

## INTERVIEW L

DATE: July 19, 1989

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

C: This is August of 1965. In August of 1965, as we were--the HEW [Department of Health, Education, and Welfare] school guidelines went out in--  
(Interruption)

Okay. In any case, the guidelines were issued by HEW in April of 1965 for desegregating the school systems and for desegregating the hospital systems. My recollection is that the hospitals were a much more difficult problem. We had a great sense of much greater resistance, and we put much less effort into desegregating hospitals in the early years. The focus was on kids.

G: Why did you focus on kids rather than hospitals?

C: My recollection is that we thought children were more important; we thought schools were more important. We had to capture this generation. Every four years you lost a generation of high school students if you didn't get them integrated, number one. Number two, most of the people in hospitals are old people, so it was less important in terms of the future of the country. And number three, you can only fight a war on so many fronts.

Califano -- L -- 2

And fourth, this is hindsight maybe, but I think we had in our heads at that time that Medicare and the funds for Medicare, which would make it profitable for doctors and hospitals to treat people, would ultimately deal with that problem. You know that wonderful scene in [William] Faulkner's book of Popeye, an *Intruder in the Dust*. [This story actually takes place in Faulkner's *Sanctuary*.] I don't know if you ever read it, where Popeye's walking down the street with this guy and they're looking at all these black whores and white whores, all kinds, in the windows above. And this guy said, Let's go up to that gal." And this guy says, "She's black. She's a Negro." Popeye takes the money out of his pocket and says, "This stuff is color blind." There was an element of that in the hospital thing.

In any case, the school guidelines went out. They created enormous controversy. It was all focused on the South in 1965, I should note. All of our attention on schools was focused on the South. And the President wanted to show that schools were complying to create some momentum so other schools would comply and we could get as much of this done without lawsuits, without all the aggravation and tension and division. So he told me to get [Francis] Keppel to get a report on where we stood on schools and school districts. I did get a report from Keppel on August 29, which indicated that of 5045 school districts, all but a small number, 150 to 200, were not complying. There was something going on. There were some we hadn't even heard from.

Now what we had were lots of negotiations, lots of plans that didn't meet our standards and what have you. But the President wanted to get it focused on the good side of the picture. Keppel's August 29 memo to me provided the basis for a statement which the President issued on August 31, just as schools were beginning to open, saying, "Of the

Califano -- L -- 3

more than five thousand school districts in seventeen southern and border states, 4463--88 per cent--are making preparations to comply." I just remember devising that phrase with the President to cover everything except the ones that basically hadn't even sent a plan in, no matter how inadequate their plan was [inaudible], because we wanted to give it as much push. It was a very optimistic view of the situation. At that point he also, in classic fashion, said that he wanted daily reports to really put a torch to the Office of Education and that created these daily charts which, score cards.

G: Was he aware at this point of the reality of the situation in the South [inaudible] desegregation had actually--?

C: Well, we knew the numbers. I think Keppel's memo said that 6 per cent of the students were desegregated, and then we got it up to 12 per cent, and then we wanted to double it again, of the Negroes [who] were going to white schools. I mean we knew we had a hell of a fight on our hands, but he was very conscious. He didn't want troops like Little Rock and Eisenhower. He was very conscious of what he would perceive to be the mistakes that other presidents had made; sometimes mistakes you can only see from hindsight. In Little Rock, Eisenhower sent in troops to enforce a federal court order. The bitterness that that created in Arkansas and Little Rock and in that whole community, Governor [Orval] Faubus and all that stuff, was long-lasting and very damaging. There's no question that Eisenhower in quotes, "did the right thing" by sending troops in Little Rock, but my sense always was that Johnson would look at a situation like that and say, "Okay. We've got to find a way to avoid having to get there. If we get there, we have to do that, but there's got to be a way to avoid that. Now, what did Eisenhower do wrong before the troops went into Little Rock?" Although there was another vast difference between him

Califano -- L -- 4

and Eisenhower on racial issues because Eisenhower as--what's the name of the guy who wrote that book?

