had written a letter saying that, because that meant that other agencies might come to him and try to get letters out of him of that sort, and he didn't want to go passing letters of that sort out like decorations on a Christmas tree. There are more things on heaven and earth than are dreamed of in your philosophy, Horatio or Hiram too.

HESS: Want to look through those papers there a minute?

SPINGARN: Yes, I think so. As I have pointed out, in the 1966 campaign, I was requested to and did a lot of writing. I gave more than seven hundred hours of volunteer services to the Democratic National Committee and the party in that campaign, and I spent over six hundred dollars of my own money, out of my pocket, for which I asked no reimbursement, except an acknowledgement of it as my contribution to my party. I facetiously asked that I also receive an acknowledgement of seven hundred odd hours of services at \$1.25 an hour, which was then the minimum wage, although in February 1967 it was to go up to \$1.50, but I didn't claim the higher rates.

The total amounted to over \$1500; I note that a

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lawyer in this city gets at least \$30 an hour for his time, so on that basis my contribution would be on the order of over \$20,000, that's \$30 an hour, and that's the minimum, the high priced lawyers get a lot more than that. This is what any lawyer would charge, about \$30 an hour; I mean, the ones with reputations charge a lot more.

Anyway, to give you an example of how moribund the committee was in 1966, here is one fact sheet called, "The Last Stretch of the Campaign" which I wrote. It's an account of the glorious achievements of the glorious 89th Congress, which is one of the three best Congresses in American history, the others being the first Wilson Congress in 1913 and '14, and the first Franklin Roosevelt Congress in 1933 and '34. Quite possibly the 89th is better than those two which would make it the best U.S. Congress, at least from the standpoint of anyone who is not to the right of center, I mean, any moderate, or progressive or liberal person.

Well, I wrote this on October 5th, now mind you, Congress didn't adjourn until October 22, 1966, I wrote this on October 5th. The national committee, at that time, had two publications about the achievements of the

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89th Congress both of which had closed their books in 1965 a year earlier, although this was the middle of the '66 campaign, and many of its best achievements came in '66. So I wrote this thing. I sent it to the committee on October 5th with a notation that it should be updated when the Congress adjourned to report later achievements -- because in the last two or three weeks of Congress, the bills go churning through like crazy, and in the last two or three weeks of the 89th Congress in October '66, I would say a third of all the major measures were passed, of the whole Congress perhaps, somewhere around a quarter or a third, a very large share.

Well, I turned it over to them on the 5th, they didn't put the thing out until about the 25th, three weeks later, that was three days after adjournment, and they didn't update it, despite the fact that I had written them that it could be done in fifteen or twenty minutes. I wasn't writing extensive items, I was just saying a line or two about each major measure. I could have done it myself if they had given it back to me, in twenty or thirty minutes at the most, but no, the committee with its research division and all that didn't

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have the time or the perspicacity to do it, typical of their operation in the '66 campaign.

Here's another example. On October 9th I wrote a long fact sheet, a ten page fact sheet, on how to answer the Republican charge that we Democrats were the party of high prices and inflation. The next day I gave a copy to the committee, but knowing that they moved with glacial speed, I went down to a printer and had three hundred copies whipped off at my own expense -- \$110 -- and then I started sending them out air mail special delivery all over the country, and special delivery in the city of Washington, to the White House people, the Cabinet, and congressional leaders and many other Congressmen and others -- in each case with a personalized letter. This is the way to do it.

The committee didn't put my thing out as an official DNC publication till the 27th. Now while mine was being printed, that is between the 10th and 12th, it was dated the 13th, it actually came off the press the 12th, there was a change, a new figure, I think it was unemployment came out, and it dropped the unemployment figure a notch, one tenth of one percent, a little bit more favorable. So I went down to the printer and

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corrected it from let us say 3.9 to 3.8 or maybe it was 3.8 to 3.7 as the unemployment figure -- I did that. When I turned it over to the national committee and they printed it, they corrected it back to the old figure, they have a research division, but they didn't have the latest figures, and I had changed it in midstream. I think this is just a detail, it didn't make that much difference, but it simply meant that they weren't on their toes. They with their research staff...

HESS: It did show that they weren't keeping up with the changes.

SPINGARN: They weren't keeping up with the changes; I had made a change while the thing was at the printers to the latest figure which had just come out while it was at the printers, it came out between the 10th and 12th of October. They didn't put it out until about the 27th and they corrected it back to the one-month old figure, which was the latest they evidently knew about.

Incidentally, the longer I live, the longer I realize that packaging is very important in the presentation of ideas. Don't sell Madison Avenue short. I mean, we kid a lot about Madison Avenue presentation, but Madison Avenue knows what it's doing. In particular

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things you may think it's pretty phony, but the fact remains, over and over again I have found that a mediocre idea well presented will prevail, and a good idea badly presented will fail. So presentation is very important. Right now I'm talking about voter education. I'm talking about the materials that you put out in a campaign which you want your side to use in defending your side of the case. Just mailing it out is not good enough. The way to do it, first of all, is to send it to key people all over the country, the people who influence other people and the people who are at the point of a pyramid from which other politicians and political groups depend. And when you send it to them, don't send it to them cold, send it with a personal letter explaining the importance and the value and how it can be used, and send it in a package special delivery, festooned with magic markers -- expedite -- important -- urgent -- you know, all that stuff, make something that will get through the outer guard, so the secretary brings it right in to the big man, and it looks like an important document and he starts reading it. If you send it by ordinary mail without personalized letters, it probably will end up in his

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wastepaper basket or it may never get to him, some junior down the line may look at it and throw it in his out box.

HESS: It will end up on the bottom of some stack.

SPINGARN: It will end up on the bottom of some stack, that's right. I had a little example of that only today. This was in a different field. I was so busy with this tape recording that I forget that I hadn't applied for my new license tags in the District of Columbia and my registration which has to be on your car by the 31st, this Friday. I looked at the letter advising me of this, and they said they cannot guarantee unless you put it in the mail by the 20th of March that they can deliver it to you before the 31st. That would mean I would have to go down and stand in a long line to get it which is a bloody nuisance.

I didn't want to do that, so Sunday, two days ago, I wrote a personal to Mr. England, the director of motor vehicles, whom I do not know, except I've had correspondence with him on one or two occasions. I wrote him a personal letter. Dear Mr. England (in effect I said), Through negligence I have failed to do this until now. I have been very busy, and while I realize

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that's not a very good excuse, I hope it will commend itself to you that the business has been mostly caused by the fact that I have been tape recording my memories of the Truman administration for the Truman Library. You know, almost everyone thinks well of Harry Truman now, his stock is on the rise, and people who called him terrible names once upon a time, now think admiringly of old Harry, they wish he were back and things like that. So I put my check in the envelope, this is Sunday, two days ago, and I put a special delivery stamp and the usual magic marker red and blue paintings on the outside. Today I got my license tag, two days it took, you see.

HESS: You know how to expedite things.

SPINGARN: That's the way to do it. I am speaking about a general modus operandi. This applies to all the things I'm talking about. Do it that way with a personal message and a special delivery stamp.

One other thing I want to tell you about the Democratic National Committee while I'm on it. Every businessman knows that to get volunteer services, you should remember that you are getting them for free, and one thing they expect is recognition of the fact that

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they have given free valuable service. This is the cheapest thing on earth. All it involves is a good letter from an important person. Every corporation knows that, but the Democratic National Committee doesn't. Traditionally, you never get any thanks from the committee for anything you do for them. The only way I've ever gotten thanks is by being absolutely obnoxious and writing letter after letter demanding them, you see. This is ridiculous isn't it?

I went out on the road for the Democratic National Committee in the '64 campaign for a week, at the end of the campaign, unpaid, of course, a volunteer, I enjoyed it, but still I thought I was entitled to a letter from somebody, at least John Bailey, maybe the President, because it was at a specific White House request that I went out, not the committee. Did I ever get such a letter? No.

Similarly in this campaign, I performed valuable services. I know I did. I mean that they used my stuff -- they put it out as their own publication, and I worked hard -- seven hundred odd hours -- over \$600 out of my own pocket -- I was not even a volunteer. I was invited by them to work for them, asked. Did I get

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a letter? No. I didn't get a letter until I had (a) written one letter to John Bailey, that didn't work; (b) another letter to John Criswell, and (c) I got Dave Chewning, a fine chap, who was a Democratic National Committee official and who was the national director of "Operation Support" who was the fellow who solicited me to work for them, I got him to help me, and eventually I got a mild letter from Bailey, which didn't satisfy me, and then I got a good letter from John Criswell. It took two or three months, and considerable effort on my part to get my services thanked for. You know that was ridiculous. There ought to be -- I mean I'm giving this advice to the Democratic National Committees of the future -- there ought to be a laid-on program that everybody, however lowly, who works for the committee as a volunteer, gets a nice letter, at least from the chairman, oh it can be facsimile letters, it's no problem. And when they do more than routine services, it probably should be from the President of the United States, that's the way it should be.

Matt Reese, the very able head of the registration, get-out-the-vote division of the committee from 1961

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through the 1964 campaign and into '65, knew that. He had in his "get-out-the-vote" pamphlet, a laid-on thing so that these thousands and thousands of volunteers were going immediately to receive a facsimile letter from Lyndon Johnson, the President of the United States, thanking them, and they were only going to do a few days work. These are the wellsprings of human motivation, this is the way you get them back again; they will proudly display that letter for years to come, and it's the cheapest thing on earth. Now why doesn't the national committee know that?

I have here a large pile of materials, most of which speak for themselves, some of which I think I would like to comment on briefly. Here, for example, is a memorandum of May, 1964, summarizing my files, the material in my files about the Consumer Dollar Study which President Truman asked the Federal Trade Commission to launch in September of 1952, and which we had begun work on when the new administration came in and killed it immediately, but dead, and nailed the coffin lid down. I have been trying to revive it since 1964, and this is the material I gave Esther Peterson at that time, and she was much interested in

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it and the White House people showed interest, and Bill Wirtz, Secretary of Labor, showed interest in it. He wrote me: "Dear Steve, This thing has real guts, I hadn't heard about it. I'm going to try and see what I can do about it." I've talked to him since, and last month February 23rd, Senator Brewster of Maryland, to whom Esther Peterson's office had given my material on loan, announced on the floor of the Senate that he was going to introduce a bill to have the Federal Trade Commission make a Truman type Consumer Dollar Study, and I have been up and

talked to his staff man who is working on that, Shep Abels, I think his name is, and I plan to follow up on that, too. Yesterday or the day before, I wrote to Mrs. Esther Peterson's successor, the fair Betty Furness of refrigerator fame -- national conventions and refrigerator fame -- and I told her that I hoped that I could get together with her for lunch or something when she comes down here. She's going to be down here on a full-time basis about May 1st, and I mentioned this Consumer Dollar Study which I hope to get her support for now that she's replaced Esther Peterson in that job. So there's that item. I think I've previously mentioned that item

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haven't I?

HESS: Yes, I think we have a copy of that.

SPINGARN: Now here is a quotation from *The Presidency and Individual Liberties* by Richard P. Longaker, published by the Cornell University Press, 1961. Longaker was then an assistant professor at Kenyon College as I remember. An assistant professor of history who interviewed me back sometime before this book was written, around '60 I suppose, 1960 or thereabouts or earlier. He said -- this is quoted from pages 59 and 60:

The White House will always find it difficult to combat the natural alliance between the police agencies of the administration and security minded members of Congress, but it is possible for the President to oppose these natural affinities by making his wishes specifically and completely clear. In this concern a letter from President Truman to his Attorney General concerning internal security legislation might be titled "A Model Statement of Presidential Intent."

And I set out below in its entirety what is actually a memorandum from President Truman to Attorney General McGrath, dated May 19, 1950, which is the document Mr. Longaker referred to. It was drafted by me after discussion with President Truman. I was then his administrative assistant.

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I have asked Steve Spingarn to talk to you about ways and means of improving executive branch policy formulation in the field of internal security legislation. He knows my views and I shall be glad if you will discuss the matter fully with him. In summary this is my thinking on this matter. Our internal security laws must be adequate. To the extent that they are not adequate now, they should be strengthened. Excessive security, however, can be as dangerous as inadequate security. Excessive security brings normal administrative operations to a standstill, prevents the entertaining of ideas necessary to scientific progress and, most important of all, encroaches on the individual rights and freedoms which distinguish a democracy from a totalitarian country. Every proposal for new internal security laws, therefore, should be carefully scrutinized not only from the standpoint of how much will it add to national security, but also from the standpoint of the other considerations noted above and particularly the last. Harry S. Truman.

