

This is an interview conducted with H. Roemer McPhee at his office in Washington, D.C. in the spring of 1974 by Dr. Stephen J. Wayne, Associate Professor of Political Science at George Washington University and Mr. James F.C. Hyde, Branch Chief for the Legislative Reference Division of OMB.

DR. STEPHEN WAYNE: Yes. So, if I could begin, I'd like to ask you just a couple of personal-data type of questions and then move into the substance. Mr. McPhee, what was your official position on the White House staff?

H. ROEMER MCPHEE: I really had three in the nearly seven years I was there. The first was with Gabriel Hauge, who was the President's economic advisor on the staff, as opposed to the Council of Economic Advisors.

[Interruption]

MCPHEE: Well, as I was explaining, that was from '54 through '57, or, I mean, into '57. And then I went into the Office of the Special Counsel to the President and was, at first, the Assistant Special Counsel to the President, and then in '58 I became the Associate Special Counsel to the President and that obtained until I left January the 20th, 1961.

JAMES F.C. HYDE: Who were the Special Counsels when you were in that office, Roemer?

MCPHEE: First, Jerry Morgan, Gerald D. Morgan, and then the last two years, David W. Kendall.

WAYNE: Were you active in party affairs before you moved into the White House?

MCPHEE: Political matters?

WAYNE: Yes.

MCPHEE: Yes. I had always been interested in this, had worked for a Republican governor of New Jersey, right straight out of law school for a year and a half, then practiced law in New Jersey for two years and then came to Washington. And my idea in coming to Washington was to get in the government.

WAYNE: I see. Why do you think you were initially chosen for your position?

MCPHEE: Well, it's a very long story. It's sort of a lot of accident, luck and--. Hauge had a person who had been with him who was moving to the Staff Secretary's office in the White House, and so he was looking for someone to replace him. And Hauge—one thing he did, among others, to surface possible people was to write the dean of the college at Harvard, McGeorge Bundy, who was a friend of his, and he laid out his requirements. He wanted a lawyer because of all the legal work that was involved in that office. Hauge was working on the administrative side of the President's economic responsibilities as

well as the more purely economic sides, and he wanted a lawyer to help him work with the statutes, the Agricultural Adjustment Act, this sort of thing. Jim, you remember it, all of you, only too well.

WAYNE: Yes.

MCPHEE: He also wanted a Republican, which I was. He wanted somebody with political experience, which I had had with the governor of New Jersey. And he wanted somebody under 30 years of age—he was only about 35 himself.

WAYNE: Yes.

MCPHEE: And McGeorge Bundy turned Hauge's letter over to the law school, the Harvard Law School, where I had gone to law school, and the placement office over there sent back four names, one of which was mine. And how the process evolved from there I don't know. That's how it happened.

HYDE: What caused the transfer then, Roemer? Were you interested in the move or was that--?

MCPHEE: Jerry Morgan prompted that. Jerry Morgan was losing Bud [J. William] Barba, who was going back to New Jersey, who had been the Assistant to the Special Counsel. He was going back to New Jersey to resume the practice of law. And Jerry Morgan spoke to Hauge before speaking to me. And then came to me and asked me if I would like to get back into the law business and that he had spoken to Hauge who said he would let me go. And that's how that happened.

WAYNE: One last kind of personal question. Why did you leave the White House?

MCPHEE: It was the end of President Eisenhower's term. There was no way to go on, and I had made up my mind to leave anyway. I'd been asked about a year before I left if I would stay to the end, as we all were. I said I certainly would and I had no plans to--.

WAYNE: Did you work during his reelection campaign?

MCPHEE: Yes. I left the White House staff temporarily, went off the payroll and went on the payroll of the Republican National Committee.

WAYNE: In '56.

MCPHEE: In '60.

WAYNE: Ah, '60.

MCPHEE: For a period of, about, five weeks. And in '56 I also got into political activity, but I never went off the White House payroll. I was doing it in addition to—I

had very long hours. I had a place where I worked over at the Republican National Committee, and I worked there after I was through at the White House. So that was an arduous grind for about two months.

WAYNE: Yes. And you've been in private practice since?

MCPHEE: Ever since.

WAYNE: I see. We'd now like to ask you a number of questions about your relationship with what was then BOB [Bureau of the Budget] on the White House staff. What did you perceive in your capacity or in your capacities; I guess I should say, as the role of BOB in clearance, in programming, and in enrolled enactments?

MCPHEE: Well, you've almost said it all right there. The Bureau of the Budget for clearance was indispensable and did a superb job of coordinating the government. In fact, I think, even today, more of this could be done. I think the government is too often inconsistent in some of the things it does. There's something going on right now that I wish a uniform government policy would be developed for. I don't know, maybe it will be. I've certainly been urging this. It's a small thing. But obviously the place to do this is through OMB [Office of management and Budget] now. It's the one place where this can all come together and be coordinated. What was the second legislative--?

WAYNE: Well, did OMB, or BOB, get involved in programming?

MCPHEE: Yes. Yes, that was the second thing. Every fall we got into a major effort looking toward the development of the President's program for the New Year which would be stated in his State of the Union message and succeeding special messages. And the Bureau of the Budget people were invariably involved in our meetings. And the development of the program saw a great deal of participation by BOB.

WAYNE: What did Budget do? Were they essentially coordinators or did they bring new ideas in or did they essentially put negatives on it?

MCPHEE: Well, I don't think of them as having any reserved role in those meetings. They were contributing as much as anybody on the White House staff.

