

California State Archives
State Government Oral History Program

Oral History Interview

with

JOHN E. MOSS, Jr.

Member, U.S. House of Representatives, 1952-1979
Member, California Assembly, 1949-1952

October 3, 17, 24 and November 2, 1989
Sacramento, California

By Donald B. Seney
Oral History Program
Center for California Studies
California State University
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March Fong Eu
Secretary of State

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None

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PREFACE

On September 25, 1985, Governor Geroge Deukmejian signed into law A.B. 2104 (Chapter 965 of the Statutes of 1985). This legislation established, under the administration of the California State Archives, a State Government Oral History Program "to provide through the use of oral history a continuing documentation of state policy development as reflected in California's legislative and executive history."

The following interview is one of a series of oral histories undertaken for inclusion in the state program. These interviews offer insights into the actual workings of both the legislative and executive processes and policy mechanisms. They also offer an increased understanding of the men and women who create legislation and implement state development in California state government and of how both the legislative and executive branches of government deal with issues and problems facing the state.

Interviewees are chosen primarily on the basis of their contributions to and influence on the policy process of the state of California. They include members of the legislative and executive branches of the state government as well as legislative staff, advocates, members of the media, and other people who played significant roles in specific issue areas of major and continuing importance to California.

By authorizing the California State Archives to work cooperatively with oral history units at California colleges and universities to conduct interviews, this program is structured to take advantage of the resources and expertise in oral history available thorough California's several institutionally based programs.

Participating as cooperating institutions in the State Government Oral History Program are:

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California State University, Sacramento

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University of California, Berkeley

Oral History Program
University of California, Los Angeles

The establishment of the California State Archives State Government Oral History Program marks one of the most significant commitments made by any state toward the preservation and documentation of its governmental history. It supplements the often fragmentary historical written record by adding an organized primary source, enriching the historical information available on given topics and allowing for more thorough historical analysis. As such, the program, through the preservation and publication of interviews such as the one which follows, will be of lasting value to current and future generations of scholars, citizens, and leaders.

John F. Burns
State Archivist

July 27, 1988

This interview is printed on acid-free paper.

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INTERVIEW HISTORY

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Interview Time and Place

October 3, 1989
Mr. Moss's residence, Sacramento, California
Session of one and one-half hours

October 17, 1989
Mr. Moss's residence, Sacramento, California
Session of one and one-half hours

October 24, 1989
Mr. Moss's residence, Sacramento, California
Session of one and one-quarter hours

November 2, 1989
Mr. Moss's residence, Sacramento, California
Session of one and one-quarter hours

Editing

Seney checked the verbatim manuscript of the interview against the original tape recordings, edited for punctuation, paragraphing, and spellings, and verified proper names. Insertions by the editor are bracketed. The interviewer also prepared the introductory materials.

Moss reviewed a copy of the edited transcript and returned it with minor corrections.

Papers

Mr. Moss's extensive private papers have been processed and are housed in the University Archives in the Library, California State University, Sacramento. The interviewer was able to consult this excellent primary material.

Tapes and Interview Records

The original tape recordings of the interview and the draft transcript edited by Mr. Moss also are located in the University Archives in the Library, California State University, Sacramento. Master tapes are preserved at the California State Archives.

BIOGRAPHICAL SUMMARY

John Emerson Moss was born in Hiawatha, Utah, April 13, 1913, the son of John E. Moss and Della Mower Moss, both natives of Utah. In January, 1923, the family moved to Sacramento, California, where Moss attended the local public schools before enrolling in Sacramento Junior College from 1931 to 1933. Involved in the retail appliance business, Moss actively entered politics in 1938, becoming a member of the California Democratic State Central Committee and director of the California Young Democrats. He was secretary of the Sacramento County Democratic Central Committee from 1940 to 1942 and National Committeeman of the California Young Democrats between 1942 and 1944. In 1943 he joined the United States Navy, returning to Sacramento at the end of the war to join his brother in the real estate business.

In 1948 Moss was elected to the California State Assembly from the Ninth District, serving two terms. While a member of the assembly he sponsored legislation dealing with public employees, land use, housing, and lobbying. Along with others, he was instrumental in changing the rules of the assembly to require that members of the assembly Rules Committee be selected by election rather than appointment by the speaker. After the rule change went into effect, Moss was elected to the Rules Committee. While in the assembly Mr. Moss served on the Education, Civil Service and State Personnel, Governmental Efficiency and Economy, Rules, Ways and Means and Joint Budget Committees.

In 1952 Moss was elected to the United States House of Representatives for the Third District. He served in the U. S. House of Representatives until January, 1979.

[Session 1, October 3, 1989]

[Begin Tape 1, Side A]

SENEY: Good morning, Mr. Moss.

MOSS: Good morning. How are you?

SENEY: I'm fine. I want to start by asking you about your family, their origins, about Utah, and about the reasons for your coming to California.

MOSS: Well, my mother's parents originally came West in the early 1850s and settled in Sanpete County, Utah. My great-grandfather was Henry Mauer; they came originally from Pennsylvania. There were some branches of the family from Maryland, and generally through that section of the east. They were English and Scotch on the Mauer side. Then there was the Cox family, which were the other great-grandparents; they came from the eastern seaboard states. My father's family was the Mosses. There were two branches of the Moss family, one coming from Nottinghamshire in England, and the other from Australia. They arrived here in 1873. My grandfather Moss was a master cabinet maker for the old Utah Fuel Company. My

father worked in the coal mines [in Utah]. My mother's family were, of course, all in agriculture and still farm in that part of Utah.

SENEY: I know your family was Mormon; did any of them make the trek out with Brigham Young?

MOSS: Yes, the Mauer family did. They came originally from Pennsylvania, Maryland, and then on out to Utah. Then my grandfather, also Henry Mauer, married Sara Brady. Sara Brady came from the middle section of the country; she was of Irish descent. They settled in the section north from the area where my grandfather or great-grandfather had originally settled in Utah.

SENEY: What section of Utah is this?

MOSS: It's . . .

SENEY: . . . Hiawatha . . .

MOSS: . . . Hiawatha was the Mosses, that was the mining section, that was Sanpete County; the Mauers were [also] out of Sanpete County; that was over near Moroni and Mount Pleasant. [It was] not a great distance; probably it would be thirty-five miles. That would be the area where there was gold mining and the area where there was agriculture.

SENEY: What did your parents do in Utah?

MOSS: Well, my mother just had five children, and my father worked as a miner until they came to California.

SENEY: What brought them to California?

MOSS: I had had some health problems as a youngster. They were situations that today you would classify as somewhat chronic, respiratory things. There was a lot of pollution in that part of Utah, I guess there still is. My mother determined to come here because two of her sisters had moved to California a number of years earlier. They came here, and my father went to work for an automobile dealership. He worked for two or three different dealerships until the time of my mother's death. We came here in 1923.

SENEY: Directly to Sacramento?

MOSS: Directly to Sacramento. My mother died late April of 1927. At that time my father just sort of, I guess, went to pieces. He was thirty-five years old, and he had five children; he just took off. My mother's sisters took charge of the five of us. My brother and I, we always had jobs; whatever we were doing, we always had jobs. My youngest sister died of polio in 1931. My oldest sister was married, and she worked the greater part of her life at the Weinstock and Lubin department store, where she was the buyer for hosiery and gloves.

SENEY: What was your younger sister's name?

MOSS: Afton, and her middle name was after my mother's name, Orta, which was an old family name. Afton was

an old family name from the Cox family. My name, John Emerson Moss, was the same as my father's, and we had the Fredericks and a number of Johns back in England.

SENEY: What did your mother die of?

MOSS: She died of what would have cleared up very easily with any of the sulpha drugs. It was blood poison of some sort. It was very quick. My grandfather Moss had died very suddenly of a heart attack, and my father was getting ready to leave for Utah to attend his funeral. It was in the middle of April, 1927. My mother had been getting his clothes ready. She stepped out on what you might call the back porch that opened out to a landing with steps going down. It had been quite cold, and she stepped on some ice on the top step and slipped and injured herself. We took her to the hospital, and then it developed into this infection, and she died in less than a week's time. The kind of infections that are readily cured today by many of the sulpha preparations. . . .

SENEY: And your father then left, and left you in the care of your aunts?

MOSS: Yes.

SENEY: Did you see him after that? Did you have contact with him?

MOSS: Not for about six or seven years, and then he came back in the Sacramento area and was in and out. There was no establishing of any close relationship with my father. My brother and I, from our early teens, were pretty much self-supporting. Henry went on into merchandising where he has had a very, very successful career. I was initially a budget manager and then a credit manager, working my way from doing service work on into the office, and to management for the old Schwab Tire Company here in Sacramento. They were the local representative of U.S. Tire Dealers Corporation. I worked for a while for the B.F. Goodrich Companies as a credit man.

Then, of course, I went into the service in World War II. When I came out of the service, I had some money saved and borrowed some money, and I built a building here in town and opened a firm that I called the Moss Appliance Company. I had a number of franchises, and I continued to operate that until 1948, after I watched a rather dreary pre-campaign period of people running for the state legislature. No one had filed against the least worthy of those, I felt, was representing Sacramento. So finally about a week before the election, I went down and filed for it. I had no commitments from any one, and I had no

prospects except the determination to, at least, see that he had opposition.

SENEY: I'd like to get to that in a little while, but I'd like to ask you some more about your background. You mentioned to me that you were Mormon, and I'm curious as to whether or not you attended the Mormon Church.

MOSS: As long as my mother was alive, probably up until about 1930. I think the Mormon Church has very strong moral views and ethical views, and I adhere rather firmly to those values. But I also feel it has some very repressive views, and those I disagree with, and for that reason I ceased being an active participant. I always felt that the doctrine of the Church, that was long enunciated, that followed a very strong pattern of racial discrimination, was one I could not subscribe to. I always felt its attitude toward the equality of women was an attitude I could not subscribe to. There are other values where we come in conflict. I'm a person with very strong views; my areas of compromise exist, but I don't readily yield my own convictions to others.

SENEY: Where did those strong views come from?

MOSS: Well, I guess the Mosses always were people with very strong views, very strong opinions. The fact that the Mauers joined up with the Joseph Smith movement

would indicate that they had very strong convictions, and they were ready to put their stake at risk.

SENEY: Was your family the kind that talked about political matters and social matters around the dinner table?

MOSS: Well, remember now, I'm talking about the family life that existed up until I was twelve years old.

SENEY: That's the age at which your mother died, at twelve?

MOSS: That's right. My mother always encouraged the greatest interest in what was going on around us, and she had very, very strong views. My father was less involved. Although I recall, I think it was in 1924, the campaign of Calvin Coolidge against Robert LaFollette. Father was a very strong supporter of LaFollette; he had no great respect for Coolidge.

In that period I always read the papers as soon as I could get them. You didn't have a lot of other sources for news. Radio was just beginning to emerge as sort of a novelty rather than a standard household item at that time; a lot of people were getting them, but they weren't universal by any means. And whenever I had a chance, I would discuss things that were going on; I always had a very active interest [in politics]. I had a succession of excellent school teachers in grammar school and also in junior high and in high school, and I was never bashful about stating my views. So there was an active

interest, an awareness of the conditions around us, and a feeling that there was an awful lot that needed to be done.

SENEY: What influence did the depression have on you? Can you remember when the depression began; the crash itself and the succession of the news as it got bleaker and bleaker. Could you try to kind of recapture a little of that?

MOSS: Well, yes. You had a little more problem getting jobs; however much you searched, it was more difficult to get them, and the pay was miserable by any standards. I worked while I was going to school at a large drugstore here in Sacramento; it used to be down at Tenth and L, the old Central Drug. I think I got about eight dollars a week. I would come in every day after school and work from either 4:30 or 5:00 to 10:00 [P.M.] when the store closed. I would work from ten in the morning to ten at night on Saturday; and then there was a split shift on Sunday from 10:00 until 2:00, and then there was a break, and then you came back in the evening. You made very little, but you could eat at the fountain and things like that. I worked at other lunch counters, the old Schram Johnson drug chain, they had a place on the corner of Tenth and K, and I worked at the K Street Pharmacy.

- SENEY: This was after the depression had begun?
- MOSS: This is 1930s, yes. The depression actually, of course, hit in 1929 right after the presidential election. That was the [President Herbert] Hoover-[Governor Alfred E.] Smith election [in 1928], where a great deal of discussion of economic issues was not undertaken by either candidate.
- [Interruption]
- SENEY: There was little discussion of economic matters?
- MOSS: That's right.
- SENEY: I guess people didn't realize how precarious the economic situation was at that point?
- MOSS: Well, in '28 you had an agricultural depression going on. That had gone on almost consistently since about 1922, I guess. There were underlying problems that were beginning to surface with growing frequency, but there was no great concern over the economy until October of '29 when things sort of blew sky high.
- SENEY: You mentioned you were a newspaper reader. Certainly you saw those headlines . . .
- MOSS: . . . Oh, yes, I certainly did.
- SENEY: Did you appreciate what that meant?
- MOSS: You bet I did. I was very much aware of what it meant.
- SENEY: You would have been about fourteen years old at that point?

MOSS: Well, let's see. Yes.

SENEY: And you were going to school here in Sacramento?

MOSS: Yes, in '30 I started at Sacramento High School, and I graduated there in '32.

SENEY: And the prospects were pretty bleak for a young man in 1932.

MOSS: I used to have a very long hike at that time; I was rooming down at Twelve and G Streets, and many days I didn't have any extra nickels for the street cars; that's all it took. Of course, walking that distance was no great problem, but it took a little time. Finally, I think, about three weeks before the end of that last semester out there, I just was not able to continue on, and I had to quit.

SENEY: Before you graduated?

MOSS: Yes.

SENEY: From high school?

MOSS: No, I graduated from [Sacramento] High. I put in two years out here.

SENEY: At the community college?

MOSS: Sacramento City at that time. And I . . .

SENEY: . . . What were you studying there at City College?

MOSS: Well, I was very interested in science, and I was very interested in government, so I had an interesting mix. I had chemistry and physics.

- SENEY: Did you have a career goal in mind at that point?
Did you have settled in your mind what you'd like to do?
- MOSS: Oh, I knew what I would have liked to have done at that time. Interestingly enough, I wanted to go into medicine. But there were a number of active members of the faculty at City College . . .
- SENEY: . . . Politically active?
- MOSS: Politically active. I made very close friends with Carson Sheetz who was at that time a very young man and member of the faculty there; and Dr. John Harold Swan who became Dean of McGeorge School of Law and started expanding it; then, Dr. Herman Leader who was professor of history, a great specialist on California history. Then there were a couple of very active Republican types. I had developed a close relationship with them, and we used to talk politics. I became active in the Young Democrats at the same time John Swan and Carson Sheetz did, and so there was a build up there. I had an opportunity to reach out beyond just what I was studying at the school.
- SENEY: Am I right in understanding that you were one of the people who helped organize the Young Democrats here in Sacramento County? Was there an organization then?

- MOSS: The Young Democrats were actually organized as a result of the activities of. . . . Oh dear, I'll think of his name in a moment; he's one man who never forgot anyone's name, and was the Postmaster General under [President] Franklin [Delano] Roosevelt.
- SENEY: James Farley.
- MOSS: It was Jim Farley; he was responsible for the establishment of the Young Democrats. I was part of the group in Sacramento.
- SENEY: This was nationally, the Young Democrats?
- MOSS: Yes. Locally, the most prominent was John Welch who was an attorney; his uncle became a federal judge here after FDR's election. There was Robert Zarick who was another attorney. Well, there were several of them who were more firmly established in the community and identified than I was, but I became one of the workers. Typical for me when I got involved in something of that type, where there were certain ideological values and judgments, I make them mine, and I was never reluctant to speak about them. I'd always been gearing myself to some of them that were less aggressive.
- SENEY: You've been known throughout your political career as a man with very progressive views. You indicated that some of these came from your family and some

from the progressive aspects of the Mormon Church.

Did the depression help to make you more progressive?

MOSS: I think the depression exposed the great flaws of a so-called free enterprise system, and led me to one of the strong convictions that I hold to this day, that free enterprise, that is free non-competitive enterprise, isn't worth a damn. It won't protect anyone; it's another guise for monopoly, unbridled control and abuse of economic power. But competitive enterprise, where you have to compete, where you have to go into a market--that is a free market--and exist either because you have superior intellect or superior products or a combination of both, I strongly support because I think that's the only kind of system that ultimately succeeds.

SENEY: Do you think the government plays some kind of role in insuring this system?

MOSS: Whenever you have a part of the overall economic grouping that becomes so dominant that there is no longer effective competition, then there has to be a substitute. Where you have services that by their very nature are monopolies, such as certain utilities, you have to have some measure of regulation and control to keep from unbridled exploitation. Those are convictions that I early arrived at, and I think they're very valid today. I

think we're in danger now of that kind of build-up; the pattern of takeovers and consolidations is unhealthy, not only for the people of the United States but worldwide. I think finally, some super government is going to have to impose some kind of restraint; you can call it restraint, but actually, it's some rules that permit the existence of a free, competitive economy.

SENEY: So you think that the concentration of wealth and/or economic power is dangerous?

MOSS: Is dangerous. People are people; how much they have or how little they have, they always want more, and if they can control or dominate, they're going to control and dominate. You've got to make it possible for them to grow, but not to have unrestricted control.

SENEY: You know, there were a number of reactions to the depression that attempted to address it, and I want you to comment on some of these for me. From our perspective it's hard sometimes to understand how desperate people were and what the situation was like. One of the things that was proposed was the Townsend Plan.

MOSS: Well, those are pipe dreams, the ready answers to solve everything, and they're demagogic.

SENEY: Let me remind you what the Townsend Plan wanted to do. Everybody over sixty would receive \$200 per month which they would have to spend within that month, and this would be funded by a national sales tax. That must have been awfully appealing?

MOSS: Well, it wasn't to me. I didn't feel it was workable, and I felt also it had a strong disincentive built into it.

SENEY: How do you mean?

