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Ladies and Gentlemen:

I have chosen for my subject: "Legislative leadership and the Great Society."

In dealing with this subject, I am going to try to show that while President Johnson probably has greater influence with the Congress than any President of our time, the indispensable work done in the implementation of the Great Society was done in the Congress itself.

We should begin, I think, by making the point that the role of the leadership is not confined to the textbook outlines of programming bills which have been reported and shepherding them through passage on the floor of the House.

The leadership is responsible to the House and to the country for legislative failure at any stage. Sometimes the most difficult problems are the least sophisticated.

I remember, for instance, as I remember no nightmare, the night of December 23, 1963. The first session of the 88th Congress was still in session, Christmas was just a few hours away, and the beginning of the second session of the 88th Congress was less than two weeks away. The Foreign Aid Appropriations Bill, not only had not yet been passed but had not even been reported from the Committee on Rules. The Chairman of the Committee on Rules was against the bill. The Chairman of the Committee on Appropriations was against the bill. The Chairman of the Subcommittee on Foreign Aid Appropriations was against the bill. The Republican Leader of the House was against the bill. All of the Republican members of the Committee on Rules were not only against the bill but had left Washington. Some of the Democratic members of the Committee on Rules had left Washington, leaving the Committee without a quorum. The President, the Speaker and I sat up in the White House on the telephone until two o'clock in the morning trying to contact and persuade members to return to Washington. We were finally able to get a Dixiecrat member who was against the bill back to make a quorum of the Committee on Rules so we could report the bill out. We finally passed the bill and adjourned the Congress on December 29th, the longest peace-time session in history. President Johnson had been in office only a little more than a month, and John McCormack and I were serving our second session as Speaker and Majority Leader. The standing joke around the House was that Sam Rayburn had died before teaching us how to adjourn a Congress.

This leads us to the 89th Congress and the Great Society. You have heard a lot about the role of President Johnson in the implementation of the Great Society in the first session of the 89th Congress, and I can repeat here that President Johnson is the most skillful legislative tactician of this generation. But I can also tell you with absolute certainty that the most important, indeed the indispensable battle of the Great Society, was won on the very first day of the first session of the 89th Congress, and the victory was totally and completely and entirely a legislative victory.

I refer to the changes in the Standing Rules of the House we made that day. More specifically, I refer to the adoption of the so-called "21-day rule," which allowed the House leadership to bypass the House Committee on Rules under certain circumstances, and also to the adoption of a rule allowing bills which have passed both the House and the Senate now to go to a conference committee without first receiving the permission of the Committee on Rules. To understand the importance of what happened on the first day of the last session, you have to understand the nature of the House.

The truth of the matter is, the House of Representatives is a hybrid political animal.

The membership of the House, and, through the membership of the House, the leadership of the House, represent the most recent expression of the public will. Committees, on the other hand, are organized on the so-called seniority system.

Thus, while there were 66 new members in the 88th Congress as a result of the 1962 elections, membership on the Committee on Rules was unchanged from the previous Congress.

Sometimes, as a result of the seniority system, a committee becomes stacked in a certain direction. This may result in the Administration's program being reported rapidly from one committee, substantially without change, while in another committee the program may be so modified as to be almost unrecognizable, if indeed, it ever reaches the floor at all. This contributes to the fact that, while many so-called experts conceive of a given Congress as having a liberal, conservative, or moderate image as the result of an election, in practice it does not work out that way.

When an election is over, one cannot immediately surmise that, because so many liberals defeated so many conservatives, or vice versa, on X, Y, and

Z issues, the Congress will automatically act in a certain manner.

First, you must know who is returning to the Committees that will deal with the specific issues and second, who will return to the Committee on Rules which deals with all issues.

The greatest power struggles in the modern history of the House of Representatives have grown out of rules changes designed to eliminate some of the frustrations caused by the seniority system. The most significant and far-reaching reforms of House rules, since the revolt against Speaker Cannon in 1911, were those made on the very first day of the First Session of the 89th Congress. This was an in-trouse fight. The President had nothing to do with it. It was conceived, sponsored, and directed by the leadership of the House. Yet it was the greatest victory ever won on behalf of the President's Great Society program, because this was the day when the Great Society was saved.

