INTERVIEW II

DATE: October 5, 1972

INTERVIEWEE: RALPH K. HUITT

INTERVIEWER: JOE B. FRANTZ

PLACE: Dr. Huitt's office in Washington, D.C.

Tape 1 of 1

F: The last time we talked about your experience with Johnson, and this time I thought we would get specifically into legislation that you had some sort of relationship with after he was President. I wanted to ask you, first of all: did you feel, when you came back up here, that the battle for federal aid to education was won? I mean, was this a problem to you, or were you still kind of having to fight it? You mean when I came in 1965 to join the Administration?

H: Yes.

H: I think by 1965 the crucial breakthroughs had been made on quite a lot of fronts. The higher education legislation of 1963, the so-called Higher Education Academic Facilities Act, put the federal government in the business of aiding education, and the 1956 act which was much more comprehensive. I think settled it.

I think the importance of this would be hard to exaggerate. Mr. Kennedy had done what he could to help education. You'll remember that he went so far in the early part of his administration as to come up with an omnibus bill, which had all kinds of education in it, in an effort to force the education community to pull together. So that even then, you see, education really couldn't get anywhere. But with the breakthrough in 1965--the Elementary-Secondary Education Act, the Higher Education Act, all those

things--I think it became clear that the federal government had assumed a part of the responsibility for higher education and it would not relinquish it.

F: And except for the kind of lone holdouts, then, the issue was dead as an issue?

H: Yes, this tends to be the way we do things in this country; that when there's a question of the federal government entering into some new kind of activity, there's a great ideological debate over it for a long time, but once it's done, then there's no question about it anymore. This happened with housing; it happened with federal intervention into the economy; it happened with responsibility for employment--all kinds of things.

F: With your interest in education *per se*, how much did you get involved in the civil rights, which can't be separated from education?

H: Civil rights is a pretty broad and complicated question. What aspect of civil rights are you talking about?

F: I was thinking that, for instance, the Civil Rights Act of 1964 put through contracts with institutions of higher education for operating special training for the teachers of elementary-secondary schooling. You always had this problem that you're going to help schools that make an honest effort to desegregate, withhold from those that don't, *et cetera, et cetera*. So this is not an education act; it's a civil rights act.

H: That's right. My relationship to the civil rights program falls in several categories. For one thing, the effort of the federal government to desegregate Southern schools was something with which I was not personally connected, as I was not personally connected with the efforts to desegregate hospitals in the South; but these efforts inevitably had repercussions on the Hill. So that I had many telephone calls, either from members of

Congress, or from someone at the White House, or someone else in the executive establishment asking me to talk to a member of Congress and see what could be done. Now, as a matter of fact, nothing really could be done because the tenor of the call usually was that they wanted some relief from some order which the Office of Education or the Public Health Service was making. And of course, I was not in any position to give that kind of relief, nor did I try.

F: Why would they call you?

H: Because they get under pressure from their constituents, and they have to do something.

Now there was something which I could do for them, and which I did. And this is the sort of thing which cushions the system and makes it possible for people to live in it. In the case of constituents who had concerns, we could frequently get, for them, reconsideration, and there would be meetings, perhaps in the constituency, between them and HEW officials. Usually, nothing very much was changed, but some action took place.

F: It blunted their . . .

H: That's right. Or if their constituents came to town, we would make arrangements for them to have a meeting with somebody. From time to time, we would go on the Hill. And sometimes I arranged these meetings; even on a couple of occasions, taking Secretary [John] Gardner along, where we had full scale meetings with the delegations. We met with the North Carolina delegation one time; we met with the Louisiana delegation.

F: You're talking now of congressmen?

H: Congressmen, that's right. We met on the Hill with the senators and the representatives from those states. The secretary was present, and the director of the civil rights program was present, and I was present, and it was a kind of ceremonial occasion. Sometimes these conversations got pretty blunt; sometimes they were even unpleasant, but not markedly so. Again, sometimes members would want to know how the program was being administered and how it was working, and so I would arrange to take one of the persons from the Civil Rights Office. When Ruby Martin, for instance, was head of that office, she was very effective, a black woman, but very effective in talking to the Southern congressmen whose constituents were . . .

F: This was the Civil Rights office within HEW?

