INTERVIEWEE: JAMES GAITHER (TAPE #4)

INTERVIEWER: DOROTHY PIERCE

DATE: January 17, 1969

P: Mr. Gaither, this is our third interview; it's Friday, January 17, 1969; we're in your offices this afternoon.

We discussed what you've been involved in in the last few years, and I'd like to, just to conclude for the next hour or so, have you tell me a little bit about your relationships with the various departments where your legislative programs have come in contact, keeping in the mind the charge sometimes that this Administration has particularly almost usurped in some cases some of the responsibilities that might be in the departments--if usurped is too strong, maybe it has just taken on more than is necessary. I'd like to have your reaction to that.

G: Well, I would agree that the White House has taken on a lot of responsibility, or responsibilities, previously exercised by the departments and agencies, but I would disagree that they have taken over too much--that the White House has taken over too much.

There are basically two places in which we've seen this; the first is in the process of legislative program development and the second is in the administration of domestic programs. On the first, I would have to say that I regard the change as one of the most significant institutional changes of this Presidency. The prevailing practice of legislative program developing before the Johnson Administration was to have the agencies and departments generating proposals, which were then submitted to the Budget Bureau and the White House Staff. And after some discussion here, they

were submitted to the President.

The very basic change here was that the Johnson Administration replaced that entire network with the task force operation. I think it reflected in part the President's experience in the Congress as well as in the Executive Branch, and his belief that the traditional processes were not producing the kind of innovative and imaginative new approaches that were necessary to deal with the very significant problems facing the country. And this was particularly true when he was elected, or following the 1964 election, where it was quite apparent that there was not only a landslide in the Presidential election, but a terrific change in the composition of the Congress, making it clear that the country was in the mood and the Congress had the kind of people who really wanted to deal with and overcome some of the serious domestic problems facing the country.

Facing the circumstances as they were, or the prospect of those circumstances, the President first used the task force mechanism in the fall of 1964 in preparation for the 1965 legislative program, and drew together about fifteen task forces of the leading experts in various fields throughout the country. And it was those task forces rather than the agencies or departments which generated most of the ideas and proposals which really were enacted by the Congress in 1965 and 1966. And there can be little doubt that that Congress--the 89th Congress--was probably the most productive in the history of the country. They overcame a century of debate to pass elementary and secondary education, Medicare, Medicaid, higher education, air pollution, substantial achievements in virtually every field. I think that experience convinced the President that the use of the task force mechanism could be invaluable to a President who wished

to find new answers and new approaches to our serious problems.

By way of contrast, he had seen in past years both in the Congress and as Vice President that the agencies were producing very little in the way of new legislation. What traditionally comes out of the agency and departmental processes are bills which generally preserve existing jurisdictions; they may build upon and slightly improve the programs they now have, but there are very few real departures and new thrusts. And this is entirely different from bringing in outsiders who can take an objective look at what's going on and formulate new approaches. Now this process has deeply troubled some of the departments and agencies, and very often particularly the Cabinet officers and top political appointees. Because what the President did was to establish task forces and told them to report directly to him. And he did this for a number of reasons which I discussed earlier. But one of them was so that they would tell the President exactly what was going on in the government. And what he was doing wrong as well as what the departments and agencies and Cabinet officers were doing wrong and what they should be doing.

This is clearly one of the things which I think should be continued. It expands the reach of the Presidency rather dramatically in terms of the great talents in the country in the academic world, business and labor, and all of the professions and other interested people. It also is a very effective way for the President to get a good objective report on what is happening in the government. With the government now spending nearly two hundred billions dollars a year it's very difficult for the President to stay on top of, say, the activities of eleven departments and agencies in the field of education. But a task force can take a look at what all

of those agencies are doing.

