

Lee C. White Oral History Interview –JFK #2, 5/26/1964
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Biographical Note

White, Lee C.; Legislative assistant to John F. Kennedy (1954-1957); assistant to Joseph P. Kennedy, member of the Hoover Commission (1954-1955); Counsel, Small Business Committee, Senate (1957-1958); Assistant Special Counsel to the President (1961-1963). White discusses civil rights, the riots and demonstrations that arose during John F. Kennedy's [JFK] presidency, and JFK's involvement in civil rights legislation. White also discusses the housing legislation situation at the time, among other issues.

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Lee C. White – JFK #2

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Second Oral History Interview

with

LEE C. WHITE

May 26, 1964
The White House

By Milton Gwirtzman

For the John F. Kennedy Library

GWIRTZMAN: Lee, could you explain generally how the Office of Special Counsel was organized in the beginning of President Kennedy's term and what your specific assignments were?

WHITE: The organization was not a very clear cut and sharply defined breakdown, but rather was a dynamic thing taking its character from what happened to be important at the time. But with that qualification I could say generally that Ted Sorensen and those of us who were with him initially, Mike Feldman,

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Dick Goodwin [Richard Goodwin] and myself concerned ourselves with the formulation and the implementation of policy and legislative program as it related to the domestic side of affairs in the executive branch of the government. It didn't always stop at domestic matters. There were occasions when it ran into the international and to security activities. But generally that was regarded as being in the Bundy [McGeorge Bundy] jurisdiction. At the outset our problem was to grab ahold of all of the activities of the government in assisting in the evolution and the preparation of the three key messages that every president must send at

the beginning of the year and all of the special messages that flowed after the broad outlines were set forth in those three messages. They are the State of the Union Address, the budget, the economic report. Ted Sorensen was really at the central point in all three of these, although obviously many Cabinet officers, agency heads, the

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Budget Director and the Council of Economic Advisers played key, and in some cases perhaps even dominant roles. But within the White House staff proper we conceived our responsibilities to put ourselves in the President's shoes and to try and get some sort of an overview and to fit into some sort of a mosaic all of the various pieces that constituted a legislative program for a new administration. Ted literally assigned us special areas to follow up on, reserving some for himself and making it clear that even in those where we had the initial or primary concern that he would always second guess and anything that ultimately went out filtered through him in one form or another. But at the outset I for example, worked with the Council of Economic Advisers in the preparation of the first economic report. This led into some of the special messages. For example, the one dealing with housing was assigned to me; the one dealing with natural resources was assigned to me; the one

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dealing with education was assigned to me even though Ted had a specially deep interest in that in his own right. Civil rights was something that all four of us had some interest in for various reasons in our own background. Initially I think Ted was going to handle that but it was clear that there was not going to be any message at the outset, that is not proposing an Administration program in 1961. This decision I didn't participate in, but I know it was made by the President after discussion with Sorensen, and I would assume the Attorney General participated too. In November of '54 we had sort of a shuffling around when the massacre of Thanksgiving occurred and the President sent Rostow [Walt W. Rostow] and Goodwin....

GWIRTZMAN: November of '61.

WHITE: November of '61, excuse me.... sent Rostow and Goodwin and Fred Dutton over to the State Department and in return got Chester Bowles and Brooks Kayes. As one of our clever fellows pointed out, he must have

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had his trading instructions from the Washington Senators baseball club. He didn't do too well on that particular trade. When Dick left that made our operation even a little more shorthanded and where he and I had sort of shared civil rights at the first level, they fell all to me in terms of what went on in our office, namely reviewing legislation and then policy program. From January '61 through the middle of '62 Harris Wofford was a special assistant

to the President and he had two areas of assignment, civil rights and the Peace Corps. Although he kind of reported directly to the President, in reality the Special Counsel's Office kept a pretty close rein on both those areas. So that for a brief period of time it was Goodwin and I working with Harris Wofford. Then it was myself working with Harris Wofford, then ultimately Harris left. And he was not replaced in the sense that anyone was brought in to assume his two principal areas. I did not perform the same

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roles that Harris did in the sense that he spent a lot of his time making speeches and meeting with groups. We just had decided to forego that particular area and I concerned myself most of the time with policy issues and programs that were to be considered and working with the departments and agencies that had specific problems. At the very outset we had yet another little cook in the kitchen and that was Frank Reeves, who was sort of resting there preparatory to taking over as District Commissioner. That fell through. When Frank left, why it made it even tougher for some civil rights groups who didn't quite feel they had a handle in the White House. Another fellow who played some slight role is Andy Hatcher [Andrew H. Hatcher] who, because he was a Negro and a fellow with a good position and opportunity to get to the President easily, found himself, you know, the individual that a lot of organizations called. By the same token the Attorney General was

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properly regarded as one of the key guys in any civil rights issue. Not only did he have departmental responsibility for it, but his role as close adviser and confidant of the President and campaign manager just naturally suited him for it. And of course with him both Burke Marshall and Nick Katzenbach [Nicholas B. Katzenbach] played key roles.

GWIRTZMAN: You said that each of you in the original counsel's office had some interest in civil rights. From what did your own interest spring?

WHITE: Well, partly through the work in both Senator Kennedy's office and in Senator Cooper's office, working on the legislation as an individual senator would in the '57 and '60 debates. In the '60 debates of course I was with Senator Cooper at the time, and then working with some of the civil rights leaders in connection with Senator Cooper's re-election campaign. Similarly I think that's where Mike's sprang from and Ted's likewise.

GWIRTZMAN: Do you think the President had a feeling that because

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of your experience working in an office, a Senator Office in a border

state you would have some sort of a feeling of both sides of this?

WHITE: No, I don't think that played any role all. I think it was just a case of parceling out assignments in Ted's office and in the way -- in fact the way most of our assignments went, and this suited both the President's mode of operations and his desires, whenever anything developed into a top line item in terms of national crisis or in terms of a greatly increased attention or activity, he expected Ted to move into it. And he did in every field. For example, Mike Feldman had tremendous responsibilities in the field of the farm program and when the crisis developed over the sale of wheat to Russia, Ted was sitting right there working on the statements and on the policy issues that arose. Similarly on the civil rights whenever Oxford exploded and whenever Birmingham exploded, why the President would pull in his top team.

