

Oral History of Joseph L. Rauh, Jr.
Conducted by Robert S. Peck
January 17, 1992
****Tape 3 (missing)****

Mr. Peck: As we get started, there are a couple of things that I wanted to go over from last time. The first thing, which is sort of a silly little thing, but one thing to clear up because in one report I saw that your middle initial stood for nothing in particular. And in another report it stood for Louis.

Mr. Rauh: No, it stands for nothing really because my father had nothing. But if it is ever a silly thing, in earlier generations that would have been German, it would have been Ludwig. But I don't think in this country there was ever anything profound. My father never did anything but use the "L."

Mr. Peck: Okay. That settles that burning issue. Okay. When we left we were about done with your clerkships at the Supreme Court, but before we did that one of the things that you described in your law review article was the factions on the Court and how they planned separately their strategy and all. And I was hoping, maybe, that we could talk a little bit about that too. You described Van Devanter as the leader of one faction that included McReynolds, Butler and Sutherland.

Mr. Rauh: Would I ever call him the leader? He was the most senior. Did I ever use the word leader?

Mr. Peck: Maybe you didn't use the word –

Mr. Rauh: Because I mean the leader would have been a person who had great influence on the other three.

Mr. Peck: Maybe you –

Mr. Rauh: I don't think I would have used the word, but he was the oldest, the senior. That's not a word I would go for because he was a rather reserved person. I don't know that those four ever had what you might call a leader. Butler was the bully in the crowd. He would try to force, assert on all federal employee liability cases that the employee had won and Cardozo was just outraged that Butler was bullying. Sutherland was probably the most politic of them – having been a Senator. McReynolds was the most malevolent of them, so antisemitic that he wouldn't talk to Brandeis and Cardozo. Van Devanter was rather a reserved guy, so I don't know where in that crowd you could call anyone a leader. They coalesced around whoever was writing the negative of the New Deal.

Cardozo said as much to me. He said, "When we found out that they were having their meetings together, then we decided on the 6:00 Friday night meeting at Brandeis' house. That was really counter, to counter the others." When he told me about the Brandeis meetings, he said, "These were really in response to the fact that they were meeting. We can't call meetings. We weren't in the car with them, but they seemed to be always – had their ducks in a row when the conference started." I think the Brandeis meetings that Stone, Cardozo and Brandeis had at 6:00 on Friday before the 7:00 – before the Saturday conference was a necessary way of combating the other. None of them had any meetings in the courthouse.

Mr. Peck: Now another thing that you mentioned in your law review article was that – what you called a judicial tragedy that Brandeis' and Frankfurter's advice did not prevent Van Devanter not being asked to step down. Is there any more insight that you can give to me?

Mr. Rauh: That is a tough problem that I faced last week when Arthur

Schlesinger, who is at that point in his series of books, book four. He's done three, you know. Then he really stopped – Kennedy came in. He's going back to four and he called me to discuss the court-packing plan. He's a close friend. I told him that the biggest unsettled question in my book, is the Van Devanter thing. He asked me where I got this idea. Well, I got it from Ben Cohen who had discussed it with Frankfurter, this thing that Van Devanter was a very important man in conference, a very useful man, and it didn't matter that he didn't write any opinions as time went on. Ben thought that it was all a lot of malarkey. I have one bit of evidence that that's true. Are you from Harvard? Where are you from?

Mr. Peck: Yes.

Mr. Rauh: Frankfurter taught a federal jurisdiction course. The course was a seminar of about 20 students on what he called federal jurisdiction. What we did was in federal jurisdiction, was reading the cases in the Supreme Court. We had to subscribe to the advance sheets and we discussed the cases. This was so exciting because this was at the time the fight between the New Deal and the Court was going on and it was at a time when the teacher [Frankfurter] was in the middle of that fight as Roosevelt's advisor. In fact, I think he probably had as much influence with Roosevelt as the Attorney General. At any rate, I do remember on more than one occasion Frankfurter referred to Van Devanter's usefulness in conference. I remembered that when some years later Ben [Cohen] told me that there never would have needed to be a court-packing plan, because Van Devanter was willing to give up. I've always said somebody, and I don't mean you because this is so rather peripheral to what you are doing, but I've been surprised that nobody's ever looked through the Van Devanter papers. There may be somebody who has and didn't find anything, I can't speak for that. Now Lautenberg [?] has a