B: [Stephen] Ambrose.

C: --Ambrose's book [*Eisenhower: Soldier and President*] indicates that he really was hands-off. Eisenhower saw the black issue as a devastating political issue for the Republicans, and he stayed away from it. Johnson saw the black issue, in my judgment, as a moral issue. I think he knew, if not exactly, he had a good sense of what it would do to the Democratic Party over time. But he thought these rights were more important than the Democratic Party basically. Crudely put. He never said that, but I always thought he thought that.

G: He was quoted somewhere as saying that with the passage of one of the civil rights acts, perhaps the Voting Rights Act, he thinks he's just delivered the South to the Republicans.

C: 1964. He said that about the 1964 Civil Rights Act.

G: To the Republican Party. Did he repeat that later in your hearing?

C: Yes. I don't have it in current, present recollection of exactly those words but the answer is yes. He knew that it would be very costly to the Democratic Party in the South to do this, which is one of the reasons why he tried to do it with as little troop presence as possible, as little force as possible, and as much mediation and reasoning together.

It's one of the reasons why here, after that, as he gets into that and tells me to get into it, he then says he wants a daily report, every day, on what's going on with desegregation under Title VI. This was not an uncommon Johnson technique incidentally. We'll find when we get into 1968 or 1967 or something, he got interested in housing. We got a daily report or a weekly report out of [Robert] Weaver on how many

Califano -- L -- 5

new housing units or how many rent supplement units went in place. Are we going to deal with rent supplements?

G: Yes. That's a good topic.

C: And so, with that statement, and then at his direction I told Keppel we wanted a daily report, and those reports I guess began, if this is the first one in there, on September 2<sup>nd</sup>.

G: Did he get personally involved in the school districts, do you recall?

C: Yes, he did. Let me make another point as long as I look at this memo which is very important to remember. Something else was going on here. These things all get interrelated and I notice in Keppel's memo of September 2, 1965, to me, where I obviously told him not to send out any more rejection letters, in effect saying plans were wholly inadequate, because we were headed for action by the Senate on the appropriations for elementary and secondary education. And it is my recollection that that was probably about a billion dollars at stake, the first big shot. We'd gotten the authorization passed; now we had to get the appropriation passed. And it was the first big appropriation for elementary and secondary education.

I guess the point, one of the points, I'd make here is in terms of government, in terms of Lyndon Johnson. We were into the interstices of this. Did Johnson get involved? Yes. I got involved. [Jake] Jacobsen got involved. Here's Keppel saying to me in the White House, "I'm glad to report that the first school district in Louisiana, Beauregard, has submitted a plan with only a minor defect. I sent a provisional acceptance letter within twenty-four hours. I hope this will encourage others to submit plans." That's in response--we had no districts in Mississippi or Louisiana as I recall submitting plans at one stage. And the President said, "You've got to crack the ice.

Califano -- L -- 6

You've got to find a district. Get somebody." "Get," this is Johnson to me, "get somebody to submit a plan, and then we'll gradually unravel it and they'll see that they're getting the federal money."

You have to remember the importance of that appropriation was that that was the carrot. If the southern senators wanted to stick it to us, if we didn't have--and they may not have seen it as clearly as we did--if we didn't have that billion dollars in that appropriation, we didn't have the carrot to get the desegregation in place. Once we had the billion dollars, then when this little district, Beauregard, with them saying yes, now you're going to get \$500,000 or a million dollars, whatever the district is going to get, and the other districts they'd ultimately see that.

G: Was Buford [Ellington]--?

C: That was done very much from the White House. Ellington was in there because he was a governor. He was then the head of the Office of Emergency Planning. He was governor of what?

G: Kentucky, wasn't it?

C: Kentucky. [Tennessee] I'm not sure he had the happiest life, years of his life in Washington. Have you interviewed him?

G: No, but I've read about him.

C: But in any case, he was in because he was a governor.

G: Well, there's one indication here that he worked out an arrangement with the governor of Louisiana, that Ellington did.

