INTERVIEW I

DATE: February 16, 1977

INTERVIEWEE: FRANK E. MOSS

INTERVIEWER: MICHAEL L. GILLETTE

PLACE: Senator Moss' office, U.S. Capitol, Washington, D.C.

Tape 1 of 1

G: Let's start off briefly, Senator Moss, with your background. You were born in 1911 I understand in Holladay, Utah.

M: That is correct. I grew up in the state of Utah. I've lived no where else really, except temporarily, than Utah.

G: I know you were an attorney with the SEC in Washington from 1937 to 1939. Did you ever run across Lyndon Johnson in those days?

M: No, I was not acquainted with him. I did see his name. I remember an incident that happened about that time where the House administrative assistants or secretaries, as I think they were called then, used to organize a Little Congress. I recall that Calvin Rampton, who came from Utah, ran against Lyndon Johnson for speaker of the Little Congress. Other than seeing his name I had nothing directly to do with that and I didn't get acquainted with him. That's the earliest I ever remember the name of Lyndon Johnson, when he was still working for I guess it was [Richard] Kleberg in the House.

G: Do you recall the first time that you met him?

M: The first time that I recall meeting Lyndon is when he came to Utah in a political campaign. He also returned later, specifically in my behalf when I first ran for the Senate.

G: That first time [he came to Utah] must have been in 1954.

M: Yes, I believe that was so. At that time I was the county attorney in Salt Lake County, quite interested in politics and sort of preparing then to run for higher political office. I was aware of Lyndon's coming there and his appearance. I think he went down on the steps of the county building as I remember it, and [there was] a rather poor crowd and I was embarrassed.

G: Did you talk to him at all on that occasion?

M: Yes, but not in any detail, just to meet him and welcome him there, express appreciation for his coming. He was, of course, already in the Senate by then and on his way.

G: Was he, I wonder, on that trip doing anything more than out of the ordinary to aid Democratic politics in Utah?

M: Well, I don't know whether you'd say out of the ordinary. He was attempting, of course, to help us in Utah. Walter Granger had run for the Senate just two years earlier and had lost, so we were at a rather low ebb as far as Democratic Party was concerned. We had nobody left in the Congress and the governorship was in Republican hands and it was a desolate scene.

G: It seems like the Democratic Party was quite faction-ridden at that time. Is that [true]?

M: Yes. We didn't have a very cohesive party but it wasn't the factions so much that defeated us, just I guess the overwhelming sentiment that existed then in the country which came to a strong head in Utah. Truman had been the president and he wasn't very popular. Eisenhower had great appeal in Utah.

G: Now you ran successfully for the Senate in 1958.

M: Yes.

G: At what time did he learn about your candidacy?

M: Oh, I think he learned early because Earle Clements and two or three other people came out to Utah early in the year on a kind of a search mission, I guess, to see what candidates there might be and what the prospects might be for the Democrats in Utah. And there were three or four people that they interviewed including me. We went to a luncheon. Of course, Earle Clements at that time was working directly under the guidance of Lyndon Johnson, who had then become the majority leader.

G: You had already announced at that time?

M: I announced early. I announced in January of that year I believe, so, yes, I was an early announcer.

G: I've heard a story about that campaign or read it in Senator [Paul] Douglas' memoirs that showed your independence.

M: Yes, that story became quite famous and it happened pretty much as it was written.

G: Can you tell it in your own words?

M: Yes, I can. When I ran for the Senate I really didn't fully comprehend the magnitude of what I was undertaking and especially I was sort of

naive on money, had very little money. Nobody was willing to invest in a Democratic candidate out there at that time. But as the campaign wore on and it began to seem that it was more like a Democratic year nationwide, there was more interest I think in helping some of us in the dark black Republican areas to see if we could get through.

So one of the fund raisers or assistants, at least, to the Democratic campaign committee came out to Utah to see what he could do to help. In the course of that, while he was there--and he stayed for several days, quite a while, I can't remember how long--he came to me and said, "You have a terrible problem on money. Of course, the big issue now, or one of the big issues now, one of the things bothering them back there, is whether the depletion allowance is going to be eliminated or reduced. If I can assure Senator Johnson that you will vote to retain depletion allowance, I can get you an immediate contribution of five thousand dollars." Of course five thousand dollars looked bigger than a mountain at that time to me. I said, "Well, I have to give my word then that that's the way I'm going to vote?" He said, "Yes, that's all you have to do. Just tell me and I can pass it on that you've given your word." I said, "Well, I really don't know. I think that's an issue that we've got to decide. There may be very good arguments for retaining it, also for eliminating it or reducing it. I just don't believe I will give my word in advance as to how I'm going to vote on any particular issue and especially on the one you suggest. Tough as it is, I just will have to say I won't commit myself."