manuscript that he's never uncorked. But as much as 10 years ago, or almost – certainly more than 5 – it's more than since I was sick in '87 – there was a coming-out party for Lautenberg's book at Steve Solarz' house. Lautenberg spoke of his book as, you know, there it is. But it's never come out. So I don't know what Bill thinks of the Van Devanter point. But after Arthur called me, I looked back to see what I had – what my source was. But I can truthfully say that this idea was that Frankfurter and Brandeis thought Van Devanter was useful in conference was corroborated by Frankfurter during that seminar. You just have to judge how much you think one can say about that. The fact that Van Devanter got off immediately after it was clear that they were linked sort of supports that too, that he was really ready to get off because this happened in May. When does *Jones v. Laughlin* come down? April?

Mr. Peck Um –

Mr. Rauh: Well, it doesn't matter but it's very shortly after – I can't remember even if that knock on the door is before or after *Social Security* came down. But it didn't matter. Van Devanter was known by then, because all the arguments were over. They'd lost them all. The fight was over with Roosevelt and we won. I must say that I don't have it wrapped up. And it will never be wrapped up unless somebody really makes a study of Van Devanter's papers or there's a biography or something. It's one of the unknown factors. The whole thing is that if Brandeis – if my story is correct and Brandeis had – after talking to Frankfurter – said, "Oh, I know that you've done some wonderful work, why don't you, of course, if you feel like that, we shouldn't stand in your way."

Mr. Peck: Right.

Mr. Rauh: See, if you have four votes, three of them are liberals and the fourth

vote, a Roosevelt appointee, Hughes would have gone off then. All Hughes wanted to do was to be with the majority, I mean, he had a terrible time swinging on a trapeze. There would have been no occasion for the court-packing plan. Now since I'm one who thinks it came out as well as it could have, it sounds so terrible to me. All the people who had been so down on the court-packing plan don't realize that it was brought on by the liberals not understanding that they have to play hardball.

Mr. Peck: But speaking of the court-packing plan, you wrote that Cardozo, or course, opposed the plan –

Mr. Rauh: Yes.

Mr. Peck: But did not think it was his role to do something about that. But he was upset with his brethren for getting involved?

Mr. Rauh: Very upset at the Hughes letter. Am I not right that the Hughes letter was also, was based on – Hughes said that he had the support of Van Devanter and Brandeis?

Mr. Peck: That's right.

Mr. Rauh: Cardozo or Brandeis said he was part of their team and went ahead and did that. But Brandeis did a lot more. That story I got, nobody else had ever printed the story, about how Mrs. Brandeis got [Senator] Wheeler to call the Justice and (laughter) they worked together with Hughes. But the guy who told me that story, that's a pretty good source. It's Ed Wheeler, the son of Senator Wheeler, who is the one who told me story. I actually asked him twice – it seemed like such an important story – about Brandeis' role in defeating the bill. I asked him a second time, and he told me the story at Gerry Reilly's house. Gerry Reilly is a long-

time lawyer – he was on the D.C. Court of Appeals. He was a judge on that court here. He was a rather conservative New Deal fellow. A good friend. I was over visiting him while he was sick one day, I was over visiting him and in walks Wheeler, and he said – I don't know how it came up, but Ed Wheeler just uncorked this story. Before I wrote that I called him again and said this is what I'm writing and he said it's absolutely right.

Mr. Peck: One of the other things that you recalled was Frankfurter's role in the *Flax* case. Ken Pritchard called you after he saw – ?

Mr. Rauh: He didn't call me. He came to the house and he (chuckle), Ed was 300 pounds, and this is a sight you can hardly believe. He was climbing the hill to our house and the steps and out of breath. He slumped down in a chair and didn't say anything. He just handed it to me as he slumped down in the chair. Actually, he came unannounced about 7:00 or 8:00 in the evening.