Now I have talked about the oil cartel report. This is a column from Drew Pearson, January 3, 1953, it's called "Oil Baby for Ike," in other words, this is seventeen days before Eisenhower became President, he was President-elect. Secretary of Defense Lovett was a Republican, but he was Truman's last Secretary of Defense, and here's what Drew Pearson says:

Secretary of Defense Lovett is moving heaven and earth to kidnap an embarrassing baby from the doorstep of General Eisenhower before he becomes President. It is the Justice Department's grand jury probe of the big oil companies who are operating international cartels in alleged violation of the Sherman Antitrust Act,

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also a sixty-seven million dollar civil suit brought by the Justice Department against certain oil companies for overcharging the Government. Lovett, himself a Republican, wants to get rid of both before the Republicans take over because it will be extremely embarrassing for the Republicans to dismiss the two cases. It happens that the Rockefeller family contributed eighty-five thousand dollars to the Eisenhower campaign, H. R. Cullen, the big Texas oil man contributed around fifty thousand while other oil moguls chipped in heavily, so if Eisenhower should dismiss the two suits, it would look like a payoff. Lovett has asked the National Security Council to consider the matter on the grounds that the two suits would jeopardize the holdings of oil companies in the Near East. He and Secretary of the Interior Oscar Chapman have signed a report to this effect. Secretary of State Acheson has abstained from signing because his law firm represents the Standard Oil Company of New Jersey. Meanwhile the oil companies, especially Standard of California and Texas, are hurting their own case by spreading reports that the cases against them were inspired by Communists. They've employed the public relations firm of Hill and Knowlton which published a booklet of oil companies' inspired editorials, castigating the Federal Trade Commission and saying the Government generally is riddled with Communists. This charge that the United States Government is Communist dominated is being sent to sixty-seven foreign Governments and editors and "molders of public opinion" in sixty-seven foreign countries. (1) The Federal Trade Commissioner who sparkplugged the carefully documented cartel reports on the oil companies is Stephen Spingarn former attorney for the Secret Service, one of the most trusted organizations in the Government. (2) What really hurts the American oil position in the Near East is not lawsuits in the United States but British wrangling with Iran. This not only has played into the Russian hands but it's helped to

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alienate the Arab world.

I'll put that in there too. Now in connection with that same oil cartel report, here is a March 1, 1953, column by Drew Pearson called "Trade Commission Row." He says:

The backstage details haven't been told, but two feuding Federal Trade Commissioners have been trying to get their Commission to disown and denounce each other. They are Lowell Mason, a Taft Republican and Steve Spingarn, a Truman Democrat. Mason struck the first blow by intriguing with his fellow commissioners to repudiate Spingarn. All Spingarn had done was defend the Commission against attacks from the oil companies which had accused the FTC of Communist tendencies for investigating the international oil cartels. Mason, a big business spokesman, got Chairman Jim Mead, former Senator from New York to join him in a resolution to embarrass fellow commissioner Spingarn. The resolution declared Spingarn was speaking for himself and not for the FTC in denouncing the oil cartel even though it was the FTC that originally exposed the cartels' price fixing. However, Commissioner John Carson sided with Spingarn to deadlock the matter. Mason then got the fifth member of the Commission, Albert Carretta, out of a sick bed to vote against Spingarn. Carretta came to work just long enough to cast his vote then went back to bed for another week. [This is true. He had a fever and he got out of bed and he came up to cast the deciding vote and then went back to bed again. It was funny, the two other Democrats on the Commission voted against me with Mason. Carson, an independent, with a Republican background, sided with me. Continuing the Pearson item.] Irony is that Spingarn was repudiated for defending the FTC while Mason has been criticizing the FTC for seven years. In speeches before business

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groups, he has even compared the FTC theories to the thinking of a Soviet Commissar named Krylenko. Using this as an excuse, Spingarn drew up a resolution against Mason even parodying the language of Mason's resolution against him. The lineup was the same. Carson voting with Spingarn and Mead and Carretta voting against. As this deadlocked the issue, Mason was able to remain aloof and disqualify himself from voting. [Of course, when you offer a resolution, it has to carry by a majority, a tie defeats it.] Note, in spite of Mason's blast at his own agency, he doesn't want to abolish the FTC, he would be content, he said, to change its 'muddled thinking.'

It's funny, you know, that Jim Mead should line up against me because Jim and I were liberal Democrats and friends up until the point where he thought I was taking over his prerogatives, when he appointed me acting chairman, and people began to ask him if he'd resigned from the Commission because it seemed to have a new chairman. But we made up later. He was a great guy.

HESS: You think that was the reason he voted against you here?

SPINGARN: It was partly that, I think, and partly because, and perhaps more so -- this is speculation, partly it was this -- I was being critical of my own administration, because it was still the Democratic administration, and I was criticizing the State Department and the National

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Security Council and others for wanting to drop or downgrade these oil investigations, and I was urging them to keep them going. Now everybody seems to have some oil connection. I remember on one occasion I was trying to find somebody at the State Department to discuss their position on the oil thing with, and I went all around Robin Hood's barn. I talked to an Assistant Secretary and the Under Secretary and the legal adviser and any number of people, and each one said he had an oil connection, his old law firm, or he was beneficiary of a trust which was in oil, and I went around and around and each one said that he was not in a position to discuss it because of that, but why don't you talk with so-and-so. Finally after talking to six or eight men, I was referred back to the man I started with. At that point I gave up.

HESS: Oil was pretty influential then.

SPINGARN: Oil was and always has been and will continue to be pretty influential, there's no question about it. It has never made much sense to me that Hunt and Murchison and Richardson, Cullen and these people have built up fortunes of hundreds of millions, some say even a billion dollars in one or two cases, such as

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Paul Getty, largely on this oil depletion allowance, a tax gimmick. Now I'm not saying that oil isn't entitled to some depletion allowance, but not twenty-seven and a half percent. This has made some fabulous fortunes, and it doesn't make sense to me, but then I'm not a Texan or an oilman and maybe if I were it would make more sense, I don't know. Nobody has ever been able to do anything about that and I don't see any prospects in the near future that anybody's going to.

Here's another thing I'd like to mention, I don't think I have these exact quotes before, but I have referred to them. The two main lines of attack, that I know on Lyndon Johnson or two of them anyway, maybe there are others, one is that they don't like his style, he's crude or he just hasn't presidential style, and the other is that he is very mean to his staff, you know, hard and brutal and tough to his staff. I wrote a letter to the *New York Times* last November but they never published it. I have some quotes here which I'd like to get into the record. I start off:

Recently two historians wrote of an eminent American politician: 'It was a smart thing for intellectuals in general and writers in particular

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to hold the President up to ridicule thereby proving that they themselves were sophisticated. They called him "timid" and "ignorant," a "man of no education," they shouted that he was nothing but "poor white trash" and so forth. Most of the outstanding newspapers at the beginning of his term of office were opposed to him and remained so throughout, indeed many mercilessly berated him, calling such names as a "half-witted usurper," "simple Susan," "baboon" and the "head ghoul of Washington." They were speaking of a man [I said] who had never gone to Harvard and whose wife could not have spoken French to Andre Malraux. This crude country bumpkin was named Abraham Lincoln.

By the way, in the interest of historical accuracy, I should correct that statement because I believe that Mary Todd Lincoln could speak French. She had had a pretty good education down in Kentucky, where she came from a socially elite family, nevertheless, in principle this is true because she was regarded as a backward provincial by the ladies of Washington. Kentucky was not regarded as very fancy country, you see, in 1860, and so she was treated as somewhat of a provincial, country cousin, even if she had had a pretty fair education by the standards of the time. And Lincoln himself had many of the characteristics of a country boy, many of the characteristics, and they stayed with him, and were one of his most endearing features, in the light of history anyway, whatever the sophisticates

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of that day, whatever the Hans Morgenthau of that day may have thought of him.

I was much amused by this great historian, Hans Morgenthau -- by the way Hans Morgenthau is professor of both political science and history at the University of Chicago, and I asked an eminent historian what the historians thought of him, and he said they thought he was a political scientist. I haven't asked the political scientists about him but maybe they think he's an historian, that often happens.

Personally I don't think he's an historian because he said, in this terrible article he wrote in the November 26, 1966, issue of *The New Republic* called "Truth and Power," in which he mercilessly flayed Lyndon Johnson as a ruthless, corrupt politician who was trying to silence the dissenters among the intellectuals by either vilifying them or by corrupting them, by giving them jobs, and he said there that Abraham Lincoln was the only perfect combination known to history, of truth and power.

I say, "Hans, look back again, read the histories, you will find that the people of your style were just as hard on Abraham Lincoln as you are today on Lyndon

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Johnson, and I predict for you, right now, Hans, that a century hence the historians will say that Lyndon Johnson was a fine President, maybe a great President." This partly depends on what happens in the rest of his term. And I am sure they will say that about Harry Truman.

A few years ago, a representative group of historians, rating all the Presidents in numerical order as to their views of their greatness, rated Harry Truman eighth, as I recall, and think it quite likely that he might step up to fifth or sixth in a century or even by the end of this century, I'm sure he'll move ahead of Polk, they rated him peculiarly enough seventh as I recall. I think it quite likely that he might move ahead of both Franklin Roosevelt and Woodrow Wilson, I mean within the realms of possibility. And that would leave only Lincoln, Washington, Jefferson and Andrew Jackson ahead of him and maybe he will be matched with Andrew Jackson. He is the same kind of man in many ways.

HESS: You're answering my questions before I even ask them.

SPINGARN: I continue this letter:

In 1966 a man who served under him had this

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to say about a leading politician of our day: 'He was not kind and considerate, he bothered nothing about us, he knew the names of only those very close to him and would hardly let anyone else come into his presence. He was free with abuse and complaint. He was exacting beyond reason, and ruthlessly critical. He continuously exhibited all the characteristics which one usually deplores and abominates in the boss.'

That man was Winston Churchill, the book is called *From My Level*, it's by a senior British servant of Churchill's period called George Mallaby. In other words, Winston Churchill was a little rougher on his staff than Lyndon Johnson is, but they loved him, they loved him.

By the way, Pierre Salinger says that John Kennedy could be very rough on his staff, I mean, he could use icy sarcasm and things like that. I say this, that I have hardly ever known a hard-driving executive who was not hard on his staff, he's hard on himself and he's hard on his staff. He sets high standards of performance for himself and he naturally sets them for his staff too. I have said before that President Truman was not that kind of a person, that was the principal difference between him and Lyndon Johnson, and I'm not sure that President Truman's Presidency might not have benefited

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if he had had a little more of Lyndon Johnson in him. I'm not sure that he wouldn't have benefited, because sometimes, it seemed to me, that the President was too easy on staff men or subordinates who had muffed the ball, who had fumbled, who were deservedly being criticized and attacked, you see, for real errors.

HESS: I was going to ask you if you put that in the category of a failing on Mr. Truman's part?

SPINGARN: Well, yes, I would. A failing, it's such a beautiful benign failing that, it was one of his sweetest qualities, you know, my goodness, if you worked for him you couldn't help appreciating the fact that you knew you were never going to get really badly chewed out, whatever you did. I think if he had in him a little more of Lyndon Johnson in this area but not quite as much as Lyndon has, you understand, maybe somewhere in between the two would be the perfect combination, you see, a man who would most of the time be benign and kind but once in a while would get mad and could act just like any other angry man when he feels that the people working for him have not met his standards.

HESS: When it was necessary.

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SPINGARN: When it was necessary, that's right, and who could ruthlessly eliminate men who had failed him. Now this is difficult for a President to do, and the things about President Truman, and he's not the only one, I think it could have been said of most other Presidents -- it was true of Franklin Roosevelt -- that if the man was attacked by the President's opposition, he was likely

automatically to spring to his defense, even if the man didn't deserve a defense, even if the man had really failed and done things he deserved to be dropped overboard for. I think that is one of the most difficult things for a President to do, to show a certain amount of ruthlessness to a man who has not measured up to standards.

By the way, while I'm on this position, on this situation, I'm talking now briefly of ethics, too, in Government, it has always seemed to me that one of the most important ingredients of running a good clean Government -- now in a Government of two and a half million people, there always will be a few crooks, no group of two and a half million people has not got some crooks or more typically weak people who can be corrupted by people who have a lot of money to gain by

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corrupting them, this you will never be able to avoid. You simply have to have sufficient checks and balances to catch those people, you hope. Most people in Government are honest or they will be honest and they will be ethical if they feel that those above them are honest and ethical, and are setting a proper standard for them. But if they feel that those above them are, I don't mean corrupt, but if they see their boss accepting large gifts and rich hospitality from some lobbyist, it's likely that they're going to reflect his pattern of operation, this is the way it goes.

