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LAWRENCE F. O'BRIEN ORAL HISTORY, INTERVIEW XII

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Signed by Lawrence F. O'Brien on April 5, 1990.

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ACCESSION NUMBER 92-23

## INTERVIEW XII

DATE: July 25, 1986

INTERVIEWEE: LAWRENCE F. O'BRIEN

INTERVIEWER: Michael L. Gillette

PLACE: Mr. O'Brien's office, New York City

Tape 1 of 2, Side 1

G: Let's start with this. I was asking you about Katharine Graham and the D.C. home rule.

O: Well, this of course was a rather obvious step that was available to us. The *Washington Post* had advocated home rule over a long period of time and were often editorializing on the subject. We were having difficulty securing the necessary signatures for a discharge petition in the House. It was all right for the *Washington Post* to editorialize and press its position. Now reality faced us, and we felt that perhaps the *Washington Post* had an additional responsibility to be helpful in moving the legislation. So the result was that we contacted Kay Graham and put a responsibility on Kay and her associates to work particularly the Republican side of the House to assist us in acquiring signatures. We enlisted the *Washington Post* as a lobbying entity in this instance, which of course was unique and had never occurred before or after.

G: Who contacted her, do you know?

O: My recollection is I talked to her, and there may have been others. It was necessary first to elicit her commitment and then provide her with specific contacts that she might make or assign people who might know these people. It was not overly productive.

G: Really?

O: No, the assigned names to the *Post* were difficult names. And they were basically Republican members who had no interest in signing a D.C. home rule discharge petition. It wasn't that we were pressing Kay Graham to accomplish the impossible. On the Democratic side, we had been working arduously. Perhaps there was another area for these Republicans. They might respond or react to the *Washington Post*. They certainly weren't going to react to us or any of the people who were working with us. We were desperately trying to get the required number of signatures, but the way the discharge petition game is played, people sign and you discover two days later they've taken their name off. To get to that magic 218 was a cat and mouse game. And maybe there was an untapped area that the unique position of the *Washington Post* and Kay Graham and her associates might be helpful with. But my recollection is that it was not productive in any meaningful way, and that's no reflection on Kay Graham. We had given her what really was an impossible list, with the hope there was something we were unaware of by way of *Washington Post* involvement with some of these people which might lead to a contact,

that was all.

G: Was this an isolated case, or were other newspaper publishers helpful in this sort of thing?

O: No, I don't recall we were ever engaged in contact with newspapers requesting that publishers or managing editors become involved in any kind of lobbying activity. This was unique. After all, the *Washington Post* is in the District of Columbia; the *Washington Post* has spent a couple of decades strongly advocating home rule. So we were not inhibited. It wasn't calling the *Post* as a newspaper. You were calling the *Post* as an important entity in the community, in the business of the District of Columbia. Anyway, it was an indication that we tried every device we could think of. Your tendency is to say, what have you got to lose?

G: Another area that I forgot to ask you about yesterday was a note that I have that you persuaded LBJ to support the reform of the House rules at the beginning of the session to help the liberal members of the House. Do you recall?

O: Yes. My recollection is that you had two choices, obviously. You could fall back to a position which was good cover at times, particularly if you had a couple of members of Congress who were anxious for committee assignments and might feel the White House could talk to the leadership. Well, you avoid that kind of controversy and indicate we never get involved in the internal activities of either body. In a rules situation, rather than antagonize some of the conservatives, why get into that? It's going to cause some animosity. On the other hand, there was the strong view on the part of our supporters that there should be some indication of presidential interest. After all, it went to your legislative program; it went to the prior Rules Committee fight. If we had no hesitancy in 1961 to engage in head counts and work with the House Democratic leadership to bring about the increase in membership of the Rules Committee, why in 1965 not express an interest and state a position? The position would be obvious, after all. Liberalization of Rules Committee procedure was in our best interest, clearly, and it could be very helpful. So I had that discussion with the President, and the President was in accord.

G: Was he reluctant at first?

O: I don't recall that he was. We touched on the options. "This is the position that we should be in, and we should feel comfortable with it." What fallout negatively were you going to have except the accusation that you were interfering in the conduct of the business of the Congress? Valid, but in this context, so what? Clearly, you would incur the wrath of some of the ardent conservatives who were attempting to retain their last vestige of control over the committee. They're not going to be supporting your program, anyway. Most importantly, from those who have consistently supported the New Frontier and now the Great Society program, we can anticipate their blood and guts throughout. It would be unseemly, I thought, not to make known that you were hopeful the liberalization of the Rules Committee would be put into effect. And that was what it amounted to.

G: What did LBJ do?

O: I don't recall that it involved LBJ calling members. That wasn't really the approach you take in something like this. It was a matter with the leadership, the President advising them they were free in any way that they thought it might be helpful to state the President's position, the White House position and White House support. And, on the staff basis, the White House was fully prepared to be supportive. The fact is that everybody knew we would be supportive; it made sense. If you got into presidential direct intervention, you could find yourself in a potentially counterproductive situation. I could just envision people making demagogic statements that this was guided and directed by the White House, interfering unduly in congressional activities.