H: That's right. You see, at first it was in the Office of Education, and there was a great deal of criticism of the way the enforcement program was going under that office. As a consequence, Mr. Gardner, to ease some of these criticisms and to relieve some of the pressure which was building up against our legislation because of the resentment of some of the Southerners, agreed to transfer that from the Office of Education and put a special office in his own Office of the Secretary. This he did, and I think it worked better after that. But it did put Mr. Gardner himself under the gun, because it was in his office.

F: You bring up a problem, and that is--they editorialize about it, and congressmen sound off about it, and so forth--and that is that HEW runs a program that's independent of presidential directives or congressional wishes, *et cetera*. I'm thinking, of course, of latter days in which in the Nixon Administration occasionally when HEW has issued an order or taken an action of, "Very well, this isn't White House policy, and they're acting

independently." Is that a valid charge, or is that some sort of a kind of excuse for one's self, a way of . . . ?

H: I think it's just an excuse. The departments are under the direction of the President, and the White House can stop anything it pleases, or require anything it pleases, so long as it's not against the law. We were in touch all the time with the Bureau of the Budget, which is a presidential arm, in regard to many kinds of things. We were in touch with White House staff members who represented the President's point of view. And I can't believe that an executive agency can carry on a program which is contrary to the wishes of the President. The President can stop it if he wants to.

F: Who was your contact? Cater?

H: I had two sets of contacts. Cater was the contact so far as substantive health and education were concerned. And if we wanted to talk of program, the program for the next year, if we wanted to get education people in touch with somebody, Cater was the man. So far as the legislative program was concerned, we dealt with different people. Henry Hall Wilson was the head of the legislative program for a while and worked primarily with the House. Mike Manatos was the Senate man. The leadership passed when Wilson left to Barefoot Sanders. So that we could call either of these persons or anybody on the staff of those persons.

But Mr. Johnson didn't put these people in airtight compartments; so that there were occasions when Cater became involved in legislation; there were occasions when we asked him to go on the Hill. Different people will have access to, will have acceptability by, various members of Congress. So from time to time, we'd ask Mr.

Cater to go along; just as from time to time, the Commissioner of Education Mr. [Harold] Howe, or someone else who was not necessarily connected with legislation, would be a person we'd ask to go up and talk to people on the Hill.

F: Is there a certain amount of autonomy between health, and education, and welfare, as divisions within the department, or do you do a pretty good job of meshing all three of them?

H: I think that the fact that they were in one department was very helpful in keeping their programs coordinated. A lot of people in education would like to see a separate department of education. I have never, myself, supported that, because one of the biggest problems in the federal government is coordination. I don't suppose I heard any word more often on the Hill than coordination, but there was very little of it. The reason is that separate departments are just hard to keep in line. This was the job of the Bureau of the Budget, and they did the best they could. But the difficulty of getting health and education, in the same department, to collaborate was nothing like the difficulty of bringing about collaboration between HEW and, say, Interior, or Labor, or somebody else. The secretary, after all, could always call in the commissioner of education and the surgeon general, and they'd sit in his office and he'd talk to them.

F: Knock their heads together, if necessary, really?

H: Yes, if necessary. Except the very fact that we were in the same department promoted a kind of cordiality and a feeling of colleague-ship which went a very long way.

F: When you came back up here in '65, were you given a specific commission, or in effect just told to get in there and hustle?

H: The job had some shape to it already because Wilbur Cohen had been assistant secretary; there had been an assistant secretary for legislation since the department was organized. Of course, different people operate different ways, and Mr. Gardner and I came in at about the same time. He said to me that the President had confidence in him Gardner, Gardner believed, in every area except perhaps Congress, because he thought that this was something that Gardner didn't know about. And Gardner said frankly that he didn't, and that he wanted me to handle his legislative program and advise him what to do, and so on.

Of course, Mr. Cohen and I handled the office quite differently. Cohen had been in the federal government for about thirty years; he had been in that department, or its predecessor, for years.

F: Had come right up on every step of the ladder.

H: That's right. He had a lot of personal relations on the Hill, and he tended to handle them himself and to use his staff sort of on an *ad hoc* basis. If he wanted somebody to go up on the Hill and do a job for him, he'd pick out the man who happened not to be busy.