If I were President of the United States, which there isn't a likelihood of my ever being, I would do this, (a) I would call in all my Cabinet officers and my agency heads and I would say, "Boys, this is going to be as ethically clean an administration as I know how to run. First of all I am going to adhere to what I regard as standards of ethical conduct within the context of the traditions of the Presidency myself." By the way, there are rules that apply to a President that don't apply to other people. I mean, for instance, the President cannot very well refuse to accept a gift from a visiting potentate, that would insult the man,

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and yet this is different. He's the symbolic head of state, he has to be treated in a separate category all by himself, on many of these matters, that doesn't mean that he has to accept hundreds of thousands of dollars of free gifts for his estate up at Gettysburg from companies that have an interest in Government, that doesn't mean that at all. And I guess we know who I'm talking about.

HESS: The only former President with an estate in Gettysburg.

SPINGARN: Well, let me give you a minor witticism that's not mine but which I enjoy. You know the resemblance between President Eisenhower and President Lincoln?

HESS: They both had a Gettysburg address.

SPINGARN: They both had a Gettysburg address, that's right. That's the only resemblance. General Eisenhower's Gettysburg address brought in a lot more returns, at least in terms of material returns than Lincoln's Gettysburg Address which has brought in a lot more spiritual returns.

That's what I would say if I were President. I would say, "I expect each one of you to conduct yourself in an upright fashion and not to permit

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yourselves to be richly entertained by people or receive fancy gifts from people who have interests in Government, or in any other way do things a sensible man should know is not appropriate for senior Government officials or any Government official. And I expect you to call in your subordinates, your bureau chiefs and give them the same kind of lecture and tell them to do it to their subordinates." (In other words, pass it down the line all the way.) I'd say, "This Government is going to be run not only honestly, but so that it looks as if it is run honestly."

That coupled with the kind of program I've discussed, and which may be in force now because I haven't followed, actually, what's been done in this field, but my impression is that something is in force, I don't know how well it's working -- a system of agency ethics boards, or whatever you want to call them, with an overall ethics board, and a general Government rule of ethical standards with perhaps variations for particular situations, obviously the Bureau of Internal Revenue may have problems say the National Park Service doesn't have because of the nature of its work, the

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terrible pressure on these men. If you're in an area where hundreds of millions of dollars are being juggled around, the pressure of corruption is much greater than if you're not in that kind of an area, obviously. The police are often corrupt because that's where the money is.' A police officer by winking at a violation in gambling or something like that can permit people to make millions, can't he? Or by permitting narcotics traffic or whorehouses to operate or anything like that, you see, because there's pressure there. The same thing was true of the Counter Intelligence Corps. We were under corrupting pressures because we exercised such great powers over the civilian population. Well, that's my idea of how to establish as ethical a Government as it's possible to get while you're still dealing with imperfect man.

Now, another thing that I have wanted to discuss for a long time has been highlighted lately by the Central Intelligence Agency's problem with the secret subsidization of our student groups and other private organizations. I myself have been a counterintelligence officer. I am familiar with this work, or have been. I have a thesis which I have often discussed with my

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CIA friends and which, naturally, they disagree with, and that is that a lifetime or longtime career in intelligence is corrupting for people engaged in it. I don't mean corrupting in the sense that it makes them crooks, I mean, that it imperceptibly blunts their ethical sensibilities in many respects and at least it establishes for them a kind of world of their own in which they don't understand how real people think in the real world; because the central credo of intelligence and counterintelligence is that ends justify means.

I'm not talking about the ninety percent of CIA work which is research, overt intelligence. I'm talking about the ten percent that involves secret intelligence, whatever the proportion is, that's the figure often given.

In secret intelligence you use any instrument that is available. You use criminals, you use narcotics addicts and traitors and smugglers. You use pimps, you use whores, you use homosexuals, you use anybody you can use, because you're trying to get people through their weakest and most vulnerable points, and you are also trying to find the secret passages where information can be passed and these corrupt

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channels are that kind of place. They deal in people's weaknesses and deal in the secret channels of communication between countries, so obviously you have to use them.

Now, in wartime that's one thing. War in itself is an abnegation, I guess you could call it, of ethical man's credo that ends don't justify means, to a large extent at least. Even in war there are some things we say we won't do -- we don't know what we'd do if we were up against the uttermost, nobody does. But you do things in war you wouldn't do in peace, that's for sure, and my conscious was never hurt by the things I did in war, I mean, because I didn't torture or do those things but recommending or even ordering the assassination of some enemy spymaster on the other side, didn't hurt my feelings, he was an enemy, he would have done the same for me if he thought it worthwhile.

That wouldn't hurt my feelings, but in peacetime it's different. Now, I ran across a situation in Italy during the war, right at the end, after the war was over. A bunch of Italian entrepreneurs came to some allied counterintelligence officers, including men

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I knew, British and American, and they told them they would like to reopen a gambling casino, which was on the Italian side of the Swiss border or was the Swiss side of the Italian border -- the point was that you had to go through Italy to get to it, it was hung out over a cliff, so in some way it was necessary. I guess it was in Italy. Anyway it hung over both countries and you had to go through both to get to it because of the mountain terrain. It had been closed during the war and they wanted to reopen it. Their interest was financial, of course, but their appeal to the counterintelligence people was that there were a lot of Nazis holed up in Switzerland, life was rather dull for them and they would be attracted down to this place and that it would be a good listening post for intelligence, and possibly they could even pick up some of these Nazis. But in any event, it would be a good listening post.

Well, they wanted the allied intelligence officers to front for them with the Italian Government to get the necessary permission, and they did. Well that sounds all right so far, it was a perfectly legitimate intelligence operation; but the thing that didn't sound

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all right to me was that it turned out that a good deal of money changed hands in the course of this transaction. That is to say, the entrepreneurs paid large sums to some of these allied intelligence officers, ten, twenty, thirty thousand dollars each for helping them on this matter. Now, to me, that sounded strictly off limits. When one OSS man who was in charge, he was a young fellow but he was in charge of some of the men who were involved in this thing -- he was

supposed to be very brilliant, I don't know if he was or not, I didn't see that side of him perhaps, and he's still in CIA I'm told, and probably developed and matured, he was only in his mid-twenties then, he wasn't involved personally but some of his people were -- when he was told about it, he said he didn't see anything wrong in that. That seemed to be peculiar.

If I were running an intelligence operation, I would want to know whether my people were making recommendations to me for an intelligence operation that was based on their best judgment, or the fact that they were getting ten or twenty thousand dollars for the recommendation. That's what I would want to know, and I wouldn't trust a man who would take money.

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Well, that's only one phase. Now let's take that student subsidization thing. I would say that it was quite likely justified in the first instance, quite possibly. It started, as I understand, in 1952, in the very last months of the Truman administration, and it was run all through the Eisenhower -- well right up to the present. At that time, the Soviet Union was sponsoring world conferences of students and these were propaganda devices to propagate the Communist point of view among the young people of the world, and they were dominated, even when they were held outside the Iron Curtain countries, they were dominated by the Communist delegations. The delegations came from all over the world, but our side wasn't being effectively represented because with these young people of the Communist countries, the State paid their way there, that was no problem. But our people didn't have the money to send anything more than feeble little delegations, if at all. The idea was to send our people, young Americans who might if they chose, could answer some of these charges. And, actually, the National Student Association was not, certainly, a reactionary group, in fact, according to Joe McCarthy, perhaps a

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Communist front, I suppose. A lot of people called it socialistic and leftwing. These people were by no means stooges, but the fact remains that they were not Communists, they were anti-Communist in basic thrust and, therefore, they could make articulate answer-backers of the Communist propaganda thesis.

And apparently they weren't too bad, I don't know what the reason is, but the Communists have found these youth conferences -- a law of diminishing returns has set in -- they haven't found them useful enough to hold them any more and they're not being held on any big scale any more, several have been scheduled and then been cancelled. I gather that in that particular propaganda effort we seem to have done all right, but this continued long after, it seems to me, it had outlived its usefulness. It's perfectly clear that you could never have gotten Government support for this operation on an open basis in 1952 or '53. I'm sure you couldn't. The Congress would have said, "What! Subsidize this leftwing group of youngsters? Why certainly not."

HESS: McCarthy would have been all over them.

SPINGARN: All over them; that's right, but this thing

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continued, apparently, of its own weight like most bureaucracy, long after, it seems to me, its usefulness had passed. It seems to me that they should have tried, if they needed it, to institutionalize it in the open or drop it, one or the other. Because, what I'm saying is, that these people in CIA don't understand how people in the real world think, and they can't understand why they're shocked at all to find that private institutions, and this is the way many people would think, that private institutions are being clandestinely corrupted, they would say, by the secret intelligence agency, behind closed doors, unbeknownst to all but a handful of people in the institution itself because the rank and file never knew this. Only a handful of officers knew the facts, you see, that the money was coming from the CIA.

Now, I say, that the intelligence people have insensibly had their ethical sensibilities blunted to the point they don't understand how human beings in the real world think about such things. They can't understand why they're shocked at all by it. They say, well, we do it for national security. Well, they do it for their concept of national security

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but national security is like patriotism, I mean, it's a big broad tent, and McCarthy said he was doing it for national security, everybody says they're doing it for national security, but the fact is that national security embraces more than just these frontal little conflicts with the Communists, it also embraces our credibility and reputation around the world as a free country, and if the rest of the world says, "Well, they're no better than the Communist, they're doing the same kind of dirty things," and actually the secret police are just as powerful there as they are in the Soviet Union, the chances are that the repercussions of a thing like this, in those terms, may be much more hurtful than whatever help you will get from the operation itself.

This should always be considered, but I don't believe the CIA type of mind is capable of considering that, because they live in their own world. They don't see the real world and they don't understand how human beings outside the intelligence community think. I think that the President ought to have some kind of a setup which would permit people in the real world, I'm not talking about ivory tower perfectionists, I'm

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talking about pragmatic liberals who are willing to do things that Hans Morgenthau would say were terrible, but who on the other hand, understands how human beings in the real world feel about these things and would not permit the CIA to get into this kind of thing, where in the alleged interests of national security, they win a minor victory and lose a major propaganda war. That doesn't make sense. If you just put it on practical terms, not even talking about the morals, or ethics of the whole thing.

Now, here's a little humor item. Here's an item that amuses me, it's from the *Drug Trade News* of December 22, 1952, and it says that I have a reputation of being one of the hardest working commissioners at the Federal Trade Commission. This was because they had printed a previous, somewhat disparaging, story about me...

HESS: During the fair trade episode?

SPINGARN: No, it wasn't fair trade, I don't think, it could have been, I've forgotten what the basis of it was. But, in any event, they had printed a somewhat disparaging account of me and some of my friends, the staff at the Commission talked to them and said, this fellow is a

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hard worker, you seem to think he's not working at his job. As a matter of fact, my hours were irregular and that confused people. I got in late, you know, but I stayed late, much later in the evenings and I came in later in the morning, and I took my work home. And I used to shock the staff at the Federal Trade Commission because when I held conferences, I didn't stop at five o'clock, this was terrible. I wasn't used to stopping at five o'clock in the Treasury, you know. I ran a conference until we finished, and everybody started to shuffle their feet and they started talking about car pools, and all these things that bureaucrats think about, but I ran it till six -thirty or seven, and this was regarded as...

HESS: At five o'clock they'd get a little nervous.

SPINGARN: At five o'clock they started getting nervous, that's right. Now, this is the humor item involving President Truman. J. Strom Thurmond, in 1950, was Governor of South Carolina and for reasons best known to himself, I suspect at the urging of the members of the WCTU, or some other benign or misguided group like that, he issued this following pompous and sanctimonious statement of May 1, 1950, from the

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office of the Governor, on his official letterhead:

I am a strong advocate of temperance and have never indulged in drinking. As Governor I have regarded it important to set an example which would encourage temperance and have not permitted the serving of alcoholic beverages in the Governor's Mansion. Alcohol is unnecessary to a full and enjoyable existence, [Well that's your opinion Strom.] whether in social gatherings or in the privacy of one's own home. By abstaining from the use of alcohol in my own life, I am convinced I have been able to render a greater service in the position of public trust that I have been honored to hold. J. Strom Thurmond, Governor

Well, when Mr. Truman saw this, he burst into laughter, he thought it was so funny, you know, that any man would issue a statement like that, a self-serving statement like that. Like most of our other Presidents, Mr. Truman enjoyed an occasional drink.

I have never fully trusted a man who won't take a drink. I'm exaggerating because I've known men, fine men, who didn't take a drink. In the immortal words of Abraham Lincoln, this is a real quote, "It has been my experience that people without any vices are not likely to have many virtues." Liquor in moderate quantities is a great social blessing and in immoderate quantities it can be a curse.

