

**Francis Hurley Oral History Interview – JFK#1, 02/28/1967**  
Administrative Information

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**Biographical Note**

Francis Hurley was a Roman Catholic priest, the Associate General Secretary of the United States Catholic Conference (USCC), as well as Assistant secretary, National Catholic Welfare Conference (1958-1968). This interview focuses on John F. Kennedy's relationship with the United States Catholic Conference, Catholicism and aid to education under the Kennedy Administration, and programs such as the Peace Corps, among other topics.

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Oral History Interview

with

FRANCIS HURLEY

February 28, 1967  
Washington, D.C.

By William McHugh

For the John F. Kennedy Library

McHUGH: This is an interview with Monsignor Francis Hurley, Associate General Secretary of the United States Catholic Conference. (USCC) The interview is taking place at Monsignor Hurley's office on the sixth floor of 1312 Massachusetts Avenue. Monsignor, was anyone on Kennedy's staff in touch with you during the campaign?

HURLEY: During the campaign itself? This is prior to the election.

McHUGH: Were they seeking information for questionnaires or anything?

HURLEY: No. No.

McHUGH: I see. Did he ever seek the help of the NCWC [National Catholic Welfare Conference, the former name of the USCC] to buttress his position that religion should not be used to judge a man's fitness?

HURLEY: Not to my knowledge. No, he didn't.

McHUGH: I see. And on the issue of ecclesiastical pressure, did he seek any help?

HURLEY: No. From my own operations here there was no contact between the president and ourselves. Are you talking about me personally or about the staff of NCWC?

McHUGH: I mean with the organization.

HURLEY: With the organization, to my knowledge no. The president personally or through his staff could have contacted different individuals, but to my knowledge it was not done. I doubt that such contacts would have been made. Certainly there were no official contacts.

McHUGH: I see. Did you think that his statements on his religion during the campaign and the part it would play in his life as President indicated a restrictive view of religion?

HURLEY: No. I didn't consider that they indicated a restrictive view of religion. But I did feel that they were weighted politically. By that I mean that, just considering my own personal reactions, I thought he was bending over backwards to a certain extent. While he did a very commendable job in Houston, I thought there were several times in his talk when he could have been a little more direct in taking on the questions from the floor. My reaction was that the President assessed that he could count on the Catholic vote because of the overriding consideration among Catholics for the first time to be able to put a Catholic in office and break down the pattern of antipathy that has existed in the past. Therefore, he could say things that would not be completely acceptable to Catholics, realizing that they would not change their vote. That was my appraisal, at the time. I didn't interpret his remarks as a limitation on his religious beliefs or anything of that kind. I myself felt that he had to say things that would be politically acceptable and I think he did that without compromising himself. I would not intimate at all that he compromised himself.

McHUGH: Do you think generally he trusted that the Catholics would vote for him?

HURLEY: I think so, yes. I think this was why he was able to say some of the things he did. He knew that even those Catholics who would object to his statements or the way they were phrased would not be so moved by those statements that they would refuse to vote for him.

McHUGH: Did you have many letters about him during that period?

HURLEY: No. No, I didn't.

McHUGH: I see. Do you think the fact of his election really changed the so-called unwritten law against the election of a Catholic?

HURLEY: I think it changed it, yes. I don't think it buried the issue by a long shot.

McHUGH: During the campaign, he pledged not to be influenced by the hierarchy in his actions. Do you think he carried his pledge too far, for instance, in the area of aid to education?

HURLEY: Well, I never looked upon the education question as one in which he would be influenced by the hierarchy itself. I think that his reaction was perhaps a reaction to, how shall I put it, the charge that he would be influenced. By his reaction he tried to move the question beyond what would be a legitimate area of discussion and debate, you see.

McHUGH: I see. Did the Conference seek contact with the task force that prepared the report on education?

HURLEY: No. It did not.

McHUGH: [Francis] Cardinal Spellman denounced the report for not including parochial schools, and Kennedy apparently felt he was being put on the spot because he was a Catholic. He said the cardinal had not attacked Mr. [Dwight D.] Eisenhower's bills aiding only public schools. Do you know what led the Bishops to press the issue at this time?

HURLEY: Well now, you have to make a distinction. When the cardinal spoke the first time, it was an attack upon the report of the task force. This was prior to the president's message. It was prior to the legislation.

McHUGH: Oh, I see.