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GWIRTZMAN: By March in 1961 the President had made a decision not to ask for civil rights legislation in the first session of the 87th Congress. Do you remember any of the events and discussions leading up to that decision?

WHITE: I don't recall ever having participated in any meeting when that was brought up in any clean cut fashion, but I learned from Wheeler and from Ted that almost negatively by learning what it was the President was going to emphasize in his first year in the first legislative program that there was plenty of time for legislation. One of the campaign themes that the President had played pretty hard was that existing statutory authority gave the President tremendous leverage, tremendous opportunity to correct things without going through the difficult travail of securing legislation. The first major step was the reorganization of the Committee on Equal Employment Opportunity. This was the old Nixon [Richard N. Nixon] committee on

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government contracts which was considerably broadened in scope, given a much firmer base in executive order and considerable more responsibility. It turned out to have been a pretty potent group. We made much of the comparison of the statistics between first the seven and half years of the Nixon committee and the first six months of the first year and the first year and a half of the committee headed by then Vice President Johnson.

GWIRTZMAN: That was in March of 1961?

WHITE: Right.

GWIRTZMAN: And at that time the White House made it known to the press that there would be no civil rights legislation but the emphasis would be on

executive action and other economic legislation which would help Negroes in low income brackets.

WHITE: Correct.

GWIRTZMAN: Was it generally assumed that not having civil rights legislation in the mill on Capitol Hill at that time would help the other anti-recession

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measures in getting through the committee?

WHITE: I'd say that was certainly a factor in the President's decision although, as I indicated, I don't recall ever having participated in a clean cut session devoted to that exclusively. But clearly everybody was watching the President on this. I think his decision was that there was going to be plenty of time to fight the battle of civil rights legislation, that there were many other things that could and should be done in the way of domestic legislation that would benefit all people of the lower end of the economic ladder. But when you look around you find that most of the people who are down there are Negroes. So that this would help. At the same time, as I suggested a minute ago, he made it clear that he wanted to use his executive authority rather fully.

GWIRTZMAN: Of course as it turned out, many of the measures proposed in the 87th Congress were held up in committee by the southern committee chairman anyway.

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I believe the *Congressional Quarterly* breakdown was that 83% of the President's program that got to the floor of both Houses passed, but only 43% of the program got to the floor. Do you recollect any disillusionment with that strategy on the part of the President, where he saw that forbearing on civil rights legislation for two years, in the hope that the southern committee chairman would be more amenable, as the other program wasn't working?

WHITE: I don't recall precisely those figures or eve the *CQ* [*Congressional Quarterly*] article, but as you know those percentages can be grossly misleading if you count the housing bill as one and some pipsqueak bill on some reorganization plan of the government agency as an equal one. One of the real tests however was the Housing Act of 1961. This was one of the most significant bills that the Administration got through the whole three years.

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GWIRTZMAN: Both committee chairmen were southerners, Senator Sparkman [John L. Sparkman]...

WHITE: Senator Sparkman and Congressman Rains [Albert Rains] were really the key to it. Without those two fellows those bills just don't go anywhere. They know how to handle the bodies in which they operate. And so far as I know there was never any open or tacit understanding between the President and either of these committee chairman, that he wasn't going to issue an executive order on housing or that he was not going to press for civil rights legislation. Both of those fellows, in fact all of the southerners are pretty damn sophisticated in terms of what obligations a Democratic President has. And by the same token the President was not unmindful of their problems and their concerns as well. I think really what it amounted to was his desire to do first things first and the things that he could achieve he was going to achieve.

GWIRTZMAN: In that first year the President had some contact

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with the civil rights leaders, with Clarence Mitchell, Reverend King [Martin Luther King, Jr.] -- did the feedback from those organizations seem to indicate that they were restive on the subject of legislation, or in that first year were they fairly happy with the approach the President had taken?

WHITE: Well, Roy Wilkins came in very early in '61 with a big book. This book undertook to describe all of the government programs, agency by agency, where there were discriminatory practices in which the NAACP [National Association for the Advancement of Colored People] believed that the President had the authority to eliminate discrimination, starting off with such obvious ones as housing; moving into the Defense Department with the National Guard; with the Agriculture Department, with 4-H programs that were sponsored by the Department of Agriculture; into reservoirs built with federal funds where there were discriminatory practices

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there. This was their charter, what they hoped could be achieved. But at the same time they were not saying that the President shouldn't have legislation. They wanted legislation as well. The record wouldn't be complete if we didn't indicate that regardless of whether the Administration sponsored legislation there was legislation offered. The Clark-Celler bill which, bills really, which undertook to translate into legislative language the promises of the 1960 platform were there. Jimmy Roosevelt [James Roosevelt] had his FEPC [Fair Employment Practices Commission] bill. He had hearings on it and our...

GWIRTZMAN: When those bills were introduced in May of 1961 it was reported that the White House reaction was that the bills were not necessary at that

time, that these bills were being introduced without White House endorsement.

WHITE: I don't have a clear recollection of any authorized formal or informal statement that did that. But

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when it got right down to it, and there was testimony before the congressional committees.... Arthur Goldberg went up and testified for FEPC and testified rather eloquently, as he can. Abe Ribicoff [Abraham Ribicoff] testified on behalf of the school programs, indicating that not all of it was necessary in our view or that necessarily all of it was desirable. But certainly there was sympathy expressed and no Democratic administration could get caught not expressing support. Whether it was wholehearted and whether it ever made the President's must list, I agree that they did not. And this was not accidental, but I think part of the standard design that I have suggested.

GWIRTZMAN: About that time in the spring of 1961 in the first explosion in the South which was the Freedom Riders in Alabama in which John Seigenthaler was beaten up and Governor Patterson [John Patterson] was involved, were you -- do you remember the President's....

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WHITE: No, I wasn't directly involved in that. Because of the fact that this involved basically law enforcement of existing statutes it was essentially a Justice Department undertaking and I did not...