So to summarize it, you just leave it alone. Nobody could claim that you should have been involved. Or, you could make a bow to those you were looking to as your leaders and supporters of your programs. And that was basically what you did, and you did it in an informal manner--spread the word where it was helpful. Not to do it in that manner you take the chance of creating an issue that the opponents of change might latch onto which could be disruptive.

G: Okay, we talked at length yesterday about Medicare. Another piece of health legislation was the regional medical centers program, which was an outgrowth of the Heart-Cancer-Stroke Commission, which Michael DeBakey had headed. To what extent was the opposition to this bill the same as that to Medicare?

O: I don't recall that it approached the intensity of Medicare. You had the background of the committee or commission; you had Dr. DeBakey heading this. It's pretty difficult to be finding fault with an effort to tackle, by research, these very serious heart, cancer and stroke illnesses. We felt at the outset that this should move rather smoothly, and my recollection is that it did. Opponents would object to federal intervention and federal money, claiming the private sector is fully capable of handling all this effectively. It's pretty hard to debate that there isn't a responsibility and a role of government. So we were on the white-hat side of this, clearly.

It's a good example of the sensitivity of the President. How does this come into being a proposal? You are responding to a responsibility you have as the president. It needs to have some creative input; it needs to be an integral and significant part of a program you're presenting to the Congress. You entered really a new and meaningful area of governmental action.

G: Apparently at one point the AMA tried to persuade LBJ to delay action on this measure, and sort of hinting that unless that were done, perhaps the AMA might not cooperate with the implementation of Medicare.

O: That occurred. The AMA had not gone through its last gasp of opposition. But as we said earlier, the AMA threat of nonparticipation on Medicare was something we did not

dismiss out of hand. But we felt that it was not going to go very far, and it didn't. Our experience with the AMA through the whole Medicare battle--and it wasn't confined to 1965, obviously--brought us to the point where we weren't particularly interested in the AMA's position on a matter such as this. And, which may sound rather harsh, it was our attitude and it might have been unfair, but we were committed and the AMA could take it or leave it. We were not going to allow that to change either our position or our timetable.

Let's remember, as we go through 1965, our approach off the November 1964 election brought us very clearly [to the understanding]--everybody was aboard and the President's leadership was there--that we're going for the whole ball of wax, and we are not going to be inhibited. It made it easier to function; you didn't divert your attention to avoidance of conflict; it's out there, we're going after it. We're going to get it done in this session. We're not going to listen to suggestions, we can work this out in some other way. We're beyond that.

Now, that sounds like arrogance, but it wasn't, really. We weren't being arrogant; we were being realistic. The opportunity was there; the door had been opened and we were charging through. It was a very simple strategy. It wasn't the intricate, difficult strategy that often involved us in the past.

G: What role did Mary Lasker and Florence Mahoney play in this?

O: They played a significant role. I knew them both; I got to know Florence intimately. I'd have to credit both. Florence had meeting after meeting in her home in Georgetown. Mary Lasker and Florence were on the telephone constantly and their enthusiasm knew no bounds. They were dedicated. I enjoyed both of them, particularly Florence because day-to-day I was more apt to have contact with Florence. She was more on the day-to-day direct lobbying aspect.

G: And what did Mary Lasker do on the other hand?

O: Mary Lasker was, by virtue of her position, her involvement financially, widely recognized and highly regarded.

G: Can you recall any individual senators or House members that they were effective in turning around on this issue?

O: No, not specifically, but they were kept apprised of our progress, and they in turn would provide us with information. Florence had become well acquainted with key members of the Congress over a long period of time. She had a beautiful home in Georgetown; she was a marvelous hostess, and she utilized that home to the fullest. I had occasion to go there often and she would have people who would ensure that you weren't going to spend one of those typical Washington social evenings; you'd have opportunity for contact. I thought she was very good, very professional.



- G: I wonder to what extent were these two agents of yours advancing objectives of the administration and to what extent were they lobbying, urging the administration to go farther.
- O: I think both, yes. I think that it's fair to say they lobbied both ways. Obviously, you were well aware of their intense interest. They had left no stone unturned to make sure the administration was aware that they and the people they represented were anxious for the administration to move. People deeply involved are apt to spend a fair amount of time talking to people who are already committed. It's difficult to measure the degree of contribution in terms of X number of votes that were garnered. It would be impossible. It was keeping the enthusiasm high, making sure those in a position on the Hill to be helpful had their backs rubbed. My recollection is that it was Florence in the pits with Mary Lasker as a person nationally known for her interest and financial support.
- G: But they did have a lobbyist themselves, didn't they, Mike Gorman?
- O: Yes. But Florence was a lobbyist.
- G: Well, did their financing include financing congressmen who were favorable--
- O: I don't know.
- G: --or was it--?
- O: We were not directly involved with them in that aspect. I frankly felt that it was none of my business, and they weren't volunteering information to me in that regard.
- G: Okay. One of the issues concerning this measure was an amendment by Senator [Russell] Long concerning the public's right to patents which were developed in using federal research money, whether the patents ought to go to the prescription drug industry or to the public. Do you recall that amendment? It was tabled; it was not enacted. Do you remember that?
- O: Only in the context of not being surprised that effort would be made. The private sector drug lobby manufacturers would be seeking contact to bring this about. Why Long? Who knows? It probably had something to do with manufacturers based in Louisiana. I don't know. But that always surfaces, and after all there was a lot at stake in that regard.
- G: Okay. Now, the War on Poverty amendments that came up that year centered around the governor's veto power.
- O: As I recall it, the opponents latched on to some incidents that had occurred. There had been eruptions in some of the Job Corps programs. It was suggested that this was an indication of serious administrative problems. Perhaps we should again recognize the

