INTERVIEW WITH

Elmer Bennett

by

Maclyn P. Burg
Oral Historian

on

November 20, 1974

for

Dwight D. Eisenhower Library

OH #401; Elmer Bennett
192 pages; Open

GENERAL SERVICES ADMINISTRATION
NATIONAL ARCHIVES AND RECORDS SERVICE
DWIGHT D. EISENHOWER LIBRARY

Legal Agreement Pertaining to the Oral History Interviews of Elmer Bennett.

In accordance with the provisions of Chapter 21 of Title 44, United States Code, and subject to the terms and conditions hereinafter set forth, I, Elmer Bennett, of Washington, D.C., do hereby give, donate and convey to the United States of America all my rights, title, and interest in the tape recording and transcript of personal interviews conducted on November 20, 1974, February 4, 1975, July 2, 1975, August 23, 1976 and June 27, 1978 at Washington, D.C. and prepared for deposit in the Dwight D. Eisenhower Library. This assignment is subject to the following terms and conditions:

(1) The transcript shall be available for use by researchers as soon as it has been deposited in the Dwight D. Eisenhower Library.

(2) The tape recording shall not be available for use by researchers during the donor's lifetime. After the donor's death, access to the tape recording shall be for background use only, and researchers may not cite, paraphrase, or quote therefrom.

(3) During the donor's lifetime the donor retains all copyright in the material given to the United States by the terms of this instrument. Thereafter the copyright in both the transcript and tape recording shall pass to the United States Government. During the donor's lifetime, researchers may publish brief "fair use" quotations from the transcript (but not the tape recording) without the donor's express consent in each case.

(4) Copies of the open portions of the interview transcript, but not the tape recording, may be provided by the library to researchers upon request.

(5) Copies of the interview transcript, but not the tape recording, may be deposited in or loaned to institutions other than the Dwight D. Eisenhower Library.

Donor

May 15, 1981

Date

Archivist of the United States

June 10, 1981

Date

This interview is being taped with Mr. Elmer Bennett in Mr. Bennett's office at 1000 Connecticut Avenue, Washington, D.C. on November 20, 1974. The interviewer is Dr. Maclyn Burg of the Eisenhower Library staff. Present for the interview are Dr. Burg and Mr. Bennett.

DR. BURG: May I start out by asking then when and where you were born?

MR. BENNETT: I was born in Colorado in 1917; so I'm now fifty-seven. Just to show you there is some difference in the approach to age then from now, I was thirty-nine at the time I was appointed solicitor. I was the second youngest solicitor, or general counsel, that the department had ever had. I was approaching forty. It was an older man's game in those days; there was no question about it. One of the interesting sidelights of the Interior Department however was that [Secretary Fred] Seaton tended to favor bringing young men into those higher posts. And I guess maybe I was the first to be appointed at the presidential level. After me he brought in, (I had considerable voice in choosing them), a man who is now senator from Alaska, Ted Stevens. Ted, at that time, probably was about thirty-two or three, something like that. And also we brought down George Abbott who had been on the staff of the House Interior Committee.

He was about that age too at the time. Generally speaking, Interior was noted for having the younger group surrounding the secretary. Probably more so than any other department that I can think of.

BURG: Now may I ask, was your education in Colorado then?

BENNETT: My undergraduate degree was from the Colorado State College of Education which is now the University of Northern Colorado. I went from there to law school at Stanford in California. My law degree is from Stanford, 1941.

BURG: The undergraduate degree, was that in preparation for eventual teaching in the secondary schools?

BENNETT: Yes, on the whole, I would say that. They had quite a flexible program at Greeley at that time. And while I did obtain a teaching certificate from the state of Colorado, I never used it.

BURG: What would you have taught had you gone on?

BENNETT: If I had not gone on to law school, I undoubtedly would be, today, teaching social studies, particularly because

my interests were that way, history. In fact, just for fun, let's say, I went to Oxford this summer and went to summer school at Worcester College at Oxford in history.

BURG: This past summer?

BENNETT: This summer, yes. Well, I'm retired you see, and having served in fairly high posts my retirement is very adequate to let me do pretty much as I please. And I'm counsel to this firm which means I do take on legal work that I want to do, and if I don't want to I don't, and I'm reasonably free to do whatever I feel like doing.

BURG: Does any man or woman on that staff at Greeley as you think back on it stand out in your mind as somebody who had a great deal of influence on you?

BENNETT: Oh, yes, two of them.

BURG: Could I have their names?

BENNETT: Very definitely. Dr. Oliver Morton Dickerson who was head of the history department there. And the other one was

Arthur P. Zimmerman, senior history professor with very great emphasis on Latin America. He had been, at one time, a Methodist minister and a missionary in Latin America. And so he concentrated his historical interest, his research, in Latin America. Dickerson was much more focused on the history of the American Revolution and all the circumstances leading to it and spent quite a bit of time in England doing research in connection with the writing that he did.

BURG: Almost sounds as though the backgrounds of those two men would have been a terrific adjunct to their teaching. Both men had been in the areas, the significant areas, that pertained to their subject. Were there particular qualities about those men, Mr. Bennett, that drew you to them? Some specific qualities?

BENNETT: Oh, I would say, very definitely so. As long as they were both alive, I maintained correspondence with them, not frequent, but nevertheless I corresponded with them over the years. They were helpful to me in many ways. They both certainly saw to it that I was introduced to people I would not otherwise have met, and they were very supportive.

BURG: Oh, is that so? Political figures, Mr. Bennett, that came on campus?

BENNETT: Oh, yes. They were both politically oriented Republicans, and that undoubtedly entered into it also. Dickerson actually presided at county Republican conventions year after year after year. I remember once when I was just barely old enough to vote, I was designated as an alternate delegate to the county Republican convention. I can still see Dickerson up there as the presiding officer.

BURG: So you had actually entered politics at that kind of level while you were still an undergraduate in college?

BENNETT: Oh, yes. Well I'll go you one better than that. In 1936, when I was nineteen, I drove a candidate all over the second district of Colorado, which was all the northeastern part of the state in those days. He was running for the nomination; this was in the primary. He ran again in 1938, and I did the same thing for him again. In 1940, while I was in law school, I came home during the summer and served as campaign secretary for another man who ran for the

Republican nomination. I had three straight strikeouts in terms of the choice of man.

BURG: Those were not Republican years.

BENNETT: No, no. But I mean these men didn't even get the nomination.

BURG: Did any of them ever figure it was you?

BENNETT: Oh, no, no. I hardly had that much role.

BURG: Now did you belong to a young Republican's organization at that time?

BENNETT: They didn't have one.

BURG: I would like to ask something else about your academic background at that point in time. May I ask, out of curiosity, do you now recollect any particular work that you read at that time that had a particularly strong effect upon you, influence upon you? Sometimes one can remember these things and sometimes not.

BENNETT: I don't think so. I'll give you an interesting sidelight though. I was sorely tempted to shift my field when I graduated

from Greeley. I had two very fine economics teachers, and I thought seriously about switching and attempting to get a fellowship or a scholarship in economics, which was interesting because one of these two men, who died shortly afterwards and I can't really remember his name, was a conservative economist. The other one, who was undoubtedly a great influence on me in terms of my understanding of economics, was a man who subsequently came to Washington and was here as a senior Brookings fellow in economics for twenty-five years, and he was the arch-type New Dealer, A.D.H. Kaplan, Dr. A.D.H. Kaplan. He was on the faculty at the University of Denver. But what he did was he came up and he taught summer school in Greeley. He came up once a week for a long evening tutorial, if you want to call it that, in economics. I took every course he offered, and economics was a very strong minor in my final rackup of what I had done or taken in school.

BURG: That's most interesting. You yourself had been a Republican by persuasion for some period of time, and yet this man, a New Dealer insofar as his economic theory was concerned, had an appeal for you, and clearly you had a

great respect for him.

BENNETT: Oh very definitely. He was a great scholar too. The first man I mentioned was much more conservative bent of economist, came from Vanderbilt. His name was Charles Hale. I remember the school. And I took the usual round of foundation courses from him, such as introductory economics, applied economics. That's a one-year deal between the two of them. And then I took money and banking from him, and right to this day this is something of which I have a fair understanding. I know exactly how the Federal Reserve Board operates; how they control the money supply, and I got that from the basic courses. But from Kaplan, I took courses in economic planning, which would be a New Deal type of thing. I still remember the textbook from which he worked in that course, and then he had a lot of supplementary materials, an enormous volume really made up of monographs, as I remember it now, on contemporary economic problems, attempts to resolve them and so forth. Then I also took courses in economic theory and courses that included the works of [Thomas R.] Malthus, David Ricardo, the whole--

BURG: [John Maynard] Keynes?

BENNETT: Well, yes, sure. He came toward the end really of that course. As I remember it, we went clear back to some of the notions of Francis Bacon, and then we jumped, I would say, pretty much all the way to Adam Smith and from then on, mercantilist doctrine.

BURG: But in the final analysis, Mr. Bennett, despite what obviously is a strong interest, you opted for law school. What brought you to that decision?

BENNETT: Well, I think I wanted to be a lawyer from the time I was about ten years old. My father wanted to be a lawyer, but never was. I didn't really know that until, I guess, after I had gone to law school.

BURG: What had he done?

BENNETT: Well, he had been a field man for the Great Western Sugar Company, negotiating contracts, supervising the harvest of the sugar beets, and the delivery of the beets to the company, and resolving labor disputes and that sort of work.

But I found out--I don't remember he ever said a word about it until after I went to law school. My grandmother, his mother-in-law, was the one who really put the kibosh on his going to law school. He went to Puerto Rico and taught school in Puerto Rico for a year after he got his degree at Colorado College. This was in 1913. Dad went to Puerto Rico for one year. When he came back he stopped at Columbia, and he had a desire to go to law school, and they offered him help. But he got out to Colorado, and his future mother-in-law said, "No, sir, she wasn't about to have her daughter go that far from Colorado." So Dad gave it up.

BURG: That stopped him. How did you settle on Stanford?

BENNETT: Well, a number of reasons. I think I personally would have preferred to come East. At that time it was not that difficult to get into Harvard or Yale. I would have preferred to do that, but there was a lawyer in Greeley who was always very close to the family, and I was very fond of him. He thought there was no law school like Stanford.

He didn't go to Stanford himself, but he thought that was the one. So I went out, and I looked at the other law schools in California and went down and looked into USC [University of Southern California] and looked into Boalt Hall which is at Berkeley and Stanford, and finally decided to take his recommendations and went to Stanford.

BURG: Let me ask you about the money situation because at that time it must have been fairly difficult; it's late in the depression. Was your father able to give you a helping hand?

BENNETT: This was 1938. Yes. He didn't cover it all. I worked in a drugstore and worked part of the time and even signed up with the national student program and worked in the library and whatnot, you know, for a quarter an hour or whatever it was. But Dad was able to help. Of course fees weren't that high then, but Dad had a steady job and, for that day, a suitable income. Nothing to brag about. Nobody had anything to brag about in those days in Colorado.

BURG: No, they didn't or any place else for that matter. Was that a three-year program?

BENNETT: Yes. At Stanford even then (well that was also true of the other first-rate law schools like Harvard and Yale) there was no way to get a law degree in less than seven years you see. In law school there the only thing you could do, even if you did your undergraduate work at Stanford, you could elect to do three years of undergraduate work and four years in a law school. At the end of the first year in law school, they give you your undergraduate degree and then, at the end of the seventh year, your law degree. So it was a seven-year program.

BURG: The fourth year as an undergraduate, in effect, could be a pre-law year for you.

BENNETT: Yes. Well actually they really started them in law school if they wanted to. Most of the men in my class at Stanford who had gone to Stanford for undergraduate school actually had elected to take regular undergraduate courses rather than the four years of law school.

BURG: Well, I can understand that, pretty deadly.

BENNETT: I sure do too.

BURG: Postgraduate work, it's all delay getting to your career, and it begins to pile up on you after a time.

BENNETT: I'll say it does. That last year you're pretty tired of it all, at least I was.

BURG: Yes, indeed. Yes, I think most of us were who went through that postgraduate training. Now I would assume that during the three years you were getting the basics of the law, the kind of things that a law school would do for one with very little opportunity to specialize in any particular aspect of the law.

BENNETT: Yes, that's right.

BURG: At that period during your training, were you particularly drawn to any field?

BENNETT: Yes, the anti-trust field, trade regulation.

BURG: Can you recollect why you came to that decision?

BENNETT: Oh, I had reached that phase while I was still in undergraduate school. I was active in Pi Kappa Delta, the debating fraternity, and in fact I was on the debating team all four years. At one of the national sessions of Pi Kappa Delta, held in Topeka, incidentally, in the state capitol, they had a mock congress. We had a regular political procedure because each province of Pi Kappa Delta elected, I think, two senators. If you got support from the other schools from the province why you got elected as a senator to that national congress, mock national congress. And I was one of the senators from the province. The bills I introduced all were on anti-trust settlements. And so I was pretty much bent in that direction. In 1948 after the war, I went to work for the Federal Trade Commission in the anti-monopoly trial division. Spent two years on the steel price-fixing case, steel industry price-fixing case.

BURG: I see. We'll go into that then in depth when we get to that point in time. That's most interesting. Now when

you finished your law work at Stanford, did you study to pass the California bar or did you return to Colorado?

BENNETT: I studied to pass the California bar, but the war really came into that picture just as I was hoping to handle that. See, I graduated from law school in 1941, and I went to work right away because I wanted to get married. I went to work for the Standard Oil Company in California, and I was located in their office on Bush Street in San Francisco.

BURG: In what capacity, Mr. Bennett?

BENNETT: Well, I guess, technically speaking, dealer specialist clerk which meant that I did the company's internal legal work for the dealer's specialist for northern California. I drafted the special clauses to go in the leases, even negotiate to acquire a filling station site--oftentimes not purchases, very few of them were ever actually purchased outright. They were usually on a lease, sub-lease basis. The owner of the station would lease it to the company, and then the company would sub-lease it back to him to handle their products and work it out. The company usually would

negotiate putting in new structures, improving the quality of the station. Some of them involved fairly sizeable sums of money. I did the backup for the dealer's specialist who negotiated these leasing arrangements. The war came along and that finished that.

BURG: You were about twenty-three, I would suppose at that time, or thereabouts. You had a draft number I presume.

BENNETT: Yes. You bet.

BURG: And that had been more or less deferred because you were in the law school.

BENNETT: Yes.

BURG: So as of maybe June of 1941 there would be the prospect of service in that draft army prior to the outbreak of the war.

BENNETT: That's right. There was an intensive campaign about that time by TVA [Tennessee Valley Authority] and also for the Defense Department, well it was the Department of the Army, Department of War, to recruit lawyers right out of law school.

I wasn't really interested in doing either, but I took their legal examination, the government's legal examination.

BURG: Would that have been for service in the Judge Advocate General's department?

BENNETT: No. I looked into that, and they were full. But they were trying to recruit lawyers for civilian service. The army was expanding, building new bases all over everywhere, depots, ordnance depots, transportation depots, everything. I remember that process began, I would say, in December of 1940, January of '41. So I was induced to take the examination, and I had no desire at that stage to leave California; so I didn't pursue it. I remember I was offered a job by the TVA to come do legal work on land acquisition in western Tennessee and eastern North Carolina, and I turned that job down. And then the fall of 1941, I was working with Standard. About that time I was offered a position with the army ordnance department, and I turned it down. Then along came Pearl Harbor, and, I remember, they sent the telegram just a few days afterwards. I decided I'd better take it; so I did. So I left the oil company--

BURG: They inquired again?

BENNETT: Oh, yes. Well, it was sort of a demand proposition. I guess the idea would be, "Here's something that you're qualified to do. You want to take your chances?"

BURG: Do you want to carry a rifle or do you want to come with ordnance?

BENNETT: Yes. So in February, my civilian travel orders required me to report at Rock Island, Illinois for training. There was an automatic deferment connected with all that, and from there I was transferred to Raritan Ordnance Depot in New Jersey.

BURG: Raritan?

BENNETT: R-a-r-i-t-a-n. I left my wife in Colorado with her people and mine----

/Interruption/

BURG: Now the work for ordnance, would that have been the same as the TVA which was site acquisition? Ordnance, I presume, was

something different.

BENNETT: Actually I was doing administrative work. The only legal work I ever did when I was with ordnance was after I was transferred to the Pentagon in 1945. In the meantime, I had decided that I wanted to get into active service though, and so I worked out an arrangement with my superiors there at Raritan, gave up my deferment, and volunteered for the navy. And I went into the navy, but I had a heart murmur, and they only kept me for about three months, and I was out again and back up at Raritan.

BURG: Had you gone in as a commissioned officer?

BENNETT: No. By that time they had no direct commissions available, but I was due to go immediately from training up here at Aberdeen to--Princeton. And at that point I would have been commissioned. That's what they were going to do, but because of that heart murmur, which they apparently had overlooked when I went in, they decided I couldn't meet the physical standards; so I went back to Raritan.

BURG: Now what kind of work were you doing at Raritan, in an administrative sense--

BENNETT: Really it was in what we would call computers now because it was all IBM equipment, and I had quite a large branch, maintaining a stock record, processing the shipping records for shipments to OVERLORD or to the North Africa campaign and all the rest of it. Rather interesting because toward the end of the war, that period, we had both German and Italian prisoners of war working in that depot.

BURG: Both!

BENNETT: Both.

BURG: Well that's interesting. I suppose you picked those people up after '42 and into '43 when we were capturing great numbers of them in North Africa?

BENNETT: Yes, I think they were all from North Africa as I remember it.

BURG: Did you have anything to do at all with handling those people?

BENNETT: To some degree. I remember we were shorthanded at one stage in the depot; so I did go out and help them get accustomed to the system by which the material was being documented for shipment. And they were used for things which surprised the devil out of me, but I guess they figured these men were not about to cause any trouble. And they didn't.

BURG: That's what I find particularly fascinating. I wonder if these men had been picked after some kind of screening for reliability. Interesting. Right now I'm looking into the use of Nazi prisoners of war in Kansas as farm labor beginning perhaps as early as '43, certainly in '44 and '45. I was a little amazed to find them given as much freedom as they had. I'm even more surprised---

BENNETT: This was also true in northern Colorado you know. Right outside of Greeley there was a sizeable camp.

BURG: Using them there. But the men that you were working with there at Raritan were actually handling ordnance supplies going to our armies--projectiles, weapons--

BENNETT: Exactly. Well, as I remember it, by that time, Raritan was shipping primarily replacements parts. Let's say a howitzer was being shipped from Letterkenny.

BURG: Letterkenny?

BENNETT: Yes, that's another ordnance depot in Pennsylvania, a big one. And Raritan would be shipping the required spare parts to go with that howitzer, you see, or to back it up. I don't believe that by that time we were handling small arms; we might have been. We were earlier, but I think by that time we were largely in the spare parts business. So I don't think there was any temptation to attempt to take it over or anything like that. We did have some ammunition stored there, but they weren't used out in the ammunition area. We did have some of those bunkers blow up on us, I remember, scattering the debris all over hell.

