

2 October 1964

(requested)

To: Parker

From: MacNeil (Washington)

88th Congress (nation)

An assessment:

In the final hours of this Congress' life, the members are still passing bills, and the total record is not completed. But, beyond cavil, the record already in hand is one of the most extraordinary in the nation's legislative history.

The famous Congress' have been few. There was the "Congress of Talents," the 21st, in ~~1821-22~~ 1831-32; the "Billion-dollar" Congress, the 51st, in 1889-91; the "100-days" Congress of FDR, the 72nd, 1933-34; and the "do-nothing" Congress of Harry Truman, the 80th, 1947-48.

This one deserves a name -- and perhaps the "\$200 billion" Congress will do, although that doesn't touch the

page 2 - mac neil

full range of the great legislative activity of the past two years.

(The Billion-dollar congress was so-called because it was the first to break that total. The 88th appropriated approximately 102.6 billion in 1963, will appropriate roughly 97 billion this year. It's the most ever.)

This Congress failed to act on some imperative demands of Presidents Kennedy and Johnson, but it did approve far and away the great bulk of the consequential proposals sent here in the past two years.

Its major actions are staggering in their import:

parmark: It adopted the most far-ranging civil rights legislation history -- so complete and encompassing of this volatile and critical field that the proponents will have difficulty proposing any new items. It acted not alone for the domestic tranquility but for equal justice to all citizens.

page 3 - macneil

parmark: Congress enacted the biggest tax cut ever. If it failed to touch substantially the critical area of tax reform, it is the first major tax cut designed to offset the cyclical swings of prosperity followed by recession or worse -- and the country now enjoys the longest continued upswing economically in post-war history.

parmark: The Senate approved the limited test-ban treaty which holds the promise not only of keeping clean the earth's atmosphere but perhaps leading to sanity in the threatening nuclear confrontation of East and West.

parmark: in a time of continued peril, Congress voted almost \$94 billion for defense, making this the most powerful nation the world has ever known.

parmark: Congress, for the first time in a generation, has taken major action in conservation, laying aside 9 million acres of wilderness as a permanent reserve and setting aside millions more ~~xxxxxx~~ acres for similar designation, to guarantee a natural world for future crowded generations of Americans.

page 4 - mac neil

parmark: Congress approved -- for the first time --
a mass transportation program that puts state-federal forces
to work to resolve the growing crisis of all metropolitan
areas in the nation.

parmark: Congress approved a vitally needed
pay raise for the executive officers of the government,
giving the government, at long last, a way to contest
with private industry and business for the men of talent
in this country. (This bill has been much abused by the
raise given to Congressmen -- \$7,500 a year -- and its real
significance ignored.

= parmark: Congress has approved an anti-poverty program
of significant proportions (\$1 billion). If ~~xxx~~ it has been
damned for slipshod proposals and language, it is the first
real modern attempt to wipe out the deep pockets of poverty
that mar many sections of the country.

page 5 - macneil

Beside these landmark actions, this Congress helped solve a railroad tie-up that could have crippled the nation at incredible financial cost and personal hardship to untold millions.

This Congress as well has enacted legislation that would count as the highest ~~xxx~~ achievements of an ordinary Congress.

Among the most significant in the area of equal justice is the legislation providing counsel for indigent defendants unable to hire an attorney.

The Congress has made massive progress in the field of education. If it ignored the school construction program, it adopted these education bills, all of them of major consequences: health professions educational assistance, higher education facilities, vocational education, manpower development and ~~retraining~~ retraining extension, library services and construction, and an extension of the national defense education act -- the most productive educational session

page 6 - macneil

since the 1862 creation of the land-grant colleges.

This Congress extended the arms control and disarmament agency, increased the Peace Corps, extended the food-for-peace program, provided for equal pay for women, created a commission on automation (an area serious needing government attention), passed a huge housing program, passed a ^{mental} hospital-construction program, adopted an air-polution control program, passed a food stamp plan for needy families, adopted a feed grains bill and a cotton-wheat bill, and adopted all the legislation and appropriation needed to keep the immense and varied operations of the federal establishment in operation for two years.

A year ago, ~~they~~ almost everyone was saying that this Congress did~~N~~^ot know how to act -- and yet it has produced an astonishing list of legislation, much of it deeply affecting the lives of all americans and millions upon millions of people beyond the u.s. borders.

page 7 - macneil

Much of the time, the Congress looked clumsy and awkward. The Senate staggered through two debilitating and seemingly senseless filibusters. The House seemed constantly in need of someone to wipe its nose.

The members of both parties in both chambers were constantly complaining and caterwauling at their frustrated, bewildered, confused, ~~xx~~ pitiful condition. No one ~~appreciated~~ appreciated them. They were led by inept leaders -- so they protested.

But they were all part of a great Congress, a Congress that took actions that may well be remembered for generations to come, with gratitude.