GWIRTZMAN: Your office was not involved in the attempt to...

WHITE: I don't know. Ted may have consulted with the President on it or spoken briefly.

GWIRTZMAN: What came out of that was that certain of the northern Negro leaders tried to slow up the Freedom Rider demonstrations. What I was trying to get at is whether to your knowledge the President was in contact with any of them to urge them to do so? The Attorney General publicly asked that the Freedom Rider demonstrations be de-emphasized and he turned to the action in the ICC [Interstate Commerce Commission.]

WHITE: Yes. I just plain don't know the answer to that. If I were to speculate it would be not better than your speculation.

GWIRTZMAN: Okay. Then the other event at that time was the

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award of a very large defense contract for airplanes to the Lockheed Company in Marietta, Georgia which was attacked by Negro organizations because the Lockheed plant was both segregated and also discriminated in hiring. What was done to your knowledge by the President to alleviate that situation?

WHITE: I think at that point Bobby Troutman [Robert J. Troutman] entered the picture. Bobby was a long time personal friend of the President's and I think of the Kennedy family generally. Bobby's an Atlanta attorney. Bobby had been designated as a member of the Committee on Equal Employment Opportunity. He had himself played around a lot with the idea of getting voluntary compliance by companies that were government contractors but also had a lot of business that were not government contracts. In addition he had the idea which ultimately has come to fruition that companies that are not government contracts have no government business at all...

[END TAPE II]

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[BEGIN TAPE III]

... at least no substantial business, might also take voluntary action. The first company, the first major company to sign up in the plans for progress, which went through some very rocky days, was Marietta, Lockheed's Marietta Plan.

GWIRTZMAN: As far as you know, was there any discussions between the President and the officials of Lockheed on that?

WHITE: I don't know. Harris Wofford might be able to fill that in, but I'm not aware of any. I don't know that anyone would be in a better position than Harris unless it would be the Attorney General.

GWIRTZMAN: Then in the fall of 1961 there was an attempt by the Administration to alleviate the situation faced by foreign diplomats on Route 40 in Maryland because of the fact that many of the motel and restaurant owners on that route did not serve Negroes. To your knowledge was there any direct Presidential involvement in that?

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WHITE: Yes, there was in the sense that...

GWIRTZMAN: There was a telegram I think sent to the Maryland legislature.

WHITE: Yes, and I think that was drafted by Harris Wofford. Harris worked with Pedro San Juan from the State Department's Office of Protocol. The Administration always had a little trouble with that and we hated to make it appear that Negroes from foreign countries were somehow or other entitled to greater consideration than American Negroes because obviously they were not. But nevertheless, the practical problems were presented of this nation's relationships with countries abroad that were so overriding that special effort was made in this heavily traveled route between New York City and Washington to minimize the irritating incidents. I think to some extent the experiences, particularly in Maryland, served to strengthen the Tawes State Administration when they tried to pass, and did ultimately pass a state public accommodations provision.

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GWIRTZMAN: So we finished the year 1961 with no new civil rights legislation. There had been two or three incidents, but no pattern of racial incidents as developed later. Was your feeling that the end of the year the President had any different feel towards the civil rights situation than he did when he took office the year before?

WHITE: I think he believe that the Negro community was quite satisfied with many of the things that had been done. I think he felt that this was one of the unfinished things that obviously faced his Administration somewhere down the line. In terms of whether he felt good politically I'd say that he did. His appointments in his Administration had proven, I was going to say universally good, and maybe Frank Reeves, which wasn't an appointment, which might have been the one sour note. But his appointment of Bob Weaver [Robert C. Weaver] as Housing Administrator had gone superbly. This guy had one of the best operating agencies in the government; and Andy Hatcher had done well. Carl Rowan at the

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State Department was doing spectacularly. The President had named some Negro judges, and I think his rapport with the community was excellent. There were however, some very obvious problems facing him and coming up. I don't think he ever minimized it.

GWIRTZMAN: But as far as you know neither the President or anyone in the White House could foresee at the beginning of 1962 the future and the growing Negro unrest?

WHITE: One of our key people in this whole field, his name has not been

mentioned before, his name is Louis Martin, from the Democratic National Committee. Louis is one of the most sophisticated and shrewdest political observers around. He is really to flight. He developed quite a good relationship with the President and very rarely was anything done without Louis' being somehow or another privy to it if it involved the Negro community.

GWIRTZMAN: He was a Negro and had been a reporter for the *Chicago Defender*.

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WHITE: Well, in addition to having been a publisher in Detroit and a businessman in both Detroit and New York and North Carolina, he'd been in Nigeria with the Eisenhower Administration on a special assignment. In short, very well rounded, and a very knowledgeable and competent fellow who had developed a good relationship with Sarge Shriver [Sargent Shriver] and with Bobby during the campaign. Louis kept a close, tight hand in and when things weren't going right in the White House staff, Roy Wilkins and others had many entrees, but one of the most effective was Louis. He would occasionally indicate areas of concern. He was apprehensive about Los Angeles. Chief Parker [William J. Parker] was a bastard in terms of his relationships with the Negro community and Louis kind of watched that as closely as he could to report the areas of concern. But generally at the end of '61, the beginning of '62, civil rights seemed to be in pretty good shape as I recall.

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GWIRTZMAN: In the State of the Union Message of '62 there was not specific reference to civil rights legislation, however Senator Mansfield [Mike Mansfield] in late January introduced a literacy test bill as the only piece of civil rights legislation. Why was that bill chosen?

WHITE: I think one of the practical reasons was it was offered by the Justice Department as their judgment as to something that was both important and least capable of being achieved. From the very beginning I think the President's philosophy strengthened tremendously by what the Justice Department people, Burke Marshall and the Attorney General had to say and their rationale on something like this, that all these other items are important and they ought to be worked at; but really the key to it is securing political muscle, and when the Negroes have secured political muscle they have been listened to and that this was therefore bedrock foundation stuff that ought

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to come first. This was reflected in the legislation offered in February of '63. In '62 in part we were responding to the pressures of Republican criticism and to the demands from Negroes for, you know, you've done a lot with executive authority, let's now start moving in

a legislative field. I think it was regarded as the least inflammatory in terms of the problems of southern office holders.

