

PREFACE

This manuscript is the result of a taperecorded interview conducted by Mr. John Later with Mr. James V. Burke in August, 1972, in Pittsburgh.

Mr. Burke has read the manuscript, and has made only minor corrections. The reader should bear in mind, however, that he is reading the spoken, rather than the written word.



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Interview with Mr. James Vincent Burke, Jr.  
Pittsburgh, Pa.

by John Luter  
August 25, 1972

Q: Mr. Burke was General Counsel of the Defense Department during the final two years of the Eisenhower Administration. The interview is being conducted in Mr. Burke's law office in the offices of the firm of Campbell, Thomas and Burke, 2330 Pittsburgh National Building, 5th and Wood, in Pittsburgh, Penna. The interviewer is John Luter.

Q Mr. Burke, first, so we will have it as part of this record, would you sketch your own career up to the time of the Eisenhower Administration, the time you entered the Eisenhower Administration?

Mr. Burke: I practiced law in Pittsburgh from the time I was admitted in 1936 until I went to Washington in the Eisenhower Administration, and of course I've been practicing law ever since. I'm a graduate of the University of Notre Dame with an A.B. degree. My work has been chiefly in banking and corporate work. I was president of the local bar association, the Allegheny Bar Association, in 1958, and of course it was in 1959 that I went to Washington.

Q: What were the circumstances under which you joined the Eisenhower Administration?

Burke: Well, I've been asked that question many times. It's a strange set of circumstances. Robert Dechert was my predecessor, a



NASA, National Aeronautics and Space Administration, on the one hand, and Defense on the other, and any thing at all involving space or 'rocketry would be under NASA. The Air force at that time was very heavy in the rocket business. The Defense Department didn't want to turn that over to a civilian agency, you see. They finally did get the legislation through.

Q: They did? I imagine it sent all the way to President Eisenhower for a decision?

Burke: I believe it did. The then director of NASA was from Cleveland, a Dr. Keith Glennan. John Johnson was the general counsel. <sup>NASA</sup> We had met at the White House, not with the President, of course, but --

Q: With whom would you meet at the White House?



Burke: Oh, it varied. Dave Kendall, Jerry Morgan, General Persons, sometimes General Goodpaster and several younger people whom I don't remember.

Q: Do you recall anything they had to say, the President's aides had to say about the President's attitudes on the principal of civilian control versus military control?

Burke: Well, as near as I could gather, President Eisenhower believed strongly in civilian control, and he'd never get rid of it. He wouldn't hesitate, if he thought the military was getting

out of hand to get rid of them. But I didn't find when I dealt with military people at the Pentagon, and other installations around the world really, any evidence of the military being unhappy with civilians being over them. In one or two slight instances, but there were really nothing, they were people further down in the ranks, but by the time they got to be generals or flag officers, they were pretty broad people. Any <sup>Civilians</sup> ~~we~~ were always treated with respect, friendship. I can't think of any instance where any request whatever <sup>I made</sup> was not granted. That surprised me. I'd expected it would be different.

People fought hard for what they thought was right, or for what they thought was needed. It's always going to be a continuing fight. The military thinks it needs half again as much as they get. That's human nature.

Q: With the civilians in charge of the Defense Department, Secretary of Defense and others, did they make a strong fight for retention by the Air Force of its position in missiles?

Burke: Oh, yes. Well, simply because for the reason, you see, at that time as now, if you're going to have a development of missiles and if they'er going to be useful at all, they've got to be ready to go. You can't turn that whole program over and in effect have the Air Force borrowing them, borrowing personnel, or asking permission if they can do this or that. The weapons system concept, the people that are going to use the weapons have to control and develop them, in my judgment. It has to be theirs. I don't think NASA's been unhappy at all.  what that statute was.



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Q: Was there suspicion in the Defense Department of NASA this might be a super-agency with ?

Burke: Well, I'm not talking against NASA, because I think they've done some wonderful things. <sup>But</sup> It's like any other government agency. <sup>It</sup> They want <sup>to</sup> to encompass everything <sup>it</sup> they can. NASA at the time was relatively new, and they were suffering growing pains, and within their field which was space and rocketry and that sort of thing, that is, rocketry to put ~~the~~ vehicles into space. They wanted as much as they could get. It follows from that then that they'd get more of the budget dollars. But this is not peculiar to them. It's the same with any agency.

