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ABILENE, KANSAS

BROWNELL, HERBERT: Papers, 1877-1988

Accessions 88-12 & 89-11

The papers of Herbert Brownell were deposited in the Eisenhower Library by Mr. Brownell in 1988 and 1989.

Linear feet of shelf space occupied: 114
Approximate number of pages: 222,000
Approximate number of items: 100,000

An instrument of gift for these papers was signed by Mr. Brownell in June 1988. Literary rights in the unpublished writings of Mr. Brownell in this collection and in all other collections of papers received by the United States have been donated to the public. Under terms of the instrument of gift the following classes of documents are withheld from research use:

1. Papers which constitute an invasion of personal privacy or a libel of a living person.
2. Papers which are required to be kept secret in the interest of national defense or foreign policy and are properly classified.

SCOPE AND CONTENT NOTE

Herbert Brownell, lawyer, politician, and Attorney General of the United States, was born in Nebraska in 1904 of New England ancestry. His father, Herbert Brownell Sr., was a college professor who taught science education at the University of Nebraska for many years. His older brother Samuel also became a teacher and served as Commissioner of Education during the Eisenhower administration. Their mother, May Miller Brownell, was the daughter of a minister in upstate New York. Her uncle William Miller served as Attorney General during the Benjamin Harrison administration.

After majoring in journalism at the University of Nebraska Brownell received a scholarship to Yale Law School. This led to a life-long career in the legal profession. His first job after receiving his law degree was with the firm of Root, Clark, Buckner, Howland & Ballantine in New York City. In 1929 he transferred to the firm of Lord Day & Lord where he spent the rest of his career.

Brownell specialized in corporate law. He provided legal services to a wide variety of foundations and corporations. Such services included preparing charter and by-law revisions, mergers and acquisitions, stock offerings, tax forms, and annual reports. Major clients included the American Hotel Association and the 1939 New York World's Fair. Outside of his law practice he was a member of the American Bar Association and the New York City Bar Association. He was also active in various scholarly organizations which supported the legal profession, particularly the American Judicature Society and the Institute for Court Management.

Despite his distinguished law career, Brownell came to the attention of the general public largely because of his political activities. After settling in New York City he became active in the Republican party and campaigned for Herbert Hoover during the 1928 presidential campaign. In 1931 he ran for a seat in the New York State Assembly from the 10th District on Manhattan Island. His campaign manager was a young Republican attorney named Thomas E. Dewey. Although Brownell lost the election he ran again the following year and was able to defeat the Democratic incumbent. This feat, in Franklin Roosevelt's home state in the year of the Democratic landslide, brought Brownell national recognition.

Brownell served five years in the New York Assembly and became noted for his progressive legislation. He supported unemployment relief and other measures to assist families during the Great Depression. In 1937 he declined to run for reelection in order to devote more time to his law practice. However, he continued to be active in politics. In 1942 he managed Thomas Dewey's successful campaign for Governor of New York, and in 1944 was manager of Dewey's unsuccessful campaign for the presidency. During the campaign Dewey arranged to have Brownell made chairman of the Republican National Committee. Brownell used the position to increase the efficiency of the RNC and improve contact with state and local Republican organizations.

In 1948 Brownell once again served as manager of Thomas Dewey's presidential campaign and came very close to defeating Harry S. Truman. Four years later he supported Dwight D. Eisenhower's candidacy and helped the Eisenhower forces defeat the supporters of Robert Taft at the Republican National Convention in July 1952.

After Eisenhower was elected president he appointed Brownell Attorney General of the United States. Brownell served in the position until November 1957 when he resigned to return to his law practice. In 1964 he managed the re-election campaign of Senator Kenneth Keating. Keating was defeated by Robert F. Kennedy, a younger brother of President John F. Kennedy.

After the Keating campaign Brownell largely retired from politics, although he remained active in legal affairs and continued to hold important positions. In 1972 President Nixon made him a special ambassador to resolve a dispute with Mexico over the quality of the water in the Colorado River. In 1975 President Ford appointed him chairman of the National Study Commission on Records and Documents of Federal Officials.

The papers of Herbert Brownell comprise a large collection which cover most aspects of his professional career. Brownell, however, was reluctant to express himself on paper. As a result, his personal role in most events is difficult to determine, although he collected extensive files on what was happening around him. The collection contains very little information on his role in the various political campaigns he managed. There are also very few files on his work as chairman of the Republican National Committee.