In my own case, I believed, since I certainly was not a subject matter expert in health, education, and welfare, social security, food and drug, and all these things, that I would do better if I got the best person I could and gave him a specialized assignment so that each person on my staff had an area of major concern. Sam Halperin, for instance, was the deputy for education. So that we would not be left, though, with no one in case a man happened to be sick or out of town, each member of the staff was a back-up person in some other area. So these people got to be quite good at the thing that they were

supposed to do. They got to know the staff members. And since my door was always open, it was possible for them to drop in, or call, four or five times a day if they felt it necessary. So that we kept in touch.

At the same time, I gave them a good deal of freedom and maximum support. They understood, if they made a mistake, that I would never say, "He made a mistake." It would be, "Our office made a mistake. I made a mistake." And so I think that worked very well. I had some very good people.

F: What does legislation involve? How much is prepared in your office; how much is prepared over at the White House; or is this handled elsewhere?

H: This has been under the process of evolution since the time I came to town in 1965. When I came, the legislative program was still pretty much a departmental affair. In the middle of the summer, the assistant secretary for legislation would call on the agency heads to make out their proposed legislation for the next year, and a deadline would be set. About the first of August, these packages would arrive from the various agencies. They were always full of junk, because there were a lot of old dogs, that had been lying around for years, that were proposed every year.

F: Every bill was an omnibus bill at the beginning.

H: That's right. And all kinds of stuff that nobody was going to send up. But I'm sympathetic with the commissioners on that. If the bureau chief wants to push a certain thing, it's a lot easier for the commissioner to have it turned down in the Secretary's office than to have to tell him that it is an old dog and that he's not going to send it up.

So some parts of my staff and I would meet with the commissioner; we'd talk

about his package a bit after we'd looked at it, and suggest some things that ought to be eliminated so the next package that came up was a pretty good one. Then we'd sit down in a cordial and friendly fashion and work on it, go over it, until we had what we believed was, for each agency, a pretty good set of proposals for the next year.

The next step was to meet with what was called the Legislative Committee, which was the assistant secretaries with the under secretary chairing the meeting. We then went over with this committee, bringing in, if need be, the commissioners again, to talk over the proposals of each agency.

And after these proposals had been worked over by that group, it was time to take it to the secretary. Whereupon, I would arrange, with the secretary, a series of meetings, at which we could present to him the program on one day for education, and the programs on another day for health, and so on. And he would then have the chance to decide how he wanted to change them, which ones he wanted to eliminate, which ones he wanted to emphasize; and he did that. He had a final shaping, influence in them.

Then we would send all of these programs in one big legislative package down to the White House. Whereupon, there would ensue about two or three months of meetings in which various ones of us would go down and meet with Cater, meet with the Bureau of the Budget people, and work on these programs, discarding this, and adding that, and so forth. Until finally, there would be an HEW package, as there would be a package for each of the other departments, which then would go to the President for his final determination.

And of course, the proposals would continue to be changed, almost up to the

minute that they were sent to the Hill. The President would make his State of the Union Address, and then he would send individual messages up for each of these packages of proposals. His education message would go up, and with it, the bills that he hoped Congress would pass.

Now this, as I said, began to undergo an evolution, and more and more, the White House staff began to do this kind of thing. So that Mr. Johnson put in the hands of Joseph Califano, eventually, the responsibility for developing the legislative program; we would continue to send our proposals in, but Califano, then, would submit these proposals to *ad hoc* task forces. And a single set of proposals, or a single proposal even, might be considered at one time or another by three or four different task forces constituted for a short time, anonymous task forces, in the sense that sometimes you even had trouble finding out who was on them, but certainly they didn't get publicity. And this, of course, was a pretty good idea, because an anonymous task force of that kind can recommend whatever it believes or whatever it pleases. It can be rejected or accepted without anybody saying, "Well, the President wouldn't take so-and-so." So through the Johnson Administration, this drifted more and more to the hands of the staff people at the White House and the Offices of Planning and Evaluation--the PPPB operation entered into it more and more.

I understand, now, that this transformation has come to be pretty nearly complete. The people in, say, the Office of Education work on the details. They get the general directives as to where the President wants to go from people at the White House or from this Office of Planning and Evaluation.

F: We have gone through now the point of the President making a State of the Union message; he has sent the legislation up on the Hill. Have you contacted Congress on this to prepare a way for its coming, or do you wait until the package goes and then you get into action?

H: This was always a kind of touchy point. The President didn't want his programs revealed until he was ready. So we had the most open kind of interchange with the members of Congress, and their staffs, and with the associations in the city until about the time the program began to be put together, whereupon the curtain came down. We were not supposed to talk to them; we were not supposed to give them any idea of what we were up to.

