

INTERVIEW III

DATE: July 9, 1969

INTERVIEWEE: CARL B. ALBERT

INTERVIEWER: Dorothy Pierce McSweeney

PLACE: Congressman Albert's office in the Capitol, Washington, D.C.

Tape I of 1

M: In our last two sessions, we had brought the interview up in time to the 1964 Democratic National Convention.

I had skipped over the legislation in 1964, and I would like to begin with that and more or less devote this session to legislative highlights in the Johnson Administration, your role, which is regarded as one of the most instrumental in gaining passage for so much of Mr. Johnson's programs, and any direction and contact from Mr. Johnson in the White House.

To begin with, in 1964 I think the one thing that stands out in most people's minds as far as legislation is the civil rights bill that year. You were one of the eleven Southern Democrats who supported that. Could you tell me what you thought was the strategy, or what you developed as the strategy to gain passage for this bill, and also what conversations you would have had with Mr. Johnson about that one.

A: Well, the President said to me about the time this bill was being put together--before it had really got on its way in Congress--that he wanted to pass a bill of this kind. He also said to me that if there was anything he was going to do in his Administration, it was to give the Negro American his basis Constitutional rights, that he had been discriminated against ever since the country began, and that he thought he was man enough--or words to that effect--to put an end to it; and that he thought one man was just as good as another, and it didn't make any difference who he was. He asked me for my help, and I told him I would be glad to because I considered this--if I can just comment from my side of the thing a minute--a major piece of legislation, probably the most important bill I've ever voted for in my years in Congress.

We got an enormous amount of mail protesting this vote. Some of my staff, I think, thought it would defeat me, but it never did become an issue in the campaign--which shows sometimes how these things develop. It doesn't mean that it couldn't yet, but it hasn't up to now, and that has been quite awhile ago.

The President wanted a bill which would be directed at anti-discrimination. Of course, it had been talked about in the Kennedy Administration but had not reached the

Carl Albert -- Interview III -- 2

stage where it was in final form. I think the main thing he wanted was the right of people, regardless of race, never to be humiliated by being denied admission to public places where other people could go and eat. Of course, this was the only place in the world outside of India maybe where this was true--maybe certain parts of Africa.

So he went to work on it, and we had several problems connected with the bill. One was the problem of getting it through the Rules Committee. Judge Smith still was violently opposed to this legislation. But as a prelude, and with the blessing of the Administration--and I think the support of the Administration--and certainly of the leadership, Congressman Bolling filed a petition before Christmas so that if necessary it would be possible to force this out of Rules Committee. This was the first act toward getting it acted upon.

The President took a very personal interest in this bill. He worked hard with members from Southern and border states with whom he had some direct influence. He realized of course the impossibility of convincing some of the deep Southerners to vote for this bill, so I don't think he worked on them very much.

M: How do you mean by "worked on them?"

A: I Mean that I don't think he asked them, or did more than just ask them, if they could support it. I don't think he tried to convince them that this was so important that they should vote for it, or that it was not the political liability that they might have thought it was.

So then when we finally got the bill up, of course we debated it for a week. The President personally was very active all the way through on the House consideration of the bill. I think it was during this time that Hubert Humphrey was making his hay with the President because he was handling the bill in the Senate, and he had worked very hard on the bill, too. It wasn't very hard to pass through the House actually. There were votes to spare on the bill.

M: How did you get Republican support for this bill?

A: In the first place, some Republicans believed in the bill. In the second place, there was a lot of politics in the bill for some Republicans because various organizations supported the bill and called on the Republicans for their help. Then, of course, President Johnson had inherited Larry O'Brien from Kennedy who was probably the most tenacious Congressional lobbyist that I've seen around in my time. He worked very hard, as he did on all bills. He and I worked together very closely on a lot of bills, including this one.

M: Were there many leadership meetings on the passage of this bill and, also, meetings or briefings in the White House?

Carl Albert -- Interview III -- 3

A: There were several briefings in the White House, and we met in the Speaker's office over here frequently during the consideration of the bill.

M: What was your feeling about the possibility of passage of this bill prior to Mr. Kennedy's assassination?

A: I think it would have passed in the House. I'm not sure about the Senate. I think it would have passed the House. Most civil rights bills have passed the House historically, you know. There were certain things in it that some members, and particularly some of the Republican members, didn't like. Charlie Halleck told me--he was minority leader then--that he was for giving a man the right to have places to sleep and food for his family wherever they were. So Charlie was for the main thrust of the bill. There were certain areas of job discrimination and so forth that some of the conservative Republicans didn't like. I don't think most of them minded--except the extreme conservatives--minded particularly the public accommodation features of the bill. The other things were the big hurdle among Republicans, particularly the FEPC features of the bill. There were some forms of job discrimination provisions in the bill, as I remember it.