control aspect of some these programs. There was, as I recall, discussion regarding the salary level of staff, and perhaps the two hats of Sarge Shriver. It was troublesome. I guess it was what you'd anticipate. You have a program; now you're going to try to significantly increase its funding. Your opponents are saying, "This was a dog from the beginning; I'm still opposed. What can I conjure up to limit its expansion, cut back some of the authority at the national level?" It was a losing battle for the opponents. I think Adam Powell at one point got into some claims regarding the staffing and the salary levels, and then later on Adam, after conversations with Shriver, decided that all his questions had been appropriately answered; he had no further problems. Look at the bottom line and you'll find that the request was complied with.

G: Why do you think Shriver did hold on to both jobs?

O: I can't answer that. He was adamant and I don't recall that the President or anybody else was awfully exercised about him holding the two jobs. Go back to the beginning, to the attack on Adam Yarmolinsky in the early stages, and all of this we considered attempts to disrupt.

Now if Sarge had said, "I've thought this over and I shouldn't be holding both jobs," I suppose the answer to that is, "Well, Sarge, that's your decision." But here is a fellow, going back to the Peace Corps, who had proven himself to be exceptional. He had the leadership qualities and the commitment, so he wound up with another hat. I don't recall objecting to it. We all felt comfortable with it. But by the same token, it was more Sarge's desires and commitment than any effort we made to persuade Sarge to retain two hats. That's about what it came down to.

But when this became an attempt to blow out of proportion some administrative problems that existed, that was something that we wouldn't debate or negotiate. We just plunged forward. In this instance, once again, which was typical of the year, I think I'm correct in saying that the request, which was probably a billion five or something like that, was authorized. That's kind of remarkable in and of itself.

G: This also pitted Ralph Yarborough against John Connally, then governor of Texas.

O: Yes.

G: And Connally was vetoing Neighborhood Youth Corps projects where enrollees were receiving \$1.25 an hour and only allowing those that received \$1.00 an hour to go through. Do you recall anything on this issue?

O: Yes, Ralph latched onto that with great vigor. To some extent his vocalized concern had to do with the long-standing conflict Ralph felt existed, and as he conceived it, mistreatment by both Johnson and Connally over the years. I was made aware of that by Ralph Yarborough on any number of occasions. Whether it went to postmasters or projects or judgeships, Ralph was absolutely persuaded that he was put upon, that he was

unfairly treated. This provided rather a good opportunity. Why would Connally veto? I don't recall we had any sympathy for Connally's position and Ralph had a valid point.

G: What was LBJ's role in this conflict?

O: I don't recall--LBJ and John Connally and Ralph Yarborough. As far as I was concerned, I was not privy to the personal aspects and apparently there was a considerable history. I liked Ralph, I really did. But I must say there were times when I'd have to do a lot of listening, and I think there was a period when I was postmaster general that he felt I had become part of a cabal to embarrass him. (Laughter)

G: Why did he think that?

O: Ralph spent a portion of each day of his life trying to determine just what Connally or Johnson were trying to do to him that day. And it could become, frankly, a little off the wall. (Laughter) Maybe there was a degree of fact to some of it, but by gosh, what I would be put to, both in my role at the White House and then in my role in the Post Office Department, it got to be a little bit tiresome. (Laughter)

G: Johnson is said to have dissuaded Joe Kilgore from running for the Senate against Yarborough.

O: I don't know.

G: What was Johnson's attitude toward Yarborough in 1965?

O: Well, any time Yarborough involved Johnson and me, it would be in the context of the legislative program. I don't recall any discussion about Texas politics or back-home problems. Yarborough really wasn't a troublesome fellow in terms of the program, so you really didn't get into much. I don't recall Ralph ever saying to me, "Listen, I'm not going to vote for the War on Poverty," for example, "because I have found two rural mail carriers were named who are political enemies of mine," or that sort of thing. Ralph would moan and groan a good deal and I'm sure he was honestly persuaded. Whether Lyndon Johnson and John Connally went out of their way to make life miserable for him, I don't know. He was extremely sensitive to it, so I think he was looking for problems sometimes.

G: The Foundation on the Arts and Humanities established the National Endowment for the Arts and National Endowment for the Humanities. Is there anything on that legislation in 1965 that's significant, from the standpoint of--?

O: Not particularly in the progress of the legislation. But that should be pointed to by historians, people who are going to evaluate this period, because you have President Lyndon B. Johnson as the advocate. You have a federal role in the arts and humanities being established. Granted, you're establishing it at this point purely organizationally; you

haven't gotten into deep fiscal commitments. But that in and of itself, I think, represents a very meaningful element of the Great Society program.

I say that because I've watched it over the years. People complain bitterly about reduction in funding in some of these areas in this current administration. But federal involvement opened the windows and provided a broader-based citizen involvement in the arts and humanities, appreciation, and all the rest.