HYDE: Well, just tying in with what he just asked there, Roemer, there you were working, helping formulate the program—the White House staff—and then the (I guess we can stick with OMB now) the OMB or Budget Bureau staff; was it all one group as far as you were concerned or did you see you and Jerry Morgan, and the others as having one set of tasks or jobs or roles to do, say, overall policy and the OMB people were doing sort of the pick and shovel type of work?

MCPHEE: Well, I suppose, as I say, these people were in the meetings. Just let me go back one step. OMB people were not present at every meeting where program was discussed. Nor was I present, necessarily, by any means, at every meeting where the program or some aspect of it was discussed. I think people were drawn into those

meetings as their work, their responsibilities, had a bearing upon what was going to be the subject of the meeting.

Now, I suppose it's accurate, also, to say—certainly from the standpoint of the development of policy and substantive detail, implementing policy for program, to be announced or to be put forward—that the White House staff would have had a role that was pre-eminent as the President's own particular people. But the Bureau of the Budget people were certainly there, certainly they worried about this in terms of the development of actual legislation, the language of the legislation, and the coordination of aspects of this throughout the government. There was never, as I say, any reserved position that they had. And by that I mean they were free to comment, to suggest, to offer a point of view (my recollection, at any rate) on anything—policy, whatever. But I would say a primary role—maybe that's what I'm talking about—the White House staff role primarily would have been the policy, the substance. Budget might have been primarily something else, but they would overlap. I don't remember anybody from the Bureau of the Budget sitting in a corner and just waiting to pick up pieces and go to work. It was not done that way.

HYDE: Couple of quick questions as we go by. Were the principal source of programmings, then, things that came in from the agencies as far as you were concerned?

MCPHEE: Yes.

HYDE: And you said OMB was brought in in some cases and you were and other times not. Who was sort of the concert master of this operation? Was it Jerry Morgan, Sherman Adams or who?

MCPHEE: Yes. I would way in the first instance it would have been Adams or Persons. They were the two assistants to the President while I was in the Special Counsel's office, which was where I saw much, much, much more narrow area. In the Counsel's office the area really was the full range of responsibilities in the White House. Well, have I answered that question?

WAYNE: Let me ask a quick follow-up just on this line. Did you have any specific function in regard to clearance or enrolled enactments?

MCPHEE: Yes. Yes. You're coming to the last part—the last of the three—

WAYNE: Right, right.

MCPHEE: --that you mentioned. I definitely did in the Counsel's office. We reviewed the bills as they came to the President from the Bureau of the Budget. Now you might have worked on one of these pieces of legislation as it was going through. This was another place where the Bureau of the budget was functioning all of the time. As the bill progressed through the Congress, say, Budget could be used to develop agency positions, comments, whatever on that. Once the bill was enrolled and at the White House or about to come to the White House, as you well know—I know Jim remembers very well—the Budget Bureau would pull together agency comments on that bill, and

recommendations—veto or sign. And if there was a veto there'd be a recommended veto message. This was required of the agencies. And sometimes an agency would put forward a proposed signing statement to say something they thought the President ought to say to clarify something as he signed it. Well, all of this went into the Bureau of the Budget and into the Legislative Reference Office and was pulled together, and a covering statement summarizing the agency points of view and the various recommendations was prepared by the Legislative Reference people. And then if there was a veto that was being recommended, why, the Budget Bureau would probably send forward its own recommended version of the veto message or a signing statement. That is what we were working with. Because you deal with a lot of bills in a short period of time, without that our job would have been infinitely more difficult. And that system worked.

HYDE: Did all those bills come to you, personally, Roemer? All enrolled bills?

MCPHEE: Let me say, when Jerry Morgan was the Special Counsel, he and I did this together. I was really working for him on this. I sometimes, reasonably often, would go in to see the President with him on these bills. When Dave Kendall was the Special Counsel to the President, and my title was changed from Assistant to Associate Special Counsel, the office was a little bit more carved up. It was divided. We worked together very closely, but Dave had other responsibilities. He had been given the responsibility for getting the names together of the people the President was going to nominate for positions ranging all the way from a very high level presidential appointment to a fisheries commission or something. A dreadful job; took a lot of time. The idea was that Dave would do that, and that I would participate in the regular work of the office with him as much as for him. He was certainly my boss, don't misunderstand me. But, for example, in the handling of bills, I then, from that point forward, would often find myself alone with the President with a lot of bills, going over them with him. Or sometimes maybe Dave and I would go in and each of us would have a batch of bills.

WAYNE: Yes.

MCPHEE: We might have talked about them together. Very often these bills were private relief bills and other bills that were zero in controversial content. The major bills, a very big bill, would find quite a meeting in the President's office. We'd be there; one of us, both of us. But other people, Jerry Morgan, who was then the Deputy Assistant to the President, probably Sherman [Adams], probably General Persons, too, and maybe the secretary of the department or the under secretary—something like this. It depended on the bill. But the work of the Special Counsel's office was more carved up so sometimes in that last two years I did a lot of work—

HYDE: You mean you had sort of, kind of specialties within the office, as it were?

MCPHEE: Well—

HYDE: Did it get down to that? Or let me put it another way—

MCPHEE: Yes and no. Again, let me talk about primary roles. For example, all international civil aviation cases, on which the President by law must finally pass, came to me first. That was my responsibility, and I worked all of that out with the President. But often first with Dave Kendall. I would never do anything just on my own. You have to have a sense of where you involve your superiors and other people. And I think that's maybe the best way to say it. And I would talk to these people as I needed to and they would say, "Go ahead. That's right. I agree. Take it to the President that way." Or else we'd say, "Well, let's go in, we'll have a meeting with the President about this."