GWIRTZMAN: Did the President realize that that bill would face a filibuster in the Senate?

WHITE: Well, he wasn't sure and I don't think anyone advised him definitely that it was. There was some understanding that it could run into rocky days but that it did have an outside chance of passage.

GWIRTZMAN: The filibuster on that bill was not a long one and was it your feeling that it held up other legislation?

WHITE: It did, a little; some, but not anything like

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what we're experiencing now. But it had its impact. And of course that was supposed to have been a short session because of an election year.

GWIRTZMAN: The other major incident in 1962 was the crisis in Oxford, Mississippi that evolved around the attempt to register James Meredith at the University. That was the first time that President Kennedy had to use federal force in the South at which time he sent in marshalls. Were you involved in that?

WHITE: Only on the periphery. This was one of those incidents that I mentioned before, whenever it escalated into top crisis circumstances the President would look to Ted and to the Attorney General for the matter. But I at least, as I say, was on the fringes of that.

GWIRTZMAN: Do you have the feeling that by that time there was any feeling that things were going to get worse or was that regarded as an isolated instance?

WHITE: Well, there were of course other states that had not desegregated in their universities, South Carolina and Alabama. It was regarded as perhaps

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the toughest nut, and certainly in its own right presented tremendous problems. The experience of President Eisenhower at Little Rock was clear in mind. And I think in all candor that the then Attorney General, Rogers [William P. Rogers], laid a pretty good legacy when he started the training of marshalls with the thought that they're far less offensive, to

send United States marshals into an area to enforce a court order than to send in armed troops of the United States. The President watched this thing, minute by minute literally, kept in touch with the then Secretary of the Army, who was Vance [Cyrus Vance], was about as nervous as you could get because here was really that terribly difficult confrontation with people getting killed and there had to be some doubts as to whether this was exactly the right thing to be doing or not. But at that stage there was no possibility of turning back. It just had to be done with the minimum of difficulty. I did not hear any of the conversations with Barnett [Ross Barnett]. I was not present when those were made, so

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I can't shed any light on that.

GWIRTZMAN: Well now, when the 88th Congress opened an attempt was made to liberalize the filibuster rule, or liberalize cloture rule in order to aid the passage of civil rights legislation. Was that attempt made with the approval of the President? Was it made at his prodding?

WHITE: It certainly was not made at his prodding. I don't think anyone asked him if they should make the fight. I think it was one of those standard reflexes that a number of liberal Democratic senators have at the beginning of every session of Congress. They always made the effort to change those cloture rules and for obvious reasons.

GWIRTZMAN: As far as you know he played no -- he didn't try to persuade wavering senators on it?

WHITE: So far as I know it was a hands off role, unlike the fight over the House Rules Committee in '61 where it was anything but hands off. There every stop was pulled. I don't know of any discussions between

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the President and the Vice President. Ted Sorensen may have worked with the Vice President in preparing him for whatever he was going to do, but I'm just plain not aware of it.

GWIRTZMAN: So that we had gone by then through two years without major civil rights legislation except for literacy tests. One thing was going on in that period and that is that the Civil Rights Commission was issuing reports recommending certain legislation.

WHITE: Well, that's right. And there was another piece of legislation that went through which was the extension of the Civil Rights Commission. I don't think of that as major, but the Administration did recommend...

GWIRTZMAN: Was the President embarrassed by the reports of the Civil Rights Commission saying that the legislation should be introduced, that he was not prepared to recommend at that time?

WHITE: I wouldn't say that he was necessarily embarrassed, perhaps a little bit annoyed in the sense that these were people who fit into the land between the executive and the legislative. But in part that

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was their job and I don't think he ever...

GWIRTZMAN: Certainly when they came out with these recommendations they received wide publicity in the South and normally people wouldn't make the same distinction between the Commission and the Administration that you would make...

WHITE: Well, except to look at it from the other point of view, if they made recommendations and nothing happened then the President is the restrained fellow, the reasonable one. To that extent the Civil Rights Commission does play a useful role because wherever the Administration goes they're going to be further on the other side, so that the Administration looks restrained and perhaps even reasonable and responsible.

GWIRTZMAN: Did he have meetings with the Civil Rights Commission during his first two years that you sat in on?

WHITE: Yes, occasionally. Some of them I think have been reported surreptitiously, but it's accurate to ask them to keep their cotton picking hands off of

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Mississippi, that things were tight enough down there as it was, that he didn't see how they could add any light to it, and, you know, weren't there other areas of the country where they could find problems? None of it was harsh or the table thumping variety. It was all reasonable and restrained and they understood. For the most part, at least in his presence, they were willing to pull out and to hold hearings elsewhere, not try to muddy up the waters. There was one very major event at the end of '62 that might be worth putting in here for perspective reasons to indicate that at the beginning of '62 the Administration was not without some glory and that was the President's issuance of the housing order.

GWIRTZMAN: Yes, I'd like to take that up.

WHITE: So that '62 would have that -- the little impetus running into the early part of '62 came from the President's fulfilling of that particular campaign commitment.

GWIRTZMAN: Let's talk about that now. It was reported that

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that order was on this desk for over a year before it was approved and then it was general knowledge that it was on his desk in November and then there was a holdup of another month. What caused these delays as far as you know?

WHITE: Well, it was never on his desk lying there for a year in all of its final finished form. We'd spent quite a bit of time preparing for it, trying to isolate the issues. It's an exceedingly complicated problem in the sense that the President's campaign utterance that all that was required was a stroke of the pen came back to haunt us because it took a hell of a lot more struggle and examination than I think we realized, and I'm sure that the candidate realized when he uttered those famous words. But toward the end of '61 and the early part of '62 a lot of people began sending ink and pens for the President because...

GWIRTZMAN: What was his reaction to that?

