

INTERVIEW XXVIII

DATE: April 20, 1988

INTERVIEWEE: JOSEPH A. CALIFANO, JR., with comments by Marcel Bryar

INTERVIEWER: Michael L. Gillette

PLACE: Mr. Califano's office, Washington, D.C.

Tape 1 of 1, Side 1

G: One question on Model Cities that I neglected--

C: Okay, go ahead.

G: The *New York Times* piece by Bob Semple, why don't you give the background of that, because we never discussed that on tape.

C: At some point in 1966, Semple, I think with prompting from Max Frankel, came to me and said, "We'd like to follow a major program from beginning to end. We think Model Cities is the program we'd like to do it with. If you periodically talk to us along the way, we won't print it until it's over, either a bill or it's defeated." I think I cleared that with the President or [Bill] Moyers, but in any case I agreed to do it. And that's how that *New York Times* piece got through.

G: And you feel that the piece was an accurate--?

C: I think to the best of my recollection, it's an accurate piece of reporting.

G: How common was this type of arrangement where the press would come in and really have a--?

Califano -- XXVIII -- 2

- C: It's the only thing like that that I really--I mean people came in after the fact and tried to reconstruct it. There wasn't as much reconstructive reporting as there is today, for example. Frankel and Semple, who are the two *New York Times* reporters that covered the White House while I was there, were so--and the *Times* was so much better than any paper, even the *Post*. Those two reporters just--I forget who covered it for the *Post*; I guess Bill Chapman covered it for a while. But there was no comparison. I mean they worked harder. They scrambled. They were the best.
- G: Now let's go to Nick Johnson. Did you have any significant dealings with Johnson when he was at the Maritime Administration or [Federal] Maritime Commission?
- C: I did. He did the study of the Maritime Commission. We basically regarded the Maritime Commission as--the shipping operation in this country--as really out of whack. It was basically a situation in which the shipowners had no incentive to do anything except accept whatever wage rates the merchant marine was asking for. In turn we just set shipping rates and picked up, paid them. That was the way the CAB [Civil Aeronautics Board] operated to some extent but not as egregiously, the CAB not as egregiously. It was a great monumental rip-off. Nick Johnson went in there, took a look at the Maritime Administration and told it as it was. We tried to get the Maritime Administration into the Transportation Department--I guess we'll get to that in another connection--and that failed. Indeed there's a wonderful--at one point in Hubert Humphrey's campaign Larry O'Brien--I had pushed the Transportation Department through. Larry O'Brien said to me that the maritime unions had come to see him and they were willing to put up I think it was seventy-five grand--it was either seventy-five grand or a hundred twenty-five grand--provided they got a commitment that Humphrey would

Califano -- XXVIII -- 3

not appoint me to anything that had anything to do with transportation in the Humphrey administration. So I said to Larry, "What did you do?" He said, "Of course I agreed and took the money." (Laughter)

G: That's great.

C: But in any case, he told it as it was and he supported us in terms of the reorganization and putting together the Transportation Department; he was with us all the way.

G: There was a *New York Times* editorial speculating that Nicholas Johnson was offered the FCC [Federal Communications Commission] post in order to get him out of the role of maritime administrator because he had alienated both the owners and labor, as a way to pull back from that?

C: Well, I think the President, he does things for many reasons. I think, sure, Nicholas Johnson had served his purpose at the Maritime Administration. He was not going to get much done in the wake of that report. But my recollection of conversations with President Johnson is that he also wanted to really shake up the television networks and the communications business, the broadcasting business and he put Nicholas Johnson. So he took this maverick out of one position and put him in another position where he expected him to be a maverick again and really shake the trees, and he did. So I think he did it for both reasons.

G: What did he mean when he talked about shaking up the television industry?

C: Well, you know, he would talk about--when he put Lee White over at the Federal Power Commission--"I want commissioners that are for the people, not for the industry. They really care about the people." With Johnson he thought he would care about the people but he thought he would raise the hard questions about broadcasting.

