

(These notes were begun, by dictation, at the office yesterday, July 21, 1948 immediately upon my return from this meeting; I am completing them at home on the morning of July 22, 1948)

Meeting with the President July 21, 1948,
4:00 to 4:15 p.m.

The President greeted us rather solemnly. He looked worn and grim; none of the joviality that he sometimes exhibits, and we got right down to business.

We were quite a crowd, the largest group I have seen in a conference with the President since the summer of 1936, when FDR called a meeting to discuss power pooling; the first time, incidentally, that the President and Willkie ever met.

The crowd was my fault. Carpenter, speaking for Forrestal wanted it cut down to me alone for the Commission. But he and Forrestal and Bush were to speak for the National Military Establishment. I said, no, if that was the line-up, the entire Commission should be present. As a matter of fact, if I would have yielded, Forrestal would probably have had almost as many on hand as he did: the Secretaries of the Army and Air Force, Carpenter, his deputy and soon successor Bill Webster -- and the Commissioners. We sat in a half circle of chairs; I picked a straight little chair immediately in front of the President, with Forrestal at the President's left, his team between him and where I sat, and my friends next to me.

It was an important session, and a kind of seriousness hung over it that wasn't relieved a bit, needless to say, by the nature of the subject and the fact that even at that moment some terrible thing might be happening in Berlin

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that would put this group into the hands of forces that might sweep our desires and wishes away, while the tides of force took over.

I rather think it was one of the most important meetings I have ever attended.

Forrestal got a nod from the President. F. looked at me and said each of us had prepared a letter setting out our positions and the best way to start would be for me to read mine, and then they would read theirs.

The President wheeled around to look at me. I said I thought it would be better if the Secretary opened the discussion, inasmuch as it was the National Military Establishment that had made a proposal for a change in conditions as they now exist; that what we had to say would be more readily understood if it came as a response to their proposal. (This turned out to be a very important stand. It again illustrates the great importance of procedure, which is so large a part of the common law and the training and *instincts* of the lawyer.)

So Carpenter began reading their letter (2½ closely typed pages) without giving the President a chance to say whether he would like to sit there and have a letter read "at him", (and not even by the man who signed it, but his Deputy) which I sure in hell wouldn't have, and judging from his reactions that was mistake #1 as far as they were concerned. When he had finished reading this document, word for word he said there were accompanying memoranda expressing the views of the Secretaries of Army, Navy and Air Force and of the Joint Chiefs and he set about to read them. This was too much for the President and he reached for the document and said, curtly and not pleasantly, "I can read."

Even a less experienced gent than I would have known enough at this point not to read aloud our letter to the President so I began by stating that we regarded the determining issues ~~were~~ not the technical matters which are set out in our letter and which the President could study later. The real issue was a very broad one of policy involving the factors which the President would weigh in reaching a decision not as Commander of the Armed Forces alone but as Chief Magistrate. On these broad policy questions the Commission had little, if anything, to say except to state that we believed they were conclusive of the question. It happens, I said, that the President of the United States, more than any other living man, has given thought to these problems of broad policy for three years; that the President has studied and thought about these issues since the time he ordered the first bombs dropped; through the discussions and fight for legislation providing for civilian control. (At this point the President interjected, with a little grin at me "And we're still having to fight to save those principles"). I continued; he had been the sponsor of efforts toward international control. For us to feel we could enlighten him on the broad policy question "was like trying to teach grandmother how to spin." This brought a big chuckle from the President; and I could feel the temperatures among the defense establishment gents around me go down considerably.

I read the provision of the law that said the President "from time to time" could transfer weapons, under circumstances that he deemed required it, and that we believed that when and if the President declared such an emergency to exist, in his judgment transfer could be made effectively.

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As to the Commission's own recommendation as to what should be done, we wanted it clear that we believed the division of responsibility between civilian and military provided for under the existing arrangement had worked in the past; that it was working now; that relations between the military and the Commission had been harmonious; and that it could be made even more effective along certain lines set out in the last paragraph of our memorandum, which I proceeded to read.