His service as Attorney General is also poorly documented. Brownell appears to have left his most significant files at the Justice Department in 1957 and retained only his routine social correspondence among his personal papers. Particularly noteworthy is the total absence of any files on judicial appointments, civil rights, school integration, and the loyalty-security issue during the Eisenhower administration, although Brownell made some retrospective comments on these matters in various oral history interviews in later years. The most significant file he retained concerns his interest in the problem of presidential disability and succession. For information on advice Brownell provided to President Eisenhower, scholars must rely on Eisenhower's Papers as President (the Ann Whitman file), particularly the Administration Series, the Cabinet Series, and the NSC Series.

Brownell's papers have been arranged in five series which preserve the basic organization set up by his file clerks at Lord Day & Lord. The first series contains the bulk of Brownell's social correspondence with his family, friends and the general public. Most of the correspondence is arranged by time period and thereunder alphabetically. The files for 1932-1935 consist mostly of correspondence with Brownell's constituents regarding his service in the New York Assembly. There is a major gap in the record as the correspondence for the years 1936-1940 was not received at the Eisenhower Library. This material appears to have been lost by 1956 when clerks at Lord Day & Lord reported that they were unable to locate the files (see letter from Lord Day & Lord, January 4, 1956, in folder Lor (1), box 47).

The files for 1953-1957 contain most of Brownell's social correspondence from his service as Attorney General. They also contain cross reference sheets which serve as a name index to the

invitation files in boxes 143-154. A few folders contain items dated after 1957. Brownell's staff appears to have filed them in this segment because they related to issues which arose during the Eisenhower administration. Of particular importance is a series of interviews with Warren Olney in 1974 in which Olney discussed his work as head of the Criminal Division of the Justice Department under Brownell. The interviews are filed with the Criminal Division folders in box 36.

Brownell's correspondence with his immediate family is arranged by the name of the relative and thereunder chronologically. The file on his parents is especially important as it contains material Brownell inherited after their deaths. This includes copies of his father's diaries which date back to the 1870s, and most of the handwritten letters Brownell had sent them in the early years after he had settled in New York. These provide valuable accounts of his early law practice and his campaigns for the New York State Assembly. His correspondence with his brother Samuel Brownell also contains important information on Samuel's career in education. This series also includes some information on miscellaneous relatives, including his great-uncle, Attorney General William H. Miller.

The correspondence series also contains a set of files on Brownell's correspondence with important persons. These include Warren Burger, Thomas E. Dewey, Dwight D. Eisenhower, James Kemper, Justus Baldwin Lawrence, John V. Lindsay and Richard Nixon. The Kemper correspondence contains detailed information on Republican fund raising activities while Brownell was RNC chairman.

The second series in the collection contains Brownell's campaign and political files. About two-thirds of the material is in chronological order by date of campaign. There is good material on Brownell's campaigns for the New York Assembly in the 1930s, the 1952 presidential campaign, and the 1964 Senatorial campaign of Kenneth Keating. Only fragmentary files exist for the 1944 and 1948 campaigns and Brownell's service as RNC chairman.

The final third of the Campaign and Politics Series consists of an alphabetical file of correspondence from the headquarters of Thomas Dewey's campaign staff during the 1948 campaign. Most of the material is dated between June and November 1948 and provides good coverage of national Republican politics during this period. Unfortunately, the file only covers the letters A to McD. Correspondence with persons whose names started with letters McE to Z were not received at the Eisenhower Library. Brownell has told the Library that these files had been missing for many years. It is possible they were lost along with the 1936-40 general correspondence.

The third series in the collection contains material on the major government positions held by Brownell. These are divided into four subseries by title of position. The first covers his service as Attorney General. The bulk of the Attorney General files consist of routine correspondence with the general public. This includes congratulatory letters and invitations. Files labeled "Transition Correspondence" cover the period November 1952 to January 1953 and consist of endorsements, applications for positions in the Justice Department or comments on Justice Department programs. Files labeled "Harry Dexter White" contain letters reacting to a statement Brownell made in November 1953 in which he criticized the Truman Administration for its handling of the Harry Dexter White case. The most significant material in the Attorney

General files is undoubtedly the Speech file. This contains texts of Brownell's public speeches in which he commented on various Justice Department programs.

The second subseries pertains to Brownell's work on the Colorado River salinity problem during the mid-1970s. This is one of the richest portions of the collection. It contains detailed information on Brownell's negotiations with the Mexican government, background information on the hydrology of the Colorado River basin and the history of the salinity problem, material on the state of desalinization technology in the 1970s, and follow-up material on the efforts of the United States to carry out its part of the final agreement. Some of the diplomatic files are currently security classified.