M: I hate to leave 1964 so quickly, but as I said, I'm going to try to pick out just a few highlights and ask you about them. Although this next one in the beginning of the 1965 session was not in form of legislation, it seemed to have had great impact on passage of much of the future legislation. It was the House rules change in the beginning of January which increased the authority of the Majority Leader--I mean majority party, majority leadership.

A: Right. The leadership, yes. Well, when we met to organize the Congress, we decided that we did need this legislation. Of course the President was strong for it but the Speaker told him to stay out of it, that it would jeopardize the bill if he got involved in it--that it was a House matter, pure and simple. So while the President may have done some things, he didn't in my presence. It was handled purely by the Democratic members of the House who were in favor of this bill. That was the one thing that made it possible for the House to function as well as it did during the remaining Johnson years. It was absolutely indispensable to the Great Society because a strong chairman like Judge Smith, if he had the power of carrying the Rules Committee with him, could have held up legislation so much that it would have been impossible to have passed one-third of the bills that we did pass during the 89th Congress. It was indispensable part. And I think--in defense of the House--the House did take the bull by the horns and make it possible for it to function regardless of opposition. The Senate never did, and that's why it was impossible for the Senate to pass some of the things. The Senate never did change its filibuster rule, but we did change the one thing that could block legislation and had been blocking legislation since the New Deal days.

M: Was this seen at that time as sort of a preparatory move to take on some of this legislation

Carl Albert -- Interview III -- 4

that Mr. Johnson envisioned?

- A: Yes, it was. Oh, yes. And also to end an era in which a few people could block the entire activity of the House, which they had done for years and years. You had a strange phenomenon going on. If you'll go back and check even in the New Deal days, there's a book by somebody at Indiana University called The Conservative Coalition and the New Deal in which the Rules Committee blocked bill after bill that Roosevelt had recommended. And you could have this kind of a phenomenon. Whereas, in 1936 we had over three hundred Democratic members in the House--elected over three hundred members, the biggest control we ever had in the House. So we had lots of new members. And the Roosevelt people mainly came in under his landslide. But the Rules Committee was the same Rules Committee man-for-man right down the line that had been there for years. They never changed. They came generally from safe districts, and they were top heavy with Southern conservatives, so this was a necessary reform. And it didn't go far enough. It works quite well now. It's satisfactory, but it enables one member yet to hold you up if he decides to do it. But we've always been able to get every bill out of any consequence that we wanted to get out. We weren't able to get out the D.C. Home Rule Bill. We had to do that by discharge petition. I think that's the only bill that we failed on in which we put all the effort we had in trying to get it out of the Rules Committee.
- M: There is such a list of legislation and very high water marks as far as achievement goes in the 89th Congress. Let me perhaps mention two or three, and then ask you to tell me either what you feel was Mr. Johnson's concern and interest in it, or what the initial problems were in passage. I've picked out the Appalachian Assistance because it was the first really program of the Great Society; also Aid to Education in the first of the 89th Congress; And Medicare. And at the bottom of the list was the Department of Housing--of my list of three or four here.
- A: One was immigration change.
- M: And of course the immigration change. I've only picked out a few, but just to think of these, could you tell me a little bit about what your activities were and what Mr. Johnson's role was.
- A: In every one of these bills the major thrust to make a tremendous record and to dispose of them all in one term was from the President personally. He was the one that wanted to do it all at once. I think everybody in Congress, even the most liberal, would have been content with being able to do a few of them. But President Johnson's intensity of interest was such that he not only sent all of these up, but he never rested from the time one was passed until you started another. He would never rest on his laurels, or let us test on ours. He would insist and urge us to go on with the next bill just as fast as we could. He had his staff, himself personally, working with not only the leadership, but with committees--everybody that had something to do with them. I'm sure that in all the

Carl Albert -- Interview III -- 5

history of Congress there has never been so much Presidential activity in pushing legislation and in successfully not only proposing, but disposing of legislation as we were able to do with his leadership in the 89th Congress. I'm sure it stands out as the greatest in all history, because more landmark bills were passed than had been passed at any other time. Bills which Presidents had been recommending for years were passed.

For instance, I mentioned the immigration bill--you didn't mention that--but the National Origins Quota System. The first speech John McCormack made as a freshman member of Congress before Lyndon Johnson was old enough to be in Congress was a bill to abolish the National Origins Quota on immigration statutes. They had been fooling with this through all the years. Johnson got it over. Of course, he had a good Congress to do it with--the 89th Congress. The leadership--not just the official leadership, but most of the committee chairmen--were working with us and with him, determined to make sure that their respective committees did their part in this thrust. I've never seen a time when so many people were trying so hard to get so much done. And they were inspired by the great leadership which the President was giving.