MOSS: Well, if you don't have to prepare for retirement, you don't. You've got to have something there, remember \$200 a month at that time was a lot of money. I think the original wage and hour law, for executive rating, was around \$175 a month and after that you were not covered by it because you were deemed able to take care of yourself. But, the Townsend Plan, that persisted, you know, for years. After I went to Washington as a member of congress [1953], the Townsend people were still after me to come out and support Dr. [Francis] Townsend's Plan. I wouldn't support it. I never felt it had merit. I think we needed some forms of social insurance, but I think it was necessary to carefully construct them, and not go rushing madly and flailing about for solutions which were non-solutions. I used to get a

lot of mail from people on the Townsend Plan, but I never felt it had any merit.

SENEY: The Townsend clubs, supporting it, sprang up all over the country.

MOSS: Oh, you bet. Old Dr. Townsend was everywhere, you bet it was. But, I didn't feel it had merit. It was a peach. But so was thirty dollars every Thursday.

SENEY: The Ham and Eggs movement.

MOSS: The Ham and Eggs.

SENEY: Now, they got further politically, didn't they, the Ham and Eggs people?

MOSS: Yes, they got further politically. As a matter of fact, they qualified a ballot initiative.¹ George McLain, I think, was one of the leaders, and Myrtle Williams. They got the measure on the ballot, and they even provided in the ballot measure for the election of a Director for the Department of Social Services. Myrtle Williams was designated in the initiative as the first holder of the office. Well, a few years later I was co-author of a measure that said you can't have multiple title initiatives. You can't elect a person and create an office in the same measure; it isn't good government to do it that way.

SENEY: Let me stop this.

[End Tape 1, Side A]

¹ Proposition 25 (November 7, 1938).

[Begin Tape 1, Side B]

SENEY: Well, Ham and Eggs was essentially the same as the Townsend Plan, wasn't it? Thirty dollars every Thursday that had to be spent . . .

MOSS: . . . Well, not under the same restraint or restrictions as the other, but it was cut out of the same kind of cloth. I think you have a need for social programs that take care of people when they're unable to take care of themselves. I don't think you have to have them come groveling; I think there has to be a certain amount of compassion in dealing with these programs. There ought to be some sound social programs; there ought to be some very sound medical insurance. But you can't just go out and make the most attractive package to those that have the least. Because they're like everyone else; they want more than perhaps they should have, or they want it under conditions which are not adequate to insure public money is being spent for sound public purposes. I think that the health and the education of people at all times constitutes a public purpose for any expenditure.

SENEY: You know, as I read about the Ham and Eggs and the Townsend Plan, they were kind of mechanisms just to get money back into the economy and spur activity.

MOSS: And a lot of money in the pockets of the promoters.

SENEY: That accusation was frequently made of Ham and Eggs.

MOSS: That's right. George McLain traveled around the state like a king.

SENEY: That was generally known at the time?

MOSS: They were still fooling with that when I was elected to the legislature [1948]. I think I had a very progressive record as a legislator, but I didn't support any of those measures. I was very strongly in support of the [State Senator Byrl R.] Salsman Health Insurance Plan¹ for California which was strongly endorsed by Governor [Earl] Warren.

SENEY: Let me go back to the Ham and Eggs movement and the Townsend Plan in the 1930s. These must have put some pressure on the Democratic party; I would think you had to accommodate these things . . .

MOSS: . . . Oh, yes. How do you mean accommodate? I learned in my first campaign that if you feel you're qualified to hold office, you've got to go out and lay it on the line about what you believe. Because if somebody comes along and wants to push you into a different position, you can stand against it and survive. I always permitted anyone to come in and talk to me; I was readily available, but I didn't modify my views unless they convinced me I should modify them, not because they threatened me or

¹ S.B. 500, 57th Reg. Sess. (1945).

implied that they could give me great support. Everyone that talks to you can always help you, they tell you that. And you always get letters from people saying, "If you vote for that, I'll never vote for you again."

I would write back and say, "Fine, my opposition is always going to have to have votes." You have to vote your conscience. I don't know if you've read any of my letters in the files, but I used to write that. I used to write back myself . . .

SENEY: . . . Yes, I had read those in your files, yes, some very blunt letters to people. Very refreshing.

MOSS: Well, I think I had the same thing in 1952. You may recall, I came out and took a very strong position on the China situation, and a number of other things that were quite controversial. I had people that would say, "He's a Red; he's a communist." Sometimes before an audience, a character that would possibly be making charges like that from among some of its members, I would point out the kind of communist I was. I loved to own property. I loved to put at risk anything that I owned, and I liked the fact that it might make a profit, a legal profit. I wanted to see business succeed, but I always wanted it to succeed in an atmosphere of competition. I would silence a lot of them on that basis.

- SENEY: There was one more group I wanted to ask you about. It came out of the depression, and it takes quite a different view than the one you've just expressed, and that is the Technocracy movement.
- MOSS: That was going to solve everything, but remember they had one strike against them; we had a technocrat, in effect, in the White House. I think they are great people to contribute; I'm not sure that you want them to govern. My view on them is somewhat like that of Theodore Roosevelt regarding Wall Street leaders, the big money people of Wall Street; he said, in effect, you always want to listen to them, but never put them in a position where they have any power in government. I quite agree. There are some areas where they're great advisors, and they have a tremendous amount to contribute, and I think that's the most important role they have.
- SENEY: You know it's very interesting that nationally, of course, the Democratic party in the 1930s was in the ascendancy because the Republicans were generally blamed for the depression. Yet here in California the Democratic party did not do very well. And I want to call your attention to the 1934 election. There had been an election in 1930 and [Governor James] "Sunny Jim" Rolph [Jr.] had been elected, but he died after announcing that he was going to run for

re-election. Lieutenant Governor Frank [F.] Merriam took over from him, and was the Republican nominee in 1934, but on the Democratic side, who gets nominated but Upton Sinclair.

MOSS: You had all these disgruntled and disappointed rush forward to give Upton Sinclair support--the new Messiah--but he didn't balance himself. He pushed to the point where he frightened a lot of people. We had a large influx of people from other states come into California because it offered greater promise. You had the dust bowl situation. If Upton Sinclair had moderated a little. . . . You know you can do an awful lot if you don't make too much noise, and sometimes that's a very good bit of advice for people in government because you have to do a job of education as you go along.

The Freedom of Information Act is a perfect example.¹ It took eleven years of carefully constructed hearings. I don't know how many appearances I made around the campuses of this nation before editorial groups and others to try to get them to understand what actually happened in Washington: the amount of control that was being exercised, the amount of withholding [of information] without any clear pattern of control, of just not making things

¹ 5 U.S.C., sec. 552 (1982)

available. Well, you've got to do that with everything you do in government. Sometimes you move quietly, and then you're able to start boasting of some successes. But you move too vigorously over new ground and you frighten people.

And there was an enormous campaign, a vicious campaign, against Upton Sinclair. He was a fine, highly intellectual person, who had, I think, some very solid ideas. He made some mistakes in embracing ideas that were too far out, but I think he would agree they were too far out. You couldn't go to the theater without seeing a newsreel with hordes of homeless coming to California; well, every person who wasn't solidly in their job was scared to death.

SENEY: And these were manufactured by Louis B. Mayer?

MOSS: Oh, yes.

SENEY: Some people say that this 1934 campaign against Upton Sinclair is really the first modern campaign where the media distorts the situation.

MOSS: Oh, I think it was. Total distortion. And the Democratic monetary resources for campaigning were very limited; you had lots of workers. But the money on the side of Merriam was unlimited, and you didn't have any restraint on the use of it, as you do now.

SENEY: Well, he was an extremely conservative individual, but you wouldn't know it from his campaign.

- MOSS: No. He was very much like the campaign of Warren G. Harding. It was a non-campaign; he smiled and looked pleasant and pointed to a record which was not his and the people voted [for him].
- SENEY: It's also curious to me that during this period of the 1930s--despite the fact that in 1936, for the first time, you had more registered Democrats in California than Republicans--the Democrats could not gain control of both houses of the legislature. They got control of the assembly in 1938, but the senate was still in Republican hands.
- MOSS: The senate was organized under a so-called federal plan, and each county, whether it was Alpine with a few hundred or Los Angeles with several millions, was entitled to one state senator. Well, you get fifty-eight counties in the state with the kind of population concentrations California has, and you have an overwhelming majority of the people not voting for senators. And those rural counties, those small counties, tended to be very conservative, so it was easy to control elections. [State Senator Culbert [L.] Olson probably represented, as a state senator, a third of the population of California.
- SENEY: Because he was from Los Angeles?
- MOSS: Yes. So you had thirty-nine other senators who represented an aggregate two-thirds of the state with

one senator representing one-third; that's an imbalance.

SENEY: That would account for the senate. But until 1938 the Democrats didn't capture control of the assembly.

MOSS: That's right.

SENEY: How do you account for that? Can you help me understand that?

MOSS: Cross-filing. If you go out today and conduct a national poll about congress, congress will be rated very low. But you go into 435 congressional districts and conduct polls on 435 members, and you'll find that some of the most popular people in the country are the members of congress.

SENEY: Yes, that's true, isn't it?

MOSS: Well, it's the same way in the legislature. There was a very adroit reapportioning; it had been controlled by one party for many, many years. And there was no great organization or movement capable of turning them out. With the election of Culbert Olson [as governor in 1938] then things started to change, and you started to get a more vigorous Democratic party.

SENEY: You had the California Republican Assembly which was organized during this period; it was kind of an extra party group. Was that helpful to the Republicans?

MOSS: Oh, absolutely it was. But I never recall a time in Sacramento where the Republicans couldn't go out and raise any amount of money they needed to put on a campaign.

I know when I ran for the state assembly in 1948, as I indicated earlier, my wife and I just decided that I would go ahead and jump in. I talked to my father-in-law, and I talked with a few people around town, but not any leaders around town. I just decided that someone had to oppose [the incumbent], so we financed our entire primary campaign, and I survived. Normally, the Republicans were used to winning both nominations [through cross-filing]. Well, I survived the primary in 1948. I think I got three or four contributions in the general election-- I would say the total of those was not over \$1,000-- and we put up the rest of the money.

But, interestingly enough, I think it was about ten days before the primary in 1948, I had the very pleasant surprise of having The Sacramento Bee come out and endorse me. Now, I'd had one meeting with the political editor, Herb Phillips of The Sacramento Bee. He called me in and wanted to know if he could talk to me because I had put out a lot of statements, you may have seen those . . .

SENEY: . . . Yes, I have.

- MOSS: During the campaign I didn't duck any issues; that's where I was developing my philosophy that the best way to deal with controversy was to embrace it. If it's a matter of concern and controversy to people, then you've got their interest.
- SENEY: Can we stop here because I don't want to jump too far ahead; I still want to talk about the depression and some of the things that went on there.
- MOSS: OK.
- SENEY: Because this is where, I take it, your political career really began during this period, as you became active in the Young Democrats to begin with. And then, I've got a list here of some of the other things that you did. You were involved in the 1938 gubernatorial campaign, in fact you were northern . . .
- MOSS: . . . [Member of the House of Representatives] John [F.] Dockweiler . . .
- SENEY: Yes. You were northern California publicity chair for him. Could you tell me how you got that job and what you did?
- MOSS: Well, I tried to get some publicity for John Dockweiler; we didn't have an awful lot of money, and we had a rather small organization . . .
- SENEY: . . . You're smiling when you tell me this.

MOSS: You sort of get it by default, and you do your damnedest; that's about all you can say. We didn't have large sums of money to go out and contract for ads. We usually would have to carefully canvas the supporters and come up with enough so that we could get a check in advance of placing the ad because we didn't want to incur any indebtedness.

SENEY: You are smiling very broadly as you tell me about this. Why? Was this a pleasure? Did you have a good time doing this?

MOSS: No. When you look back, you realize how big the job was and how short the resources were.

SENEY: Was that the sole thing you did, to raise money to place ads? Or did you figure . . . ?

MOSS: . . . No, I'd go around to groups. If you could get somebody to listen, you would go and talk to them; I would go out and speak and discuss the issues that were emerging in the campaign. I was not opposed to Culbert Olson, but I had met John Dockweiler who at that time was a congressman from down in Los Angeles County. His father was an old Democrat, a rather southern Democrat, Isadore Dockweiler. I learned later that the Dockweilers and the [Edward L.] Dohenys. . . . Old Mrs. [Estelle] Doheny was a very ardent supporter of John Dockweiler's father. Now, we didn't see any Doheny money up in northern

California, but I assume had he been nominated there probably would have been. But, I learned about that connection after the campaign was over; I guess because the Doheny name was not particularly fragrant at that point of history.

SENEY: Because of the Teapot Dome scandal?

MOSS: That's right. I have a tiny piece of the Teapot Dome around here some place.

SENEY: This is it; it [the label] says "Teapot Dome." It's a drill core. Herb Brant presented that to you; that's very interesting.

MOSS: That's when we were planning to reopen [that oil reserve], and there was quite a battle going on between the Chevron Company and some of the others over getting control over Teapot Dome, the wells there.

SENEY: During the energy crisis of '73, '74?

MOSS: Yes.

SENEY: Well, that's beautiful.

MOSS: It's interesting.

SENEY: It is interesting. Let me ask you this. How did you get this job as publicity chairman for Dockweiler?

MOSS: Well, that was part of my group at Sacramento City College. There was John Harold Swan who had been very active on the University of California campus in southern California. He came up here as a Ph.D. He

was a classic scholar, he was a very interesting man. There was also John and George Kimper and Carson Sheetz, Herman Leader; there was a large group from the college.

SENEY: They knew John Dockweiler from southern California and recruited you to help in the campaign?

MOSS: Right, right. And then I worked on the Olson campaign.

SENEY: Because Culbert Olson won the primary.

MOSS: Won the nomination. And I think shortly thereafter I was elected to the central committee.

SENEY: You served on the Democratic State Central Committee. Let me see if I can remind you here because I did want you to comment on this; you were Secretary of the Educational Division of the Democratic State Central Committee from 1938-1940. Was this a job you got as a result of your work on Culbert Olson's campaign?

MOSS: Well, as a result of my work in the Young Democrats.

SENEY: And what did you do as Secretary of the Educational Division?

MOSS: Plan meetings to reach voters. A lot of these titles, you know, is just to have somebody who's held responsible if things fail. [Light laughter] There was a very tentative structure to political organizations in those days. If you were willing to

do some work, why you could be recognized. I used to tell people who'd say, "How do you get active in politics?" I said, "Go out and become active." They're always crying for people who are interested and want to work. I think that's probably still true. Unfortunately, today the dollars have become far more important than the people. I think one of the problems we face today is that we have discouraged citizen participation with the over emphasis on the dollar. If you make a big contribution, you're important--if it's a monetary contribution. You can go out and work your head off, they don't pay any attention anymore. Well, that's unfortunate because people vote, dollars don't.

SENEY: Well, the interest now is for the money to buy media exposure, isn't it?

MOSS: Well, yes. I think there you have a pattern where it feeds on itself. Media exposure is looked upon by the professionals who now claim they can develop for you a foolproof strategy to win elections; they have all the polls, but I think all polls can do is give you an idea of what people's minds were, not what they are; I think they change. If you're going to lead, you have to have the ability to lead and to encourage them to change and to view things differently, or you never have change.

SENEY: Can you recall for me any of the methods or objectives you had as Educational Secretary trying to reach the voters during this period?

MOSS: We'd try to get flyers printed. You were normally begging from state headquarters to send a few more thousand pieces in so you could get them out. You had to get people out in order to pick them up and distribute them. You wouldn't think of paying anyone to do it. You used to have a lot of signs that were inexpensive that you could post on telephone poles, trees, and whatnot.

SENEY: Can you recall what subjects these were? Do you recall any of these flyers or signs?

MOSS: It was a slogan. That's all you could put on them. You couldn't put much copy on them, or people wouldn't read them. So you'd try to devise a catchy slogan; you'd always emphasize safe, sane, intelligent, low costs, and high benefits, that sort of thing. [We put up a lot] so that you were always confronted with them everywhere you turned. But the important thing was not the signs, but the people who put them out. Those were the workers; the worker was very important to you. They did much more for the campaign than any sign did.

SENEY: These were the people who went door to door and talked to neighbors?

MOSS: Yes. We used to have to pay a nickel for every sign that we put up to the local Bill Posters Union. They would stamp each of those placards, and they would charge you a nickel apiece. The Bill Posters Union president here was Harry Finks, and he was the only bill poster.

SENEY: And he was president of the union?

MOSS: Yes.

SENEY: Now I take it, Mr. Finks would normally be busy putting up commercial posters and flyers, advertising sales and openings, but when it came to political things you had to, as Democrats, make sure that you had that union label on there.

MOSS: That's right. You'd have problems with the Central Labor Council [Sacramento Federated Trades Council]; well, both parties did. You see, in that period, labor had a heavy Republican tinge to it. I think J. L. R. Marsh was the head of the Central Labor Council here during that era; he was a moderately liberal man, but I think he was a registered Republican. The tradition of liberalism in California came from men like [Governor] Hiram Johnson; it didn't come from the Democrats.

SENEY: Hiram Johnson was a Republican?

MOSS: He was a Republican, and he became a Bull Mooser in 1912. In 1932 he supported Franklin Roosevelt, so

that you had a different kind of a tradition. Old I. B. Dockweiler was, as I say, sort of a conservative southern type [Democrat]. A lot of them were. You had the upper valleys here with some strong southern traditions; look at the courthouses in some of these county seats. It was FDR who restructured the Democratic party; it was Culbert Olson in California who then brought to fuller development the pattern that FDR had started nationally. There's always been, until very recently, a strong liberal, progressive streak in the Republican party in California.

SENEY: So the Democrats couldn't claim that territory as their own?

MOSS: Not totally. Well, we've had [Governor Ronald] Reagan and we've had [Governor George] Deukmejian, and that has certainly changed the pattern of the party today.

SENEY: The legislative Republicans are quite conservative.