[Interruption]

WAYNE: Did you perceive any conflict in your role as Associate Special Counsel and the role of BOB in any of these processes in programming and clearance or in enrolled bills?

MCPHEE: Never.

WAYNE: It's been said that frequently, when BOB suggests the President might veto, for political reasons he might want to sign the bill. But the converse is usually not true: that is, the President would rarely veto a bill that BOB suggested signing. Would that be accurate also?

MCPHEE: Well, that's almost too hypothetical. If the Bureau of the Budget were recommending that the President sign a bill—but there were four recommendations in the batch that were urging that he veto the bill, that would be presented to him and all the pros and cons were there, and just has to make up his mind. I can't conceive of the Bureau of the Budget recommending that he sign a bill and every department and agency recommending that he sign a bill and the President vetoes it. No, that was not in the cards so far as I know.

HYDE: On that matter of the papers, you said that Legislative Reference prepared and shipped over to you a working file on each enrolled bill. Did you prepare another briefing paper, shorter, on top of those for the President or did he read the BOB document or was it mostly kind of a briefing operation?

MCPHEE: The latter. In my experience with President Eisenhower, he preferred to—

HYDE: Is that for a full range of bills?

MCPHEE: Yes but—

HYDE: [Inaudible]

MCPHEE: Yes, but I saw him on more than one occasion—he'd get into a bill, you know, and start to read the file and go into it and he'd read the Budget paper and he'd read some of the other agency comments if something about it interested him, whether it was major or minor.

HYDE: This would be if it were controversial, you mean or—

MCPHEE: Not necessarily.

HYDE: --conflicting positions. That sort of thing.

MCPHEE: No. I remember on day Dave Kendall and I went in there, each with a batch of bills, and Dave had a bill that caught the President's attention, which was in our view sort of routine, but it was by no means routine to him. And we went around and around with that thing for half an hour and he had a great deal to say about that bill and then finally signed it. He didn't like it at all, but he signed it. [The Congress had passed it—a private relief bill—and he didn't like it but signed it because the Congress had passed it.]

WAYNE: Were there any kinds of decisions that actually required presidential involvement where President Eisenhower said that these were the kinds of bills he wanted to examine more closely. Any, for example, in the area of national security?

MCPHEE: You mean at the clearance stage?

WAYNE: Yes. Yes.

MCPHEE: Yes.

WAYNE: Either at the clearing stage or even at the enrolled bill stage. Either way.

MCPHEE: Well, I don't think it really would have come to him that way.

HYDE: I do remember, Roemer, that Andy had a role in some of the military legislation, as I recall.

MCPHEE: Yes. He would—

HYDE: Andy Goodpaster.

MCPHEE: --have, he would have. I'm not quite sure I follow that question. I mean, if there was any question about a bill that was pending or enrolled, that it was thought he should focus on, why, it would be brought to him. Not so much because he was asking for it. He just couldn't be aware of everything that was going on. You know—hundreds of bills. How many?—six, seven, eight hundred, whatever it is, a session. It's incredible.

WAYNE: Yes.

MCPHEE: And, of course, the major bills were the subject of meetings, conversations all the way, all along. And he was well aware of those. But the lesser ones—it would be

something that was surfaced by the staff or by the Budget bureau or by the agencies that would result in somebody concluding this was something to take up with him.

HYDE: Seldom, seldom in passing, in mid-passage.

MCPHEE: Yes.

HYDE: It would be after the bill was enrolled.

WAYNE: Who would make the final decision on these relatively minor bills on whether or not he should sign it.

MCPHEE: He did.

WAYNE: Well, he would make it based on what—so he actually would get involved at some point in every bill.

MCPHEE: Every bill that was ever taken to the President by me or by someone in my presence was explained to him.

WAYNE: I see.

MCPHEE: He was given, as Jim said, was it a “briefing?” Yes. He was given a briefing on it. Here again, you have to have a sense of what it is important to say and what not to say. If you’re dealing with a private relief bill, nobody’s objecting to it. It’s gone through Immigration and Naturalization, and Justice; and everybody is saying, “OK to sign the bill.”

“This is a bill, Mr. President, that would admit a Chinese sailor who” so on and so on--.

WAYNE: Yes.

MCPHEE: Something like this and “swish” signed, the whole thing, the process could take fifteen seconds.

WAYNE: I see. Yes.

MCPHEE: But you never knew when--. Well, those will always take fifteen seconds.

HYDE: But you said a minute ago he might call, he might say, “Let me look at that file” if he got interested in nit. Did that ever happen?

MCPHEE: Well, but not a private relief bill. That would almost never happen there.

HYDE: Right.

MCPHEE: But in some other bill—well, for example, the bill I was thinking of where he really got into it this day was a bill that was otherwise routine but it would have paid some money to a military officer for an invention he had made. And it was said in the committee report and elsewhere that he had made this invention, done this, come up with this invention in his “spare time”. The President didn’t think that anybody in the military had any time other than his time in service to the United States Government and that he did—

HYDE: On duty twenty-four hours a day, huh!?

MCPHEE: That’s right. And then he reminded us of how he had served General Pershing over in the Executive Office Building ‘til 2, 3, and 4 o’ clock in the morning and on and on. It was a fantastically interesting time. And he got quite exercised about it and then signed the bill [because the Congress had passed it]. He didn’t like it at all but he signed it, nearly putting the nib of his pen through the bill paper. [Laughter] And that is one I happen to remember.