BURG: But not as a result of sabotage as far as you know.

BENNETT: No, no. There was no suspicion of that.

BURG: Were the Germans and Italians being used as labor, or did they perform a minor clerical function?

BENNETT: Primarily labor, but they would have to know how to match up the stock numbers on the documents with the bins in which the parts were in and to check it off as they withdrew them from the bins and whatnot. It apparently worked. They were supervised; there's no doubt about that. That's why I say they ran short of help; so some of us from the office had to go out there and help do this.

BURG: Is it your recollection that those gangs of POW labor were mixed. That is, would they commonly use Italians and Germans together?

BENNETT: No.

BURG: Kept them separate. May I ask, did you observe how well Italians and Germans got along with one another when they were working there at Raritan? You might not have been in a position to notice that.

BENNETT: Not particularly. But I don't remember hearing of any particular problems. I think they may have been kept apart. But they all came from the North African campaign.

BURG: Probably the largest number of them from Tunisia.

BENNETT: For the most part I think that was a different breed of German from some of them that you think about. I think Rommel's forces, for the most part, were heartily dedicated ideologues. They were loyal German troops but---

BURG: They were not SS.

BENNETT: No.

BURG: That's right. I don't think they were. Well, there may have been, but I don't recollect SS units in the Africa corps at all. All right, now, let me ask you this, sir. Raritan, as you pointed out, played a part in the preparation work for the North African invasion in '42 and for OVERLORD in '44, presumably also for Sicily and Italy. Do you now recollect any particular peculiar circumstances, any anecdotal material connected with your work in this respect. North

Africa would have been the first big thing, presumably, that Raritan had to handle. Let me ask if things ran smoothly for you? Were you geared for this kind of special effort? Were there any problems in getting ordnance supplies out of Raritan and on their way for that invasion?

BENNETT: Well, I don't remember details now at all, but I know there were. These requirements generally were all coordinated, and you might be missing two or three items which meant that you were not shipping the complete set of spare parts that was supposed to go. This is always a problem in any military effort. Your backup depots, your field maintenance forces and whatnot, they're supposed to be completely equipped. In other words, they're suppose to have, according to a predetermined formula, three of these brackets and--

BURG: And four buffer springs.

BENNETT: --and four of something else and ten of something else. For all you know, that may be the part that keeps the gun out of action at some stage. So it was always a problem

in that regard.

BURG: By and large, do you remember your viewpoint--since you had just joined that kind of organization quite early in the war--when you joined it, did it seem to be working smoothly and effectively insofar as you could tell?

BENNETT: Yes, I think so. It was, and it had only a very small cadre of people, either in uniform or civilians, who had been with ordnance for any length of time. There weren't many people.

BURG: I would suppose so.

BENNETT: At least at Raritan, I think the two key men in that regard, aside from the military, had had quite lengthy service with ordnance, and I thought they were effective administrators and did a rather good job.

BURG: Several times in my interviewing I've been reminded of a remark that evidently George Marshall made with some frequency that it would behoove us all to study the first six months of the last war if we want to avoid painful mistakes and cost of

lives and humiliation and even the possibility, I suppose, of defeat. So it's interesting to know that as early in '42 when you went with them you found things functioning smoothly.

BENNETT: But the big demands were not on that side at that time, you see; that was on the Atlantic.

BURG: Precisely, that's right. But of course most of our effort was diverted to that side.

BENNETT: Yes. If you were to look at the similar functions being performed elsewhere in support of the effort in the Pacific, you'd probably find plenty of trouble because you didn't have the same time pressures or urgency applied to the depots here on the eastern side of the country.

BURG: Priority was on your side. That's a good point too.

BENNETT: That's right. Because only those things that the British could use, you see, were being moved at that stage. And we were shipping a lot of stuff too to the British.

See, Lend-Lease had been in effect for some time; so that's why these depots were activated in 1941. There was a fair size staff at Raritan by the time I got there.

BURG: Prior to December of '41, to help resupply the British--make up their losses.

BENNETT: That's right, the whole Lend-Lease background.

BURG: Now you spoke of going ultimately to the Pentagon, Mr. Bennett, 1945 you said.

BENNETT: Yes. I got transferred to the Pentagon. Well I remember it was set up sometime in April. They didn't want me to leave Raritan until it was over in Europe. So they actually cut civilian orders which specified that I was to be transferred on V-E Day plus seven it was. I transferred to the Pentagon on May 15, seven days after the surrender in Europe, you see.

BURG: A small scale "Operation Bennett," with a D-Day set for it and everything. That's interesting.

BENNETT: It was unbelievable in a way, but that's what they did.

BURG: What work did they have in mind for you there, at the Pentagon?

BENNETT: Planning work in the field service department of ordnance.

BURG: With respect to the coming invasions of Japan.

BENNETT: Yes, that's right and the planning, and gradually--well, they even changed that. They changed the branch within the field service division to planning and management which meant that all the monthly status reports and management reports from all of the field service depots throughout the country funneled through our branch on the way to the general who was in command of the field service division.

BURG: And who was that general? Do you remember, Mr. Bennett?

BENNETT: [Major] General J. Kirk. I think his first name really was James, but he never used it. It was J. Kirk.

BURG: Was he your immediate superior, Mr. Bennett, in that office?

BENNETT: I had one military man between me and the general, but, as it very quickly turned out, I was the one because they kept rotating the military men in that stage. In fact a good friend of mine, a man who does my brokerage now, was a lieutenant colonel who was in there for a period of time, and we became very good friends. He was the military head of that branch, and I was the civilian head of the branch.

BURG: Dual system, dual ladder.

BENNETT: Oh, yes, all the way through it, yes. And, as time went on, I found myself taking over some legal problems for General Kirk too. He wasn't always satisfied with the legal advice he was getting from down the hall; so he began to drag me into that. I actually prepared the analyses and the charts. I had help, obviously, in the branch. It was a very small branch, but I had other people to help. We would review the performance of the depots under his command for him every month, alert him to where the break-downs were occurring, where he was having problems. He

would take the action from there on. Although, sometimes, if the reports weren't adequate and there were gaps in them, then I would be in the uncomfortable position of calling the colonel at Red River Depot down at Texarkana and saying, "Your report leaves all these things out. We've got to have this information." But, generally speaking, if corrective action was involved because we didn't like the progress, that wasn't up to me, obviously.

BURG: Now I could visualize, Mr. Bennett, say Red River and other similar installations now diverting materiel that they're sending to Europe, diverting to ship it now to the Pacific, did you also--

BENNETT: And some changes of mission involved in all that. In other words, quite often a depot, let's say, which had been primarily involved in storing and supplying weapons carriers would suddenly have a complete change of mission in which they would have an entirely different line of materiel shipped there for storage and transshipment on.

BURG: Did your work also entail bringing back from Europe ordnance materiel into the depots here in the United States for shipment?

BENNETT: No, I don't remember that we--

BURG: You didn't have to do that?

BENNETT: Not during that period we didn't.

BURG: Presumably some of that must have been done, but your group--

BENNETT: I think, generally speaking, that that sort of thing was geared to the movement of the units themselves, and, of course, the war, by September, it was all over.

BURG: Yes. For that brief period of time the picture would probably be that, let us say, of a howitzer outfit bringing its guns, its tractor-type vehicles, everything that it used would be placed on the ships, and all of the materiel would go with the unit.

BENNETT: Go with the unit.

BURG: All right, fine. Now how long did you perform this work? How long did you stay with the Pentagon?

BENNETT: I stayed with the Pentagon until the beginning of 1948. General Kirk stayed right through; he was still there when I left the Pentagon. He did want me to make a career as a civilian of the services. And I couldn't see that of course. He offered me promotions, and he'd move me up--at least for those days--it wouldn't look like much now, but he was attempting to persuade me to stay on. But I had already commenced to work on getting into the Federal Trade Commission which was expanding in 1948.

BURG: Now, may I ask, did you rule out other departments and concentrate your attention on the Federal Trade Commission?

BENNETT: Yes, I did.

BURG: So that was the one organization that you went to--

BENNETT: I wasn't fanning out fifteen applications all over the government, no. I knew what I wanted. I also knew

that they were expanding, yes.

BURG: And back to your interest in anti-trust.

BENNETT: And trade regulation. All of which, also, I think, stems back to the foundation in economics that I had had.

BURG: Did you have friends in the Federal Trade Commission to whom you could go in your search for employment?

BENNETT: Not at that stage, but I had friends on the Hill, and from Colorado I had connections with both of the senators, one of them a Democrat and the other a Republican. They both recommended me for the job. That all helped. Now, later, I went to the Hill, you see, and went to work for the Republican senator after about three years.

BURG: That was after FTC. Did you go with FTC prior to the election of 1948 or after that election?

BENNETT: Before I think, yes, I know it was.

BURG: So you could play no very active role in the Republican campaign in '48.

BENNETT: None.

BURG: I've not said anything about your interest in politics through the wartime period because I assume that you, like so many, had to pretty well put that in abeyance for awhile.

BENNETT: Oh, sure. I wasn't free to do any political work at the Commission either. That was a career position, not classified civil service, they were excepted positions, schedule A, or were at that time. The Hatch Act would bar any political activity.

BURG: Let me ask you, for whom did you go to work?

BENNETT: At the Commission?

BURG: Yes, your first assignment there.

BENNETT: My first assignment was as trial attorney in the anti-monopoly division. In fact, I stayed there throughout. And the head of that division at that time was a man by the name of Richard Whitely. His alter ego, his deputy, was the man for whom I really worked, Everette MacIntyre. Everette

MacIntyre, subsequently, a number of years later, I think in the Kennedy administration, was appointed as a member of the Commission. He was kept throughout, yes, that's right. He was kept right through. In fact, Nixon extended his eligibility because he had reached the age of seventy, mandatory retirement, and it took a presidential order to extend his service. And he was kept on, I think, two years after he reached the age of seventy by presidential exemption from Nixon, although MacIntyre was a Democrat.

BURG: Must, I would assume, have been a very competent, highly thought of man in that work.

BENNETT: Oh, yes. Oh, yes.

BURG: Now how many of you younger men were working in the anti-trust, anti-monopoly, section of FTC?

BENNETT: I really don't know how many. There must have been close to twenty of us hired in 1948. It was a sort of a class, the class of '48, all dear friends of mine. Several of them have since retired. Three, that I can think of right away,

have resigned over the years and went to work in law firms. One is over here a few blocks in a law firm which is probably the second ranking in the antitrust field in Washington. Several of them left the Commission subsequently and went to work for corporations, house counsel capacity of one kind or another.

BURG: Because of that special kind of experience they'd gained with FTC. Let me ask what your first assignment was then with FTC?

BENNETT: I was immediately assigned to the steel anti-trust case, the so-called basing point case.

BURG: And that was ongoing when you arrived at FTC. It had already--

BENNETT: The complaints had been filed, yes, but that's about as far as it had gotten.

BURG: Was that your sole responsibility or were several of you given that responsibility?

BENNETT: Well there were three of us working on it. Very fascinating story connected with that. We continued to prepare the case, getting the documents, cataloging evidence, preparing the trial brief. Shortly after I went to work there, it became apparent that the steel industry people were interested in trying to negotiate a settlement of the case. That was a fascinating experience, the three of us, sitting on one side of the table. On the other side of the table were Roger Blough of US Steel. Tom Patton was then general solicitor and subsequently was the chairman of the board of Republic Steel. Old Hoyt Moore who was a real curmudgeon. Hoyt Moore and Moore's brother and Charley Schwab organized Bethlehem Steel. Moore was the Moore of the law firm, Cravath, Swaine and Moore in New York. There were others involved in it, but these I remember because of their dominance in the United States industry.

BURG: About the only man you haven't mentioned is Ben [Benjamin F.] Fairless.

BENNETT: And the fourth man was a partner of Sullivan and Cromwell in New York, and he represented the American Iron and Steel Institute. After the Kennedy administration, well, when it came in, why, of course, I left government service. I went into private practice. Several years later I found myself settling an anti-trust case with that same man in New York. I was representing some triple-damage plaintiffs, and he was representing Allis-Chalmers, and we had a suit against Allis-Chalmers. I negotiated a very suitable financial settlement with him--the same man who sat across the table from me about fifteen years earlier.

INTERVIEW WITH

Elmer Bennett

by

Dr. Maclyn Burg
Oral Historian

on

February 4, 1975

for

Dwight D. Eisenhower Library

DR. BURG: When you and I were talking in November, you at that time were a lawyer for the Federal Trade Commission and this was in the Truman Administration and I think one of the first things that you were thrown headlong into was a negotiating session that involved some of the big steel people--Roger Blough was there, among others--and we had taken you that far in your career. What I wanted to ask next was, did you then find yourself similarly engaged with some of the high power talent of that level in future occasions while you were at FTC?

MR. BENNETT: No, not really, because I left the Commission in January of 1951 or December of 1950 and the steel case occupied nearly all my time. I had some cases involving the oil industry which I was working on. I had a case involving the paper industry which was about to go to the Commission for the institution of a complaint. But nearly all my time with the Commission was spent on the steel case. So, no, I didn't get involved very heavily with any other section of industry at all.

BURG: I was just going to ask you because I had forgotten from the previous interview, was your work with FTC of an investigative nature or--

BENNETT: No, no, I was a trial lawyer.

BURG: And these were cases that the government was in the process of bringing--

BENNETT: We were in the process of either trying cases as in the instance of the steel case which was actually settled before it ever got to a hearing, but that settlement occurred after I left the Commission.

BURG: Oh it did.

BENNETT: It was settled by way of a consent order which was based on new rules which the Commission adopted not too long after I had left. Those rules permitted consent order settlement of cases, and they were based primarily on legal research and legal memorandum which I'd prepared sustaining the authority of the Commission to enter into consent orders. In the early history of the Commission, the Commission had entered into consent

orders; then, sometime in the late '20s or early '30s, they dropped consent settlement and insisted that all cases go through a hearing and finding procedures. This meant an enormous loss of time, of course, even in those cases which were capable of being proved hands down. And it was quite a philosophical struggle within the Commission at the time. There were men on the staff who felt that the major role of the Commission was to expose in detail the wrongs of the respondents in their proceedings--the people who were accused of violations of the Clayton Act or the Federal Trade Commission Act. And they recognized that it takes years to carry a case that far and settlements often were not even possible if you insisted on making inflamatory findings of fact in arriving at a settlement. But there were those in the Commission who felt that was the major role of the Commission rather than getting remedial relief in the form of cease and desist orders. This was very controversial within the Commission. Finally, though as I say, shortly after I left the Commission, the Commission did adopt rules permitting consent settlements and the steel industry entered into a consent order. We were in the process of negotiating that settlement, oh, about the time I left the Commission.

BURG: May I take it then that philosophically you stood with those who felt that inordinate amounts of time were consumed and that the more efficient way to do it was to try for this return to that earlier procedure where a consent order could be--

BENNETT: Yes. The earlier procedure had fallen of its own weight. The Commission, in those early years, had not been sufficiently careful in the drafting of the cease and desist orders, and attempts were made later to force them to obtain penalty relief for violation of orders by industries who had entered into consent settlement in that early period. The courts struck down their efforts to enforce them. But the difficulty was that the Commission had not been sufficiently diligent in the 1920s when they had the earlier procedure; so the attempts to enforce those orders fell through. They threw out the baby with the bath water is what they did. So we set up rules which are essentially in effect now. They have not been changed too much from what we were recommending at that time.

BURG: Now if I judged rightly the effect of the work that

you did, the modification that you researched and eventually went through, the effect of that is not to conceal the claims that the government makes against let us say steel or whatever other industry--

BENNETT: No, you have to enter a complaint which supports your charges.

BURG: And this receives publicity; so whatever the offense is, that is printed in the public record, the newspapers and the media, but it does facilitate the reaching of settlements without the going through the entire legal procedure and yet does not conceal the offense.

BENNETT: That's correct. The point is that consent order procedure sets forth in detail the allegations of fact upon which the government rests. But it does not insist that the respondent admit each and every detail of those allegations. But they have to agree to the order providing relief which the Commission thinks is appropriate.

BURG: So in the case, let us say if I take an example-- a paper company that plans to merge and FTC feels that this

merger is a bad thing, one of these consent orders may result, but the paper firm which planned to merge and now will not also has the opportunity of saying that we do not entirely agree with the government's case but we are willing to abide by this decision and go along.

BENNETT: That's correct. In laymen's terms that's correct.

BURG: Now, what was your next step after FTC?

BENNETT: Well, I went to the Hill as legal assistant to Senator Eugene D. Millikin of my home state of Colorado. The man he had in that position had worked on his campaign in 1950 and had decided to leave government, leave the Hill, and to go to work for the insurance industry. And I was approached by Senator Millikin to go to work with him on the Hill. I was very reluctant to do so. I was not too sure that I wanted to leave my own field of academic and legal interest which was the anti-trust laws to embark upon the stormy seas of the Hill. In fact, I turned the Senator down when he first offered me the position. I had a promotion coming through with the Commission anyhow. And so he called me and asked me to come up and see him on Saturday for a

second visit. Again, very reluctantly, I went up. He turned on all the charms he knew how and all the appeal he knew how, and so I agreed to go with him. Of course, a lot of the people I knew in Colorado were respected by him and they respected him. And he had made phone calls out there I gathered and decided he was going to get me by hook or crook; so he did.

BURG: He had gotten your name then from some of your acquaintances in Colorado.

BENNETT: Yes. And also from two men who had worked for him for a short period on the Hill. One of them was a man, a Democrat, who had worked for Millikin's predecessor and then served in the transition role for Millikin. And another one, I guess, at that time was--oh, he was with a senator from Nebraska the second man was, but he had also worked for Millikin for a period. They both knew me and apparently had left my name with him; so that's how that all came about.

BURG: Now, one general question at this point: Did you ever have cause to regret that decision.

BENNETT: No, not really, not really at all. Millikin had the reputation on the Hill of being one of the finest minds, and I really felt that the nearly three years I spent with him were an education in themselves.

BURG: This was all new to you as I remember your earlier career, a totally new ball game for you.

BENNETT: Oh, yes.

BURG: When Senator Millikin had you then up with him and in the office in the first meetings that he had with you, how did he go about outlining the kinds of things that he wanted you to do. Do you recollect that? What kind of a job did he sketch out, in other words?

BENNETT: One of the problems in any senate office where the assignments and responsibility are not too clearly defined--and it took a little while to get that shaken down--but it came to the point where I was his legal adviser and worked with him on legislative problems--analysis of water and land law problems, mining law problems which affected Colorado which came to him. And it became a question of essentially

determining how far he would go in support the constituents who were having difficulty with the government--whether he would propose amendments to laws, whether he would simply write a letter pressing the legal or constitutional angle that might be involved in the case. Consequently, cases which would come to him, constituent problems which were complicated in character, tended to come to me. I was, to a great degree, more or less separated from the day-to-day operation of the office--had very little to do with it.