WHITE: Well, to the extent that you can laugh about a joke when you're the butt of it; he thought it was

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pretty damn funny. We sent the pens to some school for the retarded. We didn't want them to go to waste. There was a whole box of them collected by one woman and sent to us, and I must say rather cute. There was also created a national committee against discrimination in housing in New York and we worked very closely with them. We also worked with the National Association of Home Builders and we had to work throughout the government trying to find out really what this was all about. The principal agency of course was the Housing Agency, with Weaver and his general counsel, Milt Semor [Milton P. Seymour], playing a key role. The problems roughly involved the scope of the bill; that is, should it include not only the direct federal programs but the guaranteed programs, and if it included the guaranteed programs should it go on to those involving government touch to it. For example, the commercial banks that are insured by

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FDIC [Federal Deposit Insurance Corporation]. Was this a sufficient hold to have on agencies because the only thing that was going to be used here was naked executive authority? We knew damn well that whichever way it went it was going to be challenged in the courts, and this was one that we didn't want to lose. This meant that the Justice Department had to do a lot of legal guessing as to what authority the President possessed. They came up and told him that pretty clearly he had authority to include the loans, commercial loans guaranteed by the savings and loan associations that were participating in the Federal Home Loan Bank System, but that moving on to the next group, the commercial banks whose only tie was with FDIC, the authority was much weaker, much more subject to doubt and moreover the board of the FDIC was not sympathetic. The two members who were opposed to it were Earl Cox Sr. of Atlanta and Jesse Wolcott of Michigan. The third member, Jim Saxon [James J. Saxon] on who was the controller

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of the currency ex officio was clearly a sympathetic and would do whatever the President requested. We had a serious problem about whether we could even rely on a two to one vote, let along a three to nothing vote in that framework. Secretary Dillion [Douglas Dillon] was involved in these discussions with the President, and I think was philosophically in tune with the idea of stamping out discrimination, but he was opposed to the concept of the federal government trying to regulate the commercial banks on such tenuous grounds. I'm not even sure he believe that the federal government ought to regulate them in the conduct of their internal business even if it had the authority just because they shouldn't do it. He was one of the apostles of slow action in terms of the scope. The question that really was presented to the President was not so much whether he should include the commercial banks but -- on that risk all of us were frightened to do that, particularly since we believe that with the passage of time we would have members on

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that board who would be sympathetic, with whom we could work. So the question really was whether to include the mortgages that were insured by the savings and loan where he did have the authority. He had already taken a poke at them in the treatment of their income for tax purposes. By and large the commercial banks were regarded as Republican oriented and the savings and loan as more or less Democratic Party oriented. Having taken that one poke was one consideration and the President had all this put to him and just plain stood up and said, "Well, leave out the savings and loans and the commercial banks at this stage."

GWIRTZMAN: That was the decision he made when both alternatives were put to him?

WHITE: Yes.

GWIRTZMAN: So that one of the reasons for the delay was disagreement within the

Administration.

WHITE: Disagreement is probably too strong a term. It was just the complexity of these issues. And one

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of the problems that the President didn't think we had sufficiently prepared for him and briefed for him was the economic effect. We had some material that had been done by the Housing Agency and by working with the Commerce Department. But one thing he didn't want to do was to louse up the housing industry, the home building industry in particular.

GWIRTZMAN: Claims were being made by people in these industries that there was a 25% or more decrease.

WHITE: Right. And it didn't make any sense for the President, whose major achievement had been in the housing field to scuttle the damn thing just by that remarkable stroke of the pen. So we mustered up a lot more data. And of course subsequent event have made it clear that we were a lot closer to the target than were the people in the home building industry.

GWIRTZMAN: Who prepared the data showing that there would not be a decline?

WHITE: The Council of Economic Advisers, working with

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the Housing Agency came up with that. It filtered through me and we worked it over in the right form for the President. Another problem that added to the complexity of it was the question of retroactivity. There was legitimate legal question as to whether we could make it applicable to all of the homes and public housing units and multi-family units that were already in existence at the time. The President sort of waved that too and made the decision that we just couldn't go backwards, we couldn't. The timing had an interesting twist to it. The rumors did circulate during the '62 campaign that this was...

GWIRTZMAN: That's what I wanted to ask. According to the press the order was on his desk in late October '62. He didn't sign it until after the election. And I wondered whether there was any feeling that signing that at that time might lose congressional seats in areas.

WHITE: Yes. It is not accurate to say that it was on his desk because it was never in final form until

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fifteen minutes before he signed it. The decisions, the ones that I'm talking about now, the scope and the retroactivity, were not made by the President until after the election of '62, November. So that any information, not that it's very important, that it was lying on his desk just awaiting his signature is inaccurate. In the fall of '62 first of all he had other problems like Cuba that were occupying his attention and he cut short his participation in the campaign. But prior to that time word had come -- first of all the Alabama situation had gotten terribly involved with their failure to redistrict, where everybody had to run at large. And this made it especially burdensome for a guy like Rains [Albert Rains] who had really played a key role in the housing area. But lo and behold Larry O'Brien got calls from congressmen, not from the South but from the North. One of them that particularly sticks in my mind was a congresswoman, Griffiths [Martha W. Griffiths] of Detroit, you know, a fine liberal Democrat, one who I'm sure believed

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that segregation is a horrible thing. And she called up absolutely screaming to Larry saying that the President just couldn't issue that order before the election or she would be dead, politically. She had a mobile unit that travelled around her district asking people what was on their mind and she said this was on top of everybody's mind. It was number one in every area of her district, and for God's sake tell the President not to issue that thing if you've got any control over it. O'Hara [James G. O'Hara] from Detroit I think, told Larry the same thing, and Mrs. Sullivan [Leonor K. Sullivan] from St. Louis. So that all of a sudden we began getting these requests, but from the people you wouldn't expect them from. SO far as I know we never had a word from anybody in Alabama, Mississippi, Georgia or Tennessee saying that, you know, if you all issue that order we're dead. Nothing like that at all.

GWIRTZMAN: As far as you know this is the first indication of a political white backlash on this issue.