This man to whom I told the story or with whom I had the conversation was so struck with that that he was almost dumbfounded I guess and repeated the story, which later was picked up by Senator Douglas and others out of a magazine article. Of course, Paul Douglas at that time was working very hard for elimination of the depletion allowance. To him it seemed a profile in courage to turn it down.

G: Reportedly Senator Clements was also impressed with your independence and helped get the money from a source in New York or some place, a liberal source.

M: They did raise some outside money, and I never did know or pay much attention where it came from. The Committee for an Effective Congress declined to help me because my opponent, Arthur Watkins, had been chairman of the special committee which censored Joe McCarthy. But the Senate Campaign Committee didn't drop me and say I'm a lost cause, they just turned away from that one and continued to help me with other sources. Senator Clements was very helpful. And of course Lyndon Johnson was extremely helpful in the final days of the campaign.

G: What did he do?

M: Well, I guess he came to other western states, too, but he came into Utah on Friday night and Saturday morning, before election day. He made two appearances. As always he was pretty well advanced with the people coming in to get things set up. Also, he was well known. Lyndon Johnson was a very important person, so he got an immense amount of attention in Utah. Television wasn't quite as big then as it's become later, but I well remember that after his Saturday speech, the first page of the Salt Lake Tribune, which is the large newspaper that

circulates the whole state on Sunday morning, was just really all Lyndon Johnson and what he had to say. Of course, I was included in it because he was speaking in my behalf. It was a big rallying [point], kind of a last minute turning point that pulled me over. You see, I was in a three-way contest. The polls had not been showing me to be strong at all. They had been showing Brackenlee ahead, and [Arthur] Watkins running in second, and I was running third. I think the Johnson appearance had really a lot to do to finally bring me into focus in the eyes of the voter. And the fact that the Majority Leader was there saying, "This is a good man and we need him in the Senate," I think had a good impact. I've always felt grateful to President Johnson, then Senator Johnson, for his efforts in that campaign.

G: Do you recall visiting with him during the time he was there? Did he give you any suggestions or did he ask questions about Utah?

M: Well, yes, he did. We visited about Utah and what was important there and what I would like to do, what committees I would like to be on in the Senate. I remember specifically saying I would like to be on the Interior Committee because of its dealing with western lands and water resources and the problems that pertained to Utah in the area out there. One of the things that he said publicly was that if I were elected the senator from Utah he would see to it that I got on the Interior Committee.

G: Which he did.

M: Which he did. Yes, that's true. There was never any question that I went on Interior.

G: He must have identified the problems that you had in Utah with water with the problems that he had in Texas.

M: Well, yes. West Texas has a lot of the same problems. So he knew about them, and our agricultural economy there is mostly cattle and grazing. Of course, that was not unfamiliar with him although we have public lands and Texas didn't have public lands. But he'd been in the Senate long enough and had had enough to do with these that he was well versed in what our needs were.

G: Do you recall talking with him about these similarities and problems, or talking with him about Utah or any reflections here that are noteworthy?

M: I remember talking with him about our needs, water especially we had to have. The Colorado River Storage Project had just been passed in 1954. We were in the first stages of trying to implement that with the various storage units that were provided in the overall legislation. I was very anxious to get on with that legislation because we were having water problems then, and this year we're going to have them still because of a very bad precipitation year. Yes, I did talk with him about that and he assured me that he was sympathetic and would be helpful in every way he could.

G: After you got to Washington I suppose you dealt with him on a daily basis then.

M: Yes. Yes, I did. He was always very helpful. I came in with a large class of fifteen new Democratic senators and three new Republican senators in that one class. So it was a big group to assimilate into the Senate and Johnson had a difficult job trying to get us assimilated into our committees and Senators to go where they wanted to go. Some of us felt that the tilts didn't come as well to one as to another, but I can see his problem now.

One thing that Johnson did that seems lately to be forgotten is that he was the first one to insist that new senators get an important committee, get two important committees, but get at least one good committee, preferably the one of his choice. I remember how astounded I was because I had been told by Bobby Baker and others that a freshman never got on Appropriations and so you just wasted your time by choosing Appropriations [as your] first committee. Well, as it turned out, three freshmen in my class went directly on to Appropriations, which is an astonishing thing. And Armed Services was a big plum committee and Howard Cannon went right on to Armed Services to begin with.