When you think of the theater, for example, the British theater, traditionally the government is extremely supportive of the theater. Currently there's some conflict in Great Britain where they feel that a couple of the top producers and directors in England have taken advantage of the government's support, trying out plays and musicals, finding they have a very favorable audience reaction, then transferring them to the West End of London into a commercial position, making a great deal of money. Nevertheless, I've always admired the British for the significant role they play in promoting this area of the arts.

To initiate that in the United States I thought was long overdue. This President recognized that [and] opened up a new area of governmental involvement in a very progressive and meaningful way. There again it comes to the basic, fundamental conflict between the parties, the philosophies of government. Here is a fine example of significant government involvement for the good of all, the beginning of a new era of governmental relations.

Tape 1 of 2, Side 2

- O: I think there is a tendency to feel that this was just another legislative proposal, included in a massive legislative program. But it was far more significant than that, and has altered the concept of the role of government in fields of endeavor in the public interest.
- G: The House cut the appropriation substantially, from 10.7 million to 7.2 million [dollars].
- O: You are into a new area, as I said. It was a substantial cut. The goal was to establish this entity. It's difficult to be supportive of people who are in the arts or humanities. Expenditures should be subject to close scrutiny; perhaps there are some wild decisions made because you are dealing with unusual people.

I reflect on the time after Dallas, when we had that long-ending attempt to build a structure in Washington, and we were not getting very far. It was not long after Dallas when, sitting in my office, it dawned on us that this rightly should be the Kennedy Center. You can say, "God, you were a bunch of ghouls sitting there." First of all, we were totally in agreement that this was a worthwhile project and we were not making progress. Now, if this is designated as the Kennedy Center it could impact favorably and that's exactly what happened.

Arts and Humanities were new for those at the national level. It was considered rather esoteric by many members of Congress who thought this was not sensible or realistic and it would incur additional federal spending. Funding was modest, and an indication there was a considerable degree of reluctance on the Hill. Establish it, take a careful look and let's have a modest start.

G: Another initiative in this area in 1965 was the White House Festival on the Arts, a mixed result. Do you recall that in the President's--?

O: I recall the White House Festival but I don't recall the specifics of it, and I'm not at all sure that I had any great involvement in it.

G: Robert Lowell sent a telegram declining to come out of protest to Vietnam, and--

O: Yes. Well--

G: Do you think these initiatives reflected a personal desire on LBJ's part to be appreciated by this element, culturally--?

O: I really don't know. I think what I appreciated was his recognition that there was validly and legitimately a federal role. The federal government should be supportive, and it wasn't.

I think that I probably reacted as, perhaps, the President did. I was not intimately involved in the arts, but I think sufficiently broad-based to recognize it is meaningful in society. Perhaps rather than President Johnson saying, "I hope some of those wild-eyed liberal people in the arts would think well" of him, it was more a recognition that this was an appropriate role for government, and it was a worthy endeavor. If he did anticipate this meant they would applaud him particularly, that was not in the cards. I have found those people a little hard to take at times, but you look at the end result and tolerate some of their rather impractical approaches to life and to government. After all, some of the greatest artists in history have been people who probably needed a psychiatrist.

G: Let's talk about immigration reform. This was the measure in 1965 that eliminated the national origins quota system, really a sweeping change.

O: The national origins quota system had been in place without change for a long time. And historically, of course, it favored northern Europe; back to the founding of the country. It was established in the climate of northern European presence in the development of this country. It had neglected to reflect the dramatic changes that had taken place as this country progressed. The southern European and others had been limited. You had a quota system that oftentimes was not fully utilized. It was based on an old concept that no longer existed or should exist. And so it was massive in the sense that you were to completely restructure immigration procedure, severely limiting some countries that had pretty much an open door historically. You were trying to establish an equitable

immigration policy. It was a heavily debated, controversial and prolonged struggle. And the outcome brought about a revolution in immigration policy.

G: Was it essentially a civil rights measure? Minority groups did support it.

O: Yes. I don't know as I'd term it that. I think it was so broadly based to revise an archaic procedure you could [say] there was a civil rights aspect to it also.

G: What was organized labor's position on this issue?

O: They did have one problem in this, the authority to determine farm immigration. They were insistent that the Department of Labor have the authority to make the determinations on farm labor immigration rather than the Attorney General's office, which was prescribed in the bill. Labor looked askance on authority being placed in a department other than Labor, where it directly affected the laboring person. The problem was they were working behind the scenes or behind our back, let's put it that way, to effect this change in the legislation. It was troublesome to us because that could adversely affect the enactment. There was a lot at stake in this legislation.

It was a matter of our being disturbed with Andy Biemiller, the representative of AFL-CIO, maneuvering to bring about this change that we were a) unaware of until it was brought to our attention indirectly, and b) while they might have their particular interest in this specific area and want to ensure they had an open door to a Department of Labor, it was not something we felt should be engaged in at that stage of the legislation, creating a controversy we felt could be disruptive in terms of the progress of the legislation. They had moved to a point where finally it came to our attention. It was something that should have been up front early on in discussions, and who knows, the accommodation could have been made, perhaps.

G: Was there any interaction between this bill and the attempt to repeal 14(b) of the Taft-Hartley Act?