MOSS: Those Republicans who came in with Reagan, and I don't think they're the most durable people elected to office, they're the radicals.

SENEY: Well, I recall a man you served in the congress with, was in the senate when you were in the house, Mr. [United States Senator Thomas H.] Kuchel.

MOSS: Tom Kuchel was a very liberal type Republican, very liberal. Tom Kuchel and I were in agreement far more than we were in disagreement. I regard him as a very fine public servant. I voted for Earl Warren for Governor against [Member of the House of Representatives James] Jim Roosevelt [in 1946]. I didn't think that Jim demonstrated the stability that I wanted in a candidate.

SENEY: So, even as strong a Democrat as you probably counted yourself, in that case you were willing to cross over.

MOSS: Yes. I've worked with Earl Warren; I had the greatest respect for the man's integrity.

SENEY: Before we talk about Governor Warren, I'd like to shift back to Governor Olson again. He was elected in 1938; this was the first Democrat that had been elected in some time . . .

MOSS: . . . If he'd been a warmer type, he would have had far more influence of lasting nature on the Democratic party.

SENEY: Yes, I've seen comments about his personality, that he was cold and aloof.

MOSS: He was imperious almost.

SENEY: And then there was another incident that occurred just as his administration got underway; he was hospitalized for a period of time.

MOSS: Yes, he was not in the best of health.

SENEY: And his son took his place and was a controversial personality himself.

MOSS: He was, Richard Olson.

SENEY: How would you rate the Olson administration? And I'd like you to comment on Governor Olson for me.

MOSS: I think he was a very able, very determined, very stubborn man. I think there was a degree of inflexibility there that made it very difficult for him to be effective under the conditions that existed in California at that time. After all, he had the same problem as governor that he did as state senator, one house of the legislature that was totally out of step with the majority of the people.

SENEY: This was the senate?

MOSS: The senate. And, of course, Olson had a lot of problems in the state assembly too. I think he tried to direct legislative actions and concerns rather than lead and guide; I think there's a difference.

SENEY: To expect to be able to command?

MOSS: And he was constantly battling. He made some controversial appointments . . .

[End Tape 1, Side B]

[Begin Tape 2, Side A]

MOSS: Well, I think that Culbert Olson's major weakness as governor was in his dealing with the legislature. He

still had a state senate that was certainly malapportioned. You had heavy, heavy population in southern California with one or two senators representing very important counties. Up north you could have Alpine, and any one of the other tiny counties there with equal clout in the state legislature.

Then in the assembly the governor got into some very bitter fights. He had [Assemblyman] Paul Peek who was the speaker, and apparently they worked up a deal where they had a direct telephone line between the assembly chambers and the governor's office. There was a degree of executive intrusion and meddling in the operation of the assembly which was highly questionable. But from a political standpoint it gave the opposition a great opportunity to exploit the tendency of the governor to try and dominate, and they did. There was a very dramatic moment on one occasion where one of the conservative Democrats pulled the telephone out of the wall that was connected to the governor's office. Well, that was the end of Paul Peek as speaker. I'm trying to recall the name of the gentleman who succeeded him as speaker of the assembly [Assemblyman Gordon H. Garland].

There was the opportunity created because of the conviction of Olson as to the rightness of what he was doing and his determination to make as few compromises as possible. Now, where compromise was clearly called for he was inclined to stand insistently on his own platform. I think there were many things that contributed, uniformly in southern and central California, hostility from the press. He had pretty good relations with the McClatchy papers. They contributed to a more liberal tradition in the central valleys of California, but in the main Olson had his problems.

His son Dick was an example of the kind of interjection of family into politics that is not the best.

SENEY: You said he made Mr. Peek Secretary of State when [Secretary of State] Frank [C.] Jordan died, and that was not popular.

MOSS: That was unpopular for . . . ?

SENEY: Well, the Jordans had controlled the Secretary of State's office here from almost the turn of the century. It started back where they used to register all of the automobiles with the office of the Secretary of State, and old Frank C. and [Secretary of State] Frank M. Jordan, son and father, followed each other. It was an interesting pattern of the

domination of offices by people that long held them. We had an attorney general [Attorney General Ulysses S. Webb] that held office in California almost forever, it seemed, which was a pattern, but one which started changing rapidly.

The Olson administration had other problems as well; the state relief administrator position turned over many times; there was a great deal of controversy, and a lot of Republican opposition there as well.

MOSS: Well, you had an awful lot of social problems. California was growing very rapidly, and problems were aggravated by the inflow of the people from the central farm states, the Okies and the Arkies of the 1930s. These people were desperate for a better way of life and came to California. The state tried to meet the demands with an overburdened social system, not really having the resources. It was a case where change was occurring so rapidly that the ability of government to meet the more urgent problems was inadequate. Olson had a very difficult period.

I assume that Earl Warren, had World War II not rolled around, might have had somewhat a similar pattern of controversy and failure in many areas. But with World War II California just exploded; we

had a huge defense effort, and after the war, we had growth.

SENEY: Before we get in the war, which is an extremely important period for California, I want to ask you about a couple of other positions you held. These were party positions; you were on the Sacramento County Democratic Central Committee.

MOSS: I was secretary of the central committee.

SENEY: From 1940-1942. Now that's a very influential post; am I right in thinking that?

MOSS: It would have been had we a strong central committee. But unfortunately, we didn't because we had a continuing division of opinion in the central committee as to the role of the central committee and the make-up of the persons who would control it. From my very first involvement in the central committee, I thought that it ought to act in response to and not as the maker of basic policy. Policy is pretty much made by the electorate, and you interpret. But you try to have a certain consistency between the policies of a representative group and the people it serves, or a clear understanding as to what the differences are. But we had people on the central committee who were inclined to go off by themselves and do whatever they thought best, and frequently, if it involved being helpful to the other

party, why so be it. I think they had every right to do that, but not while they hold central committee office.

SENEY: How do you mean?

MOSS: Well, let's take my own case when I ran for that state assembly. I didn't have any well wishes from my central committee. I was regarded almost as an interloper. I think generally in my first maybe ten years of holding office the only thing I heard from the central committee was that they needed some money to keep going, and they would ask me for contributions. Very little was done to help candidates, very little. I think the first chairman of the central committee that actually made it a point to be helpful to candidates was [State Senator Albert S.] Al Rodda. It was probably about '52 or '54 when Al Rodda became chairman; that was the first help you got out of the central committees.

SENEY: Sacramento had had up until very recent elections a reputation for voting Democratic for president and governor as well.

MOSS: Right.

SENEY: Did Sacramento vote Democratic during this period too?

MOSS: It voted for FDR, it voted for Earl Warren, and it voted for Tom Kuchel. At the end of the forties, we

had three state legislative positions in Sacramento County. One was a state senator held by a very conservative Democrat, [State Senator] Earl [D.] Desmond. There were two of us in the state assembly, one in the Eighth District, [Assemblyman] Gordon [A.] Fleury, a moderate liberal Republican, and myself; a liberal Democrat. That was the division, the voting pattern. We [Sacramento] usually voted for Hiram Johnson for U.S. Senate. We had a record of political independence, which in many ways reflected the pattern of the dominant newspaper. The McClatchy papers had been very supportive of a lot of Democratic candidates, but they'd also been supportive of some of the liberal Republicans.

SENEY: The McClatchy newspapers have always been discussed in terms of being very influential in Sacramento County. You would not disagree with that I take it.

MOSS: Not a bit because I think they were very straight forward in their editorial policies. And there used to be a very interesting column on the editorial page, which would be run from time to time by [Charles K.] C. K., old C. K. McClatchy, called "Private Thinks." It was delightful to read. He was a man of very strong views, and not always totally consistent with the paper's current editorial, but he made his "Private Thinks" public. It was a paper

that would so aggravate some of the utilities that you might have space that was reserved for them to reply, but no copy was received up to the time of publication.

SENEY: So there would be a blank space, held for [Pacific Gas & Electric Company] PG & E, perhaps?

MOSS: Yes. It was an independent paper, and its editorial policy was not for sale. And I think that the people had greater confidence because of the conviction that that was the case. For instance, in 1948 when I was running for the assembly, I got the endorsement in the last ten days of the campaign from the Bee. That was a tremendous help to me; there's no question about it. They asked for nothing, and they gave nothing. They expressed their preference in the editorial, and I didn't have any advance warning that it was coming out, and that was a pattern of relationship throughout the years.

SENEY: In all the years, you mean, that you represented this area in congress, you were consistently supported by the Bee, and they never, during this period, ever contacted you?

MOSS: On an issue, never. They disagreed with me on occasion.

SENEY: Earlier you mentioned that you had, you know, a sense of what you wanted to do and that people were welcome

to come and see you and discuss another viewpoint, but once you made up your mind, you were going to go with what you'd decided.

MOSS: Unless they could convince me that I was wrong.

SENEY: Exactly.

MOSS: And I could be wrong on occasion.

SENEY: And I assume you changed your mind.

MOSS: I changed my mind.

SENEY: But you must have had a reputation as someone who probably had fairly strong views. Do you think this had influence on the Bee?

MOSS: Oh, it had to. [Laughter] When I left the congress, in some of the exit editorials from the papers around the country I was called dogmatic and self-righteous, and perhaps I'm all those things.

[Laughter]

SENEY: Depending on the source, perhaps you were flattered by some of those. What I'm trying get at here is, it seems somewhat unusual to me that the Bee, whose influence in the elections could be so great, would itself not come to someone it had endorsed from time to time and suggest, "We think this might be a good idea." What I'm trying to ask you is, do you think that this was their normal practice? Or did they just not come to you and maybe they would go to other people? Can you answer that?

MOSS: I don't know. I can't answer that. For instance, I understand that in the election of 1948 they had had a number of meetings with Gordon Fleury and they had, in effect, said, "If you run, we'll support you." I had people say, "You know, you're the Bee's candidate."

I'd say, "The hell I am; I'm not anybody's candidate." And I wasn't. I had never had any kind of commitment with the Bee, and I learned that they had decided to endorse me only when the paper was published.

SENEY: Let me bring up something I wanted to talk about later, but as long as we're talking about the Bee it makes sense now. There was an editorial cartoon in the Union in 1948, and it shows C. K. McClatchy, a very well-dressed C. K. McClatchy, holding a little dummy, and the dummy is labeled "John Moss," and on the dummy is a Culbert Olson button. The implication is pretty clear from this cartoon that the Bee is going to be calling the shots here. I thought it was a very funny cartoon, did you enjoy it too?

MOSS: It was. I did.

SENEY: But there is no truth to that?

MOSS: No.

SENEY: They never came and asked you?

- MOSS: No. As a matter of fact, over the years I probably had more views expressed from the editors of the Union than I ever had from the Bee.
- SENEY: They were not modest about coming to you with suggestions as to what you should do?
- MOSS: No.
- SENEY: Did they ever endorse you?
- MOSS: In my last campaign. [Laughter] My exit campaign they endorsed me. They didn't know it was my last campaign, but they did endorse me, not vigorously, I might say with pride, but I was, at least, the lesser of two evils.
- SENEY: You reached that position in this case?
- MOSS: I felt that sometimes tweeking the cheek of the Union was good politics; it got vigorous editorial response. But I think if you can be damned by the right sources, why fine--for the right reasons--go ahead. So, I didn't duck controversy with the Union. Whenever I came to town, I visited the editors in my district, and I always visited the editor of the Sacramento Union. I would say, uniformly, we had very pleasant and very constructive discussions. I had one editor who expressed great personal unhappiness at not being able to endorse me. I said, "That's all right. I know the situation." I think at that time the Dodge family controlled the paper.

- SENEY: That would have been a publisher's decision, right?
Not the editor's?
- MOSS: The owner's decision, I guess.
- SENEY: I want to pull you back again to the early 1940s period because there's another party position you held that I'd like you to comment on, and that is you were Young Democrats National Committeeman for California from '42 to '44. What was that position?
- MOSS: Had we not had a war, that would have been very active, but because we had a war, the ranks of the Young Democrats were seriously decimated; for all practical purposes we ceased to function. The officers that had duties fulfilled those duties, they were minimal, but that was not the time for any real political organization.
- SENEY: So about the time you got the job the war started and that took care of that?
- MOSS: Yes.
- SENEY: Now you did have one job that sounds important to me and interesting, and that is in the 1942 congressional campaign, you were the campaign coordinator for [Member of the House of Representatives] Frank [H.] Buck.
- MOSS: Yes. Well, let's go off the record here.
- SENEY: All right. If you could comment for me on Mr. Buck's

campaign, and how did you get the job as campaign director?

MOSS: I got the appointment from his Sacramento County campaign manager, and I do not remember who that was.

SENEY: I have you down here as campaign coordinator. Now, I don't know what that means; maybe you could tell me what that means.

MOSS: We opened a large headquarters down on K Street between Ninth and Tenth on the north side of the street, a building that was probably twenty by sixty [feet] on the ground level, and we had a large number of workers in there. We had people charged with precinct work and voter registration and a women's division, and we had labor. The campaign coordinator was to see that that expenditure for headquarters was worthwhile, that we had these people working and producing products. There was dispute; we had some awful divisions in some of these groups. The women's division had problems, and you had some problems with the labor group so . . .

SENEY: . . . What do you mean you had problems with the women's division?

MOSS: Well, you had some prima donnas, and you had to try to keep things smooth so that there were no ruffled feathers. You wanted feelings to be uninjured; you wanted things to go smoothly. The campaign

coordinator tried to see to it that people worked together and that they did the job we had to do to keep the campaign going, that the posters were put around, that the mail was answered, that the registration was taken care of. There were many duties that were the responsibility of the campaign coordinator in the county. It was a five county district. It was Napa, San Joaquin, Solano, Yolo, and Sacramento, that was the district at the time.

SENEY: It sounds from what you describe as a pretty well financed campaign?

MOSS: We probably in that campaign spent maybe \$10,000. Much of that would have been money that Frank Buck directed into the campaign himself.

SENEY: You've mentioned otherwise to me that he was personally wealthy. Could you describe a little bit about his background?

MOSS: Well, the Buck family was prominent in agriculture, particularly in Solano County, and he had interests in Bell Flower Oil and in Associated Oil. As a matter of fact, one of the Buck sisters died a number of years ago and left a multimillion dollar estate to Marin County. But Frank was a man of excellent education and social background. He was a well-known social figure in California; he was man of considerable standing . . .

SENEY: . . . He was elected to congress when?

MOSS: 1932. He was part of the major group when Roosevelt became president. And Frank enjoyed a very good reputation; that's why he was put on the Ways and Means Committee immediately. But over the years between his election in 1932 and his death in 1942, Frank . . .

SENEY: . . . He died in 1942?

MOSS: I believe in 1942 or 1940.

SENEY: Well, I have you here as campaign coordinator for his 1942 campaign.

MOSS: Yes, in '42. He died [September 17, 1942] before the general election. He had become, according to all popular tales out of Washington--all the gossip--a heavy drinker, and like all rumors about people in public office, you take it at discount. But when he came back to the district to campaign, a few of us discovered that he was drinking heavily, and we had to take steps to control it.

SENEY: Was he able to campaign at all?

MOSS: Yes. I did some of my first speech writing for Frank Buck in the '42 campaign. He was apparently a person who could drink periodically, but was felt to be a real contributor to the work of the [House Ways and Means] committee. One of my duties was to see that when Frank was in my area, he was sober; that when he

was due at a meeting, he was at the meeting; that he had his text, and he was ready to work. It created some problems, but I looked carefully at the whole campaign, and I decided that even if he was drinking a little, that he was superior to the man who was opposing him. He died after getting the nomination but before the general election. The state [Democratic] committee had to designate a successor nominee, and that successor nominee was Joel Neal. He was from a very old Sacramento County family with wide connections throughout the valley. He was a man who was idolized by sports fans and was a great baseball enthusiast. He operated a chain of service stations here in Sacramento; the family had been identified with Sacramento since its inception. But he was not a candidate who could go out and put on the kind of campaign that would succeed in winning against someone who had been running for at least a year, someone who made not a greatly superior appearance than Joel Neal but an acceptable speech. That's about the best you can say for what Joel Neal did. So he was defeated, and the seat went to a Republican. The seat was held by a Republican until the reapportionment of 1951, when I was elected into a new district that was composed differently in 1952.

SENEY: Who was the Republican on the campaign?

- MOSS: [Member of the House of Representatives] Leroy Johnson of Stockton. A very decent sort of fellow but not a person of any great, outstanding competence.
- SENEY: Now shortly after that you entered World War II in the navy.
- MOSS: I was in the navy with personnel work until I was discharged, a medical discharge. I have had a long history of arthritis of one type that is particularly troublesome, off and on. It is mandibular arthritis. I've had my jaws locked where I've had difficulty eating. [Interruption] They started giving me medication in the navy. I was stationed in San Francisco living at a hotel . . .
- SENEY: . . . Let me stop you here and ask you, you entered the service kind of late in 1943; and I take it, it was due to these health problems?
- MOSS: The physician on the draft board who passed me was the physician who treated me for years and had said that I would never be able to go into the service. They started to relax the standards, and he passed me which was quite a surprise. At one point I had tried to go in and hadn't been successful. I had no particular distinction [in the navy]; I'm not a very good candidate for the military. I found it very, very difficult.

SENEY: Why would you say that?

MOSS: I don't accept direction without knowing why, and the military never wants you to know why. I'm not an automaton. I remember I got one officer so upset, he said, "You know we are gentlemen by acts of congress."

And I said, "Sir, it didn't take an act of congress to make me a gentleman." Which, of course, was the wrong thing to say. I had some unpleasant assignments because of some of my independence. [Laughter] I wasn't subordinate, but I don't feel that you take thinking human beings and get the unquestioning conformity that some of the military expect. I think it was fine when you had a mass of non-thinking, I don't know what you call them, but I have a desire to know--and as a matter of fact, a need to know--if I'm going to be at all efficient. Another time it reflected in my conviction about the right to know which I made a long fight for. I just feel that you have to have in a self-governing society at all times, an intelligent and informed electorate, and if you have anything less, then you have a very weak underpinning for your whole governmental structure.