I said that it was inescapable that there should be a division of responsibility in atomic energy, unless civilian control were completely abandoned -- which no one had suggested; that the question always is where is the best place to draw the line dividing civilian and military responsibilities and functions; that the place the line has been drawn has been effective and can be made to continue to be effective.

I stressed the fact that we felt obliged to record our warning that a change in the present arrangement was fraught with risks to development and to maximum readiness; these were discussed in the memorandum ~~and~~ which the President could read.

Having a strong feeling that the "Judge" was inclined in the direction of our arguments, I stopped at this point taking up only perhaps three or four minutes.

Forrestal then called on Symington, Secretary of the Air Force. Symington's statement was simply beyond belief. Bearing in mind that this was a very solemn and important question of policy brought to the President in an atmosphere of tension through the world, he sat there and I am sure to the consternation of his associates talked about a visit he had at Los Alamos and Sandia.

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"Our fellas at Sandia think they ought to have the bomb. They feel they might get them when they need them and they might not work." The President looked at him hard and said, "Have they ever failed to work?" "No, but....." and he left that one. "Mr. President, it is just like having some goods you manufactured, well, when the salesmen go out on the road with it they learn about the troubles the customer is griping about, and that way you make it better. I talked to some scientists at Los Alamos, and one fellow, I forgot his name, he said he didn't believe the law permitted the military to have the bomb, and I don't believe he thought we ought to use at anyway."

The President was giving this line of trivial irrelevant talk a very fish eye; at this point he said, poker face "I don't either. I don't think we ought to use this thing unless we absolutely have to. It is a terrible thing to order the use of something that (here he looked down at his desk, rather reflectively) that is so terribly destructive, destructive beyond anything we have ever had. You have got to understand that this isn't a military weapon. (I shall never forget this particular expression). It is used to wipe out women and children and unarmed people, and not for military uses. So we have got to treat this differently from rifles and cannon and ordinary things like that."

Symington went on: that a "Dr. Bradberry, I think that was his name, at Los Alamos, he thought we ought to have the bomb, but not now. Our fellas need to get used to handling it."

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This went so badly that Forrestal took over. "As an old weaponeer yourself," he said, countering and taking a cue from my crack about "teaching grandmother how to spin" "you know how important it is to get used to handling a new weapon." Symington made one last entrance: "Yea, our fellas, they let them take out bombs without the hot stuff; afraid of a real bomb I guess."

Royall, who was sitting there looking glummer and glummer broke in: "We have been spending 98% of all the money for atomic energy for weapons. Now if we aren't going to use them that doesn't make any sense." He said some other things, but this was a sample.

If what worried the President, in part, was whether he could trust these terrible forces in the hands of the military establishment the performance these men gave certainly could not have been re-assuring on that score.

He asked whether I wanted to reply. I said no. He glanced at the other Commissioners, who said nothing, and we all rose. I handed him our letter. "I will read these papers; can't make up my mind right off about a thing as important as this. I'll let you know."

As we all got into cars at the east entrance some one said: "Boy oh boy, how Time would like to have a photographer here to get this group." Forrestal said, patting my arm and grinning that likeable grin of his, "Well Dave, the amenities were observed."

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"You have got to understand that I have got to think about the effect of such a thing on international relations. This is no time to be juggling an atom bomb around." He said this with a sternness and solemnity that was in marked contrast to the eager-beaver attitude of some of our friends.

He rose, and we all followed suit, and filed out.

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When we got back to the building the five of us got out of the elevator together. Lewis called us into a huddle. Then he said: "To hear those two lawyers buttering up the Judge. Dave says '....teaching grandma how to knit....' and then Jim "an old weaponeer like you". At which we all burst into a big laugh that echoed down the corridor as we departed to our offices. The way we relieve tension by saying something funny is one of the saving parts of the job.



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