WAYNE: How could you characterize President Eisenhower’s role in programming—in the establishment of the program in the [inaudible]?

MCPHEE: Well, the President was a long time believer in, a person who had been for a long time exposed to, and who had been a long time student of the military staff system. And we had very strong traces of that in our White House staff operation. And I always thought that it worked to enormous advantage. There was a very clear way that things developed. He was not bogged down in a lot of detail. He could get into it if he wanted to, but it was for the staff to surface these things. He would have ideas of his own on a program. Any President does. You can’t be a President and not think of things you’d like to do. And that would go out in the form of a note, memorandum or whatever. But, by and large, as Jim said earlier, or you did, most of the program, the great bulk of it, came welling up through the agencies.

But now, then, in addition to that there, of course, were things that were originated, sort of, in the White House or without, and the President could have played a part in that or it could have been something the staff thought was worth recommending to him and it was carried to him. And, anyway, that’s how it happened. But I don’t think he sat down—

HYDE: That stuff that came from the agencies, Roemer, a large amount of it, and as I recall, and what you said here now, there was kind of a winnowing process that went on by the Bureau of the Budget and then on to you all. And you said you had meetings and various participants to review this stuff. Would the product of that then be sort of presented to him as kind of, “Here’s what we would recommend for your program or measures” in a particular field?

MCPHEE: Right. Well, yes. But the way this would begin, somewhere in September, I think, probably right after Labor Day, a general instruction would go out to all the departments and agencies to submit their proposals for the President’s program for the

next fiscal year, within a month, or something like that. Now those would come into the White and the Bureau of the Budget, as I remember. But mostly we're talking about really the nuts and bolts of government, mainly. Most of this stuff is cut and dried. Somebody needs or wants to have a little school lunch program, I mean, some wrinkle on the school lunch program would work better if the milk's in cartons and not in bottles, or something like that.

WAYNE: Yes.

MCPHEE: Well, I don't know. Well, that kind of stuff. It's very necessary, but it comes along and it probably would go into—if I remember it now—BOB for sifting and screening and this. Now, but I want to make it clear that my recollection is clear on this, that this was not the only source of program. Some of this was coming out of the White House itself, and some of this was coming—well, who knows. But mostly from sources that wouldn't have to be the White House. Some suggestions were received from the Congress, people up there, the President's party. And the President, as I say, himself, would have some ideas, anyway. The whole thing, certainly ninety-five percent of this—and that might have been not the most interesting or the most controversial part—but the ninety-five percent was coming through the agencies, coming up with what they needed, what they'd seen they needed, what they wanted.

[Interruption]

MCPHEE: I'm not sure that it was the Bureau of the Budget's function to take it's cues from the White House. You know, that's what's sort of implied in what you say.

WAYNE: Yes.

MCPHEE: The Bureau of the Budget's job was to sort of come forward with it's own summary and synthesis and recommendations, and it could very well say, "We believe this to e inconsistent with the President's program." I'm not sure they'd call up to find out whether somebody was going to say it was or wasn't. And—

HYDE: Who would that go to? When they put that question to you, who was the contact point between—

MCPHEE: Well, when I was in the special Counsel's office it would have been me or Dave Kendall or Jerry Morgan. In other words, the Office of Legislative Reference was dealing—I would say, I thought anyway, most of the time, so far as things like this are concerned—with the Special Counsel's office in the White House. So it would have been me or Kendall and I had so many conversations with, I think Roger Jones first, if Roger was still doing that when I got over there. And then certainly with Sam Hughes.

HYDE: You would be the one, if somebody else in the White House staff was to be brought in on a problem involving legislation, the contact would be made from

Legislative Reference to you, and then you would reach out to this guy elsewhere in the White House staff and involve him.

MCPHEE: Could be, but here again, Jim, that could depend on how well the person in Legislative Reference knew the person he ultimately wanted to talk to in the White House. He might have just called him directly. I don't think anybody felt constrained to go through us. After all, we were interested in the end product as much as anybody else.

HYDE: So it wasn't an invariably rule that the channel had to be through you.

MCPHEE: No, I wouldn't think so.

HYDE: Would you expect to be advised if they went to somebody else?

MCPHEE: Yes, if it was that important. If it was a point of not major concern to us, or concerned us—forget the major—I would say we wouldn't necessarily—we're talking in abstractions. I can't think of anything specific to illustrate.

HYDE: Well, you said you worked for Gabriel Hauge. Supposing there was a piece of legislation with a heavy economic aspect to it, economic policy. Sam Hughes was the head of Legislative Reference. Would it be okay, I mean, would it be a method of operation for him to contact Hauge directly and run over that legislation and check it out with him or would he go through you or would he call Hauge and tell you he'd done that? That would be the kind of—if that's a valid example.

MCPHEE: Yes. Well, it could have happened in any one of those three ways to tell you the truth depending on the circumstances. I mean I can certainly conceive of a direct call. I can conceive of it without a reference. I can conceive of a call to us asking us to sort of get a focus on this, and I can see somebody calling and then saying to us, "We did so and so." But I tell you there was one very, very, very strong impression I had out of my White House experience and that was that there was in that staff a general and a very thorough-going dedication to getting the job done. In other words—

HYDE: That staff meaning?

MCPHEE: President Eisenhower's staff.

HYDE: Yes. The White House staff.