Another major reform effected during the organization of the 89th Congress was a change in the ratio of Democrats to Republicans on the Committee on Ways and Means, a change which gave the leadership partial control over this vital committee which had jurisdiction this year over such important areas as Medicare and taxes.

It requires only a little checking back to see just how important these reforms were. If we had not had that one extra vote on the Committee on Rules, we would have had the identical membership on that Committee that we had ten years ago. Think of that! The identical membership - man for man - when the House itself is entirely different both in its membership and its outlook! Judge Howard Smith would literally have been running a Congress which is more than two to one democratic. Not one single important Great Society measure would have been reported to the floor. More than this, it took the 21-day Rule to bring out two of the more controversial bills, and had this rule not been on the books, we would have lost our majority on several other proposals. The constant threat of the 21-day rule was a catalyst for many bills. The fact that the leadership took over control of the Committee on Ways and Means was probably, in many ways and certainly in the long run, more significant than our reforms of the Rules Committee, although the Ways and Means change took place almost unnoticed.

The Committee on Ways and Means has control over two major areas. In the first place, it has legislative jurisdiction over all revenue matters, including tariffs and social security. In the second place, the democratic mem-

bers of the committee serve as the democratic committee on committees. In this latter capacity they give other members their committee assignments. This gives them control over the character and composition of the other committees.

The members of the Committee on Ways and Means are elected by the caucus, all old members being automatically re-elected. For many years the leadership had lost control of the Committee. Rayburn and McCormack were defeated in the caucus by three straight southern members.

Historically the Committee on Ways and Means has been divided on a ratio of fifteen majority members to 10 minority members. We broke this division for the first time this year. With a majority of more than 2 to 1 we determined that we were not going to give the Republicans 40 percent of the votes on the Committee, particularly in view of the fact that some of our own members had been elected over the opposition of the leadership and felt totally independent of the leadership. We changed the ratio of the Committee to 17 Democrats and 8 Republicans, giving the leadership real control over the policies of this committee for the first time in more than a score of years. Where, I ask you, would the President's program be if we had not made these changes?

Let me give you one example. When the 1964 presidential campaign got under way, President Johnson called the Speaker and me and told us that the one thing the House could do to help most in the campaign would be to pass Medicare. We called members of the Ways and Means Committee and so did the President. We spent weeks trying to move a bill, all to no avail. If we had not changed the ratio of the committee, the membership this year would have been identical to the membership last year when the committee, after months of prodding, refused to budge on this very important element of the Great Society program.

But even more important than that we now had a Committee on Ways and Means that would help bring our victory at the polls to other key committees of the House. Last January we had all these wonderful new members who had been swept in by the Johnson landslide. They were strategically placed where they were needed. Several of them went on the Committee on Education and Labor which had so many of the key Great Society bills. As a result, that Committee, which only a few years before had been anti-labor and anti-federal aid to education, became the most pro-Administrative committee of the House, reporting to the floor every measure recommended by the President, not in rubber stamp fashion but usually more liberal in their provisions than the Administration

proposals.

This reform of the Ways and Means Committee will gradually give the national party position and the Administration a better deal on other committees. We still do not have, for instance, a cooperative committee on the District of Columbia. Here we were unable to get either the District of Columbia Committee or the Rules Committee to make in order a vote on home rule for the District of Columbia. We had to use a discharge petition for this purpose, a device so difficult that it could hardly be used more than once during any Congress without creating insurmountable problems for the leadership.

I repeat what I said before---that these reforms which we accomplished in January were the most important things we did all year. They set the stage for the most impressive legislative session in the history of the Congress. This session passed 73 major Administration bills, about 85 percent of the total Great Society Program

This brings us to the role of the President in the legislative process. What about the "rubber stamp" charge?