BURG: Your work would not require that you travel back and forth between Washington and Colorado, for example--

BENNETT: No. I never went out there on official business. Of course, in those days the senators were not given very much money for that sort of purpose anyhow.

BURG: I suppose not.

BENNETT: No, generally not. If these people had problems, they would come to Washington or write letters.

BURG: The particularly quality of talent that he was looking for in you was your legal mind, your legal training, plus

what he might have known about your talent and your personality from those that he had consulted. And then the assignment was the narrow, relatively by comparison to the remainder of the senator's office, the narrow area that you just described to me.

BENNETT: Yes. Now this also involved though working with him on major issues that were pending on the floor and preparing him for argument on the floor.

BURG: Oh, I see, I see.

BENNETT: Oh, yes. In fact, I did a great deal or research, as an example, on the issue of diplomatic or quasi-diplomatic of the United States in the Vatican. In that period, [President Harry S.] Truman proposed to send what was called an unofficial representative to the Vatican. First, he said he was going to make them a diplomatic representative. I spent quite a bit of time doing historical research on the early history of the diplomatic relations between the United States and the Vatican. Somewhere I still have the notes I did on that. But, in the end, Truman was getting so much flack that he publicly announced that he would not pursue the idea of

sending a minister or an ambassador to the Vatican; he would simply have an unofficial representative. And that's still the case right today.

BURG: Was Senator Millikin one of those who was sending up some of the flack?

BENNETT: I think he would have supported Truman.

BURG: He would have supported the appointment of a diplomatic representative.

BENNETT: I think so. I have talked with him about the results of my research and the very useful role that diplomatic representation at the papal states had performed in the history of the United States. On a number of occasions this was very important. During the Civil War it was particularly important. The Confederacy attempted to use the Vatican for its own purposes in many, many ways. If the federal government had not been represented there, it might have perhaps led France to go farther toward recognizing the Confederacy, for example.

BURG: Yes, I see.

BENNETT: The United States was never represented there by anything above a consul general as I remember it now, but that was enough to achieve a great deal of good.

BURG: Do other instances come to your mind of special projects that you worked on of this nature, that is preparing the senator for a debate?

BENNETT: In the debate on the central Arizona project on the floor between Millikin and [Richard] Nixon, I sat beside Millikin on the floor of the senate because obviously I had some input in the exchange. That's just one of a number of examples. I was deeply involved in the technical side of the General Agreement on Tariffs and Trade. Millikin was a reciprocal tariff man, but he was against anything which assumed that there was some broad general good to be had just by the United States unilaterally reducing tariffs without reciprocal concessions from the other side. Before I even went to work for him, he had been an opponent of the use of the general agreement to which Truman had subscribed just under broad executive authority; and without legislative authorization. So I did a great deal of work on a brief that was 50

to 75 pages long. I don't remember now, attacking the General Agreement on Tariffs and Trade as being an unconstitutional and illegal attempt by the executive department. I was told that when Eisenhower was elected, Millikin took that brief to [Herbert] Brownell, handed it to him, and said, "Someday when you don't have anything else to do, you might just ask your people to analyze these constitutional issues here and decide where you are on that." Well, one of the things that came out of it though was that the Trade Agreements and Expansion Act of 1954, I think it was, did at least include some language which could be interpreted to provide statutory authorization for the general agreement. Millikin always felt that we at least had forced the Eisenhower Administration to come to terms with it.

BURG: And knowing that you had been there in Millikin's office three years approximately, I was going to ask you when you talked about the trade and tariff provisions, I was going to ask you if that had come up late in your career with the senator and whether you had had any contact with the White House staff in that respect.

BENNETT: No, not really. We did have some contact with treasury people. I remember, although this was right at the end of the Truman administration, but it's a picture of the club atmosphere of the senate which few people privately have seen from the same prespective that I did. The finance committee got off on a tangent of examining the gold standard and the extent to which it had been abandoned, whether it should be abandoned further, whether some steps should be taken to revert to the gold standard as it was pre-Roosevelt. They had a very fine man who I think is still with the International Monetary Fund; his name escapes me now, a Democrat appointee, assistant to an secretary of the Treasury as I remember it. He was a witness before the Senate Finance Committee. Senator [Robert S.] Kerr was questioning him, and the more questions Kerr asked the more ignorant and stupid Kerr appeared. This went on for an hour and a half, and the man who was answering the questions was brilliant, was articulate. Of course, I had gone into the subject to a considerable extent with Millikin, and it was a real travesty in every sense of the word. Millikin did his best to ask questions to get Kerr out of it, but Kerr

was stubborn and he was not about to appear to admit that he didn't know what he was talking about. So when it was all over and Millikin called me in and said, "I'm going to talk to Senator [Walter] George." Now, George was the chairman of the Finance Committee; Millikin was the ranking minority Republican. "Do you think that record could be straightened out so that it will make sense."

And I said, "Probably, but it would take wholesale rewriting."

And he said, "Well," he said, "would you go along with this." He said, "I'll talk to George, and if he's agreeable then Senator George will talk to Kerr. And then I will invite," this is Millikin talking, "I will invite this man from treasury to come up and sit down with you and between the two of you, you rewrite the whole record of that exchange."

BURG: Of the hearing?

BENNETT: Yes.

BURG: Good Lord!

BENNETT: And I said, "All right, fine." Of course, it's not

under oath; it's a technical hearing. It's not a question of credibility. So, sure enough, that's what I did. The fellow came up, and we sat down, and we simply rewrote the whole thing. We cut--I don't know--probably a 50 page transcript, we cut down to maybe 6 or 8--

BURG: By removing a lot of Senator Kerr's questions?

BENNETT: Yes, oh yes. And inserting some he didn't ask and answers that were not given at the hearing. The result was a worthwhile discussion of monetary policy and the role of gold in international exchange.

BURG: It was very good of the man from treasury to help do that.

BENNETT: Oh, yes. Of course, politically after all Kerr was supposed to be in the same crowd he was in.

BURG: So it was to his advantage--

BENNETT: But it was the Republicans who were serving as the catalyst in this, in my opinion. But Millikin had a rather extensive scope of interest; however, he was not one to race into some other committee's jurisdiction.

BURG: Yes. During that last year that you were with the Senator, you did not have to deal then with any of the Eisenhower congressional liaison people.

BENNETT: Not really. Frankly they were in a complete state of disarray.

BURG: In the first year of the administration?

BENNETT: The Republicans had been out of power for 20 years. I think most of that sort of thing was being handled, at least an effort was being made to handle it, through weekly leadership meetings with the President and members of the Cabinet. They weren't really organized. They didn't get organized until '54 when you come right down to it. And that was part of the process that sent me to Interior the beefing up of that organization. There's one period here that we've not covered which was--I'll just briefly say that one of the issues in 1951 was the question of price roll-backs when Truman belatedly attempted to establish price and wage controls as a result of the Korean War. Millikin got into that. So he had me negotiating with Douglas's staff, Senator Paul Douglas, to try to work out some compromise

rollback language. And we did. Millikin was pleased with it, but people like [Homer] Capehart, who was rather clumsy, but he was the ranking Republican member of the Banking and Currency Committee, he had his own notions, and he just followed them with little regard for technical advise. But Millikin made a contribution, but one which was rather quite unusual because Millikin was there moving into leadership and policy matters that were not within his own leadership role. But all this venture into these policy issues led to another role that was undoubtedly the most important role I served during my career with Millikin. He was chairman of the platform committee at the Republican convention in 1952, and we went out to Chicago two weeks beforehand--

[Interruption]

BURG: You were saying that the Republican party--

BENNETT: The Republican party of 1952, having been out of power for some years, did not have a strong staff base for dealing with the multiplicity of issues that go into a platform. We did our best to provide some backup to the subcommittees, but in general the subcommittee reports were just impossible. So--

BURG: In what respect?

BENNETT: Oh, they left out important issues on which Republicans had always had a position. They had come up with very wordy statements which made little or no sense if you applied them realistically to the world as it existed then.

BURG: Were they, "We view with alarm," things?

BENNETT: Much of the newspaper treatment of the day of course broke on the foreign policy issue, and there you had very active interest by all of the candidates--the Eisenhower interest, the [Robert A.] Taft interest, the [Earl] Warren interest, the [Harold] Stassen interest. And each of them had representatives that made the cases as they saw it. Millikin, of course, was kept very busy with that. Now [John Foster] Dulles was Eisenhower's representative on foreign policy and armament generally--that's an example of what I'm talking about. Well, that was the most controversial aspect of the platform issues before the convention in 1952. So, obviously, Millikin would spend most of his time on that. And, obviously, too, his effort was to try to arrive at a

platform plank that would be at least acceptable to all the candidates. And that eventually is what they came up with. But a lot of the senator's time went into that. So obviously, the question is: Who's going to worry about agriculture, public lands, gold policy, currency reform, you name it? I wound up with having to see to it that the platform covered all those subjects in a way that was in consenance with Republican policy.

BURG: Now, how would you go about that at Chicago since it fell upon your shoulders. Were you then consulted by others with interests in these matters? Would they then come to you and say to you, "Now listen, here's how we feel about it?"

BENNETT: Well the fact of the matter is, in general, they went to the subcommittee chairmen attempting to get their particular position through. And the agriculture plank, as an example, came up, and, except for some editing to shorten it, it was very acceptable. But it had two outstanding men who had been coming along in the party on that subcommittee. One of them was [Melvin] Laird; another one was Ancher Nelsen who just retired from the House of Representatives. And they

came up with a first-rate agriculture plank. But all the others had to be just totally rewritten the twenty-four hours before the platform was presented to the platform committee as a whole.

BURG: So actually--

BENNETT: And I rewrote them.

BURG: All of those?

BENNETT: All of them. Well, for example, they had nothing in there on anti-trust. So I wrote the traditional Republican plank on anti-trust, on gold policy, on federal reserve. You name it, I wrote it in that 1952 platform, unless it dealt with foreign policy, defense or agriculture.

BURG: That's most interesting.

BENNETT: I wrote it all in the last twenty-four hours before the platform as a whole had to be presented to the platform committee. But--

BURG: That's usually one of the first items of business, isn't it at a convention and--

BENNETT: Yes. Well, credentials first, the fight over the--

BURG: The seating of delegates.

BENNETT:--which in that convention took quite a bit of time because of the fight over Texas--

BURG: Texas, Louisiana, Georgia I think was another one with problems. But traditionally it seems to me that the platform is usually put together in a panic stricken rush; it's got to come early in the convention. Do I understand correctly then, it was your judgment, is now your judgment, that that agricultural subcommittee on platform with Ancher Nelsen and Laird was virtually the one subcommittee with strong personnel and a plank that literally didn't have to be rewritten.

BENNETT: Yes.

BURG: Might I ask you, what is your present opinion as to why the other subcommittees somehow did not have that kind of talent.

BENNETT: Well, the National Committee didn't provide them

with a staff. They really didn't have the wherewithal to do it. Of course, in 1956, there was no problem at all because the executive branch had all kinds of people with the sub-committees providing the staff support to get these things done. In fact, in '56 I went out there--let's see, that one was in San Francisco--and I met with the natural resources committee because I was then in Interior. And that's where I met Mark Hatfield, for example. In fact, Mark and I made a practice of having dinner together two or three nights during that certain period. And, oh, I met a lot of people.

BURG: Hatfield later governor of Oregon?

BENNETT: Later governor. He wasn't governor then; he was still a political science professor at Willamette University; I believe it was in Salem.

BURG: Now did you, Mr. Bennett, have to check the platform planks which you had written; did you check those with Millikin?

BENNETT: I don't remember that he ever sat down to read them all over. Things were pretty touch and go--the great battle between the Eisenhower and the Taft forces in that convention.

BURG: By the way, I would like to ask you at this point, where did Senator Millikin's sympathies rest as he came into the convention?

BENNETT: He was a dedicated supporter of Taft, always had been, always had been. In fact, when the vote was done, he was up in the balcony and I saw him up there, and he got tears literally--

BURG: Oh, he did?

BENNETT:--the defeat of Taft.

BURG: Had he forseen that, Mr. Bennett?

BENNETT: Oh, I think so.

BURG: But he had not discussed that with you, say in the first days of the convention?

BENNETT: No, no I was not involved in that aspect of it. I think he probably knew my leanings in those days were pretty much toward Warren who was being actively supported by [Senator William] Knowland. Some of my closest friends on the Hill were in Knowland's staff, and they were working like

beavers trying to get Warren in as a compromise candidate. So our personal predilections had no bearing on all this. [Laughter]

BURG: Ah, I see, I see. That's interesting because you are one of the few people I have happened to have met who were Warren supporters at that particular time. And of course, you had no power really to do much about it except to be one of the men who was interested in his candidacy.

BENNETT: Oh, no.

BURG: Now once you had--and you understand you have totally destroyed my idea of how political platforms are written, I had no idea--

BENNETT: Well, since then I think both parties have been adequately supported by the staff, but that was an acceptable platform. It was no problem doing it.

BURG: Just a problem for us historians now who saw the subcommittees, you know, working everywhere. The idea of you in a hotel room sitting down and--

BENNETT: That's the only way it could be done in the family--

BURG: --and whipping it out, and it was accepted.

BENNETT: Oh yes. Well in fact, I was in one very thorny issue that Millikin wanted to have as little to do with as he could, the civil rights issue between southerners and a very active group led by a Mrs. [J. Arthur] Younger from California who wanted a very strong civil rights plank. And the subcommittee had split right down the middle. So how were we to resolve that issue. Well, that one wound up in my lap. Millikin said, "Go ahead and hold an informal hearing and let both sides present their case to you, and then see what you can do about it." So we did. And we reached an agreement on how the issue was to be resolved after hearing both of them present their case and each had his own version of the plank. Well, it was simple enough to find the common elements and rewrite it so that they would agree on, say, that much of the plank. And then the people in California, they wanted this much more is what it amounted to. So I rewrote it, accordingly, and said now, "Let's all agree--this is written to reflect, up to here, the things that you are all in agreement on, and then

from here on the California people want this and the southerners don't want it. So when the platform committee meets, why the southerners can move to delete that part to which they object." O.K., we all agreed on that, and so that's the way the civil rights plank was presented to the platform committee, you see. At that point the southerners had support of the majority on the platform committee and they succeeded in deleting Mrs. Younger's language.

BURG: The southerners in that informal meeting knew already that they would be in a position to move successfully to strike that portion.

BENNETT: Probably.

BURG: And I suppose Mrs. Younger's group knew that it would be done.

BENNETT: I would think so because at that stage the party still had hopes of carrying Texas and whatnot for the Republican party, and they didn't want to throw it down the drain. I think that's true in the end.

BURG: So that was probably the thinking behind the maneuvering

that was done. Now, you finished your work on the platform in the first days of the convention, thus freeing you--

BENNETT: Although it took two weeks beforehand.

BURG: Had you gone out there that early?

BENNETT: Oh, yes.

BURG: I see. Are those--

BENNETT: Millikin went out that early.

BURG: Those who had various responsibilities were on the scene--

BENNETT: There was all this constant back and forth with the representatives of the four candidates--Warren and Stassen and Taft and Eisenhower's.

BURG: Also during the period of time prior to the actual start of the convention, you were coping with various Eisenhower representatives with respect to the platform. Who were these people, Eisenhower people that you were dealing with?

BENNETT: Well, as I remember--I don't recall any of them were people I subsequently dealt with when I went to Interior, but I think it was in that period that I met Lindsay for example.

BURG: Lindsay?

BENNETT: And I--

BURG: Which Lindsay?

BENNETT: John Lindsay.

BURG: John?

BENNETT: Yes. I don't know now which aspect of the platform he was serving as a representative on. No, I don't recall that any of them were men I later dealt with. I don't remember that they were.

BURG: Is it safe to put it another way and to say that none of them that you recollect were later prominent in the admiistration?

BENNETT: I think that's true. I did sit in on several discussions

among Millikin, Brownell and Dulles, but they were on defense and foreign policy issues.

BURG: Your own records, your private records, may indicate too, there may be letters from that period of time--

BENNETT: Probably, although I think whatever I had of that nature would be in the Millikin papers in Boulder.

BURG: They were kept with his--

BENNETT: His are at the University of--

BURG: --Colorado. And things that you would have done as part of his staff would probably be there--

BENNETT: Yes, I'm pretty sure of that.

BURG: --reports that you might have made. Well, going back then a bit, coming back to the theme of the completion of your work on that platform, it then freed you for other duty or, if there were no further duties that Millikin had for you, to observe. Was it the latter case?

BENNETT: Yes.

BURG: You then became a spectator at the convention?

BENNETT: Yes. I was not involved in any of the maneuvering on behalf of the Taft candidacy, any part of that. But I did get to observe a while.

BURG: Is there a particular reason why--perhaps maybe the reason was that Senator Millikin was a Taft man, he knew that you were not--I was going to ask was there a particular reason why Senator Millikin then made no further use of your talents, you having done quite a bit of a job.

BENNETT: I don't think so. See, one of his problems, coming right down to it, I guess, was that as Chairman of the Platform Committee he felt that there was a limit to how far he could go in working on the floor on behalf of the Taft candidacy or that sort of thing. And he did not want to cast any doubt as to his objectivity in dealing with the platform. Millikin was openly and publicly in support of Taft. He dearly loved Taft as a friend. But he was not one of the leaders in the convention in operating on behalf of Taft at all. In fact, they didn't consult very much on it because Millikin felt that as an official of the convention, chairman of that committee, he couldn't give the appearance

of devoting all his time and attention to pushing one candidate for nomination. This would be disruptive of party unity and that sort of thing even though he was a public supporter of Taft. He was really, I think, through his own notion of party unity, was just simply not going to become active on the floor pursuing delegates, getting commitments, and that sort of thing. He did very little of that, if any. I never really saw him do any of it. They could use his name and say he was a supporter of Taft, you know, and that sort of thing.

BURG: But Senator Millikin controlled no delegates out of Colorado, that is his opinions might be sought--

BENNETT: Well, he could have done so, in his own state. But even there, the Eisenhower people had won in all the county conventions and the state conventions. Well, I think, as it turned out, Taft perhaps had two votes from Colorado, Millikin's and one other. Stassen had one; that was Gordon Allot, who was then lieutenant governor, as I remember it. And all the rest were Eisenhower.

BURG: I see. There isn't much chance then that people are

going to be opportuning Millikin for his support for Taft. They would realize what the situation was.

BENNETT: Oh, sure.

BURG: Now, when the decision had been made, when the General was nominated, did Millikin happen to talk with you about that decision and what he foresaw next, how he felt about things and what would have to be done?