O: The attempt to repeal 14(b) was sort of an annual effort made in each Congress by the Democrats. It was a very strong commitment on the part of labor that they were going to get rid of 14(b). It became part of the opening and closing ceremonies of every labor meeting in the country. We had clearly committed to do everything we possibly could to accomplish the repeal. But by the same token, if you're sitting with this legislative program in the White House, the real world indicates clearly to you that you can wage that battle separately, and in good faith do everything you can. But if it could affect other legislative proposals, that's not in the cards. There's a presidential commitment, and it will be fulfilled to the best of our ability. When the time comes, we'll be there and we'll work with you.

Organized labor would rather be dealing with the Department of Labor than the Justice Department. The Department of Labor rightly is the place to have this. If you're

going to have some provision involving farm immigration, why would this be controlled by lawyers? It should be in the Department of Labor. That would follow the normal reaction of organized labor in any event, even though there have been times when organized labor hasn't been enamored with the secretary of labor.

But on 14(b) I don't recall any attempt to play that to impact on labor's support in this legislation. If it existed, it made no sense from our point of view.

G: One element of this immigration bill that the administration did oppose was the limitation on Western Hemisphere immigration of a hundred and twenty thousand a year. And that was included. You lost on that one. Can you recall that issue?

O: Placing a numerical limit to the level the Congress did, I don't know as we were prepared to go that far. It was just extended beyond what we were interested in. But it did represent a strong view in the Congress.

G: There's an indication that this concession was necessary in order to get the support of [Everett] Dirksen and Sam Ervin.

O: I think that's valid.

G: There was also an emphasis placed on family relationships, admitting immigrants who had close relatives here, parents or children, something like that, rather than placing the first priority on immigrants who had needed skills or special talents.

O: That's right.

G: But the administration supported the latter.

O: I know it. As you thought it out, there was merit in that approach, as long as that didn't mean you overly diminished or reduced the skill aspect. It's something poignant. There were citations of how this would impact in human terms, and that was difficult to cope with. I've run into any number of immigration cases over the years which suggest the skills side of it is pretty rigid.

I don't follow implementation closely. It comes to your attention when you know somebody or you are made aware of a situation. Western Hemisphere restrictions are rigid, the quotas are limited and the exceptions are hard to come by. Of course, there were private bills presented by congressmen and senators. I doubt they're as extensive as they were where recourse is to a private bill; that's a very difficult procedure.

G: Why was it difficult?

O: There's a tendency by the Congress not to favorably entertain these private bills. Now, I haven't followed private congressional activities over recent years, but I remember that a

private bill would be resorted to because of extreme pressure on the member by either the family or organizations trying to bypass immigration procedure by legislative action. A member would have a tendency to refrain from that. It might have been rather cynical, but we used to construe that as an indication of strong pressure being exerted on the member, and the member had a full awareness that it probably wasn't going to go anywhere. On rare occasions something happens. I suppose if everything else has failed, why not try that? Of course, we're not talking about illegal immigration. That's another story. Immigration is a serious problem today, and the Congress doesn't seem to be able to cope with it.

G: Representative Michael Feighan was an influential member in this immigration struggle. Can you analyze his role and discuss him in connection with it?

O: He was persistent. He had his own views and he was going to be disruptive procedurally to accomplish his objectives. I can't tell you why he became as vocal and active as he did. Obviously his committee assignment had a lot to do with it. He was sensitive to the importance of his role in the Congress. I'm not suggesting he wasn't well motivated, but he was extremely active and deeply involved.

There's nothing worse than to have a subcommittee chairman, or committee chairman, get his nose out of joint. All bets are off in terms of common sense and judgment. It becomes a matter of principle, and he's not going to be very rational if you get into that kind of a situation. There may have been some merit to Mike's position, because whether it was overt or not, Mike at the outset and up front was not properly included in the proceedings, at least as he saw it.

G: Jim Eastland was chairman of the Senate Judiciary Committee, and he was not a friend of the measure.

O: No. It was hard to find Jim Eastland friendly to any measure that was advocated by presidents in the New Frontier-Great Society period, or perhaps prior to that.

G: Johnson signed the bill at Ellis Island, I guess, didn't he?

O: Yes.

G: Do you recall that? Did you [attend]?

O: Yes, I was there at the signing. It was a very colorful signing and another indication that we did devote attention to the show business aspect of signing the legislation. There was a sidebar to that, because I was on a ferry to Ellis Island. There was a large group, including press and political leaders, senators, congressmen. We had the appropriate representation of the Congress present for the signing ceremony.

I noted the Governor of New York, Nelson Rockefeller, was aboard. Inasmuch as



he was a Republican leader as well as governor of the state, I didn't appreciate the idea that he would try to secure a prominent position in the signing ceremony. I was kind of childish, I guess, but when we arrived at Ellis Island and we docked, I could see Nelson Rockefeller making his move to be the first arrival at the signing ceremony. Suddenly Nelson Rockefeller found I was in front of him, and no matter which way he turned, somehow I was turning in the same direction. He said something to the effect, "Gee, I'm trying to move out of here." I chose to ignore his comment; I didn't hear him. And finally, because I had succeeded in delaying him, there was a flood of people headed towards the signing ceremony, at which point he said, "I'm the governor of New York! I'm the governor! Let me off here!" I felt we'd accomplished the objective, and I said, "Oh, how are you, Governor?" I stepped aside, and he just growled. The result was he had a little trouble getting placed behind the President during the ceremony. That was a rather silly thing to do, but I guess it sort of reflected my Democratic Party background. It was a very well covered ceremony, it was obviously an appropriate location, so it made for good photo opportunity.