MCPHEE: Standing on formality and worrying about protocol and channels and stuff like that was, I would say, very minimal. This doesn't mean we were disorganized either. That could sound like the whole thing was running off in any direction. I don't mean that. I think you get into a relationship with people—and certainly this was the relationship that existed between the White House and the Bureau of Legislative—the Office of Legislative Reference—whatever it was.

HYDE: I'm interested to hear you say, at one point you described what the political science literature does, that this is a very highly organized military structured staff and now you just say you didn't feel constrained to stay in channels. Are those inconsistent together?

MCPHEE: No, I don't think so. That was one of the beauties of it. Andy Goodpaster would never prepare an organization chart for anybody. We were asked for this time and again. He never would. We had one; we had a few efforts at it. But it was sort of understood, I mean, without it being formalized, I think people sort of knew what areas they worked. Bob Hampton, for example, worked on presidential appointments and he very seldom, if ever, got into things that related to the program, as such, and so on. But Bob was a member of the staff and he might be dragged in for something where he could contribute. You follow what I'm saying here now?

HYDE: Yes.

MCPHEE: there were "lines" but there was no rigidity. There was no inability to cross those lines where there was a reason to do it. And you know Jack Martin said something. You remember him? He'd been Senator Taft's top aide?

HYDE: Yes. Senator Taft's guy, yes I do.

MCPHEE: And when Senator Taft died Jack came to the White House. And that was just about when--. No, he came the year before I did. He came in the summer '53. I came in '54. He was a guy with a lot of political experience. And he said something the day he left. We had a farewell lunch for him down in the White house mess. And he said something; he articulated something that I had always found true. And that was that in all of his experience in politics, which was twenty-thirty years, whatever it was, he had ever seen a situation where there was less—and really he meant no, virtually no—intrigue, jockeying for position within the staff. No crawling over the backs of anybody or anything like that. And I must say I shared that entirely. I was—

HYDE: That's very interesting, Roemer.

WAYNE: Yes.

MCPHEE: It is. It was. It was remarkable. I've never seen anything like it before or since, myself. And I've often thought about that and what to attribute it to.

HYDE: Did you read George Reedy's book?

MCPHEE: I have read a part of it and I haven't finished it.

HYDE: Interesting in relation to that.

MCPHEE: Yes, you're right. Well, Jack was saying it was unique, you know, in all of his experience. And his really was a very good experience.

WAYNE: Let me ask, since Jim just mentioned George Reedy's book, Reedy's thesis is that—the title is The Twilight of the Presidency—

MCPHEE: Right.

WAYNE: --rather than “a presidency.” So presumably he's making conclusions which one can generalize forward to perhaps President Nixon and backward perhaps to Kennedy and Eisenhower. Do you think there was any threat, given the staff system, of the General becoming a prisoner of his staff?

MCPHEE: Eisenhower?

WAYNE: Yes.

MCPHEE: No. There was one instance I can think of where I think the whole story was not presented to the President on something. It wasn't of enormous significance. It was significant in its way, more politically than any other way. Didn't affect the substance at all. Just the political significance. But that was a concern of his as it would be for any president. And I was at that point quite new in the Special Counsel's office. And only one other time did I see something like that occur. And that was in the late days of the Eisenhower administration. And no longer being green and having achieved more standing in the staff—

WAYNE: Yes.

MCPHEE: --still a junior, a second-level staff member but maybe with some more standing. I simply said that I felt that we owed the man another meeting and further exposition on the subject. Everybody agreed and it was scheduled on the spot. We went back in and for forty-five minutes the other side of this whole thing, in detail, was laid out and the President wrestled with that for the last two months of his administration and decided it in the closing days. Well, so I never had that impression. I don't know, I've read a lot about that sort of thing where Eisenhower was concerned. But I think the great failure of the Eisenhower administration in this respect was in never getting its story told properly. There are a lot of people that have the idea that he really wasn't doing much as President, but it was my own feeling, very strongly, that he was very much in charge of that ship and running it with a very firm hand. And he knew what he had to know that was going on. There was a sifting process to keep things from him that he shouldn't be bothered with, that's absolutely necessary. That's what a staff system is supposed to do. And it is supposed to surface those things—

[Interruption]

WAYNE: We were talking about the sifting process and how necessary that was to--.

MCPHEE: Yes. Well, the staff has to do this. The staff has to do this, and it's not a good staff that doesn't. The function of the staff is to sift correctly. Again, we go back to this sense of what's important to pass on and what you should stop, that you can't bother the man with. Once you've reached a point where it's something that should be passed on, then it seems to me the function of the staff is like a lawyer. It's a lawyer's function to present the facts and the pros and the cons and whatever the decision is, that's it. You've done your job. You're through when you get the ingredients for the decision before the man. Then he has to make up his mind and do what he's going to do. And if you don't like it you get out. If you feel that strongly about it.

WAYNE: Did you have to go through Sherman Adams to get to the President?

MCPHEE: No. Of course, Adams left, you see, in '58. Now, mind you, when I was with Hauge, my exposure to the President was limited and it was with Hauge.

WAYNE: Yes.

MCPHEE: When in the Special Counsel's office it greatly increased, but Adams left a little over a year after I was there. And the last two years plus, that I was in that office, General Persons was the Assistant to the President, but he was never overseeing anyone's access to the President. Maybe once in a while, but not to my knowledge.

WAYNE: I see.

