

INTERVIEWEE: Francis Keppel

INTERVIEWER: David G. McComb

DATE: April 21, 1969

M: This is an interview with Mr. Francis Keppel in his office in New York City. The date is April 21, 1969, and my name is David McComb.

Can you briefly give me a sketch of your background, how you got into the Office of Education?

K: I was a graduate of Harvard College who returned to the college just before the second war as an assistant dean of freshmen. [I] went off to the war where I was active in the War Department's and the Navy Department's education information programs both as a civilian and an enlisted man and officer. I returned to Harvard to the faculty of arts and sciences as what my father, who was himself an educator, referred to as an academic handyman, not a scholar, and was appointed dean of the Graduate School of Education at Harvard by James B. Conant in '47 or '48--I've forgotten which year. And [I] served as dean of that faculty until 1962.

My original relations with the federal government were probably brought up to a point, aside from the usual advising one does, when Mr. Kennedy appointed me to serve on an advisory panel or committee on education after his election and prior to his assumption of office.

M: You didn't campaign for him though?

K: Yes, I campaigned for him a little. I happened to know him a little, and so I campaigned in a kind of minor league way. So I guess he knew

my name anyway. His older brother Joe and I were contemporaries at Harvard College, and Jack was a younger brother, so I'd known the family a little bit.

The particular advisory committee that I'm referring to on education was headed by President Hovde' of Purdue and had several members on it. We came up with a report that if Mr. Kennedy had adopted, would probably have broken the federal government's bank in no time at all. Among other things he asked us for advice on who the Commissioner of Education should be, and we all agreed with enthusiasm on Commissioner James Allen of New York, who was the state man in New York. As a matter of fact, I was sent off to try to persuade Allen to do it. He refused at that time, and I take a certain sardonic pleasure in having devoted my attention in the last few months to getting him to do it on behalf of the Nixon administration, and he has now accepted. It took eight years to accomplish that goal.

Then I went back to Harvard for a couple of years as dean. Professor Sterling McMurrin was appointed Commissioner of Education, Ribicoff as Secretary of HEW. Ribicoff decided that he would handle all the politics on Capitol Hill and McMurrin would sit back and think high thoughts in the Office of Education. Well, the politics fell apart something terrible, and in August or September--I've forgotten now--of 1962 a bill which had been put together with bailing wire for higher education got on the floor of the House. It had already passed the Senate; in fact, it was coming back from a conference committee. It got on the floor of the House and failed on the floor of the House to the

great disappointment of the Kennedy White House group, who largely blamed the National Education Association for spraying the town with telegrams objecting to the bill on the grounds of church and state.

M: Was this the true reason for the failure of the bill?

K: I don't think so, alone. It was a bill put together with bailing wire, for example, there came back from the conference committee of the House and Senate a provision about loans to students and colleges which had what struck me as the most unlikely language I've ever heard-- a provision for "non-reimbursable loans." Well, for heaven's sake-- what's a loan! You know, that and other factors made it probably a matter of doubt with congressmen. Anyway, the bill failed.

M: What I'm driving at--is that religious issue a key issue as all the books have indicated?

K: It most certainly is, or (correction) was, at that time absolutely central, and is today. It remains, I believe, an important issue just below the level of the political surface. In any case the Kennedy administration was just as cross as it could be at the NEA. It, like every other human outfit, has to have some goat, and the NEA was the goat, and there was good reason to think they had something to do with the failure of the bill. By spraying those telegrams around.

Mr. McMurrin could hardly bear the thought--poor fellow--and resigned. He resigned, incidentally, through his congressman, as I recall, from Utah, so that Mr. Kennedy read it in the morning paper. The story I now have to tell you comes from Mac Bundy, who was one of the White House aides. The following morning they had some kind of a meeting. And Mr. Kennedy said, "What's all this about this fellow

resigning as Commissioner of Education, apparently by way of Capitol Hill? What's going on! I never heard of the fellow!"

And Mac Bundy's response was: "Mr. President, that's exactly the trouble. You never heard of the fellow!"

They looked around getting a man willing to take the job, because by that time it had a very bad smell to it. And finally, I must say, my conscience got me, and when I was approached I said "yes," with my wife screaming her objections--poor girl. I finally went down there. The next year or two, probably three or four years, are probably the very things you want to ask me about, but you asked me how I got there, and that's how I got there.

M: In those early years in the Office of Education, did you have much contact with the Vice President, Lyndon Johnson?

K: Practically none.

M: Did you know him up to this time?

K: No. I suppose one ought to be more careful. I suppose I thought I knew him in the sense that I'd probably been at some ceremonial or other. Oh, yes, I remember we got an honorary degree together up at Tufts. And I would have said that the chances of Johnson's knowing my name either before or after the Tufts honorary degree ceremony were probably as ten is to one against--in other words, no direct connection.

M: Then, you worked to get Kennedy's education bill into law?

K: Well, it was more than one bill. It was a complex set of legislation--I've forgotten. There were probably twenty or twenty-five separate parts that eventually passed between 1963 and 1966. The Kennedy strategy was to put it all into an Omnibus Bill in early 1963. It was obvious that the best hope that one could have would be to keep a program before the

Congress--I'm talking about 1963 now--and try to keep the lobbyists from killing each other, oh, because the higher education fellows were so mad at the NEA fellows they wouldn't speak to them. In fact, I can recall negotiating a private meeting between Mr. Logan Wilson (a Texan, by the way, a former president [of the University of Texas] representing the higher education interests, and William Carr, who represented the National Education Association. These two men [who] had worked with each other for probably five or ten years were so cross at each other in early 1963 that I personally had to invite them to dinner, and they didn't dare turn me down. This was literally the case.

In any case, the problem was not so much to get the lobbyists to agree on supporting anything as to agree on not killing each others interests. The first task was to try to get the lobbyists-Catholic, NEA, American Council on Education, land grant colleges, and all the others (I shouldn't call them lobbyists. It's probably deplorable language. Let me refer to them as representatives of education and groups) to get them to shut up about things they didn't like and only talk about things they did like. So instead of having a whole bunch of props and pegs on which the Congress could hang its hat to vote against a piece of legislation, all good excuses not to vote for education, the idea was to take all the pegs off, if you could, and keep the groups, above all, quiet about the things they didn't like. So we tried to build that kind of a lobbying situation, the most delicate part of it being the relations between the higher education world and the elementary, secondary world on the one side, and the Catholics and everybody else as another cut-across.

