DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Washington, D. C.

Interview of:

DR. SAMUEL HALPERIN

by

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(This transcript was prepared from a tape recording.)

DR. HALPERN: I am Dr. Samuel Halpern. At the time of recording, July 24th, 1968, I am Deputy Assistant Secretary for Legislation in the Department of HEW. I joined the Office of Education in October of 1961 as a legislative specialist, and I have worked in that unit under various organizational forms. In 1965 I was appointed Assistant Commissioner for Legislation and Director of the Office of Legislation and Congressional Relations. In March 1966 I left the Office of Education for my present position.

MR. TRACHTENBERG: I am Stephen Trachtenberg, Special Assistant to the U.S. Education Commissioner, Harold Howe, formerly Legislative Assistant to Congressman John Brademas, Democrat, of Indiana, a member of the Education and Labor Committee in the House.

Sam, some of the most exciting legislators in American Congressional history have been involved in education legislation. I am thinking particularly of gentlemen like Senator Wayne Morse, or Congressman Adam Clayton Powell, or Congresswoman Edith Green. I wonder if you could give us some of your observations about people of this sort.

DR. HALPERN: A student of federal aid to education legislation in recent years should first note that on both sides of the Hill, in fact in both political parties, most of the members of the House Committee on Legislation and Labor and the Senate Committee on Labor and Public Welfare

ha[illegible]been substantially more liberal on this question than th[illegible] full House and full Senate. That is to say, they have been more in favor of a larger federal role than their colleagues in those bodies. And one of the interesting things about the recent history of federal aid to legislation has been the willingness of these committees, particularly the Senate Committee, to turn out a large volume of rather significant education legislation. This has been done, as I said earlier, without regard to party labels.

I would say that these committees are not really representative in the last decade or so of the constitutions of the House and of the Senate. They have been more urban oriented, they have been more education conscious, than the full bodies.

Now when we talk about individuals we, of course, are aware of the very critical role of Adam Clayton Powell.

Mr. Powell rose to thechairmanship in 1961 of the Committee on Education and Labor, the same time that on the other side of the Hill Wayne Morse became chairman. The scholars and the newspapermen of the period doubted that much could happen with two such unlikely leaders. Wayne Morse had never passed a bill bearing his name, and Mr. Powell had been known as a great playboy and ne'erdowell and thelike. The fact of the matter is that during Mr. Powell's succeeding years in the Congress his Committee

of Education and Labor compiled a rather enviable record in both quantitative and qualitative terms. I do not have figures at my fingertips, although the Committee has issued progress reports from time to time indicating a colossal number of statutes in education, in labor, in welfare-related fields.

The same is, of course, true on the other side of the Hill.

Mr. Powell was a firm Chairman in that he had the rare ability to keep a number of rather cantankerous individuals in his own Democratic party in line and working behind constructive social programs. There were many personality cleavages within the Committee, some on purely personality grounds -- people not liking each other -- some based upon questions of who should be Subcommittee Chairmen and which bill should go first, some perhaps a little more substantively based as to the appropriate role of the Federal Government in education. But, in any case, Mr. Powell showed that he could get his committee to meet in the morning and in the afternoon and in the evening, and on weekends if necessary. He didn't often stay those long hours, but he laid down the law that his committee was to meet and was to work and was to bring forth legislation. And with the kind of members that he had, all dedicated to building strong and new and good social programs, they

se[illegible] to follow through.

On a number of occasions Mr.Powel took his frequent trips to the Bahamas or to Puerto Rico or to Europe, and one soon saw the inevitable effect: the members got to warring with each other, or didn't meet the quorum specifications, and there were inevitable delays and a good deal of anguish on the part of Administration forces who were trying to get a bill out of the Committee.

When he returned he soon mastered the situation once again and was able to get the necessary quorums and work continued.

Observers of Mr.Powell have asked whether he used the carrot or the stick, and in my own opinion it was essentially a carrot technique. He was very gracious about creating a large number of subcommittees. He had usually, and that pattern continues to this day, three education subcommittees and three labor subcommittees, and a whole host of ad hoc subcommittees, whereas, on the Senate side, as you know, there is only one Education Subcommittee, and subcommittees for health, and so on, of course.

Mr. Powell did this so that various members of his committee, the senior members, could have their own staff, their own publicity, their own travel funds, so that they could handle the legislation which would give them ink, or publicity, which would bring their name before the public.