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WHITE: Yes, it was there. From the very outset we knew, it was just clear, that this was the most difficult, the most sensitive area of all, even worse than the schools. People were just plain scared and I think are scared. This is the toughest one. For varying reasons the President, and these were included in them, decided he wasn't going to issue the thing before. So the question became when...

GWIRTZMAN: Had he started to expedite it, it could have been issued prior to....

WHITE: It could have been issued anytime. Just like he said, you know, with the stroke of the pen. We could have had it a year earlier...

GWIRTZMAN: Because the legally sound order, the background work had been done prior to the election.

WHITE: Yes. I think -- well, we didn't quite get down to the drafting. At no time did.... I think really the word came from me that this was the right time, should have come from me saying, "Well, let's get it all drafted up." The President kept

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saying, "Well, you're ready to go anytime," and I'd say, "We could get ready anytime." Part of the reason for not doing that is exactly this problem of leaks. You can't have anybody working on these things in the department without it being out. This had stretched along to the point where whenever we gave the signal the word was about out.

GWIRTZMAN: Once the order was signed there was some delay in appointing the committee to enforce it and there was some criticism among the Negro leadership in the early months in 1963, April of 1963, that the committee had not yet been named. Was that also a part of a go slow procedure or was that just difficulty in getting the right people, getting them cleared?

WHITE: I'd say the latter. The precise timing, when to do it, was kind of interesting. I think the way it evolved was I went down to Kenny O'Donnell [Kenneth P. O'Donnell] and said, "You know, I think an awfully good time would be just before Thanksgiving. There's a little bit of symbolism in it for the Negroes and

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besides it's a fairly quiet time and everybody's worried about Christmas and this isn't going to make a tremendous splash." And also Congress was not in session. It's always better to have these things at least so it seemed, to have these things done at a time when each individual congressman could praise it or blast it at home rather than having great floor debates and discussions about them where they sort of fed on each other. So O'Donnell said, "All right, let's talk to the President." We went in and the President said, "Alright, get it ready." Then really things began to fly, and within a day it was all done. The President was leaving to go to Hyannis Port. It seemed to me it was on a Wednesday. He came in and we promise the press they'd have it. And just really to nail down for sure the fact that it wasn't sitting on his desk for a year, the thing that he signed was a blank piece of paper. We signed it far enough down so that we could type the last paragraphs on top and, as I indicated, he was not

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anxious to make a big fuss about it. He had enough sense of the dramatic and sense of history to ask a photographer, not one of the standard White House troop, but the official White House photographer, Cecil Stoughton, to come in and take a picture of him signing the housing order. I can assure you that the thing he signed was the order, ultimately. But at the point it was not completed, it was a blank piece of paper. Shortly thereafter, well I guess maybe even a few weeks before, we'd given a little thought to who would be a good chairman for this committee. ANd one of the ideas was to set up within the order of barring discrimination, the establishment of a group to police it and enforce it. The one guy who seemed like a perfect natural for it was Governor Lawrence [David L. Lawrence]. He was just then ending his term as Governor of Pennsylvania; he was not a young fellow who was on his way up who was going to rip into things; he was well known, a national figure; he was acceptable to the people in the South because he was a true

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gentleman and even though a violent partisan, had never gone through life creating bitter enemies. I prepared a letter for the President to send to Governor Lawrence saying that he was just absolutely the right guy. The President said, "Oh, he won't take it." I said, "Well, you can't tell. He might." Nobody really knew what plans he had for retirement. And besides if you ask him to do it, he might feel an obligation and he probably could carry it off. So he signed the letter and Governor Lawrence called him and said he was going to come down and talk to him about it. The President had no difficulty in talking him into taking the job and it struck me then, as it does now, that he was a perfect choice for it. It meant pulling together a group. The order had called for a mixed membership, federal office holders and private citizens. We wanted to set it up so the federal people were in control. This was fairly easily done, and I think we got

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a good group of people. But it did take time to get them. A couple of guys we thought we were going to get we weren't able to secure and I think this really explained the delay. There was nothing from the President that said, "Go slow on this," or indeed from anyone else.

GWIRTZMAN: Who were they?

WHITE: You mean the member of the ...

GWIRTZMAN: ... that you were trying to get that couldn't.

WHITE: I know there was a guy from New Orleans in the construction business, there was a guy from Atlanta in the construction business. The toughest area we had was the South. We were trying to get people across the country. A guy that we had a tough time getting, but we did get, but it accounted for some delay, was a fellow named Cramer [Edison H. Cramer] from Chicago. As I recall

Senator Edward Kennedy had a candidate too that we were delighted to get, Lew Weinstein [Lewis Weinstein].

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GWIRTZMAN: So that at the end of the second year of the Kennedy Administration do you feel that politically the President's feeling as far as his standing with the Negro community was as high, as good as it was at the end of the first year? Certainly the...

WHITE: It's a little hard for me to put my mind back there, but as I recall it was probably a little better. There was still the disappointment over the failure to secure any legislation, but everything else was going so damn well that our feeling was that the Negro community was pretty much at peace.

GWIRTZMAN: And certainly there was nothing in the election returns, the '62 election to show that the Negro had changed from his normal Democratic affiliation.

WHITE: No, I think that's right.

GWIRTZMAN: Then we get into the very crucial year, 1963, where the first major incident was the, in Alabama, the attempt to register Negro students

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at the University in Tuscaloosa.

WHITE: Well, before then though we had the President's own message in February of '63.

GWIRTZMAN: Legislative message?

WHITE: Yes, a special message to Congress on civil rights, including what turned out to be a fairly puny package but what at that time was pretty good. In December of every year the President had to sort of put together his legislative program for the coming year. This involved the preparation of these three messages I spoke of before and all of the special efforts were going to be used that year. You couldn't nail everything down precisely but.... The President used a little period between Christmas and New Years' to go over, normally with Ted, sometimes with the Budget Director and the Cabinet officers and others, but Ted was really the major domo who presided over these presentations to the President. In the second and third

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weeks of December Mike and I and Ted were feverishly putting together memos on every major legislative area to offer the President in two or three pages the problems, the recommendations, the alternatives that were available in his putting together a package. We had done that in '62 with a good memo on what he could submit on civil rights if he wished, all of which he rejected at the end of '61 because there was no '62 civil rights program. Before the '63 program we had such a memo which set forth in a very I think succinct fashion, the various pieces that the President could put together to make a little civil rights package. Ted reported that we were going to go with the civil rights bill. Wait a minute, he didn't report that in December. At the end of December he said he wasn't going to have one. I was one of those last minute.... But he did send one in February of '63. But it was a

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last minute change. The President decided not in December but sometime in February to do it.