So what we did was to put up what we called an omnibus bill in 1963 that had everything in it. The Congress roared with laughter and had a lovely time chasing it around, saying, "You don't really mean that there are no priorities--between higher education in the schools and between books and whatever."

And we solemnly got up there and said, "Yes, indeed we do, it's all one piece, and we won't cut it up for a minute."

What happened, practically, was that with Wayne Morse's help it was kept as a single bill for quite awhile until finally it looked as if there was a chance in the summer of '63 to spring out a higher education version. And we sprung it out and got it passed, knowing we'd have to go back later on the elementary, secondary side.

But the NEA, bless its beads, kept its word. Even though the higher bill was going through, they didn't shoot it down because of anger that it wasn't an "El-High" bill. They kept their word. So that when the following year came, after the tragic assassination, the higher education fellows kept their word and didn't shoot down the lower bill. Do I make any sense to you?

M: Yes. This would indicate that the groundwork of the education bill came in the early part of the Johnson period.

K: No, it came in the latter part of the Kennedy period. We had bills up there that were two-thirds of the way through except for the "El-High"--the ESEA. But except for that, we had the higher education bill through. And after the assassination, quite a bunch of those got passed in December, as I remember, in that general spirit of Congress wanting to do things.

The one part that hadn't been worked out politically and educationally was the Elementary-Secondary Education Act, and that was largely put together in the first part of Mr. Johnson's time-- I may say, as a result of a lot of talk over the summer of 1963. But it was put together as a piece of legislation. And I can recall going in January, I think it was, after the President's election-- I guess maybe it was February--into the Fish Room of the White House with a bunch of other fellows who had bills that the President wanted to go through. He came in, looking cheerful as can be, and said to the half-dozen or dozen people in the room who were responsible for various pieces of legislation, (President Johnson said,) "Look, we've got to do this in a hurry. We got in with this majority in the Congress," (~~by~~ however many million votes, he had <sup>as a</sup> majority). He said, "It doesn't make any difference what we do. We're going to lose them at the rate of about a million a month, and under those circumstances, get your subcommittee hearings going. Keppel, when are you starting yours?" And Cohen, who <sup>1</sup>was handling the medical thing, "When are you starting yours?" "Get them through the subcommittee and through the full committee and past the rules committee and on the floor of the House just as fast as you can get them going." And then he turned around with that characteristic gesture and said, "I want to see a whole bunch of tails of foxes on the wall," whatever that phrase was--not foxes.

M: Coonskins?

K: Coonskins! "I want to see this coonskin on the wall," banging away with his hands at it, you know--wonderful gesture! "And I want those coonskins up there." He pushed like--

M: Was he right?

K: Oh, he couldn't have been more right! He was utterly right! And my own conclusion was that the most difficult of this legislation to get through the Congress was the Elementary-Secondary Education Act, largely because of church-state and federal-state relations.

M: Again, is that religious compromise a key?

K: Absolutely.

M: And where did that idea come from?

K: Oh, from a bunch of people. Since it worked <sup>politically</sup>, there are a lot of fathers to this bill. The NEA says they thought it up, and the Catholics think they thought it up, and I think I thought it up, and everybody thinks they thought it up. I don't know. It just got put together.

Probably the best thing. In any case, the President, I guess, saw that there was a chance of its working--he's obviously a very bright man on these matters. He didn't particularly play any part in putting it together, but once he decided it would work he sure pushed it.

M: How about the Higher Education Act of '65?

K: That, as I recall, was sort of a building around and adding to a prior one of '63. That one didn't present many problems. There were the usual special fights about loans and things.

But the President couldn't have been more right. The tactic on the Elementary-Secondary Education Bill was a tactic that really was an unusual one politically, which was to get one bill as drafted up there and get it through the House and past the Senate without a change of a single word, so that you wouldn't have the problem of the conference committee <sup>^</sup> because we'd been burned on conference committees before.



Now, that required obviously the wholehearted collaboration of Wayne Morse. And this may be an important part of history because of Morse's relations with the President on the Viet Nam thing. But Wayne Morse was magnificent in this. He fully understood the tactic, realized the wisdom of having the bill run through the House (if we could get it through) and pass it through the Senate like greased lightning, and [snap of the fingers] get it passed.

M: Did you work with Morse on it?

K: Oh, did I! Wayne used to be a dean of a school of law up in Oregon. And when he didn't think I was doing very well, which was about half the time, he'd say, "This is not a hearing, Mr. Commissioner. This is not a hearing. This is Morse's seminar, and we will now engage in a seminar," which consisted of Wayne telling me how to behave. He was good at it though.

What happened was that that bill (ESEA), with some amendments--we managed to tack on a couple of Republican amendments just to make it smell good--went through the House with a good solid vote on the floor. We had to ride the roller over Edith Green, who was having another one of her changes of life which seemed to go on forever, and got it through the House; and then it went by the Senate with Bobby Kennedy, and he said, "Look, I want to change this bill because it doesn't have any way of measuring those damned educators like you, Frank, and really we ought to have some evaluation in there, and some measurement as to whether any good is happening."

M: Was Cohen an expert at legislative liaison?

K: Yes, very good at it.

M: He had that reputation.

K: Oh, he was superb at it. But remember, he was awfully busy on the medical stuff and some welfare stuff, so he was glad to have a friend around who always called him when it looked as if there were some delicate issue. Any my impression was the President thought that Cohen was a darned good legislative tactician.

M: After the assassination of John F. Kennedy, did you have any immediate contact with the new President?

K: Oh, I guess I saw him, yes. He knew who I was by the time he was President a couple of months. After all, education was one of his real interests-- genuine interests. This isn't phony. Perfectly genuine interest. So we'd be over there--my wife and I--occasionally. Then he got to know me altogether too well, but we'll come to that story later.

M: Did you work on the 1964 task forces?

K: Yes. For Johnson?

M: Yes.

K: For MLbur? Beg your pardon, for Humphrey? Yes, I was the chairman, if that's the one you mean. No, '64--

M: '64 is the--

K: Oh, yes, we put together the fanciest thing you ever saw with White House conferences, and John Gardner was chairman of that. That's how <sup>T.46 III of ESEA began.</sup> ~~the ESEA began.~~ Oh, my, we had a big do! Lots of folks.

