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October 8, 1953.

On August 19 I made a trip to New York for the purpose of attending a ceremony honoring Bernie Baruch. Before making the trip, arrangements were made for Secretary Durkin to meet me for luncheon at the Waldorf.

My purpose in getthing to see Mr. Durkin was that I was getting the feeling that he regarded himself in the Cabinet as a representative of labor rather than as my principal adviser on labor. It seemed to me that he kept thinking of himself as an employee of a labor union, serving on the Cabinet merely on an interim basis while on vacation from his true work and position. Consequently I expressed to him the very earnest hope that he would give to the rest of us in the Cabinet his own convictions and conclusions based upon his lifetime experience and study. I particularly tried to impress on him that he was not dependent upon any one else for his present or future livelihood or standing in labor. On the contrary, I told him that if he served through these four years as an independent individual, giving the best that he had to the Administration, that I would personally guarantee him a job -- a good job -- when the next Administration took over. This I felt I could promise with confidence because I had discussed the matter with one or two prominent executives, and they told me that if Secretary Durkin should work in this fashion for four years, he would thereafter be of

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~~NSC letter 5/4/81~~
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tremendous value to them in their organizations.

Secretary Durkin appeared deeply touched by this statement of purpose and indicated his readiness and ability to function in the manner I described.

He said that the staff group in Washington had been making great progress toward reaching conclusions as to what should be recommended to Congress as amendments to the Taft Hartley Law, and I told him that, of course, if all my advisers on that body were unanimous in their recommendations, that I would be happy to send their conclusions along to the Congress.

Such a promise was, of course, based upon my knowledge of the diverse views that were represented on the Committee. It included the chairmen of both the House and Senate Committees on Labor, the Secretary of Labor or his representative, the Secretary of Commerce or his representative, Senator Taft (for most of the meetings), and two members of my own staff, Mr. Shanley and Mr. Morgan. I personally attended only one meeting.

On August 31, back in Denver, where I had resumed my vacation, I received a letter of resignation from Secretary Durkin. He stated only that he found it necessary to return to his position as head of the Plumbers' Union. He gave no other reason for resigning, but did go to the trouble to express great personal admiration and friendship for me.

On September 10, I made a one-day trip to Washington to attend the funeral of Chief Justice Vinson, who had died suddenly. I had the morning in the office, and while there Secretary Durkin visited me. I had not yet formally accepted his resignation, though I had sent a message to him through Governor Adams to tell him that of course his resignation would be accepted under the terms he specified, which were that he could remain as Secretary until September 9, and no announcement should be made until that date.

When he came to see me on the 10th, I talked the situation over with him and discovered that he felt that Mr. Shanley and Mr. Morgan had, as he expressed it, broken faith in "collective bargaining." This expression startled me, and I explained to him very earnestly that he was not a bargainer in my Cabinet -- he was my principal adviser on labor -- and that he was perfectly free to make to me such recommendations and offer such advice as his own convictions and wisdom dictated. He merely kept repeating, "I think you should accept my resignation." I told him that of course I would, and he left after quite a conversation, protesting lasting friendship and admiration for me.

Apparently as soon as he returned to his own office, he held a press conference, in which he again stated that Mr. Shanley and Mr.

Morgan had "broken faith" with him, although he said, of course, that he had never had any commitment from me.

Somedays later, he made a speech at the A.F. of L. Convention, in which he stated that I broke a promise to him.

That was the end of the whole incident, except that I immediately started looking for an acceptable replacement. For the moment I decided to be in no hurry to make any new appointment for two reasons: (a) I wanted to see how Under Secretary Mashburn would work out when he was carrying the load in his own right rather than serving as a lieutenant for Durkin; (b), I felt that the recess appointment of anyon e to such a controversial post might start a snowball of criticism from those who would destroy the appointee, thus increasing the difficulty of confirmation. Things went along in this fashion until the day of the Cabinet meeting, September 25. Following the disperal of the Cabinet, the Under Secretary Mashburn came to see me and asked that his resignation be accepted. He was apparently disappointed that he had not been offered the Secretaryship, and as a matter of fact, I was still seriously considering him for the post. However, his obvious impatience instantly eliminated from my mind any thought of giving him such an important place; such posts should go to people who are not personally seeking them.

However, he gave as his reason for resigning the same one that had been advanced by Secretary Durkin -- the fact that he had been offered a

a very important post in a union organization and could not afford to turn it down. Moreover, he brought in a note of urgency by saying that he had to have prompt assurance that his resignation would be accepted so that he could inform the union heads. Since, of course, any man can resign from public service, what he was actually doing was putting me on notice that I was getting my last chance at him. I accepted his resignation to become effective and publicly announced ~~it~~ when I had finally designated a Secretary of Labor.