C: I haven't gotten to that yet, or maybe it's here. We used every tool we had. You have to understand--I don't know how to really--I struggle with this, to how to. . . . The President

Califano -- L -- 7

just enveloped a problem like this. It's a situation in which he'd say, "Do it, then get me a report from Keppel." So I'd get him the report; then he looks at it. We get a statement out. I'll get a statement out. "Now I want a daily report. I want to know district by district. I want to know what's happening. Get Buford; get anybody who can call," and he always knew somebody. "Get this guy. Get him to call. Buford can find you a district in Louisiana. Get somebody to find you a district in Mississippi. There must be somebody there, some place." Then you get the district, you get the letter in. "Let's get the money out. Let's let the other districts see that they just got some money and then they'll see that they ought to do this." You have to really get a sense of this. And it's like one phone call--he'd go in spurts. He'd get on the phone and he'd talk to you, then he'd hang up, and the phone would ring again and he'd hang up, and the phone would ring again. Just one idea after another. That's the way this was done in the fall of 1965. This was a consuming project. As you can see from the kind of stuff we were getting into. That coupled with a real sense--he thought [John] Gardner was smart as hell and what have you. He thought they had no political sense and that was confirmed when they tried to cut off funds from Mayor [Richard] Daley without even following the provisions of the statute.

(Interruption)

There's September 2, when I'm saying, "Give us the housing proposal," to Nick [Katzenbach]. I've got to piece that together.

G: See if we can't go through some of the other steno pads--

C: I don't know who sent this memo, but you asked about--here, "Dr. Edgar called." Was he the head of--state?

Califano -- L -- 8

G: Texas Education Agency. Commissioner.

C: This is probably from Jacobsen. I don't know. Who's F. S.? Any one of the secretaries?

My point is--here, that goes in our housing file. When I get to that, to write about that, that's important. That shows that on September 2 at least I was telling Nick to produce a fair housing proposal.

Edgar, was it the head of the--? This is a note. I don't know whether this is to the President or to Jake Jacobsen. It's probably to Jake, because I think they probably [would] have said "Mr. President." I don't know. What do you think?

G: I don't know. I don't know who F. S. is.

C: Whether it was Jake or the President. If it was Jake, he was calling at the direction of the President. Either one of them. Here are four school districts in Texas. Johnson wanted Texas in full compliance. He really wanted to have every district in the state.

G: Why?

C: Because it was Texas; because he wanted to set an example. But it became an overriding thing. Here he's got either himself or Jacobsen talking, and saying, "as of September 3 all the school districts" that I had listed--he had asked me to get a list of the Texas school districts. If you want to get a sense of what--here's the daily status report. Okay. "Copy sent to Connally."

(Interruption)

Here he has a copy sent to John Connally, air mail, special delivery, of the report. Then he has [Marvin] Watson get the Texas school districts, which have not submitted compliance plans and we've gotten the school districts and the superintendent. Then you see obviously either Marvin or Jake Jacobsen calling every single one of these school



Califano -- L -- 9

superintendents, saying, "Plan has been submitted, [or] may submit plan." Okay. "All students transferred to another district; will send plan; will send document; never participated; has written that he doesn't intend to participate." Okay? And my recollection is then when they didn't want to participate in federal programs, he wanted to get them to participate in federal programs. This is remarkable. Who kept this? Do we have any idea?

G: No, it came out of your aides file [LBJ Library, Office Files of White House Aides: Joseph A. Califano].

C: What do you mean my aides file? There's a file of my aides, you mean?

G: No, your--

(Interruption)

G: September 10?

C: I'm sending the memo that Friday night at eight o'clock. I'm sending the President a memo saying that next Monday we start with letters of rejection. " . . . we hope will inspire or revise plans and letters enclosing a notice of a hearing."

G: Any recollection of Marvin Watson's role in this?

C: Only that both he and Jake--the President used to vote Watson and Jacobsen to run those Texas districts the way we used Buford with Louisiana, to call these guys and get these districts to submit plans and get them in compliance.

Memo that Humphrey sent John--you've got me off now.

