

**ORAL HISTORY OF  
HARRY C. MCPHERSON, JR. - SIXTH INTERVIEW  
FEBRUARY 24,2003**

It is Monday, February 24,2003. This is the sixth day of our interview process.

Mr. Vanderstar: We left off with Harry McPherson leaving Texas and coming to Washington to be assistant counsel of the Senate Democratic Policy Committee. And your starting salary was \$4,600.

Mr. McPherson: \$4,600.

Mr. Vanderstar: College educated and law school, years of service, and so on.

Mr. McPherson: (laughter) Yes.

Mr. Vanderstar: Is there still a Democratic Senate Democratic Policy Committee?

Mr. McPherson: There is. It is not quite what it was when I went to work for it. In those days, it was chaired by the Senate majority leader. It isn't now.

The members of it were what Lyndon Johnson, my boss, called "whales." I once asked him whether we were going to have any luck passing the Civil Rights Act in 1963, and I said, "A lot of these fellows have been speaking up about it, including a couple of surprising people. I'm beginning to get my hopes up about it." And Johnson just shook his head and looked at me as if I were too dumb to spend any time with, and he said, "The minnows. We've got a lot of the minnows, but we don't have any of the whales." The whales were the people, using another metaphor, who were the dukes; if Johnson was king, they were the top nobility, the people who represented substantial parts of the Senate. Richard Russell, the South; Lister Hill, the South. The South had 10 of the 13 major committee chairmanships, and Hill was a

nationally-oriented senator except in civil rights terms, as Russell was. Warren Magnuson, the Pacific Northwest; Clinton Anderson, the Southwest; Hubert Humphrey, the liberal representing that part of the Senate. They were the main fellows, and when they gave their okay to move ahead with legislation, that was a pretty good sign. At least the senior figures in the majority party were prepared to do that.

Mr. Vanderstar: Were the whales on the Policy Committee or was it all the Democrats?

Mr. McPherson: No. The whales pretty much constituted the Policy Committee.

Mr. Vanderstar: Okay. So this is different from the caucus, the Democratic caucus?

Mr. McPherson: The caucus is everybody. The Policy Committee, as I tried to explain within indifferent success in my book, *A Political Education*, was an idea of political scientists in the '40s who thought that the Senate suffered from not having something of an ideological bent, that it would be better if ideas could be raised for Senate consideration and debated on ideological grounds, so that it wouldn't be just a back-scratching enterprise, a pork barrel enterprise, but would be one in which the country would see these big issues debated.

So the idea was to have a policy committee that would put the stamp of the leadership on various programs and say, "This is what we Democrats are for." It didn't really work out that way. By the time Johnson became majority leader and chairman of the Policy Committee, it really was the leaders of the Senate meeting a couple of times a month to talk about legislation that was working its way out of committee or already reported—to try to decide what made sense to take up and consider and pass. There were certainly differences, but unless

somebody just made an all-out personal appeal, most bills didn't get blocked in the Policy Committee. The committee would either decide to let some bill have its day or would decide there were too many problems for the Democratic Party—the party in the scheduling role of legislation—in bringing a bill up because it would expose too much hostility between parts of the party.

Mr. Vanderstar: Okay. So this really was policy in a sense of the word, I mean the title wasn't—

Mr. McPherson: A kind of practical sense.

Mr. Vanderstar: Yes, political policy, in fact. You referred to your book. Let me right now put on the record, this is very important to this series, you wrote a book called *A Political Education*, subtitled, “A Washington Memoir.” That was published in 1972, then in 1988 you wrote a postscript and it was republished, and then in 1995 you wrote a new preface and it was published again by the University of Texas Press, And that's available for anyone to read. I must say, a very interesting book. I bought it this summer in Asheville, North Carolina, in a bookstore called Malaprop's.

Mr. McPherson: An appropriate name.

Mr. Vanderstar: And it cost me \$19.95 plus tax.

Mr. McPherson: Oh. (laughter)

Mr. Vanderstar: Money well spent.

Mr. McPherson: (laughter) Nice to know about Malaprop's.

Mr. Vanderstar: Yes. That's a book that we'll probably refer to from time to time, but, as I've indicated, it's not my purpose to go through the book because it's already 400 and some-odd pages of printed text, and we don't need to go through that. It does describe your

work at the Senate from '56 until '63. So you stayed at the Senate even though Senator Johnson had become vice president and then, of course, president.

Mr. McPherson: I did, working still as counsel to the Policy Committee and then as counsel to the new majority leader, Mike Mansfield, and the majority whip, Hubert Humphrey. Mansfield asked me to remain with him, and I did.

There was nothing for me to do, really, for Lyndon Johnson as vice president. He didn't really need a counsel in the role that I had grown into. So I went with Mansfield. I thought maybe, with John Kennedy being elected president and knowing a number of the people around him, I should probably do what others did and at least consider working in the executive branch in the Kennedy administration.

So I went down to see a fellow named Ralph Dungan, who was a very good-natured fellow that I had known for several years when he worked for Kennedy in the Senate. Now he was doing personnel picking at a certain level; he wasn't looking for cabinet officers. He was very positive, and I was considered okay by the Kennedy people. I'd known them on the Hill and had been around them a good deal, and a lot of my interests as a staffer and as a person ranged beyond, I should say, the conventional interests of a young Texas lawyer working for Lyndon Johnson.