M: And then you were also on that '65 task force--education.

helped to  
K: Oh, yes, I put them together, I guess. They've been rather exaggerated in their influence, if I may be frank about it.

M: Good. Let me ask you that.

K: We put together task forces. One, there was a big public meeting--a White House Conference on Education. Everybody and his brother came and made speeches and things. And it didn't do any harm. I don't think it did much good, but it got a lot of publicity.

Then we had some secret task forces before the campaign, as I remember, of '64--in the summer of '64, I think--and got Gardner in as chairman. I was sort of party to putting them together, and I met with them. They wrote reports. The most useful part of that report was the idea that eventually turned up in the ESEA bill of '65 Title 3. It didn't have anything to say about the political combination--call it, if you want to be a little more sardonic, the "House of Cards." That was a political "House of Cards." The task force--it was useless for that. I don't mean useless, it wasn't what it was asked to do. It was much more on the substantive content of the bill, and it was useful there--not essential, but useful.

M: I was wondering whether the task force as such was a worthwhile innovation.

K: Yes. I don't have any questions that it was worthwhile. I think it's a mistake to conclude that it was responsible for all the substantive or the political nature of those bills because I don't think it was. But it was useful in changing direction and putting emphasis on things.

M: Now, meanwhile, while you're working on--

K: I can give you an example, excuse me--

M: Go ahead.

K: One of the parts of the elementary-secondary education bill was Title 5, a title which had to do with strengthening the state departments of education. A good many of the people on the task force<sup>6</sup>, whose names I don't remember, felt that the state departments of education were the feeblest bunch of second-rate, or fifth-rate, educators who combined educational incompetence with bureaucratic immovability. And they were dead against Title 5. One of the members of the task force was Jim Allen, my favorite character. Every time I saw a place--I tried to get him to be Commissioner of Education or put him on a task force or something. Now, thank God, he's down there doing the education stuff.

Jim and I--I guess we rounded up a couple of other folks--we had a vote on that one, I remember, because I was the one who was pushing for Title 5. Having sat on that educational bureaucracy in Washington the last thing in the world I wanted was all those 25,000 schools districts coming in with plans with my bureaucrats deciding whether to approve them or not. I wanted that stuff done out in the states. And to make it work in the states, you have to improve the state departments in making grants. That all seemed very clear to me, but it didn't seem in the least clear to the other fellows on the commission. I think Allen and I won the vote by one vote or something. In other words, they had a vote on it, a test of opinion, and about half of them were "agin" it, and half of us were "fur" it. Frankly, I wouldn't have paid any attention whether three-quarters of them were "agin" it. I'd have kept on arguing for it and probably have gotten it by anyway.

M: Incidentally, how much time did you spend on the Hill? Did you spend 50-percent of your time up there?

K: I spent 60-percent of my time thinking about it, at least--maybe 70-percent thinking about the bills. As to how much time up there, I don't know. It just seemed to me I lived up there.

M: What about the reorganization of the Office of Education? This was going on at the same time, wasn't it?

K: No. It was not. The book, to which I made reference earlier in our private conversation, of Stephen Bailey's, called ESEA, The Office of Education Administers the Law, gives an account which I think is reasonably accurate of what went on. I think in response to your specific question I should say this: that when I arrived as Commissioner of Education in December of 1962, I discovered that my predecessor Mr. McMurrin had had a reorganization of the place six or eight months before. What it effectively did was to shuffle some people around, but didn't really make any basic changes. But it had disrupted a lot of things. I couldn't see the slightest sense to reorganizing the Office of Education from inside until <sup>we</sup> ~~we~~ knew what its job was to be

Now the people who defined the job were the President of the United States and the Congress. Now, if the job was to do fourteen things, you'd reorganize it one way; if the job was to do thirty-two other things, you'd organize it some other way. To have a reorganization immediately following a recent <sup>reorganization</sup> ~~reorganization~~ without knowing what the mission was struck me as the most arrant nonsense. So that we waited until about March or so--February, March, April, I've forgotten, it was '65--at which time I had gotten in a new deputy who, by the way, ~~he~~ <sup>was</sup> one of my major troubles with Johnson. And at that point it looked to me reasonably clear--the outlines, the major structure of the elementary

and secondary education act, and it also looked as if we'd get it passed in Congress-- So by that time ~~we~~<sup>we</sup> could predict ~~our~~<sup>our</sup> mission.

At that time we went through a process described in the Bailey book of getting a totally outside group, outside of the Office of Education obviously, but also outside HEW, headed by a man called Dwight Ink from the Atomic Energy Commission. We got the President to appoint him so that there wouldn't be any horsing around and reorganized the whole blinking thing in sixty days, because the basic change was a fundamental change of mission in which the Office of Education ceased being a kind of faculty of education spewing reports on topics like a leaky boiler, into a large operating government program with three or four billion dollars. Well, that's a Copernican change! And therefore we felt, with it clear what our mission was, then was the time to reorganize. We did it. Historians will have to say whether it was not well done. Don't misunderstand me, I know it . wasn't well done, but the historians are going to have to say some time whether it was hacked up so badly that it should have been done some other way. In any rate my conclusion was it had to be done, done hard, done fast, because of the new mission.

M: It's seemingly difficult to change a bureau.

K: You're a professor of history. Would you care to consider the changes in your department? [laughter]

M: Very difficult.

K: So we just went in with a meat axe.

M: Did it work?

K: I'll turn to the historian. Sorry, I'm the wrong judge. I had a lot of

personnel trouble which is often the key to this. ~~What the devil~~<sup>difference</sup> do different structures make? If you've got the right fellows, you could make it work out of a phone booth. And we didn't really get the right fellows.

M: Was there difficulty in the field--in the states and the regions?

K: That was one of the major difficulties.

M: Rather than, say, in Washington?

K: Oh, a little bit of both, I guess. I don't know how one measures this, to tell you the truth. I don't know what standard one uses. We got the money out. None of the people I appointed with one possible exception were crooks. The money didn't stick to people's fingers. Some things got done, money got spent. Whether the obvious fact that these various bills scarcely reformed American education in three years is to be regarded as a failure of the act is a question in part <sup>of</sup> ~~by~~ what you think 8-percent leverage means on a huge enterprise, and that's about the leverage. About 8-percent federal money was going into primary and secondary schools. Well, that's not an awfully long crowbar, and there are an awfully lot of big boulders around. So I don't know how you measure it. I leave that to you fellows.