I finally decided upon Mr. James P. Mitchell of New Jersey, and his appointment was announced today, October 8th. Obviously it must be an interim appointment and he must be confirmed after the Congress convenes next January. I do hope that in the months until then he does not roll up enough opposition to block confirmation.

Mr. Mashburn, in asking me to accept his resignation, spoke in rather grateful terms of the opportunity he had had to serve in the government for a while, and said that the job he had really wanted was head of the Mediation Board. This I had not previously heard, and a suitable individual had already been appointed for that post. I had a growing liking for Mashburn and was really leaning more toward his appointment as Secretary than I was toward Mitchell or one other man I had in mind. However, his dissatisfaction with the post of Under Secretary (which I

consider a high one) and some dark hints he made about his former and intimate association with Durkin, both convinced me that it would be a grave error to keep him on.

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Chief Justice Fred Vinson was a great friend of mine and his sudden death consequently a shock and source of real regret.

From the day of his death the name that figured most prominently in my search for his successor was that of Governor Earl Warren of California. Ever since last January, I had frankly hoped that one or two of the older men would soon retire from the Court, which would give me chance to appoint people whose qualifications would more nearly meet my ideas of those that should be possessed by a Supreme Court Justice than were represented in some of the individuals now carrying that exalted title.

I was firmly convinced the prestige of the Supreme Court had suffered severely in late years, and that the only way it could be restored was by the appointment to it of men of nation wide reputation for integrity, comptence in the law, and in statesmanship. Moreover, I sought the quality of physical fitness and made up my mind to make 64 as the absolute limit for anyone that I would consider. This limitation barred several Justices, notably Judge Phillips, Judge Parker and Judge Vanderbilt.

I was equally determined that my selection could not be charged to favoritism or to personal political indebtedness. While all my friends knew that I had consented to stand for the Presidency only because of what I felt to be a matter of duty and service, still by and large the conviction prevails that if an individual supports another for the Presidency, there is almost automatically a great political indebtedness incurred. For this reason I would not have considered Governor Dewey, who came out in 1950 as a supporter of mine for the Presidency, even if he had had in a very high degree all of the other qualifications I was seeking. On top of this, Governor Dewey is so political in his whole outlook that I could scarcely imagine him as a Federal judge. Earl Warren, on the contrary, is very deliberate and judicial in his whole approach to almost any question. He is middle-of-the-road in political philosophy (another qualification I was seeking), is 62 years old, and alleged to be physically perfect for his age.

Moreover, in the Republican Convention of July, 1952, he never consented to turn over any of his own delegates to insure my nomination. He did not release them until after the nomination had been decided; consequently, there was no possibility of charging that this appointment was made as payment for a political debt. None of these considerations would have been important except because of the chief purpose I

mentioned -- to restore the prestige of the Court. I am determined that it will not be made a political convenience for any reason whatsoever, and whatever individuals I appoint to it will merit and have the respect and admiration of the vast majority of our citizens.

Earl Warren has of necessity been an interim appointment. I made it early this month so that he could participate in the opening fall sessions of the Court. He will, of course, have to be confirmed next January. In this case confirmation should be immediate and overwhelming. If the Republicans as a body should try to repudiate him, I shall leave the Republican Party and try to organize an intelligent group of Independents, no matter how small.

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Today, October 8th, the British and American governments made public a previously agreed upon position with respect to Trieste. Trieste has, of course, been for years a source of irritation and mutual recrimination between Italy and Yugoslavia. We need both nations as friends and we had therefore to try for some solution.

Tito, dictator of the Yugoslav government, has actually made good on his occupation of the so-called Zone B in the Trieste area, and our

solution is merely to give similar de facto title to Italy with respect to Zone A. This zone is now occupied by British and American troops, and our announcement means that as soon as practicable, we will physically turn over that area to the Italians.

This is another step in a long series of things we have been attempting to do in order to strengthen America's political and security position vis a vis the Soviets. If this works -- and I certainly can't think of any better solution of the problem because it is one of those that has no perfect answer -- then we will vastly strengthen our position in the Adriatic and generate much greater confidence in all of Western Europe. As of now, the mutual hostility between these two countries has largely neutralized any help that NATO could expect from them in time of emergency. Obviously, if both accept this solution (although both are to have the right to denounce it publicly) we will have the chance to plan confidently for the defense of the whole Alps region.