The third subseries pertains to the work of the National Study Commission on Records and Documents of Federal Officials, of which Brownell was chairman. Although Brownell's role on the commission is not well documented, the files contain extensive material on the work of the commission as a whole. Of particular importance are the detailed reference files maintained by Brownell which contain reports on the history of record keeping practices in the U.S. government, and information on archives in the United States.

The fourth subseries covers Brownell's service in the New York Assembly in the 1930s. This material is very fragmentary and does not provide complete coverage of Brownell's five years in office. The material includes a file of bills introduced in the 1933 session of the legislature, and a subject file of newsletters, clippings, printed material and constituent correspondence on various issues.

The fourth series in the collection consists of files on the various boards, committees and organizations in which Brownell was active. Most of the information on Brownell's work in the legal profession outside of his private law practice is in this series. The files mostly cover the period after 1957 and contain very few references to Brownell's legal work during his early law career. Of particular importance are the files on the American Bar Association and the City Bar Association of New York. Brownell belonged to both organizations and served on various committees which dealt with issues of interest to him. In the ABA this included efforts to improve the salaries of federal judges, and amend the Constitution to provide for succession in cases of presidential disability. In the CBA Brownell was active in efforts to improve the administration of the New York City court system.

The Organizations Series also contains files on organizations outside the legal profession in which Brownell was active. These include political and charitable organizations, private companies and clubs, and educational institutions. The files on the University of Nebraska and Yale University pertain to his alumni activities at these institutions.

The last series in the collection is arranged alphabetically by subject and contains a wide variety of material, much of which is of a more personal nature than the material in the rest of the collection. This includes Brownell's appointment books; copies of his major speeches, articles, oral history interviews and income tax returns; fragmentary files from his early years; printed material and miscellaneous correspondence.

BIOGRAPHICAL NOTE

Feb. 20, 1904	Born in Peru, Nebraska
1924	Graduated from University of Nebraska
1927	Graduated from Yale Law School
1927-1929	Law clerk with firm of Root, Clark, Buckner, Howland & Ballantine in New York City
Feb. 1, 1929	Joined law firm of Lord Day & Lord in New York City
1933-1937	Member of New York State Assembly
June 16, 1934	Married Doris McCarter (died June 12, 1979)
1942	Managed Thomas E. Dewey's campaign for governor of New York
1944	Managed Thomas E. Dewey's presidential campaign
1944-1946	Chairman, Republican National Committee
1948	Managed Thomas E. Dewey's presidential campaign
1952	Assisted with Dwight D. Eisenhower's presidential campaign
1953-1957	Attorney General of the United States
1962-1963	President, City Bar Association of New York
1972-1974	Special ambassador for negotiating Colorado River salinity problem with Mexico
1975-1977	Chairman, National Study Commission on Records and Documents of Federal Officials
1977-1989	Associate of law firm of Lord Day & Lord in New York City
May 1, 1996	Deceased

SERIES DESCRIPTION

Box No. Series and Subseries

1-115 I. Correspondence. 115 boxes.

Herbert Brownell's personal correspondence with his family, friends and the general public. The files are divided into three subseries.

1-102 1. General Correspondence. 102 boxes.

Correspondence with Brownell's friends and the general public. The files were divided into ten chronological segments by Brownell's staff. The first of these covers 1929-32 (box 1) and is arranged in chronological order. All the other segments are in alphabetical order by name of correspondent. They cover 1932-34 (boxes 1-9); 1935 (boxes 9-13); 1941-48 (boxes 14-23); 1949-52 (boxes 23-28); 1953-57 (boxes 28-66); 1957-59 (boxes 66-70); 1960-63 (boxes 70-74); 1964-67 (boxes 75-79); and 1968-88 (boxes 79-102). Files for the years 1936-40 were not received at the Eisenhower Library.

102-107 2. Family Correspondence. 5 boxes.

Correspondence with members of Brownell's immediate family, arranged alphabetically by name. Folders on miscellaneous relatives are filed at the end of the subseries.

107-115 3. Special Name Correspondence. 8 boxes.

Correspondence with important people and close personal friends, arranged alphabetically.

115-139 II. Campaigns and Politics. 24 boxes.

Correspondence, reports and printed material pertaining to the Republican party and various political campaigns in which Brownell was active. Arranged in two subseries.

115-133 1. Chronological File. 18 boxes.