I'd staked out my ground. I wanted Interior and I got Interior. I also went on Public Works with which I was not so enamored, because I thought the two committees had many similarities anyway, at least in the water area. But I think all of us came out with a good committee. That was really the Johnson breakthough. Prior to that a freshman senator would get District of Columbia and Post Office and Civil Service, something of that sort. I've heard Humphrey say that's what he got

when he first came to the Senate. 1959 was quite different. I think this was a mark of leadership and understanding on the part of Johnson.

G: He must have called you in in the first days that you were there and explained his way of operation or attempted to exact some standard of loyalty to the leadership.

M: Well, I can't remember that specifically. We were immediately of course very busy and Johnson was a great activist, always busy as he could be, and he didn't have a lot of time to sit and visit. It might have eased some of the problems if we had visited more.

There's another thing on which I got a little bit what you would say crossed up with Johnson, I suppose. At the very beginning, as the Senate convened that year, Paul Douglas was leading the fight again against Rule 22, the filibuster rule. Johnson was opposed to modification of it; he wanted to keep it as it was. So Douglas was for change. In fact had called me at home before I ever came to Washington. He gathered a few of us senators together and we talked about it, because a number of the new senators coming in were sympathetic to modifying the rules so that the filibuster couldn't just tie up everything.

The very first day in the Senate the motion was made by Douglas to modify the rules on Rule 22. I guess there was a request that it be taken up immediately. Anyway, it was referred off to Rules then by whatever the parliamentary maneuver was, which I didn't understand fully. One thing that Douglas was afraid of was that the argument would be made that if the Senate adjourned without acting on Rule 22 then

it had done business under the old rules, and thereafter the Rule 22 could be used to filibuster modification. This was the big argument on the floor to which I listened quite well. Douglas wanted the rule modified by majority vote before the Senate acted under the rules.

Finally Johnson, in his position of majority leader, moved that the Senate stand in adjournment. Douglas objected and demanded a roll call vote. That was sort of the showdown and the clash. I voted with Douglas on that. This apparently nettled Johnson greatly. I later found out, which I didn't know then, that at least the prerogatives of the leadership were inviolate on when to convene and when to recess or adjourn the Senate and that you just didn't do that to your leader. I think he took it kind of hard against me and others who did this. So that was the first real conflict I guess I had with him.

G: Had they consulted you before that vote on how you were going to vote, the Johnson people?

M: Baker had, yes, that's right. In fact, Baker had come to me with a little report that had been drawn up about the Senate being a continuing body as against reorganizing anew, which was the big argument as to whether to organize anew. He had dangled some plums in front of me as to what I might have by way of other assignments if I. . . .

G: Do you recall what they were?

M: Yes, he said that he could assure me that I could go on Judiciary if I wanted to, or I could go on Armed Services if I wanted to.

G: Just for voting for the--

M: That the Senate was a continuing body, you see. Richard Russell was leading the argument of a continuing body. He wanted to preserve the filibuster (Rule 22).

G: Did they also check with you beforehand on how you would vote on the motion to adjourn?

M: No, they didn't. That popped on me without my really understanding that that was a no-no that I shouldn't have fallen into.

G: Can you recall any other legislative issues that first year that you were there? Let's see, I guess you had Hawaii statehood coming up.

M: Yes, we did. By that time it had become popular and so there wasn't really any conflict. I was strongly for it, supported statehood.

G: I'll mention some of the legislative issues that year. If on any of them you can recall Lyndon Johnson in operation, how he was able to get votes to support or defeat a given measure, if you can give us any of the behind-the-scenes maneuvering or vote-getting or leadership there that will shed some light on it. We've talked about liberalizing the cloture rule. There was wheat support at 90 per cent of parity. It was an issue that year. Do you remember anything on that?

M: No, I don't remember any maneuvering as such. Of course, I was a freshman and I wasn't sitting in with the leadership. I remember Lyndon Johnson's style very much. He would personally come one on one and talk with senators a great deal, which practice later was abandoned entirely by Mansfield.

G: Did he use the Johnson treatment on you in an effort to persuade you to do something?

M: Well, yes. I'm trying to think. He did ask me a time or two, and it was not any big deal, but he'd say, "This is what we need now," in a way that made me feel that if you're going to support the leadership you'd better do it.