M: Is there any significance in the timing of this change? Why should it come in the 1960's?

K: Well, I'll give you my answer which has a sardonic note about it. I'll speak to the Elementary-Secondary Education Act because that had the most complex political and social factors to it. I very much doubt ~~that~~ ~~that~~ that act would have passed unless there were four most unlikely men

who had acted and played their part in the preceding decades. One of them was Senator Robert Taft who had a change of mind that said to him that it would be possible for the federal government to engage in education without automatically bringing the decline and fall of the American society. He had concluded that some federal participation was necessary, and with him went some of the more conservative--this was back in the '50's.

The second was Pope John who had suggested that an ecumenical movement was possible within the context of the Catholic Church, and released the willingness to negotiate on the part of the many young monsignors who were essential to the whole process and with whom I worked quite intimately.

Third was Barry Goldwater who got the Republican nomination and had the net effect of increasing the Democrats in the House by a factor of seventy, thereby giving a substantial, and for the first six months, disciplined majority.

And fourth was, really, the combination of Lyndon Johnson and Jack Kennedy who just kept the pressure on.

Then fifth, I think I should in candor add, Khrushchev, who had managed in the late '50's through the Sputnik business to make the American people think that education was really important, and ~~we'd~~ <sup>we'd</sup> better do something about it.

Now if you can think of a more unlikely combination to pass a bill, I'd like your nominees.

M: Very good. To shift the topic a little bit and concentrate on Lyndon Johnson, you got some publicity and, from what the newspapers say and other commentators, got into some trouble with the White House.



K: Sure, I did.

M: Over Chicago.

K: Yes.

M: And Richard Daley.

K: Yes.

M: What I need to know is, what is fact and what is fiction?

K: I'll give you what I can, but obviously I hope that you'll be asking other people on this.

M: Sure.

K: Because this is one of these classic cases where a man's vanity really interferes with his memory, I imagine.

M: We need your side, too.

K: Sure. I think to put in into context I should say this: that the passage of the Civil Rights Act in the summer of 1964 was a very important factor because one of the major provisions of the Act, Title 6, involved active role of the federal executive in the breaking up of the separate black and white school systems in the South. The President was all for it. And he damned near drove me crazy during--not so much the summer of '64, but the summer of '65 because he wanted--let me start again. We had 5,000, I think it was, school districts in the South that were in effect black and white schools. And we went through all sorts of difficulties, the President played no part in this personally, in trying to get the damned executive branch to agree on how to proceed. I finally <sup>helped to</sup> ~~James~~ through some what were called guidelines <sup>on desegregation</sup> that was the most the justice people would let me do--because the fellows down South were saying, "Well, for God's sake, if you're telling us to do

something, tell us what <sup>it is</sup> ~~it is~~." You can't just sit there in Washington saying, "Reform, reform, reform." They <sup>wanted</sup> ~~wanted~~ to know just what the rules are.

Well, we put through the guidelines. And then during the summer of 1965 I had a whole crew of fellows trying to talk these Southern school districts into changing. They'd put up a plan--we wouldn't like it, and we'd put it back. I used to have to go over with Joe Califano about every three days, just as if you were reporting on your hunting trip, saying, "We've now got 3,200 of them," and, "We've now got 3,800 of them." We finally got down to a hundred of them or something, and the President would wander in and out saying, "Get 'em! Get 'em! Get the last ones!" We were going absolutely nuts. But it was a kind of political game. He wanted them all in the bag. you know, by September. And we got all but a couple hundred of them in the bag. By that time I was ready for a nervous breakdown, because they'd keep wanting me and my assistants to come in with score cards.

Somewhere there in the records in Washington you'll find a daily score card of how many Southern school districts came into the bag with signed agreements in July, August, September; and each one of them has got a drop of my <sup>staff's</sup> blood on it somewhere.

Well, that was part of the problem. But, remember, this was all southern. And the simple fact of the case was that some of those northern school districts were practicing discrimination by subvisible means.

Point number two--

M: Is it fair to say this is a national problem?

K: Oh, sure it's a national problem, but it's a lot harder to catch the boys up north, because down south they said, "Sure, we've got black schools and white schools. What are you fellows talking about! We treat them all equally."

And we say, "Well, fine, but that isn't what the Supreme Court said, and that isn't what the Civil Rights Act said." So you had a different kind of argument with the South and the North, and we consciously chose to go into the South first.

M: Is it fair to say that the problem in the West and the North and the East, for that matter, was more subtle then?

K: Yes, not only more subtle, more difficult, and in all candor, much more of a public policy problem to handle--much more!

M: But the underlying problem is still there?

K: Yes, but not quite defined the same way. Anyway, my secretary at that time was Mr. Celebrezze whose enthusiasm for the Civil Rights Act, could be contained in a thimble. That's not fair. He like the act, but he sure as hell didn't want to get into political trouble with it so this came on the Commissioner's--. And I had pushed--here I will take some credit, if I may--I had pushed the Office of Education from being a southern-oriented bureaucracy into a leader in desegregation within HEW. We were well ahead of the Public Health Service and the other services. We were the sort of front-runners.

M: Your motive in this is--

K: I believed in it, it's as simple as that.

M: That for good education, you have to have integration.

K: Yes. Sorry, I just believe in it. <sup>Some of</sup> My staff was resisting me every turn

of the wheel, pretty much. Every time we'd do this, they'd say, "How the hell can you put this into an act!" It's a question of priorities, and it struck me as the top priority.

That was one factor. The second factor--I think I mentioned to you earlier in the course of this discussion that it looked to me as if we'd have to reorganize this place, this Office of Education, pretty drastically once we got the major bills through. And about six months before I had started looking for a deputy. I had a nice fellow as deputy, but he wasn't going to do anything--a man called Wayne Reed, the nicest fellow that ever lived who was deputy commissioner, former commissioner in one of the border states, not an activist in any way. It was clear that he couldn't possibly preside over the radical changes that would be necessary if you reorganized the place and turned it from a report-writing outfit into a big-program outfit. So I was looking around for a deputy, and I consulted John Macy, who was the President's adviser on these matters, and John Gardner, and lots of others. We settled on a fellow called Henry Loomis, who was the director of the Voice of America. A man who had very wide experience in the defense department, in the state department; he had been the staff man to set up the President's Scientific Advisory Committee back in the Eisenhower days; he was a career civil servant who regarded himself as such. And he turned me down once--or was it twice! <sup>But</sup> ~~we~~ finally <sup>we</sup> got to him. And he accepted.