Mr. Peck: And you both foresaw this as the end of the Justice's role on the Court?

Mr. Rauh: Yes. The fact that he would lose the leadership of the Court and I believe it did.

Mr. Peck: And you were urged to try and talk to the Justice and could not find a way that you could appropriately do that?

Mr. Rauh: (Chuckle) Well, I mean, before the evening was up we were laughing at our own inability to cope with the problem. I said to Bruce, "Can I tell the Justice he showed me the, he showed me the opinion and the dissent?" And he said, "Oh, no. Oh, no, no, no, (laughter) you can't bring me into it." Well, it was impossible. I couldn't – I wouldn't think of

it without being able to be telling the Justice the truth or how I happened to know it. In those days, too, there was much more secrecy around the Court than there is today. With four law clerks, things do leak out that shouldn't.

I told you the story of the leak on the *McGovern* case when we brought suit to keep the California delegates, and all day long that place leaked like a sieve. It shows you that when you get excited and you're intense, you don't think as clearly because I never thought, maybe I was doing something unethical in letting the young people who were helping me tell me the story, I mean, I didn't initiate it, but maybe I should have said, "No, this is confidential____", and maybe I should – except I never thought of it. It was only years later that I ever thought the whole thing might have been a problem. The place had started to be an ordinary leaking (chuckle) place, but it wasn't that way back in 1936. There were a lot of cases there that involved tremendous sums of money – the *Gold Clause* case, the other bond cases. Nobody would have ever done anything that would have caused – the stock market might have been affected by a leak there, so nobody ever thought of leaking. I was quite shocked at myself when I sobered up after that *McGovern* case and realized that now the place does leak but what is the option – what is the responsibility of a lawyer who is in charge of a big case that may affect who is President of the United States, and he has some young associates in the case and they, because they're really just off the Court or somewhere, they can get information they shouldn't have? You may not believe this, but I swear I didn't think of that until the thing was all over.

Mr. Peck: I bet you had some moments there –

Mr. Rauh: Yeah, the heat of the moment there was just – the temperature was too high and we worked right through for about 48 to 72 hours. We had a wonderful group of

young men then. Many of them are academics now. We couldn't have had a brighter group. I mean, they carried me, it wasn't the other way around. But, this did occur.

Mr. Peck: Well, in looking through the records, the first time I found an association between you and the D.C. Circuit, was in *Colorado Radio Corporation v. FCC*, which you were on the brief with the FCC there.

Mr. Rauh: Oh, really? Well, it's when I was Deputy General Counsel?

Mr. Peck: I knew that you were involved in the antitrust work then that led to the breakup of the red and blue network.

Mr. Rauh: Yes, we were in that, but I left shortly afterward so that I wasn't in the litigation on that when NBC tried to upset it. I guess it was NBC that tried to upset it. They didn't want to give up their blue network. I do remember working very hard on the report. You know the funny story about the report? We had the report all ready to go, and it has some pretty radical _____. Taking away one network from _____ was not a little game there. That's a pretty big thing we were doing. There were some other good things in it. That was a good report. It was a New Deal type of report where the kids – younger people, lawyers, and mostly lawyers – got their way. Larry _____, of course was a lawyer, he was older, maybe 10 years older than I was, but he went all for it. He loved it. He used to say, "Thank goodness we're doing something to improve this." He was so happy with the report. Nathan David was his assistant. I think Nate died. Well, I don't know for sure. He'd be about 80 if he's alive. Anyway, it leaked out – the report leaked out and the *Louisville Courier Journal*, station WHAS, was one of those 50,000 watt stations – clear channel stations – and we were ready to screw up the clear channel stations as well as everything else. A clear channel meant that a lot of people didn't get

any service. Clear channel stations could charge more, so this fellow, he and the family that owned the *Louisville Courier Journal* that just had all the trouble where they had to sell their whole holdings because there was a family fight.

Mr. Peck: I don't recall the name.