Now as a matter of fact, it's impossible to keep this kind of thing secret. So that sometimes we would have large schemes. And I can see the President's desire to keep it from being public, because many times ideas were discussed and considered which eventually we could not do.

I remember in the fall of 1965, for instance, when the President had had a big year, and he was thinking about another massive legislative program, but the question was whether the country could afford it. And so he had about two separate planning operations going on. We were supposed to think large and propose sweeping new programs in health and education. And at the same time, the Budget people were supposed to think small in the event that the money was not available.

I remember two ideas particularly that the President had. One was for general aid to elementary and secondary education. Now this is bold indeed, because this could be

money to help build schools, to rehabilitate schools, and so forth. And the second was what would amount to a massive new program on the Hill-Burton type, which would modernize and rebuild hospitals. Now, either one of these programs, you see, could have cost quite a lot of money.

So we had a number of meetings on them. But this could not be kept quiet. I have no idea who talked, but I'm sure that a lot of people said small things, and so a very careful reporter for the *Wall Street Journal* was able to put together an article on what we were talking about in regard to elementary and secondary schools, which was as accurate as could be. And he also, then, came out with an article on what we talked about in regard to the hospitals.

But, as the President had foreseen, it turned out that there was not money enough. We never tried either of those programs. So there was a point in his policy of secrecy.

Now you asked what happened when the message went up. The President asked us to go and have a meeting with the chairmen of the relevant committees just before the program went up. These meetings were usually . . . Well, as a matter of fact, I think the first meeting was on an informal basis in which I would go up with the deputy who was responsible for that area and we'd talk to the chairman in general terms about what was going to be in the bill. And then we'd go to the principal committee members and talk to them as well. But once the program went up, one of our jobs was to arrange a formal call on the chairman of the committee by the secretary. And so we would go in force--the secretary, the under secretary, the relevant commissioner, myself, anyone else who would add a little weight to the meeting, and we'd call on the chairman and talk about the

program for that year. Now we didn't talk very much in detail, but we did tell him the general content of the program.

F: Was there any attempt to persuade beyond just the persuasion that comes from education?

H: At that point, no attempt to persuade, because the proposals were too big and there'd been no committee hearings on them. A committee chairman didn't want to be persuaded at that time. But of course, our relationships with the committee chairmen were warm and cordial relationships, because we had the same interests. And we had a pretty good idea what Senator Hill would accept in the area of health, and what Senator [Wayne] Morse would accept in the area of education, or what Mrs. [Edith] Green would be willing to do. None of these are ideas that you pull out of a hat; they're the next step in a process that has been going on for some time.

F: Is there any value in working with their staffs, or do you need to work with the particular legislator himself?

H: You do both. The staffs are extremely good in the committees that I've worked with. They're good on the House side, and they're good on the Senate side. Generally speaking, it's easier to get to and to work with some regularity with the House members than it is with the senators, the difference being the size of the bodies. In the House, each member belongs to one important committee, which means that he probably sits on one, or no more than a couple of subcommittees. In the Senate, on the other hand, there's only a hundred members. There are literally now--because I've checked this in the book--two or three senators who are on twenty committees, subcommittees, and so on. Now if a

senator did nothing except take care of committee business, he couldn't get around. So that in the Senate, it's much more likely that you'll work most of the time with the staff people.

Now this is not to say what some naive people say, which is that the staff runs the Senate. Actually, these staff members are extensions of their principals, and they are effective because they know what the principal would do if he were doing it himself. I never had the feeling that we were dealing with somebody who was shaping the program without concern for his boss. If we were dealing with Charlie Lee, for instance, we were really dealing with Senator Morse, and we knew it. Lee never pretended otherwise. And if we were dealing with Bob Bartley on health, for instance, we were effectively dealing with Senator Hill, and when we did go to see Senator Hill, he would always call Bob Bartley in to sit in the meeting. They knew each other's minds, and so that worked all right.

F: Is there an orderly progression in this: that prior to and during committee hearings, you work with the committee, and then after it has come out of committee, you go to work on the much broader group? Or do you start your educational process on the whole Congress beforehand where you've got something you think is going to be a little rough?

H: There's an educational process that goes on all the time in the shape of bills which are introduced and [bills] which are discussed which are not going to pass. This is part of the educational process. There are many, many bills that are being pushed on the Hill now which are not going to pass this year or next year, which may very well be part of a Presidential program four or five years from now. But that's not what you're asking

about.