As he left the Voice of America, there was a party for him--you know, a nice friendly little thing with about 3,000 people, or whatever it is. And Henry rather unwisely decided that this was the moment for him to make

his "Washington's farewell address," not an address--an address [pronounced a'dres]. In it he said that the whole key to the Voice of America was that it described what was going on to the people abroad about the United States as honestly as it could. It was the voice of America, not the voice of the administration. This happened to come at a time when there was some fuss going on with the White House, and this was written up by Mary McGrogyr, who was a columnist in the local press. Mary, I guess, was there--I don't know. Anyway, she wrote it up, the implication being quite clear that Mr. Eisenhower was all clear in his mind that the Voice of America was the voice of America; Mr. Kennedy was all clear in his mind. And Mr. Loomis quoted them both, but somehow he didn't quote Mr. Johnson.

Well, that got into the afternoon press, and you know what hit the fan! I was, I remember, one evening in my house in Georgetown--I was in the middle of a conversation with a governor or somebody of one of the Southern states who was yelling at me about changing the school system. And I had a couple of assistant secretaries around, two lawyers, and my poor wife handing out coffee. And all of the sudden in the midst of the phone call, an operator cut in and said, "Mr. Keppel?"

"Yes?"

"The President wants to speak to you." Right in the middle of the phone call. That governor got off the line so fast you couldn't believe it, and so did all the other people in my shop.

And then the President got on and gave me unshirted hell about appointing this wretched fellow Loomis. He said, "He's impossible, he's not loyal, he's dreadful. Get rid of him."

He had already talked to Tony Celebrezze who managed to get the phone call transferred to me just as fast as possible. I explained that I had consulted everybody and his brother--Macy, and everybody else--and everybody thought he was the greatest man in the world around. That didn't make any difference to the President. He was just mad--plenty mad! And I obviously had to stand up to him. Hell, I had just appointed the fellow and announced it, and you just don't give in on that one, or else I'd have resigned. He knew it.

So everytime thereafter when he saw me--all through this business later in the summer of '65 and '66, every time he'd see me, he'd say, "You fired that fellow yet?" [laughter] He got him, by the way. I resigned partly because of this. I was tired of protecting this poor devil, and I resigned later in '66 and Loomis left in no time.

So that was all part of the story. When it finally got to Chicago, where I probably made a mistake in being clumsy. I'll give you the background. The President never mentioned Loomis in that. The President's a decent fellow, and he wouldn't have raised it then, but he'd obviously lost confidence in me. It was time for me to get out, and I could sense it. So "get out before they fire you."

M: Then what happened in Chicago?

K: What happened in Chicago was that we'd had some complaints from what seemed like a very responsible civil rights group that there was, in fact, what looked like, if not formal, at any rate effective action on the school board which maintained separate or, at least, encouraged separate kind of schools. And that the actions of the school board, particularly the superintendent, were in effect, (they argued, with legal arguments,) not legal under Title 6.

At about the same time, and it's important to recall this, the Congress was getting close to passing the appropriations for Title 1 of the Elementary and Secondary Education Act. The Office of Education had been wandering around in the states and in the cities saying, "Hey, get ready. We don't know exactly how much money you'll get, but you'll get something. It looks like in this range. Now get your plans up there, because under the act the state has to approve the plans of the local school district," in this case, the city of Chicago. So there was a plan up there in the State of Illinois, the state superintendent being a fellow called Ray Page. And Page's job as commissioner, or state superintendent, was to review the plan of the city and to see whether that plan for expenditure of Title 1 money was proper under the terms of the Elementary-Secondary Education Act, but also under the terms by definition of the Civil Rights Act.

The information that came to me was that Ben Willis, the superintendent of schools, was taking Title I money and not putting it where it was most needed in the slums and the poor parts of Chicago, but spreading it as if it were general aid. I frankly didn't trust Brother Page out of sight, because I didn't think he would carry out the law if he could avoid it, because it was easier for him politically to spread the money than it was to focus it.

This then, to my mind was a very important question that affected the administration (and I probably exaggerated it in my mind) of the fundamental purposes of Elementary Secondary Education Title 1, which was to put money behind the poor kids. So I sent a letter off to Page and another one to Willis, saying "I want this slowed up. I don't

want any money handed out from the state until I'm satisfied."

Well, that's when everything happened. Mayor Daley got mad. Page, of course, ducked, issued a statement saying I was a czar or some sort--you know, the normal thing to do.

And then--this the President told me himself, which amused me-- the President was at about that time going up to New York to see the Pope who had come in as a part of the U.N., and he had the suite up there, I suppose, in the Waldorf or something. And Daley was so mad that he came into town, or was in town in New York, and demanded to see the President on this--just sputtering! Because apparently Sarge Shriver had done something that annoyed him three days before, and somebody else in the government had annoyed him. And here was this little character-- I had had a fight with Daley about something else before, by the way--here was this little character down in the Office of Education taking money away from him! So he demanded to see the President, and he sputtered so loud that the President turned to me and said, "Do you know he kept me waiting ten minutes for the Pope." [laughter] He couldn't turn him off.

Well, the President came <sup>back to Washington</sup> ~~back~~ and called in Cohen and said, "Fix it." He didn't say it quite as bluntly as that, but pretty nearly. He said, "Look, this is a ridiculous situation," and furthermore, now that I look back on it, it does seem funny. He said, "Lady Bird has got her beautification bill up there <sup>(on the Hill)</sup> Now, we can't mess up the beautification bill in Congress just on account of this little mess, so fix it." So the rug was kind of pulled out from under me.

M: Which left you--?



K: I was hopeless, I ~~was~~ <sup>was replaced</sup> very soon. Oh, they'd made me an assistant secretary for some reason--I've forgotten--and I just stayed on as assistant secretary at Gardner's request and spent most of my time trying to keep out of the way of my successor Mr. Howe. In effect, I was fired.