MCPHEE: And what we would do is go to Tom Stephens, who then had resumed the job of Appointments Secretary to the President and he ran the President's calendar, and traffic in and out of his office. And we'd just say to Tom, "I need to see the President." I mean, you were a person who could go to Tom and say that. If somebody came to Tom from elsewhere in the staff and had said that, well, he'd say, "Well, maybe you better get that checked out."

WAYNE: I see.

MCPHEE: You see. Again, you know, it's feel. And I went through this in all stages.

HYDE: So he was the traffic cop rather than Adams or Persons as far as access was concerned.

MCPHEE: Yes. Sure. And that was his job.

HYDE: Yes. Did he work for—He just worked for the President? He didn't work for Adams or Persons? Stephens didn't? He was responsible to the President, directly?

MCPHEE: No. No. He was a part of that staff and he was subordinate to Adams.

WAYNE: I see.

MCPHEE: And if Adams told him to do something, he'd do it.

HYDE: Yes. So he might have checked out---

MCPHEE: But he was operating under a charter with the necessary leeway. And if he failed he'd be fired but he—

HYDE: Roemer, in describing your various duties in talking here about programming and then clearance and then enrolled bills, what kind of involvement did you have with Jerry Persons when he was head of Congressional Liaison and then I guess Bruce succeeded him, didn't he? Bryce Harlow?

MCPHEE: Right.

HYDE: Did you consult with them in those areas and if so what did that amount to?

MCPHEE: Well, here again, if there was a need to the answer was yes. They would have been involved in a major question relating to a big piece of legislation. Absolutely. No question about it.

HYDE: Invariably, the Special Counsel's office would be brought in?

MCPHEE: Right.

HYDE: Yes.

MCPHEE: Invariably. If we were talking about taking 32 routine bills to the President, not at all. They wouldn't be interested and they would only slow down the process. They wouldn't want to know about 22 relief bills and 10—

HYDE: How about vetoes? Were they advised of potential vetoes or, again, did it depend on the importance?

MCPHEE: Well, here again, it's a question of whether the veto is consequential or not, I mean, politically consequential, I'd say, or yes, politically or consequential in terms of the Congress. Bills would come along granting this or that tax relief. They went through the tax people in the Treasury and suppose they came over with a recommendation for a veto. I don't know how many I saw, they weren't all that way, but enough of them. And they would go through BOB and BOB would second this [the veto proposal]. The Treasury was the lead on this and BOB, I don't think, ever had a reason to oppose them. They might have but ordinarily didn't. And that would come forward and eventually would go in and the President would listen to that and maybe ask a few questions, but get it all, and sign the veto message which we rewrote, I did anyway, nearly every veto message. No two people say the same thing in the same way. And we would certainly work from the drafts that were supplied.

HYDE: How about in that programming part?

MCPHEE: But something like that you'd never involve Persons or Harlow. Here again we're talking about a technical, mechanical thing.

HYDE: Right.

MCPHEE: If you're talking about vetoing the farm bill, why, hell yes, you know, they'd be very much involved.

HYDE: How about in that programming process, you described a winnowing and so on. Would they sit in on that?

MCPHEE: No, because the major winnowing process occurred before coming the White House. But, in major meetings relating to policy and substance and things like that, those could be held in Person's office with him and other senior staff present.

WAYNE: We'd like to ask you briefly two other lines of questions. One relates to your general appraisal of the BOB operation to which you were involved. And the other to the Nixon White House, if you're familiar with some of the same things that are going on in it. First of all your appraisal of BOB. Was there any suspicion of the political loyalties of the civil servants in BOB as far as your President was concerned?

MCPHEE: As far as our President was concerned?

WAYNE: As far as your staff or their loyalty to President Eisenhower—

MCPHEE: No. No. It was a professional operation, BOB, and I came to think of it as probably the best agency in the government, myself, all things considered. I think it had very high-purposed people doing a very good job. That was my impression. Superb was their work, I thought. I really mean that.

WAYNE: Someone has described the relationship of the career staff of BOB to the Presidents they've served as analogous to lawyers representing a client. Do you think this is an applicable analogy?

MCPHEE: Who was their client? The President?

WAYNE: The President.

MCPHEE: No. I don't think so. That was staff. It was a staff function.

WAYNE: I see.

MCPHEE: Exactly what I described a few minutes ago. They were pulling together the pertinent information, and they were putting it together and presenting it. This is my

experience in my time. What's happened since or before I can't say. But they certainly weren't advocates for a client's point of view.

WAYNE: I see.

MCPHEE: No, I wouldn't say that.

WAYNE: Even with the agencies, when the agencies were sending in proposals, when they were clearing these proposals or making a recommendation with regard to a veto, you wouldn't view them as advocates of the President vis-à-vis various departmental interests?

MCPHEE: I don't see—I suppose it could happen. I do think it's fair to say that the highest sensitivity to the President, as President, was in the staff. Now, I would say that next you'd probably find it in BOB. They worked that closely with the White House. When you get out into the agencies I think you tend to find special interest pleaders. This is what HEW wants; this is what State wants, or whatever it is. But, BOB, as I say, was the in-between. They were the eclectic. They were the evenhanded. That is not to say people don't have ideas, views and so on. And I'm sure things that we did did not sit, personally, well with some people in the Bureau of the Budget. And other things that we did, sat very well, I presume, but this was submerged. It wasn't pertinent.

HYDE: On that score, you mentioned earlier your dealing with Roger Jones who was head of Legislative Reference for a while and then Sam Hughes. Did you deal with other members of the Budget Bureau staff as well?

MCPHEE: Yes, many, many.