[End of Tape 2, Side A]

[End of Session 1]

[Session 2, October 17, 1989]

[Begin Tape 3, Side A]

SENEY: Good morning, Mr. Moss.

MOSS: Good morning.

SENEY: When we talked last, we talked about your period of service in the navy, and you were telling me that the discipline did not appeal to you a great deal.

MOSS: The primary reason was that I developed a medical problem. The navy had over-medicated me in San Francisco, and I was sent on emergency over to Oak Knoll Hospital, and there I was given a medical discharge. They had given me some barbitutates, I guess it was, and they had put me somewhat at risk with that over-medication. It was all traceable back to the arthritis, which as I say I had. In fact, I was one of the early cases to be treated with steroids in the mandibular joints.

SENEY: Did you find your period of service in the navy, the military, useful to you at all?

MOSS: Not particularly, not particularly.

SENEY: Learn anything there that was helpful to you later?

MOSS: I never have looked back on it as a period of any great benefit. I had my duties, and I discharged them competently, but I was not a person that would look upon a military career. I don't like to have to deal in such a carefully structured environment.

SENEY: Well, you left the navy in February, 1945. Did you come back to Sacramento then?

MOSS: Oh, yes. I lived here since '23, except the necessary absences when I was away for service and the congress, but other than that I . . .

SENEY: Had Sacramento changed in the two years or so that you were gone during the wartime with the service?

MOSS: Not significantly, I had kept in close touch with the family. We had had a major influx of new people, but growth had characterized Sacramento ever since we first came here. I think when I came to Sacramento in 1923, the population was probably around 60,000 maybe 65,000, maybe about 90,000 for the county. And the picture has continued to be one of a continuing high level of growth and of business activity.

SENEY: Was this the point at which you opened your appliance business?

MOSS: When I returned, we located a piece of property on Sixteenth Street between W and X, and we bought that property. There was a house we had to move off, and we built a building and opened the appliance store.

When I decided to run for the legislature, first I sold the building, and then we sold the business. I went into real estate, or more accurately, I held a license for some time. I felt I would be better able to adjust to the peculiarities of legislative scheduling than I would operating the appliance business. With individual proprietorship there's a deep personal involvement; has to be, or it's not going to succeed.

SENEY: One of the issues that you--to jump ahead a little bit--addressed in the legislature had to do with the post-war proliferation of chain stores.

MOSS: Well, that's always been a concern to me, the concentration of business, the pattern of ever larger entities. I think it's speeded up to the point today where it's very dangerous. Economic power is as real, it's more subtle, but it can be very pervasive; it can have a far greater impact than political power.

SENEY: You certainly saw this directly in you appliance store business I take it?

MOSS: Oh, yes. Right after the war you had to fight to get the right to even try to buy merchandise from manufactures and distributors, and getting franchises and meeting the owner's conditions that were imposed [was very difficult].

SENEY: What ideas did you evolve or generate to try to control the chain stores?

MOSS: Well, I didn't try to control the stores. I was looking at the overall problem. I'm trying to recall, I don't think I offered any specific legislative solutions.

Like many of the ideas that I've had over the years, I think they first must be very carefully studied and researched. I can give an illustration of three pieces of legislation that I successfully authored in Washington. The Freedom of Information Act, that was the product of eleven years of very painstaking work. First of all, we had to educate the public and much of the media as to what we were actually talking about. They just assumed that there was an abundance of information, and yet upon careful examination we found that there were major parts of information that were routinely withheld.

When I started working with Senator [Warren G.] Magnuson from the state of Washington, I chaired a Commerce and Finance Sub-Committee of the House Committee on Interstate and Foreign Commerce, which is now the Committee on Commerce and Energy. We started to review the Federal Trade Commission, going back to the original act that was passed in 1914, the conditions which existed then and the steps the act

was designed to correct, the abuses and weaknesses.¹ That led to a total rewrite, but it took us five years of hearings, and very careful probing before we devised many of the amendments that finally became part of what is now called the Magnuson-Moss Act, as a result of our work.²

Then in 1969 when we had a very major downturn in the securities market that showed weaknesses in our brokerage houses and many of them collapsed, I started an inquiry into the investment banking, brokerage, and other financial institutions that were within the jurisdiction of the Committee on Interstate and Foreign Commerce. Again, during a period from '69 until '74, we had many, many volumes of hearings. We adopted a new format for hearings. We had representative people from within the industry--the providers of services, the owners of some of the major brokerage houses and some of the region brokerage houses--along with typical investors come to Washington, and as a panel meet with the committee for careful cross-questioning on problems we had developed. I guess it was in 1974 that I

¹ 15 U.S.C., sec. 41 (1982).

² 15 U.S.C., sec. 45, 46 (1982).

introduced the legislation that became in 1975 the revised Securities and Exchange Commission Act.¹

In other words, you have an idea that there is something wrong, but unless you're very opinionated, you don't really know what it is; you just sense that there's something wrong that needs correction. So, you move to find out if your thinking is wrong, or if it's supportable, if there are other instances which come to your attention, and you proceed in that fashion. I think one of the great weaknesses of legislation is inadequate attention to studying the problem. The movement in the Reagan Administration to decontrol, they never looked at why the controls were imposed in the first place, or whether in the ensuing period of time the weaknesses had been overcome and there was no longer danger of the abuses that the original action was designed to protect against.

SENEY: Was this necessary attention to detail, through the long process of legislation you describe, something you learned as a result of your service in the California State Assembly?

MOSS: No, it's the idea I had in the California State Assembly, to try to find out more about problems. You're always under pressure in legislating to do

¹ 15 U.S.C., sec. 80 (1982).

something immediately, and when you do it immediately that's the worst possible time to do it. You have to think about it; you have to know what you're dealing with. You can make very serious mistakes with the very best of intentions. I think that's true in anything you do in life. If you can spot problems, bring them to attention, and then study them, then you can come up with some reasonable solutions. But to hop in and drop a bill in the hopper, that wasn't something I did. I wasn't one of the most prolific authors of bills.

Frequently you can find a bill that someone else has introduced that you can amend to accomplish your purpose. In the congress sometimes you don't even get a bill, just to report language accompanying a bill can accomplish a very desirable objective.

SENEY: That's not true in the California case though?

MOSS: No. In the California case you have to have the legislative language itself altered. There isn't the attention to legislative history or to legislative intent that there is in the congress.

SENEY: Especially when the courts come to an act . . .

MOSS: . . . That's right. The Daily Journal here is a very summary wrap up of what happened. In the congress the written record can sometimes be complete with many, many pages of hearings, or if you want

clarification of the intent of a house of congress, you can arrange to address questions to the author of the legislation. You can say, "Now for the purposes of legislative intent, I have a series of questions I'd like you to respond to." And then you proceed to put the questions so that you have a clarification of intent. It's a more manageable situation and lends itself to more flexibility. Sometimes language is not as precise as you would like it to be.

SENEY: Legislative language?

MOSS: Yes, or because of the history of the courts construing that language, the meaning you're accustomed to may not be the meaning the courts have evolved. You have to then try to overcome that through a dialogue on the intent itself.

SENEY: You know, there's a current controversy here in California over the question of abortion rights, whether or not those abortion rights come out of the privacy language in the state constitution which was adopted in 1972. Without getting into details, the argument seems to settle around whether or not the court should pay attention to the ballot arguments which appeared when that was voted on.

MOSS: I think they should take notice of the ballot argument on the prevailing side.

SENEY: So that is one example here in California where you might want to hear the ballot arguments?

MOSS: Yes. I think that's one of the intentions of having the arguments available to voters.

SENEY: I suppose it's to define in clearer language to the voters what they're really voting on so they can understand that.

MOSS: Of course, there's so much misrepresentation here in California on the ballot proposals, I defy anybody to know what they really intend.

SENEY: I want to go back to your initial decision to run for the legislature because you had never run for local office or any other elected office before you decided for the state legislature. Can you tell me what went into that decision to run in 1948?

MOSS: I was intensely interested in two things: the controversy, very much as today, over highway construction funding. We were faced with a very significant demand from the public for improved access to their cities, their jobs and whatnot. The highways and the streets were not in any way adequate; old government infrastructures had gotten worse because of the delays in the war years, and the tremendous growth during the last four years [1945-1948]. There was legislation; I think one was

the Collier-Burns Highway Act.¹ But there was a lot of discussion on highways, and Governor [Earl] Warren was very much in favor of improving the highways.

Then there was an old battle going on with the Pacific Gas and Electric Company over electricity. There was also a battle going on in Washington over a proposal to build a steam generating plant in the Delta as part of the Central Valley Project, which would have provided a needed additional supply of electric energy; PG & E fought that.

In 1947 we had a statewide brownout in California. Farmers who had for years paid demand charges to guarantee the availability of power to meet their pumping needs suddenly found that the demand charge didn't guarantee them anything except a "hunting license." Well, we didn't build the steam plant, and PG & E succeeded--even though we were faced with this brownout--in blocking any further congressional action by CVP [Central Valley Project].

I felt that California ought to move ahead and try to provide a better answer to power supply. There was a lot of activity going on at that time because of the needs of the state water project for additional electricity for pumping purposes. I was very strongly in favor of the establishment of the

¹ S.B. 699, 1961 Reg. Sess. Cal. Stat., ch. 2073.

Sacramento Municipal Utility District here, putting it into the electric distribution and generating business if possible, in order to provide a meaningful yardstick against which we could evaluate the performance of some of these private utilities. [The private utilities] had grown ever larger and were pretty fat cats; they ran roughshod over the legislature. That's one of the reasons I sought membership on the Public Utilities and Corporations Committee when I went to the legislature.

The person who was our assemblyman was a fellow by the name of Dwight [H.] Stephenson; he was a very decent person, an ultra-conservative who had a very limited view of the role of government. They talked about free enterprise, and there's nothing less free-enterprise in the classical sense than [a] utility. It has by its very nature a monopoly; it doesn't have to compete. The only measure of whether it's efficient or not is whoever the governor appoints to the PUC [Public Utilities Commission] or the people elect, if its an elected body. I waited for someone to run against him; I was very interested in seeing Sacramento better represented. We were fortunate; we had a very good newspaper that advocated some of the things I did in those days.

SENEY: You're referring to The Sacramento Bee here?

MOSS: Well, at that time I knew nobody at the Bee, and I'm not one of those they came to and asked for help. I talked to my wife and her father, a rancher out at Galt. My wife gave me encouragement; her father said, well, he didn't know how wise it was, but if I ran, he'd be supportive. So, I decided to run and went down and paid my filing fee. I might add that I had very few enthusiastic supporters. I frequently said I was never pushed to run for office, I sought the office; I wanted it because I felt I could do something. I filed; I had no financial commitments. My wife and I. . . . I think her sister gave us about \$250 and I think that Local 586 of the carpenter's union came forward and gave me \$275. I think that was the bulk of the outside funds. We had to finance the rest of the primary campaign ourselves.

SENEY: How much did it all cost, do you recall?

MOSS: I imagine it cost us about \$4,000 or \$5,000. You've looked at some of my speeches of that period . . .

SENEY: . . . Yes, I have.

MOSS: I didn't duck controversial issues. I developed a philosophy that I have followed ever since. I never ducked controversy; I embraced controversy. I think if you have a good, healthy controversy going on, you can finally discern more clearly what the real issues

and facts are, and they become important. So, I never got the money, and as result, I started developing stories, hostile stories from The Sacramento Union and increasingly friendly from The Sacramento Bee. I think mid-week of the week before the election . . .

SENEY: . . . The primary election?

MOSS: Yes. Mr. Herbert Phillips, who was the political editor of the Sacramento Bee, called me and wanted to know if he could meet with me.

I said, "Yes." So we arranged a time--I think it was the next morning--and I went down, and we met in his cubby hole.

The first question he asked me was, "Who writes your stuff?"

I said, "I do." Then he proceeded to query me very closely to determine whether I did or not. He was convinced that I did. So, we went on then to a general discussion; nothing was asked of me, no commitments of any kind were expected, and none were given. It was not a meeting that left me with any strong conviction as to what their interest might be, but a couple of days later--the Saturday before the election on Tuesday--the Bee came out editorially and endorsed me. And that, I think, was very helpful. I didn't attack Mr. Stephenson personally, as a man of

ill will or anything; I just think he was wrong politically in the things he was thinking and the things he was doing.

SENEY: Did you have opposition in the primary itself?

MOSS: No. They tried to get some for me.

SENEY: They, you mean?

MOSS: A few of the senior members of the Democratic Central Committee went out and got up a young man, an attorney here, I won't mention his name . . .

SENEY: . . . I wish you would.

MOSS: Well, his father was very prominent, and he was talked into agreeing to run against me. They went down and paid a filing fee, then went out and got some names [on the nomination petition]. I guess they stopped at the Hotel Senator--this is rumor now--and proceeded to celebrate getting someone to run against me, and they forgot to file the papers. [Laughter] So, I didn't have an opponent.

SENEY: Why would the Democratic Central Committee go out and get somebody to run against you?

MOSS: Well, I had caused some of them some problems with my work on the Central Committee. I was never a conformist. And if I felt someone was wrong or a damn fool, I was not adverse to expressing myself.

SENEY: Now you had a variety of party positions before the war which we talked about last time. When you came

back, did you continue to work with the Democratic Party again?

MOSS: I continued to be active with the Democratic party, yes. I joined a group that a real estate broker here in town by the name of Thomas Anderson, who had been the Real Estate Commissioner under Culbert Olson, had organized, but it had gone to seed. About the only use for it then was a forum; if you made a speech, someone might get it in the paper.

I remember one of the editors of the Bee saying, "Now you remember, you can go out and speak to 100 people a night, every night--that's a pretty good audience--for thirty days, and you've reached 3,000 people. But if you say something important, and you write it up and send it in, and we publish it, you talk to 100,000 people." Well, the last thing we did at night was to get on my back porch, when I lived over on Marty Way, and my sister-in-law would man the typewriter, and we would type up a press release. I would drop it off at the newspapers, probably around one o'clock in the morning, and then we'd wait for the next edition and see what kind of story we got. The campaign wasn't instigated by any professionals, it wasn't managed by any professionals.

SENEY: You had, of course, campaign experience working for

other people, so you knew something about what was required.

MOSS: Yes. I was active in doing work on campaigns because I was always interested in government.

SENEY: How did you decide, and did you decide, among the various groups in the community to target and reach with your message? Certainly you've mentioned that you wanted to get press coverage, but beyond that.

MOSS: No, I think I didn't really target any group I wanted to meet. I didn't go out and try to court the senior citizens or this group or that group. I just tried to be able to talk to people, and I didn't set out to target any group. As a matter of fact, in my campaign I think, there was a statewide ballot proposal on reapportionment of the California Legislature.¹ I had not taken a public position because I didn't feel it was up to me to tell the people how they should vote on those ballot proposals unless they asked me; if they asked me, I'd tell them.

There was an old chairman of the Sacramento Labor Council by the name of J. L. R. Marsh; he invited me down to meet with the Central Labor Council. I went down and met with them, as most of the candidates did, and they came out and endorsed

¹ Proposition 13 (June 1948)

me for election to the assembly. About a week or ten days later, I had a question put to me at some meeting or other regarding this proposition on the ballot. I was asked how I'd be voting on it, and I told them candidly how I would vote on it . . .

SENEY: . . . And that was against it, right?

MOSS: They defended Mr. Marsh, and they [the Central Labor Council] proceeded to set about trying to withdraw the endorsement. Then some of my good supporters, who had emerged suddenly, came forward, and I got the endorsement of four or five of the individual unions. But I didn't get the endorsement of the Central Labor Council at that time. Again, I let things develop as they would.

SENEY: I have seen a good deal of material that you used during that 1948 campaign; as you know, I found a green spiral notebook which has in your handwriting the various campaign statements that you drafted. I want to read from one of them because it does suggest the kind of tone that you have indicated; that is, that you didn't shy away from controversy. It says here, "Amongst the wildest grabs for personal glory made by the incumbent assemblyman of the Ninth District is the attempt to claim the credit for securing a \$750,000 appropriation for property

acquisition in connection with the Sacramento-Yolo Deep Water Channel." Would you comment on that?

MOSS: Well, of course, the Sacramento Deep Water Channel was a long-held dream of Sacramento to get a deep water port because Stockton had one. Well, the movers on that did not include Mr. Stephenson, and I think he was more aligned with a group from the Delta who were strongly opposed to a deep water channel for a variety of reasons, some of which may have been valid and some weren't. I didn't subscribe to them, I felt that we would benefit from having a deep water channel, and had we not abused the rivers during the period of intensive dredger activity in California, we probably would have had a navigable stream from the bay to Sacramento.

SENEY: You are referring to gold dredging?

MOSS: Yes.

SENEY: Hydraulic mining.

[End Tape 3, Side A]

[Begin Tape 3, Side B]

MOSS: But in connection to the deep water channel, we had a very long time supporter of it by the name of William G. Stone. Then we had a Sacramento Chamber of Commerce Secretary Manager who was extremely active and had quite a bit of influence in the legislature and in Washington. His wife had been a very close,

one-time employee of [Speaker of the U.S. House of Representatives] Alvin Barkley; in any event, Stone and [Arthur S.] Dudley were so actively pushing that any effort by Mr. Stephenson to claim credit was taken away from him.

SENEY: In this statement you're analyzing a campaign statement of Mr. Stephenson's that was in a written brochure; you've gone through the Official Journal of the Assembly and gleaned from that this information. You go on to say, "The man who did yeoman service for the district in originating and piloting the port district legislation was State Senator Earl Desmond from Sacramento."

MOSS: That's right. Well, he did. Earl Desmond was extremely active in getting state assistance, as he was very, very active in bringing the California State University to Sacramento.

SENEY: Yes, you go on further to indicate that Assemblyman Stephenson also tried to take credit for that, but in reality that was Mr. Desmond again.