(interruption)

I think some of the problems that we ran into with the departments and agencies could be overcome if they really exercised a little more initiative on their part. For example, there were very few problems with the task forces on education, because Commissioner Howe became rather deeply involved--and before him the '64 task force, Commissioner Keppel--and the Cabinet officers and agency heads were invited to participate and stay in tune with what the task forces were doing. And when they did this, there were never any hurt feelings. Indeed they normally had a very positive effect in terms of contributions they made. Where problems arose is where the agency and departments paid little attention to them, and then were astonished when the President endorsed one of their recommendations. So I think that in part that problem could be solved. And perhaps we could have done a little more of a diplomatic job in terms of handling some of the recommendations and giving the agencies and departments more of a say in their final development. But we did try to do this, and they were normally involved before any final recommendations were made to the President. And to the extent that they disagreed, their voices were clearly heard.

I think there's also a more basic problem here. Some of the disenchantment that you find in departments and agencies did not come from the White House Staff picking up so much power as an inability on their part to communicate as they would have liked to with the President. The President spent a great deal of time, as everybody knows, working with the Secretaries of State and Defense. But on the domestic side, a great deal of the responsibility and work was delegated to Califano, and there were

fewer personal contacts and relationships between the Cabinet officers and the President. Part of this I think is inevitable. Unlike matters of defense and national security, on the domestic side you have anywhere from six to nine key people involved in every major decision. Problems in education involve eleven departments and agencies; city problems cut across HEW, Housing and Urban Development, OEO, Labor, Commerce, and Agriculture (because of the food programs); the Justice Department, a little bit of Defense, National Science Foundation, and so forth. And the President just doesn't have the time to conduct large sessions of that nature, hammering out all of their views. And somebody has to basically do an awful lot of staff work before it goes before the President, and that was the role that Califano had. He was responsible for bringing all of the top officials together and putting together for the President papers setting forth the views of the departments and agencies, and whatever consensus there might be and differences and so forth.

The other side of this problem which I mentioned involved really the implementation of domestic programs. Again here there's no question that Califano's role, indeed the role of the White House and the Bureau of the Budget, was much greater during the Johnson Administration than the preceding Administrations. I think this has become a necessity because of both the magnitude of the problems, the tremendous increase in the federal budget, and the need to coordinate the activities of various departments and agencies.

One of the things that has happened in the government the last few years is the realization that the problems of the cities, the problems of rural poverty, are very complex, and they can't be faced just by looking at

education alone or by health alone or at housing alone, but instead you have to look at the complexity of the problem and the coordination of all the different forms of assistance. We have not succeeded in resolving this problem; I think we've improved coordination by the use of the power of the Presidency, but we haven't solved it by any means. And I think in the long run we probably have to be thinking about super departments on domestic side, one on human resources holding together most of the activities of HEW and OEO and Labor and others, probably one on natural resources holding together many of the activities of Agriculture and Interior. And in the meantime different methods of coordinating activities are going to have to be tried. The Nixon idea of an urban council is not unlike what Joe Califano has been doing for the last few years, basically pulling together all of the interest of Cabinet officers on the domestic side to formulate an approach to urban problems.

But there's no question that the more the White House staff becomes involved in particularly trying to coordinate the activities of the agencies and departments, those who are being coordinated become a little resentful; they'd rather go their own way. But that is the nature of the problem. If they weren't all going their own separate ways and if they didn't have different interest groups and Congressional pressures on them, there wouldn't be any need for rather extensive White House staff involvement. So I'm afraid that it is going to be necessary for this to continue. Somebody has got to exercise the leadership, and that man basically is the President, and he can't do it all himself. He has got to have somebody that he can delegate that responsibility to. It might be a Cabinet officer, but I think it's more likely to be one of his very top assistants.

P: Mr. Gaither, are there any particular areas where there have been conflicts in developing legislative programs since you've been here?