G: What were his techniques in this sort of thing?

M: His techniques were to of course to be acquainted with the local pressures that were on a senator, what were the things that a Senator needed to do for his people? He always understood that every senator had to have some kind of an escape valve, that there were some things in his state that he just couldn't do. [He understood that] even though the policy of the party for which he was pushing was the other way, that the senator sometimes just couldn't go along. So he always had to be acquainted with those and I don't think he ever, as far as I know, pressed a senator to do something which he knew would have a severe backlash in his own constituency. I think one reason that Lyndon Johnson at that early time was against modification of the cloture rule was that he just thought there were so many southerners and others who just couldn't possibly be seen making a modification. He recognized that. On the other hand he also was aware of positive things. He could sort of hold out the plum as it were that, "We're going to get on with this right after we got through with that," or something of that sort. He was fairly adept at that. But I never remember him ever making a threat,

a direct threat of retaliation or anything like that. Nor do I suppose he ever made an absolute ironclad promise. He just held it out as, "That's the prospect and that's where we're going to go afterward."

G: Part of this persuasion treatment was evidently physical. He would just get up real close to you.

M: Yes, he was a great one like that. He would move in very close, put his arm around a shoulder and be right close to your face when he talked. I always remember Frank Lausche saying that when Lyndon Johnson would come to talk to him that he would take hold of his coat lapels, and then just lean over and pretty soon Lyndon was inspecting his nostrils as Lausche was leaning back. A joking way about it. But yes, he was very personal like that, in great contrast to Mansfield who succeeded him.

G: I gather that he made considerable efforts to assimilate some of the northern liberal senators like Hubert Humphrey with the more senior southern conservatives or more conservative senators such as Russell.

M: Yes, he did a great job of sort of bridging that gap that existed between the southern conservatives and the northern liberals, and he did a pretty good balancing act. After Johnson went on and became president he became even more liberal in his viewpoint. But his years in the Senate were great in that sense.

G: Do you remember the Labor-Management Reporting and Disclosure Act in 1959? There was the McClellan amendment to permit the state laws or

state labor relations agencies or state courts to handle any labor dispute that the National Labor Relations Board didn't want to rule on. That was a close vote. It was defeated and you and LBJ both voted against it. Do you have any [recollections]?

M: Well, I can't remember any of the detail of that. I remember that's the way I voted and this is I guess the first time that I ever got closely acquainted with labor people that came onto the Hill.

G: Any details?

M: No, I don't think I can recall any of that that I could supply.

G: How about the Lewis Strauss nomination?

M: Oh, yes. I remember that one very strongly. Clinton Anderson was leading the fight against Strauss and it was a very emotional thing. I don't remember pressure or persuasion from Lyndon Johnson on that. It was following Anderson. I voted with Anderson on that against confirmation.

G: That was a close vote, too.

M: Oh, yes. It was a very close one. I remember how tense the chamber was and all of that, because we didn't know until all the votes were in whether that [nomination would be confirmed].

G: In several of those close party-line votes LBJ seemed to be able to get a couple of Republicans to vote with him, [William] Langer and one or two others.

M: Yes, he always kept his lines open. Lyndon Johnson understood the Senate and how it worked and he knew the importance of votes. In fact, I

can recall--going back again to my first election--that Arthur Watkins pulled out of the record a sort of a summary that Lyndon Johnson had made at the end of the 1958 session in which he praised various people, including Republicans, and Watkins had been mentioned as one of them. Of course, Watkins was the chairman of the committee that censured McCarthy and [it was] in that vein I think he had talked about Watkins. But Watkins tried to use that in the campaign to counter Johnson's endorsement of me. He said, "Oh, Johnson now says Moss is a good man, will be a good senator, but this is what the record says that Johnson said about Watkins." So Johnson kept his lines open. He never alienated or humiliated or embarrassed the other side. He always treated them with some respect and understanding and he was not bitter or vindictive with them.

G: Didn't Lyndon Johnson, though, do something further to counter that Watkins' release?

M: Well, he did explain when he was in Utah on that last campaign swing, that weekend. When he heard that Watkins had used his words of praise, he explained that of course he appreciated all senators that did their job and made a statement of general appreciation for what they had done. But now, looking ahead to the problems we had, he thought I would be an asset in the Senate.

G: Have any particular recollections on the Civil Rights Act in 1960?