The President, of course, has a major constitutional role in legislation. He reports to the Congress on the State of the Union. He has the power of veto. His departments and agencies administer the laws enacted by Congress. Beyond this, of course, a great part of the legislation which Congress is called upon to enact does require effective leadership from the White House.

These facts, however, have lead to certain misconceptions of the role and capacity of the Congress and its leadership. One of these misconceptions is that Congress has been incapable of initiating and producing on its own major legislation accomplishments.

This is not the case. Any number of examples may be cited to disprove this popular theory, and I will proceed to discuss several after I make two observations.

First, the legislative process is slow. It generally takes from 5 to 25 years for a great issue to develop in our democracy from a "need for legislation" to an "act of legislation." The last stages of this process are marked by Presidents calling for the Congress to enact a bill, and the public and the press confuse the White House's identification with the issue as an initiation of the issue.

Second, the legislative leadership, in the broader sense, is not the ex-

clusive province of the elected leaders. Wide opportunities to initiate and to promote legislation are open to all members of Congress, and great neational leadership in many areas of legislation have come from the ranks of great committees.

Now for some examples of Congress at work, Congress the initiator of legislation-Great Society legislation as well-, Congress the very opposite of anything approaching a "rubber stamp."

Starting in 1955, Senator Paul Douglas and Congressman Daniel Flood began their great work to bring forth what became the Area Redevelopment Act. Observing that poverty tended greatly to afflict some geographical area while scarcely touching other areas, Senator Douglas first held hearings before the Joint Economic Committee to collect all possible information on the subject. He found the thinking very immature at the time. After his hearings he introduced legislation designed to create opportunities in poverty areas. In 1956 his bill passed the Senate. Similar bills subsequently passed both Houses of Congress in 1958 and again in 1960, but they were vetoed by President Eisenhower. During those years Congressmen Dan Flood, Brent Spence, and Wright Patman, together with their staffs were working on and perfecting this legislation, drafting and redrafting bills, considering alternate proposals, accepting new ideas and modifying or rejecting old ones, and doing this without any assistance whatever from the Executive Branch.

There were no lobbyists who had any real interests in this legislation, and in all candor, those theories coming in from the academic community were in a most unrefined form.

Two outstanding Senators voted for the legislation every time it was up, John F. Kennedy and Lyndon B. Johnson, but they were not on the committees considering these bills and had nothing to do with their formulation.

President Kennedy later recommended this legislation and signed it as did President Johnson, who made it a part of his Great Society program, but it is clear that Congress and not the Executive was the innovator.

The Urban Mass Transportation Act, of 1964, another very important Great Society Program, was the beneficiary of a vast amount of work that had been undertaken on Capitol Hill since before 1960 by a group of Senators and Congressmen.

This group of Congressmen was led by Senator and former House member,

Harrison A. Williams of New Jersey.

The first mass transit bill was put together in 1960 by a bi-partisan group in both bodies, and explanatory hearings were held before the Committees on Banking and Currency in both Houses.

Due entirely to Congressional insistence that some action had to be taken on this subject, an experimental program was incorporated in the Housing Act of 1961.

Strong Congressional pressure for action in this area played a major role in President Kennedy's recommendations for legislation in 1963 and the support given it by President Johnson in 1964 as an element of his Great Society program.

This brings us to another popular misconception about the leadership which Congress furnishes in the legislative process. There are many, particularly in the news media and in the academic world, who feel that Congress, in dealing with the legislative recommendations of the Executive, is unable and ill equipped to play a truly constructive role; that Congress acts either as a rubber stamp or engages in purely negative guerilla warfare against the President's program.

The truth of the matter is that the Congress is not limited to these alternatives. President Johnson, himself, clearly demonstrated during his tenure as Senate Democratic leader, when dealing with a Republican administration, that even when one political party controls the White House and the other the Congress, a large degree of cooperative effort between the two co-equal branches of government is still possible and that Congress can modify and even direct the President's program in many domestic areas without engaging in warfare against the Executive.