G: There are always some conflicts, although we have had a tremendous amount of support and cooperation, literally from all of the departments and agencies. We have felt at times that because of the nature of the role, telling people to do things, that feelings have been hurt and people haven't always been entirely satisfied with the way it has been done. And there have been occasional outbursts from virtually every Cabinet officer and agency head. They will vent their frustrations at times; Secretary Wirtz did it more often than others, because he felt that as a Cabinet officer he ought to be dealing directly with the President, and basically there should be no White House Staff and no Bureau of the Budget.

Secretary Gardner at one point, although I think he thought it was a terribly important function of the White House and one that was really vital, got upset at times, particularly with respect to the way some of the task force reports were handled--the fact that they were not publicly released, and they weren't made freely available to the departments and agencies. But as I explained before, there are many reasons for this. And the President felt it was important to do it this way.

Secretary Cohen, who has cooperated with us just tremendously and has been one of the hardest workers throughout the years, has had his moments of dissatisfaction. Not too long ago he stormed out of a meeting because there was a document raised at the meeting that he had never seen. It reminded him of some underlying concerns again about the secrecy of some of the documents handled by the White House. But in all the support really has been quite good. People have worked extremely hard

in the departments and agencies; Cabinet officers have been tremendously helpful and indeed instrumental in the entire operation.

P: Do you think that the fact that the Viet Nam war has occupied so much of the President's attention that this has, say, increased the participation and expansion of the Staff on domestic programs?

G: No, I don't think it's really the war. I think the fact of the matter is that foreign policy is always going to demand a considerable amount of the President's time, whether there is a war or not--Congo or Middle East or Cuban crisis or something. So I don't think it's really Viet Nam; I think foreign policy will continue to occupy a substantial part of any President's time. I think it's more the point that I made earlier; that unlike foreign policy where the President has really just two chief advisers, on domestic policy he has really the rest of his Cabinet, plus most of the other agency and department heads. And when you start talking about urban unrest, or riots, there are just an awful lot of people. And the President can't sit there and be a buffer, and he just doesn't have the time to let everybody sit before him and express their views as a continuing matter. The President does this a lot at Cabinet meetings of course, but in terms of going into the detail development of programs and so forth, he doesn't really have the time to sit through the entire development of it as he does on major foreign policy issues. I'm not suggesting that because of the complexity of domestic problems that he doesn't talk to his Cabinet; he does, but I'm just saying that there's a much stronger reason and need for greater involvement of the White House Staff on the domestic side in doing an awful lot of the spadework to get ready for a meeting with the President so that you don't take up too much of his very limited time in which he has to deal with very critical problems.

P: Mr. Gaither, what is your contact with the President? Is it mainly through Mr. Califano?

G: It's mainly through Joe, with a very few exceptions when either it's something the President has asked me directly to do, or when Califano is out of town. I normally communicate to him through memos prepared for Joe's signature; most everything I do is handled in that way. If there is a meeting with the President and it's something that I have been involved with and spent a lot of time on, I will normally be included in those meetings. And the same is true of presenting the legislative program. But I have not had a great deal of personal contact or involvement with the President directly.

P: What are some specific assignments that have emanated directly from the President?

G: Oh, they normally would involve things that he wanted someone other than Califano to take a look at. I've had projects relating to presentation of significant legislative achievements. One thing he asked me to do was to give him my views on the ten most significant legislative accomplishments of this century. I've taken a look at personnel matters involving--Doris Kearns is a good example. After her article appeared, the President wanted someone who hadn't gone to Harvard to give him some advice on where she ought to be assigned. I have done other things. The Subversive Activities Control Board matter came up, and the President was displeased with the position taken by McPherson and Califano; he asked me to do an independent paper on it.

P: What was that about?

G: The Subversive Activities Control Board, both before and after the McHugh

incident. First, whether the President should submit legislation; this was before the McHugh thing--to strengthen the board and give it other things to do. Later, how to handle the McHugh matter. And various things like that. There were other assignments that I got in connection with the National Alliance of Businessmen, and really all of the manpower programs for that matter. And others relating to OEO and the War on Poverty.

P: In your dealings directly with the President, how do you find it working with him?