I got involved in a number of seminars in arms control. I got to know Leo Szilard, the physicist, who was conducting a kind of physicists' political seminar in which he was the main student, so it seemed to me. He thought that senators would respond to shrewd political advice that would encourage them to back strong measures of arms control. Szilard had been one of the fellows, along with Einstein and Fermi, who had persuaded FDR to launch the Manhattan Project. After the war he decided that once was enough, that the United States had to

lead the way toward an arms control regime. He, with the counsel of several people who knew a lot about arms control, picked out a few people on the Hill who had politically significant staff roles and who were thought to be capable of understanding these arguments and of perhaps talking to their bosses in a way that would do the country good. I was one of those that they picked. So I spent a fair amount of time with Szilard, Hans Morgenthau, a number of other scientists, political scientists, political theoreticians, who hoped to educate me sufficiently so that I would educate LBJ and subsequently Mike Mansfield.

I had an interest in the arts. I had an interest in theoretical politics and well as practical politics, and I got to know a number of people in New York, Boston and Washington who taught at Harvard, Yale and Columbia, and others who belonged to the business-political-social world of New York. How these things happen would require more time than we should spend on it here, but I became a person of interest to a number of people in the financial and big business worlds as well as in the universities, simply because I had a job in the Congress that got me right into the middle of the room and allowed me to write memoranda—some of them half a page, some of them 30 pages—addressed to people in power.

I was somebody that these people could talk to each other about. “Well, I was talking to Harry McPherson about this, and you know he works for Lyndon Johnson,” “Yes, I was also talking to him just the other day,” and so on. (laughter) What it all amounted to, I don’t know. I had a lot of fun because I was learning for the first time something about the business world and the academic world, those large east Coast universes that are outside the orbit of Washington politics.

Mr. Vanderstar: Well, that stimulates a bunch of questions, so let me try this one on you. You were a staff lawyer at the U.S. Senate; you worked for Lyndon Johnson but you

were employed by the United States Senate.

Mr. McPherson: Right.

Mr. Vanderstar: And you are writing memos of a half page up to **30** pages about issues and so on. Was that all considered to be private to Senator Johnson, to the committee, to whatever group, or was it material that could have been exposed outside of the Senate?

Mr. McPherson: Good question. I think at the beginning it was particular to Johnson. It was unlikely that he would show it to anybody. It wouldn't matter that Harry McPherson had written something that took a particular view.

But one time in the late '50s Eisenhower nominated Admiral Lewis Strauss to be secretary of commerce. Strauss had chaired the Atomic Energy Commission, and in doing so he had run afoul, to put it mildly, of Senator Clinton Anderson of New Mexico, who despised Admiral Strauss. I can't even remember what the issues were between them. The nomination came down. Eisenhower was very popular. It took a lot of thought for Lyndon Johnson to decide whether to attack a cabinet nominee of Eisenhower's, especially a nominee who was a man of high reputation and standing in the national community. At the same time, he sure as hell didn't want to get on the wrong side of his friend Clinton Anderson and the others who felt pretty much as Anderson did.

He asked me and a colleague of mine, an extremely intelligent young Texas lawyer whom he had brought up to work with me, a fellow named Jim Wilson from the law firm in Austin of McGuiness, Lockridge & Kilgore — years later general counsel at Brown & Root, and still one of my best friends in life. He asked me and Jim to write a paper. He said, "I want it to be well balanced. I want you to tell me all the pros and then I want you to tell me all the cons and I want you to really research this thing. It's got to be right, both sides, pros and cons. Don't

you let there be a sentence in there that can be challenged for accuracy. You can draw conclusions, that's fine, but let there not be anything in there that's not right."

We researched Strauss' career and produced about a 20-page memorandum, about half and half, pros and cons. We wondered what on earth happened to it until the day the vote came. I remember it was a fascinating vote, extremely close. Johnson had, as usual, his tally sheet with his markings that he had made before the vote, how he thought it would go. I remember Margaret Chase Smith of Maine, whom Johnson shamelessly courted throughout her period as a senator. (laughter) When the clerk said, "Mrs. Smith," she said, "No." I can still hear the very loud "God damn!" of ~~Barry~~ Goldwater.

Mr. Vanderstar: Oh, my. (laughter)

Mr. McPherson: You could hear it all the way up in the gallery. He was so astounded. Well, Strauss was beaten. That afternoon, Jim and I got the memo back. It said, "You boys get an A+." I spoke a week or so later to Mary Margaret Wiley, Johnson's secretary, who's now Mary Margaret Valenti, the wife of Jack Valenti.

Mr. Vanderstar: Oh, yes.

Mr. McPherson: I said, "Jim and I were really thrilled to get that back." She said, "You should have seen him use it. He read the pros to the people against Strauss, and he'd say, 'Now, this is what my lawyers tell me, and you want me to go against this fellow when my lawyers are telling me . . .'" And he'd only read them the pros. (laughter). And then the other guys, when the pro-Strauss people would come to see him, Johnson would read them the cons. "How can you support a man like this? This is what my lawyers tell me." (laughter)

Mr. Vanderstar: That's pretty vintage LBJ, isn't it?

Mr. McPherson: Vintage. And when you asked me whether these memos got

made public, yes they did.

Later on, the longer I worked for him and then worked for Mansfield, I became well enough known so that I wrote memos, many of them, with an understanding that they probably would be shared with a number of people. Not all of them, but I would doubt if anywhere on any of the memos I wrote then or in the White House, curiously, you would find anything like "For the president's eyes only" or whatever. I just assumed that whoever got hold of them, Johnson or Mansfield or someone with whom they were speaking, would have sense enough to treat them as confidential memoranda. But I didn't seek to wall them off from other readers.

Mr. Vanderstar: You left that to the recipient.

Here's another aspect of the same question. Did you ever make speeches or write articles for public consumption? Did you write Op-Ed pieces or articles for the *Atlantic Monthly* or whatever?

Mr. McPherson: A few.

Mr. Vanderstar: This is while you are working at the Senate?

Mr. McPherson: Yes, while I was working there.