What you're asking about is what does the guy responsible for legislation do. And the answer is that we always went up to see the leadership the first thing in the spring when the program went up and discussed [it] with the leader. This would be, in the case of the House, we'd go to see the speaker, and then we'd go to see the majority leader over in the Senate and probably pay a call on Senator [Mike] Mansfield. These were strictly ceremonial, strictly courtesy calls. The leadership at that point was not interested, because these were massive programs that had not been to the committee yet; the leadership had no intention of doing anything about our programs nor about anybody else's programs. But the comment that would usually be made when we left was, "When your bills come to the floor, Mr. Huitt, come back to see me."

Now this is the division of labor between the committee chairman, the subcommittee chairman on the one hand, and the leadership on the other. Once the bill came out of the committee and was ready to go to the floor, then we did call on the leadership. And the meeting would include--that is, if it were an important bill, a big bill--on the House side, it would be: the speaker himself; with the floor leader; with the whips; with the chairman, and some of the ranking members, of the committee; with brass from the White House; with myself and usually Wilbur Cohen; with the deputy on my staff responsible for that legislation. In other words, there'd be fifteen or twenty people there sitting in the speaker's office.

The question then would be, "Can you pass the bill," because this is the leadership's job, to see that a bill which has come out of the committee actually is passed.

And so there would be sometimes four, or five, or six meetings of that kind in which we would actually go down the list of the members of the House and try to count votes to see whether the bill would pass or not.

F: And figure who can talk to whom.

H: That's right. And who has constituents out in the field; what interest groups can help. AFL-CIO, for instance, was always very helpful. And some persons from these groups would probably be in those meetings. At the same time, there would be meetings down at the White House.

But the essential point, in answer to your question, is that the division of labor as the subcommittee and the full committee work over the bill and then [that] the leadership assumes the obligation of passing the bill once it gets to the floor with the help of the committee chairman.

F: Are groups like the state PTA, the state teachers' association, the state medical association, are they fairly effective in bringing a state's delegation around to viewpoints.

H: The effectiveness of groups, associations, varies. And their effectiveness varies also in regard to the issue involved. In dealing with interest groups, one does not attempt to deal with state units. That is the responsibility of the association itself. Let's say, for instance, that the administration and members of Congress would want us to help get votes for a higher education bill. They would not get in touch with our universities, with our presidents; that would be our job.

F: They'd contact their national association.

H: That's right. They deal with their people; that's their job. And so if you want to know

how somebody from Kentucky is likely to vote, you don't call somebody in Kentucky. You ask the AFL-CIO, or you ask the National Education Association, or someone else, if they have a man in this district who's likely to be able to find out from the member what he's going to do. But you don't shortcut the man here who represents that association.

F: Did you have anybody on the Democratic side, since this was a Democratic Congress, who was a kind of a regular stumbling block in Congress, that you sort of had to plow around?

H: No, we didn't have that. We were fortunate. I know that there are some areas of legislation in which there is a tough guy to get around, but we never had that.

F: You mean now?

H: Now, and perhaps back then, but not in our groups. We had the good fortune of working with what were in effect bipartisan committees. Education, health, and welfare, are not really partisan issues; at least, they were not then. When we took a bill, for instance, to the Senate side, Senator Morse would get his subcommittee together for breakfast, and representatives of the administration would go and have breakfast with them. There would be members of both parties. We worked with the leading members of the both parties.

Once in a while there would be a partisan issue. The Elementary and Secondary Education Act of 1967 was one such, because the Democrats had lost a lot of seats and the Republicans moved to try to establish some kind of majority in the House. And the first bill they picked, because it was the first big bill up, was the Elementary-Secondary

Education Act. Mr. [Albert H.] Quie of Minnesota attempted to amend that act in a way which was not acceptable to the administration, and we had an all-out effort to beat the Quie amendment. But significantly this never did harm our relationships with Mr. Quie. We remained friends with him throughout the whole controversy and worked with him afterwards just as if this had never happened.

F: What about Edith Green?

H: We worked with Mrs. Green with regularity and found that we got along with her well enough. As a matter of fact, Mrs. Green, you know, when she is in support of something, is just an enormous champion to have in your camp because she, as they say, does her homework. She always knows everything in the bill; she knows everything about it; and the amount of energy and the amount of intelligence she puts to it is really most impressive.