The main file on Brownell's campaign and political activities. Arranged by campaign year and thereunder by subject.

133-139 2. 1948 Campaign Headquarters Correspondence. 6 boxes.

General correspondence of Thomas Dewey's campaign headquarters staff during the 1948 campaign. The material is arranged alphabetically but only covers the letters A-McD. Correspondence for letters McE-Z was not received at the Eisenhower Library.

139-193 III. Government Service. 54 boxes.

Files on Brownell's service in various state and federal government positions. Arranged in four subseries by title of position.

139-167 1. Attorney General. 1952-57. 28 boxes.

Congratulatory letters, invitations, speeches, memorabilia and routine correspondence with the general public, arranged by subject.

168-177 2. Colorado River Salinity Problem. 1972-79. 10 boxes.

Material on HB's work as a special ambassador to negotiate with Mexico about the salt content of the Colorado River. Includes reports, correspondence and briefing papers outlining the history of the problem, the negotiation of an agreement, and efforts of the US to fulfill its part of the agreement. Arranged alphabetically by subject.

177-187 3. National Study Commission on Records and Documents of Federal Officials. 1975-80. 10 boxes.

Correspondence, reports and printed material, arranged in 2 subseries: a Subjects File which covers the work of the Commission, and a General Reference File which consists of printed material collected by HB for reference purposes.

188-193 4. New York Legislature. 1933-37. 6 boxes.

Correspondence, reports and printed material pertaining to HB's service in the New York State Assembly. Arranged in 3 subseries: a Subject File covering HB's entire legislative service; and 2 bill files containing information on legislation in the 1933 regular session and the August 1933 special session of the legislature.

193-247 IV. Organizations. 54 boxes.

Correspondence, memoranda, reports and printed material concerning boards, committees, companies, institutions and other organizations in which HB was active. Arranged alphabetically by name of organization.

247-278 V. Subject. 31 boxes.

Miscellaneous material pertaining to HB's career, including his appointment books, significant speeches and articles, oral history interviews, income tax returns, printed material he collected, fragmentary files from his childhood and youth, and miscellaneous correspondence. Arranged alphabetically by subject.

CONTAINER LIST

<u>Box No.</u>	<u>Contents</u>
1	<p>SERIES I: CORRESPONDENCE</p> <p>Subseries 1: General Correspondence</p> <p>Personal Correspondence Jan 31, 1929 - Aug. 16, 1932 (1)-(10) [Samuel Waugh; U of Neb & Delta Upsilon alumni activities]</p> <p>1932-1934 Files</p> <p>A (1)-(3)</p> <p>B (1)(2)</p>
2	<p>Be (1)(2) [A.A. Berle Sr; H.F. Birnbaum re Uniform Trust Receipts Act; Pelham Bissell]</p> <p>Bl</p> <p>Br (1)-(3)</p> <p>C (1)(2)</p> <p>Ci (1)(2) [Citizens Budget Commission re Firemans Relief Fund; Citizens Union re HB's legislative record]</p> <p>Cl (1)(2) [John T. Clark re availability of corporate financial data; R.E. Cosgrove re court reporters]</p>
3	<p>Cr (1)(2) [Thomas J. Curran]</p> <p>D [Archie Dawson]</p> <p>De (1)(2) [Thomas Desmond; Maurice Deutsch re housing mortgages and insurance]</p> <p>Di (1)(2)</p> <p>E (1)-(3) [Arthur Ennis re chauffeurs]</p>

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4	G (1)-(4) [Charles Garside; Orville Grahame re insurance; Thurston Greene] H (1)-(3) [Gordon Hager] Hatch, James A. He (1)(2) Ho (1)(2) I [Irving Ives] J
5	K (1)(2) Ki (1)(2) L (1)(2) [F.H. LaGuardia] Le (1)(2) Lo Mc (1)(2) [Harriet McCarthy re Milk Control Board personnel; James McDermott re fingerprinting experts; Joseph McGinnies re GOP politics] M (1)-(4) [W. Kingsland Macy]
6	Me (1)(2) Mellen, Chase, Jr. Mo (1)-(3) [Robert Moses; Roy Mygatt] N (1)(2) [Northern Dispensary] National Republican Club

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6 New York Republican County Committee [memo re efforts of Kingsland
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New York Republican State Committee

New York State Young Republican Club

New York Young Republican Club (1)-(4)

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Pe

Pl [Charles Poletti re NYC charter revision]

Pr

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Ro (1)-(3) [Mary Ryskind re censorship legislation]

S (1)(2)