HURLEY: We had learned here that the task force had no one on it who represented Catholic education. Such a pointed exclusion not only upset many people, but we thought, it carried the issue too far in not giving any kind of recognition for the contribution being made by the private schools in the country. The stage, probably inadvertently was being set for a confrontation. The attack on the task force was partially prompted by the fact that the task force had a negative note concerning Catholic schools. Also, the task force itself by composition was not one that would take the Catholic schools into consideration. So this was the beginning of the buildup, I think, that sort of spurred the controversy.

McHUGH: When you say it had a negative note, what were you referring to?

HURLEY: Well, the task force specifically excluded aid to parochial schools.

McHUGH: Oh, I see.

HURLEY: Now granted, this was prior. . . .

McHUGH: It excluded by omission you mean?

HURLEY: No. As I recall it. Now maybe the fact would have to be checked on that. But I think they pointedly excluded . . .

McHUGH: I know that it did mention public schools in a number of places strongly enough, it could have been said perhaps implication, I think there was some.

HURLEY: The fact would have to be checked there. Certainly it did not mention them, and certainly at the elementary and secondary level it spoke only of public schools. Now whether it by name eliminated the private schools, I don't know. I'd have to refresh my memory on that part. However, the president did in his message. But anyway, you stick with your questions. We'll get to that.

McHUGH: Well, soon after he became president, he sent his first bill up, and, of course, it was defeated. And some people attributed the defeat most significantly to pressures from the hierarchy. Did you attempt to refute the charge at that time?

HURLEY: Well, that was at the very end of the session. The defeat of the proposed legislation came at the end of the session. By that time those who were knowledgeable understood that a combination of forces had worked to defeat the legislation--one of which was the opposition of the Church. No question on that.

I think some background information would be helpful here. After the president was elected and before he gave his message on education, we (meaning specifically our legal counsel Mr. William Consedine and I) did attempt to contact his advisors for the purpose of discussing the church-state issue in the educational sphere. We knew very well that this would be probably the only real area of controversy. Beyond that, the president's programs would be programs that would not pose any difficulty as far as the Church was concerned.

McHUGH: Did you seek the initial contact, monsignor?

HURLEY: Yes. I did. And our legal staff did. On one occasion I phoned [Kenneth P.] Kenny O'Donnell urging some dialogue. On another occasion, at an informal reception, Mr. William Consedine, General Counsel of NCWC, spoke in a similar vein with



[Lawrence F.] Larry O'Brien. The initiative came from here, with the hope of narrowing as much as possible the field of controversy. (There was no follow-up at that time, though when the [Lyndon B.] Johnson round on education came we had extensive contacts with Larry O'Brien.)

McHUGH: There was a mention in [Theodore C.] Sorensen's book that he and Secretary [Abraham A.] Ribicoff got in touch with a local Catholic cleric who in turn was in touch with NCWC.

HURLEY: That was a little bit later. That was after the explosion. What I am referring to was prior to the president's message to Congress before anything was determined. The initiative was never picked up. Our thought at the time was to talk in anticipation so that if there were going to be a controversy, both sides could draw the lines of it immediately and not bring into the picture issues that need not be dragged into it--for example, higher education, which went down the drain in that session of Congress because it was linked to the elementary and secondary legislation.

McHUGH: Were you in consultation with the [House] Education and Labor Committee with this bill or subsequent bills?

HURLEY: Not I personally, but our staff, yes.

McHUGH: Your staff was in on it?

HURLEY: Yes, both our education department and our legal department are in touch with those committees as is evidenced from our testimony.

McHUGH: What role were you playing, monsignor, at the time of the controversy?

HURLEY: I personally?

McHUGH: Yes.

HURLEY: It would be a hard one to define, I suppose. My position would be directly the liaison between our staff and the general secretary and our administrative board. So that in the process of all the reporting of the decisions that were to be made, I was sort of the funnel.

McHUGH: Everything went through you.

HURLEY: Yes, in the sense that I would keep Monsignor [Paul F.] Tanner, who was the general secretary, directly informed of everything

that was going on. Then he, together with the staff and myself would work out with the administrative board the steps to be taken. It should be added, however, that information on the attitudes of congressmen came in through various channels and not just through the staff.

McHUGH: You said your education section and your legal section worked . . .

HURLEY: The department of education.

McHUGH: Your department of education.

HURLEY: Yes, and our legal department.

McHUGH:..Worked with education and labor, Did they find them cooperative?