MOSS: That's right. Earl Desmond was very active. He worked with the Strayer committee which filed that Strayer report which I think gave us the justification, finally, for it. We incurred the enmity of a lot of instructors at Sacramento City College because at best they wanted--I know they got

after me when I was in the legislature--California State University to be upper division only. They were forecasting the difficulty of getting enough enrollment . . .

SENEY: . . . So they wanted the state college to be upper division only and leave lower division to the city college.

MOSS: I think the estimate was by 1965, we might have as many as 6,000 students. I, together with Earl Desmond and Gordon Fleury, was convinced that, keeping with the pattern of Sacramento development over the years, that all of the estimates would be proven far too pessimistic, that the reality would be much greater enrollment, not less. But Stephenson was one of those; he would piggyback anything that appeared to be popular at the moment and take credit where credit had really not been earned. He was not a very active legislator.

SENEY: Another thing that he claims credit for that you also take him to task on is the funds for purchasing a new state fair site. This again was a bill presented by Senator Desmond. I take it this was another issue Mr. Stephenson wanted to associate himself with.

MOSS: He wanted to associate himself with it when he found it was far more popular than the county fair out at Galt. Mr. Stephenson never really reached out to try

to do any of the things that he would learn in a campaign were important at the moment. He hadn't been challenged before; he had not really had a campaign.

SENEY: He was running for his fourth term.

MOSS: Third or fourth, I don't remember.

SENEY: Yes. Another thing that you mentioned in the materials that I have in front of me here, and you mentioned a few moments ago, was the 1947 highway debate. Governor Warren called a special session, having what he thought was great popular support for this, and yet the legislature, when they got through with him, gave him very little of what he wanted. Your feeling was that Mr. Stephenson was on the wrong side of that issue too.

MOSS: He was. With that program, which was very inadequate, Warren--on this I was close to Governor Warren; although we were of different political parties, we usually got along with each other--wanted to improve the quality of the planning at all levels in government. He sensed that we were going to have major, major problems, that we ought to be fully prepared by doing the planning work ahead of time, not trying to rush in and plan afterwards for an emergency. He had difficulty with the legislature on that too. He had a lot of difficulty with the

legislature. The Salzman Health Plan was another one of his programs that was not supported. That was a form of compulsory health insurance. It was ahead of its time; it would have been a good first step.

SENEY: This was another one of the governor's proposals that couldn't get through the Republican legislature. They were, I take it, generally more conservative than he was?

MOSS: Yes. Particularly the senate. Well, no, the assembly was pretty bad too. I'll tell you, the lobby influence on the California legislature is a very, very destructive force in my view--the improper lobbying activity. There's a difference in the pattern of lobbying in Washington than in lobbying here. There are many lobbyists in Washington who are almost indispensable in some fields of legislation, and if you work with them strictly from the standpoint of a resource, they're invaluable.

SENEY: Could you provide a couple of examples when you compare and contrast?

MOSS: Well, let's take the really well-established lobbyists who represent the auto insurance people in Washington. I don't care whether you were working on a no-fault bill that they were opposed to or some form of additional regulation; you could call them and put a question, and they would give you solid

statistical backup or research, and you could bank on it. You could send it over to the American Law section of the Library of Congress [American and British Law Division of the Library of Congress] and have it checked out, and it would be valid. I don't know that I ever recall that kind of thing here; some of the professional groups perhaps, but the commercial groups were rarely in that category. You'd sort of stay away from them. But I learned early on in Washington that if you used them as they could be used, that they could be very helpful.

SENEY: Well, this was a period in California's history when lobbying--which is under criticism now as we speak--was under perhaps its most serious criticism.

MOSS: Arthur [H.] Samish. Mr. Samish would go out and try to harm you two ways. If he knew he couldn't whip you, he might put some ads in your district in such a fashion that everyone would identify them as Arthur Samish ads. He wouldn't have any good will for you at all; he was trying to hurt you.

SENEY: By implying that you and he were friends in other words?

MOSS: Yes. I don't recall him doing that to me, but I know of places where it was done; it had a devastating effect.

SENEY: I'd like to talk about Arthur Samish a little later.

I want to get back to the '48 campaign and some of the issues that you raised. This was a period when the readjustment from World War II was still going on. It was only three years after the war, and the reconversion was very much incomplete at this time, and the legislature was still dealing with many of those issues. One of the things that you talk about is housing and the problems with housing after the war.

MOSS: We didn't do anything significant there, and we haven't since in the state.

SENEY: In your discussions of housing, you have a number of facts here that are interesting because I think you are right that nothing was done then, and nothing has been done now. But the problems were certainly there, and they were very, very obvious; one was rent control. Now my understanding is that rent control had been enforced during the war period.

MOSS: Right. I've always felt that rent control could work if it had some provision for reasonable rate of returns. But, I don't know whether I mentioned that at that time or not.

SENEY: Well, you do. You say here that you're in favor of maintaining rents at the levels now existing, "I do, however, feel that in a small number of cases that

definite hardship has been worked upon the owners of property on which no adequate return is realized on invested funds. These cases should be fairly adjudicated, and when thoroughly proven, relief should be given. I recognize that such cases are the exception, and I should oppose any move of granting an overall cost of living rental increase." And you say here that, "I believe rental control laws are too weak to insure proper enforcement; they should be strengthened."

MOSS: Right. And, of course, they did away with that.

SENEY: Rather than strengthen them?

MOSS: Right. I think frequently those kinds of laws, or the failure to have those kinds of laws, leads to this unbridled speculation that can cause massive losses when you have a collapse of the market. I think we're in danger of that around here now in some areas.

SENEY: You mean the Sacramento area, housing prices rising so steeply, so quickly?

MOSS: I'm not a socialist, but I feel where there is a clear need, and in housing we have a very clear and urgent need, that if the private sector--given the various aids that are available to them--doesn't fill that need at a reasonable price, then I think there's

every justification to make use of government to provide the service.

SENEY: Housing, of course, was and is left to the private market, and as you say, the legislature made no change except to eliminate rent controls. Another thing that you mentioned a few minutes ago, that you dwelt on here [in your 1948 campaign statements] was the question of power, how much power was available, and the fact the PG & E and the Public Utilities Commission had not done their job. The PG & E had killed off any kind of proposal which they could not control.

MOSS: Right. PG & E had a very lush area in which to politic here. We were told repeatedly that there was adequate power in California, that there were no problems, and that there should not be any more federal funding coming in here. Well, thanks to [U. S. Secretary of the Interior] Harold Ickes, we did get a CVP [Central Valley Project] line, but it was not adequate to really make use of the amount of power that would be generated at Shasta Dam. After all the assurances and all of the steps to block any kind of federal project in the Delta to firm up. . . . Remember that when you take the power that is generated at Shasta, and you firm it up with steam, you're creating the most valuable power

product you can get. But as long as they have the firming up capacity . . .

SENEY: . . . PG & E you mean?

MOSS: PG & E. If you can get the two mixed, then you've got a very productive system. In '47 we found out that there wasn't adequate power. There wasn't the diversity that would benefit us, with southern California power being up here at certain times when we needed it, and ours being there when they needed it. So we had a considerable economic loss to the farmers and businesses.

[Interruption]

SENEY: Now one of the things that I noticed in relation to the power brownout was that what we now call daylight savings time, which was what had been called "war time," was extended during this period for the purpose of saving electricity. Was that a controversial move or was that fairly popular?

MOSS: Well, I think that was one of the rare instances where daylight savings time was not controversial because it became demonstratively one of the major answers to the problems we had. Other than that, it's always controversial. As the author of an effort to achieve a national policy, I amended the Standard Time Act and put in the six month standard

time, six month daylight time nationwide.¹ Four or five years later they amended it to permit a state to opt out, but I had traveled across the country enough to know the problem. Indiana was the worst example. Each community set its own time; you never knew what time it was, driving across Indiana. It was awful. There were other states that were almost as bad.

SENEY: Did you find that when you did this in the congress, it was controversial?

MOSS: Oh, it was controversial. You'd think I was subversive. [Laughter]

SENEY: Another area in which you showed an interest in the campaign is related to housing, and this is the whole issue of slum clearance and redevelopment. You say here, again taking to task your opponent, Mr. Stephenson, "A further example of the extreme discrepancy between fact and fanciful claims of your pamphlet comes under the heading of taxes. You claim credit for continuation of state tax reduction; the record shows your name appearing on one bill dealing with taxes during the 1945 session, and that dealt with motor vehicle tax." But this had to do with slum clearance which he apparently was also claiming credit for . . .

¹ 15 U.S.C., sec. 260 (1982)

MOSS: . . . But in fact, not supportive of. We had in the west end of Sacramento--as we had in many parts of the state--conditions that were such that the kind of rehabilitation that maybe could have worked fifteen years earlier were impractical because of the degree of deterioration. He had shown no initiatives. If I had to play that back, I would have emphasized the fact that here was a person, a decent human being, who just didn't seem to understand the kind of problems confronting the people of this community or the nation, and that ignoring them would never solve them.

SENEY: You characterize him as ultra-conservative. Do you suppose he was just being consistent with his own political views that the private market should be left alone?

MOSS: He was ultra-conservative. A couple of years later, my niece married a young man by the name of Simms from the south edge of town; his family had been out there as long as her grandparents. The Simms were there from about the early 1850s, and my wife's folks were also in that area, and they were very close friends of the Stephensons. At the various social affairs in connection with the wedding, I was frequently brought into the same group as Mr. Stephenson. We adjusted well; we were civilized and

enjoyed a little friendly banter now and then. He was not a disreputable person. His claims were manufactured by PR [public relations] people.

I remember at the time I was running for congress, there was a man very much like him who was the Mayor of Sacramento, my Republican opponent. I remember one time up in Folsom we were both called on to speak to the same audience. I took after Mr. [Leslie E.] Mr. Wood rather strongly because he was not the most imaginative person in the world. He'd been a close friend. He came over and he said, "Now, John, I'm not taking any offense to what you just said." He said, "I know you. You're doing exactly what your campaign people tell you to do."

I said, "Les, let's not have any misunderstanding. Any word I utter is of my own composition. Every word I utter reflects my deeply held personal view. I don't want to leave you with any idea that I don't sincerely mean what I say."

We didn't have another friendly conversation until years later. He came to see me at the congressional office; he was having some difficulties and wanted to know if I would be able to help him.

I said, "Les, when you walk in that door, you're a constituent; you're entitled to every service this office can honorably offer." We did help him.

SENEY: What I'm holding in my hand here are copies of your own words, in your own hand, quite voluminous; there are many pages. Not only that, but I also have copies of, in your own hand, charts that you have made out from information culled from the Assembly Journal [Journal of The Assembly, California] on all the votes that Mr. Stephenson made over the period of his career.

MOSS: I didn't want to charge him with anything I couldn't back up. I never did want to be irresponsible in a campaign.

SENEY: Well, let me say as a researcher, I'm very grateful for all the material you've left for us to go through. Also, as a researcher, I'm flabbergasted, almost, at the amount of work you yourself did on this, without reference to any kind of aides or . . .

MOSS: . . . I had no staff, you see. I had no real staff in the legislature. That's one of the nice things about congress; I made use of staff in congress. I also, probably, had more interns and fellows than almost any other chairman on the hill. I encouraged them, and I didn't have them fill just routine jobs; I gave them responsibility and definite assignments, and if they fulfilled it, they got more. And they enjoyed that.

SENEY: Well, what comes across in the materials that I've reviewed here and referred to, is someone who is thoroughly prepared and very willing to go into the details of the matters at hand. I take it this is not something that you picked up when you began to run for the legislature?

MOSS: I think that the campaign reflected the fact that it was a last minute decision to run, but it was not a last minute decision to know what was going on. As long as I can remember, back when I was a small youngster, I used to try to interject myself into discussions going on amongst my elders over the government and what was happening. I can recall details of the 1924 campaign of [U. S. Senator Robert L.] Bob LaFollette, who was fighting, let's see in '24, [President] Calvin Coolidge. It was an interesting campaign. You had to read; you didn't have radio information, so you read, and you had to keep a close personal contact with the developments from day to day. I always enjoyed that.

SENEY: One of the things that comes across in reading the statements here is that, first of all, you were blunt about what you had to say. But also, it comes across to me, that you enjoyed this as well, that you had a good time.

MOSS: I enjoyed it; yes, I did. I don't know how many times, especially of my more recent years of my service in the congress, you'd have a tough vote, and I'd go ahead and vote the way I felt I should vote, and some of the younger members would saunter over and say, "John, I wish I could do what you just did."

And I'd say, "Why can't you?"

"Oh, my people would never stand for it."

I said, "What the hell are you doing, following or leading?" Sam Rayburn was a great believer in that.

He said, "Your people will continue to send you back here as long as they think you know more about the problems that face us than they do. They want you to lead them, not to follow them." That was a very shrewd observation. That's what you have to do. If you want the benefits of leadership, then by God, take the risks.

SENEY: Did you think that you were going to enjoy the campaign and the tumble of politics as much as you did when you got into it, or was it a surprise?

MOSS: Oh, yes. Remember, I had written materials for candidates; I wrote practically every speech that was made by Frank Buck in his campaign for congress in 1942. I wrote the material for some of the other candidates. Not all of it as I did in the Buck

campaign, but for some of the others, I wrote material.

SENEY: Did it feel different when you were doing it for yourself?

MOSS: No, about the same. You had the same responsibility. You had to be accurate. I had a large group of investigators when I chaired Interstate and Foreign Commerce Oversight and Investigation, and we were dealing with very vital issues that could destroy a person.

I used to tell the staff, "I want this carefully checked. I want no allegations, hinted or inferred in any manner whatsoever, unless we have firm documentation." Because one of the things that would offend me was making false charges against someone; I don't want to harm them. I think I succeeded, I don't think I did.

SENEY: Doesn't your effectiveness as a legislator, both here in California and in the national congress, depend as well on your reputation for accuracy as reliability?

MOSS: Oh, yes, you bet it does. There's some members you can go to; you'll ask a question. Let me give you one that you're probably familiar with, [Member of House of Representatives] Howard Smith of Virginia. He was sort of the bete noire of liberals across the country.

SENEY: The chairman of the Rules Committee [in the U.S. House of Representatives] for many years?

MOSS: Yes. Howard Smith had very few members who were not obligated to him. Some member would go to Howard, and they'd say, "Don't bring this up." Smith would sit down and talk it over, and if he felt that that was just, he wouldn't bring it up. But the thing that you could go to him for, you could go to him and ask advice. He might be way over at the opposite end, but you could bank on it; if he told you something, you could believe it. He was a thoroughly honorable person and was respected because of it.

[End Tape 3, Side B]

[Begin Tape 4, Side A]

SENEY: I want to get back to the '48 campaign because there's a couple of other things I want to ask you about. Here I have a statement to the Railroad Brotherhood who, I take it, were probably an influential group.

MOSS: Yes. You had the trainmen and--I think--the locomotive engineers.

SENEY: This is to the Railroad Brotherhood, and there were several unions involved, the brakemen and the car tenders . . .

MOSS: . . . There were a whole bunch of them. Among the members of the Railroad Brotherhood, the locomotive

engineers and the brakemen were probably the most influential. The locomotive engineers were very realistic in what they expected. You didn't have the feeling that they were out grabbing for everything in sight. They were usually pretty solid.

SENEY: They were a politically sophisticated organization, you would think?

MOSS: Yes. And they were fairly stable people in their communities. They were just stable, progressive sort of people.

SENEY: Well, up to this point, the railroad was still a fairly significant employer in this area. There was the Western Pacific Railroad, of course.

MOSS: Right. We had large shops out here; we had large shops in the west end.

SENEY: Which are gone now?

MOSS: All gone, yes. The Western Pacific has been dismantled for years now. But, they weren't then, and they had probably 8,000 or 9,000 employees.

SENEY: What I'm getting at is that here in the Sacramento area, which was primarily in agriculture, services, and state government, this would have been probably one of the largest labor unions you would have had to deal with.

MOSS: That's right. With the Brotherhood itself you might establish very good relations, but you might not have

the best relations with some of the others. Some of the things they wanted you could give firm support to, others you just wouldn't. I don't think you would . . .

SENEY: . . . Well, the issue you address here is the Full Crew Law¹, and you said, " I favor retention of the Full Crew Law, and I favor legislation limiting the number of cars on any one train."

MOSS: I still do. We've eliminated the trainmen; you no longer see the cabooses, and you've seen a great many horrendous wrecks. That trainman sitting back there and looking that whole length [of the train] sees trouble before anyone else does; he's very important. And it's a very minimal amount of expense for the railroads, compared to the potential benefits. Railroad service is vital, and one misstep can be so very costly.

I felt the same way on aircraft. They're always wanting to cut out the next seat, and sometimes that's a crucial seat in an emergency. It's a matter of profit, but they're profitable.

SENEY: This letter is a response to five questions which were submitted to you by the Railroad Brotherhood. The first one you answered had to do with the Full Crew Law. The next one, which we talked about, is on

¹ S.B. 221, 1911 Reg. Sess., Cal. Stat., ch. 49.

housing and rent control. Then there was a question having to do with social security and the retention of social security. I take it that there is still some controversy over whether or not it was a good program at that point?

MOSS: Well, it always will be. There were moves to extend it to cover certain types of public employees. The railroad workers have a railroad retirement act of their own that's separately administered; they still have that. There were some dangers to it because of the limited base that wasn't anticipated at the time but did develop. I'm going to have to excuse myself for just a second.

SENEY: There are a couple other issues I wanted to ask you about from the 1948 campaign because it seemed to be in this campaign you really kind of established your views, and you went into these matters very thoroughly. Another one had to do with health insurance. Now, you commented on that briefly, but you have been in favor of health insurance.

MOSS: I have, indeed.

SENEY: Another factor which is important here in Sacramento are the number of government employees, the civil service. Here you talk about the problem of salaries and the level of salaries, and while the personnel board is required to conduct studies and then to

establish certain salary levels, apparently you found that that was not really satisfactory.