Q: What about the Army and the Navy and their stake in missiles and rocketry at that time?

Burke: Well, I don't remember. I was briefed on many occasions about this sort of thing. The Air Force, I think, has the big rockets, <sup>the</sup> and Intercontinental, and that sort of thing. The Army has the smaller task group things that shoot a mile, two miles and three miles. Really artillery pieces, more than the Air Force, which was -- theirs were equated with the role of the airplane, one way of putting it, the Army's equated with its role of warfare. As I remember it, that's the way it was. The Navy was beginning then, the Navy had developed its Polaris, and, I've forgotten how many submarines ~~than~~ we had that were Polaris submarines.

Q: When you would meet with General Persons or General Goodpaster, would they say for example, the President ~~things~~ thinks this, the



President thinks that?

Burke: At times, yes. I don't remember any specific instance. But they were there to be the staff for the President, and they did the job. They heard all the options, they heard all the arguments, staffed it out, and then put it to the President.

Q: It didn't seem to you at any point then that the President was inclined to turn all this over to NASA?

Burke: Well, I don't know because I didn't talk to the President about it, and I don't at the moment remember anybody saying, "This is what the President wants," so I don't really know what it was. My guess is he probably wanted it to stay with the Air Force because that's the way it ended up.

Q: You finally got the legislation that the Defense Department wanted?

Burke: It wasn't 100 percent, <sup>what we wanted</sup> but we ~~got it~~ <sup>central of rocket fuel</sup>

Q: Well, what kind of compromises did you make, for example?

Burke: Well, to tell you the truth, I've forgotten. I remember there was compromise on both sides, and ~~then~~ there was the question of semantics, how you say something, "We don't want this word in, we don't want that word in." I had a number of people working on it, professionals in my shop, fellows checking out legalities and background and Congressional intent and all that sort of thing. I just really don't remember what -- I suspect that ~~the President~~

Q: One thing I've always been curious about personally is President Eisenhower's reference as he was leaving office to the military-industrial complex. Do you have any idea what prompted that?

Burke: I haven't the slightest. I wondered myself. I think maybe that he was driving at was that, when I was there, and it's true today, the Defense contractors had become enormous things with great influence and, of course, there was billions of dollars at stake, and I think what President Eisenhower was trying to say was, "Don't keep spending and spending." In other words, keep everything in perspective. It's the only thing I can figure he meant, let's just keep it in perspective now and do it in -- but there's no question about it, some of these mammoth companies down there had a lot of influence and power.

Q: Do you think he was perhaps worried a bit by the tendency of some of the defense contractors to hire retired generals and admirals to lobby for them?

Burke: I don't really know. They sure do it. But the other side of the coin is that retirement's pretty darned early in the military Departments, and a lot of able people had to get out, you know, when they're just at their peak of effectiveness. So I suppose if they had some know-how in shipbuilding, for example, the logical thing to do would be to get a job with some shipbuilders. It's a very, very difficult philosophical thing, to take the narrow line as to which is conflict of interest and which isn't. I mean,



there's a lot of criticism, and still is, of the military man who retires as say a lieutenant general and he goes to work for Lockheed. Well, can he or can't he have lunch with his friends when he comes back to Washington? That's one side. I know one of the troubles we had -- there was a fellow there, several of them career. We were trying to draw conflict of interest regulations, and this man was vehement about it. He wanted to forbid anybody to even have lunch with somebody that was an officer and employee of a defense contractor. Well, I was against that. I said, "Look, this is ridiculous. Airplane trips, yes, I can buy that, I can buy vacations and that sort of thing, paid for by the company, but the fellow that can be bribed by a lunch oughtn't to be there to begin with."

I mean, you can't expect somebody to give up all their associations. For example, my partner at the time was a vice president of Rockwell Spring and Axle, which is now North American Rockwell. There's no way that if I come back to Pittsburgh for a weekend or something I can't have lunch with him. I mean! And they were Defense contractors, in trucks and that sort of thing, but to me, it was impossible to say you'd turn your back on everybody.

Q: Who was the official in the Defense Department who was making the case for very very rigid rules?

Burke: As I remember, his name was Bannerman, but I --