More pertinent, however, to the topic under discussion--"Legislative Leadership and the Great Society"--is the fact that many of the laws passed by the first session of the 89th Congress have been the joint product of the President and the Congress. Many of them have been in the process of growth in the country as well as in the Congress and the Executive Branch for years. For instance, one of the monumental Great Society bills enacted by the recent session was the new Immigration Act, eliminating national origins quotas. If you will go back to the Congressional Record for 1928, you will find that the

maiden speech of John McCormack in the House was a speech against the National Origin Quota System. This was five years before Lyndon Johnson was even old enough to be a member of the House of Representatives. It was several years before he had even graduated from college.

In other cases legislative recommendations have come from the President but the Congress has modified them and quite frequently improved them and made them more progressive. Without question, the outstanding example this year of Congressional ability to originate ideas as well as work with the President is the Medicare bill we enacted.

Proposals for Governmental health insurance have been around since the 1930's and the New Deal. The movement to achieve something by restricting the idea to our older citizens crystallized in the 1950's by the introduction of the so-called medicare bill by Congressman Amie Forand of Rhode Island. The Executive Branch, controlled by President Eisenhower, opposed this legislative proposal. Presidents Kennedy and Johnson made a part of their program Amie Forand's bill, which had become the King-Anderson bill after Congressman Forand retired.

The King-Anderson program, which was boomed by Presidents Kennedy and Johnson, was strictly limited to the payment of older citizens' hospital and nursing bills--not doctors' bills--and the program was to be financed by raising the social security taxes paid by workers and employers.

This was the extent of President Johnson's proposal when it was sent early this year to the House Ways and Means Committee, chaired by Congressman Wilbur Mills of Arkansas. This committee had always opposed medicare bills in past years and had been their graveyard. This year the leadership had taken over partial control of the committee when we organized the House on the heels of the Democratic Party's great victory at the polls in November, 1964. The climate looked right for passage of the King-Anderson bill this year.

A massive lobby was launched against the King-Anderson bill by two forces: the American Medical Association, believing the House would never buy anything more extensive than King Anderson, began to broadcast the limited assistance to be provided under King-Anderson and called instead for passage of an "Eldercare" program, which would pay doctor's bills as well as hospital bills for our older citizens. You will excuse me if I speculate that the AMA's strategy was to de-

feat any kind of health program by demanding one it believed could not be financed.

At the same time, the Republican Party leaders zeroed in on the social security financing features of the King-Anderson bill by deploring the fact that social security taxes are inexorable (as, indeed, all taxes are) and calling for a "voluntary" plan.

This was our situation. The AMA was trying to increase the costs of the program and the Republicans were trying to get the Democrats to build the program on a foundation of sand. The White House stuck with King-Anderson, in the form the program had developed over the years and as it was supported by the lobbies of older citizens and others. In what seemed like a single week to the national press, the Committee on Ways and Means, meeting in secret session, brought all elements of this issue together and wrote a brand new bill that, at once, pleased beyond measure the supporters of King-Anderson and knocked permanently off balance King-Anderson's opponents who had been trying to kill it with kindness.

The new bill simply added to King-Anderson a second program, one to pay doctor's bills--and not to be financed out of social security tax revenues but one-half out of the general revenues of the Government and one-half by senior citizens who "volunteered" to sign up for a program that would provide immediate benefits. This new bill went on to become law in pretty much the form in which it had been drafted by the Committee. This was congressional handling of a President's proposal at its best.

Many other examples exist of Congressional improvement of Presidential proposals. Take the Public Works and Development Act. This was a major legislative accomplishment of the Great Society, but the final product contained three vast improvements over the proposal submitted to the Congress. First, Title V, which envisions the establishment of a member of regional commissions in other parts of the country similar to that in Appalachia, was incorporated by the Congress. The Congressional view was that by this type of approach we can more effectively deal with problems presented by large geographic areas of economic stagnation. Secondly, the President proposed local public works grant money at a rate of \$250 million per year. Congress, after carefully evaluating the experience under the Accelerated Public Works Program, decided the sum was entirely inadequate and doubled the figure to \$500 million per year. Fi-

nally, as proposed, the public works grant program would have been confined to long term depressed areas. This was not logical and was modified so as to provide aid under certain conditions to other labor surplus areas.