As you and I discussed in earlier sessions, I had gotten interested in the church and in the relationship between politics and religion, the relationship between political ethics and religion, and because I was working in politics and in the room with senior politicians, I guess it gave what I had to say in church groups a certain pizzazz. And I occasionally I would write something for some publication that would reflect my take on that relationship.

Mr. Vanderstar: Your reference to ethics and the church things brings to mind a comment you made one or two sessions ago about a discussion group you were in at St. Mark's

of people who were not necessarily professional people or whatever and that you found that useful. Did that tie into what you were just talking about, ethics and government and so forth?

Mr. McPherson: Yes, I guess it did. In the book, *A Political Education*, I used my experience in chancel drama, in writing and directing and acting in drama with people who might include, in any given play, 10 or 12 people who were car mechanics, housewives, painters—a whole variety of people who had very little to do with the law or with professional life at all, in fact, many people who had no background in literature, to say nothing of drama. But what I found was that in directing them, starting off with very fixed lessons and steps that they might go through to learn how to say a sentence with meaning, after a month or so of my intervention in everything they did—stopping them every five sentences and saying, “Wait, wait,” I was like James Levine with a third-rate orchestra, stopping them after every three bars—after a month or so, I not only didn’t have to do that, they were ready to go forward without me. I remained useful to the extent that I had a role myself and to the extent that I could arrange for the pot-luck supper to be served on time, but as far as the rhythm and the music of the play went, they got it. They read it themselves, and it struck me—a point that I was trying to make in the book—is that this was like something the way a democracy ought to work, that you have a leader who sets the general course but whose main function is to empower, to liberate people and give them a sense of how to do something, which they then do without being told at every step how to do it. They are free persons exercising free will and doing it with skill and force.

Mr. Vanderstar: Well, I guess a lot of people would say that one of the primary points to education is to accomplish that with people.

Mr. McPherson: Exactly.

Mr. Vanderstar: And you were engaging in an educational process.

In dealing with people in the church, did you have occasion to talk with them, to get their views about such things as ethics and politics? Your book, at least one chapter, is pretty much about the whole notion of can you really have ethics in political life, and it is a very intriguing question. Did you get into that sort of thing on any scale?

Mr. McPherson: Yes, I did. There was at least one diocesan meeting, and at least in a number of churches groups were convened for the purpose of talking about the significance of religious belief to contemporary issues. I can't tell you much about it except that I recall speaking extemporaneously about these issues.

I found many people who went to church a lot, and made a big thing of their faith, often less impressive as moral guides than people who showed no particular formal attachment to religion, but seemed to be thoroughly involved, engrossed, in issues in a way that I thought gave their expression a religious cast. When you think of ethical issues—I think I recited a simple one one time in a debate on a foreign aid bill in the Senate: Hubert Humphrey made an impassioned speech about poverty and famine in India, and he called on the Senate to appropriate a few million dollars to enable a couple of hospital ships to anchor off the coast of India; from there they would send physicians and medical teams to vaccinate people and to treat people with various diseases. Like almost everything Humphrey ever said, it was enormously thoughtful and passionate in its commitment to a human goal. Bill Fulbright got up right after Humphrey finished. He was the chairman of the Foreign Relations Committee. He paid tribute to Humphrey for the passion of his speech, and he said, "I'm afraid that if we kept many millions of Indians alive, we would worsen the population pressures on the rest of them. It would become not a benefit to the people of India but a bane to them. Until India and the world can get

a grip on overpopulation, we cannot, we should not, in my view, intervene to” —well, I guess he didn’t put it quite this way although knowing Fulbright maybe he would have—“interrupt the course of nature that levels out the population spike to some more manageable degree.”

Mr. Vanderstar: My goodness.

Mr. McPherson: The fact that they debated in those terms struck me as dealing with ethical and moral issues.

Mr. Vanderstar: The overcrowded lifeboat issue.

Mr. McPherson: Yes, absolutely.

Mr. Vanderstar: Let me go back to an aspect of your work that I don’t think you talked about in the book. I was asking you about whether memos you wrote were for private consumption, and you said you left it to the recipient to decide how widely to distribute things, if at all. One the words that everybody knows now who lives in Washington is the word “leak” and there are a lot of viewpoints about that. Some people call it the “bureaucrats’ revenge” and others call it “active extreme disloyalty” and we sometimes accuse people of violating criminal laws. Did people leak things, did people talk about leaking things, did reporters get access to people in power and get confidential information that perhaps they shouldn’t have? Could you just talk about that subject? That could be a whole seminar for Marvin Kalb or somebody, but for now, just give me your thoughts.

Mr. McPherson: Of course, the answer is Yes, they did. I have the feeling that they either didn’t get leaks then at the rate they get them now, or the game wasn’t played quite the way it is today, or they simply got the leaks and didn’t use them as they would today. You had the impression that the professional news reporters of that time understood discretion. The *Washington Post* correspondent covering government, Eddie Folliard, I can’t remember who

covered the Senate.

Mr. Vanderstar: Chalmers Roberts?

Mr. McPherson: Chal Roberts; Samuel Schaffer of Newsweek; Russell Baker who was covering the—

I have to interrupt and tell a wonderful story. It's bad for the sequence, but it's too good to forget. Russell Baker one day was walking through the halls outside the Senate Chamber. Vice President Johnson burst out of an elevator and he saw Russ and said, "Come on in here, come on it, let's talk." He said, "I've just been to the zoo. It's really been interesting. I'm on the board, you know, of the Smithsonian and had an interesting meeting about the Zoo." And Russ shook his head, imagining Lyndon Johnson coming back from a meeting at the Zoo (laughter).