BENNETT: Yes, I know he did, but my recollections are not too clear about what he had to say.

BURG: We know that he was moved to tears by the decision that would cost his friend--

BENNETT: Yes, that's right. But when he came back to Washington, his principal interests was the unity of the party. I think, although I'm not certain of this, that Millikin may have had some role at least in influencing Taft on the Morningside [Heights] Conference. It's my recollection that shortly before that took place that Taft came in to see Millikin; and they spent a long two or three hours on it.

BURG: This was a matter of several days before the Morningside Heights conference?

BENNETT: Yes.

BURG: It's very likely then that he did seek Millikin's advice on the matter. You, with Senator Millikin, were a witness to the choice of vice presidential nominee in 1952.

BENNETT: Yes.

BURG: Can you speak either to Millikin's reactions to that or can you give me your own reactions to it?

BENNETT: On the whole, Millikin was not a tremendous admirer of Nixon's. He liked Knowland very much. I know that Millikin would have approved of Knowland as a compromise if the convention stalemated.

BURG: That would have been his solution for--

BENNETT: And I think with that he would even have taken Warren as a stalemate choice. So, obviously, with that in mind, I know that Millikin was none too taken with the alleged disloyalty of Nixon to his California delegation

position. How much there was to that I have no idea; I was not that close to it. But I don't think Millikin was particularly enchanted with that choice for the vice president.

BURG: But it was not a case of him walking into your office and saying, "Look what we've done--

BENNETT: Well, he said enough so I was quite sure.

BURG: Now, for yourself personally, you had been, so to speak, in an adversary position holding another side of a contention against Nixon--

BENNETT: Yes.

BURG:--a year or so earlier than that. And you had an opportunity to see him in action. How had he struck you as an individual at that time?

BENNETT: Well, I think very capable. The man was a little bit like John Kennedy in some ways. I think neither one of them particularly endeared themselves to what is sometimes loosely called "The Club"--meaning the established leaders of the Senate. Neither one of them was particularly noted

for having devoted long hours to the accomplishement of Senate business either.

BURG: I see. So it would be just a little edge of the dilettante in the Senate, with both of these men that you are speaking of, as they would be viewed perhaps by the top Senate leadership.

BENNETT: Well, to put it another way--among those men who were the leaders of the Senate in normal circumstances, they have great pride in their position; they have a great pride in the Senate as the greatest deliberative body in the world. And any member who obviously treats the Senate as not quite of that rank in the world's institutions is not too well received. This is true. This was generally the reputation of both Nixon and Kennedy with men like Senator Millikin.

BURG: Interesting.

BENNETT: I mean Nixon was only a senator for two years.

BURG: A pretty short period of time, right. Now when you went back to the office, when you were back to Washington, did your duties then include any kind of participation in the campaign in '52.

BENNETT: No, not really. I did some work on some campaign speeches for Millikin to be used, I think, in Colorado and Wyoming--

BURG: In support of the Republican candidate?

BENNETT: Yes.

BURG: You, yourself, if I remember correctly, did not belong to the Young Republicans' Club nor did you belong to Citizens for Eisenhower.

BENNETT: No.

BURG: Your life went on pretty much as it had.

BENNETT: Yes.

BURG: And you continued in your work with Senator Millikin along the same lines until, when, was it 1954 or late in '53?

BENNETT: Late '53. I was approached in February, maybe March, of '53 to come down to Interior because it was already appearing that the legislative offices in the departments were going to create one devil of a problem for the new cabinet offices.

They were generally Democrats that had been in there a long time.

BURG: The permanent staff and--

BENNETT: Yes. And so I was approached to go down to Interior as legislative counsel. I had been recommended by Senator [Hugh] Butler of Nebraska for that.

BURG: Had he simply been someone that you had worked with?

BENNETT: Well, he was the ranking Republican member of the Senate Interior Committee. By that time I was doing a lot of staff work on behalf of Millikin in regard to mineral matters, water matters and whatnot. So I was pretty well-known to the other Republican members of that committee, and the solicitor or general counsel at Interior was a Nebraskan down at Interior among other things, one of Butler's men, you see.

BURG: Who was he?

BENNETT: Clarence Davis. And Butler had recommended me to Davis. So Davis came up and saw Millikin, and the Senator wasn't too enchanted with the idea, and he talked to me about

it. We both could see there was a mutual advantage because, with all the interest Colorado had in the Interior Department, this would be something of a reciprocal advantage to the Senator and to me and the department really.

BURG: Davis then was the man who was asking you in February or March.

BENNETT: Yes.

BURG:--and on Senator Butler's recommendation that he contact you?

BENNETT: That's right.

BURG: And Millikin came around to the idea that this might not be a--

BENNETT: That's right, but he said he didn't want me to leave until congress adjourned in the summer of '53. I said, "That's fine with me." And it adjourned in August, I think, and so I reported at Interior in September of '53.

BURG: Were you really drawn to this next job?

BENNETT: Yes. The opportunity to shape policy for Interior, to represent the department before the three committees on the senate side and three in the House, the opportunity to build a staff of my own choice--

INTERVIEW WITH

Elmer Bennett

by

Dr. Maclyn Burg
Oral Historian

on

July 2, 1975

for

Dwight D. Eisenhower Library

This is an interview with Mr. Elmer Bennett in Mr. Bennett's law offices in Washington, D.C., on July 2, 1975. The interviewer is Dr. Maclyn Burg of the Eisenhower Library staff. Present for the interview are Mr. Bennett and Dr. Burg.

DR. BURG: When we broke off the last time, we had gotten to the point where you were telling me about going to the Department of the Interior. And I believe I had asked you if you were drawn to that job, and your reply was that you certainly were drawn to it; it had a great deal of appeal to you. I'm not sure that we had the time then for me to ask exactly what that job entailed, but it was legal in nature, was it not? That is, it required your legal background.

MR. BENNETT: Oh, yes. It was a job of legislative counsel for the department, and it was structured differently from what it had ever been before. It had been largely a paper-shuffling office up until that time and it operated under a slightly different name, really. But it was reorganized and the entire responsibility for coordinating the department's position on legislation fell on that office. I was given latitude to take such people as I wanted from the solicitor's office, which had about sixty lawyers in it at that time. And I chose the ones I wanted. We had, I think, five lawyers and myself. The new structure which we put into effect required

all interested bureaus--and in that varigated department that meant in most legislation you had two or three bureaus with an interest in any bill that came up. An example would be that any reclamation project bill would probably have a related interest from the fish and wildlife people, who would have an input into the decision as to what the department's position would be. The bureaus of principal concern in a piece of legislation, up until that time, had prepared the final report which was cleared out of the department to go to the Bureau of the Budget and then to the Hill. Under our arrangement they simply made their inputs, whether they were the principal bureau of concern or whether they had the secondary interest, and the ultimate position was controlled by the secretariat under the new system. And the preparation of the final report was done in my office, and it was a vitally important field to me.

[Interruption]

BURG: We were talking about the particular way that the office was set up. I was going to ask you: Was that old, in your terms, paper-pushing operation, was that the way it had been

set up under Douglas McKay. Or did that--

BENNETT: Oh, no!

BURG: --even pre-dated--

BENNETT: Oh, yes! Because I came there in August of 1953 so they were still operating under the [Oscar] Chapman procedures. And that's what we were changing, really. And the department was notoriously in default in responding to Congress on legislation and had been for years. And, of course, it served bureaucratic purposes very often just to let a request from the Hill for departmental views just rot on the vine by never getting an answer up there. Generally a congressional committee will not schedule a hearing or take any action on a bill until it gets departmental views, not just Interior but any department that's affected.

BURG: But Interior had gone along just not responding and figuring it would work out best if they didn't respond.

BENNETT: Well I think that was true in many cases. In other cases it was just bureaucratic failure under the system they

had for handling legislation. It was really a scandalous situation from the point of view of the committees on the Hill. And of course I was with [Eugene] Millikin on the Hill, and he had the seniority on the committee, and this was an ideal place for me to go from his point of view too.

BURG: Let me ask where the pressure had come from for the change? There were various reorganization plans afoot, for example, almost as soon as Eisenhower went in.

BENNETT: Well this was strictly internal. I think that I really had a free hand to set that up any way I wanted to do it. And I wrote the orders that laid out the new system and directed the bureau chiefs to proceed and set the time limits and followed through on those time limits.

BURG: So you had full support from Secretary McKay.

BENNETT: Well, yes and from Clarence Davis, who was then the solicitor, and particularly from Ralph Tudor who was the under secretary. He is now dead, unfortunately, because he could tell you some fascinating tales of the first two years of the Eisenhower administration. Tudor and I were very close, and

even though on the organization chart I reported to Davis, in my field, the legislative field, I was operating on a daily basis with Tudor, who was the under secretary, and with Orme Lewis, who was assistant secretary for public lands at that time. And Lewis is senior partner in a law firm in Phoenix now. Really he is responsible for carrying the ball to get Eisenhower to live with the proposition of statehood for Alaska. Orme Lewis is the guy who really sold that to him. And I was the one who was doing the back-stop work for Lewis in that period. I prepared all kinds of back-up material and there was a period there when Orme Lewis would go over and visit with the President and sometimes with Adams, with Sherman Adams, and took maps that we'd prepared, took comparative statistical data--Lord knows what all. You understand that that was a highly political operation--not operation--political question at that time. There were a lot of Republicans on the Hill, and even the President himself to a great degree at the beginning, were all in favor of Hawaiian statehood but very opposed to Alaska, and there was a political background for that as well as some other issues of substance, too.

BURG: Was the thought that Hawaii would come in Republican?

BENNETT: Well they thought Hawaii would be Republican and that Alaska would be Democrat. Well, Orme Lewis and I are westerners by nativity, and we're both back several generations westerners. We both come from small states, small population states, and we said that was a lot of nonsense. That you go to a frontier state where people are more accustomed to relying on themselves and whatever they may be at the time the territory becomes a state, you've got just as good a chance at making Republicans out of them as you do if you rely on a build-up area like Hawaii with a high labor union content already and say that that's going to be Republican and Alaska is going to be Democrat. Now, of course, events since 1959 have showed how correct politically both Orme Lewis and I were. Republicans are still alive and kicking in Alaska; we have the governor up there now; we've got one of the two senators; we have the congressman. In Hawaii we have zilch; we don't have either of the senators; we don't have either of the congressmen; we don't have the governor.

BURG: Once you've broken out of the continental limits of the United States to go to Hawaii, you might just as well continue on out and go to Alaska, too. In fact, it would make more sense if they believed that one is going to be Republican and one is going to be Democratic, to bring them in simultaneously.

BENNETT: Well that's right.

BURG: From a political standpoint.

BENNETT: It made a beautiful partisan situation for those who, let's say, really didn't want statehood for either one.

BURG: And I understand that there were many in that category.

BENNETT: Yes. It was one of the early problems we had. Statehood, of course, remained relatively dormant for quite a long period, not withstanding what Orme Lewis did. But he got the President to okay the strategic reserve concept, which at least on paper made Alaska look more feasible as a state. A very large fraction of the state, that part of it which faces on Russia, would be kept as an exclusive federal area, you see. He finally bought that after a great deal of effort on Orme Lewis's part.

BURG: And Lewis had to deal directly with him?

BENNETT: Oh, yes. Oh, yes.

BURG: And had access to him to make his pitch.

BENNETT: Oh, absolutely. And that was not just a one-shot matter because President Eisenhower, instinctively, was not ready to accept the idea that Alaska would support statehood.

BURG: Now Mr. Lewis's position at Interior was with prime responsibility for public land.

BENNETT: And Alaska with about ninety-nine point nine percent public land. And today it may be ninety-eight point nine, but it still ...[Laughter]

BURG: But it was on that basis that Lewis was interested and--

BENNETT: Well Interior also includes the office of territories; so we had the administration of both Hawaii and Alaska at that time.

BURG: I'd forgotten that.

BENNETT: Oh, yes.

BURG: Now I meant to ask you and I should before it slips my mind--you brought six lawyers into your operation when you put this new plan--

BENNETT: They were all career lawyers who were elsewhere in the solicitor's office and I was given my free-handed choice, really, to transfer them into my shop.

BURG: Who were the six that you picked for this?

BENNETT: I don't remember all of them now, but Bernie Meyer was one. One of them is now associate solicitor for land management, Fred Ferguson. Another one was Thomas Sullivan. And Meyer and Sullivan are both retired now. And in that early group there was a woman who was a lawyer, and I brought her into my shop. The others I don't remember right offhand, now.

BURG: But organizational charts for Interior will show who they were.

BENNETT: Yes. The legislative counsel on the organization chart reported directly to the solicitor and then through him

to the under secretary or the Secretary and did not go through the channels of the deputy solicitor--he had nothing to do with it. He worked on other matters completely--decisions, land decisions and that sort of thing. That was the way the chart read. Now actually, Tudor wanted to move the whole legislative operation out from the solicitor's office. I resisted that. I had no particular reason to want to rock the boat and certainly Davis was not unresponsive. He didn't interfere at all in the realtionship which Tudor had to the legislative process.

BURG: You must have seen positive disadvantages though to being out of the solicitor's section.

BENNETT: Well I did really because among other things one of the inputs in determining the ultimate position of the department and the preparation of the final report would be the inputs of the divisions of the solicitor's office. In other words, you had a Bureau of Land Management, you had an assistant secretary for public lands which included several bureaus--not just BLM but also the Indian Bureau and the

National Park Service and, at that time, the Fish and Wildlife Service--all of them under this assistant secretary, Lewis. And his legal advice on operational matters was due to come from the associate solicitor in that division of the solicitor's office which had to do with those bureaus. And that division of the solicitor's office would always have an input into the legislative process. So I didn't really want to be divorced from the solicitor's office. I could resolve any problems with those associate solicitors just on a personal basis as long as we were all part of the office of the solicitor.

BURG: So you would have lost a great deal in convenience--

BENNETT: Oh, yes.

BURG: --if you had been moved out.

BENNETT: Yes.

BURG: Let me ask you to give me any example that come to mind something that you find typical, of the procedures that would have to be followed in accomplishing your work. To begin, I assume that what happens is that a bill that has an effect, that

is of primary importance to the Department of the Interior, comes down from the Hill. It's on its way; it's being considered. And at the consideration stage, the debate stage so to speak at the Hill, that's when it's going to come down to Interior.

BENNETT: Well before that even. When the bill is introduced, it is referred to the committee of the primary interest. And then that committee just automatically requests those departments that have an interest in it to report on it and to give their position. In the case of the Interior Department, with very few exceptions, you always have a very substantial legal input into that. They're not just policy questions. A bill is introduced to amend the mining laws. Well, what are the mining laws now? What are the impacts of the mining laws on the public lands where they're applicable, or the national forests where they're applicable and what would this bill do to change the legal relationships. So there's a very high legal content in probably ninety-five percent of the bills that Interior deals with. Even today this is true. Now many departments, it may be just a question whether you believe in

socialized medicine or not, you know, and the legal content in the bill may be zero other than to see that the language of the bill itself accomplishes what the bill purports to achieve. So they're not very highly legal content.

BURG: Now I begin to see why the staff of six lawyers under you.

BENNETT: Oh, yes.

BURG: Virtually everything you set your hand to was probably going to contain legal material.

BENNETT: Right. And that would be true in the case of a reclamation project. Untold hours at the department were spent on the Colorado River Storage Project, for example--a great many of those hours in my shop. Well the issues that were raised by the opponents of the legislation--the state of California, the state of Nevada, certain of the private power interests were opposed to it, certain conservationist groups were opposed to it. But when the chips were down the objections often rested on varying interpretations of the Colorado River Inter-State Compact, which is an inter-state compact between

California, Nevada, Arizona, Colorado, New Mexico, Wyoming, and Utah. And I spent hours literally as the department's witness on the compacts, and the Boulder Canyon Project Act and all the legal framework for the division of Colorado River water among the states.

BURG: I see. So I can stop thinking about Elmer Bennett closeted in a room like this, a research type of room. I can think of Elmer Bennett appearing on the Hill as an informed witness--

BENNETT: For the four and a half years I had that job, I know I must have testified before the House and Senate interior committees over a hundred times, probably two hundred. I never stopped to count them even. I used to, and this was early in the game, 1954, I would meet with Tudor at a quarter of nine in the morning, and we'd go over, let's say two bills--one on the House side, one on the Senate, both of them were scheduled for hearing that day. And I would leave his office at nine-thirty, get my car, go to the Hill, appear on the House side at ten, then go over on the Senate side at eleven on a totally different piece of legislation involving a

different bureau. Oh, I must have appeared on the Hill, I suppose, hundreds of times in those four and a half years that I held that job.

BURG: And your staff would have to do a certain amount of this work too.

BENNETT: Oh, yes. Of course, this was more true after we proved the functional capacity of this procedure to work. Then it got where I could send others from my staff, and then we became freer as time went on and this procedure firmed up to let a bureau chief go up there and then have one of my men go along to kind of hold his hand. But that was part of the problem. The Republicans had been out of power for twenty-five years--well, twenty years. And getting the bureacracy to respond to the administration's general bent was the big problem in 1954 and 1955, 1956 even.

BURG: So bureau chiefs tended to be civil servants--

BENNETT: Yes.

BURG: --who had been appointed quite possibly during the

Roosevelt period, Truman period.

BENNETT: Right. One of the critical bureau chiefs throughout that whole first four years of the Eisenhower administration was the commissioner of reclamation, strictly a career man. Wilbur A. Dexheimer. And they had a highly political director of the Bureau of Land Management who stayed around that department for a year and a half after Eisenhower came into power before they finally appointed a Republican in that job and got the other man out. So there was a great deal of reluctance on the part of the secretariat to accept the day-to-day operations of the department as being down the line with what the new administration wanted. And this was particularly true on the Hill, which was critical. So it was a very fundamental part of my job as legislative counsel. You understand the White House relationship there. You've heard about the Saturday morning meetings that you had of all the people that had jobs similar to mine from all the departments.

BURG: I wanted to go to that, but I was going to ask you first, when the bill comes from the Hill, where does it enter Interior? It comes in at the Secretary's desk--

BENNETT: Well, the mail room.

BURG: The mail room, and then automatically--

BENNETT: And it was automatically sent up to come to my shop first. We made the distribution with a request to the bureaus that we considered to have an interest in it. And they sent comments to us.

BURG: With a copy to Tudor and/or McKay?

BENNETT: No, not really. There were too many of them. We counted once and, in those days, and it's not too different now, of all the bills introduced on the Hill, something like twenty or twenty-five percent of them were Interior Department bills.

BURG: As many as that.

BENNETT: And about somewhere between five and ten percent I think--we did a study of this, we did it a couple of times when I was there--something like five or ten percent of all the bills actually passed into law were Interior Department bills.

BURG: So then you pretty well have a free hand, as you said earlier, a free hand in disseminating these bills to the bureaus affected.