Months went by, and we were in the East Room of the White House. The Governor and his wife were there, and we were standing around at some reception. He spotted me and came right over and brought up the subject and said, "You purposely blocked me that day of the signing." I said, "Come on." And I started to laugh. I said, "You know that's not true." He said, "I know it is; I know it, and you're never going to convince me otherwise." And I must say for him, he then laughed, and said, "You did it, you so-and-so." (Laughter) And he said, "Don't ever try to convince me that you didn't do it purposely." But he laughed, and that was that. I can't recall doing anything similar in my life. I'll have to say I kind of enjoyed doing it, although it was rather silly. The President had arrived by helicopter.

- G: There was one note that indicated that LBJ wanted to do the signing on Ellis Island if he could keep out of New York politics.
- O: Yes, that's true. That was always a concern. It's interesting that through our presidential campaigns, the ones I was involved in, we always tried to keep out of New York politics. I always found New York politics pretty messy. It was difficult to deal with people in New York without causing animosity with others. The party was not in good shape, never really has been on a statewide level. There were these groups in New York with their power centers; it was well to avoid if you possibly could. Now, in terms of the signing ceremony, it would be endless trying to determine who should be invited or not invited on the political side. That was of some concern to us when we were establishing the location for the signing, but it was not a problem as it unfolded.

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- G: Okay, highway beautification. You were making an initial observation on that one.
- O: This as we know was Mrs. Johnson's pet project. She had a keen interest and maintained

that interest throughout the legislative process. The net result of her interest and of her husband represented an unusual lobbying effort, involving people who normally would not be so engaged. The effort was to enlist the assistance of about everybody on the White House staff. Several staff members were given specific assignments to press this issue. Mrs. Johnson maintained almost day-to-day contact on progress. I met with her on occasions in the residence to update her.

(Interruption)

G: You said you met with her at the White House several [times].

O: Yes, on a number of occasions. This represented not only a great interest on her part, but great involvement. So, as I said, we had a full roster on our lobbying team throughout this effort.

G: How did that arrangement come about?

O: The lobbying aspect?

G: Yes. Who brought everybody into the picture?

O: Well, the President had made it known, I think informally, that he expected everybody would participate. He told me--which was the situation in any event--that the staff was to participate and be helpful wherever it could. They understood they were to be responsive whenever requested to ensure the success of this legislation. We probably had, in the White House, as detailed a head count, as detailed an effort as we probably had ever experienced. And that was all to the good.

G: Did the President himself do any lobbying on the bill? Did he make any calls?

O: I don't recall specifically that he did. As this moved along it was subject to frustrating time delays at various stages, which was not unusual. We stayed abreast of it and I don't recall there was any great need for the President to inject himself personally into this effort. It went along quite well, and of course the people on the Hill were fully aware of Mrs. Johnson's interest. There was a willingness to be helpful, because everybody admired her. They knew that this was something she felt deeply about. So you had the additional element that this would be so pleasing to her that everybody ought to just pitch in.

G: One peculiar aspect of this is that the President's personal attorney, Don Thomas, was representing the outdoor advertisers in this. Did this ever come to your attention?

O: It came to my attention, but I don't know as I had the occasion to particularly focus on it, because while it was unusual to have a friend of the President lobbying against a presidential proposal, we were accustomed to outside lobbying and opposition to our proposals. There was nothing you became involved with that didn't have private-sector

opposition, most of the time pretty vocal, strong and well-organized opposition. That was part of the process.

G: What specifically did Mrs. Johnson do to advance the legislation?

O: She had conversations with a number of members of Congress. She spent her time on the telephone, and when members of Congress came to the White House for functions, she would visit with them, express her interest and ask them how things were going. There were repeated efforts on her part to ensure that there was a total awareness of her interest on the Hill.

G: There's an indication that she did deal directly with John Kluczynski. Was that his name?

O: I don't recall that specifically, but she dealt directly with any number of members.

G: Did she enlist her friends in this effort?

O: Yes. There were friends, Liz Carpenter and others were involved, Bess Abell. Everyone was involved. (Laughter) I don't know as we involved the fellows in the White House Mess, but we probably didn't overlook anybody who was in a position to be helpful. Both Bess and Liz--Bess in terms of regular contacts--were very much present. There were other friends who were enlisted who in their own way were advocates in whatever form it might take. The legislative progress at its various stages, the head-counting was carried out as we normally did, with the additional factor of White House staff involvement to a heavy degree, well beyond the congressional relations activity normally.

G: You have a memo here that describes Mrs. Johnson's interest in getting six congressmen to join her for a tree-planting ceremony, and she--

O: This would be part of the various activities she engaged in. In this instance, I believe the memo reflects a desire to know the specific position of each of these congressmen relative to the legislation, so there wouldn't be any problem in enlisting them. That memo would be typical of her interest and activity. I don't believe that we got into extensive exchanges of memos because it was direct contact and discussion, face-to-face review and update. Mrs. Johnson would call me when she had some thoughts or questions and as I said, there were occasions when I would go over to the residence and give her an update. So she was totally apprised, step by step, really almost hour by hour.