And Johnson, after they got in Johnson's office right off the Senate Chamber, started to rave about the administration's failure to use him as a lobbyist and as an effective force in the Senate. He said, "You know, I don't know why this is, I just can't"—of course he knew as well as anybody else—"but it's just terrible that they'd lost all these votes" and mentioned several votes that the administration had lost. He then hit the buzzer and his secretary, Ashton Thornhill in those days, came in. Johnson, while talking to Russ, very rapidly wrote something on a piece of paper and shoved it at her, and she leaned over and wrote something on it and gave it back. Johnson shoved it back to her and just kept talking. She walked out with it.

He went on for another 10 or 15 minutes using Russ Baker as a sounding board for all his gripes about Bobby and Jack and the Kennedy crowd. When Russ was leaving—he knew Ashton Thornhill very well—he just thought it would be interesting, so he went over to her and said, "What was he writing? What kind of a message was he writing to you?" And she

reached over into the trashcan and pulled it out and pushed back this rumbled up thing that said “Who is this I’m talking to?” (laughter)

Mr. Vanderstar: Oh, dear. That might have been best left unsaid. (laughter)

Mr. McPherson: Anyway, the pros up there like Phil Potter of the *Baltimore Sun* did not seem to play Gotcha! **as** much **as** they do today. The advocates of today’s journalism would say that they were all tame kittens, like Scotty Reston, about whom a book was recently published that makes him seem as if he was a guy who always gave the people in power what they wanted—that they were all that way. I thought on the contrary that it was a pretty good relationship. You could share things with people without feeling that they were going to abuse what you told them.

All this time I’ve not spoken about a character on the staff level who was vastly more involved with the politics and personalities of the Senate than I was. His name was Bobby Baker

Mr. Vanderstar: Oh, yes.

Mr. McPherson: He was the secretary of the majority, secretary of the Democrats. He was a raffish character. From South Carolina, extremely smart. Bobby had figured out at a fairly early period something that I did not figure out until about 20 years; this will truly sound like you are talking to the ultimate simpleton. Bobby figured out that the key to everything in politics was money, campaign contributions. Occasionally I’d get a whiff of this, but I had nothing like Bobby’s profound involvement in raising money from wealthy people and businesses.

As I became a go-to guy on legislation, Bobby was the go-to guy for getting reelected and getting people to commit campaign funds. He had less to do with the shaping of

legislation than he had had in earlier years. I would on occasion be asked to go to lunch in his office with him and some big potential giver of campaign contributions, and I would be asked to talk about what was going on with respect to the legislative scene. This helped Bobby in his dealings with such people.

Mr. Vanderstar: So people got the inside word from inside.

Mr. McPherson: Yes, and when I left the room, Bobby would talk to them about who needed help and how to make friends on the Democratic side.

Mr. Vanderstar: Okay, and those are good stories, but let me go back to question of the relationship with the press. It wouldn't have surprised me if you written in your book that you as a counsel to the Senate Democratic Policy Committee had regular sessions with key journalists to keep them abreast of what the thinking was—to the extent you were free to reveal it—of the committee or to alert them to what was coming up so they could bone up and be ready for it or anything of that sort. What's the story on that?

Mr. McPherson: I guess when I became well enough known on that job I did talk with a lot of reporters. These weren't regularly scheduled events. There's a Senate dining room in the Capitol, and next to it there's a place where ordinary citizens go for meals, and in the years before it was possible for staffers to go into the Senate dining room. I would have coffee with reporters in there. Occasionally a senator like Gene McCarthy, who liked to be with reporters and tell stories, would come join us. Everybody would have a good time talking about the issue of the day. I made myself available for conversation with reporters there, on the phone, and on social occasions in the evenings. I was always worried that I would say something that Lyndon Johnson did not want said.

There was working for him, in addition to me after Gerry Siegel left, a press

secretary and writer named George Reedy, who became Johnson's first press secretary after he became president, the first one that he appointed after Pierre Salinger left. Reedy was a former United Press reporter, a former whiz kid, literally, one of the original radio Whiz Kids (laughter) of way back, a very bright man who was really taken with Lyndon Johnson and who conveyed great stories about Johnson to his reporter friends, usually at an Italian joint over near the Florida Avenue market in Northeast, near the wholesale produce market. George would go over after eight o'clock at night and have three or four martinis and talk to reporters. A lot of them thought the world of George. He would lay out the grand scheme that Lyndon Johnson had in mind, and it would always be one that was extremely reasonable, extremely fair, commonsensical, straight down the middle. That was the Lyndon Johnson of the late 1950s, and it's a very different Lyndon Johnson that had to emerge in the '60s, after Kennedy's assassination. George found the aggressive liberal Johnson very difficult to articulate. He really was the centrist, he was the Senate leader's centrist spokesman with the press. The guy who did not shake the foundations. Even when Johnson went after the Civil Rights Act in 1957, it was Reedy's task to cause the press to see that as the centrist path between extremists on either side.

Mr. Vanderstar: Okay. Now, so Reedy was being—I don't want to overload the word—but used by Senator Johnson as a vehicle for educating the public through the journalists about whatever he was trying to get across.

Mr. McPherson: Very much.

Mr. Vanderstar: Where you ever used in that way, in a different capacity?

Mr. McPherson: Not often. A couple of times in 1960, when we had controversial matters in which Johnson wanted to come out right in the public eye, he saw I had a number of friends in journalism and the press. He asked me to get them to see things his way.

Usually he wanted them to understand why things couldn't get done. I tried, but I don't think I had a lot of success.

Mr. Vanderstar: Were you a source for journalists of stories about disagreements within the Policy Committee or tensions within the Policy Committee or did you try to adopt a vanilla approach to reporting on what was happening?

Mr. McPherson: I wouldn't have talked about that. It would have made the fellows within the Policy Committee suspicious of one another. They would have figured somebody had to be doing that, and the only staffers at their working luncheons were me, Bobby Baker, and the secretary of the Senate, Skeeter Johnston.