Mr. Rauh: Barry Bingham was the editor in chief – the man I'm thinking of was the chairman, but I mean the two of them together ran it. This man getting the leak of what we were doing to the clear channel stations, and I think they were Columbia, not NBC, but I'm not sure, and he immediately asked for a date with the President. He hurried to Washington. The President calls Larry and says, "I want you to hold up the report, I'd like to see a copy – and tell him this guy's in there." Roosevelt's a cagey guy and Larry, thinking so fast says, "Oh, gee, I'm terribly sorry, Mr. President, it's been released." It was released about 10 minutes later (chuckle) because we had the copies all ready to go and everything was ready but it hadn't been released. So that's how that thing got out. And I believe Larry's story. He got the Presidential phone call. Larry was a guy who would take on anybody if he wanted to. He was absolutely great. He went up and had a secret hearing before the House Judiciary Committee opposing Roosevelt's _____. I was the only guy in the room who wasn't on the Committee or its staff.

Mr. Peck: Well, other government service: You were in the Office of Emergency Management which is usually described as an office to prepare industry for the war effort?

Mr. Rauh: That's right. It was the holding company of all the agencies that were preparing for the war effort. One was successively the National Defense Advisory Council, Office of Production Management and the War Production Board. Then there was Lend/Lease,

Economic Warfare, but this was the coordinating body. Wayne Coy was the head of the Office of Emergency Management. He couldn't direct the people who ran these different agencies, but he could try to see that the thing was smooth and that it was going well. On occasion, he would be the one called in by Roosevelt. When Roosevelt went to the Atlantic Charter meeting off in Canada, he put Wayne in charge of getting things to Russia. The Russians were complaining, were coming forward to Oscar Cox, who was quite a remarkable, bright guy, was the General Counsel of both the Office for Emergency Management and Lend/Lease. I was the Deputy General Counsel of both of those. We had our offices in Lend/Lease because that's where we spent most of our time. Wayne would call all the time with different instructions. Some of the other people who didn't have full staffs used us as their lawyers. There was a guy named Budd, head of Budd Wheel. The first day I'm there as the Deputy General Counsel, Oscar comes in and says, "I've got to go to a meeting here. Will you go upstairs and see what Mr. Budd wants and try to be helpful to him because that would be another client we have." In other words, we are building our turf, so I go up in April of '40, I guess, and he says, "Young man, is it all right if I gave the government car to the Open Games?" That's how serious the war effort was in April of 1940.

Mr. Peck: Somewhere I read of a little experience you had with Lee Pressman, the General Counsel from CIO, where he had opposed a plan to allow the taking for the war effort of machines not in production with giving just compensation. Pressman said it was an imperialistic war, and he would support such a plan. Is that accurate?

Mr. Rauh: Here's what happened: Oscar [Cox] came in one morning and said, "The President wants a bill that will allow the seizure of private airplanes, machine tools that

would fit into our production, and things like that." I think that it had been sparked by a private plane owned by a man named Guggenheim out in the West somewhere, and the Army wanted to buy it right away or the Air Force – well, there wasn't any separate Air Force, it was the Army -- and they wanted it for Britain's reconnaissance. So, Oscar says we will get the CIO and the AFL and the other big organizations you think that we might need and do it fast. So, I called the AFL. That was easy. Anything the President wants, you know, with the war, they were okay. So I called Pressman. I never should have done that. I should have gone through some other way. I knew him and you think of people you know, and you never think, at least I didn't, that there are hidden motivations. So I called him and I said the President wants to do this but we want to be sure it's okay with Labor. I said, "Can we put the CIO down as favoring the plan, provided, of course, we make compensation. We must do it and we must do it fast." And then, much to my surprise, he said, I think quite exactly what you just quoted, that they would oppose the bill, that this was an imperialist war and he didn't – they wouldn't take sides in the war – and it was quite ugly. I saw no reason to let him know how deeply I felt. It was what later came out as Communist spies. He was then a member of the party. And that came out later. Of course I didn't know it, although I heard reports, but I guess my civil liberties side was up. So anyway, I shouldn't have done that. I should have gone a different route to the CIO than I did, but you know, sometimes you don't think of the important things. Anyway, I think we dreamed up a way of getting around him, and the bill did pass very shortly, and it was very valuable. I mean there were people who didn't want to be inconvenienced, but if they got an order they didn't want to fight it either. So it did work out fine.