By all odds the outstanding example this year of Congressional "rubber-stamping" of the Great Society bill was the Elementary and Secondary Education Act of 1965. The President's bill was reported from the House Committee on Education and Labor in the form the President wanted, it passed the House without amendment, it passed the Senate without amendment, and President Johnson signed it with great satisfaction.

Federal aid to lower education had been proposed for decades. Recent Democratic Congresses had gone several times to the very edge of enacting such a bill but had always gone aground on the reefs of church versus state, local government versus Federal government, and the civil rights issue.

President Johnson, in one of his finest hours as a legislator, charted a course that skirted all these reefs. He bucked the church versus state issue to the individual states and ultimately to the courts. To avoid the other problems, he spread a thick coating of his "war on poverty" over the program, tying the amount of benefits and the types of benefits to the degree and nature of poverty that exists in every area of the country. The President found the key to this issue and deserves immeasurable credit for the passage of this keystone of the Great Society.

At the same time, it cannot be denied that the key was conceived, designed, and manufactured years ago by a Congressman, Cleve Bailey of West Virginia. For years, the Federal Government has provided financial assistance to elementary and secondary school districts in so-called "Federally-impacted areas." Under this theory, when the Federal government buys property in a school district and takes it off the local tax tolls and at the same time moves in a host of Federal employees who send their children to the local schools, the Federal Government should recognize the serious impact it is making on the local community's ability to finance its school system and should support the local schools. President Johnson picked up this key and tied the financing of this year's school bill to the "impact of poverty" on individual school districts. Here is a measurable way of determining how to divide Federal benefits--and a way acceptable to most Americans because it appeals to their reason and their humanitarian interests. Without diminishing the President's great, personal vic-

tory, he found his key to this problem in the workshop of Congress, where the "impact of defense" had successfully been used as a basis for Federal aid to education. Again it was Congress and not the Executive which was the first to embark on a modern economic policy of deliberately creating a deficit for the purpose of stimulating a sluggish economy and creating additional tax revenue despite a tax reduction, a view resisted in the bureaucracies but sponsored by many theorists in the academic community.

My experience in this and in many areas, such as that involving the new Reciprocal Trade Act, leads me to believe that the Congressional committee system, because of its flexibility and maneuverability, its informality, its lack of an entrenched bureaucracy having a vested interest in the status quo, is in a position to give most effective leadership to new economic and social theories and is thus, in many instances a true ally of the intellectual community.

The job of the leaders of Congress in these as in all other areas dealt with in the first session of the 89th Congress has been extremely difficult. Every major controversial bill in the Great Society Program required days and days of patient work, contacting members one by one, getting other key members to contact members, making use of friendly formal and informal congressional groups--such as the Democratic Study Group--getting the President, the White House Staff, and Departmental personnel to contact members, getting organizations at the grass roots level to contact members until 218 affirmative votes could be counted on each bill. It is just as simple as that and, believe you me, it is just as hard as that, and I can testify that sometimes it is really hard.

In legislative leadership you have got to move people, and sometimes people are reluctant to be moved. Compromise is an essential ingredient of the legislative process.

Our 435 Congressmen come from every section of the country, from every walk of life. They represent different needs, different backgrounds, different interests, different mores, different likes and dislikes, different views and even different prejudices. In a country so vast and so heterogeneous as ours, legislative programs can sometimes only be moved through the process of accommodation.

From the Constitutional Convention to the Great Society compromise has often been necessary. Had the founding fathers not understood this our experi-

ment in self-government would have fallen by the way side. Had the leaders of the 89th Congress not been willing to compromise, the Housing Bill, the Aid to Elementary and Secondary Education Bill, the Medicare Bill, the Farm Bill, the Voting Rights Bill, and the Water Pollution Bill, to name only a few of the big ones, would never have been passed.