HURLEY: Yes. That is cooperative in the sense that they were very willing to listen to the case. Yes.

McHUGH: Yes, I see. Did there seem to be a good chance of getting a favorable bill through the Education and Labor Committee?

HURLEY: Favorable from our point of view?

McHUGH: From your point of view initially.

HURLEY: No. No. No.

McHUGH: You didn't think they would. Did they encourage you at all? Did you feel that there was any hope?

HURLEY: No. I think the feeling was at the time that we were fighting a lost cause. It would be good, too, by way of background. The position that we took had four points in it. Taking the basic question of federal aid, there was no decision as to whether there should or should not be federal aid. We felt this was more of a political decision irrespective of any personal concern of our schools--or particular concern, I should say. The second point was that not all types of aid would be considered unconstitutional, that participation by private school children in federal aid legislation is constitutional. We suggested a particular mode of participation, namely, long term low interest loans. The fourth point said that if this were not done, that is, provision loans, it would be a clear case of discrimination, and we would oppose the bill. These were the four points of our position. They were developed in direct reaction to the president's message on

education which specifically excluded private schools, parochial schools. The president had said, "It is clearly unconstitutional to give any kind of aid." This was the statement we could not tolerate. This, from our point of view, was a statement that could not be lived with because it was the president, first of all, taking on a function of the judiciary. It was his word giving, oh, support to some interpretations of the Supreme Court decisions, which had never treated this precise issue, yet his statement attempted to foreclose any discussion on it. And he said, you know, "It's clearly unconstitutional." So this had to be hit head on. There was no choice in that.

McHUGH: Some people said that the conference did not meet the issue namely, the ground, that the president chose to stand on, that it was unconstitutional, k'til rather late in the game. Do you have any comment on that?

HURLEY: Well, the debate on constitutionality had been going on in a rather low key in the previous Congresses. I think historically it should be remembered that there was almost a ten year period in which there was little push for federal aid after the 1949-50 hassles in Congress. And it started to build up again in 1957, '58, '59, and came fairly close to passage during the [Dwight D.] Eisenhower administration. At the time of the consideration by Congress under Eisenhower's administration, it was the assessment by our staff that the Eisenhower education bill would not pass. We were not at all eager to enter into a public controversy. Nor did the bishops want to enter into a public controversy with President Kennedy. And had the statement been more traditional by merely ignoring parochial schools or treating it in some other way, I don't know what would have happened. We still might have had quite a confrontation. But since he chose to put it on a constitutional basis, we had to pick it up and make that the focus of attention. Previously the question had been one more of fairness and what is equitable and that children have a right to participate, and if you're going to be fair, you should include them. Then I think, too, that the issue was not as sharply drawn in the previous four or five years. But in the late forties the issue was very sharply drawn and the controversy was just as heated. It was then that the Everson case was decided by the U. S. Supreme Court and the development of constitutional law on education really came after the Everson case. The argumentation on constitutionality was something that was developed towards the end of the fifties and reached its pitch then in the sixties. I think it should be noted too that when John Kennedy was a congressman and serving on the Education and Labor Committee, I think it was in 1949, it was he that fought a proposal that pointedly excluded parochial schools.

McHUGH: Yes. I recall that. It's interesting that you bring that up.

HURLEY: And he personally was in close touch in those days with Monsignor William McManus who is now the superintendent of Catholic Schools in Chicago. Monsignor William E. McManus was then on the staff of NCWC. Kennedy was at that point a defender. At this point he was a bit of a well, I wouldn't say a protagonist, that would be too strong a word perhaps. Just a personal reflection, and I would want it taken in this context: I have heard, and this I cannot document at all, that the education message went to the Hill to some members of Congress a few days in advance of its publication for reactions, and that at that time, there was no mention at all of private schools or parochial schools. Apparently it was after the draft message returned to the White House that that particular paragraph, that is, excluding parochial schools, was inserted. The point is that it was something determined in the White House not on Capitol Hill.

McHUGH: I see. Well, of course, you can only speculate on where it could have originated.

HURLEY: Now this I don't know. As I say I have only heard this, whether it's . . .

McHUGH: Yes. I see. In working with the Congress, who provided the most help? You worked to some extent with Congressman [John W.] McCormack, did you not?