Mr. Rauh: I guess it was the first time I had personally experienced what was

pretty close to treason. No, that's not the right word. The right word is subversive because treason has a precise meaning. This was not that, but this was some very _____. Just because the Russians and the Germans were then in a mutual pact, to go against the democracy and England as against the interests of the Russian Nazi pact. It was the first – well, it had a real effect on you. You couldn't help it, but then it developed over the years and there were some such feelings around. I would say that probably if a pressman was saying that to me during the Nazi-Soviet Pact, that's probably the high-water mark of Communist influence in this country. That's 10 years before Joe McCarthy. By the time Joe comes, the thing is gone. They've lost the battle, but they were not insignificant in 1940.

Mr. Peck: Well, in 1942 you joined the Army and served about 3 years?

Mr. Rauh: Yes, I joined in, I think, March of '42, and I got discharged on September 1st of '45.

Mr. Peck: And were you immediately assigned to MacArthur's staff?

Mr. Rauh: Yes and no. I mean, yes, in substance. But, it's a question of what you could call MacArthur's staff. I was – went through Australia and that's where the headquarters was, but there were layers of headquarters. I was not at that time in what would be the top headquarters because, I don't know if you've ever been in the Army, but functions get moved around. People follow the functions and sometimes we were in the general headquarters staff because the function that we were working on was there. Sometimes we were in the first headquarter staff below it and I guess it's not unfair to say it was all MacArthur's staff. But in the later period there wasn't any question that it was MacArthur's staff. In the earlier period you could say well, it was a subsidiary staff and the function there was trying to make Lend/Lease

work for the Army, so we didn't have to ship everything from San Francisco but could ship from Australia which was a lot closer. It was a rather civilianesque job. We really didn't get into the real military job until we went into the Philippines and I was one of the heads of the civil affairs section. That was more real military service.

Mr. Peck: Well, during that period were you sort of the unofficial mayor of Manila?

Mr. Rauh: What happened was that we came in with the Japanese troops who were being ousted from Manila. There was no food. We had to get it off the ships 'cause there was _____. I'm not an idiot. After all, you capture the territory around there, but there's food there. I mean, farmers know how to find food when people are sitting hens. So we had requisitioned plenty of ships of rice. We had requisitioned a lot of rice. We didn't get it all. We got something that was called cracked corn, which was not only inedible as cracked corn, but had bugs in it. We had some rice and so we had to devise a system for distributing it and not letting people starve there. So, we fought our way out of the beaches to try to get the stuff unloaded. We were fighting, not with the Japanese, but with our own Army. We got somewhere, but one day when we were really in pretty bad shape somebody told me, "Look, why don't you go to the Quartermaster? Instead of having 90-days supply, which is always what you're supposed to have, he'll be embarrassed into giving you some flour." So I said, "All right." So, I went over there, I guess I was a Lieutenant Colonel by then, or Major, no, I kind of think I was a Lieutenant Colonel. I went over there to see the guys with stars all over them and I explained that we could use – it was to be the equivalent of a pound for a million people – it was a million pounds we could use. I don't how many tons that it was – 500 tons? Five hundred tons of flour and that I

hoped he would provide it. He said, "Yes," because apparently he knew he was a little _____ with all that extra stuff. So he said, "Okay, have your trucks drive up in the morning and we'll give you the million tons." "Who's going to sign for this?" So I figure, oh, if I have to go to jail, people are going to start eating, so I said, "I'll sign for it." So somewhere there's a note by me to the Quartermaster in Manila for 500 tons of flour and it's signed JOSEPH L. RAUH, JR., something – Assistant Director or something – Civil Affairs Section, General Headquarters, Manila. Anyway, there was more bread the next day than, I mean that's a lot of flour and you think of what a pound for every person there and a lot of times their kids and their people don't get any, so this was really a lifesaver there. Then our job was to turn the government over to _____. I traveled around the Philippines getting local cities going, and that was a good job. There you were close to the Japanese lives. That was a job where you felt you were in the military.