M: Oh, yes. That's the one that we got into the filibuster on. I sure do remember that. Johnson, of course, tried to break that filibuster

and that's when we stayed in, slept in the building and just went day after day. But he did not succeed in the sense that we never did break the filibuster. The southerners were able to organize their cadres to have Senators on the floor all the time, and it was really the Senators who were trying to wear them out that themselves got worn out. The ones who were filibustering came off best. Yes, I do remember that, and I remember Johnson was very strong and tried hard. He surely had a good majority with him, but he just couldn't break the filibuster. Maybe that's the time when he decided there had to be some modification in Rule 22.

G: I was going to ask you, do you remember the Depressed Areas Bill in 1959, federal loans and grants for industrial redevelopment for depressed areas?

M: Yes, I do.

G: That was another close vote, 49 to 46.

M: That was almost economic stand off, straight out. The very conservative view vs. the liberal view. I remember that. Johnson already showed his populist bent I think in that. But I can't remember any specific thing that he did with me or needed to. I was for it.

G: Did you ever see him use parliamentary tricks to get something done?

M: Yes. I don't know whether to call them tricks, but he used the rules; he knew how to use the rules. And the notable thing, which changed after he left the leadership, was that Johnson had a way of holding the Senate in late. We very often met late into the night when Johnson was the leader. While we were in late and not seemingly

doing very much, he was apparently in his office calculating what the strategic time was to come on with what kind of a motion or legislation. I do recall his just striding onto the floor, taking over as the leader and have something to go right then. It always seemed to me, and I guess it's so, that by that time he'd counted heads and he knew who was there and he knew how to use the rules.

G: Are you thinking of a particular vote here?

M: Well, I'm trying to think. This Depressed Areas [Bill] might have been one of those. That's the kind of thing that he would come in on, sort of sweeping in and ready with his motions and people to move it to a vote. And we'd oftentimes vote at ten o'clock, ten-thirty at night.

G: Do you think he had people like the doorman telling him who was there and who wasn't?

M: Oh, yes. I think so. I think, also, Bobby Baker, for whatever else, was the best eyes and ears the Senate ever had.

G: He must have been. That's fascinating, it really is.

I want to ask you a little bit about the NASA program, the space program. I know that you recently chaired the--

M: Aeronautics and Space [Sciences Committee], yes.

G: Do you have any recollections of the genesis of that legislation? Were you involved in that at all?

M: I was not really involved. It was passed really in 1958 and I was not sworn in until the year of 1959. I was elected in 1958. The committee came

into being and he was the first chairman. Everything was on the move there. But I didn't get on that committee then, so I can't give much on that background.

G: Nothing in the appropriations each year or anything like that?

M: No.

G: Let me ask you about politics in 1960. Did it look like Lyndon Johnson was running for president through the Senate?

M: Yes. Lyndon Johnson in 1960 thought that each senator was sort of the baron of his fiefdom and the important thing was to have that senator on his side. His miscalculation in seeking the nomination through support of Senators was that a senator doesn't have that kind of a power to tell his state what it ought to do. Now most of the senators were for Lyndon Johnson. If the vote had been in the Senate there's no question Lyndon Johnson would have been nominated over Jack Kennedy. But Lyndon just didn't fully understand the political realities of that. He thought that by having support of the senators and by working on the floor and being seen as a great leader there, which he was, that that would be enough. It just wasn't.

G: Do you have any particular recollections of the 1960 convention?

M: Yes, I remember that quite well. Of course, I was for Lyndon in the convention and had so announced in my state and I was chairman of our delegation there. I, of course, remember a lot of things. One of the things I remember very well is that as we started to call the roll Bobby Kennedy was furiously rushing around the floor from delegation to delegation. He came and kneeled down with me there and said,

"It's obvious we're going to have the votes now and you better be on the bandwagon." I told him I wasn't going to change and I didn't think my people would, although I would give anybody an opportunity who wanted to. Of course, we didn't have a large delegation, about sixteen or eighteen people. It wasn't hard to have a little caucus right there on the floor. But we didn't throw all our votes to Kennedy. I can't even remember the division now. My guess is that Kennedy got about four. The others were for Johnson and votes for Hubert Humphrey and one or two for Adlai Stevenson. So Utah was split all over the place.

The other thing that I remember quite well is that of being invited up to Johnson's suite there in the hotel. At the time the rumor was out that he was going to be asked if he would take the vice presidency. The people there were I think quite largely against it. They didn't think he should do it. So when he stood up and announced that he was going to accept it there was quite a stir around there. Different people reacted to it.