I mentioned the Farm Bill, and it is a good example. As the Bill came to us from the Department of Agriculture, it contained a provision under which farmers would be issued certificates valued at 100 percent of parity for that portion of their wheat that went into the bread market. Millers in turn had to purchase such certificates for all what milled into flour. This had the effect of increasing the price of wheat to the millers about 50¢ per bushel, while wheat which went into feed and the foreign markets moved at the much lower world price. This precipitated a very vicious campaign against the bill in the metropolitan centers on the ground that it amounted to a tax on bread. City Congressmen, who had voted to take the excise tax off of perfume, jewelry, and fur coats, were simply unwilling to go to the hustings with this issue. We could not win in the face of such defection. The only alternative was to pay the additional subsidy out of the United States Treasury. It was not the happiest alternative in the world, but it was better than the consequences which would have followed the failure to enact a farm bill.

I do not apologize for compromise. In legislation I do not seek perfection. I seek progress. My willingness to compromise, and I have done so more times than I can count, is the respect I pay to the dignity of those with whom I disagree. I agree with Hubert Humphrey that "legislation is consensus obtained by a constructive dialogue between persons of different points of view, based on mutual respect and understanding." It is the collective judgment of a diverse people. Our willingness to compromise must not stop at the shoreline. We need to be cognizant of the view of those in other lands. We must seek no pax Americana. We must recognize the right of other people to seek their hopes in their own way. I am willing to compromise, when a principle can be advanced, because I have faith in my colleagues in the Congress. I have seen them under fire. I have watched them react when big principles were at stake.

I am proud to be a member of Congress. I would not swap occupations with anyone else on earth. I am proud to be a member of the 89th Congress. It is

the most constructive Congress of my time.

It has been said that "there is a tide that runs in the affairs of men." Viewed in these terms the first session of the 89th Congress has left its mark on the shores of time. This session has moved to new zeniths in more fields, has scaled more legislative heights, has accomplished more legislative breakthroughs, has stood up to more national problems, has settle more persistent issues than any Congress in the history of our country.

To say that to date the 89th Congress has been the Congress of complete fulfillment, or that the Great Society pressages the millenium would of course be ridiculous. But we of that Congress have made a major effort to face up to the issues of our time. We have done more in my judgment for education than all the Congresses before us combined. We have done more for public health, for the security of our aged than any Congress in history. Through water purification programs, air purification programs, park development, watershed development, beautification of the countryside, the 89th certainly has been of the great conservation Congresses of all time. With its change in immigration philosophy, its voting rights bill, it implementation of the Civil Rights Act of 1964, it has been the greatest Civil Rights Congress in a century.

With the most far-reaching housing act in history, with the creation of a Department of Housing and Urban Affairs, with strong urban renewal programs, it has done more than any Congress before to recognize the urbanization trends in our country. With three great tax reduction measures in succession, with its war on poverty, Appalachia, Accellerated Public Works and area Redevelopment, it has contributed more to the national economy and to the growth of free enterprise than any Congress in our time.

We have done these things because we believe in the American commitment to people. We believe in human beings--man for man. We believe in individual rights. We believe in the dignity of the individual, whom we see as the mirror of his maker. This is the thrust of the Declaration of Independence and of the Bill of Rights. We intend it to be the thrust of the Great Society. Throughout our history we repudiate statism and collectiveism excepting only as they protect and enhanse human beings. Only the individual can laugh, can cry, can think, can hope, can suffer, can dream. Therefore, his house should be his castle; his conscience should be his kind. His rights should not be measured by the length of his arm or the height of his brow. His privileges should not

be restricted because of the creed of his fathers or the color of his skin.

We have waged a war on the enemies of human beings, on ignorance, poverty, disease and discrimination.

I must caution, in conclusion, that we were able to do these things only because the American people had reached that point in their history where they wanted them done. In our pride we must remind ourselves that what we did was but the expression of the people's will.

It was the venerable Walt Whitman who identified the tides running in America with the single word---"democracy." He declared that "its doctrines will only be effectively incarnated when the spirit is at the root and center."