MOSS: It was not establishing the kinds of comparable activities that gave valid measure of worth of the positions. We had the same problem when I went to Washington. One of the first bills we had was by Post Master General Arthur Summerfield to reclassify all postal positions. He was trying to bring them down to comparable salaries in certain groups, and it made no more sense that what we had. It's very difficult to have a comparable standard; it's very difficult in certain jobs. But there are many that lend themselves readily to it. There's a very accurate pattern of comparable positions, and they were not being adequately studied by the [California] State Personnel Board. They seemed to sort of follow the trend of keeping salaries below, rather than even with or above regular [non-governmental] employment. Well, maybe that had a dollar value, I'm not sure that it has.

SENEY: When you made your views clear on civil service, and this looks to me like a press release that you made available to the Bee, did you then go out and seek out any of the civil service groups and make sure that they were aware of your views?

- MOSS: No, I didn't have enough staff to do that. No, I trusted that they would read. I didn't even have enough money to see that each of them got a copy of my release, as you probably noticed, those were typed up releases.
- SENEY: Well, in this case what I'm looking at are your hand-written releases which were then typed.
- MOSS: Well, my sister-in-law would type from those. When I'm writing I have a pad and sit down with a pencil or a pen, and I write. I used to do that with most of my mail in Washington; I'd go into my office quietly and try not to be disturbed for an hour while I dictated out the mail. I read more mail than most members.
- SENEY: What I did find, not in the files on the state legislature, which are not that extensive, but as we both know, your files on your congressional career are in the California State University Archives. In there, I would find first your hand-written statements that you wanted in the press, then the typed press release that would actually go to the Bee in most cases, then the article from the Bee, which was based upon your press release. What I found in many, many cases was that your first paragraph would be quoted in the Bee article with quotations [marks] around it. Your second paragraph would be rewritten

in a very minimal way and would appear without quotation marks; your third paragraph would appear with quotation marks, your fourth paragraph again would have been slightly rewritten. You seem to have great success at that point; I'm talking about 1953, 1954, 1955. Did you have the same kind of success with the Bee when you submitted these early press releases to them?

MOSS: Not initially, no. After they came out and endorsed me, they started giving me . . .

SENEY: . . . Then you could pretty much rely on your press releases appearing in the paper?

MOSS: Well, you always had, at least, one or two of the Bee reporters down at the capital. There was one of them there that I used to thoroughly enjoy arguing with, Tom Arden. He was a crackerjack of a reporter. I liked, sometimes, to provoke Tom. I enjoyed good-natured bantering that sometimes could be a little rough. I guess I just liked ideas. I think that they are stimulating. I think that if you can get a little different viewpoint then you really have fun.

SENEY: What I'm really trying to get at here--I asked you about going out and meeting with civil service groups, which you really didn't do--is that the Bee was really quite critical to your first election,

wasn't it? And their endorsement was probably decisive . . .

MOSS: . . . I think I won that by about 1,200 or 1,500 votes. There was an awful lot of money spent against me. I didn't have any. As I say, my wife and I, except for a total of about \$500, financed the campaign.

Well, that was very much the same thing on the first congressional campaign. I remember I had a piece of property where I had started a building, a speculative house, and I went out and I sold that house to Virginia Mueller. She still lives in it; they went ahead and finished it. I sold it as it was on the lot for cash to pay off the last round of newspaper ads in my campaign for congress.

SENEY: Is that right?

MOSS: And I might add that I never expected my campaign to pay me back, as they all appear to do today. I had invested in my efforts. It was a risk; you take it, and you don't expect someone else to pay it back for you.

SENEY: I want to ask you another question about the campaign. You characterize Mr. Stephenson as ultra-conservative, and you clearly were not ultra-conservative. You've also said that the way you developed your position on issues was to develop it,

and then present that and see, I take it, if it would fly with the voters or not. My question here had to do with the voters in the Ninth District during this period. Were you more their representative than Mr. Stephenson was? In other words, were the voters more in line with your views, do you think?

MOSS: Oh, yes. At the point that I was elected I think I was the first assemblyman in many years to go down the river and visit each of these little communities, and make a point to trying to get their views. I think that was reflected in my campaign for congress when one of my great areas of strength was in the conservative Delta. Those are people who wanted to feel that they were part of the process; they didn't ask for agreement, but they asked for attention and understanding. I tried when I was in the district. I overcame a great deal of prejudice in the first congressional race because I sought out people; I visited for many, many weeks before I ever announced for congress. And I visited every little community. I didn't overlook people who might have other views; those were very definitely not going to support me. I never came back to Sacramento when I didn't meet with the editor of the Sacramento Union; we had very candid discussions. My relations with the editors of the Union, personal relations, were excellent, but

the policy of the paper did not permit them to endorse me, and sometimes they were very vicious.

SENEY: In the south Sacramento County area--you mentioned that Mrs. Moss' family was from that area--they were very helpful, I take it?

MOSS: Oh, yes. Her father had very many friends, and during tough times her father would help people. He wasn't a rich man, but he was one who would willingly help a neighbor, and things like that make brownie points. But again, I went out, and I sought them out; they didn't have to come to me.

SENEY: Well, there are some statements in here that you made to the south county area, Isleton and Galt and so forth. Then there was another situation going on that you comment on too, and that is with the attorney general at the time, [Attorney General] Fred [N.] Fred Howser. This has to do with organized crime and a commission which the governor had wanted to appoint; you characterized and described here some pettiness on the attorney general's part. He apparently found a loophole where the commission's counsel could not be legally paid, and you're taking him to task on that. Can you tell me something about that?

MOSS: Well, are you at all familiar with Fred Howser?

SENEY: No, I'm not.

MOSS: Well, he was probably one of the least adequate attorneys general we had. We have had three or four that have not been the best, and he was certainly one. He was a very, very conservative Republican and very much an opponent of Governor Warren. Anything he could do to try and embarrass the governor, he would do. As I indicated, I had a great deal of respect for the governor. I felt that his intentions, in wanting to set up a crime commission, were very much in line with the public interest. I didn't think that nitpicking was in line with the public interest; it might have been in the political interest of Mr. Howser, but certainly not in the interest of the public. I believe I questioned the legal basis for his opinion because it was very narrowly drafted as I recall, and one that I didn't, at that time, regard as having a great deal of merit.

SENEY: Not only do you question the legal basis of it, but whether or not this really makes sense for the attorney general to try to cripple the commission by denying it staff. A man named Warren Olney, III, this [is] the name of a man I've heard . . .

MOSS: . . . He was appointed by Warren to head it.

SENEY: Right.

MOSS: He was a person of considerable stature from the Bay Area, and an old associate of Warren when Warren was,

I think, district attorney of Alameda County. I think his work on the commission fully supported the governor's selection of him.

Warren, if you may have noted during that period, did not run into much hostility from the Democrats in the legislature because we usually found that his views were more compatible with our own than they were, frequently, with his own party. So, we got along very well. There were several of the Republican office holders that were somewhat like that. Tom Kuchel was one.

Many issues that come up in government are not partisan. The bulk of that calendar that goes through the house and senate are not partisan issues, and they pass with very little debate, sometimes with a certain amount of grandstanding with the press. But you know, after I went to Washington and became chairman of a committee, my committee never put out press releases. We started out by establishing an open-door policy to respond to inquiries and after a while, the work we were doing increased, and we got good stories; we didn't have to put out press releases. And that goes back to something that I remember early on in my service, Governor Warren telling me, "Assemblyman," he said, "You always remember, the best politics is the best job you can

possibly do." It was a worthwhile observation, I think.

SENEY: Once the 1948 general election was over, you wrote [Assemblyman] Sam [L.] Collins, the Republican Speaker of the Assembly, and you say in this letter, "As the newly elected assemblyman from the Ninth District, I wish to take this opportunity of assuring you of my support for your re-election as speaker of the assembly." And, you go on to say, "Inasmuch as I secured election without the support, formally, of my party, I do not propose to be bound by partisan considerations during my tenure and as a member of the legislature. I look forward to meeting you here in my own district and becoming acquainted with you. I hope I may feel free to seek your advice upon the many new and strange problems confronting a freshman member." Now, this in the context of the times, I suppose, was not a strange letter for a Democrat to be writing to a Republican.

MOSS: It wouldn't be now.

SENEY: It wouldn't be?

MOSS: It wouldn't be.

SENEY: It wouldn't go now.

MOSS: Yes, it would. I did the same thing when I went to congress; almost from the first opening gavel I made it a point to get around and meet every senior

Republican, every ranking Republican on every house committee. To acquaint myself with them, a little bit of background on their committee, their interests and [for any] advice they might give me. [Speaker of the House of Representatives] Joe Martin was very helpful to me.

SENEY: But you here are pledging your support. I take it you voted for Mr. Collins?

MOSS: I had no alternative but to vote for Mr. Collins.

SENEY: No one was . . .

MOSS: . . . There was no opposition to Mr. Collins.

SENEY: Today, of course, in the California [State] Assembly, this is really a caucus matter to be decided by the two caucuses. What I'm trying to get at here, and I guess I'm not doing it very well, is non-partisanship.

MOSS: We had a strong tradition of non-partisanship or bi-partisanship in California. We had it in practically all elective offices using cross-filing. My second time up [1950], I was elected in the primary. I was elected a couple of times to congress in the primary. I had probably laid out more carefully than most my views, and I would support anything that coincided with those views vigorously, whether it was offered by a Republican or a Democrat, and I would oppose it equally vigorously. I think

that you try to cooperate, if you can, with every member. The degree of cooperation depends upon some reciprocity from them. Are they cooperative or just out to grab an opportunity for some publicity? You want to stay away from those.

Sam Collins had been a member of the assembly; he was a person whose views rarely coincided with my own, but in the conduct of the business of the legislature, cooperation was very important. If it isn't, you just bog down in hopeless partisan wrangling, which I don't think contributes to anything. You notice, I never promised him any support on specific issues. I said I would support him; I think that implicitly means I'd support you whenever I feel you're right.

SENEY: It says, you have ". . . the assurance of my support for your re-election as speaker of the assembly." I take it then, that this didn't mean much because you didn't have any options.

MOSS: It didn't mean much. All it said was that if there was an abortive move in the Democratic caucus to throw you out without any chance of it succeeding, I don't intend to participate.

SENEY: So, I suppose this is kind of a wise move to tell the speaker I'm going to support you when there really isn't any alternative.

MOSS: That's right. It's the inevitable. And as long as it does nothing damaging to you or your career, or to the public interest, yes, I supported his re-election. At least, he didn't then have a feeling of dislike for me.

SENEY: Let me contrast this attitude with what I think may be the attitude in the U. S. Congress. Now, of course, you were elected in 1952; there was then a Republican majority in that election. Subsequent to that Mr. Martin, who had been the Republican minority leader, becomes the speaker. You certainly didn't vote for Mr. Martin?

MOSS: Oh, no . . .

SENEY: . . . or would you have in congress crossed that line?

MOSS: I would not. The reason for that is, there is a very fundamental difference between the structure of the congress and the [California] legislature. The congress actually does have an opposition party; the legislature never has had since [Governor] Hiram Johnson. You were physically divided in the congress; by every tradition in the congress, you had the Democrats on one side and the Republicans on the other. If you had an Independent, he sat back in the majority party's column, and they serviced him, assigning his committee and what not; they had

something more than the minority had. The committee assignments were a ratio determined by the caucus leaders of the two parties. The Democrats would move the election of their leader as speaker, and the Republican would move the election of their leader, and the one that had the most members got the speakership on that basis, and the same way with all the other house offices.

In your committees, there's a physical division. You never had a committee chair who's a member of the minority party, never. You're not supposed to ever permit him to preside in the case of an emergency. I never would yield the gavel to the minority, never. But that was a tradition; it was a system that had worked well. We didn't have the endless partisan wrangling; we had a structure where we could bring issues finally and resolve them. Here you have endless bickering; you don't have that kind of a structure.

SENEY: You mean, now?

MOSS: Yes. I think it's been true ever since they destroyed formalized partisan control. You've got a Republican chairman; you can't dangle a chairmanship in front of a Republican in Washington if you're the Democratic speaker; you can not do that. In the first place, the speaker doesn't grant it; it goes

through a committee. You'll notice that I wanted those appointments down the road to come to my committee; I wanted the Rules Committee to be elected . . .

SENEY: . . . You mean in the California [State] Legislature?

MOSS: Yes. And I served on that elective Rules Committee. And those were things that I felt were essential to strengthening the role of the legislature itself; then you could move to a party organization. I think it's preferable.

SENEY: You think it is preferable to have a party organization?

MOSS: Preferable, yes. It identifies responsibility. I know it's damn hard to fix responsibility in the California State Legislature.

SENEY: What kind of a guy was Speaker Collins? What was your relationship with him?

MOSS: Well, Sam was always very decent to me. He gave me better committee assignments than he had to. I think in my first term he put me on the conference committee on the budget; I think that was because of a discussion with him one day, and I convinced him that I knew what the hell was in the budget. It's surprising how much ignorance there is on the part of the members who sit on the conference committee on the budget and how very dependent they are on outside

sources. I made it a point to know as much as I could. So, I was put on that conference committee, and I served on [budget] conference committees until I left.

SENEY: That's an important committee, right?

MOSS: Oh, yes. That's when the two houses each pass a bill, and you bring them into the conference and write the final law. It's very important. No, I can't complain about Sam Collins. He wasn't my ideal, God knows, but given the era and the circumstances, in his dealings with me, he was an honorable man.

SENEY: You mean, capable, intelligent, well-versed?

MOSS: Sometimes he'd make rulings, and you knew he was ruling not on the rule book, but on the guaranteed forty-one votes that he had at the very minimum, and his ruling would be sustained. There were some occasions where I made a lot of noise. I remember one night towards the end of a session; all of the lobbyists up in the galleries had been out to receptions over at the Senator Hotel, and some excessive drinking had gone on. They were up there acting like a bunch of clowns and making noise and disrupting the orderly business of the legislature. I rose to make a point of order, and Sam Collins kept ignoring me, and he turned off my mike.

And I remember saying, "Mr. Speaker, that won't do you one damn bit of good because I can be heard over the mike."

And I kept on until he had to recognize me. I said, "I demand that the sergeant-at-arms be instructed to take that bunch of monkeys out of the . . .

[End of Tape 4, Side A]

[Session 3, October 24, 1989]

[Begin Tape 5, Side A]

SENEY: Good morning, Mr. Moss.

MOSS: Good morning.

SENEY: I wanted to ask you about the leadership among the Democrats in the assembly during your first term. I want to read to you from a letter of yours, having to do with the election of Democratic leaders.

This is addressed to [Assemblyman] Mr. Julian Beck. You say first, "I thank you for your kind letter of congratulations and also for your informative letter of November 16." He has asked you for support for minority leader and you say, "I wish to assure you that I have only the highest regard for your performance as a legislator and a Democrat." I can't quite read what it says here, but you say, "I have committed to [Assemblyman] Ralph [C.] Dills' candidacy. I have known Ralph for in excess of ten years, ever since he was first here as an assemblyman." So you indicate that you were

committed to Ralph Dills, ". . . but in the event that Ralph can not be elected, then I will be most happy to support you."

SENEY: What happened with all that?

MOSS: Well, I had known Ralph since the middle 1930s, when he came up here as a first term legislator. Ralph Dills and [Assemblyman] Vernon Kilpatrick, a whole group of them came up from southern California. They were liberals, a number of them had been associated with education. Ralph Dills was a teacher.

They used to have difficulties getting by, so I'd have him to my home for dinner from time to time. They weren't paid a per diem then and things were tough; you got one hundred dollars a month and that was it, \$1,200 a year.

I had kept in touch with him, and when I started running, why, Ralph was there to give any advice or service he could. He'd been in about eight or ten years at that time, as a member of the legislature. He was liked.

Julian Beck was very popular with the Democrats, especially with those from southern California. But my commitment for Ralph was based on a long personal [relationship] without any prejudice to anyone else. I had told Ralph, "Yes, I'll support you." And I

did. Of course, he didn't become the leader; Julian Beck did. He did an excellent job, I think. He was a very quiet fellow. You wouldn't walk into a group and pick him out as a leader, but he was a tenacious person. He was very intelligent, he wasn't moved to any sudden actions that were precipitous, he was a good solid legislator. He was, I'd say, a moderate person, politically. After we elected him, I was very pleased to support him in caucus.

SENEY: Did he bear a grudge because you supported Mr. Dills?

MOSS: Oh, no. As a matter of fact, I believe in my second term I became assistant leader of the Democrats.

SENEY: The title I have found in the files is Vice-Chairman of the Caucus during your second term [1951-1953]. As long as we've mentioned that, why don't you go ahead and tell me how that came about.

MOSS: Well, I had succeeded in doing a number of things in the caucus. I had gotten an assignment to the Ways and Means Committee, and I was on the budget conference in 1949. I then served on the budget conferences, I think, for the remaining years of my service--the term and a half that I had. I took my work very seriously, I was finally selected as a promising member and given that assignment.

SENEY: Would you rate this unusual for a second term legislator to be . . .

MOSS: . . . Not in the state assembly, it used to have a high turnover rate. It was difficult to continue to serve; it cost you money to serve. I guess in '49 or '50 we put in a per diem and worked toward getting a better salary. In fact, I think we put a measure on the ballot that permitted the payment of \$500 a month, which made things a little easier. There was a fair degree of turnover in the assembly.

SENEY: Much more than there is now in the California legislature?

MOSS: Oh, yes. Now their compensation is better; they're better staffed. There were many frustrations to deal with. I recall that in '49, we had a number of extraordinary sessions called; at one point, we had three of them operating concurrently. We were going beyond the allowances for doing our work; we had inadequate staff.

We finally got a measure that permitted \$125 a month more for a clerk. The way we handled it was, Mr. Fleury, who was the Republican from the Eighth District, and I pooled our money and we hired a secretary who was able and willing to come to work for us for \$250 a monthly full-time. So we finally

got secretarial help. We had a difficult time housing her because we had this little office that couldn't have been more than twelve by twelve [feet], and with three in there, it got crowded.