HURLEY: Well, Congressman McCormack appeared on television and made this statement about loans being possible or permissible. This started things rolling very forcibly in terms of opposition to what the president was saying. I think it was quite a blow to the president that John McCormack would take such a public stand. I think also one of the factors that came into play in this whole issue was the fact that [Samuel T.] Sam Rayburn who was still alive then . . .

McHUGH: Yes, he was.

HURLEY: Sam Rayburn, immediately after the initial encounter between the president and Archbishop [Karl J.] Alter, who was our board chairman and the one who issued the statement of rejoinder, said, "This is too hot an issue. Let's let it sit forra while." During the two or three months that the legislation just sat there, the sides began to take shape. There is some speculation, and we had the feeling at the time, had there been a direct push and an immediate push, the legislation might have passed.

McHUGH: Had you at that time envisioned whether this would be under the National Defense Education Act or not? Where did that idea come from, do you recall?

HURLEY: I'm just working now on an ancient memory. No, not supposition but just testing my powers of recall. I think our first encounter with the proposal that the NDEA be the vehicle originated with Secretary Ribicoff. Right after the president gave his message and Archbishop Alter speaking for our board replied--and, of course, the papers picked it up and the issue was drawn very sharply-- it was Secretary Ribicoff who attempted to work out some kind of compromise. His point was simply to see what could be worked out.

McHUGH: And he was meeting with your representatives.

HURLEY: Yes. That's right.

McHUGH: Approximately how many meetings did they have, do you know?

HURLEY: That I don't know. That I don't know.

McHUGH: Did they have quite a few meetings, was it your impression?

HURLEY: Well, I don't think there were too many. I don't think there had to be too many. The issues were rather clear. But what it came down to at the very start was that Secretary Ribicoff felt that some compromise would be worked out, and therefore he made a proposition. I should say he made a proposal. It wasn't a proposition. The question then was would the proposal be suitable from our point of view. The initial proposals, that he made were more than suitable but we were convinced they were not viable in Congress.

McHUGH: I see. He was willing to go . . .

HURLEY: Well, no. How far he was willing to go was not the point. He had to define some area in the middle so he started at one pole and we were at another. And we tried to see how far we could get. He had to keep backing up. As he would talk to different congressmen he would have to keep backing up until it reached a point at which we had to say, "Well, there is no longer any possibility here of a piece of legislation that we could consider fair." Now, it was in this time that the NDEA became the vehicle for the legislation figuring that an amendment would go in for long term low interest loans. I think at one point it seemed to us that it could be a vehicle. But then that faded very quickly as well.

McHUGH: Was there any pressure put on you to accept a formula that he felt would be more likely to pass?

HURLEY: Not from Secretary Ribicoff, no. Of course, we were under pressure from all sides at all times. During that period we

were receiving many letters.

McHUGH: Who were your chief opponents?

HURLEY: Well, some of the Protestant groups were opposed to us. Some of the Jewish groups, the NEA [National Education Association]. . . .

McHUGH: Who would you reckon as your strongest opponent?

HURLEY: Everybody. There was a very interesting reaction from our side. We suggested long term low interest loans as a means of participation--I think I said this--because we felt it was a very modest request and, also, constitutional. As it turned out, it was more than the Congress was willing to give because an amendment eventually for long term low interest loans was voted down. But even more important from our side was the reaction of our own people that they did not want long term low interest loans, and they would not consider this equitable participation. So as time went on, we were caught very much in the middle. We were asking more than Congress would give, and we were not asking enough to satisfy the reactions of our own people.

McHUGH: What in general did the people want? What did they think was . . .

HURLEY: Well, they thought grants, to give grants to parochial schools. . . . Outright grants.

McHUGH: I see. I see.

HURLEY: That's right. That's right. And in the next year our position was modified. We dropped the provision of long term low interest loans and merely said there must be participation and it must be equitable.

McHUGH: What were they envisioning, something like say twenty dollars per pupil or . . .

HURLEY: Whatever the bill said. Whatever the bill gave to the public schools, it should give to the parochial schools.

McHUGH: I see. The president had a brief prepared showing--well, purporting to show--the unconstitutionality of the aid. Do you think this was a political move?

HURLEY: Very definitely. Very definitely. Of course, realize this would be a conditioned reaction from this side as we felt that the brief was a conditioned reaction from the other. My own reaction to the brief in reading it, or the memorandum as it was called, was that it was a contrived memorandum. They had an objective to achieve and with some very clever argumentation, I think built a fairly good case. Now, in reply to that, we prepared a memorandum of law also taking the other side, the constitutionality--or rather, that aid to parochial schools is constitutional.