Califano -- XXVIII -- 4

G: But were there any particular questions or imbalances that he (inaudible) Johnson would address?

C: My hunch is--this is my speculation now--I think it was just part of the general Johnsonian desire to keep all friends and adversaries to some extent off balance. As I'm sure other people have told you, he said often, "People are moved by love and fear and the trick is getting the right mixture of both at the same time." Johnson would certainly put a little fear into the broadcasting industry. Licensing, public interest, all the things that make them worry. And that's why he put him there. He could have put all kinds of people there. I notice here--I had never seen this before, Bill Moyers' memo to the President of May 6, 1966, in which he talked to Nick Johnson. And Johnson had been obviously off at his teaching position at [the University of California at] Berkeley. (Inaudible) suggested him for some ambassadorships, Pakistan and Kenya.

G: It does look like that Johnson is initiating the move from the maritime slot rather than him being pushed out.

C: I think that's probably right. I think that's what probably got LBJ thinking. (Long pause) This is really a wonderful (Long pause) To me this is classic Johnson. The guy wants to leave. He knows he wants to get out of one job. The guy would rather do something else but the President thinks he can move him into this job and he moves him in and makes him an FCC commissioner. Did he make him chairman in a year? I can't remember.

G: I don't know when he became--

C: We ought to check that. Was he chairman eventually?

G: Yes.

Califano -- XXVIII -- 5

C: Okay.

G: Rosel Hyde was--

C: Do we have this memo in--?

G: We should have it. It was at the end in my . . .

(Interruption)

C: This frustration at dealing with [John] Connor and [Willard] Wirtz on the maritime shipping interests--I mean I felt the same frustration. Johnson talked to me--Nicholas Johnson talked to me about that. But I think, as I say, this is classic LBJ. Now he's noticed he's got somebody that's got some talent. They're interested in one thing, but he's interested in something else and he gradually moves them into a position where they do something else, namely putting him on the FCC. And then he did ultimately make him chairman.

G: Did he develop a personal relationship with Nicholas Johnson?

C: No, but I think he had a conversation with him. I have a recollection--and I don't know whether you've interviewed--I don't know where Johnson is now, Nicholas Johnson.

G: He's in Iowa, isn't he? I believe he is, teaching at--

C: I have a recollection that the President had a conversation with Nick Johnson in which he said, "I want you to shake up the broadcasting industry. I want you to do to them what you did to the maritime people. I want you to really whack away at the public interest and think about the people." I just have a recollection--I can't remember whether I might have been present at that or whether the President told me that or whether Nick told me that after it--

G: I'll check.

Califano -- XXVIII -- 6

- C: I remember also--because remember when he put Lee White on the Federal Power Commission, he went around saying, "We've got to have people who are for the people." And Lee was. "And I want somebody over there that's for the people, that's not going to be involved with the power interests." He wanted somebody in the FCC that wasn't going to be involved with the broadcasters or the common carrier communications people. It's interesting. There's a little insight in one of those memos which we ought to use, which is that when Nicholas Johnson is talking to [Robert] Kintner--it's just an indication of the climate. He's talking to Kintner about one of the reasons that he ought to go back to Berkeley is that the President ought to have--he needs friends in the academic community and particularly at Berkeley where Ted Sorensen's brother is becoming the head of public relations. That whole sort of Johnson-Kennedy, everybody waiting for Bobby to spring.
- G: Why did he name Rosel Hyde chairman, do you have any . . . ? This was at the same time he appointed Nick Johnson.
- C: I just don't know. I remember Rosel Hyde, kind of a nice old guy, but I just don't know.
- G: One of the other memos indicates that LBJ consulted or at least got opinions on the appointments from Sol Taishoff, an old friend of his in the broadcast industry. Could you see that?
- C: Yes. Well, he had him check Warren Woodward. He checked him with Jack Connor. He checked him with Woodward. I think Johnson, Lyndon Johnson . . . (Long pause) This is from Kintner I guess; there's no--
- G: Yes. (Long pause)
- C: I'm sure we did that with everybody, to get a sense of whether we're going to have industry reaction that's so severe we've going to have a major problem.