F: Did you get up here in time to work on the Elementary-Secondary Education Act in '65?

H: No. When I came in September '65, there were still elements of that program on the Hill. I knew that I could not step in, in September, with bills that had been up there all year, and attempt to learn about them and take charge, and Wilbur Cohen recognized that, too. So even though he had become under secretary and had new, heavy burdens, the two or three bills that were still not passed, he assumed responsibility for.

Now, in order to break me in, he took me with him many times to the Hill, and we talked about these bills, *et cetera*, but I wrote off the '65 program, so far as my responsibility was concerned, and began to work on the '66 program.

F: You didn't then, take any great active part in that National Foundation for Arts and

Humanities Act either?

H: No.

F: On these spring meetings when the whole kind of power structure goes up and meets on the Hill with the leadership there, do congressmen accept this as part of the way the system works? Is it kind of like a ballet regimen or something, and you take certain positions and they take certain positions, or do they look on it as a kind of intrusion?

H: Oh, they look on this as a friendly gesture on the part of the administration, in which you say to them, "We recognize your importance, and we've come up here, now to work with you." At those meetings, there's no attempt to change anybody's mind.

F: They like to be contacted.

H: Oh, yes. If you don't do it, then congressmen begin to feel that you're not taking care of your job. I don't know what goes on in this administration; but certainly, not to go up and make contact with them as soon as the session started and let them know that you'd be around again is like professors and students not getting together when the school year starts. It's a rites of spring sort of thing.

F: One of the newspaper, and other, criticisms I hear of this administration is that sometimes congressmen feel they aren't contacted enough.

H: Yes, I've heard that, too.

F: Did you work on the International Education Act then?

H: Oh, yes. Yes, indeed.

F: Do you want to trace that for me?

H: That act was very dear to the heart of Secretary Gardner. It was very strongly

championed on the House side by Mr. Brademas. John Brademas was not the chairman of any subcommittee, so Chairman Powell, who was the head of the full committee . . .

F: This is Adam Clayton.

H: Yes, Adam Clayton Powell, this is one of those things which he did very well. One of the reasons why he was successful as a chairman was that he knew how to enlist the aid of the various members of the committee, and give them something to do, and let them feel that they had a part of the action. So he created--what, so far as I know, is really unknown to congressional organizations, something called a task force--a task force on international education and put Brademas the head of it, and asked the task force to hold hearings and report back to the full committee.

Those hearings were love feasts, because the people who came down and testified in support of the international education bill were very much for it, and so was Mr. Brademas. So we had no trouble getting it through the task force and through the full committee, and then no trouble getting it passed in the House.

When we took it to the Senate, again, there was no difficulty. Senator Morse believed in it, and when he brought it out of the subcommittee with full subcommittee support, it got full committee support. In other words, getting that bill through Congress was very easy.

Now the difficulty came when it was necessary to try to get money for it, because by that time, money was in short supply. Mr. Gardner was so eager to have it funded, even a little bit, that he asked the Appropriations Committee for ten million dollars, and then he asked it for less than that, and then, finally, he was trying to get just a couple of

hundred thousand dollars so he could set up a little office and keep the act alive.

I went to see Chairman [George] Mahon a number of times about that, because Mr. Mahon and I seemed to have good rapport. Sometimes I went with the secretary, sometimes, with Jim Kelly, who was the budget officer; sometimes, by myself. We were concerned about international education in the teacher corps, both of which Mr. Gardner was very strongly supportive of. So I talked to Mr. Mahon a number of times, and finally, toward the end of the session, when the bill was going to come up, Mr. Mahon said to me, "Mr. Huitt, I'm going to put some money in for the teacher corps. The reason I'm going to do it is that it has already been funded, and there are school systems, and there are young people out in the country, who are depending on the Congress to keep this act going. I don't think Congress ought to let them down."

"Now," he said, "I'm not going to put anything in for international education. That has not been funded; it's a new program; if we put some money in for it this year, we'll have to put some money in for it next year and the year after that. I don't believe that we ought to fund programs which are brand new when we can't fund programs adequately which are already on the books."

I thought that was a very reasonable position for him to take, and it's a position, which I understand that he still takes. International education has never been funded; neither has Networks for Knowledge; neither have a number of other small programs that we passed while we were there. Because Mr. Mahon doesn't believe in cutting money out of existing programs in order to start something, and he's quite right in this. Once these programs are funded, they will be funded until the end of time.