McHUGH: Do you feel that your brief had much effect on them?

HURLEY: We think it did, yes. Yes.

McHUGH: Did they give you any evidence that they felt you had a case?

HURLEY: I think the public reaction gave us evidence of that. I think also congressional reaction in the next session of Congress gave us some confidence that it had made some dents. Plus the fact that there were, right from the very beginning, some men of high repute in constitutional law who were speaking in a way that would allow aid to church related schools.

McHUGH: And they were being heard by the congressmen? •

HURLEY: Oh, very definitely. The dean up at--not the dean--at Harvard by the name. . . . The name escapes me.

McHUGH: Is it [Paul A.] Freund?

HURLEY: Well, Freund was one. Freund. . . .

McHUGH: [Roscoe] Pound?

HURLEY: No. And out of Michigan. I should remember these names very well.

McHUGH: Well, the names are available. I can't think of them. I should know them.

HURLEY: Well, I should know. These names were household words around here five years ago. And John McCormack got a statement from this law professor up in Harvard. His name will come to me, [Erwin N.] Griswold, I believe.

McHUGH: Commonweal accused the bishops of the Catholic Church of playing power politics on the issue. Do you think that was a fair description?

HURLEY: Well, I guess I would ask for a definition of power politics. That there was power is obvious, that it was political is obvious; that we told congressmen that they had to vote our way is completely wrong. As a matter of fact, our own policy here has been, was definitely during those days, that we would never tell any congressman how to vote. We certainly would represent our case. We would tell all the interests, but never have we issued any kind of ultimatum that a legislator should do this or should do that. I think if you checked the records of those who made some critical votes on it, you would find they came from areas that were strongly Catholic, and they were as much representing their own political interests as anything else.

McHUGH: I see. Were the groups that were lobbying against the aid, or perhaps against the Church, particularly, effective do you feel?

HURLEY: I would think they were effective. How effective, I don't know.

McHUGH: Well, some people dispute the effectiveness of lobbies in general. I don't know.

HURLEY: Well, no. I would not say that they were ineffective. I think one thing to remember is that any lobbying to stop something is much easier than lobbying to accomplish something. And in this respect, these interest groups did raise problems for many congressmen on the Hill. And some of the Southerners could not possibly go along with anything for the private schools.

McHUGH: Well, this is bringing in the racial issue, is this?

HURLEY: Well, the racial issues, no, separate. Many Southern Protestant groups are vehemently opposed to any kind of liaison between church and state. And some of the Southerners were very sensitive to this and had to be.

McHUGH: [Richard J.] Cardinal Cushing, I believe, at the time made a statement that he was not interested in aid to Catholic schools. Were there many bishops that took that position?

HURLEY: The bishops in November of 1961 dealt with the question at Catholic University at their annual meeting. And the position



adopted then is the one we operated on. That's the one that dropped that part about loans and left the type of participation open. And this was an almost unanimous decision to adopt this position.

McHUGH: Do you think that the controversy overall affected or hurt interreligious understanding?

HURLEY: I think so, yes. Yes. It gave a grounds for controversy among religious groups. Inevitably the issue was forced into the arena of a religious fight rather than a fight on education. And this was one of the themes we repeatedly tried to emphasize, that we are talking here about schools, we're not talking about churches. But, yes, it did hurt, there's no question about it. On the other hand, it has helped to bring the whole issue into the open because this is the type of smoldering controversy that for years has been popping up in a variety of ways whether it be bus transportation or school books or a prayer in the schools, name it. All these little things popping up all over the country had been a cause for tension, and they still are. But I think the fact that this was brought into the open--and for this I give credit to the president--the fact that it was brought into the open has helped to clarify many of the issues surrounding this question of education.

McHUGH: Did you feel that the emotions generated were just as vehement as in 1949?

HURLEY: I was not too close to it in 1949. The emotions got quite high, needless to say. The emotions were I think at the beginning very negative towards us, that is, the NCWC because even many of our Catholics felt that this was nothing more than an attempt on the part of the bishops to attack the first Catholic president, which was definitely not the case. I always point out myself that during the campaign the bishops were very quiet. And from the president's point of view, it would seem to me that this would be exactly what he would have wanted. And any attempt on the part of the bishops to have spoken to the issue of a vote for a Catholic or anything of that sort would definitely have been misinterpreted, no matter what would have been said. This is the way I feel about the matter anyway. No matter what kind of statement would have been drafted on the part of the bishops, as some of the Protestant groups did attempt, would have been misinterpreted.