BENNETT: It was my job to see that they got the information.

BURG: Now in the initial stages, Mr. Bennett, were the responses, which I assume came from bureau chiefs for example, did those responses indicate this situation that you and I discussed just a moment or two ago of the reluctance to fall in with an administration, a change of administration--

BENNETT: Oh, yes. Now many of them by the nature of the department would be essentially limited to relief measures of one kind or another where overall administration policy wouldn't enter into it. It would be a question of what's the right, fair, and equitable thing to do. I don't mean to say that all the enormous volume of legislation over there involved basic administration policy.

BURG: Some of it might have been the compensation of a sheep-herder or--

BENNETT: Well, it could be that. It would be more likely a question of authorizing the sale of land at a very nominal price to a western town that was landlocked in a national forest or something of that kind and needed the land for a refuse fill or for the construction of a road or what have you. Be more likely that type of thing.

BURG: As you look back on it now, can you tell me where your biggest problems rested in getting one of your bureaus to move and, the corollary of that, where the bureaus and divisions had responded best in your estimation?

BENNETT: The Office of Territories responded best where we had the most complete administration control of that bureau.

BURG: How did that come about? Luck of the draw?

BENNETT: No. We had both the director and the deputy director who were political appointees.

BURG: Had that been a change with the coming of the Eisenhower administration or had they--

BENNETT: Oh, the people that held the job before were political too, Democrats.

BURG: So there had been a change with the Eisenhower people. But I gather that, although there was a situation in the Office of Territories where a change of administration had changed the top leadership and quickened the response, this was not always true. In other words, the administration did not change the top leadership in all of the bureaus and divisions.

BENNETT: No. Definitely not. Let's run through it at Interior. There was no change on the Bureau of Reclamation, which was critical because the new administration had its very definite ideas on public power policy, for example, and the Bureau of Reclamation was second only to TVA in terms of public power operations, actually marketing electric power. So that would obviously present a problem. And it did throughout the entire eight years.

BURG: Why no change there?

BENNETT: Well--

BURG: The President never called you and told you why.

BENNETT: No, he didn't ask me! [Laughter] We accomplished some things though which I could tell you about when we get to the point of my service as under secretary. Because I had a very excellent working relationship with the bureau for the time I was under secretary. And even though it was still loaded with people who were not on all fours with the department's policy, they had a voice, they could state their views freely to me. I would decide what the department's positions would be, knowing [Fred] Seaton's mind and knowing what the administration wanted, and I would tell them how to perform the job and how to do what we wanted done.

[Interruption]

BURG: I want to be sure to get on tape that one of the reasons that they left the office happy was that their views had been heard and also your response was on those occasions, when appropriate, you trimmed things here and there to take into account the objections and arguments they raised.

BENNETT: And above all, and I had this understanding with the commissioner of reclamation, by that time a man named Floyd Dominy, D-o-m-i-n-y--he was another career man. He always understood that I assumed the responsibility for that decision, and I was very content to do so. And he pitched in and he appeared as a witness at my side time and time again when I was under secretary, and I had no complaint whatever. We had an ideal working relationship. But as far as our ideological approaches were concerned, we were not on the same wave length. The National Park Service was another case. Throughout the Eisenhower administration, the same man continued to serve as director of the Park Service who had held that job under Chapman, all eight years. Conrad L. Wirth. Now retired. Very fine gentleman.

BURG: But this was another case of a unit within Interior that did not respond quickly to the administration policy.

BENNETT: Well, the answer there would be a little bit different. He had been trained by Horace Albright, and Albright had been director of that service back in the latter part of the

Hoover administration, early part of the Roosevelt administration. So Connie Wirth was not all that difficult to deal with. But I always knew that contrary to the regulations which we had drawn up when we reorganized the legislative process in the department, that he would back-door us when he thought it was a good idea. We would be opposed, for example, to spending all that money on, that Golden Arch they built in St. Louis where they took care of a lot of slum landlords by paying them handsomely for the land down on the waterfront, but it was a great deal from a standpoint of the local Democratic politicians in St. Louis. And every year he would get authorizations and get appropriations which the Eisenhower administration opposed bitterly to continue that Gateway National Park in St. Louis. Well he was back-dooring us left and right, and in doing so he was violating our regulations. I knew that. Everybody knew it. And Seaton knew it. And I'm sure McKay must have. But there was really nothing effective that could be done on it.

BURG: You couldn't reach him. I mean you had no tactics you could employ against him.

BENNETT: No, unless you just went ahead and set out to prove that he was violating the regulations.

Now we had a case which we made a test case long about 1954 or 5 of an assistant director of the Fish and Wildlife Service who actually sat in a strategy session with a bunch of Democratic congressmen on how to defeat what we were trying to do in one area. Well I had positive evidence of that and we decided to make the test case out of him because he had not reported these contacts which our regulations required. He had not informed us that the appointment had been made for him to appear at that meeting. He had done nothing to comply with the regulations. Well, we saw to it that the assistant secretary for that area was fully informed of the evidence, and he proceeded to inform the fellow that he'd better plan on leaving; either that or else, because we were prepared to bring charges against him. He was civil service. He pleaded to be given some tolerance because he only had less than a year to go until he'd be eligible for retirement. So we let him hang around for a year, but effectively he didn't perform that job any further.

BURG: Still held that title.

BENNETT: It served as a bit of an object lesson for the Conrad Wirths and the others in the place. But it was always difficult to police that sort of thing. Every congressman and every senator, in due time, finds sympathetic bureaucrats in the departments in which he has an interest who will keep him informed and will work with him to accomplish his objective, even if they are contrary to the policy or the objectives of his bosses. Goes on every day. Goes on right now and I know it. It's one of my values in Washington--I know how these things operate and I know in general what to do about it. Forget that call you overheard a little bit ago.

BURG: This is part of the way in which business is conducted.

BENNETT: Yes, you know what's going on--and all that kind of thing.

BURG: Then the trick would be, I suppose, in the situation in which you found yourself in Interior is being aware that these things are done, riding herd on the most flagrant examples of it, using those as object lessons to keep it at a minimal level,

and then you hope that Interior will therefore reflect the Administration policies.

BENNETT: Well there are a great many things you do and that was an important part of the job as legislative counsel, to open the doors of communication between the department at the administration's level and the congressmen and senators of both parties on the jurisdictional committees on the Hill so that they don't have to talk to their favorite bureaucrat if they really want to get a point over--feel free and open to discuss the matter with me or with the assistant secretary or somebody else.

BURG: So part of your function then is--

BENNETT: Open those doors of communication with the Hill.

BURG: You're giving Interior a certain amount of credibility with the Hill. That is, they will find you responsive. You can be talked with; you will consider the things that they bring up and they no longer need to back-door everything. And this would be again one of the reasons why you moved from that previous legislative counsel situation to this new one.

BENNETT: Yes. Absolutely. And it was no longer strictly in the hands of the bureaus, in other words. It was now at a level in the department when at least the secretariat would be informed of what's going on, would have some knowledge, some intelligence. Because the old procedure, all that was left in the hands of the bureaus, and the secretariat found itself knowing only what the bureau saw fit to have the secretariat know. I can give you a classic case of this because it happened in 1954, and I didn't go until after Congress adjourned in the summer of 1953. Millikin wouldn't let me go until Congress adjourned. Folded up sometime in August. At the end of August I went down to Interior. Fifty-four was the first full-blown operation in that job that I took over down there. In 1954 we had the classic case. 1953 there was a whole room full of the lawyers--quote career unquote lawyers--and employees and assistant directors and whatnot of the Bureau of Indian Affairs. Orme Lewis was induced to put his name on a report to the House committee, lengthy report in effect favoring a bill to confer large scale land and money benefits on the Indians in Alaska. Only about twenty or thirty thousand of these people--even today I think it's thirty-three thousand, something like that--at that time I think there were only maybe

twenty-five thousand, somewhere in that range. It was ridiculous on every score, and Orme Lewis had been induced to sign this report. I remember January or February of '54 when we were just cranking up, second session of the 83rd Congress. Lewis called me in, and he said, "I want you to study this." He said,"I think I was euchred into something here. I think I was conned into something." He proceeded to tell me about this room full of people; they all had the same view; they all said the same thing. He said, "It didn't sound quite right to me, but there wasn't a single dissenting voice in the room. I had a whole room full of the bureaucrats in there."

So I researched it. And it involved again one of these very substantial legal issues that get into all kinds of legislative problems with the Interior Department. There wasn't a leg to stand on legally with regard to the position that was being held forth to the committee. So I rewrote it based on my own legal research on that issue, and we sent up what was called a supplemental report. Truthfully it was a reversal of the report that Orme had signed the year before. I appeared as the witness.

BURG: The bill had not been enacted.

BENNETT: Oh, no. But there were hearings. That was the reason why it was critical from Orme Lewis' point of view. He just had the feeling he'd been conned into something. And the committee had set a hearing date, oh, maybe two weeks off on the bill when he tossed it in my lap. Well, as I say, I did the legal research on it myself and wrote the supplemental report, and I appeared as the witness. What could you do? You couldn't send any of those bureaucrats. If you sent anybody from the Bureau of Indian Affairs or from the solicitor's office, you'd have gotten the same stuff that they had conned Lewis in to. So I went up and I appeared as the witness. I laid out the result of my research and study on this issue, and at the close of the hearing one of the Democratic members of the committee moved that the bill be laid on the table. It was so laid by unanimous vote. And no more was heard of that bill. Let me tell you--the next chapter in that same thing. One of the groups of Indians in Alaska decided they'd go to court to try to force the government to do this--testing this legal theory, see. It went all the way to the Supreme Court, and by a six to three vote our position was sustained in no uncertain terms. And in a footnote one of the authorities

cited by the Supreme Court was a legislative report that I had written on this business. So you never know what the outcome of that sort of thing is going to be when you do it.

BURG: None of the House committee pursued the matter of the fact that your supplemental report absolutely reversed the first one?

BENNETT: Well I think they made a point of it as I remember, but it didn't trouble us because they knew that it had been researched thoroughly and where it was. Their staff didn't come up with anything contrary so--.

[Interruption]

BURG: So the case you have just cited to me as a classic case would be a warning in itself, not only to the Bureau of Indian Affairs but to government lawyers in the solicitor's office and anyone else who paid attention. Now I think I understand that reports came back on bills from the various departments, bureaus within Interior, to your office with recommendations. Then your staff in effect vetted those recommendations, wrote up a final report, and the ultimate destination of the final

report would be--

BENNETT: Well first, depending on the hearing date. Now the rules the last several years of the Eisenhower administration were much tighter than they were in the first four years I would say. But the basic original, together with a transmittal, would go to the Bureau of the Budget for clearance. They had a legislative division, they still do, which they're supposed to coordinate for the whole administration. Now, where you had a short timefuse and the hearing was scheduled within the next week or ten days, you would send it to the Bureau of the Budget. But if they didn't give you a response by the time the hearing came up then you went up and testified but you always said, "Now this has not been approved by the Bureau of the Budget and therefore we can't state with finality that this is the position of the administration, but here is our departmental position." That's the way it worked.

BURG: Then let me clarify. It could go to the Bureau of the Budget and in fact, with or without the Bureau of the Budget portion of the report, you or one of your staff could go and

tesifty at the hearings without having cleared this with anyone higher in Interior, did not have to go up to McKay or Seaton.

BENNETT: Oh, normally the person who would sign off on it would be an assistant secretary--the usual matter.

BURG: Someone whose responsibility covered areas covered in that bill.

BENNETT: Yes.

BURG: And then you could go ahead and testify and then that--

BENNETT: That's right. Or send others. Might involve a lot of statistical detail. If you have that type of situation you obviously would have as your principal witness somebody from the Bureau who would present all the statistical data. But fundamentally we had fairly tight control over it from the time that procedure went into effect that I described.

BURG: Let me ask this as a question which may be of use. Did you usually get back the responses from the bureaus and divisions within Interior, let's say, post haste. That is, were these things handled with rapidity.

BENNETT: Well it was a constant job and I brought a woman down who had been with either, well I think with Senator [Guy] Cordon, anyhow someone from Oregon. And she was first-rate, in fact I think she's either still there or she may have retired within the last six months. She stayed there through all these years. And she maintained time controls and when these things got behind, we then started dealing strictly with the director of the bureau or the assistant secretary and applied the heat to try to keep these things moving as they were supposed to. The previous system we didn't even have that much control because all they did was sign it off to bureau X and they were told to do the coordinating with the other bureaus and to carry the basic responsibility for the final report on the legislation. And the department was so far in default that it was unbelieveable when we set to cinch them up.

BURG: Do you remember this lady's name?

BENNETT: No, I don't right now. Probably think of it after you leave.

BURG: But that, too, we can chase down. So she kept the files marked with the dates on which material had gone to the various areas.

BENNETT: That's correct and rode herd on their returns, and when they got into default why she'd bring them to my attention or to somebody else in my office and we would follow through till we'd get them.

BURG: Now does that cover that particular portion of your responsibilities at Interior, pretty much the way it worked.

BENNETT: I think so.

BURG: Now earlier we had mentioned and we have a few minutes remaining to us--you had mentioned the Saturday morning meetings at the White House. So let me ask you to begin to fill me in on that. We may not be able to complete all of it in this session.

BENNETT: I don't want to duplicate because I'm sure somebody else must have told you about those.

BURG: I want to see from your standpoint, how did this affect

you? What was your role in all of this, Did it start at once, by the way, the minute you went into Interior did you become part of this Saturday morning?

BENNETT: Well the Saturday morning thing didn't even exist at the time I went to Interior. As I remember it, I think it must have been six months or so later before it started; I don't remember the exact date. An agenda would be set up of the important legislation the departments were interested in, each given a progress report. Jerry [Wilton B.] Persons, Bryce Harlow were both involved in that very heavily.

BURG: You got a copy of the agenda ahead of time? Or your contribution helped to make up the agenda.

BENNETT: Yes, I think that was the way it worked. I don't recall that I knew what it was that HEW would be bringing up or something of that kind. It led to a great many good things from the point of view of a party that had been out of power that long. It meant that if they had a problem on a piece of legislation that Agriculture was involved in, they could enlist all of us to go to our legislative contacts on the Hill

and work in support of the administration's legislative programming. And a great deal of that was done, because obviously my legislative contacts would be different from those of somebody who had a similar job with Commerce or Labor. There would be hardly any duplication there between the legislative contacts of Rocco Siciliano who had the job for Labor at the time--he was in the group--and those that I had. No reason why we would concentrate on the same congressmen or the same senators. And so it pooled the administration's legislative resources is what it did.

BURG: And General Persons was pretty much in charge with Bryce Harlow assisting him. It was a standard Saturday morning affair, just scheduled in the same way that NSC and Cabinet and--

BENNETT: As a matter of fact the President came in several times during the period that group was active.

BURG: About how many people sat in on the group, Mr. Bennett?

BENNETT: Oh, somewhere around fifteen, sixteen, something like that.

BURG: Now you've mentioned Rocco Siciliano for Labor.

BENNETT: He later was named under secretary of the department.

BURG: Do other names come to mind at the present?

BENNETT: Well at one point Clyde Wheeler was in that group.

BURG: Representing Agriculture.

BENNETT: One of the senior partners of this firm, who's now dead, was the legislative man for HEW, Don Counihan.

BURG: How's that last name spelled?

BENNETT: Well it's the name of this firm, Counihan, Casey and Loomis is the name of the firm. C-o-u-n-i-h-a-n. Don was Mrs. Hobby's legislative assistant. I don't remember for sure who came from Treasury, but I think Dave Kendall did. In other words, the people who came to this meeting came from various echelons of status or appointment. They weren't all legislative counsels. Some of them might be assistant secretaries or there might be an under secretary or two and so forth. It was whoever had the primary legislative responsibility for

that department. That was the way it worked. I'm sure that's where I first met Dave Kendall, who was in those meetings, for Treasury.

BURG: Do you remember who held the slot for Defense.

BENNETT: No. Oh, at one point in the time, believe it or not, John Lindsay came over from Justice.

BURG: I remember that he was at Justice.

BENNETT: He was one of Brownell's assistant attorney generals.

BURG: Yes. And had that responsibility to sit in on the legislative meetings.

BENNETT: He wasn't there very long, but he was one of them. I don't recall who else came over from there.

BURG: One of the things I can do in preparing for our next session is to chase down the composition of that group and show that to you, refresh your memory, and you may have some interesting sidelights on some of those people.

BENNETT: Oh, yes.

BURG: For one thing, the very fact that John Lindsay was in that group is an intriguing thing.

BENNETT: Post-Office Department, who in the dickens was there from the Post-Office? As I recall it it was one of the men I knew on the Hill who worked in the--some Republican in a senator's office who had gone back to Post Office. Which one it was I just don't remember now. Agriculture, I remember that Clyde Wheeler attended some of those meetings. I have the feeling that most of the time Agriculture was represented by an assistant secretary; which one, I don't remember. But Clyde was there at some of those meetings at least. It sort of rings a bell with me that Defense sent somebody like Dewey Short over who was--either that or an assistant secretary under Dewey Short. Was Short secretary of the army or was he an assistant secretary of the army? I think he was an assistant.

BURG: I think assistant.

BENNETT: I think assistant secretary of the army. And because

he had been a congressman I believe that he was one of those who was there at least for a time. As you might expect, there was a shifting membership. It didn't remain constant throughout that time that we met. And what finally terminated it was not so much the proposition that through other means of intercommunication with the White House that the administration had sufficient coordination. I'm sure they thought that they had reached the point where they didn't need this particular kind of coordination. But, secondly, there was a report that there had been a leak out of that Saturday morning meeting. This was about 1956, I guess, because those meetings went on for about two years, as I remember. And so they were terminated. But that really, it didn't change our situation at Interior vis-a-vis the White House because we had excellent communication with the White House. By that time I'd got to know Sherman Adams very well and Persons--had a lot to do with Jerry Persons. When Seaton came over from Defense he took on Interior as one of his White House responsibilities. So that's how I happened to start working with him as closely as I did.

BURG: Before he ever became Secretary of the Interior.

BENNETT: Before he ever became Secretary, yes. So we had very good legislative working relationships with the White House as far as Interior was concerned. No Saturday morning meetings just meant that I didn't have as close contact with the legislative people from the other departments from that time on.

BURG: From '56 on.

BENNETT: Yes.

BURG: Once they had terminated the meetings.

BENNETT: I think '55 late, whenever it was it terminated.

BURG: All right then, I think that we'll pick up at that stage in our next session--relationships with the White House and some of the personalities involved. And also some of the personalities during the legislative meetings. It seems to me it was a pity that that was stopped.

BENNETT: Oh, I think so, yes. All the men who had Hill experience and were in on those meetings felt that there was a real loss when they terminated. Men Like Clyde Wheeler and Don

Counihan and all those who had actually worked on the Hill and knew something about Hill problems.