But I think there were several factors in there, one of which was Loomis; one of which was the fact that I had pretty well used up whatever value I had--I was the chief SOB with the Southerners. And then you get to be a chief SOB with the Northern Democrats in one city! Come on--you're useless! Get out! I think that's as honest a story as I can tell.

M: Let me finish this up. It's almost time for you to leave. Let me finish up by asking you a few questions about Lyndon Johnson as a president. Could you get decisions out of him?

K: Oh, sure. He had a good staff too.

M: He had a good staff?

K: Yes.

M: You could work with them?

K: Yes. Califano, Doug Cater. They were an able bunch.

M: Could you reach the President when you needed to get an idea through to him?

K: If I had to, but in his case I didn't do it. I knew Kennedy personally. I had to go up to Kennedy once or twice and say, "Sorry, I've got to turn to you to do something or other." But I didn't do that with Johnson, didn't have to. I thought his staff was excellent, he was decisive. I didn't always agree with him. Wait a minute, I withdraw

that. He [had] a singularly unpleasant little fellow from Texas who sort of sat in the outer office--I've forgotten his name, he made him postmaster general.

M: Marvin Watson.

K: Watson. Yes, I thought he was a "glupp," and we had to fight him a couple of times. But Cater, Califano--while I was down there-- Larry O'Brien, Manatos--

M: Moyers?

K: Bill Moyers. I thought they were excellent. It was just that "glupp" I didn't like.

M: Was Johnson the political expert that he has the reputation for being?

K: I always thought that was somewhat exaggerated. He knew the mood of the Senate while he was there--I never thought he was that good on the House, frankly. But he knew the machinery of the Congress. He knew how to play it. Boy, he was good at that! I never was impressed with his real political shrewdness on the substance of something as much as I was with his sense of "get it done, get it done fast, or don't try it now." That kind of thing I thought he was awfully good at.

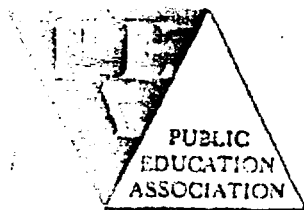
M: Do you have any major faults with the President?

K: Vanity. I went out on that ghastly trip when he was out to Honolulu when he decided he would turn the Great Society to work on South Viet Nam. It was a horrible trip. And I later went on out and stayed with Cabot Lodge, who was our ambassador in Saigon at the time. Cabot <sup>had</sup> didn't have anything to do <sup>after home?</sup> --his wife was away--and he didn't have anything to do much really except talk to his guest. And he talked to me at some length about the President as a man, because what Cabot really was, was a

courtier, and he was trying to figure out how to get through to the old man so the old man would listen. So he'd spend most of the evening carefully drafting up the document which, by the way, went to the old man, the President, with no copy to Rusk, I discovered. So the President would pull out this thing of Cabot Lodge's and hand it around all over the town, and then poor ~~was~~ Rusk would hear about it later in the afternoon somewhere. Anyway, ~~was~~ he obviously was thinking almost the way a courtier does about Louis XIV. I can remember, he said, "One of the things I have to do, <sup>being</sup> ~~was~~ a Boston Brahman is to guarantee some vulgarities in it somewhere, so that that'll surely catch his eye." He'd quote the soldiers, verbatim occasionally. And he gave a description of Johnson that struck me as really rather accurate. He said: "The great problem is that this fellow is outsize, oversize; he's bigger than life, so his virtues seem huge and his vices seem like monstrous warts, almost goiters. It's because all you can do is you photograph him at a particular angle at a particular time, and whatever it is you're seeing is all outsize." I thought it was rather a good description. And that's what Cabot Lodge was doing--he was a courtier writing documents to this outsize man.

M: And from your point of view, any virtues?

K: Yes. Enormous energy, absolutely determined to help these poor kids. There wasn't a doubt in my mind that he was genuine about that. He believed, as far as I could see, every minute of it, and he'd get all sentimental about it.



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March 20, 1972

Mr. Joa B. Frantz, Director  
Oral History Project  
Lyndon Baines Johnson Library  
University of Texas  
Austin, Texas 78712

Dear Mr. Frantz:

The New York Times of January 30, 1972 carried an article on some of the oral histories going into the Johnson Library which included a number of inaccuracies regarding the withholding of federal funds for the Chicago school system in 1965. I judge from the nature of the inaccuracies that they derived from the newspaper account, and not from the original oral histories. Nevertheless I think it best that the record be set straight.

The prima error in the article is the designation of the Office of Economic Opportunity (OEO) as the agency which withheld the federal funds. The funds were ordered withheld by the Office of Education (OE), a part of the Department of Health, Education and Welfare. The Office of Economic Opportunity had nothing to do with the withholding. The funds withheld were those appropriated under Title I of the Elementary and Secondary Education Act, which was administered by the Office of Education, and under Title VI of the Civil Rights Act of 1964 it would necessarily have been the administering agency, the Office of Education, that took the action to withhold the funds, operating within policies of the Department of Health, Education and Welfare.

A second inaccuracy in the article is the statement that the funds were withheld because "Chicago was not following federal school desegregation guidelines." The school desegregation guidelines dealt only with those school districts which were

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operating officially segregated dual school systems, in violation of the 1954 Supreme Court decision. The withholding in Chicago did not relate to these guidelines, but to a complaint filed by Chicago civil rights groups alleging discrimination other than the maintenance of an officially segregated dual school system.

One of the problems with the withholding action was that the federal government was unclear as to the policies for dealing with such allegations of discrimination other than official segregation. There was, for instance, considerable debate and discussion among the different federal officials responsible for federal policy as to whether "de facto" segregation and various other conditions and practices of northern school districts should be covered by the fund withholding requirements.

Even more important, the procedural policies under which the funds were withheld were unsettled at the time. Title VI of the Civil Rights Act required elaborate notice and hearing procedures before funds could be withheld. The government had adopted a policy of "deferring" grants of new funds to any school district which failed to provide an assurance that it would abide by the provisions of the Civil Rights Act. A further policy had been approved which permitted the Office of Education to defer the granting of new funds to school districts which maintained dual school systems until they filed a plan to desegregate their schools.