I'm getting sanctimonious myself now. There's a

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1966 kicker on this. David Chewning of the Democratic National Committee asked me to write some speech material for, oh, what was his name, Bradley Morrah, he was a South Carolina state senator who was running against, now Republican Senator Thurmond for the U.S. Senate seat. I did quite a bit of research on J. Strom, and I remember digging up this from my 1950 White House files and, but the best thing of all I found was this. Thurmond ran against Truman as the Dixiecrat candidate for President. Of course, he only got about a million and a quarter votes, about the same number as Henry Wallace the leftwing Progressive Party candidate got. Shortly after that, I believe, while Thurmond was still Governor of South Carolina, he was photographed standing on his head by *Life* magazine. Thurmond is a physical culture addict and this was apparently because he had just married his twenty-one year old secretary. It was a very romantic match. According to the press reports at the time, he proposed to her by calling her in and dictating the proposal to her. She didn't answer, but she retired to the other room and dictated her answer, typed it up I mean. In any event, he was a man in his latter forties then, as I recall, and she

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was twenty-one, and apparently because he wanted to demonstrate his good health...

HESS: Virility.

SPINGARN: Virility, he permitted himself to be photographed standing on his head, by *Life* magazine. This was not taken kindly in South Carolina. They didn't like their Governor being photographed, shown all around the country, standing on his head, they did not regard that as dignified or appropriate for a Governor, you see. A couple of years later, I place it in 1950, he ran in the Democratic primary against Olin Johnston, who was then the Senator, the longtime Senator from South Carolina and a much better man, a moderate, sensible, populist-type Democrat, who was pretty sound on most things except the usual Deep South prejudices on segregation and even there he was no racist, as Strom had been. So wherever Strom went -- he lost, by the way, Olin Johnston beat him -- wherever he went during that campaign, hecklers in the audience would shout, "Why don't you stand on your head, Strom. Why don't you stand on your head?"

In my 1966 writings for Mr. Morrah I covered this incident, and I said that the fact of the matter is Strom obeyed them, he has been standing on his head

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ever since, and that's his trouble, he's looking at the world upside down so he doesn't know what is really there, and he sees good things as bad and bad things as good.

Strom Thurmond, by the way, is a rightwing extremist. He has sent out letters, I've seen copies of them, I've received copies of them, endorsing things like the Manion Forum, that's Clarence Manion, the former dean of Notre Dame Law School, who is a nut, I mean, a rightwing nut, and who has a radio forum, hundreds of stations, Dean Manion is, by the way, a founding father of the John Birch Society, and still a member of the JBS national council, and that's how far right he is. I've gotten poop from another organization of similar lunatic right fringe views, also

endorsed by Thurmond, officially endorsed by him, he sent out letters urging people to give money to them. Thurmond is always involved in rightwing things. I mean, the John Birch Society type thing, I'm not talking about the ordinary conservative viewpoint, but far to the right.

In 1964, *Pageant* magazine interviewed Senators and Congressmen and newspapermen, Washington newspapermen, and asked them to rate their colleagues, in the

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Senate in the case of Senators and in both houses in the case of newspapermen, in relative order of usefulness to the country, effectiveness as a Senator let's say.

His fellow Senators rated Strom Thurmond as one hundredth among a hundred Senators in effectiveness, and the journalists rated him the same way -- one hundredth -- that's Strom.

And yet in this 1966 campaign, as always, Strom's thesis was that only he was holding the door, the gate, against the awful convolutions of this terrible socialistic, communistic government. And if they don't send him back, why the walls of the republic will fall, and all will be ruined. This man who is so ineffective, that his fellow Senators rate him one hundredth. Nobody pays any attention to him except to laugh at him.

Well, my work on Strom Thurmond was an exercise in futility, as I knew it would be, because he won handily in the South Carolina 1966 Senate race. So much for that.

Here is an October 31, 1964, letter from Shannon H. Ratliff, assistant to the President, that is assistant to Lyndon Johnson:

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Dear Mr. Spingarn; The President asked me to thank you for your note and the enclosure. Your letter to the *Times* was very well done and should do much to bring this issue into perspective....

I wrote a letter to the *Times* about Walter Jenkins. This is the middle of October 1964, I think the fourteenth of October 1964 was the day of Walter Jenkins' fall. It was interesting because I had written him a letter a day or two earlier, and I actually got a letter, I think, on the very day the newspaper announced his tragedy, I got a letter from him answering my letter. I wrote a letter to the *New York Times* which was published in which I pointed out that Walter Jenkins had given twenty-five years of devoted service to his Government, that nobody who knew him had the least doubt about his loyalty, his integrity to his Government, and his effectiveness as a public official, and that it seemed terrible that a man could have his total career ruined, his Government career ruined, by an offense which his society rated so low in the scheme of offenses that he could post twenty-five or fifty dollars collateral and forfeit it and that ended the offense as far as any punishment was concerned for that offense, directly.

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Continuing Ratliff's letter:

...The President was also most encouraged by your report on the poll results in Pennsylvania. We certainly appreciate the help you have been giving us. With best wishes, Sincerely Shannon H. Ratliff

The poll was that one I mentioned before by a political scientist at Lafayette College who used his classes every campaign, every election to poll in advance, to see how the thing was coming out in the different major contests in that area and who had been surprisingly close to the actual results; and part of my idea, this is just a small part, for the national committee in this KOED project, this could be one of many things that could be done all over the country. We could set up, you might say, a separate, independent intelligence, political intelligence or reporting agency outside the regular party structure, because within the structure you're always getting men on their own stewardship, and no man is likely to say that he's done a bad job. He hopes that things will turn out right and if they don't turn out right, why then he'll try to explain that later, but not beforehand.

And I have here a letter of June 15, by the way, which President Lyndon Johnson wrote me:

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Dear Mr. Spingarn; I am indebted for your spirited defense of my administration and its policies in the *New York Times* and *The New Republic*. Your vigorous style and viewpoint remind me so much of the great President you served.

I am heartened not only to have President Truman's confidence, but the support of those who worked with him to achieve so much and who want that work to continue now. Sincerely, Lyndon B. Johnson

You know, as I close this thing out now, as I must, I'm reminded of what Will Rogers used to say, "I like to hear a man talking about himself," said old Will, "because then I know I'll hear nothing but good." I realize I have been saying a lot of good about myself. Sometimes I have leaned to the idea that one should never speak well of oneself, but in the long run, I think, probably, I come closer to the advice given by William S. Gilbert of Gilbert and Sullivan in one of the operettas, it goes something like this; "If you wish in this world to advance, your merits you're bound to enhance. You must stir it and stomp it, and blow your own trumpet, or, trust me, you haven't a chance." Jerry, I can't think of anything further that I want to say at this time. I know you will be available if I have afterthoughts. I'm going to give you some

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of this material .I have to take down and Xerox and return it to me, and I want to close this out by saying to any historians who may read this transcript or listen to this tape, that I will always be glad to talk to historians who think that I have anything to contribute, but on the one hand (a) I hope that if they expect to use my time, that they will not spurn pro bona publico requests that I make of them for a little of their time as a quid pro quo, and secondly I reserve the right not to talk to men who I think are so emotionally committed to some preconceived thesis with which I disagree, that I do not believe they could accurately write about that situation or accurately reflect my views or the general picture, and I refer to the young historian from Pennsylvania in that connection, and in the first connection I referred to the historian from Wisconsin.

Have you got any questions that you want to ask me?

HESS: No, I think that very well covers all the questions I have on all the subjects. My last question is usually, what is your estimation of Mr. Truman's place in history, but you've covered that quite well just a few minutes

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ago.

SPINGARN: I will add only this on that. I think that he had a magnificent record in his own administration during his years as President on the foreign policy front, I mean, that will be the gems in his diadem. But I also think he did what was possible and achievable in the domestic areas, and I don't think that a man should be judged out of the context of his time, by standards of today, the things that he did or tried to do were impossible then -- the votes weren't there -- and still even in the civil rights field there were demonstrable achievements although they were not showy, perhaps, or extravagant, there was no civil rights legislation passed but I've already mentioned some of the things other than legislation that were done.

HESS: I have a question on that. Why do you think that he was so successful in foreign policy matters?

SPINGARN: I don't know, Jerry, I'll have to think about that for a while; I'm not sure that I know why. Let's put it this way, the great challenge of the postwar period was the emergence of the Soviet Union from a position of relative isolationism before the war to an aggressive world power, and just as the main thrust

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of the '30s had been defense against Nazi and Fascist aggression, and by the way, we flunked those tests miserably all through the '30s and that didn't stop a world war, it brought it on sooner, so the main thrust of the '40s, the late '40s and the '50s was, what was the free world going to do about defense against another form of totalitarian aggression -- communism. It isn't communism within its own borders that should distress us. Yugoslavia, at least since they stopped supporting the guerrillas in Greece, has been non-aggressive.

Yugoslavia should give us no concern. We may not like their form of Government, there's more but still relatively little freedom there. But it should not be a major matter of concern to us until aggression steps in, until they move outside their borders against neighbors or non-neighbors for that matter, and that was the great challenge, therefore, of his years, and it seems to me that Mr. Truman met that challenge magnificently, and he built a series of defenses against that aggression.

I don't think that we who are living today, almost fifteen years since he left office -- fourteen years -- should

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forget that, although there have been rifts in the Communist lute, although it is no longer any monolithic bloc in the sense that it once was, that aggression is aggression and that wherever it occurs, within the realms of our possibilities, we should do what we can to deter it. In some cases this may be simply physically impossible as it was in Tibet, for example, as it was, perhaps in Hungary in 1956, although that was an act of foolishness on the part of the Eisenhower administration. They had come in on thundering promises of a policy of liberation not containment, and when the Hungarians had the misfortune to believe them, they couldn't help them. Well, you mustn't make promises beyond your capacity to perform. There was no contiguous border with Hungary.

So I suppose, that's the reason why Mr. Truman has gotten such great credit for his foreign policy, but I don't think he should be downgraded for his domestic policies. I think that his program was good. A wave of conservatism sets in after every war. We'd had a New Deal period in which we'd made progress in a few years which usually takes generations in most countries and Harry Truman kept the issues before the

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country, and in the sense of making this possible later by keeping the educational processes running, he made a substantial contribution even on the domestic side.

HESS: Fine. That's everything I had to cover. I wish to thank you very, very much for your time. It's been a major contribution to the Library.

SPINGARN: Thank you, sir, and I would be inaccurate if I didn't say that I've enjoyed every minute of it.

HESS: Well, good, and if you have anything else later on, let us know and we can record that and put it right on the end of the transcript.

SPINGARN: Right, will do.

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Thirteenth Oral History Interview with Stephen J. Spingarn, Washington, D.C., March 29 , 1967. By Jerry N. Hess, Harry S. Truman Library.

HESS: Mr. Spingarn has indicated that he has a few more items to cover, the first is an addition to the Clifford material and it will carry the same restrictions that we have for the Clifford material, closed until five years after the death of Mr. Clark M. Clifford.

SPINGARN: I have before me my longhand notes that I wrote, myself, contemporaneously to the events which they describe. They may have been written a few days later or even a week or two later, but they were written very close to the events that they refer to.

Under the heading, June 29, 1950 -- July, I have written "Pan Am-AOA Mess." This was the Pan American-TWA conflict over who was going to get the AOA routes to Europe -- the airline routes. I've written here in the margin: "I asked H.S.T. [the President that is] for permission to

disqualify myself on Pan Am-AOA case because of C.M.C. [that's Clark M. Clifford, of course] because of C.M.C.'s interest in the matter as TWA and Howard Hughes' counsel. H.S.T. approved." That is, my request for disqualification, and it was arranged that Fred

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Lawton the then Director of the Budget, would handle it directly with the President, instead of sending it through me as the White house aviation man. Continuing from my longhand notes:

Original letter approving CAB decision sent June 29, [this is all 1950, of course,] withdrawn and entirely different one sent June 30 after H.S.T. meeting with Steelman, Lawton, Connelly and Oswald Ryan [Oswald Ryan was the Republican member of the Civil Aeronautics Board, and who had been on the majority side of the original CAB decision sent over, while Ryan had been on the minority side]. July 3, O'Connell wrote H.S.T. an angry letter asking resignation submitted June 13 be accepted at once. H.S.T. replied, "You were asked." -- No mention of resignation. O'Connell sent second letter detailing that he was not asked. C.M.C. [that's Clark Clifford] came to see me at home [that's my home here at the Anchorage] Thursday, July 6th. He know all consequential facts -- was thinking of going to H.S.T. I suggested he resign TWA job and retainer before doing so. He's sore at C.S.M. [that's Charlie Murphy]. Later same evening, July 7, Friday, C.S.M. [that's Charlie Murphy] urged the president, H.S.T., to call in whole Civil Aeronautics Board on matter. In meanwhile the CAB had written H.S.T. accepted O'Connell resignation on July 7th -- letter dated July 6th, and it was announced Saturday, July 8th. C.M.C. [this is Clark Clifford] called me up at home Sunday, July 9, said he was thinking of quitting TWA, then seeing H.S.T. [but, as far as I know, he did not so]. July 10 [here's another entry] Pike confirmed easily [this is Sumner Pike of the Atomic Energy Commission, there was controversy over his re-nomination, I worked on that in securing the approval of the re-nomination].