BURG: Anyone ever identify the leak?

BENNETT: Well I wouldn't know if they did. Somebody like Gerry Morgan would know perhaps.

INTERVIEW WITH

Elmer Bennett

by

Dr. Maclyn Burg
Oral Historian

on

August 23, 1976

for

Dwight D. Eisenhower Library

This interview is being taped with Mr. Elmer Bennett in Mr. Bennett's office in Washington, D.C. on August 23, 1976. Present for the interview are Mr. Bennett and Dr. Maclyn Burg of the Eisenhower Library staff.

DR. BURG: When Mr. Bennett and I were last talking we'd reached the point where I wanted to ask him some questions about relationships between Interior and the White House staff and particularly the people that he might come in contact with. At one time or another in your career in Interior you were over there attending meetings on a fairly regular basis weren't you? That would probably be that period '58-'61, or were you over there even earlier than that?

MR. BENNETT: Oh, much earlier than that.

DR. BURG: As far as regular meetings.

MR. BENNETT: They had legislative coordination meetings on Saturday mornings between 1954 and about 1956. Those were headed up by General [Wilton B.] Persons and Bryce Harlow; Gerry Morgan was not too active in that operation. The departments would go over the legislative strategy and discuss it with their counterparts from other departments. I suppose it

had mixed success, but on the whole I think it was a distinct plus in my view of it. Agriculture might have some specific legislative goal, and, because we had contacts with different legislative committees on the Hill and different legislative leaders of both parties, we could actually make some legislative efforts on behalf of Agriculture or Corps of Engineers or what have you. That whole operation, I think, pulled the administration together, at least at the representation level, about as well as anything they tried in the early years of the Eisenhower administration. And as legislative counsel, that was my job--I actually represented Interior at those meetings. They were held every Saturday morning, and about once every two months or so the President would meet with us. Have you ever heard of that operation before?

BURG: Yes. It wasn't common for him to be there, though.

BENNETT: No, but he would come in and spend a few minutes and greet people about every--I would say it must have been once every two or three months he'd come in. Wasn't common; it wasn't scheduled. There was nothing scheduled about it I don't believe. But it was a very useful, unifying operation.

BURG: The group had an agenda set up, presumably, by Persons.

BENNETT: I think so.

BURG: Perhaps with reference to some of you at the time this was done. And it followed the Cabinet meeting; that had already occurred so this was a place where you could be clued in on--

BENNETT: Well, the Cabinet meeting would be held in the middle of the week and we would meet on a Saturday morning. That was the way it would work out.

BURG: You had a minority in Congress in almost no time at all, and therefore meetings of this sort, I presume, took on an added importance to try to offset that.

BENNETT: I'll say they did.

BURG: Now you thought the meeting, this weekly meeting which continued for some period of time, was a definite plus, and I can certainly see that. Did it have negative features that reduced its effectiveness?

BENNETT: Well, the only negative feature I ever heard about was that there apparently was a breach of security somewhere along the line. Not on a defense matter, I don't mean that. But there was a leak that it was believed came out of that group. Now it is a fact that a certain proportion of the people who attended that meeting were career types because the Eisenhower people were not very hard driven to see to it that people at that level were their own people. So I suppose if you're going to operate that way, you do have a risk of leaks. And they understood that that was the basic reason why they dropped it. But then you've talked to the insiders so you have a better perspective on it than I do. As far as we were concerned at Interior, it seemed to be a distinct plus as long as it lasted.

BURG: Oftentimes scholars remark on the difficulty that administrations sometimes have in getting their own ideas into the departments and getting the results out of the departments.

BENNETT: That's right.

BURG: That it's a natural thing, perhaps, even for the secretary himself to become a captive, in a sense, of his department and to think only of its special interests and its special views.

BENNETT: Yes. Definitely true. Now it had a very lasting effect as far as we were concerned. Many of the advantages that we got from those meetings we continued to get. That was because it gave us a chance to get acquainted with our counterparts in other departments and we could maintain excellent communications that way. Well the first name partner in this law firm, Don Counihan, was Mrs. [Oveta Culp] Hobby's representative at those meetings. He's dead, Counihan is dead.

BURG: Was he on the political side, Mr. Bennett?

BENNETT: And those meetings were very useful. What's that?

BURG: Was he on the political side?

BENNETT: Oh, yes.

BURG: So that was your first meeting with him?

BENNETT: Yes, first time I met him was in that group.

BURG: I would presume that part of the work on those Saturday meetings, there's a certain amount of briefing being done by the White House staff. Who usually did that? Would it be General Persons?

BENNETT: Yes, ordinarily. He was more active than Bryce Harlow even. He had a pretty good--well, General Persons is the operating type, really. And I would say, on the whole, that there was no question about his direction of that effort from beginning to end.

BURG: What kind of a man was he? I've never met him although my assistant has.

BENNETT: Oh, I dearly loved him. I think everybody else did too. And you had the distinct feeling that you wanted to--well he was a good leader. I guess that's the best way to put it.

BURG: So he had a firm hand on that group.

BENNETT: I think so.

BURG: Let me ask you a corollary to that. There must have been times when you went there from Interior with a flea that needed to be removed. Did you get the feeling that Interior's gripes, Interior's problems were passed on to the appropriate place by General Persons?

BENNETT: Yes, both during the period of these meetings and afterward. That was why I said there was also another lasting

advantage, at least in my case. Any problem where we felt we needed White House assistance--and this was even before Fred Seaton came in the spring of '56--those meetings had been terminated in '55 I guess.

BURG: Fairly early.

BENNETT: Yes, somewhere along in there. I think they lasted about eighteen months or somewhere in that range. Well, even before Fred Seaton came over, one outcome of those meetings was that with [Clarence] Davis, and [Douglas] McKay, anyone at Interior, for any reason wanted a discussion with Persons, they always had an alternative--they could send me over and Jerry would talk to me and we'd discuss it. So it had a lasting advantage really. We made contacts and had the ability to talk over our problems. Well, I've told you the story about Orme Lewis and Alaskan statehood. Well that thing bubbled along all those years and every so often, sit down and talk to Jerry Persons about it. And this was very useful. I mean that's something that could have died on the vine and become strictly a Democratic ploy. But as it turned out Alaskan statehood I don't think really did the President any harm whatever.

In fact, it did him a lot of good and the Democrats were not able to capitalize on it as a political ploy.

BURG: You could give Persons a call, ask to see, and just go on over to the White House and talk with him.

BENNETT: And as time went on, because to a greater or lesser degree other men on the staff over there, not only Bryce and Gerry Morgan, the others were always readily available to us. We had no complaints on that score at all. If we needed to talk to them, we'd get over there--no problem.

BURG: So from your viewpoint in Interior, then, you had ready access to some of the very key people in the White House.

BENNETT: Right. And then, of course, when Seaton came to the White House from the Pentagon, at that stage I'm not too sure whether I had ever met Fred before. But, because of the more or less continual working relationship I had with Persons and Morgan and the rest of them, right away his door was wide open and I spent hours over at the Seatons because he needed briefing on what was going on at Interior. And this was even while he was still on the staff at the White House. It

really opened the doors for closer functions and relationships between Interior and the White House than we would otherwise have had.

BURG: You've named Persons, Morgan and Bryce Harlow on that White House staff. Are these the three men that you knew best?

BENNETT: Although I knew [Roemer] McPhee, but a much lesser exposure, I mean I knew McPhee, Max Rabb. Of course with Max it was more often than not a question of seeing to it that any entries he made, either in terms of the agenda or the outcome of a cabinet action, were phrased as we thought they ought to be. No, I'd say on the whole that I was exposed to all of them, upper echelon people there in the White House.

BURG: Let me ask you to think back now, out of the three that we've mentioned particularly, aside from Rabb for example, Harlow, Morgan and Persons, did you have a closer affinity for one of the three over the other two? That's strictly your own personal reaction.

BENNETT: Oh, personal?

BURG: Yes.

BENNETT: I think I'd probably spend more time with Morgan, but I would say the closeness of the relationship was probably greater with Jerry Persons.

BURG: Was he an easier man to know than Mr. Morgan?

BENNETT: Well, yes, but then Gerry's a lawyer or was--you knew he died?

BURG: Yes, we had heard about that.

BENNETT: But Gerry was a good friend as far as I was concerned. I know of no difference there that I would say, just different personality is all.

BURG: Gerry was a little harder to get to know, I think.

BENNETT: Gerry Morgan, yes.

BURG: Yes. A man of a fair amount of natural reserve--

BENNETT: Yes, that's right.

BURG: I don't know Persons or Harlow, so I can't compare them. Of the three men, if you had to make just a rough estimate,

which of the three might be the man with the greatest intelligence? They probably did vary greatly in their styles and approaching matters, administrative styles, their knowledge of government affairs.

BENNETT: That's difficult to measure. I would think that if you were attempting to write an I.Q. evaluation, probably Harlow of the three, oddly enough. That would be my guess.

BURG: Was he also, perhaps, the broadest, the most catholic in his interests of those three men, so far as you could observe it in your contacts?

BENNETT: Yes, I think so. I think so.

BURG: Beyond just the realm of his job--

BENNETT: Right.

BURG: --the things one would expect him to know how to do.

BENNETT: Although obviously there was no deficiency in that regard as to Jerry Persons, because Jerry had the whole waterfront. He had everything.

BURG: No, it could only be a relative kind of thing.

BENNETT: But he had not had the same breadth of experience that Harlow had had. Harlow had been moving around in Washington jungles for a good many years.

BURG: And knew his way through the forest.

BENNETT: Yes, right. That's why I say it's very difficult to try to put that kind of a tag on it.

BURG: Yes, I realize it is.

BENNETT: Differences in background and experience.

BURG: But, basically, so far as you were concerned, Interior has a good relationship with these people. Did it strike you that any other department perhaps or its representative in the Saturday group for example, did not have a good relationship with the White House, perhaps because strictly the personality of that representative from another department? I suppose I'm saying, did obstinacy and intransigency sit there?

BENNETT: I don't think so. But I tell you, if I had a list of those people I think I could demonstrate to you that the

key people in those meetings all subsequently demonstrated their capability and it showed up in what they did. Rocco Siciliano left and went in Labor.

BURG: Yes. Our director interviewed Rocco and was very much taken with him as a man, thought him to be a splendid man.

BENNETT: And I'm trying to think of their names at the moment, they were both typical Midwest congressmen--

BURG: Did Clyde Wheeler come over there from Agriculture?

BENNETT: Yes, Clyde.

BURG: So that was part of that Saturday group. I kind of thought he was.

BENNETT: Sure, Clyde, Rocco, Dave Kendall--

BURG: Now in Cleveland.

BENNETT: --early stage of the game before he ever went to the White House he was in that group representing Treasury. So, thinking back on it, I can't think of a one--I don't recall now who represented Justice. I just don't remember.

BURG: And I don't remember who was there from Commerce, and it seems to me that I should know but I can't think of the name.

BENNETT: Well think--I don't know whether it was McDermott or whether McDermott either preceded or succeeded Rocco at Labor. I think maybe Al [Albert F.] McDermott represented Labor at least part of that time--I think for at least part of the time, but I do not believe he was there most of the time. Commerce most likely was represented by [F.] Bourne Upham. I think. Now this is fuzzy. I was running through the Cabinet as it stood at that time, and I think it would be Bourne Upham.

BURG: Now I was going to ask you too, and want to do that while it's in my mind, we had thought that an approach to Ted Stevens would probably be a darned good thing for the Alaska statehood.

BENNETT: Yes.

BURG: That he would be a knowledgeable man.

BENNETT: He concentrated very heavily on that.

BURG: Is there a comparable person to check Hawaiian statehood with? Or was Stevens knowledgeable because of the nature of

that whole thing, was he also very knowledgeable on the Hawaiian side?

BENNETT: Yes. Absolutely. I think Fred relied very heavily on Ted to work on the Hawaiian project.

BURG: I'm always reluctant to go to a working senator and take any of his time, but perhaps after the campaign is over when he is presumably freer, we thought we might ask him if he could give us a little time and discuss those matters with him. Are we missing anyone else on Alaskan or Hawaiian statehood that we really should make an approach to?

BENNETT: Well I imagine [Herschel] Schooley, that you've talked to, probably put in a good share of time on that. Did he talk about it?

BURG: Yes. We've talked with him about it and--

BENNETT: In fact at the substantive level, that's probably the only area that Schooley really worked hard at. You realize Schooley did not write speeches for Fred.

BURG: Right.

BENNETT: He had other people who did that like Bill Ewald.

BURG: Right.

BENNETT: You know Bill?

BURG: I don't know him, but I think our director does.

BENNETT: He's up at IBM.

BURG: Yes. No, I knew that about Schooley and as Schooley thought about it he gave us a few names, but, I think, his feeling would be that Ted Stevens was probably a darned good type. He mentioned that you had brought Stevens down from Alaska.

BENNETT: Oh, yes. That's right.

BURG: Now, may I ask you what were the circumstances that took you, I think in 1958, from your earlier job into the under secretary's job? Seaton had come on, replacing Doug McKay.

BENNETT: Yes. I had started as assistant to the secretary with Fred. Within the hour after it came on the ticker that

the President had sent his name up he called me from the White House. And so I became assistant to the secretary very promptly. And a year later the solicitor's post was open, and so he recommended that I be nominated for that, and I was. And I served in that for about a year and a half. Then in '57 Clarence Davis resigned and Hatfield Chilson from Colorado, who was then assistant secretary for public lands and Indian affairs, was named as under secretary. At the time Chillie told Seaton that he was going back to Colorado in a year's time, so that was the way it was scheduled to begin with. I'm not too sure that Chillie really wanted to take that year even and it would have been fine with him, I think, if Fred had said, "No, you better stay the full time," and Chillie say, "Sorry, I'm going." But anyhow, Chillie and I were close from years back. He was chief counsel for the Colorado Water Conservation Board, and he had a great many dealings with Senator [Eugene] Millikin and, consequently, with me on Frying Pan, Arkansas, Colorado River storage project, and the Big Thompson project, all those matters in addition to being primary spokesman to federal position in relation to state water right law. I had been active in all those things and we had obviously--so I knew Chillie very, very

well. For that year that he was in that post, why Chillie and I would work together very closely and had a first-rate relationship. Well when he left, then Fred recommended that my name go up; this is when I came in. That was interesting. Congress had adjourned so it started as recess appointment. The day after I was sworn in, in came the trundle carts. Fred had directed the assistant secretary for administration to send the budget to the under secretary's office; so in comes the damned budget. Now this is late in September and budget season's well advanced by that time. And all the time _____ previous seven years. I had very carefully avoided any participation in the budget process, and I found myself right in the middle of it overnight.

BURG: Doing the whole thing.

BENNETT: Oh, yes, for the whole department.

BURG: I can imagine the delight that you felt as you looked at that junk. And you had very little time, really.

BENNETT: Yes, that's right.

BURG: Had work been done on it?

BENNETT: Oh, yes. A lot of--

BURG: So what you had to do was pick up where it was and go with it.

BENNETT: Well, the reason Fred put out that instruction was that we were in the progressively tighter budget situation, and he had his own views and I was very well aware of those views as to where the priorities should be. And I think he had the great feeling that his assistant secretary for administration was more interested in protecting the traditional bureaucratic interests. He was a twenty year career man and--

BURG: Who was it at that time?

BENNETT: Beasley.

BURG: What's his first--

BENNETT: Otis Beasley. He's dead now. Interesting anyhow. We did make our own decisions at that level, often contrary to what the assistant secretaries wanted, which was one reason why Seaton had it done that way. Because he wanted, himself, and he wanted me to fight the battles at the Bureau of the

Budget and in the White House if necessary to get the priorities set the way he wanted them. And that was not necessarily to keep the bureaucratic levels going in the face of a tight budget. If we had to cut out something, or eliminate something, or reduce force in some area, fine as long as something else that we wanted to be high on the priority was properly recognized at the Bureau of the Budget. So, late fall of '58 I remember spending hours over in the Bureau of the Budget, sessions sometimes with Stans and his deputy--I've forgotten who his deputy was. [Robert E.Merriam]

[Interruption]

BURG: You were saying that because this was an annual process, '58--

BENNETT: '58, '59, and '60, every year a good bit of time was spent in the fall of the year making the case for a different distribution of resources than the Bureau of the Budget had in mind. We didn't, as a general rule as I remember it, ever argue for a higher budget ceiling on the department. What we did argue was our right to decide where the priorities should

be as against the bureaucratic views of various division chiefs and what have you at the Bureau of the Budget.

BURG: I'm a little surprised to find that they had so much say in the distribution of the total amount that Interior got.

BENNETT: They did and it was something that we fought constantly in those three years. They'd get into details.

BURG: That is, if Fred Seaton has in mind that he wants an allocation of funds, let's say, to reclamation for some particular project, you mean you'd have to go over and fight with Maurice Stans to--

BENNETT: Sometimes. Absolutely. And that was the source of a great deal of tension and really wasted time and effort, we always thought. Bureau of the Budget, in those years, was constantly pressing to affect the policy implementation through the budgetary process. We were fighting it constantly. We had any number of programs that we knew were unpopular with the Bureau of the Budget. Reclamation's one--you mentioned it--and that was one. And we even had trouble with Indian affairs and you name it, they were always interjecting their own views as to where the money ought to go within the department.

BURG: Where did they get their mandate to do that, Mr. Bennett?

BENNETT: I have no idea.

BURG: Would it have come from the White House? I mean, Stans is a White House--

BENNETT: I don't think so. I don't think so. Generally, we would compromise these matters with the top level, with the director himself. I made any number of appearances to the directors in those periods. And I think all the other departments had the same problem with Bureau of the Budget. They always had some frustrated bureaucrats who had a background in Interior or public works or agriculture or whatnot who were at the division chief level in the Bureau of the Budget. They always knew how better to run the departments than the departments themselves, and they had too loose a rein in those days in my view. But I have reason to believe it's not much better right today; if anything, it's even worse.

BURG: So there's an area of the government that I suspect that most of us, as average citizens, are not aware about as a controlling factor, actually with great power to say yea or nay on

individual projects within Interior that have Interior's stamp of approval and presumably the White House stamp of approval. But both departments and the White House itself may have to come lock horns with the Bureau of the Budget--

BENNETT: That's right. It was constant.

BURG: --which has no direct mandate from the American public whatsoever and whose director serves, as I understand it, at the pleasure of the President of the United States--

BENNETT: That's right.

BURG: --who has also designated the secretary of the interior.

BENNETT: Yes, exactly.

BURG: Amazing. Now you had paid little attention, you say, to the budget the previous seven years or so.

BENNETT: No.

BURG: So perhaps you are not in a position to say to what extent this had been true from the beginning of the Eisenhower administration.