None of these policies would have permitted the holding up of the funds to Chicago. Those funds were deferred under a more controversial policy of the Department of Health, Education and Welfare which was in dispute at the time the funds were held up. This policy called for the deferral of grants to all agencies against which complaints had been lodged, unless the complaint had already been cleared up. This was a policy to which Commissioner Keppel and the Office of Education school desegregation program objected, but which remained in full force and effect up until just before the Chicago withholding took place. The many serious problems with this departmental policy had just caused the Department to reconsider it when the report was received (which later proved to be erroneous) that the State Commissioner of Education of Illinois was about to approve \$32 million dollars

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of Title I funds for the city of Chicago. A hasty compromise of the dispute within the Department resulted in an agreement to hold up the Title I funds until such time as the complaint could be looked into on an intensive basis. So far as the official reason, then, for withholding the funds is concerned, the uncertainty of the federal government's position can perhaps best be exemplified by the language of the withholding letter itself: "Preliminary investigation of certain complaints indicates probable non-compliance with the Act and Regulation, and brings into serious question the assurance of compliance made by the Chicago school authorities . . . ." Commissioner Keppel was also concerned by reports that Chicago intended to use the new federal money in ways which would discredit the new Title I program.

The last specific inaccuracy in The Times article concerns the identity of Wilbur Cohen, listed in the article as having "held several positions in the Administration including that of Secretary of Health, Education and Welfare." While Mr. Cohen became Secretary later, he was not holding that post when he was sent to Chicago "to straighten out the mess" as implied in the article. At that time he was Under Secretary, and so far as I know did not hold any other positions in the Administration.

So much for the facts. As for interpretation of the incident, unlike many other civil rights advocates I do not consider the reversal of the withholding action so much an example of unwarranted political interference by Mayor Daley and President Johnson as an example of the dangers of taking strong governmental action in a politically sensitive area like civil rights from a position of procedural and substantive weakness. As head of the Office of Education civil rights enforcement program during this period I can attest to many situations in which President Johnson was under considerably stronger and more persistent political pressures to undercut our enforcement efforts and in which he displayed admirable backbone in resisting them. The pressures under which we operated daily during that period were very similar to those described by a later head of the program, Leon Panetta, in his book Bring Us Together (Lippincott, 1971). The main difference between the two periods was that during Leon Panetta's tenure President Nixon seems regularly to have succumbed to these political pressures whereas President Johnson generally speaking gave strong support to the enforcement program and permitted

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us to make enforcement judgments without political interference. In the case of Chicago the pressure applied by outraged Chicago political officials brought about a reversal of the federal action because the federal government itself was in confusion as to why it was withholding the funds and as to the procedures under which the funds were withheld.

For those wishing to look into the Chicago incident further, the most accurate treatment of which I am aware is contained in The Reconstruction of Southern Education by Prof. Gary Orfield (Wiley, 1969). In Prof. Orfield's long and detailed chapter on the Chicago incident the only inaccuracies of which I am aware are as follows:

Although crediting Commissioner Keppel with sensitivity "to the volatility and complexity of the northern situation" (page 171), the chapter gives the impression that Commissioner Keppel was generally insensitive to the political consequences of deferral in Chicago. Except perhaps for not being prepared for the full ferocity of the reaction, this judgment is generally speaking not true. The Commissioner's awareness of the political problems were a major reason for his objection to the use of the deferral procedure for cases like Chicago. The Commissioner's sensitivity was also what caused him to call the White House, outside of channels, to alert them to the fact that the deferral letter was being sent. (It is unfair, however, to blame the White House aide to whom he spoke for not alerting the President (page 197), since this last minute call to the White House was hardly a substitute for a kind of intensive top level consultations and policy resolutions that should have been undertaken by the Department before any withholding action was taken).

Prof. Orfield suggests that the controversy over providing desegregation funds to the North under Title IV of the Civil Rights Act was easier and less politically difficult than the decision to investigate northern cities. This gives a false impression. Although the Office of Education favored granting funds for northern segregation problems under Title IV, there was a genuine legal and political problem because of the language of Title IV and the strong congressional sentiment against spending any money for busing. There was no similar difficulty with the idea of investigating northern situations under Title VI. The

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problem was not with investigation, but with the policies under which funds might be withheld or deferred. Commissioner Keppel was not reluctant to initiate investigations in the North (page 171), but was very sensitive to any actions to defer or withhold funds until federal policies were clear.

Prof. Orfield suggests that investigations were begun in Chicago and other big northern cities for "bureaucratic" reasons, without awareness of the political problems involved. There were no bureaucratic reasons for selecting these cities. They were the cities against which there were the most substantial complaints of discrimination, and considerable righteous indignation was building up because of the federal government's failure to do anything about these aggravated situations. In the case of Chicago civil rights groups' complaints were further strengthened by several official studies of discrimination in Chicago schools. In other words, there were political reasons for, as well as against, going into these cities. The enforcement program was not unused to taking political risks, and did not shy away from them when there was a reasonable chance of winning.

Prof. Orfield says that Under Secretary Cohen "obtained very little in day-long talks" designed to settle the crisis (page 195). In fact Under Secretary Cohen got about the same kind of promises of action from the city of Chicago that the Office of Education had accepted from a large portion of the southern school districts as a basis for lifting the deferral of funds. No one pretended that such promises were the equivalent of decisive action, and indeed hundreds of southern school districts, like Chicago, failed to carry out their promises, thus requiring further enforcement efforts. Such promises, however, were judged to be all that could be required for the lifting of fund deferral, given the legal tenuousness of the deferral procedure itself. It must be remembered that these deferrals, whether in Chicago or in the South, were ordered without the benefit of the notice and hearing provisions that Title VI so clearly spelled out to protect local districts from arbitrary federal action.

I hope that the material in Mr. Orfield's book, plus the additional comments in this letter will help to set the record straight. Given the current



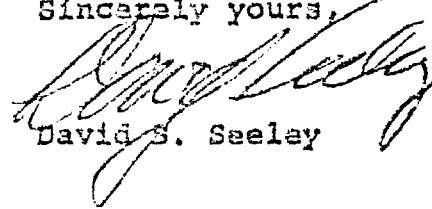
Mr. Joe B. Frantz

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misunderstandings over school busing, it is just as well that at least the facts of the past history of these difficult matters be correct.