GWIRTZMAN: Do you know what made him change his mind?

WHITE: I don't know what the hell it was; I can't remember. In fact I spent a whole damn night working through the night to get that draft ready. It was that quick a decision. I don't know what it was. I can't remember. I don't know if somebody talked to the President or whether, you know, just something hit him or what. But on a, really an eleventh hour basis we came up with a message. That package was not nearly as complete as the Juen one turned out to be. But it was pretty good. The hardest hitting part of it was on voting, again going back to that earlier discussion about the emphasis on voting. In that particular message to the President did something that no president had ever done before and quite honestly, it stood him in a very good stead with the Negro community. In large measure

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Louis Martin gets the credit for. He said something that the Negroes had always hoped they would hear from President Eisenhower on the Supreme Court decision on desegregation of schools, and that is that the reason this ought to be done is because it's right, morally right. So in some of that eloquent Kennedy-Sorensen style the President of the United States was finally saying formally and without any equivocation...

GWIRTZMAN: ... that segregation was morally wrong.

WHITE: Yes, that the reason we were...

GWIRTZMAN: And he was the first president of the United States to say so?

WHITE: Right, and this made a difference, it made a tremendous difference.

Even though there were not recommendations on public accommodations, no national legislation, there was even a section in that message on public accommodations indicating the importance of it, but really calling

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on the states to do more and the cities to do more. Many already had at that time done it. That wasn't a bad message, frankly. And it was a very good feeling for most of us when the Birmingham did erupt and changed the whole set of circumstances to be able to say the President had set this up in a calm time and without provocation and urging that made him only be responsive or react to circumstances. I wish I could remember exactly what it was that triggered that decision. Ted may know and somebody ought to ask him.

GWIRTZMAN: Now beginning in the summer of 1963 we had Birmingham in the first part of May...

WHITE: There are a couple of other things before you get to that though. That happened to be the 100th anniversary of the Emancipation Proclamation. Arthur Schlesinger prepared a little statement the President prepared for January first which was the kickoff day. Then one of

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the shrewdest political moves of all times came along. February twelve, which is the traditional time when the Congress breaks to go home to make their Lincoln Day speeches for the Republicans -- it's truly a good Republican day -- and somebody, I believe it was Louis Martin, it sounds like Louis Martin, came up with the idea that President Kennedy ought to have a civil rights reception in the White House on February 12 to commemorate the anniversary of the Emancipation Proclamation and Lincoln's birthday and everything else. So about seven or eight hundred people were invited.

GWIRTZMAN: Who got up the list?

WHITE: Oh, that was horrendous. Berl Bernard from the Civil Rights Commission, Louis Martin, Tish Baldrige [Letitia Baldrige] and myself and Andy Hatcher and God knows who else, everybody else got into it. And the most remarkable thing of all was that Sammy Davis got invited. The President was absolutely feathered. He didn't give a damn about all the others, but how did that guy get there? It was as though the

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the whole thing was a flop, and you never saw more people hiding under the table because nobody, absolutely no one had anything to do with Sammy Davis getting invited. But he was there as big as life with his wife and really put a pall in the whole thing.

GWIRTZMAN: And his wife was white.

WHITE: Yes; hamming it up, you know, and the photographers all thought -- and the reporters.... Aside from that one incident thought it was the scoop of the century. Louis Martin speaks very fleetingly about the symbolism of the ease and the comfort with which these people across the country, not all Negroes, many whites, but predominately a Negro group in the sense that they were the clear majority, being invited to the White House. That social recognition was in his eyes very, very significant and symbolic.

GWIRTZMAN: Incidentally, when Louis had these ideas, how did he get them to the President? Directly, or through you or Ted or how?

WHITE: Normally through me, sometimes directly through Kenny. And frequently Louis and I would be talking upstairs

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in my office and I'd say, "Well, let's go down and see if we can just wander in." We had comparative ease of walking in and we'd just walk in and start chatting with him. On occasion I think the President would have called Louis if he had a specific problem about the people and so forth, who to invite and what do you think about this guy for an appointment and so forth.

[END TAPE III, BEING TAPE IIII]

GWIRTZMAN: Okay. Well, then in Birmingham in the beginning of May.... And then riots in Jackson, Mississippi, in which six hundred were arrested in early June and then more riots at the University of Alabama in June; the shooting of Medgar Evers, and then the beginning of demonstrations in the North. COuld you pinpoint just when in that six week period between Birmingham and the submission of the bill that you feel that the President realized this was no longer going to be an isolated incident followed by a lapse and another isolated incident, but realize that this thing was building up into a major crisis that had to be met with a major first priority governmental effort?

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WHITE: No, I honestly can't put my finger on any point in time where the President slammed his hand down and said, "This is it!" He may have

but I was not present.

GWIRTZMAN: When did work begin on new legislative proposals? He had already just finished sending up a bill and so forth. Normally you would not have prepared more legislation.

WHITE: No, of course not.

GWIRTZMAN: Of course what happened is that not only was this package presented but it was sent to Congress as first priority legislation in the middle of the session.