G: One of the memos reflected how much she had riding on this legislation in terms of her own prestige, the fact that she had come out so strongly in favor of it. Did this mean that if a bill had not been passed that it would have damaged her image or her prestige?

O: I don't think so. It would have been, obviously, very disappointing to her. She certainly was a significant plus factor in those years in Washington and extremely well thought of bipartisanly. So that would not have adversely affected her image, if something went awry

in legislating. However, it didn't hurt to indicate, subtly, by fleeting reference that people who might contemplate opposing this legislation or unduly amending it could be adversely affecting her image.

G: Was there some political fallout as a result of this issue? Did she herself become more vulnerable to critics? I know, for example, there were a lot of attacks on her at--

O: A lot of the fellows just found it difficult to take this seriously. Beautification wasn't quite their cup of tea. As for the emphasis we were placing on it, I think some on the Hill felt that we were overplaying this. In terms of its importance on a scale re the Great Society, it wouldn't weigh that heavily, perhaps. Then some of the pundits and cartoonists decided they could have a little fun with it. But it was not mean or vicious. There were touches here and there, and there was a widespread recognition that this was Lady Bird's bill. There was an assumption on the part of some that the President would not have been as strongly committed except for his wife. So that was there, but the fact that this was her bill, that this was her baby, was accepted in good spirits. There wasn't any meanness. As I say, there was a little humor injected into it on the part of media, but it was passing in the night. Maybe there are things that occurred that I would consider not of any great significance, but if you're the target you might have taken it more seriously.

The billboard industry, of course, was awfully concerned. That industry can wield some power and would be heavily financed. The industry had not paid any attention to what would enhance the environment or those elements of unsightliness. It was of no great interest to them; they were business people, in some instances large companies that were very profitable. There was great concern about the encroachment of government and the restrictions that might flow if this federal program came into effect.

You had what was watered down during the course of the bill: impositions of penalties on states for noncompliance; highway funds would be withheld under certain circumstances. "Obviously it would be nice if the highways were more attractive, if the unsightliness of billboards was eliminated or reduced significantly, and junkyards were closed out so they weren't eyesores," all of that would have been pretty hard to argue. But then it got to the bottom line: how was it going to economically affect the billboard industry; how difficult would it be for the states to comply, and how severe were the penalties for noncompliance? All that became part of the debate and went into the drafting of the legislation on the Hill. At one point, we had a time frame that provided for 100 per cent withholding of highway funds under certain circumstances. Well, that was a pretty harsh action and that was reduced.

What was undertaken was to water down to some extent the penalties and time frame restrictions. Beyond that there was a provision for some degree of compensation to closing off junkyards. But that's just part of the process. What you had was a First Lady who was sick to death of this sort of thing and her view was shared by many. She was far from being alone in her concerns. There was agreement, particularly among many women's groups and local organizations across the country, that some meaningful action

take place. I don't know what kind of a priority this legislation would have had, or if indeed there would have been full pressure to bringing it into being, if there hadn't been this deep and abiding involvement of the First Lady. Clearly, that represented a different situation than you normally had in legislative battle.

G: There was also the issue of compromising on the commercial and industrial zones, advertising in those areas designated as--

O: That again, you could make an argument--are you going to try to beautify some highway somewhere and plant flowers or build attractive fencing around junkyards in a highly industrialized area? How far were you going and how deeply involved were you going to become? So you made an effort in the drafting to establish certain zones this didn't apply to.

G: Roadside councils seemed distressed that some of these concessions had been made.

O: Yes. Well, go back to the penalty provision in the original concept. This is an area where a lot of people were committed, concerned, dedicated, and you're dealing in the real world. Inevitably you're in the situation where some areas of compromise are distressing to the staunch advocates, and they don't quite understand. When you water down the penalty side or provide exempt zones, those actions take away from the original concept. People wedded to a concept of course want the 100 per cent pure, clean concept retained. And they're not focused on the art-of-the-possible realities that go into legislating, or some of the political realities that have to be considered.

What you hope is that the end result is something that you can be proud of, is very meaningful. Mrs. Johnson would recognize as this moved on there were certain changes that did not go to the heart of the concept that you had to anticipate. You hoped it would be limited and minimized, and it was in this bill. Then you come out at the end with a strong bill that will be a solid starting point to a meaningful program. And I know she was personally pleased with the end result and very happy with the package as a whole.

G: Do you think you could have gotten a stronger bill, in retrospect?

O: I suppose you always say that. I think that the lobbying effort had some impact. Invariably there is some degree of impact on the part of organized private-sector lobbying. Then you get to the quirks, some that you can't anticipate. You can run into a member or members sometimes who have a particular hang-up, which you could never have anticipated, and [who] become very adamant. You have to make determinations. That's part of the day-to-day operation of congressional relations, and certainly it's part of the day-to-day relationship with the Congress. That's, in the final analysis, exactly the pattern that's followed in every legislative proposal. It is a rarity to have word-for-word to the last comma through the process. A minimal amount of adjusting is much closer to perfection than probably an outside observer would think. I would find it hard to conceive of a proposal that would be so widely embraced, unanimously supported, that would not

therefore entail the change of a phrase or a word and it came back exactly the way it was presented. That's not the real world.