Mr. Vanderstar: Let me ask you now just to summarize what you did for the Policy Committee, what was your job, how did you carry out the work?

Mr. McPherson: I started right out of law school. I was given the responsibility for what was called the Calendar Committee. Once every two or three weeks the Senate calendar would build up a whole lot of bills that had been reported out of committee but not scheduled for debate. Many of them were private bills or bills of very limited scope. There was a Calendar Committee that was supposed to be briefed by a counsel, me, about each of these bills.

Mr. Vanderstar: The Calendar Committee was a committee of senators?

Mr. McPherson: Of senators. They were all freshmen. This was not a duty that you sought out, it was a chore. Still it was a good way for them to learn about the Senate. I must say that the committees that I served in those early years were terrific. I learned a lot about the Senate and came to be on good terms with a number of senators. Ed Muskie, Phil Hart, Herman Talmadge, Joe Clark, Sam Ervin.

On the morning of the appointed day for a calendar call, I would show up in the Democratic lobby off the floor with my books—big notebooks of bills and reports for each one of these guys. These were hard to carry sometimes—200 or 300 bills and committee reports in each one. And I read them all. I think this is really not the case today because I don't believe that private claim bills and immigration bills and things like that for individuals are considered by the Senate any more. These were cases where, for example, immigration law would bar somebody from remaining in the U.S., would require his or her deportation, or would not allow a family to join someone already in the States. It would not allow a brain-damaged child to be brought in to live with family. This would be someone, let's say, with profound mental disabilities, perhaps hereditary.

Senator Al Gore, Sr. of Tennessee, a state with quite a lot of such people up in the mountains, had a standing rule that he objected to any bill that would allow a person to immigrate into the United States who was mentally disabled. It was a tough thing for him to say.

Senator Wayne Morse had a standing request that the Calendar Committee object to any bill which granted property to a person or a state or a city, a town, township, without payment of fair market value for the property. There might be some winning argument for the federal government turning over the property to an individual or a local community, but Morse had gotten involved in a fight over one such matter one time and had decided that, by God, "The federal government should get paid for whatever, it doesn't matter whether there's a plausible case for doing it. That's fine, I'm not against that, but I just want the government to be paid the fair market value."

There were quite a number of senators who had these particular interests. I would go over every one of these bills, including some very substantial bills that were general law

instead of individual particular relief matters, with my two or three members of the Calendar Committee.

Mr. Vanderstar: Are you saying every bill that was going to go out on the Senate floor you went through?

Mr. McPherson: Except for the really big bills — appropriations, authorizations, yes.

And I learned to do it rapidly. I'd say, "The next five bills have no issues in them." After half a year of doing this, I got a feel for how this stuff went, so if I had questions about a bill, either private relief or private claim bill, I would call the committee staff before the day of the calendar call and ask some questions about it. And if I still had questions, I would say, "No. 1244, here, would do so-and-so, and it doesn't seem to me that it makes much sense, and it's the view of the General Accounting Office, the view of Interior Department or whatever, that this is not a good deal for the government. I think it ought to be objected to until somebody can show us a better reason for doing it."

Mr. Vanderstar: You would say this to the Calendar Committee?

Mr. McPherson: Yes, and they would say "okay" much of the time, unless some fellow senator had spoken to them beforehand on behalf of the bill. We spent a couple of hours at this review, and then we'd go on the floor. After the morning business was over we'd have calendar call. The clerk of the Senate would rattle off in a machine-gun fashion (loud voice) "Calendar 1254, Senate 21 14, a bill for the relief of John Vanderstar. Without objection the bill's passed. Calendar 1245 —" and so on, like a tobacco auction. (laughter)

Mr. Vanderstar: And you were listening carefully to this.

Mr. McPherson: Oh, yes. Usually I had several days' notice before all this

would happen. My phone would ring quite a lot in my little office — staffers calling me, saying, “My boss wants to object to so-and-so.” Frequently, bills would be reported out of committee over the objection of some senator. He still didn’t like it; he wasn’t going to throw his body in front of it but he sure as hell was going to object to unanimous consent passage. At the end of a session of maybe a couple hours on the floor, the Senate would have passed 150,200 bills.

When the clerk called the Civil Rights Bill, the Defense Appropriations Bill and so on, one of the Calendar Committee senators would just object to it.

Mr. Vanderstar: Would all the bills all be called?

Mr. McPherson: They would all be called, the numbers would be called and one of the senators on the committee would say, “Objection.”

Mr. Vanderstar: And that defeated unanimous consent.

Mr. McPherson: It defeated unanimous consent and kept it on the calendar. It didn’t harm the bill in any way, it just meant this was not an appropriate bill to pass without debate.

Mr. Vanderstar: Okay.

Mr. McPherson: Sometimes there would be a little debate. Usually the hour before that preparation session, and maybe the hour after the Senate went in but before the calendar call began, was really fun. All kinds of people, including senators, would come to me and say, for instance, ”You know, I don’t object to that bill that would change the speed limit on Indian reservations, but I’m troubled about the Class 4 roads there because there are a lot of people just with wagons, and if you let people drive at 50 miles an hours on those roads, somebody’s going to get hurt. And I’ve talked this over with Dennis Chavez, Senator Chavez, and he says it’s all right, so I’ve got a little amendment here.” He’d give me the amendment and

it would say, "Provided that on Class 4 roads the speed limit shall remain 40 miles an hour." When it came time I had to be ready. When it got called I'd have to shove one of my senators, who would get up and say, "Mr. President, I'm asked by Senator So-and-so to offer the following amendment. My understanding is that the chairman of the committee has said he is amenable to the amendment." The chair would say, "The clerk will report the amendment." "Is there objection?" No objection. "Without objection, the bill as amended is passed." So, we did little legislating.