BENNETT: No, that's true. And we had a very different secretary, too. McKay, who was just as likeable and sweet a guy as you could possibly work for, at least as he operated in the department, he was really quite submissive in the sense that I had the feeling that very few efforts were ever made to actually lock horns with the Bureau of the Budget. Well, Fred had very different ideas on the subject so--

BURG: So there's at least one strong difference between McKay and Seaton.

BENNETT: Oh, yes, absolutely.

BURG: That Fred would tend to take umbrage at this cavalier treatment, and would fight.

BENNETT: You bet.

BURG: And send you to fight.

BENNETT: And several times he actually appealed particular budget decisions to the White House, a couple of times. See that was always the last resort that was available to you. If you didn't like what came out of the Bureau of the Budget, you

could still appeal it to the White House. And at that stage Fred would take it over himself and deal with the President directly.

BURG: With a balance of success and failure?

BENNETT: I don't remember. I really don't remember because the tendency, as far as the White House was concerned was to want to stay tight on the ceilings. And I expect that Fred did not go to the White House unless it was a situation where, in order to achieve his objective, it would have been necessary to modify the ceiling. In other words, the decision of the Bureau of the Budget perhaps even meant more money for BLM [Bureau of Land Management]than Fred had asked for. Oh, yes. This sort of thing did happen. And so here he was, Bureau of the Budget had said, "Yes, you can spend five percent more or ten percent more on BLM than you did last year," but "No, sir, you can't have funding for this new project." It seems to me, now, that Fred's appeals generally related to the "no new start" policy. I'm sure the Corps [of Engineers] was doing the same thing, where the White House had approved a policy of no new starts for any authorized project, no funding in other words,

even though Congress had authorized it and the President had signed it. It's my rather vague recollection now that it was during those periods when there was "no new start" policy that Fred would appeal to the White House.

BURG: Your contention, so I'm sure that I have it straight, is Interior might have been able to live with the Bureau of the Budget saying this is the top level at which you can be funded. It isn't that; that you could grapple with. But it's the business of picking out particular projects within the bureau of--

BENNETT: For the priorities as between the work. Sometimes it wouldn't be a project question exactly, it would be the level of operation of BLM versus the Fish and Wildlife Service.

BURG: Decisions that--frankly I'm simply not knowledgeable in these matters--but decisions that's the last place that I would expect a hard line drawn. I would feel that they had no right to draw such a line.

BENNETT: Well that's what we felt, too. That's why we were over there so vocally with Fred. But I think they, OMB [Office of Management and Budget] perhaps, had gotten in the habit of making those decisions under McKay, and they were going to

really battle it down the line. And they would even make choices between some expenditure which, in our view, was neither from a policy point of view nor a political point of view a worthwhile expenditure. Didn't faze them. They'd say, "That's fine, that's great." Something else which either for policy or for political reasons we thought was important, they'd turn thumbs down on. And we took severe umbrage at that, under Fred.

BURG: Were there cases in your knowledge, in that last period of '58-'61, where even the White House could not move them?

BENNETT: I don't know. Fred, if he were still alive, probably could tell you on that because he fought that battle very vigorously while he was in the Cabinet. And I think he sought relief from the White House sometimes without going through the formal budget appeal process. I remember sometimes he thought he had achieved his objective and sometimes he hadn't.

BURG: Between those two men, McKay and Seaton--and you worked closely with both men--we've discussed the fact that McKay, in your words, tended to be a little more submissive when it came to accepting Bureau of the Budget fiats. What other differences were there between the two men and their operating style?

BENNETT: Doug McKay, in my book, coming from Oregon as he did and with a wide breadth of opinion, wide breadth of experience, could have been a great secretary. As it turned out, I would say not. And his problem was that he let himself be caged a bit, both inside the department--perhaps elsewhere--but I think mainly inside the department by a very strong under secretary, by a very narrow-gauge, although well-trained and educated assistant secretary for mineral resources. Well, then he had the representative of the Seattle fishing interests sitting immediately under him downstairs in the assistant to the secretary's post, which I took over when Seaton came in.

BURG: Who was that man?

BENNETT: Raymond Davis, now dead. And those three or four really closed McKay off from the operation of the department as a whole. That was very unfortunate because McKay was a successful governor and had a policy orientation which was very much in line with what the President was laying out for the Republican approach to the problems of that day. The men around him really never assisted McKay, let's put it that way, never assisted McKay in directing that department in the

direction which McKay himself would have taken it. He didn't realize this was happening.

BURG: How is it that he didn't know? Was it the force of--

BENNETT: Well, it would be like this: I'll give you good example. If you could imagine, oh, say, Brownell as attorney general with four Goldwater types of 1964 in all of the key positions in his own department. And that's what McKay had. He had Ray Davis, very nice person, reactionary whose principal objective in that department was to keep an eye on that department and see to it that the approach to fish and wildlife matters didn't somehow jeopardize the, quote, vested interests, unquote, for the Seattle fishing industry in Alaska. Bitter opponent of Alaska statehood, oh, just obstructing anything that would have widened the perspective of the department. Clarence Davis, a very fine person, and after I became under secretary, Clarence Davis--well in '62, after it was all over--I used to see him at ABA [American Bar Association] meetings constantly--he remarked on how well his old political foe, Fred Seaton, also from Nebraska, see, had run that department. Wrongly, in my view, he said, "I think the reason for that was the way you performed the operating side of that department

for Fred." But Clarence had spent a whole lifetime doing nothing except fighting private power companies. That was his main goal in life. And he was first solicitor and then subsequently under secretary under McKay. Felix Wormser, except for the research functions of USGS [United States Geological Survey] and the Bureau of Mines, I am certain he at one time or another was pressing hard for the abolition of all other functions of the mineral bureau and was, well, he was back about 1880 in his thinking. And just move down the line; it was really something that I had sat there and shuddered to watch. I knew McKay's background and I had enough contact with him to know that his basic approach hadn't changed any since he had been governor of Oregon. And I proved that once. Did I ever tell you about the fish trap issue?

BURG: I don't believe so.

BENNETT: The Alaska fish trap issue?

BURG: I don't think so.

BENNETT: Fantastic story. For many years, going clear back to Truman's day or before, the Fish and Wildlife Service and the

department had reported adversely on bills that were introduced with regularity by [Ernest] Gruening as delegate from Alaska, supported by resolutions from the territorial legislature. Interior always opposed it. What they wanted was the abolition of the use of fish traps. This was a high matter of interest to Nick Bez, a great Democrat in Seattle, whom you probably have heard of, who did not want traps abolished.

BURG: Yes.

BENNETT: And the rest of the Seattle fishing industry. They were operating with fish traps in Alaska which were outlawed by state law in Oregon, outlawed by state law in Washington, and McKay had signed the bill which outlawed them in Oregon. But in Alaska we keep fish traps. And the people in Alaska, the native fishermen, and the public as a whole were violent on this subject. Interior always opposed abolition going clear back, I think, into the Roosevelt administration on the grounds it really didn't have anything to do with conservation. So we're against it, which was very fallacious. But then it totally neglected or ignored the economic side of it. Because it was obvious that the bigger the company involved, why, the better

able they were to make use of fish traps. And it was a red-hot issue. Well, all through those years these damn reports would come through, Fish and Wildlife sign off on them, recommended by the assistant secretary for fish and wildlife on the basis of the recommendation of the bureau. Of course Ray Davis being sure that everything went through that way. Those damed things would get signed, sent to the Hill. It was getting to be a hotter and hotter political issue and I was against fish traps anyhow. And it so happened that I had had some research done--part of it I had done myself, part of it I'd done otherwise--and I'd come up with a formula for phased elmination of the fish traps. And it wasn't too different from the legislation which was pending on the Hill, but it was a different approach. And just so happened that Clarence Davis, Ray Davis were both gone from Washington and we had a demand from the Hill to get a report up there. And so I wrote it my way with Doug McKay sitting in his office. Wrote it my way. I called the secretary, I said, "I want to see you." Said, "Fine. Come on." I brought it in to him. I told him, said, "Now, you were governor of Oregon; I know you have some personal feelings on fish traps." Then I explained to him exactly what had been

going on all these years going clear back through Truman to Roosevelt. And I said, "I don't know, I don't believe this matter has ever been presented to you before going." I said, "You were governor of Oregon; you signed the bill to eliminate this back there. You think maybe it's time for the department to express a different view?"

"I sure do! I didn't know this had been going on!"

So did we hit with that one. That report went to the Hill. This was not too long before Doug went out to run for the Senate. In 1955. Yes, '55, just before he went out, I'm sure. And I saw to it that he got some publicity with it, too. And within twenty-four hours we had the damnedest delegation of Nick Bez and all the Seattle fishing industry on planes, headed for Washington, to put the pressure on McKay--"How in the world'd you get yourself into that?" He stood his ground. I'm surprised I never told you about this one before.

BURG: I don't believe so.

BENNETT: No, I guess we didn't get that far into the department.

BURG: Those traps pretty effectively stopped almost all the run coming up the river.

BENNETT: Yes, right.

BURG: They're a simple device and the fish are funnelled into it and the salmon's urge is to keep going and therefore he doesn't retreat, doesn't come back out of the trap; he's simply in there. And the broader the mouth is in that water, the more fish you've got in it, and the less the run. So in the long run, from a conservation standpoint and the economics of it for the Seattle fishing industry, they're simply going to reduce the run. The more they use the fish traps, the less run there's going to be. But they were going to get everything out of it that they could, for as long as they could.

BENNETT: Yes. Well, that's exactly right. And of course, what it did, it encouraged more gill net fishing with the result that when this was finally done--now actually the first actual--see it was eliminated. The territorial legislature, before statehood, had passed a state law which presumably took care of part of it at least, of the problem. Then Congress finally passed a law, but I don't believe it really got into effect until after Alaska was admitted as a state. Took that long to get it turned around.

BURG: Yes. To beat down the lobbying efforts that were being made.

BENNETT: Oh, yes. And delay features written into it and so forth and so that--

BURG: Because it would work a hardship.

BENNETT: I think it was maybe a year after the statehood act was passed they finally got rid of them.

BURG: Was anyone in Interior at the higher echelon working, to your knowledge, to try to overcome the influence of these four people?

BENNETT: Not really. The assistant secretary for water resources was a very experienced old hand; that was Fred Aandahl in those years. And Seaton kept him on as long as he wanted to stay. Well, he stayed all through, right up to '61. And I know that Fred Aandahl really was more comfortable with Seaton than he ever was with McKay, and it was because of the other men around him. But Aandahl, he was in on their little group luncheon of four or five people that ate lunch together damn

near every day, months at a time. But the whole thing worked as a screen to keep policy problems away from McKay.

BURG: Had McKay been a stronger man, he presumably would have been out routing around in the department to get--

BENNETT: Oh, absolutely.

BURG: --different opinions.

BENNETT: Right. Of course, I served that function for Seaton. Wasn't much that went on in that department I didn't know about, and that was my principal function in being. Well really, that started when I was assistant to the secretary. Because the first directive Fred sent to his secretarial people, the assistant secretaries and Clarence Davis, who was still there for over a year after Fred was sworn in, was that every action document for the secretary was to come to me first. Ray Davis had left before Fred came in. I went to his office and the stacks of paperwork that would come in every day was enough to appall you. But that's what I was for; so I did it. And when I went to the solicitor's post, Fred let it be known that, "You may be the general counsel now, but you're still going to do every

damned thing you did before, also." So this whole screening function for the protection of the secretary and also making determinations in advance before you even hit him and where possible to screen him from them, I would make. I did that as assistant to the secretary; I did it as solicitor; and I did it as under secretary.

BURG: In effect you had to tear down a smoke screen kind of thing that had been erected by these other men and had been used to keep McKay in line, so to speak. Keep him following--

BENNETT: In the dark.

BURG: --yes, in the dark.

BENNETT: He thought he was in line, but really it was in the dark.

BURG: That had to be torn down and something had to be put up in its place that would bring things to the attention of the new secretary, who wanted to know and whose opinions did not match those of some of these special interests. Could you tell, Mr. Bennett, whether the White House was aware that Mr. McKay was being kept in the dark?

BENNETT: I don't know whether they really ever knew why they had a problem with Interior. They knew they had a problem.

BURG: Did they?

BENNETT: And they most assuredly encouraged him very strongly to go out and run against [Wayne] Morse in '56.

BURG: It's often been speculated, although I don't think anyone has ever proven it, that the White House did actively urge McKay to a situation that he probably wasn't going to win.

BENNETT: Yes. I think that's right.

[Interruption]

BURG: We were saying it was a source of trouble for them--

BENNETT: Yes, because he was always engaged in the latter two years or so in what appeared to them unnecessary political controversy. He fell into a position where the administration was being taken for a ride in the West on what was really a phony issue--the High Hell's Canyon dam. The Democrats, who were using it as a whipping device, really in my judgment had no intention of going through with the High Hell's Canyon dam because they

couldn't do that without offending all the conservationists interested in the fish passage issue. But with the type of advice that McKay was getting on this, it became direct controversy--we don't want a High Hell's Canyon dam because it's un-American and it's not private power, it's government power. Well that was essentially falling into the political trap, and I don't believe for one minute that they would have authorized that High Hell's Canyon dam at that time any more than they did when Kennedy and Johnson came along.

BURG: So McKay found himself out there in the public eye waving the wrong banners.

BENNETT: Yes. Absolutely.

BURG: And the Democrats didn't even have to push him into it; his own people in Interior were advising him into that kind of position.

BENNETT: Yes.

BURG: Do you happen to know who in the White House might have become knowledgeable about what was going on in Interior and

informed the President? I assume that's the way it would have worked.

BENNETT: Well, Jerry Persons certainly was well aware of what was going on over there.

BURG: May I ask you another thing in confidence. Was he aware of it because you were telling him?

BENNETT: No. No, I made no career out of telling tales out of school.

BURG: You didn't feel that that was any part of your responsibility.

BENNETT: No, it really wasn't. Now, if they asked questions, discussed something wanting my own view of it I was not reluctant to discuss it with them. But as far as running over there with the idea of pushing some kind of change at Interior, no.

BURG: That would have violated your ethics.

BENNETT: Yes, right. And that was true even after Fred Seaton came over to the White House and assumed more or less oversight

responsibility for Agriculture, of Interior, and he had another department or two--I've forgotten what the others were. Fred would talk about these things sometimes, but as far as my running over there with the idea of creating a problem, no. Actually, Mac, before Doug McKay left, Persons had talked to Clarence Davis and was making arrangements for me to go to the White House on the White House staff.

BURG: Oh?

BENNETT: And it was Fred Seaton who said, "No, I'm not going to let that happen." And he wound up coming to Interior. Yes, this was in the cards in January of '56.

BURG: What did Persons have in mind for you over there?

BENNETT: They hadn't talked to me, but I knew these men well enough that they didn't have to, really. They took it up with the channels at Interior. But it was in the cards. I was expecting to go over there when the word came that instead Fred Seaton was going to replace McKay. That meant I stayed right where I was.

BURG: Was there any inkling of what the job would have been?

BENNETT: No, but I--well I really don't know. It would have been on the legislative side I assume. That's what I was doing for Interior at that time.

BURG: Let me just ask you, you didn't have to make the choice, but was the situation as it worked out to your liking?

BENNETT: Oh, yes. Oh, yes.

BURG: You were not disappointed--

BENNETT: Oh, no.

BURG: --in staying on. Can I ask you, was it your own impression that McKay was getting sufficient publicity on the things he was doing that were useful things and supportive to the administration?

BENNETT: I think not.

BURG: And I don't think that that could be necessarily laid at the door of the information people at Interior, or am I wrong in thinking that?

BENNETT: I think that's right.

BURG: It seemed to me, from what I've read about these things and some of the most recent scholarship that's been done on Interior, national parks and dams and various things, that McKay himself seems not to have permitted publicity that would have done him and certainly would have done the administration a great deal of good.

BENNETT: Yes, I think that's right.

BURG: Did you ever happen to find out--why did he take that attitude? Why did he miss these opportunities?

BENNETT: I don't know whether it was solely McKay's own attitude or whether it was the personnel in his information office. Whenever he traveled, he almost inevitably had either Bill Strand, for as long as he was there, or subsequently Tony Lausi with him. I don't know.

BURG: One of the recent books on this kind of thing was by Elmo Richardson. And Richardson makes a point of suggesting that here were one or two issues wherein McKay probably had acted

in the very best interests of the broadest part of the American public and that people in the department had urged him to take some credit for it for heaven's sakes. This attitude you're taking, this view that you have is eminently supportable, that he did not and would not.

BENNETT: He did not--now the would not, I don't know.

BURG: But did not, anyway.

BENNETT: Yes.

BURG: By contrast was Fred Seaton better at getting his--

BENNETT: Oh, yes. Well that came naturally to him because he's a publications man anyhow.

BURG: Yes, precisely. The former newspaper publisher-editor knew the value of this sort of thing and took action on it. I'm going to ask you--

BENNETT: Now there's one element there. Fred had--I'm certain the numbers would support this--Fred held lots of press conferences and encouraged his top people to have press conferences. It's my recollection that Doug McKay didn't have very many.

Fred's principal use of publicity was really in the press conference format. I don't think Fred really put out any more press releases than they did in McKay's day. But the frequent use of press conferences made it possible to highlight certain things.

BURG: Yes, they attract a little more attention.

BENNETT: I don't think there was any paucity of release material in the McKay period. I think anything he did was publicized through releases. But he didn't maintain a going relationship with the specialized--and they are specialized--press people who follow Interior affairs.

BURG: It's kind of a missed opportunity. And I believe early in his administration he made a couple of unfortunate remarks which may have, in effect, frightened them off. Because I think he came under pretty heavy fire for some things that he said, pretty much off the cuff, I believe. So it didn't work out too well.

BENNETT: Yes.

BURG: I'm going to ask you about a phase of Mr. Seaton's life, you may not know anything about it, but I'll ask you--reminding you that this can be treated most confidentially and sealed. It's my understanding that Mr. Seaton's death was most probably acute alcoholism.

BENNETT: Well, I wasn't told that directly, but I assume so, yes.

BURG: Yes, it's my assumption, too. I do believe there is some documentary evidence to suggest that. During that period of time when you were with him, particularly let us say that last two or three years, was he drinking at that point?

BENNETT: No, not--you mean to the point where it was bothering him in any way or making it impossible to work with him?

BURG: Yes, affecting the way in which he handled the job.

BENNETT: No, he wasn't.

BURG: By the standards of Washington, D. C., at that time, whereas as you and I know the two and three cocktail lunch is not unheard of, was his consumption above the average for Washington, D. C., bureaucrats and administration people?

BENNETT: Well I can't compare it too well in one sense. Fred always drank more than I did, by far, because I learned early on that I couldn't hold it. I can't say he drank more than I did, therefore it's above the average, because I'm not an average drinker by Washington standards. I don't really think so. On a number of occasions, as you can imagine, I'd go home with him because I lived just less than a mile from where he did. We'd stop at his house and he would pour a drink. But I never saw him just start drinking until he was out or out of control or even drunk. I don't remember ever seeing him where I would say he was drunk, at any time.