G: Did he talk to you about it before he said [he would accept it]?

M: Not me personally, no, but I was in a group. It wasn't a large group.

G: Who was there?

M: Oh, golly. Well, a number of his staff and political operatives were there.

G: How many people in the room?

M: I imagine there must have been twenty, twenty-five people. It was a very emotional time.

G: They didn't want him to accept, did they?

M: No, they didn't. I don't remember that Rayburn was in the room right at that time, but he'd issued a statement, a strong statement, against Johnson accepting it. But it was an historic thing because of the events that came later. That's what put Johnson right in line to become president.

G: Did you do any campaigning with him in that election after the nomination?

M: Yes. I was sent out to some places. I didn't ever go with Johnson. I was sent out and did some speaking myself.

I suppose one of the most notable things that I remember about Johnson pertains just to me and nobody else might even remember it. The Great Salt Lake is a navigable body of water, or so everybody thought, and so Utah owns the lake. But the water level goes up and down. Then there was a court case that came down about accretion and reliction saying that when the water receded, the exposed land then belonged to the adjacent land owner. Since public lands surround a good part of the state and since the lake had gone way down in the 50's and 60's this presented a problem. There were vast areas of exposed land that were just shifting in title as the lake rose and fell. I introduced a bill to award to the state or confirm in the state the lands out of the meander line of the lake and thus forget whether they were covered or uncovered, because this is a body of water that goes up and down depending on the climate. The Great Salt Lake has valuable minerals dissolved in its brine [?].

Well, this was quite a hard-fought bill in the Senate and in the House, too. We finally got the bill passed and Johnson was president by then. I talked to Johnson two or three times about it, went down and talked to his staff people. They had some objections to the bill. I gathered we were really in trouble, and we got up to the very last day of the time the President had to act on the bill and I left to go home to Utah that afternoon. I had called the White House in the morning and done everything I could. I just didn't know any more I could [do].

When I arrived in Salt Lake City somebody met me at the steps of the airplane and said, "The President wants to speak to you immediately." I went into the boiler house right out there by the runway rather than even going into the airport. I went in there and got on the phone, and sure enough, they put me through. And by that time Johnson was down at his Ranch in Texas. He said, "Ted, I've got this bill here before me and I'm going to have to veto it. I know how much it means to you." (I had worked my tail off for about three years on it.) So "What do you say?" I said, "Oh, don't do that, Mr. President. Don't veto it. Utah needs it so badly. It would be terrible to have it go down the tube." He said, "Well, I'll read you what they've written for me to say in my veto message," and he read the veto message.

The objection principally was that the bill provided that the State could go ahead and lease this land between the water and the meander

line to private citizens during a transition period, while a court action settled the question of title, and if, in the ultimate, it was decided that those acres were federal lands those leases would be binding on the Federal Government. But the state alone would make the leases. The basis of the veto was that this was subjecting federal sovereignty to state sovereignty and therefore was unconstitutional. I said, "Well, that's no problem, Mr. President. We can rectify that so that the federal government can have consultation and ratification of leases in advance or something. He said, "Yes, but this is the last day and I've got to do something." I said, "It's going to be difficult for me if you veto it." He said, "Well, let's think about this. Can you assure me that you can get an amendment through that would state what you say, the federal government would have the option that when the lease is first proposed to observe it and enter its objection if any it had?" I said, "Well, of course I can't guarantee it, but I don't see any problem in the committee and I'll give you my word I'll do everything I can to get that kind of an amendment." He said, "Well, what about the House?" I said, "Well, [Wayne] Aspinall is the chairman over there. He's sympathetic. I can't, of course, commit him but I believe he would go along. And it's only Utah's problem, that's all." "Well," he said, "I think it's a very important bill, all right, and important to Utah. I'm going to call Aspinall and if Aspinall says he'll go along, I'll sign the bill on your assurance that you'll get that amendment through." And he did. He signed the bill. And Aspinall and I got through Congress the amendatory language.

I've thought about that so many times. This man, President Johnson, knew the importance of that bill to me and to my state and he was willing to override his advisers and sign the bill on the assurance that we would do something legislatively that he thought met the objections. And he was vindicated because we introduced the amendment from both sides and we got it through. No trouble. We came out clean on the thing. But I don't know whether any other president that ever sat there would do that for a member of the Senate. That's the greatest story I know about Lyndon.

G: That's a fascinating story. Did he help you get re-elected in 1964?