G: You want to be off?

C: I don't care. You can leave it on.

G: You're on. September 17, 1965.

Califano -- L -- 10

C: That memo, and then September 18, 1965, was the lunch I had with--because I just was writing that part of it. September 18, 1965, was a Saturday lunch at which the President told me [Califano makes a clicking noise] the Veep [Hubert Humphrey] was out. Civil rights. And I wondered why, because earlier, in August, he had said, "Look at how to reorganize the civil rights." That's it. So now I understand what set him off on Saturday. If you could move to Texas for a year, you'd probably--

(Interruption)

In any case, here you have [Douglass] Cater on the thirteenth of September reporting to the President, basically that he finds dealing with the Office of Education fine, but the Justice Department is--[John] Stennis is saying this to Cater--the Justice Department is constantly wanting to sue to desegregate.

(Interruption)

He's afraid Justice wants to sue, sue, sue all the time. And Stennis asked Johnson to have Justice go slow for Cater.

G: Did he do it?

C: No. Well, we went slow in the sense that we gave them every chance, but we went in with lawsuits, because we found that a lawsuit was better than nothing. We didn't really want to have to send troops ever, even to enforce court orders, and we used lawsuits not so much to get court orders as to give us another leg up on the negotiations. Here Johnson is saying on September 17--he's getting these daily reports. And he's saying--

(Interruption)

--"Jake, Jake, Jake, get this thing done. Hurry and clear it up at once. Jake, see me."

This is all to get Jacobsen to get on the phone.

Califano -- L -- 11

G: The Texas districts. Was there a sense that it would be embarrassing for him if his own state were not complying with the--?

C: Yes, but he wanted Texas to be in line with everything. He also wanted them to have the money for the schools; he wanted them to get the federal funds. I'm not dealing with the reassignment of--we've talked about the Vice President and civil rights reorganization?

G: Yes.

C: "Mr. Marion Barry, head of the Washington office of SNCC, Student Nonviolent Coordinating Committee, has for the past two weeks been reviewing the Office of Education files of accepted desegregation plans. We believe Mr. Barry has been preparing strong protests against OE." I don't know how [Bill] Moyers got that with Moyers telling Cater to look into this very carefully. This is just a press statement. Some other memos out there that ought to be Xeroxed.

(Interruption)

"Oh please, oh please, see him again," obviously see Clayman [?]. I don't think it's the other stuff he cared about.

(Interruption)

We did start bringing suits as early as January 12 on the school desegregation. Then we began to look at ways to strengthen the guidelines and accelerate the process. I see that started in January with a view towards the next school year. I guess I was pushing Gardner and Keppel to do that. What I can't remember is whether--I don't think I would have pushed them to strengthen the guidelines without the President telling me to push at that point in time. I was still the new kid. I was only there six months. I was, and then I see this note from Cater. HEW coming back, with some of the difficult

Califano -- L -- 12

problems in devising the guidelines. In the beginning of consideration of how the hell we dealt with *de facto* segregation in the North. My recollection is they didn't deal with that until 1968 in the guidelines, but--

G: Why not?

C: I guess I just can't answer that question. We had so many problems in the South, and it was so much more complicated when we were dealing with situations in which there weren't laws that required whites and blacks to go to school. There were laws that set up all kinds of artificial barriers. It became much more difficult if I lived in Montgomery County and you live in Prince George's County [Maryland], and what have you. And we're going to transport people cross-county from Queens to Harlem, all those kinds of difficult issues. We just didn't know how--I don't think it was lack of desire, lack of recognition that there was a problem. I think there were a lot of questions about how the hell you dealt with it, what you did about it. It's right here on [Peter] Libassi's memo, "The lack of factual information at the various issues, situations, responsibilities, and probabilities of North and West"--we just had no experience. We had years of dealing with the South and no experience there.

Then we had these districts that just literally didn't want any federal money. I don't know if there are any districts left in the country that don't want federal money.

Boy, Humphrey was resilient. He came back with a memo in January.