One day, I remember, we started at 12:30. There were, I don't know what it was, something in the air, in the stars or the sunspots or something, but there must have been 30 senators on the floor and they were all taking part in this calendar call. Many of them said, "Give me an explanation of that bill," and I'd circle stuff in the report and hand it to Muskie or Joe Clark and he'd get up, "Mr. President, this bill does so-and-so." Finally, about four o'clock in the afternoon we hadn't had a bite of lunch, and we were just sitting in a pile of papers and amendments, exhausted. I had a headache and I'm sure everybody else did who had any part of this. We were right down to the very end of the calendar call, when somebody got up and started to make a speech about some little chicken-feed bill. Muskie looked at me and said, "I used to be governor of Maine." (laughter)

Mr. Vanderstar: And now look at me!

Mr. McPherson: Now look at me. I'm sitting here, a former governor, at four o'clock in the afternoon listening to some guy rattle on about something he doesn't know anything about, and I don't care anything about, and I can't leave.

That was my first job.

Mr. Vanderstar: How long were you in that role?

Mr. McPherson: I did it for several years. That was the first thing Gerry Siegel handed to me for me to handle. Then after about a year and a half, he left for Harvard, and I became the guy who went to the Democratic Policy Committee luncheons where I did the same thing—went over bills on the calendar with the committee members.

The most extraordinary difference between politicians then and now is that the guys who were on the Policy Committee then, Russell, Kerr, Magnuson, Anderson, Humphrey, were essentially professional legislators who were not thinking about being on the Sunday talk shows. They loved publicity—I mean, politicians by nature love publicity—but they weren't absolutely riveted on the way they stood any particular day or week in the press and in the polls. They thought their main job was to be a legislator. So, if you were enough of a leader to be put on the Policy Committee, if you were going to be one of the men to whom people would turn for serious legislating, you just kind of assumed that along with that went the chore of going through the whole damn thing.

Of course, these people on the Policy Committee had been in the Senate, by the time I got there, for 25 years, and they were major figures. They didn't need to be taken carefully through each bill, as the freshmen did. At the Policy Committee luncheons I would say that "The next five bills are immigration bills, no problem with them." Or I would say, "One of them has a Gore problem with a mentally impaired child," and I'd just keep going.

Every now and then I would talk about a claim bill that I thought raised an interesting issue. And the fact that I could do that, that I felt that it was all right to do that tells you a lot about them, about the fact that they were legislators.

Sometimes the merits of these bills weren't the only issue. William Jenner of Indiana, one of my least favorite senators, pushed a bill for several years for the Goshen Veneer

Company of Goshen, Indiana. In World War II somebody had the bright idea that we should try to build wooden airplanes. We didn't have enough aluminum and bauxite so we ought to try wooden planes. The Goshen Veneer Company leapt into this and designed and produced planes. The Air Force just said, "Not on your life." And the Goshen Veneer Company, having never been asked by the Air Force to produce anything —this was a self-starter on their part — had tried to get paid for their expenses ever since. It amounted to several hundred thousand dollars, not a giant sum in today's terms, but in those days it was rather hefty. I thought it was a terrible bill and told the members of the committee that, and they thought it was, too. We got to the end of the session and weren't about to take that bill up or to schedule it.

One day Johnson was walking to the floor. By this time I had become his floor counsel. I had to make up a list of things to do every day. I would spend my afternoon the day before and my morning talking to senators' staffs and committee staffs, "Are you ready for this?" "Can you get that amendment ready?" "How long will it take?" Then I would give Johnson a list of bills that could be motioned up.

One day he said, "Put that Goshen thing on there." I said, "The Goshen Veneer bill?" He said, "Yes, that's it. The Jenner bill." I said, "Senator, that's a terrible bill, the Policy Committee's against it, and they've been against it every time." I really got worked up. Johnson said "What's the number of it?" Then on the floor, it's the first bill he calls up. Jenner was over there just smiling, you know, by God he was going to deliver for Goshen, Indiana. On the next bill Johnson said, "Mr. President, there is legislation that would liberalize the immigration laws and would expand the quotas and permit family members and professionals to come in. It will mean about 25,000 to 30,000 new immigrants here. The senator from Indiana has had very serious concerns about this legislation, and he has quite understandably asked that it be held up

for the last several months while he explored it. I'm extremely grateful to him that he has today found it possible to allow us to schedule this bill." (laughter)

Jack Kennedy was in favor of a Mark deWolf Howe-drafted piece of legislation that would remove the loyalty oath requirement from those receiving National Defense Education Act loans. This had become a big civil liberties issue. Every time I put it on the list, Johnson would say, "No, no. I don't want that bill." I came back with it several times more, and Johnson would say with great asperity, "You know, I'm not taking this up. I don't care how many times you put it there, we're not taking it up." Obviously, I thought, he didn't want to help Kennedy because this was 1960 and he was running for president.

Here let me tell a story about the press and H.R. 3. In this period, at the end of the '50s civil rights and anti-communism were hot issues. Judge Smith of Virginia, Howard Smith, the chairman of the powerful House Rules Committee, authored a bill, a tiny little bill, three lines long, known as H.R. 3. What it said was, "No act of Congress shall be construed to indicate an intent by Congress to occupy the field in which the act operates to the exclusion of any state laws on the same subject matter unless the act expressly provides for that effect or there is a direct and positive conflict between the act and the state law so that the two cannot be reconciled or consistently stand together." That would be quite a change in the law of preemption. That bill passed the House because Judge Smith wanted it. We just blocked it for months in the Policy Committee. Finally in one Policy Committee meeting, Johnson said, "We're going to have to take up that H.R. 3 bill."