M: Oh, yes. Yes. Let's see, I can't remember whether he came into the [state]. Oh, yes, he came into the state, of course he did. Yes, he helped me in 1964. It wasn't one of these great full fanfares like I've described in 1958. Kind of an anecdote on that was fun. Of course, I was running a real tough, hard campaign myself. Not hard in the sense that it was anti, but I mean I was well organized. I was really running a good campaign against a man named Ernest Wilkinson. My people did a great job in 1964 and I won by a good margin. After the election was over I'd run ahead of the President. You know, he had that sweep of his, that landslide in 1964, and that's what all the press was writing about. So the day after the election he called me on the telephone from the Ranch and he said, "Ted, this is Lyndon." I said, "Yes, Mr. President, congratulations. You won handsomely." He said, "How did I do out there?" I said, "You did very well. You

ran way ahead." "Yes," he said, "what was my percentage?" I said, "Well, Mr. President, it was 54.3. It's a good margin in Utah for a Democrat." "That's fine," he said. "Now what was your percentage?" I said, "Well, Mr. President, it was 57.8." "Ah, ha! I rode on your coattails." I said, "If that's the way you put it, Mr. President." He laughed. He was having a big time. Of course, Humphrey was down there. They were, I guess, calling everybody all around the country.

G: Did he kid you about not doing as much for his candidacy as he did for yours?

M: He didn't put anything more on it except he said, "I rode on your coattails." It had been thought--with some of the news stories coming out at that time--that Lyndon had had this sweep and the Democrats had all jumped on his coattails and came in. Actually there were four of us, I think, in the Senate that ran ahead of him that year.

G: Do you think that as vice president he was somewhat confined in terms of his activities?

M: Yes, there isn't much doubt about that. He was such an active and aggressive fellow that I'm sure it was difficult for him to sort of drop back into a secondary or supportive role.

G: Initially he tried to retain some of those leadership functions in the Senate that he had had as majority leader.

M: Yes.

G: Do you recall the issues?

M: Yes, I recall the caucus that we had where a motion was made that he be admitted to the Democratic caucus as, I don't know, ex-officio or something but that he sit in there with us. That's when the debate started. There finally grew a great deal of opposition to that proposal. It was argued that he now no longer was of the legislative branch, that he belonged to the executive and his presence reached the lines between. I was not strongly convinced of that. I didn't take a part really in the debate. I listened to it but it grew more intense, and of course, it finally never went to a vote. He just withdrew when he got a report of what the argument was and how strong some of the senators felt.

G: Do you think it would have gone against him?

M: I'm afraid it would, I'm afraid it would. I think he probably was wise to take the heat out of it the way he did. You see, he had dominated the Senate as leader long enough that it just seemed a natural thing to have him around for advice. On the other hand, senators who had served with him and had had differences said, you know, "We just can't tolerate getting the word through the Vice President on what the Democratic caucus ought to do on legislative matters." Now, backing off and looking at it, I think that was right. It was a mistake to think we should permit him in there.

G: Do you think that the Senate was ready for a breathing spell by 1961, let's say? There must have been a slowing of the pace.

M: Yes, we were ready for it all right. Two or three things combined on it. We had been going at really force draft and, of course, during the first years I was here the White House still belonged to Eisenhower. But with the coming of Kennedy things changed a great deal. There was union of party of both the executive and the legislative. Mansfield fit into that by being a very soft non-partisan, non-active kind of a leader. Mansfield was as different from Johnson as night from day.

G: Do you have any other recollections about LBJ as president, any meetings at the White House, considerations?

M: Well, yes. He had us down there occasionally and he set up a kind of a school-like thing for a while. He would have McNamara or somebody there to talk about the defense budget and put charts up and talk to Democrats. There was an ongoing dialogue, and he had Republicans come, too. We didn't always go just as Democrats; it would be mixed. This was a good thing I thought and something of course that was abandoned immediately after Nixon came in.

G: How about his legislative liaison operation? Did it work pretty well?

M: It was very good, yes, because he knew the people and the key members of the Congress. And the reason that Eighty-Ninth was such a tremendously productive Congress is because Johnson knew how to get the legislation through. Kennedy had been running into trouble. He was a very popular president and appealed to people, but in dealing with

the Congress he wasn't having very much success. Johnson just took the Kennedy program and put it right through, adding his own to it. But everything Kennedy had been proposing Johnson saw it go through. And Johnson--it's not new to me because I guess everybody has come to the same conclusion--but Johnson was on his way to being one of our very great presidents until he stubbed his toe on Vietnam. If he hadn't made that mistake--or if events had not closed in on him, his domestic record would have marked him a great. If he had been able to avoid Vietnam he would have gone down as one of the very great presidents.

