INTERVIEW XLIX

DATE: July 18, 1989

INTERVIEWEE: JOSEPH A. CALIFANO, JR.

INTERVIEWER: Michael L. Gillette

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

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C: Harding Lawrence was the head of Braniff Airlines. And Lawrence wanted an international route going to the Far East somewhere for Braniff, the Philippines or the Far East. I can't remember where. In those days the President made the final decisions on international routes on the recommendation of the CAB [Civil Aeronautics Board] as I recall. And Lawrence came in to see the President to talk to him about it, and Johnson said that he thought Harding Lawrence had a good case but he didn't think an airline that didn't have enough business sense to have direct flights from Washington to Austin and Austin to Washington in the morning and the evening so people could go back and forth really had the economic sense to run a big route out to the Far East. And in short order, Braniff started morning and evening flights to and from--direct flights to and from--Austin and Washington. And Braniff got international routes. I don't remember when. I see a note in here--

The other thing we saw before [that] goes back in the December 1965 steno pads relates to Johnson talking to me about the cost of cabinet officers flying around on the special air force that Andrews [Air Force Base] had.

G: The JetStars?

C: The JetStars. And saying that he wanted the cabinet officers using the King Air for short flights instead of wasting all the money it cost to fly a JetStar. So if they had to fly to New York, they could fly on a King Air; they didn't have to fly on a JetStar.

(Interruption)

--routes that they [Braniff] wanted may have been [to] South America rather than the Far East.

(Interruption)

On April 19, the President talking to me--we must have been in a conversation about the automobile safety legislation. And the President said, "Tell GSA [General Services Administration] to take everything we think a car should have as a safety feature and put it on their cars or else. I want GSA to set strong safety standards."

(Interruption)

And later in connection with safety, we passed our bill in 1966, and some time in late 1967 for what would have been the 1968 models of cars, Henry Ford sent his whatever he used to send every year--the Ford down to the Ranch. The dashboard was indented. Do you know this story?

G: Go ahead. Tell it.

C: The dashboard was indented and . . .

G: Padded.

C: Padded, but the stuff was further back. The President was bitching about all this stuff and these were all the safety features that were beginning to show up now. You couldn't have these protruding buttons and you had to have protection.

(Interruption)

I guess we really ought to go back to that memo because that's the basic strategy that ultimately got--?

G: The October memo?

C: Yes, don't you think so?

G: But you did talk about that last time?

C: Did I?

G: Yes.

C: And the strategy that was in there of no fair housing bill? Okay.

G: Did you in general feel that the chances of passage were not good for 1966?

C: I think everybody felt that chances for passage were not good. Indeed, we can see from the note of the--[Jake] Jacobsen passing the President's instructions to me in October of 1966--October of 1965 rather--October 28.

There are two elements of this that I just want to make sure I made clear on housing. One is the President obviously deciding in his own mind that he would go a legislative route rather than an executive order route. To get support for that he has Jake [Jacobsen] call me and say, "Get [Henry "Joe"] Fowler to let the Federal Deposit Insurance Corporation, Federal Savings and Loan group, *et cetera*, the Treasury, whatever, to say they cannot act by executive order to prove a discrimination [in] housing they're financing or guaranteeing mortgages on. Secondly, in that same message

indicating to me. . . . On that point, that was Lyndon Johnson saying, "I want other people to start saying things that will support a decision I've reached and let Fowler and FSLIC [Federal Savings and Loan Insurance Corporation] and FDIC [Federal Deposit Insurance Corporation] tell [Nicholas] Katzenbach and these others so that that word will get out to the civil rights groups." The other thing he says is he would favor the legislative proposal in January of 1967, because I had warned him in the memo--and he didn't need my warning--that this would be a tough one for congressmen up for re-election. So he was conscious of that. At least as of the end of October we are in a mode to propose fair housing legislation in January of 1967.

That's further evidenced by the fact that when Katzenbach sends over his memo to me as part of the legislative program, he proposes the jury selection legislation. He proposes some additional enforcement authorities *vis-à-vis* Title 6, but nothing about housing.

G: That was December 13?