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C.M.C. [Clark Clifford] called me at home in evening to say H.S.T. that afternoon had sent letter to CAB putting Pan Am in Rome and Paris. I had not heard of it. C.M.C. then called C.S.M. [these initials are a little confusing but remember that C.M.C. is Clark M. Clifford and C.S.M. is Charles S. Murphy always] as I discovered, when I did same. Si Anderson [now Si Anderson was with the railroad union, he was executive, he was their chief lobbyist, I guess, you might call him, for the railroad union, and a good man; worked with us on matters of mutual concern in the legislative field and many things] Si Anderson called me after C.M.C. called [that's after Clark Clifford called] to say two men he knew were peddling explosive stories on this case around town. I said I didn't care to discuss the matter.

That ends my notes on the Clifford episode.

HESS: And that ends the restrictions.

SPINGARN: And that ends the restricted material, yes.

HESS: Mr. Spingarn has indicated that he has a few more items that he would like to cover.

SPINGARN: Now, with further reference to my own leaving of the White House, I mentioned that I've never known to this day why I was kicked upstairs, although, I've mentioned two episodes which possibly were involved; one involving Vice President Barkley, which always seemed so minor and so piddling, that I couldn't believe that it really had anything to do with it, but, of course, it may have been used, or blown up in

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some way that I wasn't aware of, and the other involving Senator [Herbert R.] O'Connor and in this case it was true I made Senator O'Connor very angry, but I did so because I was defending the Administration's position on a bill which he had approved in separate form in a different committee, and he was angry to have legislation that he had already approved attacked. However, I was not a volunteer, I'd been invited to the Hill by Senators to express the Administration position on the Internal Security Bill, of which the provisions that O'Connor got angry about, were a part -- they were immigration provisions.

There were, I may say, one or two mysterious things that had happened which I didn't put together until after I learned about my departure. One was that I received an offer from a large New York law firm in which a former presidential assistant of both Roosevelt and Truman was a senior partner. I had received an offer to join the firm and I declined it saying I was much happier where I was and I wouldn't leave for a hundred thousand dollars a year, which, by the way, nobody was offering me.

I later learned that this was probably a device to arrange for a graceful departure for me from the

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White House. I have here a memo which I wrote about the meeting in Biffle's office in which I made Senator O'Connor so angry, which, as I say, was one of the episodes, though it's hard for me to believe that it counted. Senator O'Connor was often against the Administration and he carried absolutely no weight with the President. I knew that he was not a man whose opinions were highly respected by the President but on the other hand, it was also possible that this episode was blown up in some way or other -- there were other people who wanted to expedite my departure; it might have been distorted. In any event, I have here a memo for the file, dated September 30, 1950, a memo for my personal file, it's called, the subject of it was "Meeting of Tuesday, August 22, 1950, in Leslie Biffle's office, on pending McCarran Internal Security Bill, S-4037, later passed by the Senate as HR-9490." I think I probably wrote this at this late date, you see, several months later, because by this time I knew I was going to leave and naturally thought of this episode in connection with my departure, and I wanted to make a record of the episode; that's the only reason I can imagine why I wrote a memo about it over a month later,

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and here's what I wrote:

Senator Kilgore called me late that morning to say that he would like me to come up to the Hill to discuss the McCarran bill and explain its defects to a small group

of Senators including himself, Senators Humphrey, Graham, Magnuson, and possibly O'Connor. He asked me to call Leslie Biffle and arrange for this meeting to be held in his office [Biffle's office]. I called Mr. Biffle at once, and he immediately agreed to set up a meeting for that afternoon. I went to the Capitol about 2:30 p.m. with Bob Ginnane of Justice [who had been working closely with us on this bill]. The meeting was in the back room of Leslie Biffle's office. Present were Senators Kilgore, Graham, Humphrey, Magnuson and O'Connor, Harold Miller, administrative assistant to Senator Kilgore, Bob Ginnane and I. Leslie Biffle was in his office but did not attend the meeting. [He was in the front office.]

That's simply a brief account of that.

Now, I have naturally inquired of many people since this event, I mean people involved, what they knew about it, and I never got the real straight of it and I suppose I never will -- it's more a matter of curiosity now than any burning need to know. I know that it wasn't any major displeasure with my work or me, on the part of Mr. Truman, because we continued our relationship, and I have many letters from him and I have seen him when he comes to Washington every time, and have continued a relationship with him,

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that he obviously would have not continued if he were completely dissatisfied, with me.

Here is a note of 1952:

On Saturday, October 25, 1952 [this is apparently written three days later] I saw Philleo Nash and had a long talk in his office. [Philleo was still at the White House, I was a Federal Trade Commissioner.] I asked him if at this late date he could throw any further light on who stuck the knife in me in 1950. He said he didn't for sure, he thought that Matt Connelly might have had something to do with it. He also mentioned O'Coner [Senator O'Coner] and "Veep" [that's Vice President Barkley] episode. I asked if he thought that Max Lowenthal might have influenced Matt Connelly.

I mentioned that Max Lowenthal had once told Niles, and possibly others that I was a Facist, that was in 1949, because I told Lowenthal I favored wiretapping under proper controls, that is if you get approval in each case of the cabinet officer involved and a court warrant.

Nash said it was quite possible that Max Lowenthal was very vindictive, and he mentioned that Max Lowenthal is currently spending much time in Matt's office with L's son. [I suppose that's Lowenthal's son]. Nash also mentioned the matter of getting into other people's subject matter areas [this is a bad sin at the White House, but it is very easy to do] and my widely circulated memos [that's apparently another sin]. Nash said that Niles had warned him against this sort of thing [and so forth].

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I also have a little note here referring to my talk with Earl Kintner, who was my legal assistant at the Federal Trade Commission, about the same time, or a little bit later actually; it was in December, 1952, I set the date at, no, November 22, 1952.

Kintner [I said] told me of Max Lowenthal's attempt to poison John Carson against me in 1950.

John Carson was a fellow commissioner. He was already on the commission when I arrived, and he has, for many years, been a good friend of Max Lowenthal's. This was the first I had heard of this business.

And John Carson, this was before John knew me, because we became friends later and he even sided with me in the most controversial matter in which I was engaged in, that was the fight with the oil industry, against my two Democratic colleagues, although Carson was not a Democrat, he was an independent with a Republican background.

And John Carson told Earl Kintner he was making a mistake to go with me [that is to say, he told Kintner before I came, at the beginning of my stay, that he was making a mistake to become my legal assistant. That's what Kintner told me, I'm quoting Kintner, and I don't see any reason why Kintner should have misled me on this, I don't see any possible reason for his doing so.] Philleo

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Nash was sure Niles [that's David Niles] had nothing personal to do with my ouster, but equally sure that he wouldn't raise a finger to help me.

That I know. I didn't have to be told that. I don't really think Dave Niles would have raised much of a finger to help anybody in such a thing, if it involved any insecurity for him.

I think I'll spin through these notes, I couldn't reproduce them, you know, they're unique for me, at least. Some of it I summarized later.

1948 [I wrote] January and February, detailed at the White House's request [Charlie Murphy] to work on civil rights message and omnibus bill; message went to Congress February 2, 1948. March 27th, Matt Connelly wrote Secretary Snyder asking for my indefinite detail to White House. Treasury did not want to let me go, and after a conversation between Charlie Murphy and me, the matter was dropped. It was about this time that I handled preparations of Treasury's views on Internal Security Bill, Justice sponsored, subsequently, 1949, introduced as S-595, 81st Congress. Horan, Justice, powwow with Tom Lynch and me.

That's a reference to the fact that a young lawyer named Mike Horan from Justice came over and tried to argue Tom Lynch, the council and me into dropping all our objections and all our provisions in amendment of their bill, although these had now received the approval of the President, ours I mean, the Bureau of the Budget

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speaking for him.

September, while in Los Angeles [well, actually in Beverly Hills on vacation] Tom Lynch called me to say the President had called Secretary Snyder and asked for my immediate return to work [this is still '48] at the White House. I returned on Labor Day [or actually, I think, the day after, well maybe it was Labor Day]. On September 8, I attended conference with President, Clifford, Murphy, Connelly, Dawson and Attorney General Clark [I have already referred to this, but these are specific notes, you see, and I have the names more, certainly here, than I had in my memory]. President told group that he wanted me to coordinate all loyalty and security matters. Attorney General said fine and promised full cooperation. I spent most of the next few weeks working on speech which President gave at Oklahoma City on September 28th and other campaign speeches.

Started a long powwow with Attorney General Clark after submitted memos of questions to him [I submitted this memo of questions to him, which he answered orally, with evasive dexterity, let us say]. January and February [that's '49] at request of Charlie Murphy, I was detailed to the White House again to work on the CVA [that's the Columbia Valley Authority bill] during this period, Clifford asked me if I'd like to come over on a permanent basis and be his assistant -- I did so on February 28th. [Now I've written in the margins here] Vanech [that's Gus Vanech] Connelly -- FBI episode, and Clifford's investigation in the matter.

Now I remember that, apparently, Gus Vanech had made some rather oblique and ambivalent remarks to Matt Connelly that the FBI didn't like me, you see, and this is what Clifford was inquiring about.

HESS: He wanted to know why they didn't like you.

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SPINGARN: He wanted to know why, and he discovered that it was simply a difference of official opinion on legislative matters, while I was representing the Treasury which naturally sometimes had a difference of views with the FBI -- we had our own enforcement agencies of which I was counsel. It was not any comment on my loyalty or integrity -- my policy views on internal security legislation, you see, was the meat of the coconut.

I told him of my official disagreements with Vanech [that was in the loyalty commission hearings] and the FBI on Treasury-Justice matters as counsel for Secret Service and the other Treasury cops and the internal security bill controversy, and the controversies of the temporary commission on employee loyalty.

Clifford was satisfied by all this and brought me over, of course.

October; [this is '49] veto S-1407, 81st Congress on October 17th, the Navajo-Hopi bill on my recommendation. Conferences with Krug, Chapman, Senators McFarland and Hayden and Representative Morris and others. Krug was angry about veto [he was Secretary of Interior then, and Oscar Chapman was Under Secretary]. He called me up the day it was vetoed to tell me so [and he chewed me out].

December; at Key West with presidential party from December 5 to December 13.

1950, February 15, the President called me in and gave me my commission as administrative assistant to the President -- complete surprise -- I had really

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not expected it. Stammered out thanks and hoped that I would measure up to responsibility. Later the same day, the President told Elsey that he never saw so big a man so scared.

I was amazed, I will tell you that.

I didn't feel that I had really done much of a job during that preceding year because I worked for a man who didn't seem to need me, that's Clark Clifford, and the work I had done had been for Charlie Murphy. Charlie had two marvelously able young men as his assistants, Dave Bell and Dave Lloyd, and they had worked like dogs all that year and I knew they were both entitled to it more than I was.

Clark Clifford had resigned as special counsel in January, 1951, and Charlie Murphy had taken over that job February 1. Work on small business program began -- March to April. At Key West with presidential party -- March 27 to April 10. Returned to Washington with President by air on April 10. Work on small business program continues, also handled rent control extension measures to Congress.

May: small business message went to Congress May 5th. I took bill up May 18th or 19th and gave it to the congressional leaders.

The President on west coast trip May 6th to 16th -- fifty-seven speeches and whistlestops. I remained in Washington and was busy as beaver. Contacts with Paul Hoffman, William Foster, Jim Webb, Fred Lawton, Secretary Sawyer, Secretary Tobin and others during this period, also with Representative John McCormack, House majority leaders and others on Hill. Many phone talks with train.

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I was really backstopping, you see, on the work, a good deal of it anyway, for the staff, for Charlie Murphy and other major members of the staff had gone out with the train.

H.S.T., I wrote the President's message to the Senate urging that the NLRB reorganization plan be approved, [two-headed freak I described it as] it was sent to train, signed and sent back to H.S.T.

That was the situation where they had a board and an independent general council that was independent of the board, you see, it was an officer not responsible to the board.

When President returned [that's May 16th] I began going to his morning staff meetings on own initiative [this is when I infiltrated then and stuck] not invited [I write] and the matter was soon regularized by practice. Couldn't do my job without it.

I'll tell you that was a nervous moment when I went in the first day.

HESS: Waiting for somebody to say something?

SPINGARN: Yes, waiting for somebody to say something, you know it would have been awfully humiliating to get thrown out of there in front of all my colleagues, wouldn't it have? Nobody said anything. Well, they

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wouldn't have done it that day, but they would have told me later, "Well, you'd better not come," but it didn't happen that way.