Mr. Peck: Well, I also read that you helped establish military governments on some liberated islands?

Mr. Rauh: Yes. I was in most of the islands in Sabou where Magellan's Straits are – where you go through there – and that's where Magellan's tomb is, right outside the Sabou. We know which was the home of some of the best guerrillas, and we did link up with the guerrillas. They had things rather screwed up at times. The Civil Affairs Section was in the same unit really with the guys dealing with the guerrillas, and with the propaganda section, whatever that was called. We worked awful hard. It must have been evening and we'd worked all day and everybody else was gone but I was still there and I answered the phone. It was General Sutherland who was Chief of Staff and he said, "Who is this?" and I identified myself. I

should have done it first, I mean that was the wrong Army etiquette. You answer the phone with your name, but I didn't. I was a wiley soldier. He said, "This is General Sutherland." Oh, God, then I was scared to death. I was scared of Japanese bombs, but I was really scared of General Sutherland 'cause he was the toughest guy that ever lived. So he said, "Who prepared the leaflet that was dropped this afternoon over the Japanese lines?" Well, I didn't even know there was a leaflet 'cause while we were right in the same section, we were not the same people who were doing these things. So I said, "I don't know, Sir. I'll inquire and call you back." He said, "I want to know right away and I want a new leaflet dropped immediately!" And I said, "What will it be?" He said, "The way that leaflet reads was WE HAVE RETURNED. The leaflet I want is I HAVE RETURNED, signed by General MacArthur." I said, "Yes sir. It will be done right away." I found the guy who was in the other unit and I got him out of bed and then he got something out. I don't know. But at least we were in the ball game there. As one who had been so much for getting in the war, I felt I just had to do something. I mean, you couldn't have helped your country get into war and then, get prepared – we were well prepared – so I salved my conscience.

Mr. Peck: You said to one interviewer that when you were given this assignment to help establish military governments, you had no idea how military governments were set up and the only reference you really had was John Hersey's novel?

Mr. Rauh: When that came up was when you're going to have a major invasion you have a thing called a battle planner. And the battle plan is really – it says starting at such a time you do so much and then they have appendices. There is an appendix on which division is going where. An appendix on supply. An appendix on where the airports are to be

made and how they are to be made. And then an appendix on civil affairs. It was one of many appendices. Well, one of my first jobs when I was assigned to the civil affairs, taken away from the other duties on the supply side, was in the appendix on the battle plan under the Philippines. It's all in code too. I mean it's very carefully done because we were going to land in _____, and any Jap could have figured out it was _____, but they use some funny ways. When I got there I was studying up on the thing and a friend of mine, Ray Kramer, who was also on the supply side, big business man from New York, came back from the United States. He had been over here doing something for the General and he heard that I was assigned to civil affairs side and he came and he said, "Oh, God, am I glad they finally got some sense in there." I said, "Yeah, but what do I do? This is something," I said, "they got all these damn colonels and generals over in Charlottesville," that's where they were training civil affairs people, but MacArthur would have none of that. So I said, "They wouldn't even let me ask for the documents that they used over there to teach these guys with." They would have nothing to do with it. See, in MacArthur's headquarters there aren't any Pentagon. So, at any rate, Ray Kramer says, "Well, here he is." And he goes into his room, his office and comes back with John Hersey's book. He says, "You read that and it will help you." And I said, "Well, thank you." I started to read that night and I read for twenty-four hours. I read the whole book – every word of it. Wonderful. It taught you things you never would have thought of. Would you have thought of traffic control on roads where you wouldn't have thought any traffic could drive? Boy, that was the most important thing. All the refugees were stopping our tanks from getting anywhere. Well, I've seen Hersey since. I told him that Hersey was the civil affairs God of MacArthur's headquarters but it's a wonderful book anywhere. Have you ever read it?