Sincerely yours,



David S. Seelay

DSS:fm

(Former Assistant Commissioner of Education for Equal Educational Opportunities, in charge of civil rights enforcement in the Office of Education at time of the Chicago Fund withholding).

Henry Cabot Lodge

Beverly, Massachusetts  
February 4, 1972

The Honorable  
Lyndon B. Johnson  
Johnson City, Texas

Dear Lyndon:

The enclosed has just arrived and is  
self-explanatory. I enclose my reply. What harm  
is done by people who speak without thinking! I  
can't remember when something distressed me as  
this has.

I am sending copies of this correspondence  
to Walt Rostow with the request that it be filed in  
the Johnson Library along side of Mr. Keppel's  
interview.

As ever yours,

  
Henry Cabot Lodge

Enclosures

FRANCIS KEPPEL  
3 EAST 54<sup>TH</sup> STREET  
NEW YORK, NEW YORK 10022  
421-6158

Jan 31, 1972

Dear Mr. Lodge

This letter is a humble apology for an unforgivable mistake. To my horror, yesterday's New York Times quoted at some length, and rather inaccurately, from an oral interview I gave for the L.B.J. Library in Austin. Before doing so I thought that the material would be used by historians, not the press, and that others would also be interviewed so that one man's memory could be checked.

My unforgivable mistake was to quote my memory of talks we had about LBJ at your residence in Saigon. What you said about his being, in a way, "larger than life" struck me as so well put

and accurate that it made a great impression  
on me, and I quoted it to the interviewer -  
without your permission or checking its accuracy.

It would be improper to ask you  
to forgive me for such a stupid and  
naive mistake. I can only hope that  
you have not been troubled and made  
angry by

a humble and apologetic

Frank Koppes

Re Rev. Henry Cabot Lodge

275 Hale Street

Beverly, Mass

Beverly, Massachusetts  
February 4, 1972

Mr. Francis Keppel  
1 East 54th Street  
New York, New York 10022

Dear Mr. Keppel:

Thank you for your letter. That you should have it in you to apologize marks you as a man of honor. In my experience many men simply cannot do it. So, of course, I accept your apologies -- with thanks.

To tell you the truth your statement did distress me very much. For one thing, during the whole period from the end of 1963 through 1966 that I worked for President Johnson I never had the slightest difficulty in getting his attention and therefore had no earthly reason to "complain" -- let alone to pep up my telegrams with "vulgarityies". I am sure I did not make the statements attributed to me for the simple reason that they could not have occurred to me. I simply could not have thought of them.

For another thing, I admire and like President Johnson. He was always courteous and considerate to me. Far from being inaccessible, he gave of himself unstintingly. This is another reason why the statements in question make no sense and should be repudiated -- which you have so manfully done.

With best wishes,

Very sincerely yours,

Henry Cabot Lodge

THE NEW YORK TIMES

Sunday, May 21, 1972

Section 4, page 14

"Letters to the Editor"

Lodge Says He Had Johnson's Ear

To the Editor:

A dispatch from Austin, Tex., dated Jan. 29 and published in The Times on Jan. 30, quoted Francis Keppel, former United States Commissioner of Education, as saying that I complained, when I was Ambassador to Vietnam, that I could not get President Johnson's attention and that, in an effort to do so, I inserted "vulgarieties" into my telegrams.

Under date of Jan. 31, Mr. Keppel wrote to me as follows:

This letter is a humble apology for an unforgivable mistake. To my horror, yesterday's New York Times quoted at some length, and rather inaccurately, from an oral interview I gave for the LBJ Library in Austin. Before doing so I thought that the material would be used by historians, not the press, and that others would also be interviewed so that one man's memory could be checked.

My unforgivable mistake was to quote my memory of talks we had about LBJ at your residence in Saigon . . . without permission or checking its accuracy.

It would be improper to ask you to forgive me for such a stupid and naive mistake. I can only hope that you have not been troubled and made angry by

a humble and apologetic  
Frank Keppel

Under date of Feb. 4, I said in reply:

Thank you for your letter. That you should have it in you to apologize marks you as a man of honor. In my experience many men simply cannot do it. So, of course, I accept your apologies—with thanks.

To tell you the truth your statement did distress me very much. For one thing, during the whole period from the end of 1963 through 1968 that I worked for President Johnson I never had the slightest difficulty in getting his attention and therefore had no earthly reason to "complain"—let alone to pep up my telegrams with "vulgarieties." I am sure I did not make the statements attributed to me for the simple reason that they could not have occurred to me. I simply could not have thought of them.

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With best wishes,

Very sincerely yours,  
Henry Cabot Lodge

HENRY CABOT LODGE  
Beverly, Mass., May 4, 1972

The quotations in the news story referred to by Mr. Keppel were taken directly from oral histories on file in the Johnson Library. The Editor.

GENERAL SERVICES ADMINISTRATION  
NATIONAL ARCHIVES AND RECORDS SERVICE

Gift of Personal Statement

By Francis Keppel

to the

Lyndon Baines Johnson Library

In accordance with Sec. 507 of the Federal Property and Administrative Services Act of 1949, as amended (44 U.S.C. 397) and regulations issued thereunder (41 CFR 101-10), I, Francis Keppel, hereinafter referred to as the donor, hereby give, donate, and convey to the United States of America for eventual deposit in the proposed Lyndon Baines Johnson Library, and for administration therein by the authorities thereof, a tape and transcript of a personal statement approved by me and prepared for the purpose of deposit in the Lyndon Baines Johnson Library. The gift of this material is made subject to the following terms and conditions:

1. Title to the material transferred hereunder, and all literary property rights, will pass to the United States as of the date of the delivery of this material into the physical custody of the Archivist of the United States.
2. It is the donor's wish to make the material donated to the United States of America by terms of this instrument available for research as soon as it has been deposited in the Lyndon Baines Johnson Library.
3. A revision of this stipulation governing access to the material for research may be entered into between the donor and the Archivist of the United States, or his designee, if it appears desirable.
4. The material donated to the United States pursuant to the foregoing shall be kept intact permanently in the Lyndon Baines Johnson Library.

Signed Francis Keppel  
Date Sept 27, 1971  
Accepted James B. Rhodes  
Archivist of the United States  
Date Jan 25, 1972