C: December 13, 1965. And sometime between December 13, 1965, and December 28, 1965, we decide to look at housing seriously because by December 28, 1965, I've got a memo from Katzenbach on housing and--indeed, it has to be before that because by December 28, 1965, which meant it had to have been ready on the twenty-seventh or the twenty-fifth, twenty-sixth, I sent the President the outline of the whole civil rights program, and there is a provision for fair housing. But I think it's relevant that the fair jury, the jurisdiction and the protection of civil rights workers, the additional FBI agents--fair housing is at the bottom of our list. It's not the major proposal. And then we put fair housing in the State of the Union Message. Congress was generally knocked off

its feet by that State of the Union Message because of all the proposals. They'd thought they'd have a rest. I notice here in these papers one memo of Henry Wilson['s] saying [that] the Speaker [John McCormack] and Carl Albert are just bone tired from working on legislation. But [in] any case, they thought they'd have a rest, and they get this monumental legislative program.

G: Do you think it was largely a desire to mollify the pressure from the civil rights groups and committees that led to the inclusion of the open housing provision in 1966 rather than waiting until 1967?

C: You know, I can't remember. I think it has to have been--undoubtedly that has to have been a part of it. We've got a meeting here--and we really should nail down if we have anything on that meeting--on civil rights on December 16, which has somebody named Herman Edelsberg. If he was head of the housing commission that Governor [David] Lawrence chaired, we certainly could have discussed it at that point. I meet earlier in the day with Louis Martin and Lee White, and I meet at the top of the day with Bill Taylor from the Commission on Civil Rights. So I may have been testing the water off of the President's reactions.

And I had met the day before, the fifteenth, with Roger Wilkins and Cliff Alexander. Obviously, I'm immersed now in the legislative program and all these things are related to that, I can see. I meet on the fourteenth with the chairman of the ICC [Interstate Commerce Commission] which was really to talk to him about legislation. So I think these meetings are all related to the legislative program and it may be that that was one of the meetings in which we decided to look at fair housing. But I don't have, at this state, an independent recollection.

Certainly by the twenty-eighth of December fair housing was on the agenda, and it clearly was something I talked to the President about on the twenty-ninth. Then at that point we're really not into nuts and bolts and details, but I guess. . . . And then when we get into early 1966 having made the decision, having put it in the State of the Union Message--and I think as a practical matter you have to say that there was no final decision until he actually said it in the State of the Union Message, because he always kept last options open. You look at this whole series of memos I wrote, the repeated delays of sending the fair housing thing up reflecting obviously his concern about it, reflecting our difficulty in getting a head count that indicated we could do it, reflecting his suspicion, later confirmed by Katzenbach, that [Everett] Dirksen wouldn't go with us in the Senate without the combination of northern Democrats and Republicans, we couldn't pass the civil rights. [Emanuel] Celler's wife died, I noticed, and we had problems there. And then even in the House--one of the things about the difficulty here was I think those notes, if they're accurate; I believe they are. Even when we got the bill out to the floor of the House, Celler, who is in a district in Brooklyn which is Jewish with blacks moving in, gets conveniently sick so he can't floor manage the Fair Housing Bill. I do think we never--we realized we'd have resistance. I'm not sure we realized the intensity of it, maybe Johnson did. But as I think I mentioned in the last thing, I think the only time ever my life was threatened that I can recall from those years in the White House was in connection with my being quoted doing the legislative briefing on the Fair Housing Bill and being quoted in some stories on that.

G: Only a week after the bill was sent up, there was a compromise on the so-called "Mrs. Murphy's Boarding House"-type deal, an owner-operated [establishment], five rooms or less. Why did the administration give ground so quickly?

C: Well, I think we just didn't--this was [Charles] Mathias' amendment? I think we realized quickly we just didn't have the votes. If you look at the memos in here, in Texas we're only getting [Henry B.] Gonzalez and [Eligio] Kiki de la Garza. We're not getting anybody else where Johnson normally could really put the arm on these guys. We started running into deep problems with northern congressmen. We had a chairman who was lukewarm and obviously concerned about his district in Manny Celler.

G: Earl Warren issued a statement that came be construed as critical of the bill in terms of how far-reaching it was.

C: When he was sitting on the Court?

G: Yes.

C: When did this happen?

G: This was right after it went up in May 1966 in a speech. And [he] was subsequently criticized by Celler for having done that--"unseemly" I guess was the term.