Mr. Peck: Yes, I have.

Mr. Rauh: It's a great book but it's so thoughtful – without meaning to be – when it told all about the roads out of Rome being clogged. Strangely enough, one of the first assignments we had was to change the drive from one side of the road to the other side. One Saturday night, we had orders a week before that, on Saturday night at 12:00 they were going to change over from one side to the other and that was assigned to us. Of course we couldn't carry it out. See, you've got Army units to paste up things and it worked rather well – a few accidents, but they probably would have been accidents anyway. Like that story by Hersey is absolutely true and we had a good laugh together.

Mr. Peck: You received the Legion of Merit and the Distinguished Service Star for your service, and then you came back to the United States.

Mr. Rauh: I would like to tell you the first battle I had with the John Birch Society. When you mentioned the Legion of Merit, the General in charge of civil affairs, when I was coming home, wrote a lovely write-up for the – what's the medal called, it's the top medal, not the Congressional one. It was a higher medal and to get that you had to have clearance from Washington. General MacArthur's secretary was a John Bircher. He re-wrote it into a Legion of Merit and didn't send it to Washington. Bunker was his name, something Bunker. He went back, and I didn't know he was a John Bircher, and I read the *New York Times* one day, *LAWRENCE BUNKER, former secretary to General MacArthur, today said for the Boston John Birch Society ... some terrible thing*, and so I had a good laugh over the fact. I had been told that I was going to get this higher thing and I'd been told when I didn't everybody told me it was Bunker who had done it. I never realized that it. But anyway, the President of the Philippines

kissed me on both cheeks and gave me that Filipino medal. That was the highest one over there so I feel all right. (Laughter)

Mr. Peck: So then you came back to the United States and you became General Deputy Housing Expediter?

Mr. Rauh: Well, I practiced for a few months before I did that. The practice was rather desultory. I had one client which was the Polish Supply Mission. This was when we were still trying to keep some influence with Poland and the job was to get a loan from the Export/Import Bank for railroad tracks and cars, coal cars especially in Poland, and that was used against me when I was such an anti-McCarthy type. But then soon we were over with the Housing Agency.

Mr. Peck: This was to help veterans returning find housing?

Mr. Rauh: Yes, there was a thing called the Veterans Emergency Housing Program. The head of that was Wilson Wyatt, who was the former Mayor of Louisville. It had had housing programs and he was a great guy, but the job was hopeless. As the war ended, people were just so angry over having all of these regulations, you know, price control. We had the right to order nails, order steel mills to make nails, to make everything. We still had a war-time economy in housing. Well it soon became this island of regulations in a sea of decontrol. We tried to make one last stab at building houses. We wrote a letter to the President from Wilson. He was the Director and I was the Deputy Director of the Veterans Emergency Housing Program. We wrote this letter to the President, and said it just wouldn't work unless the government was willing through the RFC to put up 100 percent – take a 100 percent risk. Nobody was willing to take a risk in a situation where you couldn't control anything. You

couldn't get nails from this guy and you couldn't get ... Well, that's the picture up there of all the things we, on the left there at the top, that's Wilson's picture. It's got all of the things we needed – it's got nails, boards – that's when we got fired. At any rate, some _____, I think I know who it was but it's not important, leaked the thing and then a few hours later we got a letter. Well, it was printed in the *Wall Street Journal*, and a few hours later Wilson got a letter from Truman saying, "I don't like reading my mail in the *Wall Street Journal*." And pretty soon he resigned. I was so involved with him it was just ridiculous to even attempt to stay, so I left too. Interestingly enough, the man who fired us was Clark Clifford who my son now represents. (Laughter)

Mr. Peck: Well, you were admitted to the D.C. Bar in 1946 and I take it was – the reason it was so late in your legal career for admission to the Bar was that government attorneys did not have to be a member?

Mr. Rauh: That's right. When you were a government attorney, you did not have to be a member of a particular bar, but then, of course, came the war. So that was why it wasn't until then that I had to be admitted to the Bar. But then it wasn't any work really because it came on reciprocity.