McHUGH: Would it have helped, since people seemed to feel that this was an action of the Catholic bishops, if more of the laity were heard from? Would that have made any difference?

HURLEY: Yes. Very definitely. It would have helped tremendously. And by the second round, the next session of Congress, Congress was hearing from the laity. And the congressmen were much more receptive on the second round than they were on the first.

McHUGH: Who in the Congress helped you most or was most favorably disposed?

HURLEY: Why, you couldn't possibly speak to that question without mentioning [James J.] Jim Delaney of New York.

McHUGH: He was very, certainly on the . . .

HURLEY: Well, at one point, he was the key man on the [House] Rules Committee, as everyone knows. It's public knowledge. Oh, let's see.

McHUGH: [Thomas P. Jr.] Tip O'Neill was involved.

HURLEY: Yes. O'Neill was involved. John McCormack. A lot of men were involved. The contact would have been mostly with the Education and Labor Committee.

McHUGH: Did you think that [Adam C.] Powell was effective in his work on the bill?

HURLEY: I don't recall too well just how he was at the time. I always found him a bit unpredictable. And I don't think he was opposed to the parochial schools particularly. His interest was to get legislation through.

McHUGH: Yes. Did you think that the Rules Committee would be a block? Did you work on the Rules Committee at all?

HURLEY: No. This was a complete surprise. Congressman Delaney's vote came as a complete surprise to us. In fact, we were here in the building on the verge of saying it looks as if fight's all over. And when Delaney made his first vote on that, it was a complete surprise to us.

McHUGH: Is that right?

HURLEY: We did not know how he was going to vote, though I learned later on that other organizations did.

McHUGH: Well, it would seem that your contact with him wasn't too close.

HURLEY: No. It wasn't. It wasn't. It was not close, at least from this office.

McHUGH: In retrospect, do you think if you had had a different strategy, there would have been more success? It's rather hard to assess, I imagine.

HURLEY: Well, I don't think in that Congress any more than in the next one or any more than in the present one . . .

McHUGH: You don't think if you had worked on the Rules Committee more, say, it would have made much difference, worked on the members of the Rules Committee? as opposed to the Education and Labor Committee?

HURLEY: No, I don't think so. The bill was stopped there. You can't ask any more than that from our point of view at that time.

McHUGH: Were there any other issues of a religious nature that came up during Kennedy's tenure that you . . .

HURLEY: There were two issues that came up when all of this was going on which helped to aggravate the situation. One was the Cuban refugee program in Miami in which the government was of considerable assistance. The diocese of Miami put its resources at the disposal of the government, and the operation there was very carefully worked out by the government. But when it came to a question of the Cuban children going to Catholic schools, no money would be given. So it pinpointed the issue again. In addition to that, the Peace Corps was being developed. The initial support for the Peace Corps was elicited from us as well as some other overseas relief agencies, and it was only after there had been considerable progress that the determination was made not to utilize church affiliated organizations. And our Catholic Relief Services had several programs ready to go with the encouragement of the Peace Corps, and then at the eleventh hour the signals were changed. There was no public protest on our part at the time. And this was purposely done. We did not want to have another public controversy over this matter, though it was a source of great disappointment on the part of many of our own people.

McHUGH: It would seem that in some areas where they would have been working, they could hardly have avoided working with a Catholic agency.

HURLEY: Yes. That's right.