C: I don't remember it. If he did it, I'm sure Celler was not the only guy who criticized him. I will note that I notice in my notes, and I think it's right, that Katzenbach said that at one point that if we went the executive order route, well, it was tenuous legally. He thought that the Warren Court would find a way to support us and uphold a reasonable executive order.

G: Did the demonstrations in Chicago that Martin Luther King was organizing have any impact on the legislative--?

C: No, but I think the increased demonstrations and the sort of stuff--the black power, the "burn, baby, burn" stuff from Stokely Carmichael and others--were beginning to build a substantial white backlash. I think housing was not only living next to a black; it was this tremendous fear people had of their property values. And for most Americans, they had a few hundred dollars or a couple of thousand dollars in their savings accounts. Their house was all they had, and if the value of their house went down the tubes, that was it. We may have to some extent underestimated how that economic fear coupled with the general racial problems would really turn the people off on this thing.

G: How much lobbying was there by the real estate industry?

C: There was lobbying, and they didn't want it. They wanted the exemption for the broker, which I think we gave them, that a person selling the house could tell the broker to discriminate. I think that may have even been [in] the bill we sent up. I don't think lobbying by the real estate people hurt us. I think what hurt us was just a tremendous groundswell of reaction from ordinary people who owned homes writing to their congressman who were just terrified, both on the grounds that they didn't want a Negro in their neighborhood, and secondly, they were just scared of what would happen to their property values.

G: Dirksen's argument, ostensibly, was that it was unconstitutional because it did not really concern interstate commerce.

C: Well, I think that was wrong and over time has been demonstrated to be wrong. The money moves from state to state, the financing. I don't think there was any question, but this is an era in which you had a much more open resistance to racial integration than you

have now. I think you still have a lot of resistance today, but it's not open. And there were lots of ways to openly express it.

G: Frankie Freeman in testifying before Congress advocated some sort of a measure that would require federally chartered or insured mortgage institutions to require non-discriminatory policies. Was this considered as a way to get at the problem of housing discrimination?

C: Well, we look at ever lever we had in everything we did. We used government contracts to deal with employment discrimination. We looked, I believe, at requiring--military installations maybe even had an order issued saying that you couldn't advertise your rooming house or your rooms on the post, on the military installation, unless you agreed to say anyone, regardless of race, creed, or color, could live there, because we didn't want federal property used to perpetuate discrimination.

G: Was that done at the Department of Defense level or was that something the White House got involved in?

C: I think we told them to do it. But I don't think we had--it wasn't a situation where we had to order [Robert] McNamara to do something. We just said, "Here's an idea. Go for it." That may have even been done before I went to the White House. I may have been Bob's special assistant when we did that. It was just using every lever we had. The government's being run by a guy that just thinks all the agencies are like puppets and he's got them on strings. They're all weapons; they're all ammunition. So in that sense . . . so we'd use any lever. And the federal guarantees, the Ginnie Mae [Government National Mortgage Association], Fannie Mae [Federal National Mortgage Association]; we used anything we had.

G: What does this whole episode say about the relationship between Johnson and Dirksen?

C: Well, I think what it ran into--Dirksen knew what monumental resistance there was to this legislation in the field, among the people. It was very unpopular, this bill. And I think that he was not about to try and get his Republican senators, who were a minority he didn't want to shrink, to go and vote for this legislation. Johnson always used to say, "You can't get a guy to vote for a bill if he thinks it's going to endanger his re-election. That's the one thing you can't ask somebody to do. And once he's convinced of that, don't try." I think Dirksen was convinced that this endangered the re-election of several Republican senators and he just wasn't going to take a chance.

Secondly, I think when we get to it with the Demonstration Cities Bill, which I take it is one of our topics, the disturbances in the cities were beginning to have their impact and beginning to turn around. It goes to everything from even moving in Chicago on the schools. What had been regarded as a southern problem in which northern whites, including northern liberal whites, could just sit and say, "[Theophilus Eugene] Bull Connor is horrendous with his cattle prod and these hoses and everything else," attitudes change very fast when disturbances started coming in the North. This is after Watts. I think you have to also think of the kind of guts it took, and commitment it took, for a president to move with a bill like this after Watts and the disturbances in Chicago. We didn't--the heavy disturbances in Chicago didn't come until [Martin Luther] King [Jr.] assassination. We had real riots in Detroit, didn't we, in 1967. We ought to have [George] Romney in Detroit.