An[illegible] often carried this to relatively junior members, such as the time he gave your old boss, John Brademas, an ad hoc committee to deal with international education. And earlier than that some of the junior members were able to go to the Soviet Union and elsewhere to study Soviet technical education.

And so by using subcommittee chairmanships and the staff, and ad hoc committees, and travel funds, he was able to win a measure of consent on the part of the government, you might say, to allow him to be the overall chairman, to have the prerogatives of referring bills to subcommittee, until the so-called "democratization" of 1966 where the leadership of the Committee was effectively taken from him.

There were many statements circulating as to how Powell got along with the Administration and the White House. I'm not the best person to comment; but he certainly reminded the Administration frequently of his great achievements as Chairman in terms of getting the numbers of bills out of committees that he had. He insisted that his district, Harlem, be rewarded with an optimum number of federal grants, patronage of various types. He was a very insistent Congressman in the sense of getting Negroes and women hired by the agencies that came under his jurisdiction, such as OEO and the Office of Education, andhe did lead a campaign in 1965

in particular to staff a reorganized and reorganizing Office of Education with a larger number of Negroes and women in supergrade positions.

Mr. Powell's exit was predicted by many to produce chaos since the No. 2 man, Carl D. Perkins of Kentucky is a mild-mannered, soft-spoken gentleman from eastern Kentucky, who, many had the impression, could easily be run over. He did not have the charisma of Mr. Powell nor the strong clout in the use of the various prerogatives of the Chairman, and many people predicted that the committee would fall apart. That has not proven to be the case. On the contrary, Mr. Perkins has been able by dint of extremely hard work to visit literally hundreds of Congressmen, to appeal for their support, to make the necessary accommodations and negotiations, to take amendments from Republicans when necessary to overcome obstacles. He has, as a border state Congressman, been able to work more closely with the southerners than his predecessor. And I would say that, if anything, he was even more pro-Administration than his predecessor, Mr. Powell.

Mr. Perkins has been a very strong proponent of Administration programs. This is perhaps natural in that he represents one of the most poverty-stricken areas in the country, and he has a natural affinity for many of the Great Society programs which were directed at poverty related areas.

I would say that Mr. Perkins was able to lead by virtue of the characteristics I have mentioned, but also the fact that many people felt that he was a nice guy who ought to be given a chance. Many southerners had a stake in proving that one of their own, or one of their border state types could do at least as well as the predecessor, Chairman Powell. Many other members of the Committee viewed Mr. Perkins' leadership as infinitely to be desired and appreciated to that which they might get if he were no longer chairman, namely the next ranking member, Mrs. Edith Green of Portland, Oregon.

Which brings us to a very complex, very controversial and a very significant figure in the education arena.

I would say that next to Senator Wayne Morse, whose imprint exists on all the education statutes since 1961, no single member of the Congress has had more lasting impact on the education statutes than Mrs. Green.

Mrs. Green is an extremely intelligent, extremely hard working person, with a great deal of knowledge about education. She puts in extremely long hours, and she has -- particularly in recent years -- developed the ability to work with Republicans and with southern Democrats to an extent that I think is unmatched by any of her northern liberal colleagues. Mrs. Green does not suffer from what has been observed to be a problem with many liberals; she

does know how to count, and she spends a great deal of time sensing the mood of the House and making the necessary accommodations to it.

Mrs. Green has been controversial because from the very beginning, certainly under President Kennedy but particularly under President Johnson, she has seriously questioned the wisdom of many Administration proposals. She was one of the few Democrats to question the adequacy of the formula in Title I of the Elementary and Secondary Education Act of 1965, also the so-called Church-State settlement in that legislation. And she had the courage, or as some people would say, the gall, to offer amendments which would seriously interfere with the Administration objectives in that legislation. She has also been a very persistent critic and, you might say, gadfly, in the affairs of the Office of Economic Opportunity, a committee which is also -- whose legislation is also considered by the Committee on Education and Labor.

Mrs. Green has not prized her relations with the White House. She has gone out of her way to work for what she considers sound legislation, and has not been a promoter of Great Society programs per se merely because they were Great Society programs. In that regard shediffers markedly from her Committee chairman, Mr. Perkins.

Mrs. Green's relationships, as I have indicated,

have tended to be of a much more bipartisan character, and even when the Administration and Democratic Party had large lopsided majorities in the Committee and in the House she preferred to do business on what may ultimately prove to have been a more wise and lasting arrangement by dealing with the Republican members of her Committee, particularly Representative Albert Quie, Republican, of Minnesota.