Then on the Elementary and Secondary Education Bill, this idea had been around as early--to my personal knowledge--as the early 1920's because it was a subject of discussion when I was in high school. The teachers were for it, but they were about the only people who were for it. We had always run up against two things. We'd had certain forms of it up during my tenure in Congress several times. We'd always run up against two things. One was the civil rights issue, and the other was the religious issue--so that one or the other would bog these things down every time, and it was never possible to get a bill on the President's desk.

The President then--or somebody, I don't know who--actually concocted this formula. But we had passed after World War II not long after I came to Congress the so-called Defense Impact bills--Public Law 815 and 874 under which the federal government assumed an obligation to aid school districts where there was extraordinary federal impact due to defense or other federal installations. This was just a grant of money to districts with no strings on it that could be used for education, either operation or construction, depending on which title it came under.

So somebody in the Administration--of course, President Johnson is entitled to the credit. I don't know who suggested it to him or whether it was his idea, I never did find out. But somebody suggested that the Defense Impact had worked and that Johnson was interested in poverty. I think he made poverty one of his main interests. Poverty, discrimination, and education were the three big things that he concerned himself with, I think, overall from the time he started. Those were the three overshadowing items in his whole program, and they showed up in bill after bill after bill.

Well, they came up with a formula that we could use federal funds in our fight for

Carl Albert -- Interview III -- 6

poverty, which we'd been doing ever since we had relief, by giving aid to schools on the basis of the impact of poverty, because the most poverty-stricken schools obviously were the ones where education was needed most, but where the local people could least afford it. So when they put that into the bill and came to the Congress with it, they were able to pass it. And I would say that that, along with the 1964 Civil Rights Act, was the great achievement of the Johnson Administration. The Elementary and Secondary Education Act.

Now, the Civil Rights Act had more-or-less started with Kennedy. The ESEA was a purely Johnson product--one hundred percent. The Kennedy Administration had made no such similar suggestion. They had wanted an Elementary and Secondary Education Act, but they had not come up with a formula that would do it. They were willing--although Kennedy was a Catholic--to limit it to public schools, you know, and to make it direct aid, but they didn't have a formula that would buy the Catholics and also buy some of the Southerners. By buy, I mean convince.

M: I didn't mean to skip over the issue of the rent supplements which arose, and of course came in the form of both authorization and financing; and also the Voting Rights Bill of 1965. What is your feeling on those as far as--?

A: Well, the Rent Supplement Bill was very hard to sell, and it never was fully implemented. There's a strange paradox that some people were willing to support public housing that weren't willing to support rent supplements. Then, of course, a large number of members were unwilling to support either. I remember Judge Smith saying he just never could go for any proposition that let you take money out of one man's pocket and put it into another, for housing or any other reason. And he construed that as being that. So there was a lot of opposition to rent supplement, but to those who knew that we were committed to housing, I think most of them felt that this was a better way out. It let them have homes rather than being in compounds. It encouraged private industry to get into the business, whereas public housing--the public was in charge of it all the way through from the construction stage to the end of it, whereas in supplemental renting the government merely supplemented the rent of a person. He in turn paid his landlord and so you had private property and private operation, which was better.

M: I was just checking my notes. There was about a six-vote margin on an amendment that almost killed this bill.

A: They limited the appropriations for it. The Appropriations Committee was very conservative on handling this item. I'm sure the President, as well as the Speaker, put enormous pressure on members that they knew on the committee hoping that they would make this a worthwhile matter.

M: Thinking of that first session, are there some that stand out in your mind as being one of

Carl Albert -- Interview III -- 7

the most difficult, or ones that sort of pull out all the stops as far as getting them through?

A: I would say that the Rent Supplement Bill was as difficult as any--very difficult. I don't remember the votes on all of those. It has been quite awhile, but several of them were tough.

M: To continue on to 1966, again, to run over a few that I picked out--the Open Housing Bill; the War On Poverty Bills, particularly on funding I think this was a major area of problem; the Demonstration Cities in this year which--

A: There was a lot of opposition to Demonstration Cities. The Poverty Bill--there was opposition to it, but there were more semi-conservatives who were willing to support this than there were some of the other activities that were aimed at poverty.

M: Did you notice much of a change between the first and the second session of the 89th?

A: The first session of the 89th Congress was, I think, a little more viable. It moved a little faster. Both sessions were very productive. But toward the end the war expansion and other things developed that kept us from controlling the 90th Congress as we had controlled the 89th Congress. We should have gained votes on the 89th Congress on the record because it was the working Congress of the decade. But by the time we came around to the vote, there was opposition to the escalation of the war, and that did mar the effect of our legislative record at the polls.