Then we went ahead and put the addition on the Capitol. They demolished the old half circle building and built the new addition. I guess that was completed in '50 or '51. I know I had very nice offices in there when that was completed. It was an interesting time.

SENEY: Let me ask you about your committee assignments when you first came to the legislature. You were appointed to the Civil Service and State Personnel Committee, and that certainly makes sense, being a representative from the Sacramento area. Did you request committee assignments? How did that work?

MOSS: You requested them, and you almost prayed over them because you could get some very, very unimportant committees. Or if you happened to get a committee that had a chairman that the speaker really didn't like but couldn't afford to affront too much, why you could just knock bad bills aside. There were a variety of ways of dealing with members.

SENEY: This is a critical matter, the selection of committee assignments?

MOSS: Yes. I generally got the committees I wanted. I wanted Public Utilities and Corporations because we were having battles here with PG & E and we had had for many years. I had made the matter of PG & E's ability to fulfill its commitments an issue in my campaign in '48. So I wanted to be on a committee that had some jurisdiction. I might add that under [Assemblyman John W.] Johnny Evans, who was the chairman of that committee, I always had the feeling that it was more a branch office of the utilities than a legislative committee. In fact, in debating a bill on the floor one time, he made the comment that I'd been given a hearing, and I said to him, "The member is correct. I was given a hearing. If standing in front of a group of people who are paying no attention to you, without any intention of trying to learn what you are saying, is a hearing, then I was given a hearing. But it was foreordained before I ever arrived that that hearing would produce "no results." It didn't endear me to Mr. Evans, but Mr. Evans was a good errand boy, in my opinion, for the utilities.

SENEY: Is there any evidence, outside of his behavior, that he was an errand boy for the utilities?

MOSS: Well, I don't think anyone watching Johnny Evans over the years would have come to any other conclusion, that he was a pretty good errand boy.

SENEY: I suppose it would make sense, wouldn't it, that the utilities would take an interest in who was chairing those committees?

MOSS: Oh, that they would. I remember the old PacTel [Pacific Telephone Company] lobbyist, I can't think of his name. I put a bill in to regulate the management fees that were paid by PacTel to AT&T [American Telephone and Telegraph Company]. They were fixed at a constant percentage of the gross revenues; it was around 3 percent. Nearly as I could tell, the management services rendered had a value that had little to do with the volume of business because it went to method and not to work load; I felt that the PUC [Public Utilities Commission] should control those.

I remember the old colonel coming in and telling me, "You know, young man, I've lived a long time. You've got to have respect for free enterprise." He was Colonel [] Howes.

I said, "Look, Colonel, I do. I have the utmost respect for free competitive enterprise. But your monopoly is no free competitive enterprise. You

operate under a charter that gives you an exclusive right to serve, and nobody can compete, and you're guaranteed a profit, and I don't know anybody else that is."

So I said, "If you people want to become a free competitive enterprise, then I'll certainly play the game under those rules, but under these conditions I won't play." We had a lot of those.

SENEY: Did your bill get anywhere?

MOSS: Oh, no. All you can do is nick at them and hope to finally get enough discussion going to make change a few years down the road. Frequently, you have to do that. I had determined in the legislative process you were going to have to be satisfied with progress that's very slow. As long as you continued to keep your objectives in mind, strike wherever you could. I know in the congress in writing the Freedom of Information Act, it was an eleven year ordeal. But we finally won.

SENEY: I think frequently the public misunderstands that the legislature is designed to move slowly.

MOSS: Well, I think it's most appropriate it moves slowly. But, I think it's also highly irresponsible not to meet the crying needs and deal with the clearly definable inequities which have evolved. I think

there's a role for the lobbyist to supplement some of the things that the legislative staff might come up with, especially if you have effective lobbyists on both sides of the issue, because you frequently get the best information. But, I think when lobbying is a means of totally stalling action, there's really no objective they want to achieve--the utilities rarely want to state their objective publicly--but they've developed a whole scheme of methods to avoid legislative actions which are called for.

SENEY: I take it that during your time of service on the Public Utilities and Corporations Committee that not much legislation of value came out of that committee?

MOSS: That's right. Not a great deal.

SENEY: Were you aware that this committee was kind of a front for the utilities as you say, before you became a member of it?

MOSS: Oh, yes.

SENEY: So you weren't surprised.

MOSS: Oh, no. I'd followed it for years. But I was positive that you could have some effect, and I think we had some effect. You could face them down on the floor and debate and point out that no way was it functioning as a proper committee. I never hesitated to do that.

- SENEY: We mentioned the Civil Service and State Personnel Committee, how did you feel about your service on that committee and the kind of legislation that came out of that?
- MOSS: Well, we reviewed the retirement system while I was on that committee, and I think we made some worthwhile improvements.
- SENEY: You and Mr. Fleury actually submitted a number of bills that had to do with changes in the civil service system . . .
- MOSS: . . . We had success, a fair degree of success in getting our objectives across.
- SENEY: What were your objectives, do you recall?
- MOSS: Improvement, improvement.
- SENEY: I know at one point you submitted legislation that would require that salary schedules would be more expeditiously updated.¹
- MOSS: Truly comparable. You cannot operate the government with second class personnel any more than you can operate a business. If you have people who have been provided with proper working conditions and their needs properly recognized, you have people who are satisfied and willing to work. If they're totally

¹ A. B. 1187, 59th Reg. Sess. (1949).

dissatisfied, you don't care what kind of work you're doing.

SENEY: Who chaired that committee during that time?

MOSS: Civil Service and State Personnel? I should know that; I just don't recall.

SENEY: I should too, but I'm afraid I don't have that paper before me today. Among the other committees you were on was Conservation, Planning and Public Works. You're smiling.

MOSS: Well, we did damned little conservation.

SENEY: Or planning or public works?

MOSS: It was one that was important in Sacramento; it was important to the state. You know, Earl Warren tried to get a much better system of planning ahead. We did get legislation that demanded that counties have planning offices and a few other things like that. We were able to help further some of the other programs he was pushing. And I think there was improvement again. But there are very few committees that I would say were star performers.

SENEY: You submitted a number of bills having to do with redevelopment and the elimination of community blight

and improvement in housing. Were those bills run through this committee?¹

MOSS: I think most of them were.

SENEY: What was your motivation for the housing legislation and the redevelopment legislation?

MOSS: Well, we had very major areas of Sacramento that were badly decaying, almost the entire old city from Front Street to, at least, Seventh or Eighth and from A to Y Streets, requiring that something be done. The west end on what was then M Street, now Capitol Avenue, and L and K from about Third on over, was primarily beer parlors and houses of prostitution. We had a huge labor force, an itinerant labor force, property values declining, and the housing needs of the people who had to live those areas were certainly not being met.

When I was going to school, I worked at a funeral parlor for about a year and a half; I was the night man and worked weekends, and during the week if they needed another person. I remember going in to some of the housing of people with very low incomes; frequently, you'd go into one of these high basements with a dirt floor. Minimal, absolutely minimal

1 A.B. 2810, 2811, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822, 59th Reg. Sess. (1949).

sanitation facilities, there is an awful lot of illness that breeds out of those places. It was very undesirable. I didn't know of any private interests that would even begin to move on it. So those were of concern to me.

SENEY: What you're describing is Sacramento's very renowned skid row area, which was, for the size of the city, the largest in the country.

MOSS: Unusually large, that's right. Highest, largest itinerant labor force in the country at that time.

SENEY: As I understand the legislation that you submitted on redevelopment, what you wanted to do was to have the state provide an umbrella under which the local governments then would assess the level of blight, the needs for rebuilding housing, and the state would participate by issuing bonds to help fund the programs. Do I have that right?

MOSS: It would have worked.

SENEY: As I read this over, this is kind of a state equivalent of the urban renewal and urban redevelopment legislation that had been passed at the federal level in 1947. Was that the model for what you were doing?

MOSS: Well, we were working with other groups. Now remember, we weren't as extensively into it, even at

the federal level. It undoubtedly was one of the items considered, but the problem was one that, I think, anyone that wanted to take a look could find. One of your big battles was whether there was any legitimate role for the state; I didn't see how else anything could be accomplished.

SENEY: Your legislation, although you put in quite a bit on this subject, was not very successful.

MOSS: No.

SENEY: How do you explain the lack of success?

MOSS: When I started, I put in quite a number of bills. Along the line sometimes you find that the best work you can do is to duck the spotlight, work to change a piece of legislation that has the potential for accomplishing your objectives. You start giving up any concern about who gets the credit and who doesn't.

I reached a point in congress where I very rarely ever introduced bills. I would use an amendment, or wait for an opportunity in conference to put in something; or in the congress where you have a report accompany every bill, sometimes you deal with an issue by report language. But, you learn--at least I learned--to duck the massive introduction of legislation. It could create a good

story, but it didn't necessarily achieve anything; so you started to seek alternative means of accomplishing your objectives.

SENEY: I take it at this point you hadn't quite learned that legislative lesson?

MOSS: No, no. Remember, I jumped into this at the very last minute. I hadn't planned to run, certainly not at the time when I did. I had many, many ideas, as most people who are interested have ideas. I tried to put in the major items covering the points I was most deeply concerned with at the time of the first campaign. But from then on, I started to back off of introductions and sought other means.

SENEY: Well, as I reviewed the assembly histories for your period in the state legislature, there was a definite fall off in the volume of legislation that you yourself introduced. Your name more and more frequently began to appear with other co-sponsors, and by the end of your tenure there are very few bills that bear just your name, and many bore your name and Mr. Fleury's name.

MOSS: Right. I think we were dubbed the "gold dust twins."

SENEY: Is that right?

MOSS: We were accused of always getting too much for Sacramento. He was the secretary of the Republican

caucus when I was assistant leader of the Democratic caucus, so we both had assurance that we could present our views in caucus. Sometimes it would be for our legislation, but more often it would be for someone else's legislation, and maybe with the objective of an amendment here or an amendment there.

SENEY: You worked very closely together; that's clear from the legislation.

MOSS: Very closely.

SENEY: What kind of man was Assemblyman Fleury?

MOSS: He was a fellow who enjoyed what he was doing while he was doing it. He didn't stay too long in the legislature. Then he went on the bench, and he didn't stay too long on the bench. Then he went into lobbying, and, I guess, made some money. But he was a very pleasant person to work with. He was quite bright. He had a host of friends and ready access to a great many people in the government that could be helpful. We worked very well together.

SENEY: According to the seating charts, during the time you were in the legislature, you were side by side.

MOSS: We were seated right next to one another.

SENEY: Did you plan that?

MOSS: Oh, we sought that. We were both freshmen, and while we were of different political parties, the

philosophical differences between us, at the time, were minimal. He had been requested to run, in my understanding, by some of the people at the Bee, and they gave him all out support from the day of his announcement. I was a self-starter, and I didn't get any support from the Bee until about the last ten days of the campaign. That was all volunteer on their part; that wasn't anything I went courting. I wanted to have as much support as I could get, but I wanted to be independent too.

SENEY: You know, Mr. Fleury, before his death, was interviewed for this project as well, and he indicated that Walter Jones of the Bee did recruit him to run for office, and that they had given him full support.

MOSS: That's my understanding.

SENEY: Another thing, mentioned in the interview with Mr. Fleury, is that he had a very close relationship, apparently, with Governor Warren.

MOSS: Oh, yes, very close. And that was because of Walter Jones. After I was elected, of course, I started developing a close relationship with Governor Warren, and it continued on through his service and on beyond his retirement from active status on the court.

SENEY: My understanding from Mr. Fleury's interview is that frequently, a couple of times a week, he and Governor Warren would go to lunch together.

MOSS: Yes.

SENEY: Were you ever included in those kinds of things?

MOSS: No, I was not a member of the Sutter Club; I have never joined the Sutter Club. That's why they tried to plot my downfall from the assembly and from the congress; I used to have very good leaks out of the Sutter Club.

SENEY: You're smiling as you say that. Obviously, you're pleased they were unsuccessful, but is there . . .

MOSS: . . . I am pleased that they never had a meeting to discuss me that I didn't know about. [Laughter] They didn't know my sources, and I never revealed them, but I had a number of them.

SENEY: Would you feel like revealing them here?

MOSS: I would rather not because I don't know at what point this might become public; it might embarrass some people.

SENEY: All right.

MOSS: Sometimes there are people who are very strongly out in front of the community on certain issues, but after a while you find that some of them are very different.

SENEY: You could become friends with them?

MOSS: That's right.

SENEY: This was the time when the Sutter Club was a very influential organization.

MOSS: Oh, you bet it was. I had a prominent Republican in Sacramento who was a close friend, Les Wood. He became mayor, elected in 1949. He'd only been elected a short while before I decided to run for congress, I guess it was '51; I was elected to congress in '52. He had agreed to serve as chairman for the Republicans for Moss Committee.

SENEY: In your congressional campaign?

MOSS: Yes. And then I started picking up bits and pieces, and finally the announcement came out that Les was running for congress. There was a lot of pushing to get him into the race.

SENEY: Are you suggesting that the Sutter Club was involved in this, and that the people in the Sutter Club . . .

MOSS: . . . Well, some people.

SENEY: It might have been the forum for encouraging him to run against you?

MOSS: I think certain elements in the club were very much responsible for it.

SENEY: You know, it's often said a person is known by their

friends and their enemies too; did it bother you that the Sutter Club was your opponent?

MOSS: No.

SENEY: Find some gratification in that?

MOSS: Well, I was very happy when I was not . . .

[End Tape 5, Side A]

[Begin Tape 5, Side B]

SENEY: I'd like to go back to the legislation that you submitted. I'm not going to try to divide it between your first term and your second term. Some of it seems kind of unusual to me. What was the reason for your interest in so much legislation having to do with sexual psychopaths and sexual crimes? There were a number of pieces of legislation.

MOSS: I think I carried that for a group here in Sacramento; I had no particular interest or conviction in that at all. In fact, I'd sort of forgotten all about it.

SENEY: Well, they're quite a number of bills.

MOSS: Were they all about the same time?

SENEY: Yeah, they were all about the same time.

MOSS: I think they may have been part of a package.

SENEY: They were all in the extraordinary session, and they are dated December 13, December 14, December 15.

MOSS: They were then included in the call.

- SENEY: That's right. The governor had made a special call.
- MOSS: Then that may be why I introduced them. I'm trying to remember any instance that may have triggered that because that wasn't the primary purpose of the call. But, I think it was probably a secondary purpose of the call because you can only consider items that were on the call. Usually, the governor had a package.
- SENEY: This doesn't make any sense to me.
- MOSS: Well, it was the Democratic leadership, I think.
- SENEY: There must have been some incident that provoked this. Some of this had to do with defining who is a sexual psychopath; some of it has to do with permitting these people to be incarcerated at the county level as well as the state level.
- MOSS: About that time we had an incident where a youngster was attacked in a restroom of a theater. I'm trying to think back a long time and I hadn't even given any thought to it, but I think that may have played a role in it.
- SENEY: One piece of legislation has to do with lewd conduct in and around a restroom specifically.
- MOSS: That's probably one of the cases that brought that about.

SENEY: Good enough. You can understand my curiosity; it kind of jumps out at me as I look at the records.

MOSS: That's why I have difficulty recalling because I never worked in that particular area of legislation previously, nor have I since.

SENEY: Some of this became law, and much of it did not.¹

MOSS: Oh, yes. As I say, I think that's one that we probably moved in response to the governor or in response to the caucus action.

SENEY: Good enough. There's another set of legislation and this is in January of 1949, which was the beginning of your first term.

MOSS: That was the beginning of my term.

SENEY: This has to do with chiropodist. Let me say, first, of all, there's a whole series of bills here; there must be five or six of them having to do with various aspects of chiropody. I think I'm saying that correctly.²

MOSS: We now call it podiatry, but we used to call it chiropody. As long as I can remember, I have had foot trouble. I started going to them, at least when

¹ A.B. 23, 26, 33, 43, 46, First Ex. Sess. (1949).
A.B. 22, 1949 First Ex. Sess., Cal. Stat., ch. 14.
A.B. 27, 1949 First Ex. Sess., Cal. Stat., ch. 11.

² A.B. 2069, 2070, 2071, 2072, 2072, 2074, 59th Reg. Sess. (1949).

I was very, very young. A man I was going to started telling me about some of their problems: they couldn't do certain kinds of insurance cases, they couldn't do workman's compensation cases, and yet their qualifications were very high, they really had a very extensive background. But he said the California Medical Association just froze them out totally, and they hadn't been able to buck that. So, that's the reason. I'm trying to remember the name of the doctor who was here. He was a member of one of the boards in the association, but he wasn't the chairman. And he wasn't a registered lobbyist for them, but he took the opportunity to lobby me as a patient.

SENEY: Some of this has to do with their ability to . . .

MOSS: . . . Perform certain foot surgery.

SENEY: That's right. And to prescribe corrective shoes and appliances and so forth. Some of it has to do with the membership on the chiropody board and what the membership of that will be. I could not see that this legislation met with great success. Do you recall that it did?

MOSS: Oh, no. I had the California Medical Association out. We did finally meet success, but I guess that was in '49, and they probably did it in '50 or '51;

we met with some success. They did get the right to do some of what we were trying to get. And they may have been by agreement.

SENEY: Because, I didn't find any legislation on this later. Had by this time you begun to amend other bills? Because then I wouldn't have found it.

MOSS: Yes. I wouldn't have. Also, having moved on up to a more influential role in the legislature, the people who look over your bills may decide that in this area to start some movement of their own to counter anything you might do the next time.

SENEY: I see, OK.

MOSS: They're great poker players. [Laughter] They don't overlook many bets.

SENEY: It's a very sophisticated game, isn't it, the legislative game?

MOSS: Oh, you bet it is. I learned early on--when I went back to Washington and became a chairman of a committee--the great persuasive power of a chairman when he says, "Well, we really don't want to discuss this now. You can set up a hearing and come and make a public statement about it." You'd be surprised how effective that is.

SENEY: Somehow, all of the sudden, they can find common ground.