Califano -- XXVIII -- 7

G: Nick Johnson did accompany LBJ on a trip to the Midwest on *Air Force One* on June 30.

C: I think that's probably when he talked to him.

G: And James Gulick, Nick Johnson's deputy, was appointed acting at least.

C: It's interesting to me that the President got so much . . . (Long pause) But I think that was it. I think that's the sum and the substance of Nick Johnson. He was put on the FCC to shake it up, and he fulfilled that.

G: Okay. We have the transfer of the Community Relations Service. Now you have talked about your negotiations with [Hubert] Humphrey to get the--

C: Where do I have--?

G: In going through this material I have the impression that there was at least a sentiment that the South had responded to the 1964 Civil Rights Act far more cooperatively than had been anticipated and that that provided part of the rationale for the change in focus, the change in mission of the Community Relations Service. Was that an element in your thinking?

C: No. I don't know what the papers will show and I defer to the papers but my best recollection is that moving the Community Relations Service from Commerce to Justice was my idea. The reasoning was simply that we had all the civil rights activities largely there, that there was an intimate relationship between conciliation and mediation and pressing for desegregation, pressing. That Justice was always going to be involved in sort of civil disturbance situations in which we'd send CRS [Community Relations Service] in and they should have this negotiating arm as well as the arm of just straight law enforcement. Secondly, this was in the mainstream of the Justice Department. This was the mainstream of the work they do. It was not in the mainstream of the Commerce

Califano -- XXVIII -- 8

Department and never would be and never would get the kind of attention from the secretary [of commerce] that the attorney general would give to Community Relations Services. That's what was in my head.

G: There was a reservation that there needed to be a separateness, that the process of conciliation had one set of imperatives: the ability to sit down and discuss something with the various parties, whereas particularly if a suit were being filed, the Justice Department people were not in a position to sit down and mediate.

C: Well, I just didn't agree with that. I think that's done all the time. The same guys that are filing a lawsuit or settling a lawsuit--somebody hands you a draft complaint in a lawsuit and says, "We're going to file this complaint unless we can come to some agreement." That happens all the time. I think the President grabbed it so enthusiastically because it was something that wasn't just taking something away from Humphrey. It helped make this a civil rights reorganization. It made sense. I'm not saying he would have done something that didn't make sense, but it fit in with his desire to take all this stuff away from Humphrey and get him out of the coordinating civil rights role.

G: There is a sense in the material here that another problem may have been [LeRoy] Collins and Calvin Kytle who were generating a lot of press on their own and who were out there.

C: Well, I think the President liked Collins, and I liked Collins. I thought Collins was good. I have only the dimmest recollection of Calvin Kytle so I can't say he was bad, but I don't have any sense of him being a significant achiever.

G: You don't think that part of the action was directed at him to pull the stool out from under him?

Califano -- XXVIII -- 9

C: No, because he would have moved with the Community Relations Service. As it turned out he didn't like the move and he objected--he may have felt for other reasons that he just wasn't up. I guess I never--literally if he walked in this room I wouldn't recognize him, so he didn't make a monumental impression on me but he certainly didn't impress me as somebody--it was Collins we sent to Los Angeles, not Calvin Kytle.

G: Another dimension here: a conflict between the Justice Department Civil Rights Division and CRS. CRS getting in the way in the South, of leaking things to the press. As someone described it, it was a leaky ship. Was this a problem?

C: I think that was just turf. I really think that was just turf. Everything was going to be leak--we'd go crazy if we ran down every leak the President was worried about. And we would always have leaking problems but I just think it was pure turf. They were afraid they'd be under the Civil Rights Division.

G: It's interesting that two of the Senate opponents were Sam Ervin and Jacob Javits.