- McHUGH: And what would be the option in a case like that? They simply wouldn't. . . . Would they perhaps set up an independent organization?
- HURLEY: Well, they worked with non-denominational organizations.
- McHUGH: Assuming there are such available.
- HURLEY: Well, there are. Through CARE [Co-operative American Remittances to Everywhere], for example. And one of the things that upset us on that was that our own operation was much bigger than CARE. Our own staff had prepared several projects. They were all set to go.
- McHUGH: Was this part of the . . .
- HURLEY: Catholic Relief Services. Catholic Relief Services. Yes.
- McHUGH: I see. So in terms of the Cuban refugee problem, that worked out quite well, the arrangements that were made?
- HURLEY: Oh, it worked out very well all except for the school issue. Now here again, I think that most of us who were living with the problem day by day could understand the reason for the decision. I could also understand the reason for the decision under the Peace Corps. This was very definitely a hot political issue, and the president just had to confront this. And we here were quite sensitive to the facts of the situation. And because of this were not inclined at all to make any public protest about it.
- McHUGH: I see. Well, obviously the government used the resources that you gave them in Miami. Initially what led them to turn to the Church? I see Cuba being a Catholic country.
- HURLEY: No. It wasn't that Cuba was a Catholic country. But the government, as it does in many operations, will turn to those agencies that are accustomed to dealing with refugees-- and it was not just to the Catholic Church, it was to other groups as well--to handle them. This is quite common. All of your refugee movements have involved church related and non-church related private agencies, that traditionally do this type of work. And then it's all set up on a straight contractual basis.
- McHUGH: I see. Another point that became an issue in Kennedy's campaign was the decision of the Supreme Court on prayer in schools which, of course, upset quite a number of people.

And the president said that he felt that people could pray more adequately at home or words to that effect. Did you feel that was an adequate answer to the . . .

HURLEY: No. I don't recall his answer. But if that was his answer, I'd say it was inadequate.

McHUGH: Well, he said more than that. But he said, that was one of the salient points, that people could pray at home more and that they could attend . . .

HURLEY: I think that just dodges the issue. I don't recall what he said. And I don't even recall my own reaction to what he said at the time.

McHUGH: Do you recall that there was any significant reaction on the part of the Catholic bishops?

HURLEY: Well, certainly there was. Yes, indeed. Rather mixed reaction. Cardinal Spellman, of course, was very openly and forcefully opposed. Other bishops were not so upset over the decision. Then among Catholic writers, there was a mixture of opinion. I think here our reaction was that there was no need for the Supreme Court to take this case to begin with. We felt that the decision had been more or less stretching a point. On the other hand, we also felt that this was not a Catholic issue, that the question of prayer in the school has never been a problem for the Catholic students, primarily because historically the prayers that were said were all Protestant. We've learned to live with those where our children go to the public school. And we have so many of our own children in Catholic schools that this was not our fight, and from our point of view at NCWC the thought was to stay out of it.

McHUGH: This matter of creches at Christmas time would have been essentially the same thing, I presume.

HURLEY: Yes. It centers around the same thing. We feel. . . . Let me say I feel because we didn't even take an official position at the time. I feel that there is no reason that people in the community cannot develop some mode of operation whereby these things can be done without harming anyone. And I think, also, we have to get accustomed to the idea of living with our differences as we do in every other sphere of life. Therefore, this sort of very non-legalistic approach that I would take, of course, would be opposed to the restricted one of the government--or rather, of the Supreme Court. Again history gives us some interesting notes of comparison. When the public schools were dominantly Protestant

schools a hundred years ago or less, the Catholics were very much opposed to the reading of the King James version of the reading of the Bible; they were very much opposed to the Protestant hymns and the Protestant prayers and so on. So at that time we were objecting over these prayers.

McHUGH: Are there any other issues that come to mind at all?

HURLEY: No. I think it should be noted historically that the president's program, his overall program, was one that had a very similar philosophical base, if you want, to what the normal programs of the Church might be and certainly to the teachings of the Church. Not that he was doing or establishing programs in order to carry out the documents of the Church in any way, but they did coincide very directly: international relations, assistance to the poor, the whole concept of the Peace Corps, so many of the domestic programs were programs that would reflect the principles of subsidiarity, the necessity of people being concerned about their fellow man. All of these things were very much in tune with Christian teaching. So that there were few issues on which there was a division. That's why it was unfortunate that the education controversy took the turn that it did. Whether it could have been stopped, I don't know. I haven't the slightest idea.

McHUGH: There is another point that people several times tried to make an issue of with Kennedy when he was president was where the United States would get involved in supporting birth control programs as a way of using funds that were being spent more effectively. Did the bishops take a position on this?

HURLEY: Well, the bishops had a position adopted in November 7, 1958, '58 or '59, that the government should not be involved in birth control programs. I think we can only speculate as to how far President Kennedy would have gone. He did make one statement--the content of which I couldn't quote for you but which indicated a more open stance than President Eisenhower had taken . . .

McHUGH: What cognizance did the bishops take of the dire prediction. . . .