All of these things take time to bring about. One development that was very favorable to our side was the recent re-election of Adenauer in Western Germany. We had supported him publicly and privately, and in fact had based our whole political program in Europe on Adenauer's continuance in power. This circumstance gives the greatest impetus to the early formation of the European Defense Community that we have had for many months. Adenauer believes in the concept of a community

defense -- in fact, he says he would resign rather than to see Germany again begin to build up its armaments except in some cooperation fashion such as is envisioned in EDC. Moreover, his action should have the greatest effect on the French, particularly as it will give him more leeway in making concessions in the Saar where the French feel that they have a vital interest.

Another recent development that we helped bring about was the restoration of the Shah to power in Iran and the elimination of Mossadegh. The things we did were "covert." If knowledge of them became public, we would not only be embarrassed in that region, but our chances to do anything of like nature in the future would almost totally disappear. Nevertheless our agent there, a member of the CIA, worked intelligently, courageously and tirelessly. I listened to his detailed report and it seemed more like a dime novel than an historical fact. When we realize that in the first hours of the attempted coup, all element of surprise disappeared through betrayal, the Shah fled to Baghdad, and Mossadegh seemed to be more firmly entrenched in power than ever before, then we can understand exactly how courageous our agent was in staying right on the job and continuing to work until he reversed the entire situation.

Now if the British will be conciliatory and display some wisdom; if the Shah and his new premier, General Zahedi will be only a little bit flexible, and the United States will stand by to help both financially and with wise counsel, we may really give a serious defeat to Russian intentions and plans in that area.

Of course, it will not be so easy for the Iranian economy to be restored, even if her refineries again begin to operate. This is due to the fact that during the long period of shut down of her oil fields, world buyers have gone to other sources of supply. These have been expanded to meet the need and now, literally, Iran really has no ready market for her vast oil production. However, this is a problem that we should be able to help solve.

In Egypt there is again some sign of an improving situation. For quite a while negotiations between the British and the Egyptians over the occupation and use of the great British base on the Suez Canal had completely broken down. Through persistent persuasion and friendly attitude, we have done something to encourage the resumption of these negotiations -- and now, except for one or two very small points -- it looks as though agreement were practically reached. If this one is solved, our position in that area will be vastly strengthened.

Likewise, we are making a new effort (here with not too much hope of success) of getting a settlement of the irritating Israel-Arab problem. The points at issue are Jerusalem and its contrd; use of the waters from the Sea of Galilea and River Jordan; disposition of Arab refugees; elimination of boycotts; production of some needed hydro-electric power in Israel; possibly construction of a small canal to render Israel fairly free access to the Suez; and the whole question of establishing economic and decent political relationships between Israel and the surrounding countries. We are sending Eric Johnston on a special mission to try his hand on this one. I calculate the chance of his success at about 1 out of five, and this I must say is real optimism.

In Korea, the negotiations since the actual cessation of hostilities have been disappointing. The so-called Neutral Commission continues in our opinion to favor the Communist interpretation of every clause in the Armistice agreement. President Rhee is highly emotional, exciteable and threatening. On the other hand, India, as the head of the Neutral Commission, is serving notice on us that they cannot be responsible for maintaining peace in Korea unless Rhee behaves. Trying to save South Korea is a little bit like trying to defend the basic rights of someone

in court who insists on behaving in such fashion as to earn the contempt of the judge, the jury and all the spectators.

In Japan there seems to be some hope that the Japanese will attempt to pick up some of the load and establish their own security organization. Their Constitution, adopted under General MacArthur's supervision, denies them the right to have military forces. But the time has come when they must become responsible for their own internal defense, even though to avoid frightening our other friends in the Pacific, we must always provide the naval and air strength required in that region by the free world.

These are only a few of the problems that continue to engage our attention around the world. In Europe there are innumerable others, but it is probable that I have long before this discussed some of these problems in one of the memoranda I have written. For the moment Laniel is Premier of France. He appears to us to be doing a good job and we sincerely hope he continues in that post. We have engaged to help him on a very major scale in Indo-China in return for which France has irrevokably promised to give each of the associated states independent status as soon as the Communist aggression has been repulsed. In addition, France has agreed to step up the tempo of the war and to ship out to that region nine new battalions to assist in the development Vietnamese forces and in waging a defense against

the Communists. Laniel has also promised in return for this stepped-up help (which for the year 1954 amounts to a total of about a billion dollars), to support the EDC concept in the French Parliament and to attempt to get the treaty ratified at an early date. If he does this, I will not only send him my thanks; I will think up some new medal to award him. It would solve many of our problems in that region.