I do believe that the historian of this period would be amply rewarded were tospend a good deal of time interviewing other members of the Committee on Education and Labor concerning Mrs. Green and her relationships concerning the numerous personality type articles which appeared in national magazines and in the Washington newspapers concerning her activities, for example on the ESEA in '65, on the extension of the Elementary and Secondary Education amendments in 1967, and on the Economic Opportunity Act. I will only point out that in general Mrs. Green's major philosophy has seemed to be that she sees the necessity for strengthening the existing public school system. She has been a persistent critic of various Administration efforts, whether by labor or OEO or OE, to build remedial systems outside of the public school area. To that extent she has been a critic of theJob Corps, of the Neighborhood Youth Corps, of Head Start, not going by the public school system, and then, of course, the leading and ultimately the most effective

c[illegible]c of the Title III ESEA program, Supplementary Centers and Services. After some initial criticisms she took on herself the task of building a coalition of educational associations such as the National Education Association, the American Association of School Administrators, the Council of Chief State School Officers, the National Association of State Boards of Education, the National Congressof PTA's and the National School Board Association, the so-called "Bix Six" for the purpose of reducing the prerogatives of the U.S. Commissioner of Education and for, conversely, building up the leverage and the influence of the State Departments of Education.

She has consistently resisted a major role, such as that desired by former Commissioner Keppel and that desired by former Secretary Gardner of the Federal Government as innovator, an prodder of change and redirection in the educational system, and has preferred to see the Federal Government being primarily a strengthener of institutions of learning, the duly established institutions, plus a trainer of teachers through colleges and universities, and thelike, and a promoter of some educational research and development. She has, similarly, not been a strong fan of the movement in recent years to regionalize the Office of Education to provide effective staff services in nine regions but has, rather, preferred to concentrate upon the

role of state departments of education as the critical focal point for what needs to be done to strengthen the system.

Mrs. Green has been a persistent critic of administration policy-making in the guise of regulations and guidelines and has felt significantly and substantially and continuously that federal bureaucrats tended to take to themselves too much authority to guide the effective use of federal funds out in the states and localities. Obviously these kinds of questions, the whole nature of the federal system, the whole role of the U.S. Office of Education bear very careful study.

Another area that has had her particular imprint has been the whole question of the roleof the Federal Government as a whole in the strengthening of education. I believe in 1962 she carved some landmark trails by issuing a study called "The Federal Government and Education," and then in 1967 her subcommittee issued another landmark report on theOffice of Education and its mission and functions. Both of these reports have been scholarly, have had a great deal of data. I would say that, in my opinion, they are about the best example of legislative oversight in the field of education that I am aware of. And these studies have tended to argue that the proliferation of federal programs among thirty or forty different agencies, a hundred or more different programs with many different guidelines, many different

matching requirements, many different forms and cut-off dates, was simply an untenable position. And so she has argued for consolidation of federal programs and block grants. She has also been perhaps the first and most influential of all of the advocates of a federal Department of Education. In recent years you can see that her influence has been accepted on this issue by some of the ranking Republicans, such as Mr. Ohio and Mr. Harris, and they too have become advocates of a Federal Department of Education.

She continues to believe very strongly that the present arrangements are untenable, that there are too many people in the education business, to the detriment of the taxpayers, and particularly to the detriment of the various institutions that are involved.

I will say a word about Senator Morse. Senator Morse, as I indicated earlier, had never passed a bill bearing his name. At the time he became subcommittee chairman in 1951 he was regarded as a bull in a china shop, or worse. Books had been written about the "Tiger in the Senate" who was the maverick and the critic and the cantankerous and irascible senator. He surprised everyone by bringing forth successfully every single education bill assigned to his subcommittee. He did this by long and patient study and by superb staff work on the part of Charles Lee, special staff member since 1951. He did this also by the simple device

of bipartisanship, the kind of bipartisanship that Mr. Powell and Chairman Perkins didn't always stress. He had a large measure of pro-education members on the Republican side, and with them he was able to say, in effect, "I'll take almost any amendment you offer that is reasonably constructive and does not gut the Administration program that I am trying to bring through."