F: And so you give good support to what's already under way?

H: The best you can, at least, the best support you can.

F: Could you feel a real difference on the escalation of the war in what was happening to your program?

H: Oh, yes.

F: Were congressmen that specific, or was it just your own feeling?

H: No. What we did feel, because I can't draw any relationship between the war expenditures and the other expenditures except in the overall problems that the President had with his budget. We had nothing to do with war expenditures because, as you know, these are handled by committees which operate in pretty watertight compartments

But it did affect our programs; it affected our programs in the sense that the administration began to run into criticism from some of our people Senator Morse, for instance, was quite critical of what he called "the money that ought to be going into education going instead to support the war." We had real problems, of course, with the draft, and this illustrates one of the facts of life about Congress. The jurisdiction given to various committees will sometimes keep a committee from considering in a serious way, something which is central to its main concern, an example being the draft.

I remember our appearing before Mrs. Green's subcommittee when the draft was under consideration. The President made some suggestions for changes and so on, and all she could do was to talk with us about it, because she could not recommend from her subcommittee, anything. This was in the Armed Services Committee. And so there's no question that, as we went along toward the end of the President's administration, the war

was impinging more and more in the sense that we were getting criticisms, and our people were arguing that the priorities were wrong, and that kind of thing. But we never had anything directly to say about the war, because it was not in our province.

F: Right. What act gave you the most trouble, or does one stand out?

H: It depends on what you mean by trouble. If you mean by trouble what took up the time and the energy and so on, big acts which were opposed, the Elementary and Secondary Education [Act] amendments, I mentioned a while ago, consumed an enormous amount of energy.

F: Now, you put in an Elementary-Secondary Education amendment just about every year. I guess you did every year.

H: About every two years. The usual procedure is that the Administration asked for five years. The Senate will probably give, perhaps, three years, or maybe four years. The House will give one year, and then the conference will settle on two or maybe three years. Most of the people in the Administration argue that this is very bad; that what really is needed is a five year organization, so that all of the people who are connected with the program can feel secure that the program is going to go on and so on.

I may be a minority of one, but I don't agree with that. I think that the three year authorization is probably about right, because I believe that, every so often, Congress ought to have a look at these programs, which is really the only kind of oversight they can effectively exercise.

F: It amounts to a review.

H: That's right; it's a review. Secondly, Congress has got the energy to pass a certain

amount of legislation every year, and my own belief is that if there's not important legislation to consider, then unimportant stuff will be considered. They're not going to go home just because there's not very much to do, and the President's not going to say, "I don't have anything this year." In a word, the machinery is in place, and it's going to work. And it strikes me that for the Education Committee to consider a big higher education bill about every three years and then, in alternate years, maybe a big vocational educational or elementary and secondary education, as they will next year--this seems to me about the way it ought to work. So I think a three year authorization is about right.

Now you asked about trouble. We always had difficulty with consumer legislation, although the President passed quite a lot of it, a remarkable record. At one point, I remember, he'd passed nineteen consumer bills. But the problem with consumer legislation is that the interest groups that are opposed to it are invisible; that is, they're for the legislation, but. They're for the legislation, but. They want to cut this out; they want to cut that out. It's like fighting Indians. You never see them, but you know that your people are falling all around you. And so when a consumer bill gets through, the chances are that the really biting items in it may very well have been cut out.

It's hard to pass a consumer bill in the main because consumers are everybody, but consumers don't have any very direct interest in it. Consumer bills become easy to pass when there's some kind of scandal that scares people. Then you can go up on the Hill and pass the bill to regulate that without very much trouble.

F: Where do you get in on consumer bills?

H: The Food and Drug Administration is part of HEW. And, moreover, the Public Health

Service had a number of consumer protection pieces of legislation: water pollution for instance. Now, that large program having to do with rivers and so forth was moved by the President over to the Interior Department. But the question of fresh water, the question of contamination of food, that kind of thing, there is a Food and Drug Administration. And then there are some programs which the Public Health Service administers. Mostly, though, it's Food and Drug.

F: Was the surgeon general's report on cigarette smoking divisive within the department, or did the people just accept it?