BURG: You were seeing him almost daily, I would assume, during that period of time.

BENNETT: Oh, yes.

BURG: He was not off and unavailable to you at any point that you could discern?

BENNETT: No, not when he was in town, no.

BURG: And you were able to talk with him about any problem that needed talking about; you got sensible answers.

BENNETT: Yes.

BURG: In short, you saw no sign of--

BENNETT: That's right, oh, no.

BURG: --an overindulgence while on duty at his desk.

BENNETT: No, that's right.

BURG: Were you enough in contact with him afterwards to hear about--

BENNETT: You mean '61?

BURG: After '61, yes.

BENNETT: Not until around '68. Then I heard that he was drinking very heavily.

BURG: Because I wondered what had gone wrong for him to bring him to that.

BENNETT: I don't know. See all the time he was in Interior he was under severe pain from a back situation. He actually

carried a bedboard with him when he was traveling all that time which he put under the bed. He just wasn't going to submit to a fusion operation on his spine. He had a deteriorated disc; so the extent to which this may have affected him afterwards I don't know. But I think all in that time, those four or five years that I knew him so well, I think the challenge of the job and whatnot made him stand the pain without running to the bottle. As I say, he always drank a lot more than I did, but that still didn't in any way affect his performance at all. But I know by '68, I think he had a serious problem. But that was much later than this.

BURG: Yes. Now I understand that he did a great deal of traveling. In fact, at the time the Alaskan statehood thing was up and perhaps even after that, travel up to Alaska for example and bush piloting into various places at considerable risk.

BENNETT: Oh, yes. Oh, yes, he went to Cambodia for the dedication of Highway Number One between Pnompenh and Saigon. Every summer he would go to--summer or fall, which was it, one or the other--to the trust territories.

BURG: As sort of an annual inspection tour.

BENNETT: Yes.

BURG: Out to Guam, Samoa; he made the run down to the Virgin Islands and Puerto Rico as well?

BENNETT: Yes, yes sure.

BURG: Was that kind of thing, Mr. Bennett, unusual for a secretary of Interior? Had McKay been--

BENNETT: Now McKay did quite a bit of traveling, too. I wouldn't say he did as much as Fred did.

BURG: It would seem to indicate that Mr. Seaton--

BENNETT: But you understand the result of that was that, I suppose on balance--and this is not to say that Fred ever lost control of that department because he didn't--I would say on balance, '58 through '60, I probably attended at least a third, it could have been close to a half of all the Cabinet meetings.

BURG: Because he was out on these trips, inspecting and--

BENNETT: Well, he was somewhere. He did an awful lot of political work in that period. He once spent two weeks, at least, in Arizona in the course of the re-election of Barry Goldwater.

BURG: Did he take leave from the job to do this?

BENNETT: Oh, I'm sure the White House knew what he was doing. No question about that.

BURG: May I ask you in light of the fact that during that period of time you sat in on a large number of Cabinet meetings--

BENNETT: Oh, I did.

BURG: --do you have any observations to make about the Cabinet sessions at that stage in the administration; the tag end of the administration? Let me put it to you another way: on the occasions when you found yourself sitting as Mr. Seaton's representative, were the issues being discussed of major importance in your view; or did it tend to be more routine?

BENNETT: I would say, usually, yes. But as far as reaching a conclusion that the Cabinet sessions were useful, questionable.

BURG: You questioned their utility. You are not the only person, of course, who has questioned that.

BENNETT: Oh, no. I'm sure that's right, but I--

BURG: May I have your observations on why you thought them less than useful?

BENNETT: I think it gets down to a definition of what the Cabinet as an institutional entity could or should be used for. In general, it's obvious that some particular problem involving food stamp regulations, say, would be of no interest to the secretary of defense. And you can't reasonably expect much of an input from somebody like that. It is simply taking a lot of valuable time from him. Now, sometimes you may have a key issue where the entire Cabinet should participate, and that would be budget ceiling, for example, for the year. Or something of that kind. Then assembling all the members of the Cabinet instead of just assembling those with an interest in a particular subject, probably is very useful. Probably is a very good thing to do to maintain the integrity of the Cabinet as such, but to use it only where you want a sounding board on

some very broad issue that involves nearly all the members of the Cabinet.

BURG: Where policy, important policy, must be--

BENNETT: Inflation or some very all pervasive kind of issue.

BURG: Well that's one of the criticisms, of course, that was advanced on the administration. All right, I think that I have used up a great deal of your time, more than I asked you for, and I think we'll close our session at this point and I thank you so much for your time today.

INTERVIEW WITH

Elmer Bennett

by

Dr. Maclyn Burg
Oral Historian

on

June 27, 1978

for

Dwight D. Eisenhower Library

184
185
186

This is an interview with Mr. Elmer Bennett in Mr. Bennett's law offices on K Street, Washington, D.C., June 27, 1978. Present for the interview are Dr. Burg and Mr. Bennett.

DR. BURG: I made a note to myself at the end of our last one and it says "Mr. Bennett has just told me of the circumstances that I hadn't realized with respect to the transition from [Douglas] McKay to [Fred] Seaton wherein Mr. Seaton asked Mr. Bennett to set up a report for him on just how things stood in all aspects of the Department of the Interior so that it could be ready for him and could be discussed when he got there. So in a future session with Mr. Bennett this will be one of the things that we would like to probe into." And I would. Do you remember the circumstances of that special report?

MR. BENNETT: Yes. Well, I think I mentioned before that the same day it was announced that the President was going to nominate Seaton as Secretary, Seaton called me and told me to forget whatever plan might be in view for me to leave Interior. That I would be staying there and he asked me to come over and see him. I came over the next day or very shortly thereafter. He asked me to identify the problems that I saw in the management of the department and to give him recommendations on what to do

about them, and I proceeded to do that.

BURG: What did you think were the major problems in the Department?

BENNETT: There were a number of them and they were so long ago that I couldn't possibly give you a list of all of them, but I remember two or three in particular. One of them was some way of defusing the rising level of confrontation on public power. Another one was to find some way of shifting responsibility on some of the energy-type decisions--oil and gas leasing, in particular--to defuse, if you will, the impression that was given that the Department simply went along with anything that the oil companies proposed. It's difficult to remember now the rest of them but it was done very succinctly and it was not more than five or six pages.

BURG: And a copy of it exists?

BENNETT: I don't know. [Laughter] I don't know now.

BURG: Very likely it will be with Fred's papers.

BENNETT: I would thing so. Yes.

BURG: All right. We ought to be able to chase that down. Decisions or problems concerning a kind of a poor press on public power, and the Department getting a poor press with regards to energy. Would a third problem have dealt with personnel within the Department?

BENNETT: I really do not remember whether I put any recommendations regarding personnel in writing. I rather doubt it. I had some.

BURG: Yes, I thought you did. [Laughter]

BENNETT: In general, what transpired afterwards in regard to personnel followed recommendations that I made though. For example, I can recall telling Fred, and I'm sure I did not put this in writing, that Fred [G.] Aandahl [Assistant Secretary of the Interior for Water and Power Development] who had been the target of most of the power issue publicity was really a first rate good soldier and when he understood the policy lines that Fred would decide upon with my help that I was sure he would turn out to be very stable influence and would be extremely helpful. And as it turned out I think that was exactly right. As

you know, Fred stayed--Fred Aandahl stayed throughout the period. And yet, really, that was the perhaps the touchiest area that Seaton was taking over. And Seaton did not agree with every jot and tittle of what was called the McKay policy on power, yet Aandahl was a very good soldier, very stable influence and I think did Fred a good job.

BURG: But placed in a position where inevitably he took a lot of flak.

BENNETT: Oh, terrible. I was convinced he was a good managerial influence to have there, and Fred took my advice on that too.

BURG: Yes. My recollection is that Douglas McKay at times got himself into problems that he need never have gotten into--

BENNETT: Absolutely.

BURG: --had he been a little more tactful in his approaches or thought a little bit about what he said--

BENNETT: That's right.

BURG: --and to whom he said it. And when he said it.

BENNETT: Well, interesting thing, looking at the power policy aspect of it, Fred, of course, had been active in the municipal public power development in Nebraska. He's been almost directly opposite to Clarence Davis [Under Secretary of Interior, 1955-57] in everything in Nebraska. And so it became important to draw lines a little finer than they had been drawn before, that there were areas in which Fred Seaton would be in agreement but also it had to at least narrow itself down to those areas where he disagreed too with the previous policy. And I think he did a good job of that because in general I can remember Fred's speeches and mine and when I would go over his and make sure that there were sections in there in which Fred reiterated his concept that local sovereignty ought to rule in these matters--that the states and communities had the jurisdiction to decide whether they wanted public power or private power and that we endorsed that. We didn't feel the federal government should put any obstructions one way or the other on that basic issue of local sovereignty. And we--the two of us--said it enough times that people began to believe it and began to take a lot of the steam out of the power issue.

And yet on the other hand, Fred, I think largely on my

recommendation, endorsed the partnership approach to the development of the Central Valley Project from California which was a direct confrontation in which we were endorsing arrangements with private power where you could demonstrate that it was going to generate the revenue to expedite the development of the Central Valley Project. Fred went right to bat on that one, and that was--except possibly for the controversial alternate development in the TVA issue--was a high watermark of the partnership policy. We got within a couple of votes of putting over an outright parnership arrangement with the Pacific Gas and Electric in California--in the Democratic Congress. Clair Engle [Democratic Congressman from California] and I used to--because he led the charge on the other side--Engle and I used to compare notes on the two sides of the issue. He was never really certain that even in the Democratic Senate and House that he was going to make it. We came within just a handful of votes--so if you do it the right way you can maintain a very solid recognition of the role of private power and even a cooperative development with private power, but you've got to be able to demonstrate the public benefit.

BURG: Yes.

BENNETT: Not just outright ideology that says I'm for private power come hell or high water, it's always better. You've got to be able to demonstrate the public benefit. We used sharper lines in other words when Seaton was there, and we went all out for water projects. We pushed development of a number of hydro-electric power and federal projects, and we, above all things, were very meticulous to comply with the so-called preference clause of the Flood Control Act which governed power distribution from federal projects under the Reclamation Bureau, governed both the Corps of Engineers and the Bureau. And this was a very sloppy area in McKay's era. During his period there were unnecessary confrontations with public power interests. I think Clarence Davis, being very devoted to the ideological approach that private power is always better, would try to stretch or limit--depending on which way you want to look at it--the preference clauses to the disadvantage of local and state power entities.

BURG: So you wind up with a Dixon-Yates--

BENNETT: Yes, all that sort of thing--

BURG: --that you could have done without.

BENNETT: Dixon-Yates was not his baby.

BURG: No.

BENNETT: But that same kind of approach.

BURG: Under your new approaches to this--yours and Fred's--what about the private power lobby? Did they hit you pretty hard or were they understanding? Do you remember?

BENNETT: I think fairly understanding. Well, what it really got down to was and I'm sure the Pacific Gas and Electric, having known me, were perfectly willing to recognize that we were now going to take the position of being on one side of the table and private power was on the other side and we were going to negotiate what we felt was in the public interest. And even the outcome was interesting in many respects because after our partnership legislation did not pass on the Hill, in the closing month or two of the Eisenhower Administration I can remember sitting down with the Pacific Gas and Electric people and actually negotiating the sale of power from the Central Valley Project

to Pacific Gas and Electric subject to all the preference clause provisions and getting the same financial return from the sale of that power that they were agreeing to give under the proposed legislation. We got the same financial arrangements from PG and E. And that contract was not reopened, was never attacked by the Kennedy crowd when they came in. So by taking what I considered to be a hard-headed business approach to dealing with the power companies we defused a lot of things, and the private power companies really were able to operate with a degree of certainty without all of the loud rhetoric that characterized the four years that McKay was there. Just a different style, really.

BURG: You moved them out of that area, fear that there would either be none of the melon, or possibly all of the melon, into pretty much a chance for some of the melon.

BENNETT: Yeah, that's right.

BURG: Remove a lot of the worry.

BENNETT: On a mutually beneficial basis. We always dealt with them on the basis that we would have to demonstrate the public benefit and that we were not infringing upon or attempting to

limit the preferences which the law had accorded to public power.

BURG: Yes.

BENNETT: Later on, this--in the Kennedy Administration or Johnson Administration--the principles of that agreement with Pacific Gas and Electric that we wound up with at the close of the Eisenhower presidency were used to handle the enormous problem of resolving how to divide benefits where you've got public and private entities all sharing the same resources, when the large high voltage line was built to bring power down from the Columbia basin into California and also Nevada. Basically, if you examine the way that was done, the conditions and the limitations and the whatnot were very largely patterned after the outline of our contracts with Pacific Gas and Electric. I mention this one because it was characteristic of a lot of other arrangements that were handled later on that followed this same general approach.

BURG: How about on the issues of natural gas and oil, that other big issue that comes to mind?

BENNETT: Well, among other things, we restored a certain amount of balance there because one of the things we did early on was to take the whole enforcement of the Connally Hot Oil Act out of the Office of Oil and Gas and put it over in the Conservation Division of the USGS (United States Geological Survey). At that point, it looked to me like there were all kinds of possible scandals coming out of Texas, there were people who were indicted and I think later convicted of payoffs, and while at that point no one had come up with any case against any of the employees that belonged to the Office of Oil and Gas, I felt we were very vulnerable, and we just pulled that whole function out and put it over in the Conservation Division. That Office of Oil and Gas was created back in [Harold L.] Ickes' day, during the war really. It was at one time the Petroleum Administration for War, or some such entity. And it had been traditionally staffed with people who revolved back and forth from the government to oil companies.

BURG: Oh, ho. [Laughter]

BENNETT: And I was scared to death of this one.

BURG: Yes, I can see.

BENNETT: I remember that McKay's man through much of the period

was a retired admiral from the Navy by the name of [Harry Roberts Carson, Jr.] Carson and, to use a nautical term, I was convinced he was a very nice guy, but nevertheless I had my doubts about the "cut of his jib," and it wasn't long after Seaton came in that he left the Department. He proceeded to go immediately to work as a high level executive of Cities Service, and I remember he came down to Washington subsequently in his chauffeured limousine from New York and whatnot.

It was characteristic of that Office of Oil and Gas. I can recall, I think, that from 1956-59, under Seaton the only significant function of that office was to plan for emergencies. In 1956 they were very active because of the Suez Canal situation. But during that period we worked to keep tight control of that whole activity, but it was troublesome.

BURG: So basically then you gave Mr. Seaton roughly an 8-page memo--

BENNETT: Yes.

BURG: --and these--

BENNETT: It was quite short as I remember it, however, it was bang, bang, bang, because many of these subjects the new Secretary talked to me personally about because of his role in the White House vis-a-vis Interior, and so it wasn't a question of having to write 10 pages of "who struck John," you know. It wasn't that sort of thing.

BURG: Yes. He had a line on some of these problems before he ever came down there.

BENNETT: Yes. Sure he did. Well, he was feeling the reaction to some of these confrontations while he sat there in the White House, I'm sure.

BURG: Sure. [Laughter] You bet. That would be the desk they'd drop on.

BENNETT: Yes. Right.

BURG: Where he was. So he acted on these measures rather quickly.

BENNETT: Yes. One thing he had to do which was extremely urgent

was the McKay problem, with McKay running for the Senate seat in Oregon. And Fred was sensitive to it. So the two of us immediately after the convention in San Francisco went on the road on behalf of McKay. We spent, I don't remember how long, but it must have been a good week or so right there in September [1956] right after the convention--all over Oregon campaigning on behalf of McKay.

BURG: I see.

BENNETT: We did that immediately. This was Fred's political instinct here anyhow, but I remember I urged that one of his first problems was to deal with the McKay problem and so that was our response.

BURG: Tactful, to say the least.

BENNETT: Oh, immediately. We went to the convention. We left San Francisco and started in Oregon. We were met at the state line by Wendall Wyatt who was then State Chairman and went all over the state.

BURG: Did Mr. McKay ever indicate to Fred or to you his appreciation?

BENNETT: Oh, yes. Oh, yes.

BURG: Good.

BENNETT: We met with him, you know. That McKay was a great guy. I was very fond of him. I've told you this before.

BURG: Yes.

BENNETT: His big problem was the iron ring he got around him. Well, I've told you about that, too, Mac.

BURG: Yes. Right. Right. [Laughter] Do you recollect--

BENNETT: McKay was really in his own basic instincts very much more typical of the party as represented by the late Senator McNary of Oregon and the more progressive end of the Republican party. Here at Interior for four years he'd gotten himself in the position where he was looked upon generally as being a dinosaur of all dinosaurs.

BURG: To the right of Ezra Taft Benson.

BENNETT: Yes, yes.

BURG: I know, I know. [Laughter]

BENNETT: Unreal.

BURG: I remember it.

BENNETT: Unreal.

BURG: I remember it. Yes. Even to those of us in Washington state who knew of him, we too had that impression that, Good Lord, this man is antediluvian, with private power on the other diluvian part.

BENNETT: Oh, yes, yes.

BURG: Now, let me ask you this. You've remembered two areas from that memo where Seaton took your advice and the reaction to the change was probably for the better. Do you remember anything from your memo where the solution was not so facile, where it didn't work out? Or where he didn't take your advice?

BENNETT: [Long, long pause] Well, some things naturally took more time than--

BURG: Sure.

BENNETT: --than I would have expected. One--it took him quite a while as I remember to get a successor lined up for [Felix E.] Wormser, the Assistant Secretary for Minerals, who was really useless.

BURG: Useless?

BENNETT: Useless. Very--he didn't do anything and he had what was then called a Special Assistant, now they call it Deputy Assistant Secretary. A fellow by the name of John Liebert.

BURG: Is that L-i-e-b-e-r-t?

BENNETT: Yes. And all kinds of reasons to suspect that Liebert's principal loyalties were to accomplish--

[Interruption]

BENNETT: I've forgotten the circumstances, but we even got information one day that this fellow not only was using his official position to push some kind of foreign metals enterprise that he was personally involved in. And I can remember we got rid

of him on a rather short notice. Wormser left shortly thereafter, but this fellow would never have been able to manipulate the way he did if Wormser had been conscientious about his business--he wasn't--.

BURG: And it took a while then to bring that one to fruition.

BENNETT: Yes. And finally Fred located a man by the name of Royce Hardy, brought him in as Assistant Secretary for Minerals. And that worked out very well, because Hardy knew there were a lot of things he didn't know about the department. He was bright and quick, and, interestingly, guess who was special assistant for Hardy--the present Deputy Secretary of Energy, John O'Leary.

BURG: Oh, really. I'll be darned. So Bryce Harlow isn't the only one that goes on and on? [Laughter]

BENNETT: Oh, no.