(Interruption)

We really tried hard to hang in there. Really what this shows is the unbelievable depth into which we got into this stuff. (Long pause)

Califano -- L -- 13

Can we see whether there's a Johnson--? "Researcher's note copied from original." Does that mean he didn't--

G: I took that to mean there was no response alternative on . . .

C: Okay. In the revision of the guidelines in which the major issue was whether to say that you had free-choice plans, where your kids could go to whatever school they wanted, you had to produce specific percentages of desegregation, because the free-choice plans weren't working. And this is classic Johnson, having Gardner report on every congressman and senator he talked to. So the President got a real feel for exactly--a memo like this was sent to Cater. I am sure the President saw, and indeed, here it is--Cater passing on the part of it that dealt with reactions. And here you see on February 26 the President reading every reaction. Also tells [John] Sparkman, "I asked that it be held up until filing date. . . . What about John Connally?" Wanting somebody like Connally whom he trusts, and wanting somebody on the White House staff whom he trusts, like Marvin or Jake, or what have you, to talk to Connally.

You look at how we dominated the world in those days. Tuesday, March 8, the Voting Rights Bill, the Desegregation Bill, and the economy, the issue of the anti-inflation tax is all on the front page.

G: *New York Times*, yes.

C: In any case, as you might expect, the South not liking them, and the North. . . . Here's Bob Byrd fighting the guidelines. It's not a classic Johnson involvement, a classic example. In March 25, 1966, Cater's memo to the President reflecting that Johnson said to Gardner, "You select the absolute worst offender you can for your Title VI violation hearing." And Cater reporting that Baker County [Georgia] appears to qualify as the first

Califano -- L -- 14

offender. They fail completely to meet it, lays out all these things. If you want any further notice on this--and here's Johnson not trusting Gardner to make that decision. Remember now, he's been burned by these guys in Chicago, and he says, "Go over this carefully with Katzenbach. Make sure Katzenbach talks to the two senators." Not Gardner, Katzenbach talks to the two senators.

And you can see the strain that this is beginning to put on the White House staff when Henry Wilson sends me this incredible memo, saying that--this was the provision in the Civil Rights Act; I'll have to look at paragraph B of Title VI. But Wilson concerned that the race thing is just going to just tear it with all our relations with Congress, and that tension was there on the White House staff. And [Mike] Manatos shared a lot of it, too.

G: Did he?

C: Yes. Is Wilson alive?

G: No.

C: Manatos is dead, too.

G: Do you recall your reaction to this?

C: No, but I do recall--I have to think. I hate to turn you off, but I've got to go do something. There's no question that these guys--both legislative guys, and that's a rare memo for Henry Wilson to write--both legislative guys were deeply concerned about . . .

Tape 1 of 1, Side 2

C: A guy like Phil Landrum carried the poverty bill for us with Sam Gibbons. Landrum of Georgia; Gibbons of Florida. Johnson picked him to carry the bill because he's from the South. And when guys like that start getting concerned and annoyed with the administration and feeling the heat of this, we had a real problem. We needed at a

Califano -- L -- 15

minimum the southern moderates as part of our bloc to get legislation passed in the House. And these guys were beginning to be burned.

I think we better stop. I think we better come back to that.

End of Tape 1 of 1 and Interview L

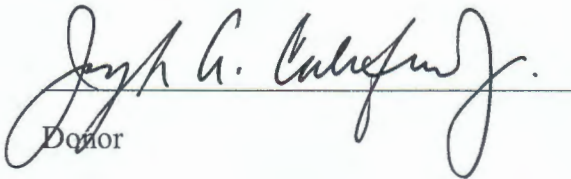
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION  
LYNDON B. JOHNSON PRESIDENTIAL LIBRARY

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

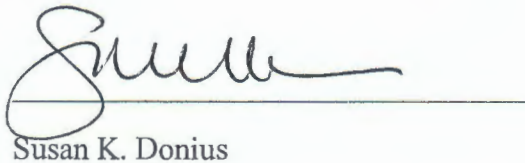
Joseph A. Califano

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