BEGIN SIDE II TAPE I

HURLEY: Well, since this is part of history, I'd raise a few questions that have been in my mind that maybe someone else can answer. It might be somewhat in terms of a personal appraisal of the president. I've always wondered whether he was really convinced that aid to parochial schools was unconstitutional.

I felt that at the time of his education statement, he might have been convinced that it was unconstitutional even though ten years previously or more he had been one defending the interests of private schools. As I say, he might have been convinced, I don't know. I think that he certainly could have selected the constitutional rationale as a basis of taking himself off the hook, so to speak. That is, if he could reject the private schools on the basis of unconstitutionality he would not have to enter into the debate as favoring one side against the other in the public policy aspect of the question. I feel that he did change his attitude as time went on. One of those who had great influence on him was Secretary Ribicoff in terms of pointing out the necessity of considering all the possibilities of aid to church related schools. At a press conference shortly after his educational message, someone rose and asked him if he still thought there was no room for debate on the matter. His reply was, "Well, they're debating it, aren't they?" As time went on, I think he did come to a more open attitude on the question of constitutionality. I just have this feeling. I cannot quote anyone who said this to me, but I think that people like Congressman Delaney and others felt that they were making a dent in his feeling on the matter.

McHUGH: I think he was quite vexed about it. I remember reading one of his news conferences which indicated that his mind was not closed because someone asked the question whether he would veto a bill that had low cost loans provided in it, and he said that he would be willing to consider with the Congress anything they might want to do, and he left it at that.

HURLEY: Right. And another consideration. . . . I wonder how much his personal reaction to Cardinal Spellman figured into this total picture. I have heard that he was somewhat distraught over the Al Smith dinner during the campaign at which Vice-President [Richard M.] Nixon spoke as an official guest while Kennedy was sort of an afterthought. I think that he felt then that Cardinal Spellman was not giving him the same treatment as the vice-president was getting. I feel, too, that the cardinal was probably thinking in terms that one man was the vice-president and the other wasn't. That incident plus the statement on the task force report and particularly on the task force report, triggered a very unhappy personal reaction on the part of the president, one that he found very difficult to overcome as time went on.

McHUGH: You mean the reaction of . . .

HURLEY: No. The president's reaction to Cardinal Spellman attacking the task force, I think, took a personal turn. It became one of these aggravations that nagged him, that did

not make it any easier for him to deal with the whole education issue as it developed. I think also he was a little upset over the fact that he had been attacked by the bishops in the person of Archbishop Alter, Chairman of the Board. This, again, was a lingering problem with him.

I met him personally only once. And it was the day before he flew to Italy. He had a meeting at the White House of educators who were brought in for the purposes of discussing race relations, the whole civil rights movement as it pertained to education. He greeted each one of us personally. At the time I was with Monsignor McManus of Chicago who had been flown in for the meeting. We all found ourselves near the end of the line so we decided to wait to be the last to greet him. I asked Monsignor McManus--this would have been 1963, yes--"Should I say anything about federal aid to education?" At that time the second round was under way, and the preliminary strategy in Congress had been to push the higher education and elementary and secondary education as one package. At the time of this meeting the total package had been split into two parts and that part focusing only on higher education was on its way through Congress. McManus said, "Look, the man is awfully tired." And he was visibly tired. There were some two hundred there that he had just greeted. "Let's just say, 'safe trip, God bless you and we'll keep you in our prayers.'" So we agreed that we would keep it in that vein. So when we introduced ourselves, he recognized McManus from years gone by when the president had been a congressman. He had never met me, but when I gave him my name and the organization he recognized both right away. He said to me, turning from McManus, "We must get that higher education bill through." My immediate reaction was: Well, here we were going to let you off the hook, but you're not letting us off the hook." So I explained that we were very much in accord on the question of higher education. Then he said, "The elementary and secondary bill is dead. You can forget about that. But the higher education we must have." So I explained to him that we had been working on it and that we would give our support to the higher education bill. And then he said, "Yes, if only the cardinals would keep quiet." So I said, "Well, as a matter of fact, they have been quiet for a long time." He said, "Oh, yes, yes. That's right. They have been." At that we just said farewell and went. So I had hoped, at least in my own dealings, that as time would have gone on, there would have been an easing of some of this personal animosity which I can understand being there. It was just one of those unfortunate occurrences.

McHUGH: Do you have any other comments?

HURLEY: No.

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MCHUGH: Well, thank you very much, Monsignor.

HURLEY: Fine. Okay.