G: To some extent was it simply a question of wanting to force the issue in order to establish a record of the Democratic--?

C: No, I think we were very conscious of--remember, one of the guiding principles of the legislative program in 1966 was that we had not only a Democratic majority in the House, but a liberal majority. And then we had to take advantage of that liberal majority. I don't think we were ready for the kind of defeat the Democrats took in the November 1966 election, the number of seats we lost. I don't think we expected to lose that many seats, but we did not expect or consider it inevitable or even likely that we would continue to have a liberal majority in the House. And we'll get to it eventually, but witness when in 1968, in the wake of King's assassination, we move with the Fair Housing Bill. It had passed the Senate in 1968. We couldn't move the damn bill in the House because the House had become much more conservative than it was in 1966.

One of the things that I, as I write now, really keep thinking about more and more is Johnson knew, had to have known, perhaps better than anyone, what his push for civil rights was going to do to the Democratic Party over time. He had to have known that. He expressed it in connection with the 1964 bill. He obviously expressed it now in connection with the housing bill, yet he decided that this issue of equality of rights for blacks was more important than the Democratic Party. It's one of the--for the most political president--[Franklin D.] Roosevelt and he, I guess, were the two most political, and Reagan, the three of them--[were] the most political presidents of the last hundred years, if not longer; maybe ever. It's interesting that he made this kind of decision. That's got to say something about him. Those are just my--as I start to think about this and reflect on it.

G: You mentioned last time after we stopped that Dirksen always started from a position of opposing, and it was a matter of trying to reach a compromise or determine what he needed in order to support the bill, or something of that nature.

C: Whatever Dirksen wants, Dirksen got. "Whatever Lola wants, Lola gets" [referring to the song from *Damn Yankees*] That's right, but on this one--

G: But, in general, what did he get?

C: He got appointments of people. He got judges. He got projects in Illinois.

G: More than, say, another minority senator?

C: More than any Republican and more than most Democrats. Okay. He was critical. He also got full drinks of bourbon. You know this, don't you? When Dirksen would come to the White House, the President would--Dirksen drank this bourbon I think, and branch water, if my recollection is correct. Johnson drank Cutty and soda. In the early months when Johnson was drinking, Johnson would get a half an ounce of Cutty Sark and Dirksen would get a good generous ounce, ounce and a half of his bourbon. But there's no question that Dirksen got a lot. We'll get to the Subversive Activities Control Board.

G: You mentioned Johnson's drinking. Was there a point at which he either stopped or cut way back in terms of how much he was drinking?

C: My recollection is that in late December of 1965 or early in 1966 he virtually stopped drinking, and he did it because of the war. My recollection is because Vietnam was twelve hours off and he was constantly concerned that he wouldn't be absolutely at his peak. I may be wrong about that, but I believe that he virtually quit drinking. I can remember the doctor or Lady Bird or people even encouraging him to have a couple of drinks at night to relax, but he rarely did it.

G: Was he more tense subsequently?

C: No. I didn't have any sense.

G: Had drinking been a problem for him earlier?

C: No, I don't think so. I don't know whether I'm the only person to tell you that.

G: Anything else on the discussions between Johnson and Dirksen?

C: He liked to drink. He drank at the Ranch. He drank at night. On those nights in the steel crisis, he'd have a few drinks as we'd talk about it. Go ahead.

G: Anything else on the effort to win Dirksen's support on this bill?

C: No. I'm sure we did everything we could to do that. The mystery to me, and which you really need to try and figure out and put on the list for both Katzenbach and White, to ask them, is at what point we changed and what precipitated the change. The other thing about this, is when I went to the Ranch, I do remember vividly Johnson saying, as I mentioned to you a long time ago, "I want a transportation program. I want to rebuild cities, and I want a fair housing program." This is the second week I was at the White House. And he said all the other programs the liberals want, we'll get, and I want a lot of those. But he wanted those things. So from that he went--he loved the transportation stuff we gave him. He came to love Model Cities, although it may have been a little too complicated and a little grandiose in our view of how we could change the world. But on fair housing, something cooled it and then reignited it, obviously.

G: Okay.

End of Tape 1 of 1 and Interview XLIX

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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

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Joseph A. Califano Jr. — Donor

5-28-19 — Dated

Susan K. Donius

Director for Presidential Libraries

July 17, 2019 — Dated