And if the Congress moved through periods of legislative and parliamentary chaos -- when nothing more was needed than some common horse ~~sense~~ sense -- if this congress frequently looked inept and bamboozled, it was moving all the same at the very same time implacably toward its impressive record.

page 8 - mac neil

The first year looked particularly bad. This Congress could not even adjourn -- and it is having that very problem again as I write. The railroad strike was averted. The test-ban treaty was adopted. But the great legislative acts remained~~x~~ to be completed this year.

Too much credit for this Congress' astonishing accomplishments has been given, in our judgment, to Lyndon Johnson. Without question, Johnson is one of the great legislative leaders and parliamentary ~~maneuverers~~ tacticians in the history of the world. But no man, in my Irish mother's phrase, can ~~xxxxxx~~ make a silk purse out of a sow's ear.

There can be no doubt that Johnson moved with great finesse, great tact, and great skill to pick up the Kennedy program and see the bulk of it moved successfully through Congress. But it is only just to say that half the work, half the finesse, had already been done under the Kennedy aegis.

page 9 - macneil

Kennedy's work with Congress, his program as laid down, his encouragement of the Democratic leadership, his wooing of the Senate Republicans and the Southern Democrats in both parties were having their effect -- and that effect, coupled with the LBJ mastery, came to fruition this year.

From the start in 1961. Kennedy moved to woo the Southern democrats, to pull enough of them out of the conservative coalition to give his many-faced program a legislative chance. He won early and staunch adherents -- notably Carl Vinson, dean of the House, of Georgia, and Wilbur Mills of Arkansas (in all except medical care.)

Kennedy nor Johnson had serious concern for the Senate on domestic welfare problems. There a moderate-liberal majority obtained. The Presidents did have trouble in the Senate only on the great ones -- when two-thirds votes were needed: civil rights and the test ban. In both, Dirksen swept the field for ~~them~~ them.

page 10 - mac neil

In the House, lay the Presidential program's real enemy, for the House of the 87th and of the 88th had a conservative bias. For these Kennedy-Johnson programs, it has been uphill all the way in the House.

Kennedy had early support from the moderate-liberal House Republicans in 1961, but his partisanship alienated them by 1962 and he had to depend solely on cracking the ranks of the Southern democrats. He did it with legislation he requested, by personal charm, by phone, by airplane travel with the Southerners aboard, and he dipped into the southern conservatives ranks more deeply than any ~~xx~~ president since FDR in his first term.

By major strategic decision, Kennedy declined to offer the civil rights bill he stood pledged to in the 1960 presidential campaign. To do so would have jeopardized his standing with the Southern democrats. And by holding off and by his wooing, he cracked those Southern delegations.

page 11 - macneil

He held off in early 1963 -- but then the civil rights revolution north and south took the question out of his hands. He did offer a sweeping bill, finally, in response to that obvious need to quiet the rising revolution. And when he did, he ^{began} ~~glibly~~ to lose the southern democrats he had so far so successfully wooed.

More than this, a savage Republican counter-~~at~~ tack on Kennedy's budgets also began to take effect. It was an attack that ran parallel with the Presidential request for a major tax cut -- and the Republicans successfully linked the two: why cut taxes when the government was running heavy deficits.

This was the point, politically, with Congress when Kennedy was killed last year. Johnson took up a most difficult situation -- and he applied the same approach as did Kennedy on the Southerners but with even greater effect.

Johnson totally undercut the Republican's economy assault by requesting a budget for this fiscal year that was actually lower than the one the Republicans demanded as the

page 12 - macneil

price for the tax bill. A Southerner himself (do you remember the days he used to pretend he was really a westerner, not a southerner at all), Johnson cajoled the democratic delegations of the South to pay no-never-mind to the civil rights bill. They couldn't vote for it, but they did not have to vote against everything else too -- as they were beginning to threaten Kennedy.

Johnson's own people tried early to stop the talk of Johnson as a legislative "wizard." They could see all the trouble ahead in legislative 1964 and they wanted to spare Johnson from the invidious reports that would follow the expected failures on so many pending measures.

Johnson did fail on some notable bills -- medical care ~~is~~ at this hour appears dead, so does his appalachian bill; so does the extension of arearedevelopment. But he was able to weedle so many major bills out of Congress that these few failures are being ignored. Johnson drove Congress unmercifully. One ancient observer of the Congress gasped

page 13 - macneil

at Johnson's insistence on so huge a "must" program, even after an astonishing record had already been approved:

"He seems to think this is going to be the last Congress there ever will be; he wants to get everything done now."

It wasn't really that intense, but LBJ kept the members of Congress at their jobs until they screamed and screamed and finally would stay no longer. That's the only reason he's letting them leave at all.

And we wouldn't be too surprised if he called them back in November to get back at the public's business. Never mind this nonsense about a well-deserved vacation. regards.

more to come