And so it's an interesting exercise for scholars to check the Senate Labor and Public Welfare Committee reports on the various education statutes, and there the scholar will see how year after year the Republican members of Senator Morse's subcommittee and the Republican members of the full Committee pride themselves on the large number of amendments -- seventeen contributions of the minority, twenty-three contributions of the minority -- that they have been able to work into the various federal statutes coming before the Morse committee. And time and time again Senator Morse has negotiated with the Republicans to bring them along, with the result that in 1958, for example, we saw the Vocational Education Act of 1958 passed by a vote of 88 to zero, and the higher education amendments of '68 passed by a vote of 83 to zero.

Senator Morse has also been working, as he did in 1957, with southerners so that in return for honorable, conscientious compromises, as the Senator calls them, he has

ha[illegible]een able to get southern support for education legisla-
ti[illegible] Of course we know that southerners were pro-education
le[illegible]slation until about 1954 with the impact of the
Brown v. Topeka Board of Education decision. Senator Morse
I think by making education legislation feasible and
respectable and, I might add, profitable -- particularly
for the southern states -- has been able to bring about this
wide-spread support in the Senate for his bills.

Senator Morse, as a former law school dean, prides himself on his reputation as being a great constitutional lawyer, and I do think that the scholar would again be profitably repaid were he to study Senator Morse's position on church-state issues. That position has shifted over the years, but he has always covered himself by saying that ultimately the Supreme Court of the United States should test the constitutionality of the statutes in this area. And he has been a persistent advocate of judicial review.

Senator Morse continues to this day, as does Chairman Perkins, to be a great proponent of more and more federal aid. While he has enabled the various categorical statutes of the Administration to become law, he has never given up his overall commitment to getting some form of general aid, or bloc grant aid, or broad scale aid for all children and not merely those who are disadvantaged or handicapped.

Senator Morse seems to be enamoured with the philosophy that many streams a mighty river make. By this we simply mean that he has been less careful, perhaps, about the question of overlapping duplication than his Oregon colleague, Mrs. Green, and has taken the view that money spent on education is the best investment our society can make, the more education you can get the better, and he has passed all of these statutes figuring this money would be money well spent, and that it would be money that will improve the system. He has been less concerned about neatness, packaging and consolidation than have some other members of the Congress.

MR. TRACHTENBERG: Sam, the two Commissioners of Education during the Johnson Administration have been Frank Keppel, formerly the dean of the Harvard Graduate School of Education, and Hal Howe, II, formerly the Superintendent of Schools in Scarsdale, New York, and the Director of the Learning Institute of North Carolina. One point: I heard Commissioner Keppel referred to as the Commissioner who constructed the rocket and Commissioner Howe referred to as the man who tried to send the rocket aloft. I wonder if you would care to comment on these gentlemen and your experiences in working with them.

DR. HALPERN: I would like to comment on that question. I don't know about the metaphor, however.

Let me say a word, if I may, about Commissioner Sterling McMurray, who preceded Commissioner Keppel, although he did not serve in the Johnson administration. I think a sense of history would require one to say that he had a very important role in the changing atmosphere and attitudes of the Office of Education. He was perhaps the first Commissioner to be drawn from the ranks of higher education rather than elementary and secondary education; he is the first commissioner in recent times. He had very rough sailing with the education organizations. Possibly the blame is a mutual one. In any case, he did not get along with these organizations. He did not care for the type of legislation of the general aid type that they were seeking in the field of elementary and secondary education. And he was the one who, to a large extent, initiated what might be called the quality in education thrust.

He was in favor of categorical programs to improve teacher training, to expand educational research, to take care of certain specific problems such as adult illiteracy, education of the handicapped.

He did bring in an independence of the Mc type of atmosphere that critics of OE had frequently harped upon. He did bring in more of a higher education orientation than his colleagues, and, to my way of thinking, kind of set the stage for Frank Keppel.

Frank Keppel has been described by Steve Bailey and Chero --and Bailey's piece on the Office of Education and the Education Act of 1965 is, of course, required reading. He was the politician par excellence, particularly in the sense of being able to work effectively with small groups of influential people in informal settings, behind the scenes. Keppel was the great political broker. He had a very keen sense of why Federal education legislation had failed in the past. He took it upon himself -- and in fact I understand was given a specific assignment by President Kennedy -- to bring some order out of chaos in the education community, to try to get educators working together instead of sniping at each other which had been the case for many, many years, and to try to find a way around the church-state impasse.