C: Can I just mention something here? This is not the right stuff. Maybe they just got it They don't have the right attachment here. They have a page of [Attorney General Nicholas] Katzenbach's memo. They don't have the first five pages. They have six and seven.

G: Oh, well, I guess they only had the pages dealing with CRS. I think that was the idea.

C: All right. Okay. We should have this entire memo. It's attached to Marvin Watson's memo of September 20 to the President.

G: The thrust of that is that Katzenbach did not want it in [the] Justice Department initially.

C: (Long pause) Well, Katzenbach says, "The service is created by statute and its abolition or reassignment of function require a reorganization plan. I recommend the conciliating

Califano -- XXVIII -- 10

function be assigned to the attorney general--and any other power to designate a particular agency and similarly a particular circumstances." There was no way we were going to abolish the Community Relations Service at that point in time. Just the politics of it didn't make sense. And I guess when I look at this I certainly don't agree with Katzenbach's analysis there that we don't need somebody to negotiate in northern cities or that wasn't performing a function. And as it turned out and when we got into all these riots, I think Roger Wilkins and his people helped. You know he did other things. He said, "Suggested reorganization. The President's Committee on Equal Employment Opportunity Committee would be terminated and its functions transferred by executive order." I guess we did most of those things. "Equal Opportunity Council chaired by the vice president," Katzenbach says, "coordinating function be transferred to the AG [attorney general] including responsibility for Title 6. This can be done by executive order with the temporary council being terminated." I guess we terminated that. In any case, go ahead.

G: The question of Ervin and Javits opposition.

C: Well, we ran into a little trouble both from the liberals and the conservatives. The conservatives were afraid it would become too aggressive in the Justice Department. The image of Justice really was the enforcer of desegregation. The liberals got it in their head that the Justice Department was just reactive, that the Justice Department didn't do anything until there was a disturbance or somebody came to them and complained that the schools weren't segregated or [there was] a violation of the Voting Rights Act, and that the Community Relations Service should be sort of pro-active in an advance active. That's my recollection of--and the liberals, we just didn't agree with that. There were

Califano -- XXVIII -- 11

resolutions in both the House and Senate to oppose, but we beat them both. I don't think they were major battles.

G: At one point it appeared that the move was in serious trouble in the Senate. [Everett] Dirksen came out against it. Any recollections of that?

C: No. I don't recall this as a major fight. (Long pause) (Laughter) "Consequently we had more JetStars in the air than we had planes over Vietnam that day." (Long pause) I mean I think you have to put this memo in context. [Mike] Manatos is bitching about the fact that he doesn't know what travel is taking place and he can't give it out to the senators. We probably flew people back for fifty bills a year so when I say I don't have a sense, I never had a sense of impending doom over the Community Relations Service reorganization plan.

G: Did LBJ have a natural inclination against interagency committees?

C: I don't think he cared much about whether there were or weren't committees. I guess he periodically railed against the bureaucracy like every other president. Believe me, I think this was--we needed to get--on the substance we needed to get the civil rights activities into the executive agencies which had troops and could really move on them. And we needed to get sort of cabinet officers responsible. On personality in the process, he was determined to get Hubert Humphrey out of this business and I think it was partly because if he was going to spend his political capital on civil rights he was going to get whatever return there was on that investment because there was a lot of it that was just going to be spent. I mean I think that was the driving component. As I said, Humphrey wasn't even a part of this until we called him into the President's office that day. He knew nothing about this.

Califano -- XXVIII -- 12

G: Did the shift in focus to *de facto* segregation in the North come into consideration here?

C: I think in terms of the merits. Let me just say, I thought this made sense. I thought what we did made sense. The only thing I was concerned about in the reorganization was giving the Labor Department the authority to force the affirmative action with respect to contracts.

G: Where else could it have gone though?