I'm sure there were five lawyers at Covington & Burling representing as many industries who suddenly realized what this would mean to the industries that had been operating under Federal preemptive laws, for a long time—just imagining what it would be like to have all

the states suddenly licking their chops and getting into the same field.

Johnson said, “Well, we’ve got to give him a chance here. We can beat him.” I tell the story in my book about what went on. That night they were not able to table it. Richard Russell, having spoken for H.R. 3, leaned over Johnson’s shoulder and said, “Lyndon, you’d better adjourn this place. They’re going to pass this goddamn bill.” And Johnson made the motion to adjourn and get out of there and narrowly won the motion to adjourn. It was very unusual for a majority leader not to be able to adjourn the Senate. And he came very close, because there was such a build up of feeling about this. It would be a triumph for the South, for the extreme conservatives, for the states’ righters and all that.

Well, Johnson walked over to Humphrey and said, “I don’t know what happened to you, I can’t imagine what happened to you. You told me you had this thing licked and I just—” and he turned around. All these reporters were crowding around him because they had come down out of the Chamber. He saw Tony Lewis of the *New York Times*, who he knew was certainly the smartest writer when it came to constitutional issues and said, “Come on” and just took him upstairs and started pouring whiskey and talking about how stupid Humphrey was and how stupid Tom Hennings of Missouri was and “if it weren’t for me, this whole thing would be—” and then he started placing calls to people. One of them went down to Brice Harlow, who was with Eisenhower. He said, “Now, you’re going to have to put in a call to Wallace Bennett,” whose son Robert is now in the Senate and who was then in the Senate himself, from Utah. Wallace Bennett had been national chairman of the chamber of commerce. Very conservative guy. He said to Harlow, “You’ve got to call Bennett and get him off this thing. The president’s got to call him or you’ve got to call him and tell him the president wants this bill to be defeated.”

The motion to table the bill had lost the night before 49-41, and the next day

Wallace Bennett made a motion to reconsider the vote on tabling. I don't think that's supposed to be done, but at the moment nobody got up to make a parliamentary objection. Before you knew it, we were reconsidering the motion to table, and it carried. They voted to table H.R. 3. It was dead meat.

Tony Lewis went back to the *Times* office at three or 3:30 in the morning with several belts of whiskey in him and wrote a piece that made Lyndon Johnson seem 20 feet tall. Tony said, "It was the damnedest night I think I've ever spent in my life." Johnson was just relishing picking up the pieces after.

Mr. Vanderstar: I think you told me the other day one of the courses you took at Texas Law School was on legislation.

Mr. McPherson: Yes.

Mr. Vanderstar: I've never taken a course specifically labeled "Legislation." Were there times in your period of time at the Senate when you reflected back on how useful or not useful that course had been?

Mr. McPherson: Certainly, if taught by a really fine scholar with a love for the legislative process, I think you really need to have both of those to do it well. We had a lawyer here who is now the Director of Legislation for the Smithsonian, Nell Yates. She had been counsel of the Senate Budget Committee, and she was one of a handful of people in Washington who understood the Budget Act and how it works. Her expertise became absolutely crucial in a number of matters for clients of ours—whether or not something had been fixed forever, whether it could be undone, whether passage in the Budget Act would make it impossible to deal with it in separate legislation. I never did understand it, still don't. Nell could teach a valuable course in legislation, centering it on the Budget Act.

Mr. Vanderstar: I wanted to ask you about your personal life during this period, so let's take a few more minutes if you don't mind. Let's go back. You and Clay came up here in January of '56. You were on the Senate payroll until '63, and then you went into the executive branch.

Mr. McPherson: Right.

Mr. Vanderstar: Were you married that whole time?

Mr. McPherson: I was and had the first of our two children in 1958, a daughter, and the second one, a son, in '64 when I was in the State Department.

Mr. Vanderstar: And what are their names?

Mr. McPherson: The daughter is named Coco. She was named Courtenay for her aunt, Courtenay Sterner. But she's now Coco McPherson. Peter McPherson is his name.

Mr. Vanderstar: Peter, okay.

There's a woman basketball star from the University of Georgia whose name is Coco. She's one of twins who are both in the professional league. Just thought you ought to know that.

Let's see, you came up here in January '56 and Coco was born in '58. Where did you live?

Mr. McPherson: On two floors of a row house on Capitol Hill—on New Jersey Avenue, S.E., just below the House office buildings. A very nice street, and it was a pleasant enough place. In '60 we bought a house on Sixth Street, S.E., between East Capitol and A Street, S.E. A house that a couple of years after we left it was occupied by an officer of the Metropolitan Police Force named Donald Graham.

Mr. Vanderstar: Donald Graham?

Mr. McPherson: This is the Donald Graham who was the publisher of the *Post*. He was working as a cop for several years to learn something about the city.

Mr. Vanderstar: I didn't know that.

Mr. McPherson: Yes. He and his wife moved into our house.

We lived there for six years, had our son, and one day I just got uncomfortable about living on the Hill with kids. I think it was after the second person was found wandering around in our living room that we'd never seen. So I found a house in Chevy Chase Village, maybe two blocks from Chevy Chase Circle in Maryland. We bought it and lived there.

Mr. Vanderstar: What street was it on?

Mr. McPherson: On West Irving.

Mr. Vanderstar: West Irving, okay. And that was in '66.

Mr. McPherson: '66. And I lived there during the three years of the White House, the last three years of the White House. I was picked up there every day by a White House car. Pretty nifty.

Mr. Vanderstar: When you were living on Capitol Hill, did you walk to work?

Mr. McPherson: Walked to work.

Mr. Vanderstar: Okay. And did you eat your lunch at the Capitol? the Senate cafeteria?