M: It certainly did have an impact on the 90th Congress, didn't it?

A: Yes.

M: Did Mr. Johnson feel that it was rather essential that he get most of the really difficult legislation through in the 89th, more or less, on the wave of his outstanding--

A: He wanted to get everything through as quickly as he could because he didn't know what the future would hold, I'm sure. I do not believe that he anticipated that the involvement in Viet Nam would raise the difficulties. So I think it was just his nature of wanting to get everything done that he wanted done as soon as possible, rather than any anticipation of problems that might develop out of the war. I don't think he anticipated those problems, because it came so gradually that he wasn't able to see that by the fall of 1966 he would begin having trouble with some of his own troops in the House of Representatives.

M: I didn't mention foreign aid, particularly in the 89th. There wasn't any really great problem at that period.

A: No, no problem. Of course, foreign aid had always been cut considerably, but the

Carl Albert -- Interview III -- 8

President didn't make any great fights on cuts generally speaking. He recognized that sometimes there was a lot of waste in foreign aid and a lot of people were doing things with it that were rather silly. And I think he recognized that. I think he went along with the idea of having a lean program, but an effective one.

M: The 90th Congress, of course, reflected both the election, in which I believe there were some forty or more changes--elections in the House; also it became a period which the conservative coalition was much more effective, as my notes show here. But during this period, the first of the 90th, rent supplements was again brought up as far as the funding; the Model Cities Program; Teachers Corps; and the rail strike issue were some of the really high points of that.

A: Well, the rail strike issue was a tough one because the President lost the support of many of the liberal Democrats on that. That hurt his overall program a little bit. They rebelled at the idea of what they considered compulsory arbitration, and we couldn't get a lot of members who should have voted with the President on that to do so. But he did have help from the conservatives on that that he didn't have on other issues.

M: The House reversed itself on that one to finally agreeing to imposing settlement after ninety days, and I believe that the President signed that within an hour or so after the bill cleared?

A: He wanted it very badly because the rail strike could have played havoc with everything he was doing.

M: One of the President's favorites according to records was the Teacher Corps Program.

A: Yes. There was a lot of opposition to that among the conservative members of the House. And there was some opposition to it from the teaching profession. I never did feel that the President had the NEA as strong as he should have, being the friend of education that he was. The National Education Association--they're a pretty bland organization, but not always very dynamic in their leadership. He had trouble with that from a lot of teachers because there was some resentment of sending a teacher down there getting more pay than the local teachers were--because they were trying to upgrade the faculty of weak schools, you know, by importing teachers who were well qualified and better qualified, probably, than the average teacher in underpaid areas. They got some supplemental pay, and this caused some resentment from teachers.

M: On the anti-crime issue, Mr. Albert, I believe that one of the reasons on passage was this was the change of the idea of funds to communities on upgrading their law enforcements to what they called bloc grants to the state. Do you know how this developed?

A: This was a continuing issue, not only in this, but in education everywhere

Carl Albert -- Interview III -- 9

else--poverty--the bloc grant theory and the southern conservative and the Republican wanting it to go to the States. The Republicans of course were on the upswing in electing governors, and that would give them a lot of control. Where a Republican Congressman from a state would vote against these things, like the poverty program, where the governor had a hand in it, a Republican governor would get credit, and the Democrats would get blamed for voting these funds, and the Democratic Congressman wouldn't get credit for what was done. This was the phenomenon that was going on. Of course, more important you had all through this thing the civil rights issue and other issues that you had to get around state interference or they wouldn't accomplish their purpose. They'd be used in a way that would slow down the civil rights movement. This would have been true of education, would have been true of crime control, poverty, and everything else.

M: In this first session of the 90th, my notes show that the House passed-

A: It's 10:20--.

[End of Tape 1 of 1 and Interview III]

Carl Albert -- Interview III -- 10

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BIOGRAPHICAL INFORMATION

Born in McAlester, Okla., May 10, 1908; A.B., U. of Okla., 1931; B.A., Oxford U., Eng. (Rhodes scholar), 1933, B.C.L., 1934; admitted to Oklahoma bar, 1935; legal clk. FHA, 1934-37; atty., accountant Sayre Oil Co., Oklahoma City, 1937-38; legal dept. Ohio Oil Co., Marshall, Ill., Findlay, O., 1939-40; gen. practice of law, Oklahoma City, 1938, Mattoon, Ill., 1938-39, McAlester, Okla., 1946-47; mem. of Congress, 3d Okla. Dist., 1947-1977; House majority whip, 1955-62; House majority leader, 1962-71; Speaker of the House, 1971-77. Served in U.S. Army, 1941-46, PTO. Decorated Bronze Star, Democrat.