H: If it was divisive, the people who were hostile toward it damned sure kept quiet, because the secretary was very much in favor of it; the under secretary who later became secretary, Mr. Cohen, was almost passionate about it. He removed all the ash trays from his office, didn't permit smoking in the meetings he was in, quit smoking himself.

F: He bought it.

H: He did indeed. And Dr. Lee, who was the assistant secretary for health, was very much for it. In the department, as I say, if anybody opposed it, he kept quiet, because I never did hear anybody--

F: What did this do to you in your relations with the tobacco growing states?

H: There was a little delicacy with, say, a person like Mr. [William H.] Natcher from Kentucky, because he comes from a tobacco growing state. Some of the people there obviously didn't like it, but I think they recognized that--I mean, they didn't fight us, they were not unpleasant with us--they recognized that this was something which we had to do. And so I never got any direct flak on it.

F: Did you have any opportunity to observe Secretary Gardner's relations with the President?

H: Not by observation, no. The one time that I really saw the President and Mr. Gardner together was the day that my appointment was announced at the White House, and the President kept Mr. Gardner and me over for about forty-five minutes and talked, and we had a very good time. I know that in the early days of his tenure, at least, Mr. Gardner was very high in his praises of the President. He was most impressed with him because of his knowledge of government, his ability to keep so much information in an organized, effective fashion in his head. I think everybody who worked with the President was impressed with this enormous command of what was going on.

I remember Wilbur Cohen telling me a story about going to a cabinet meeting as a representative of Secretary Gardner before Cohen himself became secretary. And when they were beginning to leave, the President called out to him and said, "Any of you have any problems? Any of you have anything you want to talk about?" And Cohen said to him, "Mr. President, I could sure use some help in explaining the Vietnam war to my son." And he meant it sort of facetiously.

The President said, "Come back, come back, sit down." And Cohen said, "Then for forty-five minutes, he talked about the war in the most lucid, coherent, and organized fashion possible, in which he ranged all over the world and covered all aspects of it." And Cohen said if his son could have heard that, that he could not have failed to be impressed. Even if he didn't agree with the President, he couldn't have failed to be impressed at the President taking everything into consideration that should be taken into

consideration.

So Gardner had this kind of admiration for the President.

Toward the end of his tenure, if the relationships were strained as I read they were strained--I don't know--certainly there was never any indication on the part of Mr. Gardner.

F: It never came down to the assistants.

H: No. As a matter of fact, it was characteristic of Mr. Gardner that he kept his own counsel, was very close-mouthed about that kind of thing. Personal relationships, he never talked about. And when he left the department, he just said that he was leaving because he had to consider where he thought he could be most effective in the immediate future, and that he had never meant to stay more than a couple of years, and had overstayed already. And if there was some conflict with the President, if the war was a factor . . . As a matter of fact, Gardner said specifically that the war was not a factor. He said that he had never had to work with the war in one way or the other; and he said the budget money was not a factor because he understood the President's problem--the President had given him a complete hearing. And so whatever his reasons might be, he never disclosed them to anybody that I know.

F: The President, of course, would have been, in some ways, his own best legislative liaison man, because he was marvelous at that sort of thing. Did he ever sort of make any suggestions to you on how you might be handling your job?

H: What the President did was to drop in about every fourth or fifth week to the session that we had on Monday morning at the White House at 8:30. This brought the principal

legislative people from the departments and agencies down there to meet with the White House staff.

F: Not just HEW, but across the board.

H: Across the board, about thirty-five of us. So the President dropped into those meetings, and he gave us lots of legislative advice. As a matter of fact, my post-post-graduate education in politics and legislation, I say has been at the feet of the President of the United States, when he was president and when he was senator, not always in what he said directly to me, but in observing the way he handled things--just a superb teacher of that kind of thing. And his discourses were always wonderfully funny and very inspiring, and at the same time, in a very earthy way, quite informative, because he knew what the Congress was like, and he respected Congress. He told us again and again that we must always remember that not all the patriotism and intelligence and wisdom were in the Executive Branch; that members of Congress were going to change his bills. And he said, "A lot of times, they make them better." And by God, they did. A lot of times, they did improve them. But the President never quelled over that; he took the bills that came out. And if they did what he wanted them to do, if they aimed in the direction he wanted them to go, even if they had been changed somewhat, the President quietly recognized that this was a victory for him, and for Congress, and for the people of the country.

I'm going to have to go.

[End of Tape 1 of 1 and Interview II]

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