June: Began going to President's pre-press conferences on Thursday.

This was the warm up before the press conference at which the staff discussed with the President the matters that might come up at press conferences, the questions that might be asked, and discussed with him the possible alternative answers to these questions.

Began going on Thursdays and to press [that is the press conference itself] this was natural development of going to staff. Worked on basing point bill S-1008, 81st Congress. Heading up task force on it Eckart of Budget, Joe Wright of Federal Trade Commission, Bob Turner [who later became a member of the Council of Economic Advisers] Dick Neustadt. Veto was June 19th [I have a questions mark there].

June 14th, Wednesday, I went down to Quantico with President on *Williamsburg* overnight where we review impressive Marine amphibious landing exercises. Returned June 15th.

June 6th, the President made speech to Better Business Bureaus, at my request, he put in ad lib for small business program which was then pending on the Hill.

June 27, I went with H.S.T. to ceremony in which he laid the cornerstone of new U.S. Courts Building for District of Columbia [that's the one down around Third or Fourth Street just above Pennsylvania Avenue]. He made fine speech on human rights convention and Genocide Treaty.

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By the way, on that genocide, I did my best to get that thing approved but we were never able, and it still has not been approved by the United States Senate, the Genocide Treaty, to this day.

HESS: What were the main hang ups on that?

SPINGARN: The main hang up, as I understand it, is the whole feeling on the part of the Senate, perhaps Congress generally, that all these human rights treaties, some of which do no more than we are already doing you understand, they represent a potential invasion of sovereign powers by an international organization, that under the treaty power, you see, they might wipe out state rights in the field, which couldn't, perhaps, even be done by Federal legislation except under the treaty power.

I mean, I'm probably not stating it too clearly, but it is this malaise about what might be done by a world organization, a world government, in invading sovereign rights either of the Federal, or more particularly in this case, the state government. That is to say, if state laws were in violation of the treaty that we had approved, the USN. treaty, what would happen to them.

Now, the genocide thing seemed so -- we, by the way,

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were one of the early countries to sign it as I recall. The fellow who was usually known, I think he's now dead, as the father of the Genocide Treaty, he was a Polish emigre, if I'm not mistaken, a very fine man, named Doctor Lemkin, I think it was Raphael Lemkin, if my memory is correct. I believe he was at Yale, and this was a sort of great crusade for him. I think most of his family had been wiped out in death camps, at least that's my vague recollection. He came in to see me several times, and you couldn't help sensing the deep feeling this man had about this matter; in fact, no human rights treaty, if I'm not mistaken, no U.N. human rights treaty of any kind has been approved by the Senate to this day. The genocide thing and one or two others, I mean, it seems perfectly ridiculous that we won't even approve an anti-slavery U.N. treaty -- anti-slavery -- I mean, we abolished slavery over a hundred years ago here, but it is estimated that there are in the world still perhaps two million slaves, and actually human slavery still takes place in some remote parts of the world -- the Arabian Peninsula, perhaps, other places; even that we haven't ratified -- the Senate hasn't.

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Well, he made a fine speech on human rights convention and the Genocide Treaty.

I may have had something to do with getting that genocide stuff in his speech, I don't remember, and the human rights thing, perhaps, but I don't really know.

June 28, I went with H.S.T. to ROA [that's Reserved Officers Association] convention meeting which he and Louis Johnson addressed. Through June I continued work on legislation, the head of the small business programs. On Monday, June 26th, I spent two hours with Federal Reserve Chairman McCabe and his staff urging him to make changes in his statement the next day before the Senate Banking and Currency Committee on this program. He did so and gave fine statement.

I mean, his original statement had been rather hostile, but he changed it, and the sales talk that I made to him was that this was very near and dear to the President's heart, you know, he had been a small business man himself.

I think Tom McCabe heard me. He's a nice fellow, McCabe, and our encounter was entirely pleasant, I mean he invited me down to lunch, and I sang my song.

Investment Bankers Association asked him for twenty-eight hundred copies of his statement. Also I did missionary work with Treasury Lynch, [that's Tom Lynch] Kirby, [that's Vance N. Kirby, that was the tax legislative accountant] Preston Delano [was Comptroller of the Currency] and FDIC [that's Harl who was one of the board of FDIC].

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I note here, also, that "At this time I called Donald Dawson's attention to Walter Cosgriff," and also Mr. Truman's attention, the reason was this; Cosgriff was a banker out in the West, Utah I believe, and I think he had a lot of branch banks. He was actually a very conservative gentleman, a Republican and a conservative Republican on most matters, but in banking he was a liberal, and he had testified for the Truman Small Business Program, that's what endeared him to me. He was a friend of Elwood Brooks of Denver, and Walter Bimson of Phoenix.

These were two liberal bankers who actually believed in lending people money. Someone has said, I can't remember the exact witticism, but the general idea is banks lend you money when you don't need it; when you need it, you can't get a nickel. These fellows that I'm referring to believed in a more liberal lending policy. Bimson was the author of the so-called Bimson Plan which was one of the main components of the President's Small Business Program, and this plan was to set up an insurance fund like had been done on housing renovation, to insure small loans by bank, I mean, loans up to \$25,000 and up to five years maturity

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to small business, and a fraction of one percent you know, a quarter of one percent would go to this insurance fund.

It had worked beautifully in the housing field, there had been no losses at all. I mean the fund was self-supporting, made money, in fact, as I recall; it made a lot of sense. Later H.S.T.

nominated Cosgriff to the RFC; he served there but was not confirmed before Symington took over, he served, I think, on a recess appointment, and at this point the RFC "scandals" broke, you know, all this Merl Young and mink coat stuff, and eventually the President put through a reorganization plan that wiped out the board and a single administrator, who was Stuart Symington, put in for a while; and that eliminated Cosgriff's job, of course, but he was an interesting chap that Cosgriff. He proved, once again, that people are very complicated, I mean a fellow who is conservative on one side of his nature may be liberal on another.

June 22nd; I attended a meeting at Blair House -- 8:00 to 10:15 p.m. on proposed message to Congress, re internal security and individual rights commission.

I was, I guess you could say, the principal drafter of that message, well, I guess, as much as anyone, probably

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more than anyone, I drafted that. I believe George Elsey and Charlie Murphy had a big part in it too, but I know I did an awful lot of work on it.

Present at the meeting were the President, "Veep" [that's Barkley], Sam Rayburn, the Speaker, McCormack the House majority leader, Senators Tydings, McMahon, and Green, Clark Clifford, Attorney General McGrath, John Steelman, Charlie Murphy, Don Dawson and myself.

June 24th, Saturday; Korean Attack [that was our time, it was the 25th out there].

June 27th, Tuesday; at staff I rushed in where angels would have known better. My suggestion for U.S. proposals for U.N. army headed by non-American. H.S.T. then told us about deliberations and what he proposed to do later in day, that is historic announcement about U.S. military resistance to aggression.

June 30 to July 2, Friday to Sunday; Went to Valley Forge, Pennsylvania, with H.S.T. where he addressed forty-seven Boy Scouts, then spent two days returning on *Williamsburg*. Aboard were H.S.T., Margaret, Charlie Ross, Bill Hassett, Charlie Murphy, Bob Dennison, Bob Landry, George Elsey, Dave Stowe, and myself. Only lost \$24 at poker, moral victory.

I was low man on the totem pole on the poker team, I will say that. We had a rule that you couldn't lose more than \$100 in a week, if you were playing at Key West for a long period of time. I was usually down \$100 the first day, playing on borrowed money the rest of the time.

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I mentioned to H.S.T. the J.E.S. [that's my father] article on the 'Poet and Politics' in November, '42, *Atlantic Monthly*, also discussed Pike's nomination [that's Sumner Pike's nomination for another term on the AEC]. He asked me to prepare a statement for him [that is President Truman asked me to prepare a statement for him] to use if Pike was defeated.

July 3; sent J.E.S. article to H.S.T. at Blair House.

July 6; he told me at his staff that he had enjoyed J.E.S. article.

And I've already covered the other material in this.

There's some other notes here; I'll see if there's anything of interest. I see now that many of the longhand notes that I took have already been Xeroxed by the Library through Charlie Morrissey back in 1964. I have some notes here right after the election of '52, the first Eisenhower victory.

On Saturday, November 22, Earl Kintner [who was my legal assistant] came over for a frank talk at my invitation on Lowell Mason project.

That was to develop an answering campaign against Lowell's attacks on the Federal Trade Commission, his own as well as my commission.

I said, 'I believe we understand each other,' [that is Kintner and I, Kintner was, of course, a Republican]. He said he had prepared memo for Republicans on FTC [the Federal Trade

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Commission], can't show me but is sure I'd approve of it. He also told me that Max Lowenthal had definitely poisoned John Carson against me in 1950, at least. Kintner said Carson, on basis of Lowenthal's disparaging views of me as a Facist, had told Kintner that he was making a mistake in working for me and urged against it. This confirms an opinion I've long held that Lowenthal was the man most responsible for my 1950 White House exit to the FTC.

I can't prove anything here, but I mean I just have a feeling that somehow or other, that Lowenthal and Connelly went to the President, there was some kind of equation here that would solve the mystery, but that's just speculation on my part.

Had lunch with Charlie Murphy, Dave Bell, Dave Lloyd, Ken Hechler, and Charley Davis, general counsel of the Bureau of Internal Revenue. Suggestion made that White House itself do work on election results survey since Democratic Committee dragging feet on matter.

I suggested key man technique, that is finding the one man in each state and area who was the most conversant with the political situation regardless of title or responsibility and asking him to do it, or several men.

In Wisconsin, for example, write Tom Fairchild, James Doyle, Democratic state chairman, Robert Fleming, Milwaukee *Journal* reporter on McCarthy, William Evgue [or however you pronounce it], publisher of the Madison *Capitol Times*,

Morris Rubin, editor of the *Progressive*, the Madison, Wisconsin monthly, and also editor of the

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McCarthy Records for the Citizens Committee on McCarthy back in 1952, also a friend of Ed Morgan, who praised Morgan's efforts in Wisconsin highly in November 6th letter to Morgan.

My point was, that a group like that could take the state for you and give you a picture of what had happened better than probably any other group of a thousand men.

Spent an hour and a half with Ed Morgan after lunch at his office.

Morgan was an ex-FBI agent who was helping me on this Truth Foundation.

He wants to see Rusk with me if Rusk is interested in my proposal.

That's the Truth Foundation, which is similar to the present Institute of American Democracy established last November.

I said, fine. Morgan has ideas of his own about buying a movie studio and making American Heritage of Freedom type documentaries for T.V. He has a wealthy client interested but hopes to interest Rockefeller Foundation too. Morgan gave me November 6th letter copy he had gotten from Morris Rubin, also promised to send me copies of his speeches when available.

Morgan, as I say, was an unusual fellow in this respect; he was an ex-FBI man, but he got so mad at McCarthy in the last week or so of the campaign, he campaigned all over Wisconsin and started making speeches against him and saying McCarthy wasn't doing a bit of harm to communism,

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he was helping it.

McCarthy was up for re-election; it didn't beat him but still, I'm not sure if it hadn't been done for two or three months, it might not have.

Sunday, November 23; spent most of the day getting my Truth Foundation material ready. Spent about another hour at Harriman's. George Elsey there and later another Harriman assistant, Tom Wilson. Elsey had just sold Harriman on F.D.R. Foundation with awards in many fields, principal function. George had told me this idea six weeks or so ago. I thought then and now that it was a wonderful idea and told Harriman so. He wants me to work with George Elsey, and I told him, gladly.

He listened to my discussion of my proposal but his mind, obviously, was on other matters, however, he promised to call Dean Rusk in support of it. He asked me who would run it. I said, I was available after September '53, and could easily find someone in the meanwhile. Later in the day I called Don Hansen to discuss it with him. He said he would be interested. I called Harriman and told him of Hansen. I also have Paul Jensen in mind in spite of his erratic qualities [Jensen, he's now dead, was a Republican, and he'd been in the CIC overseas with me, he's bipartisan in approach]. I talked to Butch Fisher [legal adviser to the State Department, he's now deputy director of Disarmament Agency] in the evening and told him of the letter to Rusk and the talk with Harriman. Fisher thinks the Ford Foundation is a likelier bet than Rockefeller. Rusk is good man, he says, but likely to slide out when going gets tough in a controversial matter. [That's interesting.] Fisher is still going to check with Bernard Gladieux of Ford Foundation and let me know.

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Now, I find some notes of mine written in January, 1953, dealing with the oil controversy which I was having. A lot of that is recorded in the oil files that I have given the Library -- my FTC files on the controversy with the oil companies in latter '52 and '53. Here's a note of January 8.