C: It could have all gone into the Justice Department. I don't see any of my notes here but I know the President talked to me and we were going to get rid of these commissions; we were going to do all of this and, as I said to you, the Vice President didn't know about it until Johnson started reading from that Katzenbach memo, which is why I would like to have the whole memo, at the meeting we had in his office. And Katzenbach's memo was a reflection of my talking to Nick. Have you interviewed Nick yet about this?

G: Yes.

C: I don't know what his recollection is but I mean I talked to him a lot about this and then as I said when that meeting was over and the Vice President went back to his office, the President called me and said, "I want a memo from the Vice President tonight." And we drafted the memo. And I went over, as I told you, that night. I remember there was a black-tie dinner somewhere (inaudible). What, did you find that out? Is there a black-tie dinner? There's a black-tie dinner, because he was getting dressed for that dinner.

G: Now the appointment of the Roger Wilkins.

C: As I said, including asking for his stationery, so I could put it on his stationery.

G: His staff apparently leaked to the press that he had not in fact been responsible for the recommendation and it was something that the White House had done.

Califano -- XXVIII -- 13

C: Is that in the newspaper clippings here for the CRS or the whole thing?

G: CRS. Well, I assume the whole thing.

C: I'd like to get out of the Library--did we ever get out of the Library Edgar Berman's book
[Hubert: The Triumph and Tragedy of the Humphrey I Know]?

B: Yes.

C: Have you got it?

B: No (inaudible) mentions in his book about you.

C: Is he nice to me?

(Laughter)

B: I've the quotes if you want them. I copied them out. They are in the Humphrey file.

C: I mean this was a done deal.

G: Okay, the appointment of Roger Wilkins.

C: It was certainly a revelation for a little kid from Brooklyn. I'd been in the White House--this was September 1965. I mean this is also in that first couple of months. The appointment of Roger Wilkins. All I remember about that, and maybe you can jog my memory with it--there isn't much in here about that. Wasn't he working there at that time?

G: Yes, he was with CRS.

C: I just remember Roger Wilkins being a bright young guy. Roy Wilkin's nephew. I liked him. I must have come in contact with him on something. And I was all for it, and I think Nick was all for it. What it did for us we thought was really defuse and bring to instead of a boil, hold at a simmer the anti-civil rights opposition to send Wilkins. I notice in his testimony Senator [Norris] Cotton getting a commitment out of Wilkins that

Califano -- XXVIII -- 14

he will not rewrite American history to enhance the role of the American Negro. He didn't have to do that. But, [in] any case, I think that was--one, he was a bright young guy and Nick [Katzenbach] liked him; I liked him in that sense. We were the guys who were going to have to work with him most and I'm sure Harry [McPherson?] liked him. Two, he was black and, three, he was Roy Wilkins' nephew and that made it awfully difficult for the civil rights groups to say they opposed the move of the Community Relations Service.

(Interruption)

C: But I mean [Horace] Busby came in one day and said, "I've been here long enough." And I said, "Why?" He said, "Well, this is my second or third or whatever it was [Casimir] Pulaski Day statement for the President. I'm really just tired." I think there was a big element of that. (Laughter) Recorded for history.

And we already had trouble with Gene [Eugene] McCarthy. "Get proof from McCarthy," I have Rayburn saying.

Tape 1 of 1, Side 2

C: It's interesting. I have "surge troops"--declaration of emergency and reserve mobilization. It's interesting. I write, "Surge troops in," here in my handwriting and [Jack] Valenti's got, "Surge troops in doubling and tripling numbers." (Long pause) I've never forgotten this memo. Really. (Laughter)

G: It's interesting that you, [Bill] Moyers and [Jack] Valenti were in that meeting.

C: Well, we were all invited I'm sure by the President and he obviously wanted--I think he regarded Jack as the note taker. I don't say that in a demeaning way. He wanted records of these meetings. I'm sure he wanted my reaction. I was still dabbling in the Pentagon

Califano -- XXVIII -- 15

side of life and hadn't--every day I got further and further out of it because I got more and more to do on the domestic side. But I think that's why we were there.