And so from his earliest days in office Frank Keppel spent a lot of his time talking not with persons in the Office of Education but with education association leaders and influential members of the church groups, individual higher education authorities, and the like, with a view toward getting some common notion about ways in which the Federal Government could operate. He didn't spend time drafting bills with associations, but he did try to reach a set of principles on which men could agree or, at the very least, some principles that would not cause the various

interests to come into collision and open warfare.' And he spent, as I said, a great deal of time with these groups.

He also spent a great deal of time building up relationships with the Bureau of the Budget and with other parts of the Federal Government, such as Jerry Weisner, President Kennedy's science advisor, the head of the National Science Foundation, and other federal agencies who had tended to downgrade, and sniff and ignore the Office of Education. By working with them and convincing them of his own intellectual sharpness and the quality of his vision, he was able to win some very valuable allies within Washington, so that when legislation was ultimately shaped for thePresident that legislation had the endorsement, explicit or at least tacit, of key groups and of key policy makers beyond the Office of Education.

He also spent a great deal of time building up relationships with the Office of the Secretary. There had been a great deal of criticism of OE for running its own independent shop, a great deal of suspicion in the Office of Education against the Department; and unlike the situation in 1961-62 when Secretary Ribicoff really ran the legislative program for the Office of Education with relatively few inputs from Commissioner of Education McMurray, by building up his relationships with Secretary Celebrezze and with Assistant Secretary forLegislation Cohen, Keppel was allowed

a freer hand with important policy makers than any of his predecessors, I am sure.

Keppel was also an intellectual aristocrat. He had many, many friends in high places, whether it was McGeorge Bundy in the White House, now head of the Ford Foundation, or Sorenson, or Peter Fruylingheusen, the aristocratic Republican Congressman from New Jersey, and others. He was able to mingle with these people socially and was able to bring their authority and their notions to bear.

I heard it said that Frank Keppel never had an original thought in his mind. I don't suspect that there is any truth in that. But what the person was trying to convey by the assertion was that Keppel was the synthesizer par excellence; he could take bits and pieces of information, insights, problems, from a whole host of areas, things gleaned in all kinds of contacts, whether political or social, and put them into a kind of a picture of how things could be made to happen. And he was, in that sense, the great synthesizer, the great broker, who put together combinations like no one I have ever seen.

He was outwardly retiring, not pushy and combative, although he saw himself as having an important role in the outside world, and for the first few months as Commissioner he made a tremendous number of flying visits and many, many

spe[illegible]s all around the country. His real work, as he saw it, was behind the scenes, causing groups of people and interests to come into alignment with each other. And he did not see himself as primarily an administrator of the Office of Education or as the great educational spokesman for leading ideas of our time, although he was substantially ahead ofhis time when he said, for example, in a very famous speech in about 1965, I believe, "Thank God for the civil rights movement," and when he tried to point out that the civil rights movement had a great deal of motive force and power which could be harnessed in the improvement of our schools.

I think Frank Keppel loved the challenge of politics, the smell of the greasepaint; I think he was not a particularly artful Congressional witness. But he was able to work quietly and personally with the Congressmen, so that he was very much respected, very much admired, and was regarded as quite a cool customer. And many of the members understood that this was a force to be reckoned with, that this was a guy to be taken seriously.

Now we come to Commissioner Howe. And people have often said to me, and I am sure have said to others, "Why don't you compare the two, and who is the better Commissioner of Education." I think the question really is not an apt one. These men are very different in temperament, in ability, in —

perhaps in priorities; and perhaps that was the meaning of the metaphor you put to me.

Howe has been, of course, the inheritor of a vast legacy. When Keppel became Commissioner he had perhaps four five hundred million dollars worth of programs at most to administer; Howe had roughly three and a half to four billion dollarsworth. And so Howe's responsibility was for a much larger organization, many, many more programs, a great deal of money, and it was Howe's responsibility to make these programs work, to attract good people to the Office of Education, to make these programs viable in the Congress, to get appropriations for them, and to avoid dismantling of the more controversial aspects of those programs.

I think that Howe is a brilliant Congressional witness. I would say that he is a fearless and courageous one. Most Congressmen that I know of say that he is perhaps too brilliant, or too fearless, that he oughtto be a little more condescending, a little bit more retiring in the face of the Congress, that he ought not to be so much of a great policy maker and leader. Be that as it may, the fact is that Howe is Howe: he has set a pattern for the Office of Education, he has set some standards of excellence which are pretty well appreciated in the Congress, even among those Congressmen who don't agree with him. And he has made these programs take off and hopefully one day succeed.

(End of tape recording)