On January 6th I sent Caltex booklet [that was the booklet they sent to sixty-seven countries; Government officials and moulders of public opinion, calling the FTC a bunch of low Pendergast type, sleazy politicians, and possibly subversives]. I sent Caltex booklet and memo re the possibility of Logan Act violation, [The Logan Act dates back to the 1790's and it deals with private citizens attempting to negotiate with foreign governments of matters of U.S. Governmental interest. Nobody has ever been convicted under it, however.] to Attorney General McGranery and NSC members.

January 9; the NSC [that's the National Security Council] meeting on the oil case -- no dope.

January 10: Talked to Jim Lay [he was the executive secretary of the National Security Council]. Went to White House about 12:30 to Charlie Murphy's office. He had conference of State and Justice people; they included Butch Fisher and Leonard Emerglick, Justice. When conference broke up, Charlie Murphy told me he could tell his story only on a confidential basis, but he thought it better if I preserved my freedom of action [that is, if he didn't tell me, I had nothing to conceal]. I agreed, said I didn't want story on that basis. Charlie Murphy said situation was bad; he was going to salvage what he could. I had lunch with Jack Anderson [that's Drew Pearson's partner]. In the afternoon, I talked with John Evans, who was State, who

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mentioned Lebanon *Star*. I talked to Larry Henderson [he was the staff director of the Senate Small Business Committee] who told of meeting editor of Lebanon

Star [a Connecticut man, it turned out to be Jonathan Daniels' son-in-law, I think] in Beirut, in December of 1952, and that the editor told him that Aramco [an American oil company] acquired control of the *Star* in June or July, 1952.

The *Star* was pouring out editorials attacking the Federal Trade Commission and the Oil Cartel Report and the antitrust proceedings against the oil companies, then the oil companies were sending it back to the State Department saying this was an example of Middle Eastern opinion. That's how things worked.

Evans was the man who did the final State Department staff work for the National Security meeting of January 9 on this Oil Cartel Report. The questions of the National Security Council were should they downgrade or drop entirely these antitrust proceedings against the oil companies, or should they downgrade them, the civil proceedings, was national security being hurt by these proceedings?

January 11, Sunday: I talked to Felix Blair [of the *New York Times*] and A1 Friendly [of the *Washington Post*, he was, until recently, the managing editor] also Joseph Paul. *Times* and *Post* only papers that carried NSC decision story. Drew Pearson also has item on radio broadcast. After *Times* and *Post* stories

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appeared, Sunday night and early Monday mornings editions, wire services and papers called me at home. I confirmed that when notified by *Times* and *Post* of the National Security Council's decision, I had said that if true a number of sincere and patriotic Government officials had been the unconscious victims of one of the biggest 'snow jobs' in history.

They had agreed to downgrade the proceedings.

January 12th: I saw the President [which was eight days before Mr. Truman left office] at 11 a.m. Brought a choice of books from White's Book Store for him to select from. He choose beautifully leather bound two volume edition of *Cambridge Shorter Medieval History*, a four volume work on the Greek thinkers, Lucius Beebe's book on railroads, and a dictionary of humorous quotations.

We talked about the oil case. I told him about the Lebanon *Star*, and gave him various memos on the propaganda on the oil companies including the Logan Act memo of mine of January 6, 1953, memo of December 23, 1952, and so forth.

The President said he hadn't wanted to do what he did, but the National Security Council had convinced him. [And here is an unfortunate gap.] He mentioned particularly General...

And here the next page is gone, it was General Bradley that he was talking about, I mean, General Bradley talked, was a Missourian, of course, and he talked Harry Truman's language and anybody would have had confidence in what General Bradley said, and I think General Bradley

was a splendid man, but, like all the others, he was a victim of the "snow job" by the oil companies, working

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through their minions, conscious and unconscious, who are legion; they had them all convinced that the whole Middle East would go up in flames if they didn't stop this oil investigation. Too bad I can't find that next page. Well, it's probably somewhere around.

Now, I have a few little mementoes from the Truman administration which I'd particularly like to note because I discussed at some length, at the time, of the unhappy circumstances, for me at least, in my leaving the White House, and to show that it didn't impair my relations with President Truman, I have here several letters from him of that period. Here's one of October 21st, let me see if I have them in the right batting order, well, here's one of October 21st, 1950, that was when I left, you see, I went over the 25th:

Dear Steve: I appreciate deeply the warm spirit which prompted your letter of October 19. Only one consideration could influence me to consent to relinquishment of your duties at the White House where your service has been invaluable. I need hardly add that I heartily reciprocate all of your personal sentiments.

In naming you to membership to the Federal Trade Commission, I feel that I am placing you in a post of high responsibility for

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which a great part of your active life has been in preparation. By experience, by training, by taste and temperament, you're exceptionally qualified for this new work. I know the public will find in you an earnest champion. With every good wish always, Sincerely, Harry Truman.

And then on the 21st of December, 1950:

Dear Steve; I have just heard that the Senate has confirmed your appointment to the Federal Trade Commission. I am delighted and know you will do a grand job. My very best wishes for a Merry Christmas and Happy New Year. Sincerely yours, Harry Truman

December 28, 1950:

Dear Steve; I appreciated very much your good letter of the 22nd. I think you have a place now that will really bring results, and I believe you can bring them as well as anyone I know. Sincerely yours, Harry Truman [And he adds in longhand] Happy New Year.

Well, I'll just put those in. Now, while I was going through the same batch, I see some souvenirs from the Roosevelt days. Here's a clipping from the Washington *Herald* or *Times*, it must have

been around 1937, there's not a date on it but it would have been then. It was a presidential reception for the executive branch.

Among those seen were the president of the American Federation of Labor, Mr. William Green having a serious conversation with Madame Perkins [who was, of course, the Secretary of Labor under Roosevelt]. The President

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and Mrs. Roosevelt were hosts at dinner preceding the reception where the guests were; Mr. S. M. Simsack, Mr. John McCeeb, member of the board of governors of the Federal Reserve System; Mrs. McCeeb, Mr. and Mrs. George Backer, Mr. and Mrs. Turner Catledge [he's the editor of the *New York Times* now, head editor, I guess], Captain and Mrs. Edward McCauley, Mr. Stephen J. Spingarn, the Reverend Doctor and Mrs. Benjamin O. Wilkinson, and Mr. and Mrs. Aubrey Williams, Mr. and Mrs. John Russell Young [he was the DC commissioner], Nancy Cook, and Mrs. Robert Baker.

Oh, that was the day of my glory.

And here's an invitation from Mrs. Roosevelt to a small dance, December 26 , but I don't know what year, and an invitation in another year to a small dance, December 30th, but I don't know what year, from Mrs. Roosevelt, and so on. That was all due to my father getting out on the hustings in 1936 for Franklin D. Roosevelt, and that's what taught me the importance of politics, in the first instance.

Now, this is a memo to Doctor Phil Brooks, the director of the Truman Library. I have in my hand now some material I'm about to turn over to Jerry Hess dealing with loyalty and internal security matters. Some of these memorandum are classified confidential or otherwise, entirely aside from that, they deal with people, all of whom, as far as I know, are still alive.

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As far as I am concerned, I not only have no objection to these being made public, I would welcome the fact that they be made available.

But I think the Library ought to review the matter from the standpoint of overall Government policy and determine for themselves how these documents should be treated in the Library. I emphasize that I was authorized to take these documents with me. They were matters with which I worked. Some of them I went back later and got. Some of the documents in my files, not necessarily turned over to you at this time, because as I've already pointed out, in 1953, November of '53, Attorney General Brownell, Eisenhower's first Attorney General, unleashed a blast at President Truman for his handling of the case of Harry Dexter White, who had been a Treasury official who went to the International Monetary Fund.

I was involved, I was in New York and I assisted in the preparation of the President's reply to the subpoena of the Un-American Activities Committee who immediately wanted to get into the act and subpoenaed Mr. Truman or tried to.

Charlie Murphy did the main chore in writing that

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answer but I did a little. Most of these documents, as I say to you, were in the handling of the Treasury of its loyalty matters and of the controversy we had with the Department of Justice at the time over the handling of these matters which prevented us from disposing of these cases as expeditiously as we would have liked to; but the Justice Department, as these records will show, refused to furnish us with the information on which a fair-minded man can make a judgment nor would not give us the go-ahead sign to do our own investigating. And there were constant and innumerable talks between Secretary Snyder. and Attorney General Clark and between Under Secretary Wiggins and Assistant Secretary Foley and myself and Justice officials during this period -- innumerable talks -- as these memorandum, which are not all, by any means, will document. I leave it up to the Library -- I want these back, of course, I want these back and pronto, because I got them for the express purpose of always having in my files a record of how I, and I was the spade working man, I was the working Joe on these things in the Treasury, as these documents will show, I was the key man on everything, everything came to me in the first

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instance, for decisions as to what next steps to take, and I want to keep them so that if I ever have to, shall we say, justify my stewardship of my duties, why I'll be in a position to do so. I personally feel that we acted responsibly and that we have nothing to apologize for. I'll amend that word "nothing" to say "very little." There's probably nobody who's ever handled a controversial matter in his life who's done a hundred percent perfect job, and I don't suppose we did, I think on balance we did a good job.

I note also when I finish this statement, I'll turn these papers over to you, Jerry. Now this next part is not restricted, although it deals with the, no, wait a second, I will restrict it, this next part, in the same way, that is, I'm not restricting it, I'm only asking that the Library decide for itself whether any restrictions should be imposed on the basis of overall Governmental policy.

HESS: That's done with each and every record we get, but it's always good to make it clear.

SPINGARN: Fine, because I myself, have no objections to this thing made public, you understand.

Now here is an extremely interesting matter, I

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think. I'm not going to mention the man's name, because he's not only alive but he's still an official of an international organization, a former Treasury official, and he has been through the wringer on, as I understand it, his agencies security procedures and been cleared, and he's there, has been for many years. I have notes before me, contemporaneous notes, let's see what the date on them is, December 18, 1953, which supplement my December 16, 1953, on this same person. Let's call him Mr. Blank. I wrote:

In his November 17, 1953, testimony before the Jenner subcommittee, Attorney General Brownell said that Mr. Blank, 'Was known to be one of the forces in the Treasury Department section of Far Eastern Affairs, that has been furnishing documents to Philip Jacob Jaffe, editor of AMERASIA.

AMERASIA was a famous case of this period and Jaffe was a far leftwinger, if not an actual Communist, I forget what his exact tincture was, he may have been a Communist, in any event, AMERASIA was the famous case.

As of the date of Brownell's statement, the Treasury had no such information on Mr. Blank. All Treasury had was the Gregory Report.

Gregory was a cover name that the Department of Justice gave or the FBI gave to Elizabeth Bentley in a big report in which a new edition which came out every few months

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and got larger, and there's an amusing contretemps about that. I have that paper before me, I'll get to that later about how we knew Gregory was Elizabeth Bentley. We did because the FBI fouled up in sending us two reports within twenty-four hours of each other. In one was a big report about Soviet espionage in the United States, and it described Elizabeth Bentley by name in several places, and gave a description of her life, her curriculum vitae, and the other was a report based entirely on her interrogation and they gave her the cover name of Gregory, and when you squared the two reports together, it was obvious they both gave the details of her life, who Gregory was, you see, there was no question about it. A Vassar girl who has held certain jobs, and all this sort of thing, you know, there was no question about it. Well, this wasn't very good security on the part of the FBI, obviously, because within twenty-four hours we got documents, one of which exploded the cover of their informant -- blew it.

So I said all Treasury had was the Gregory reports.

It is believed that Brownell's November 17 statement is a badly garbled version of information

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in the Gregory report about Blank. The Gregory report showed merely that Jaffe and Andrew Roth considered Blank to be one of their sources on Far Eastern affairs.

Blank had written an article on Far Eastern affairs for Jaffe's magazine, AMERASIA, in 1939, and he listed this article among his publications when he applied for a Treasury job in 1941 --no secret about it.

On or about December 1, 1953, Assistant Secretary to the Treasury Chapman Rose [now remember Chapman Rose was the Republican Assistant Secretary of a Republican headed department of a Republican administration] spoke to Assistant Attorney General Olney of Justice about this matter. Mr. Olney referred Mr. Rose

to Mr. Yeagley of Olney's office. Yeagley told Rose in a phone talk that he had made a check, and based on that, he could say that the Brownell statement of November 17, 1953, about Mr. Blank, did not accurately reflect the original document on which it was based, namely the so-called Gregory report. [This is a Justice man talking about the Attorney General.] On December 3, 1953, Yeagley told Feidler [that was Chapman's assistant] that he had made a very careful study of the Blank matter and that it was impossible to sustain, from the files, the statement made by Brownell before the Jenner subcommittee on November 17 [a very damaging statement to Mr. Blank, you see], Yeagley said further that he had asked the FBI to re-examine their original transcript which formed the basis of the statement in the Gregory report about Mr. Blank being a "source," and the FBI reported there was nothing with regards to papers, documents or similar matters mentioned in their transcripts and that the statement in the Gregory report

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went as far as it was possible on the basis of the information on hand.