HYDE: Would you say in terms of your appraisal of them, the various individuals, generally you'd say all were of high quality, most or mixed or, looking at the operation as a whole.

MCPHEE: Well, I suppose I should say most, but I really, my recollection is all.

HYDE: Yes.

MCPHEE: But there must be some exception so I'll say most.

HYDE: Yes. Did you work with the director of the Budget at all?

MCPHEE: Yes. Sure. And the deputy director and the other assistant directors, and then people in the operation who had specialities under assistant director. Where we had a particular something we would be dealing directly with those people as well as the senior people in BOB. Here again, sort of in reverse, Jim, we're not bothering to go through [Maurice H.] Maury Stans to talk to some specialist under some assistant director. But if there was a need to involve Maury he'd be involved.

HYDE: Yes.

MCPHEE: You know, it's that sensitivity. You have to have it.

HYDE: Well, Roemer, you've said some nice things or recognized the professional group, their high quality and so on. Could you tell us some, any, weaknesses of the operation, thinking of our project here, which is how the legislative operation of the Bureau of the Budget looks from the White House. Could you tell us any weaknesses, sort of, in the system or the handling or anything that you observed on the other side.

MCPHEE: Well, that's hard. I suppose I should have some negatives. I'm a positive person, first of all. Secondly, as time goes by the larger impression you have of something is what lingers rather than the lesser. And if there were negatives I don't really recall them today. I remember this one general overall impression I've described, about the BOB as being highly professional and staffed by fine people, and I have said to many people who were looking at various jobs in the government, if you can get in BOB you're in the finest agency there is in the government in all probability. I've said that more times than I can remember. I'm sure there were some negatives, but they just don't come to mind, Jim. I can think of more negatives, such as they were, in our own White House staff operation than I can about the BOB and that's simply because I was more intimately involved in that and exposed to it and maybe even remember better such minuses as there were.

HYDE: Steve, can I ask two quick questions—

WAYNE: Sure.

HYDE: --but I know you want to get this Nixon thing, but just tie in a couple of things. You've described the Special Counsel's operation there, and particularly in handling enrolled bills, but it's also of programming and clearance as well, I gather, as you and Jerry Morgan or you and Dave Kendall sort of covered the waterfront, all types—

MCPHEE: Right. Yes.

HYDE: --of legislation. In the more recent White House staffs, particularly in the later stages of the Johnson and the Nixon, the members of the staff tend to specialize; and, an enrolled bill memo, for example, might come in and be referred out to the guy handling the area the bill relates to. I gather that everything in this legislation—or not everything, you haven't said everything—but generally, you covered the waterfront and you decided whether to involve someone else in the staff or not. But you felt capable, particularly in enrolled bills, of handling most of these things yourselves?

MCPHEE: Correct. We had a very small staff compared to what's happened to the White House staff since our day. And we only had about 25, really I don't think it was more than 25, I'll say maybe 30 people, who really were the hard core of the President's

staff, working with him on his matters and his program and his responsibilities. Of course, there were many, many more people that work in the White House. Why, I'm thinking, you know, when we had a staff meeting, there weren't more than that in the room, if that. Twenty-five, I'd say, is a round figure.

The lawyer's office in the White House, then, was indeed a lawyer's office. It was a lawyer's office in the sense that it was dealing with public law, which is a far cry from what a lawyer in private practice ordinarily deals with. Less true in Washington because you get involved in public law questions because you're working with problems that touch agencies and so forth, if you're a lawyer in private practice here. But with that slight distinction, we were really, sort of, functioning as lawyers and playing the traditional role of a lawyer, which is when a lawyer is a lawyer for somebody in the full sense of the word, he is involved in everything the person does or the company does. The general counsel of a company doesn't sit and stew only about abstract legal—or not abstract but maybe concrete—but limited to legal problems. Not at all. They want him involved in this and that question or decision, whatever, and maybe there's a legal aspect to it or not at all. That's the way it was in that Special Counsel's office.

And I also gained an insight into why there is a Special Counsel's office. And that is it's very much needed because with all of the quality and fine attributes that the Justice Department has, and it does, the Justice Department is still an agency by itself. And the President needs a lawyer to work with the Justice Department. To do all these other things too. But he needs a lawyer to work with the Justice Department because, going back to what I said a minute ago, when you get to the department of agency level, they can have their points of view. And the President needs to be represented. He needs his lawyer. That's exactly what it is. The office has great, great value, in my judgment, in that sense. But every President uses it differently. Some Special Counsel's have been primarily speech writers. I think Sorenson was. He bore the title. I think Lee White and Myer Feldman really did most of the work that we had done. We would get involved in writing speeches. But it was an offshoot for us rather than a major responsibility.

WAYNE: I'd just like to ask one other general question, and this relates to President Nixon's White House in his first four years. Do you see any changes in the role of BOB with the White House staff that you witnessed and what has occurred during the four years under the Nixon administration?

MCPHEE: I really don't know that much about it. I mean, I have a certain familiarity. I know a lot of people over there, but I really am not that intimate with the way it works. The political staff is larger certainly than ours was [political staff means those appointed by the President]. So was Johnson's. So was Kennedy's. I remember Ted Sorenson saying to me during the transition period—really with some degree of disdain, which I didn't take to too kindly, a slight degree of arrogance, “Oh this staff, why it's much too big. We'll be operating with far less people than this,” meaning in the whole White House. And they did start out with less. They had about twenty, let's say. At the end of the first year they'd reached thirty or something like that and it got bigger. And I don't object to this. I think every President has to work out the White House operation the way he wants to.