Mr. McPherson: I ate at the Senate, usually at that little restaurant next to the Senate dining room. When I started out, my office was on the third floor of the Capitol Building. If you are driving up Constitution and you start up the hill and you look to the left side of the Capitol on the Senate side, I was in the corner office on the third floor. There were five or six of us in that office, including a wonderful woman named Grace Tully, who had been

FDR's secretary.

Mr. Vanderstar: Sure.

Mr. McPherson: She and I became friends, and she became godmother to my daughter Coco. Clay was a Catholic convert, and we decided that Coco would be baptized and confirmed a Catholic. We needed a good solid Irish Catholic godmother, and that was Grace.

I walked up from New Jersey Avenue past the east front of the Capitol and in to the Senate side of the building, every day. Then the Policy Committee staff was moved to wonderful office space right across a little hall from the old Senate Foreign Relations Committee room. If you walk up a ramp alongside the building so as to go into the Senate wing of the Capitol, you pass right by this splendid office. It was a great big Victorian, elaborately decorated room, right at the bottom of a set of stairs that, taken two at a time, would allow me to get up onto the Senate floor in about 35 seconds when an emergency was on. It's also an office where one could hear the Capitol guides walking by in the summer, when we'd have only a latticed door between us and the hallway. One of them in particular I rejoiced in listening to because he would tell his tour group the most amazing things. This fellow Brumidi had done all these murals in the Capitol, mythical figures, the Spirit of St. Louis, all kinds of things. You would hear this guide occasionally saying, as a hot afternoon wore on and the gum-chewing young people in the group stood vaguely listening to him, "Art critics have told me" (laughter) "that the paintings on these walls may be favorably compared to work of the Eye-talian master Michael Angelo." (laughter)

Mr. Vanderstar: That's wonderful, that's wonderful. Was that the Democratic Policy Committee office?

Mr. McPherson: That was the Policy Committee, yes. The Calendar Committee

didn't really have its own office. I was the Calendar Committee.

Mr. Vanderstar: Okay, where ever you were—

Mr. McPherson: Where ever I was.

Mr. Vanderstar: So, you stayed at the Senate, you didn't leave the Senate when Senator Johnson ran for president.

Mr. McPherson: Right.

Mr. Vanderstar: You didn't work on the campaign.

Mr. McPherson: I didn't. I knew very little about that campaign. I will mention a couple of the funny parts of it. About the time Johnson announced that he would run, somebody in the office—in the so-called Texas office, his regular Senate office as a senator from Texas—typed out and was about to mail a letter to Miss Carmine deSapio (laughter), Tammany Hall, New York, New York. It was a metaphor of the gap between LBJ and national politics.

That reminds me of something about the '60 campaign. It was my chore once a week on Thursday or Friday, whatever the last day of legislating during the week was, to go to Johnson's desk in the Senate and rifle through it and take out of it everything he had stuffed in it during the week. Mainly these were roll call tallies where you'd see what he thought was going to be the vote and then, if there was a difference, you'd see a question mark or some kind of an X where he'd been wrong.

One day, during the early months of 1960, I found a black notebook that said "Indiana" on it. I opened it up and realized that John Kennedy had been sitting there at Johnson's desk while he was managing a bill on the Senate floor and was clearly responsible for it. In such cases Johnson would often invite the senator to come down and occupy his chair and desk because it's the one where someone is most likely to get the attention of the presiding

officer. It's right in the front of the Chamber. Kennedy had come down to manage a labor reform bill.

This book was fascinating. I sat there in the chair reading about county chairman and about labor representatives, about discussions with various people, mayors and so on. This was a report from the team that the Kennedy campaign had sent to Indiana, their report to him about what they needed to do to assure that they would carry the Indiana primary. I started to walk it in to Johnson and say, "Look here, this is what the other side is doing, what your opponent is doing." I thought, "You know, he's not going to do this. This is not going to matter that much and, anyway, it's dirty pool. I shouldn't be doing this." You can tell what a lousy political operator I was for me to think it's dirty pool (laughter) to have something like this fall in your hands, not because you've stolen it from his office but because the senator, the candidate left it behind. So I just gave it to a page and said, "Take this to Kennedy's office."

Mr. Vanderstar: Did you ever get credit for returning it?

Mr. McPherson: I don't think so. (laughter)

Mr. Vanderstar: I was wondering when you were mentioning that the Kennedy people were not interested in hiring you for the executive branch they might have—

Mr. McPherson: Well, I didn't really finish that story. I went to see Ralph Dungan and he said, "What are you interested in?" For some reason, the question struck me as totally baffling. I didn't know, I guess I thought he was going to say, "How would you like to be this or that?"

Mr. Vanderstar: Yes. I can imagine somebody in that operation saying, "We don't want one of Johnson's people over here. We've got Johnson, that's enough."

Mr. McPherson: (laughter) I guess that would be bad enough. Maybe so. By

that time I was counsel to Mansfield, and they wanted to have good relations with Mansfield, so it probably did not strike them as a brilliant idea to take his counsel away from him. It might have been an interesting discussion, anyway, if I had had something in my mind, if I had thought —

Mr. Vanderstar: Like arms control, for example.

Mr. McPherson: Yes. Some issue, some job that I might have been reasonably qualified for. Didn't work.

Mr. Vanderstar: Had Mansfield been on the Policy Committee?

Mr. McPherson: Yes, Mansfield had been the whip.

Mr. Vanderstar: Oh, I had forgotten that.

Mr. McPherson: Which I may have had something to do with. I think I told Johnson, when Earl Clements was defeated, that he really ought to think about Mansfield, a very good guy and a centrist. He won't drive the South out of the party but he's not a southerner. It had doubtless occurred to him as well.

Mr. Vanderstar: Let's break there for the day.