G: Did you have any insight at the time on the Gulf on Tonkin Resolution?

M: The great mistake there was just jamming that through with a lot of emotional hoopla. Even Bill Fulbright and the others were calling for it. I didn't have any insight on it and I voted for the resolution and I thought [Wayne] Morse and [Ernest] Gruening were just being sort of prima donnas, in a way, in voting against it.

G: When did your own concern about Vietnam begin?

M: Mine began in about 1968. I went out there in January of 1968 and spent a few days in the country and flew around. I thought I could see the seeds then of what was going to happen.

G: What were the signs?

M: Well, the fact that we were forced to hold those areas of the country and protect the villagers. Everything was so tight within South Vietnam, which is the only place I could go, of course. Then there were some encounters. I was there on Tet, on the Tet offensive.

That was really a terrible thing. We tried to gloss it over in our press here, but it was obvious that the North Vietnamese had immense power by then and they could mount that offensive clear across the country and win all those victories and even get in our own embassy. It seemed to me it was obvious that they had the staying power and they had the dedication. The South Vietnamese, despite all the munitions and help we were giving them and all the troops we had in there, still we were not in control. The other thing is that I adhered to the idea that we were simply trying to help the South Vietnamese to avoid the invasion, whereas the hawks were yelling, of course, to go and take over North Vietnam. I looked at that and said, "Well, what are you going to do? Are we to stay as an occupying power? We don't want to be an occupying power. We can't do that. If the South Vietnamese cannot be made strong enough and devoted enough to defend their own area, there's no sense in our being there." This feeling and conviction continued to grow through 1969. By 1969 I had turned completely away from the war.

G: Do you think Johnson himself ever had any doubts about the correctness of his policy?

M: I think he did in the end. I think he was swept along in those early days by the kind of reports he got and the feeling that some way you could just bring aggression to an end. But there wasn't any end; Vietnam was a quagmire.

G: Do you remember the last time you saw LBJ?

M: Yes, I saw him once after he had left the presidency. I'm trying to think where it was. I remember his hair, how grey it was and he combed it differently. Let me see, well, I'm not sure. I didn't go down to the dedication of the Library. I had planned to and I didn't get to go there. But I did have one glimpse of him someplace and I just thought he looked much older and greyer.

G: Anything else about him that you recall, anecdotes?

M: Well, I think I've told the principal ones that I know. He was a very friendly man. There were times I got invited to the White House to go upstairs and sit on the balcony. I remember one evening sitting out there with just the President and Maxwell Taylor and Mike Monroney. We just sat there for the evening visiting.

G: Was he pretty expansive on these occasions?

M: Yes, he was. He talked about everything. This wasn't any intense sort of thing; we weren't there to be lobbied for anything, just kind of a social visit. But it was a very pleasant evening. I've always remembered that one.

Well, I've kept you a long time.

G: Thank you very much, Senator.

[End of Tape 1 of 1 and Interview I]

GENERAL SERVICES ADMINISTRATION
NATIONAL ARCHIVES AND RECORDS SERVICE
LYNDON BAINES JOHNSON LIBRARY

Legal Agreement Pertaining to the Oral History Interview of Frank E. Moss

In accordance with the provisions of Chapter 21 of Title 44, United States Code and subject to the terms and conditions hereinafter set forth, I, Frank E. Moss of Washington, D.C. do hereby give, donate and convey to the United States of America all my rights, title and interest in the tape recording and transcript of the personal interview conducted on February 16, 1977 in Washington, D.C. and prepared for deposit in the Lyndon Baines Johnson Library.

This assignment is subject to the following terms and conditions:

(1) The transcript shall be available for use by researchers as soon as it has been deposited in the Lyndon Baines Johnson Library.

(2) The tape recording shall be available to those researchers who have access to the transcript.

(3) I hereby assign to the United States Government all copyright I may have in the interview transcript and tape.

(4) Copies of the transcript and the tape recording may be provided by the Library to researchers upon request.

(5) Copies of the transcript and tape recording may be deposited in or loaned to institutions other than the Lyndon Baines Johnson Library.

Frank E Moss
Donor

3 July 1980
Date

Archivist of the United States

August 7, 1980
Date