I don't have to review the meeting. Valenti's notes lay that out. It reflects, one, the President asking did the bombing do any good; what good did it do; what was the purpose of the bombing; how important was it. And the [Joint] Chiefs basically saying it's top priority and it will interdict troops and supplies. What happened during the pause that was more than happened before the pause? [Robert] McNamara being very doubtful that anything different happened or that it does any good. The President saying senators are telling him it doesn't do any good. The most striking thing about that meeting in retrospect to me is my own memo to the President, which reflects, one, in my opinion in the case made at the end "it (inaudible) by North Vietnam was totally unconvincing." And you'd think that would be followed by, "Let's not resume the bombing," but instead there are three paragraphs about how to build the case. And I think what that reflects is that we all assumed the bombing would be resumed. The meeting wasn't really a meeting to discuss whether we should resume the bombing but that there was something implicit in that meeting that I don't see in my notes or Valenti's notes, the bombing was going to be resumed. And it was resumed.

G: Did the President then follow your suggestion of having a lawyer or a group of people put together the case for resumption--?

C: I don't know. I think when I looked at Valenti's notes it's obvious to me that he probably had his own doubts from just the questions he was asking. Jack's got it recorded there. I would assume he did. And ultimately we went with a gradual resumption I gather and not a big smack which the chiefs wanted. I think probably the frustration--I say in my own

Califano -- XXVIII -- 16

memo my instincts say we ought to do it. The frustration is that we can't get these guys to talk. They're not willing to talk at all. So [Arthur] Goldberg talks to the UN. It goes through the Pope, nothing. We go through [Dean] Rusk, all our diplomatic channels, all these feelers that went out over Christmas to all the eastern European countries and nothing. So if the stopping of the bombing does nothing, maybe we've got to hurt them some more and then they'll talk. And that's what led to the resumption and that's why I think people said, "Well, we've sat here for a month not bombing, not a word. We've gone through every channel we can go through." I notice the meeting started with a report on the diplomatic efforts and a total failure, a total strikeout. So the President undoubtedly felt, "Hey, we got to try bombing. We've got to try and resume it and see if that will bring them to the table." The object was not to drive them into the Stone Age but to bring them to the negotiating table.

Are there any--?

End of Tape 1 of 1 and Interview XXVIII

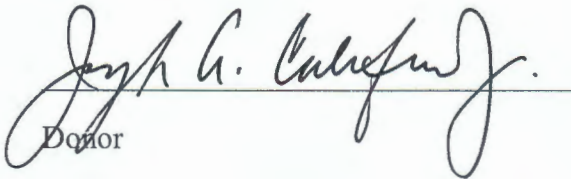
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
LYNDON B. JOHNSON PRESIDENTIAL LIBRARY

Addendum to the Legal Agreement Pertaining to the Oral History Interviews of

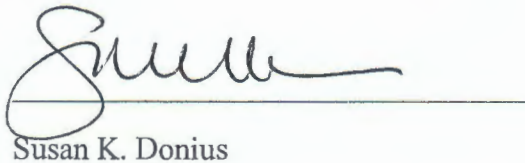
Joseph A. Califano

Interviewed by: Paige Mulhollan, Joe B. Frantz and Michael L. Gillette

I, Joseph A. Califano, hereby remove the restrictions on the use of the transcripts and recordings that states, "During my lifetime I retain all copyright in the material given to the United States by the terms of this instrument. Thereafter the copyright in both the transcripts and tape recordings shall pass to the United States Government. During my lifetime researchers may publish 'fair use' quotations from the transcripts and tape recordings without my express consent in each case." of the sixty-three personal interviews conducted with me by Paige Mulhollan, Joe B. Frantz, and Michael L. Gillette, currently at the Lyndon Baines Johnson Presidential Library. (see attachment for interview details)


Donor

5-28-19
Dated


Susan K. Donius

July 17, 2019
Dated

Director for Presidential Libraries