In retrospect, this was carving out an entirely new avenue of governmental involvement at the federal level. And I think that we did extremely well. I don't care what bill it was, significant or insignificant, there was always a lot of interest from some quarter or another, whether it was national interest or regional interest or self-serving interest. There are a lot of single-issue advocates in the country. There's one action they want to see brought about, and they're not interested in how it might relate to anything else. Obviously we were at all times subject to some degree of complaint and negativity. We were too weak or we compromised too much.

As we've said often through these interviews, what are you talking about? You're talking about the ability to compromise, favoring your side at all times, and you're talking about the art of the possible. How many times did we go to the Hill over those years where you have to come to the decision that you're not going to accept that degree of compromise? You'd rather not have legislation. I guess you'd receive accolades from the people in the areas of interest in that legislation. They'd say, "That's a sign of real courage." But is that the real world? How often did we have legislation come down and say, "Okay, we've had to compromise; it's probably, if you can put a statistic on it, 60 per cent of the proposal, we've lost 40 per cent along the route." Are you going to accept that 60 per cent or say, "We're just not going to accept that. That isn't what we proposed," and then forget it and we'll be back again next year? You're going to be back again next year, but you're going to take that 60 per cent, or half a loaf, or whatever it is, and you're going to store it. You at that moment are contemplating how you're going to get the other 40 per cent in some way at some other time.

G: Was anything done in an effort to strengthen the bill after it was enacted, in subsequent years?

O: There was the usual attempt to underwrite the cost factors and try to expand our investment in the program.

G: Was there a sensitivity to using the highway trust fund to help underwrite--?

O: Oh, yes. I think that probably, in the final analysis, elicited more concern than any other aspect of the bill. There were some strong views in that regard.

G: What was the basis?

O: Well, I guess they said, "Wait a minute. You're now encroaching on the highway trust fund, into something that the highway trust fund was not created for." I believe Wilbur Mills and others had some strong views in that regard. What we were caught with was if you could not break into the highway trust fund, then you were faced with the creation of something entirely new, which would involve additional taxes in some way--maybe taxes

that would be paid in some form by the industry, the billboard industry and others. From our point of view, obviously, the easier road, the more realistic road was to tie into something already in existence, and we felt we had a valid argument. And I think it was a valid argument. You're talking about highway beautification. Why wouldn't that be something that would be financially assisted through the highway fund? Why not? And it was pretty hard, I think, for those opposed to make a very meaningful argument.

G: What was Bill Moyers' role in this?

O: He was directly and personally involved in this throughout. I think Mrs. Johnson looked to him for advice and counsel. He was very much a participant, and I say very much a participant because that wouldn't have been his normal activity.

G: How about Walter Reuther? Do you recall his efforts?

O: Walter Reuther, highways, cars--it was appropriate that his interest be enlisted. Walter Reuther was broadly gauged in his interests, and Walter, from my experience with him throughout those years, was a fellow with broad vision, and was in many ways a very unusual labor leader. Walter did not confine himself solely to the direct interests of his constituency. He was a broadly-based American, a highly-visible leader.

G: Your weekly legislative reports for a long period of time during this session indicate a real uphill battle on this bill. You use the terms "remote," and indicate that chances of passage are not looking good. What happened to change that?

O: Mrs. Johnson.

G: Really?

O: I think to a great extent the degree of interest she had. I have to seriously doubt that this would have turned out as it did without Mrs. Johnson's deep involvement. If you look at it in the context of a massive legislative program, you look at a rather unique package. You're going to beautify the highways of America; you're going to avoid eye contact with junkyards. That's pretty esoteric. That isn't something that really grabs a lot of people. It isn't pleasant to drive along the interstate highway and see billboards, but in the final analysis, to go to the mat over this, particularly if you're talking about additional expenditures, about adding another layer on bureaucracy, why? How does this affect the lives of people? It doesn't contribute to education, to health, to social progress, all of these broad areas that we were engaged in. It's pretty hard to place this at a high level of priority. So the result in the initial stages was not purposeful foot-dragging; it was a yawn. Our plate is overflowing up here. That, I'm sure, is reflected in my memos as we went along, and I, undoubtedly, focused more attention on this than I normally would have as an item in the overall package.

I was more concerned about the timetable and progress than I probably would

have been in a comparable bill that would be fairly low on your priority list. You'd be on top of it, but if you're in the midst of education or health legislation or what have you, you're not giving equal time.

Now in this instance, the degree of involvement of the President and First Lady was not due to the substance. It did not have the overriding national impact that you would attribute to other legislation, so you did have to prod and prod. You also had a sensitivity to her and her interests, and I'll candidly say so. So I'm sure that time and effort I put in and others put in was well beyond what would have been normal.

G: You had a close vote in the House Rules Committee; [they] voted it out seven to six. Anything in particular that you recall on that?

O: No.

G: You had a note here on the need to make peace with Ed Edmondson. Apparently there was a feeling that he was being pressured too much, and there was a comment, "We need his help more than his vote."

O: I don't remember the details of it, but I was trying to relate it to Oklahoma, relate it probably to some pressures exerted that perhaps were excessive. If I said there was a need, then something had occurred that I wasn't pleased with.

End of Tape 2 of 2 and Interview XII