I'm absolutely intrigued by what's going on right now. They do have a very large staff. And I don't know whether you read what the President said in the heliport hanger at Camp David about ten days ago. That was printed word for word in the Washington Post, and I'm sure in the New York Times. The big news, and the thing the papers and the radio and television carried, was that he said at the very end, "And, oh yes, because you've all been interested in it and writing about it I can tell you, I want to say that neither Secretary Connelly nor Governor Rockefeller will be in the Cabinet at this time." That was the big news. Well, what preceded that was, I thought, just fascinating and utterly illuminating. And it's just an absolute program for what the man is doing, a blueprint for what he's doing. He said the White House staff was too big. It was bigger. It had grown too big and that the biggest cuts of all were going to come in the White House staff. He really said that the Domestic Council idea had proven to be more than a Domestic Council could handle. It was just too large and they were going not only to cut the White House staff but would put responsibilities back out into the departments and agencies and they're going to try this for four years.

HYDE: Did you read that as an admission that the domestic Council had failed?

MCPHEE: That's a strong word. I—

HYDE: Had not achieved it's full potential or—

MCPHEE: Well, or maybe had bitten off more than it could chew. That's the way I got it. If I remember, I think that's the way that was. But I have said right along that I believe if the President wants to run the government from the White House, he ought to be free to do so and free to try. I've had no objection with what they've done for four years because once you're over there you realize how difficult it is, and how they do search constantly for a way to do something better. They're always trying to improve what they're doing. And nobody thinks alike and people are going to do it differently. I think they've come to the conclusion, whether it's a failure or not (I don't think it's a failure because I don't know that and, as I say, that's a strong word), that there's been all that a failure implies here. But I think they think they're going to improve it by trying this other way. And we'll just see what happens. This is the way it was done in our day. With a smaller staff—a small staff in our case—and with a great reliance upon the departments and the agencies. Well that brings a change—

HYDE: You think that this change, Roemer—ties just to that point—would you evaluate that as meaning more responsibilities for OMB and Legislative Reference that necessarily will follow from reverting to smaller staff?

MCPHEE: I think you'd have to conclude that. I think this: I would hope, without knowing in detail how it's worked, I would hope that the OMB operation has been used to the fullest under both approaches—has been used and will be used. Because either way I just think the services that can be given the White House by the OMB are invaluable.

Now on the other hand, there is something in what you say. I used to think of the BOB in our day, really, as an extension of our White House staff to a large extent. Not as parochially interested in the President, per se, not as politically concerned. But nevertheless, this professional organization standing there, servicing the White House, really, primarily, and dealing with the agencies and coordinating them, pulling them together. So maybe our small staff was, and definitely it was, supplemented by OMB and maybe because of the fact that they're going to shrink the staff—of course, shrink the staff to what is the question—they may shrink the staff to seventy. And they could still cut it, I guess, substantially. But I don't know, maybe it'll go down to forty or something like that. But, however they feel they have to do it, they've got to be free to do it. And they are. And they shouldn't be (I don't think) criticized just because of the size of the White House staff.

I'll tell you something interesting. When Herbert Hoover was President of the United States there was no iron fence around the White House. Just a low stone wall which anybody could breach. He had three members on his staff, three people on his staff. He wrote all of his speeches in longhand on legal yellow pads. And everyday at noon he greeted the public. Anybody who wanted to come in off the street and shake the hand of the President of the United States. Now that, mind you, was only forty years ago. Well, you could no more do anything like that--.

WAYNE: Isn't that interesting. I'd like to see that today.

MCPHEE: My source for this is, guess who, Jim?

HYDE: Roger Jones.

MCPHEE: No. Goes back further than that. Bill Hopkins.

HYDE: Bill Hopkins. Yes. Bill would know.

MCPHEE: He was there when Hoover was President in the White House.

HYDE: Yes. Bill would know.

MCPHEE: He really did. That man should write a book. I've urged him to do it.

HYDE: Yes. I hope he's working on one.

MCPHEE: He's not. He won't do it.

WAYNE: Well, that's all the questions I have.

HYDE: Well, I have on final quick question. Do you feel that—one of the things about OMB has been said by many agencies, it's a negative outfit. Did you feel that, first of all, is it essentially a naysayer or a negative type thing and did you at times feel that this

might have been a deficiency that it was not positive enough to serve the best interest—tended to be too negative to serve the best interest of the President?

MCPHEE: Negative how? You mean gainsaying everything?

HYDE: Yes. Did you fine it a negative organization? Against everything?

MCPHEE: Never. No. I don't have the idea that they were hyper-positive either. I thought they were doing a professional job. I don't know where that idea would come from. It's going to be different probably from administration to administration. We had a marvelous relationship with the White House operators—the girls around the telephones. And they did under Harry Truman. And they did under predecessors, I suppose. And I've had some of them say to me in whispered voices since, you know, it's not like it was. It's never the same. Most of them are gone now. Well, they were moved out of the West Wing over into the Executive Office Building, put down in the basement. All their contact with the West Wing operation was gone. It became depersonalized. I knew a lot of those operators by name. Grace Earl and Mary Hef—what was her name? Well, anyway, and all of them. You know, Grace Earl was the head operator and Mary Hoffer—Hoffer, something like that—anyway, Ruby somebody. They were all great gals and that was a part of the thing. But I suppose if things didn't go altogether your way, somehow, you know, that colors your own impression. I think it's harder to be objective than it is to be subjective.

HYDE: Well, many thanks, Roemer.