WHITE: There were an awful lot of meetings that I did not attend at which Ted and the President and Attorney General and Larry were discussing what was needed at that time, what response should there be. I'd say that one of them are more likely -- I think Burke may also be able to give you some light on exactly when those things took place and the decisions were taken. Clearly it was

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not long after Birmingham that it was obvious that this had developed into a major national crisis and the drafting went full steam. But it was easy because already in hand were all of these items from the various packages that had been prepared before, although we did move out in the sense that there was a reaching out into the education area, the vocational education and training skills to qualify people to take jobs. We looked around for every area where we could go stronger, primarily because the circumstances made it possible. One of them was the significant extension of the executive order creating the Equal Employment Opportunity Committee. And where it had been limited to direct government contracts it was extended to include construction undertaken with grants in part of total from the government, highway programs, even though there had been some nominal requirement which put in under the compliance machinery of the Equal Employment Opportunity

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Committee. That is to say on this one, it happened on a Sunday, and we got a little excited and our wires a little crossed and the guy who happened to be the chairman of that Committee who was the Vice President and now the President didn't quite get checked on this. He didn't know that his Committee's jurisdiction was being rather drastically altered and took pains to let it be known in rather pained words that it would have been nice if he had been consulted or at least told about these things and properly it was just a goof up of...

GWIRTZMAN: You say most of these proposals had been kicking around, had been recognized by somebody before they were in the drawer.

WHITE: No. Yes, there weren't very many brand new ones.

GWIRTZMAN: Some had been recommended by the Civil Rights Commission, some by other groups, some by Justice.

WHITE: And some in that platform of 1960, you know, the school things that were around there. One of the dramatic incidents of all time was the

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television speech made by the President on the day that the confrontation between Wallace [George Wallace] and Nick Katzenbach [Nicholas Katzenbach] at the University of Alabama. I think if my memory serves me correctly it was June 11. The President decided late that afternoon that he was going to go on television and he told Ted to start writing a speech. Ted started writing a speech and it was a powerful start. The President was extremely nervous. Normally he's not nervous, but he was awfully damn nervous about this one. Just before he went in to face the television cameras Ted was still dictating the stuff to Gloria on the typewriter, and he didn't have more than ten minutes worth although it was really powerful as I say. The President came to the end of that and then began going on his own, really totally extemporaneously. It turned out that was probably the most moving part of the whole thing.

GWIRTZMAN: Did he have any last minute doubts about making

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that speech?

WHITE: Yes, I'd say so. First of all he wasn't sure exactly what was going to come out of the typewriter. Second of all he didn't know whether this was the right thing to do or not. Third of all he was, like he always was, scrounging around for more information and he remembered he'd read something in the *New York Times* two days ago, could we find that? People were flying around to get it.

GWIRTZMAN: Was he up in Ted's office?

WHITE: No, he was in the Cabinet Room before -- you know, the cameras were being set up in his office and he was in the Cabinet Room quietly going frantic. Ted of course did a spectacular job under the most trying of circumstances. Sometime you might want to take that transcript and see where it jumps off that smooth road and goes on to the more emotional, but nevertheless....

GWIRTZMAN: One point, that six week period also coincided

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with stepped up Negro criticism of the President. On the tenth of June Martin Luther King assailed Kennedy's civil rights record and on the thirtieth of June the NAACP did the same. Wilkins [Roy Wilkins] was quoted as saying that Democrats had substituted an inadequate civil rights record for a miserable one. Did this have any effect on the President at this time?

WHITE: My recollection is not very clear on it. I would assume that he was less than enchanted with that sort of criticism. He, I don't think...

GWIRTZMAN: Yes, but they had been making those criticisms of legislation...

WHITE: Well, that's all right. I don't think the President was ever worried about that. He didn't assume that you can go through the presidency without getting knocked and cuffed here and there. Sometimes the truth of the matter is a well placed cuff from the other side is helpful.

GWIRTZMAN: The interesting thing here is that the criticism

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of President Kennedy by the Negro leadership publicly reached its height just before the introduction of legislation, and then there was a complete turn around and he became very much the hero.

WHITE: Well, I would say that, and I'm sorry I can't quite take myself back precisely at that time and remember a feel for it, but par to fit was the fact that these leaders were undergoing a tremendous strain themselves. They were being challenged by other leaders and the question was who could scream the loudest that they were being treated shabbily. So that to some extent I'm always inclined to discount what these fellows say out in public as against what they will say in private and what your own mind tells you they have to say. Sometimes they are prisoners of circumstances too. I don't think deep down that any of them really felt that President Kennedy had a lousy record. They had to assume that the only

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reason that Birmingham or all of the other demonstrations had any chance of success was because there was a man in the White House who was sympathetic to them and because the Attorney General was basically desirous of helping them. If they didn't feel that I don't believe that they would ever have been able to carry off any kind of demonstrations with any hope of getting anywhere. So to that extent I would say that history may well indicate that President Kennedy was responsible for Birmingham in the sense that his attitudes and his

Administration's behavior made it a propitious time for these things to occur. Otherwise they wouldn't have occurred. If this had happened in the Eisenhower Administration...

GWIRTZMAN: Do you think that they felt, Negroes felt that nationally they would have been ignored, locally they would have been drained?

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WHITE: Yes, they were stifled. I'm not a psychiatrist but it just seems to me that it wouldn't have happened, and it didn't happen when there weren't administrations that they could predict would be responsive.

GWIRTZMAN: How long a period elapsed between the first deliberations on new legislation and the sending it up to the hill? About three week?

WHITE: I can only guess. It would be something like three weeks. It was a feverish job, but most of the...

GWIRTZMAN: What role did you play in....

WHITE: Very little. Most of the specific drafting was done by the Office of Legal Counsel and Norb Schlei [Norbert Schlei]. But the fine honing and polishing was done by Ted Sorensen and I think Larry to some extent and the Attorney General.

GWIRTZMAN: To what extent were you involved, then?

WHITE: Very little, just carrying a little water here and there, a few incidental efforts. I would say the role was extremely minor.

GWIRTZMAN: How about once it was introduced. Were you in

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on any of the discussion the had with members of the House Judiciary Committee, especially with McClellan [John L. McClellan] and members of the subcommittee, Halleck [Charles A. Halleck]?

WHITE: No. I'd say the best sources there would be the Attorney General and possibly Larry.

GWIRTZMAN: How about these eight meetings? Do you want to talk about those?

WHITE: Well, it's getting kind of late. I would, but maybe we ought to hold that

memo because I'm sure it's a fifteen or twenty minute deal.

GWIRTZMAN: Okay.

[END OF INTERVIEW]

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