8 Sh [Adelaide Sheehan re teachers; James R. Sheffield]

Si (1)(2) [George H. Sibley]

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9	Wi (1)(2) [John S. Wise] Wo Women's National Republican Club X-Y-Z 1935 Files A (1)(2) B (1)(2) [Frances Ballard re NYC social work; Salvatore Banome re Public School 41; A.A. Berle Sr] Bi [HB speech re NYC subway system] Br (1)(2) C (1)(2)
10	Co (1)(2) [Edward Corsi re Emergency Shelter; Thomas J. Curran] D (1)-(3) [Archie O. Dawson; Maurice Deutsch re housing mortgages] E (1)(2) [Emergency Shelter] F (1)(2) G (1)(2) [Frank Gannett] H (1)(2)
11	He Ho (1)(2) I [Irving Ives]

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12 Mc [Raymond McNulty re land acquisition for parks]

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Pool, Dr. Ernest H. (1)(2) [workman's compensation and medical care]

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R (1)(2) [H. Edward Raiden]

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- Am (1)-(3) [Clayton Andrews re Delta Upsilon; Pauline Arnold re NH political survey]
- B (1)-(3) [Paul Babson re Brownell scholarships; Edward Bacher re RNC organization; Frederick Baker re Ore politics; corruption in St Clair co, Ill]
- Be (1)-(3) [Ralph Becker; E.G. Bennett]
- Bo [Russell Boles re physicians for Dewey]
- Br (1) [Perry Branch re Univ of Neb]
- 15 Br (2)(3) [Rollin Browne re NY income tax]
- Bu (1)(2) [Mortimer Buckner re NY Worlds Fair staff; Knox Burnett]
- C (1)-(3)
- Co (1)-(3) [E.W. Cobb re NY Worlds Fair lawsuits; B.R. Cohoon re NC politics]
- Cr (1)(2) [Robert Craig re Calif politics; Nelson Cramer re SD politics; Alexander Crossley re Wisc opinion poll]
- 16 Cr (3)(4) [Alexander Crossley; Howard Cullman; Thomas Curran; Lloyd Cutler re DC home rule]
- D [John Danaher]
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- Du (1)(2) [Allen Dulles; John Foster Dulles; E.F. Du Teau re Univ of Neb]
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H (1)-(4) [Raymond Haight re Calif politics, Thomas Stephens; Regina Hay re GOP work with foreign language groups]

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- 20 Me (1)(2) [Charles Merrit re hotel industry; Henry Mills re SEC investigation]
- Mo (1)(2)
- N (1)-(3) [Edgar Nathan re Manhattan highway routes; W. Allen Newell; Northern Dispensary]
- O (1)(2)
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- Pe (1)(2) [William Pheiffer re 1948 campaign files, GOP delegates, finances]
- Pl (1)(2)
- Q [empty]
- 21 R (1)-(3) [Ward Randol re insurance legislation; Merrill Reed re Univ of Neb]
- Ri (1)(2)
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- S (1)-(3) [John Samson re Neb politics]
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- 22 So (1)(2) [Harrison Spangler]
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W (1)(2) [Mrs George Walker re estate of Elmer Prather; Val J. Washington; Samuel Waugh]

We [Judy Weis]

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24 B (1)-(3) [Edward Bacher re RNC finances; Walter Bouquet re Russians in GOP]

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25 Dr (1)(2) [John Foster Dulles re Harold Stassen, Korea trip]

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G (1)(2) [Guy G. Gabrielson; Harvey Gibson re NY bank mergers; Roger Gilbert re Conn politics]

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politics; John Hanes; Brad Heffelfinger re Minn politics]

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- W (1)-(3) [Richard Wall re Texas politics; Albert White re Alaska politics; Ezra Whitla]
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- Bar (1)-(3) [William Barr re Office of Rent Stabilization]
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36	<p>Criminal (1)-(3) [FHA investigation; campaign contributions & voting rights; pension funds; sentencing of offenders]</p> <p>Criminal - Warren Olney Interview (1)-(4) [1974 interview re organization of Justice Dept; major criminal cases; internal security cases; use of FBI reports; government corruption; civil rights cases]</p> <p>Criminal Division (1)(2) [labor racketeering]</p>

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	Taxes - 1973
277	Taxes - 1974
	Taxes - 1975
	Taxes - 1977
	Taxes - 1978
	Taxes - 1979
	Taxes - 1980
	Taxes - 1981
	Taxes - 1982
278	Oversized Material

END OF CONTAINER LIST