A much different statement than Brownell made before the Internal Security Subcommittee -- the Jenner subcommittee that the Internal Security Subcommittee.

On or about December 3, 1953, Yeagley told Harney [that's Mal Harney the chief coordinator of Treasury Enforcement] the same thing he told Feidler, furthermore, he said that a check of the AMERASIA files showed that no Treasury documents of any kind were found in the AMERASIA raid.

You see, Mr. Blank was a Treasury official, so that was also a negative factor.

Yeagley also told Harney that under EO-10422, the significant United Nations Organization security order, the FBI had sent the Civil Service Commission two reports on Mr. Blank of July 31, 1953, and August 19, 1953. The Treasury never received copies of these reports and as of now December, 1953, requests them from the FBI. Brownell said all interested agencies were getting FBI reports. Now Mr. Blank testified before the McCarran Internal Security Subcommittee in 1952, apparently, fully and completely. It had been Treasury's view, therefore, in 1952 [Truman was still the President] that his case didn't require the same drastic action as the cases of Coe [that's Frank Coe] and William Taylor [now dead, that is they requested that they be dismissed summarily, well, Coe was dismissed, and the last I heard of him, he was out in Communist China, but William Taylor was cleared and remained to his death an official of the International Monetary Fund, and as far as I know, he was the victim of circumstances and a much maligned man], but rather that the procedures

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[I'm continuing to quote from my notes] being worked out for an international organization, which resulted in EO-10422, could take their regular course. Had there been any evidence of Mr. Blank furnishing documents to Jaffe [of

AMERASIA that is], Treasury would have, undoubtedly, classed this case in the same category as the Coe and Taylor cases.

In other words, and asked for immediately summary removal. Treasury memos to the files about these events I have described dated November 18, 1953, signed by Harney, Feidler and Sutherland and December 7, 1953, signed by Feidler, in other words, when I was going through the files, as I was authorized to do, I found these memorandum about this situation and I have excerpted it. Now the interesting thing is Attorney General Brownell in his efforts to blow up the case on mishandling of loyalty matters against the Truman administration, makes a very damaging statement casting the severest doubts about the loyalty and integrity of an official, a former official of the Treasury, now an official of an international organization – publicly -- before the Internal Security Subcommittee. His own people say it can't be supported, that it was a garbled version of the information they had which was far different and which was perfectly innocent. But, as far as I know, Mr. Brownell, although this was called to

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his attention, never publicly revised his testimony. I regard this as, rather "dirty pool" and I'm sure Mr. Blank would too, except that Mr. Blank probably is not aware of these facts .

Apropos of, well, I've already described this but I have a longhand memorandum in my files dated the 25th, of, I don't know when it's dated -- several dates on it -- but in any event it was '52 or '53 which deals with this thing I've already told you about; the FBI sent the Treasury one report on March 4, '46 and on March 5, '46, the reports have previous dates -- back dates -- but they came to the Treasury within twenty-four hours, and one is a long report about Gregory, which is a cover name for Elizabeth Bentley, and the other is a general report which covers other people too, and which gives the name of Elizabeth Bentley and so describes her as she is described in the Gregory report, so you know easily that Gregory is Elizabeth Bentley when you check the two reports together.

Now I also found some interesting statements by Mr. J. Edgar Hoover. These are notes I took in December, 1953. This is a quote from a J. Edgar Hoover speech to the International Association of Chiefs of Police at

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Miami, Florida, on December 10, 1945. (This is where I found it. Ninety-one Congressional Record 12218 to 12220 dated December 17, 1945.) Now I'm quoting Mr. Hoovers speech

Early in the war skeptics proclaimed that we were wide open to espionage. They held that nothing was secure and nothing was being done. The record is exactly to the contrary. We knew from the very outbreak of the war that espionage was under control, I do not mean that the enemy was not active, he was. Foreign powers tried not only to steal the atomic bomb, but other military secrets. The counter-espionage program which we developed did more than encircle spies and render them harmless, it enabled us to learn of their weaknesses and their aims.

For further brags about the FBI job on internal security, see the annual report of the Attorney General for the fiscal year 1943 page 6, the same report for 1944 page 6, the same report for 1946 page 10, and I have a quote from that:

With the war and its intended threats to the country concluded, we can look back upon and be justifiably proud of the manner in which the internal security of the country was maintained during the war years.

That's 1946 report of the Attorney General page 10. And here's Mr. J. Edgar Hoover on December 10, '45, his speech also to the chiefs of police which I have cited here -- same speech:

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I do not for a moment detract from the heroic fight Russia waged against the invading Nazi hoards to emerge as one of the great powers of the world. We must not let the antics of the American Communists prejudice us against this great nation which has the right to any form of Government she desires. Nor must we judge the great Russian people by the lunatic fringe which represents the great majority of American Communists.

Pretty heady stuff from J. Edgar Hoover, but, that was 1945. Now, the point I am getting to is, the FBI may well have done a very good job on Nazi espionage but the question that is open in my mind is to how good a job they did on Soviet espionage during the same period, and one of the things I find, I mean, my main query on that is the fact that Elizabeth Bentley was a courier for an espionage ring, or a group of espionage rings really, in the U.S. Government, that was working throughout this period until, actually until 1944. Golos died in November of '43, and she continued for a year or more after that, and then I think she became quiescent for a while and finally she went to the FBI. I can't seem to place my finger on it immediately, but there are several statements I was reading this morning in which (these come from the Gregory report, the report on the interrogation

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of Elizabeth Bentley), maybe I can find them.

Now here are my notes made on December 10, 1950, at the Treasury with the approval of the Republican authorities of the Treasury at that time, specifically, Assistant Secretary, later Under Secretary, Chapman Rose. These are notes made from a report which I had read extensively, of course, and studied at great length when I was handling these cases because this report dates from 1946, actually its first edition was in '45, but I had what I think was the second edition Here before me, I call it the Gregory report of February 21, 1946, Gregory being Elizabeth Bentley as I have pointed out; sent to Treasury March 4, 1946 -- Fred Vinson was then Secretary of the Treasury -- I am quoting from the report, starting on page one:

Predictions: Background of current presentation. [This is the FBI report.] The purpose of this memorandum is to set forth certain charges against officials and employees of the Federal Government. These charges will be dealt with in detail and information arising from other sources and investigations will be coordinated

in an effort to give an overall view of the situation concerning underground Soviet espionage activities in the United States Government at the present time. A time element exists in making a factual approach to the materials set forth. Although the majority of the basic charges against the individuals

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mentioned herein concern activities dating back several years, these charges must be viewed from the fact that they only became available in November of 1945, [Remember that date, I'm going to come back to it after I finish this quote. They say it didn't become available until November of 1945.] Consequently, the reader must consider the difficulty of actually proving these activities by investigation at this late date. The facts are strong in many instances, and circumstantial in others, primarily because of the disparity in time between the date of the activity and the actual report of these activities to the authorities. A determined effort has been made to produce as much actual and circumstantial evidence as possible; either to prove or disprove the basic charges, At the outset it is considered proper to make a statement concerning the source of the basic charges which will be outlined hereinafter. The source who became available and cooperative in November, 1945, for protective purposes, in view of continued assistance being received, therefore, is being given the cover name of Gregory. All material originating with Gregory will be so designated and will be set forth as nearly as possible in the very words used by Gregory in reporting the material submitted.

And I have added (that's the end of the quote), note an identical statement, that is a statement identical with the above statement is on page one of report C. I've called this one report B in my notes that I just read, presumably because it's the second edition of the Gregory report, A, I suppose, would have been the first edition or maybe I gave it to some other

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document, anyway report C is dated October 21, 1946. This was dated February 21, 1946, and sent to the Treasury on March 4th. As I said, a statement identical to this appears in the next edition of October 21, 1946, of the Gregory report which wasn't received by the Treasury until March 8, 1948, a year and a half later.

Gregory was Elizabeth Bentley. We know today from her own sworn testimony, and her book, that it wasn't November when she became available to the FBI, it was August 1945. She went to the New Haven office of the FBI in August and then there was a gap of two and a half months or more while she waited and nothing happened, and then suddenly great activity -- they suddenly believed her after they had persuaded her to recontact the Russians, and money had passed from the Russians to her, and then they believed her. They started turning out the first edition of these reports.

That's one thing. They give themselves a couple of extra months, you see, and then they document it, and then they are very rough on other people who don't move instantly. And too, actually, I don't

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understand why they didn't have this woman under surveillance all the time, since she was the mistress of a known Soviet agent and had been for years since the '30s, since the late '30s, and this man was well known to the FBI, had been arrested, tried and convicted of being an unregistered Soviet agent, under the Foreign Agents Registration Act, and that was Jacob Golos.

And she herself described how she was constantly under FBI surveillance and the devices she used to lose them, and yet for all this time she was coming directly from Golos to the heart of the espionage ring, the Silvermaster home in Washington, once every two weeks for years -- three years or more -- picking up microfilm copies of secret Government documents and carrying them back to Golos who turned them over to the Russians. Great. A great job of counterespionage. It's a little difficult to understand why -- where were they, where were they, where was the FBI? That's the question I'd like to have answered.

As a sort of a humor item, here is a letter to me from J. Edgar Hoover dated August 8, 1950, and it's marked "personal and confidential." Although it's dated

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August 8th, I know I received it August 14th. It must have come by Pony Express via the west coast -- personal and confidential. There isn't anything personal and confidential in it. I shouldn't complain because I've got to admit when I was a counterintelligence guy, I classified everything confidential even the toilet paper we used, every telephone list, everything was classified -- this is the nature of internal security and counterintelligence people. Anyway:

Honorable Stephen J. Spingarn, Administrative Assistant to the President, White House, Washington, D. C., Dear Mr. Spingarn; I appreciate the comments that you made in your letter of August 3, 1950, relative to my statement outlining what the public should and should not do to help the Federal Bureau of Investigation out in this emergency. I read with interest the statement which the President has prepared for delivery by you to the third National Counter Intelligence Corps Convention, and I am sure that the group will maintain the same high standards in the present emergency as they did in the last world war. Sincerely yours, J. Edgar Hoover.

So with that statement I will turn over to you these documents. I will ask you to take very special good care of them because, as I say, I want them back and quickly because they are my file on this matter and they are actually irreplaceable. And I put the matter in Doctor Brooks' lap as to what restrictions, if any,

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should be placed on any copies you make of these documents. I personally hope that there will be no restrictions, because I believe that they represent a story of responsible conduct by the Treasury in the handling of its loyalty cases during the period I was an official of the Treasury and participated in these matters.

HESS: We'll have to go over them and deal with them as individual cases.

SPINGARN: But there is, of course, both the question of classification; some of them are classified confidential and there is the case of the fact that many or all of these people are still alive. Most of them have been well discussed in the public print but whether you want to revive that discussion is also another matter, you see, this was years back. I think it is quite likely that the Mr. Blank I refer to will be just as glad to forget the whole thing which must be an unhappy chapter in his life because he must have gone through hell, and yet he has been cleared and he is holding a responsible job in an important international organization to this day, as far as I am aware. I don't think that Herbert Brownell should be too proud of his conduct in that matter.

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Now I think I will close right here. Incidentally, I will say that I am going down to the White House this afternoon for an appointment with an official of the National Security Council made as a result of a talk I had with Walt Rostow the Special Assistant to the President on national security matters, and it will be my purpose to present to him, as I have to others, my views that the Government is not putting its best foot forward in its presentation of a good case for our involvement in Vietnam.

It's not putting its best foot forward to the American people and it's not putting its best foot forward with our allies abroad. I have some suggestions which I hope are constructive for improving that situation. I believe that while we're winning the military war out in Vietnam and spending five or six thousand lives and twenty to thirty billion dollars a year to do it, that we are losing the propaganda war, if you'd like to call it that, here at home and in the rest of the world, and if we lose that, we may lose both wars. If the American people get sufficiently impatient and they have a record of being rather easily impatient with long inconclusive border wars, they may say one

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of two things, they may say escalate up to whatever is necessary to finish this quickly or get out pronto, right now; either one would be a disaster in my opinion. I think we've assumed roughly the right course now and I hope we continue that and I hope we are able to make our showing to both our own people and to the rest of the free world that we have a good case. That's what I'm going to talk about this afternoon at the White House.

Well, have you got any questions, Mr. Hess.

HESS: No, that's it. Thank you very much for your time. We took an awfully lot of it.

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