G: I think one of the things that I was, I guess, most surprised about in my dealings with him was the man's tremendous analytical ability and tremendous knowledge of the government and the government's programs--and also his tremendous grasp of figures and historical perspectives. One example of that is when I had been working for about two months earlier this year, or earlier in '68, putting together a food program. And at a meeting with Charlie Zwick and Secretary Freeman and Califano and me, the President baffled every one of us. I thought I knew everything there was to know about those programs. He asked off of a memo that I had prepared for him--a briefing memo about the program--he asked question that no one in that room could answer about impact on local government activities and the way the program would be operated, very direct, piercing questions going to the very heart of the proposal. And I think most people have seen this and have really been astonished at the man's ability to get into problems, and to really probe very deeply and ask the tough questions--the right questions.

Despite all of the things that he has to concern himself with, he really

knows what this government is doing. And he doesn't move until most all of his questions are answered, and until he has seen all of the options and alternatives, and he's convinced that it's the right thing to do, and also that he can do it. And I think that is one of the great characteristics of this man and the reason for the great successes which he has had. It's often frustrating because you may feel on rather superficial examination that you know exactly what ought to be done and become frustrated at continuing demands for clarification and more information and why and so forth. But nonetheless it protects against mistakes, and very often he shows you that you were wrong and should have taken a much harder look in the first place.

I think another characteristic that I have noticed is the toughness of the individual; he does keep people jumping. It's rather frightening at first, but after awhile you know that he will exaggerate the position that he has taken and chew you out more than you think you really deserve when you know that in fact, he doesn't believe everything he's saying; it's kind of a method that he has, I think, both for getting you to almost overproduce and for really relieving himself of anxiety. It's a little troublesome the first time you run into it and after awhile, you understand it and it's not very troublesome.

I must say my first night here I found it a little troublesome. It was the night in '66 when there was an alleged settlement of the airline strike here in the Executive Office Building, and they were about to come over for a television appearance where the President was going to announce it; Califano had gone down to the President's office, the secretaries had left to go down to the theater, and the President's phone rang.

I looked around praying that someone else would pick it up, and there was no one there, so I did. He asked me why no one had put his speech on the teleprompter, and I told him I didn't know, and he said, "Well, get somebody and get it put on." And I said, "Mr. President, there's no one here," and he said, "Well, I'll hold the line and you go find somebody," and he was clearly very mad and made some rather wild assertions about the lack of administrative support which he received in the White House. Needless to say, I was scared to death as I ran out in the hall trying to find somebody who knew how to work a teleprompter typewriter, if that's what they're called. And I never did. But it was an interesting experience.

P: Mr. Gaither, it's sometimes said that the staff men that the President selects reflects him a great deal or manner; do you find that there is a purposeful attempt at balancing in philosophies in your particular area or outlooks?

G: No, I don't think the staff reflects the President at all. I think that the President is perhaps one of the keenest judges of people I have ever known, and he knows what people are good for, and he knows how they can best serve him, and he places them in those positions rather quickly. He also plays people off against one another, so that he can get both sides of the picture.

Just as an example, looking in terms of academic credentials, liberal outlook, the thinkers of the crowd are all in Califano's office with the exception of McPherson really. The President also knows that in Joe he has somebody who will really get something done; he may bruise a lot of feelings, but he'll get it done and the President knows that. And when he gets into any kind of difficulty in terms of getting something done,

it gets thrown into Califano's office. When your own project was going rather slowly some months ago--indeed the whole history project of the government--he took it away from someone else on the staff and gave it to Joe, because he knew Joe would get it done. He knows that, for example, if there is ever a very difficult conflict between Cabinet officers, or maybe more than two, he'll give it to Joe to bang the heads together and try to resolve them. This is true of the very difficult problems we found in the economic field where Joe would work for literally weeks trying to resolve the differences between the Director of the Budget and the Chairman of the CEA and Secretary of Treasury.

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By James Gaither

to the

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