MOSS: Oh, yes.

SENEY: Did you find that your experience in the California legislature was helpful when you went to Washington?

MOSS: Yes. I think whenever you work in a collegial group that you have to learn to be very adaptable, and you have to learn to have respect for the other fellow, and not always challenge his motives, but try to understand them. And, I think that anything you do that moves you further along that road because, after all, legislation is nothing more than the art of compromise. Rarely does a bill end up the way you introduced it, and thank God, because glaring errors can be caught and corrected. That's not the same as when you have an initiative; that's inflexible and that's it. I've never liked the initiative process. Sometimes in desperation you use it, but it doesn't give the quality of perfection that you find the legislative process does.

SENEY: There's another bill here from 1949 that I want to ask you about, that puts you way ahead of your time, and this has to do with smoking. I don't know if you remember this one or not, but one part of this bill, and it's the most important part, says, "Smoking shall not be permitted on any vehicle engaged in the transportation of passengers between fixed

terminals."¹ This would have been Greyhound and Trailways and so forth. Do you recall the motivation for submitting this bill?

MOSS: Oh, I've never had any doubts about the ill effects of smoking. I was born into a Mormon family; we didn't smoke; we were taught that you just didn't. Not that it's wrong from a religious standpoint, but that it's an abuse of your body. That didn't dissuade me from smoking; I smoked very heavily for many years.

I must add, however, that I can thank the Sacramento public schools for it because I was the lead in my senior play. I played Ferdinand Gadd in Trelawney of the Wells by Sir Arthur W. Pinero, and I had to walk on the stage smoking a cigarette. The play was set in the 1890s, remember, and that was sort of a sign of a degenerate person, especially if he was an actor, and if he came in smoking, he was a double degenerate.

I remember old Maude Jones who was the dramatics instructor at Sacramento High. She said, "John, you've got to be able to come on stage without

¹ A.B. 2824, 59th Leg., Reg. Sess. (1949).

barking like a seal." By the time I could smoke that cigarette and not bark like a seal I was hooked.

SENEY: [Laughter] Oh, no.

MOSS: So, that's when I started smoking.

SENEY: Were you still smoking by the time you submitted this legislation?

MOSS: Oh, yes. I stopped smoking at the time that I wrote the cigarette labeling act in the Commerce Committee in the 1960s.¹ After I'd gone through all the hearings leading up to that and seen the graphic evidence of the very destructive nature of it, I stopped.

I stopped at the Ambassador Hotel in Los Angeles; my wife and I had flown out there to be at a Democratic State Committee meeting. It had been a very smoggy day and my throat was irritated and I was smoking heavier than usual. I remember after we changed and got ready for dinner, I put a new pack of cigarettes in my dinner jacket pocket and I guess I carried that unopened pack with me for about three or four months. I always said, "If I'm going to stop, I'm not going to go around begging anyone for a

¹ 15 U.S.C., sec. 1331, et. seq. (1982).

cigarette; if I want one, I'm going to have it."

But, that's when I broke myself from smoking.

SENEY: I see.

MOSS: So, I'd been smoking for well over thirty years.

SENEY: But in the midst of all that you did submit this legislation.

MOSS: Oh, I recognized it was not good for you.

SENEY: And this was not successful?

MOSS: No.

SENEY: The consensus was not then what it is now.

MOSS: I was looked upon as sort of a nut. Then you have to risk being unpopular, you have to take calculated risks, you don't bother to look at the polls to see what's popular at the moment.

SENEY: Let me ask you about a larger subject that loomed over the legislature during your period. Maybe I should say an individual because I want to talk to you about Artie Samish and lobbying. Of course, this period from 1949 to 1953 when you were in the legislature was a very interesting one in terms of lobbying and in terms of one of the great personalities in California politics, Artie Samish.

MOSS: I never met him.

SENEY: You mentioned that to me before, when we first met.

Here you were, a member of the legislature, and by the time you left [in 1953] an influential member of the legislature, and here was the most powerful lobbyist who represented a whole range of interests, and you never met him. That seems strange to me. How did it work that you never met him?

MOSS: I had feelers to see about a meeting, but I had no particular interest.

SENEY: In other words, you were invited to come to the Senator Hotel . . .

MOSS: . . . Oh, no. He would come talk to me. They had me pegged as being strongly anti-lobbyist, and I am not anti-lobbyist, but I think there's an appropriate role for lobbyists. I don't think that his was an appropriate role.

SENEY: My understanding was he almost never came into the legislative building itself.

MOSS: No. He had a couple of his minions who were around all the time, and I used to have one sidle up and start talking, I'd chat with them, but I had no truck with them.

SENEY: How did he make his influence felt? Could you see his hands moving forces in the legislature?

MOSS: You just know they were there; you just know they were there.

SENEY: Could you be specific for me and tell me how?

MOSS: Well, let me give you an example. They used to have affairs at the hotels or restaurants around town. I made it a point to rarely go to any of those places; I didn't see any particular advantage in going to them. I think I told you what I did one evening when we were getting near the end of the session. I believe it was the '50 or '51 session where the lobby was up in the gallery.

SENEY: Yes, you mentioned that.

MOSS: And they were cutting up. Everyone was shocked, but I absolutely demanded that they clear the gallery. I had a right under the rules; that's what I pointed out to Speaker Collins, and I insisted that they go out.

SENEY: And was the gallery cleared?

MOSS: Oh, you're damned right it was. He wouldn't turn my mike on; he wouldn't recognize me. So I stood on the floor and I just roared until he finally had no alternative but to recognize me. I decided, if you don't recognize me, you're not going to proceed. I'm not sure it made him happier with me, but at least they were prepared to negotiate.

SENEY: Let me say that sometimes incidents of this kind can put a mark on a member.

MOSS: That's right.

SENEY: And not a good mark. How did this affect you?

MOSS: It didn't have an adverse effect on me. I really was not unreasonable in demanding that we get on with the business of the assembly; it was late at night and they were misbehaving. I didn't think they were funny; I thought they were disgusting. There'd been too much drinking, as there frequently is at the tail end of a session, and I had no apologies for what I did. I had no retaliatory efforts taken against me as far as I've been able to discern.

SENEY: Maybe helpful, do you think?

MOSS: Well, I think it did help with Mr. Collins if he ever tried to haul me off the floor again. [Laughter] And my relations with Sam Collins remained friendly through the years.

SENEY: I want to read you from a book, part of a book on this period. This has to do with Assemblyman [John L. E.] Collier.

MOSS: Bud Collier, Los Angeles.

SENEY: Yes.

MOSS: Insurance and public morals, what was the name of his committee?

SENEY: I'm sure I have it here. He submitted a bill

to. . . . Let me look for a second and see if I can find that.

MOSS: No, I was thinking of [Assemblyman Lester A.] McMillan.

SENEY: OK.

MOSS: No, I remember Bud Collier. He was a Republican from down in Los Angeles.

SENEY: He submitted a bill in the 1949 regular session to regulate lobbying, and it really didn't get very far.

MOSS: No, that's right.

SENEY: He put it in as soon as the session began, and it was referred to the Governmental Efficiency and Economy Committee.

MOSS: That was McMillan's committee.

SENEY: Now, I want to ask you about this particular committee because there was a counterpart in the senate . . .

MOSS: . . . And it was never efficient, nor economical.
[Laughter]

SENEY: It was really a screening committee in the senate where the decision was made whether to kill bills, kind of sub rosa, behind the scenes; is that the function it had in the assembly too?

MOSS: Essentially the function, yes.

SENEY: So if the speaker who had the power to refer legislation--unlimited power--wanted to kill something off, that was the place to put it?

MOSS: I think so. I was never privy to some of the inner workings of Mr. Collins and his various cohorts. I think I finally became respected, but I was not taken into the inner workings because I would be disruptive.

SENEY: Were many Democrats taken into those inner workings?

MOSS: Oh, there were Democrats just as deeply involved in improper lobbying activities as were Republicans. And there were some very decent Republicans who were not involved. The tremendous influence of lobbying is not necessarily a partisan influence. We didn't have the strong partisanship that you have in the legislature today. In the first place, in my second time up for the assembly, I was elected in the primary by getting the nomination of both parties, and the same thing occurred in my second election to congress.

SENEY: You know, one thing struck me about the legislature in this period. When I looked at the seating charts during the two terms that you were in, and up until, I think, 1958, the seating was done on a geographical basis rather than on a party basis as it's done now.

MOSS: Yes, that's because there wasn't that strong partisan difference.

SENEY: If we could go back to the lobbying act.¹ This bill, which was passed in the regular 1949 session, required that a lobbyist register their name and address, who their employer was and their employer's address, list whatever legislation they happened to be interested in and articles which they had caused to be published. That was the essence of this legislation. This legislation was killed in the Senate Committee on Governmental Efficiency. Now, comes the Collier's article with the cover picture of Artie Samish holding the dummy which is the legislature.² Then comes the special session that began December 1949. Can you recall for me the atmosphere and the climate that that article created?

MOSS: I don't think it was one of fear or of any great concern, as I recall. It involved some of them trying figure out how to avoid any effective fallout, but I don't think it brought forth any dramatic change.

SENEY: Were people in the legislature angered by that cover?

¹ A.B. 3, 59th Reg. Sess. (1949).

² L. Velie, "Secret Boss of California," Collier's 124 (August 13, 1949), 11-13; (August 20, 1949), 12-13.

MOSS: I don't know. I thought it was delightful.

SENEY: Was it true, do you think?

MOSS: I think a lot of it was very true; I think so.

SENEY: Mr. Samish certainly had the reputation for being able to prevail in those areas where he had an interest, in liquor and beer and horse racing and outdoor advertising.

MOSS: He also had a reputation for sometimes being very, very effective in embarrassing people who were causing him problems by going into their district very quietly and putting on an elaborate campaign. He knew he couldn't beat them, and you could almost recognize, so I was told, when Samish would launch a move like this because there'd be a sudden blossoming of these enormous bill boards and they were usually on the spot that was reserved for the liquor people over the years. He didn't do that on me, but as I understand it, he did on a few others.

SENEY: You mean he would come out in favor of them essentially, or make it look like . . .

MOSS: . . . Oh, he wouldn't think of that. He would deny ever having any involvement. But the story throughout the district might be that that's all Samish money.

SENEY: So, all of a sudden a Samish opponent would look like he was being supported by Mr. Samish?

MOSS: Yes. It would be a pretty clever ploy.

SENEY: Well, he had the reputation of being extremely intelligent and a very sophisticated individual.

MOSS: Oh, you can't build up that without being [intelligent]. I never had any close friends in the lobbying group, either in Sacramento or in Washington. I would maintain a rather rigid businesslike standard with them when we were working with them. You never know what the hell they're trying to pull finally, and sometimes their principals don't know.

SENEY: One of Mr. Samish's adjutants was Anthony Kennedy, father of the current Supreme Court Justice. Did you have any contact with Mr. Kennedy?

MOSS: Oh, yes. I knew Tony Kennedy, but I never had Tony Kennedy try to get me to do anything either. We might chat, but there was never any. . . .

SENEY: You know, you mentioned in response to the question about the Collier article that you didn't notice a dramatic change in the mood of the legislature as a result of this, and certainly what happened in the legislature doesn't indicate that there was a change in the mood.

- MOSS: No, there was no deep sense of concern. It should have set off a major move on a large part of the press in California, but it didn't do that.
- SENEY: Governor Warren was certainly interested in making changes in the law here.
- MOSS: Very much interested.
- SENEY: Let me suggest something to you and ask you to comment on it. Mr. Samish, again, was very powerful in those areas that he was interested in. There was some evidence that in those areas he was more powerful than the governor was.
- MOSS: Well, there was no question about that; the governor had no question about it.
- SENEY: Was the governor, do you suppose, interested in reform as such, or was he as interested in eliminating a rival, in a way?
- MOSS: I think if you had asked me that at the time, I would have said that his primary interest was getting rid of a rival influence that was very troublesome. But, retrospectively in the intervening years that I knew Warren, following his service as governor on through his service as Chief Justice of the United States, I would say that it was a very deeply held conviction that guided his actions there. I think he proved to

be a very ardent believer in good government and clean government.

SENEY: In his message to the legislature he called it, "A matter of urgency, that involves the honor of our state."¹

MOSS: Yes. The legislature didn't pass all its laws.

SENEY: No, they didn't. Because along comes Mr. Collier's bill again . . .

MOSS: . . . It languished.

SENEY: It did really. It was finally passed.² It required legislative advocates to file a monthly report, detailing contributions of twenty dollars or more, and expenditures of ten dollars or more, and to file a registration statement giving the name and address of their employer, conditions of their employment, all proposed legislation of which they were interested, and again the names of publications printing articles at their request. And that was it. Now, you submitted, in the 1950 extraordinary session, a much more stringent bill. And I want to read you a little bit of the language from that

¹ Journal of the Assembly, First Extraordinary Session, December 12, 1949, 27-28.

² A.B. 5, 1949 Ex. Sess., Cal. Stat., ch. 4.

bill.¹ "Anyone guilty of lobbying, is guilty of a felony, and shall be punished by imprisonment for not less than one year." This applies to lobbyists, then you go on. "Any member of the legislature influenced shall be guilty," and in that case, it is a one to five year term. That's pretty heavy stuff.

MOSS: Well, you get your first immersion into this field; sometimes it makes you feel rather violent.

SENEY: I take it you wouldn't submit that kind of legislation now?

MOSS: Oh, no. I would be a little more reasonable. Over the years I have come to respect any number of lobbyists. In fact, I've had interesting cases where the lobbyist privately would sit down and give me his client's positions. And then under careful questioning you would get some of the best material you could ever think of to oppose his client's positions. They were very loyal to their clients, but they were very knowledgeable people.

In the congress, the lobbyist is not as broadly based in his interests as in the legislature. A lobbying outfit may be [have] clients clear across the board of the committees. In the congress they

¹ A.B. 11, Ex. Sess. (1950).

tend to be highly specialized, and frequently the person who comes to sit down and lobby you is probably one of the most knowledgeable persons in the country on that subject matter. You can call on them to just come up and review with you some of the objectives, and also if they feel the bill is adequate, or where it isn't adequate. You get pretty good answers. You can develop respect for them, and they fulfill a need that is frequently unmet by any staff that you might recruit.

SENEY: And you certainly would never proceed in the congress without talking to the lobbyists involved.

MOSS: You always want to know what your opposition is, the depth of it. You want to examine carefully the areas where a move toward a compromise in advance might wipe out major opposition. You become a little more interested in the final result. You're not in a hurry; you don't have a hearing today and action tonight in the committee. You might go on for three or four years with hearings on the same subject until you feel you've perfected your legislation. I think I held on [The] Freedom of Information Act, before I ever introduced a bill, probably three or four years of hearings. On the revision of the Securities and Exchange Commission Act of '75, I think we drafted

legislation in '73, and we started the hearings in '69 after the collapse of quite a number of firms in the securities industry.

Sometimes you move very quickly where there are conditions of urgency. The specific Securities Investors Protective Insurance Corporation Act, that's one that I had to put together very quickly, working with [U. S. Senator Edmond S.] Ed Muskie and the senator from Massachusetts, [U. S. Senator Edward W.] Ed Brooke.

SENEY: Edward Brooke.

MOSS: From Massachusetts. In drafting that legislation, we had to move very quickly. We can call readily on the very knowledgeable people in the industry for advice because . . .

[End Tape 5, Side B]

[Begin Tape 6, Side A]

SENEY: I want to ask you about lobbying in California. During the time you were in the legislature, you clearly did not rely very much on these California state lobbyists.

MOSS: No, I did not.

SENEY: Could you today, to your knowledge, place more reliance on them here in California with the

legislature? Has it become more like the system you described in the congress?

MOSS: I honestly don't know. I've had very little time over the years when I was in congress to follow the state legislature too much.

SENEY: There would be one piece of legislation you would be interested in, and that would be reapportionment legislation.

MOSS: No. I remember saying to [Congressman Phillip A.] Phil Burton once, "Phil, you can just do your damndest to me; I don't care. Where you take people, you're going to take some friends and where you add people, you're going to add some friends. So you just go ahead and do anything you want because I happen to have very wide support."

SENEY: Did he change your district much? Because he really made the decisions.

MOSS: He didn't change my district. They didn't tamper with my district.

SENEY: So even then you didn't have to be concerned about it.

MOSS: I was fairly senior in the delegation; I chaired about three different sub-committees in the congress, and I was in a position where I really could make

things a little rough. It's a game of muscle, and sometimes it's good to have a little reserve.

No, Phil and I had very good relations. I had no problems with him. The only time they intimated that they might discipline me slightly, I made my statement that I didn't give a damn; it didn't frighten me at all.

SENEY: We were talking about lobbyists and the fact that you weren't very close to them. I want to talk a little bit about the 1950 campaign which, as you indicated earlier, you won in the primary. You did have opposition in that election.

MOSS: Yes, I did have.

SENEY: And that was [Assemblyman James H.] Jim Phillips.

MOSS: He was a former member of the legislature from Alameda County.

SENEY: Who moved over here?

MOSS: As general counsel of the California State Employees Association. I whipped him in the primary.

SENEY: Why did he run against you?

MOSS: I don't know.

SENEY: Was it at the behest of the Employees Association?

MOSS: No. I think it might have been the interest of some of the lobbyist groups, and he was, in effect, a lobbyist too, you know.

SENEY: In fact, I have one of your statements here from the 1950 campaign. Let me read you a little bit from it, then, and ask you to comment on it:

During the recent session of the legislature, I was repeatedly warned by fellow members of the assembly that I was on the blacklist of very powerful lobbyists because of my consistent efforts to secure the enactment of the strongest possible lobbying control measures and because of my votes on a number of other controversial issues.¹

Can you comment on that for me?

MOSS: Well, I think it reflects the conviction I had that Phillips was in there because there were very powerful groups [opposed to me] and his general reputation was that he had been very friendly to them as a member of the assembly. I don't think the public employees were interested in any change; they were quite satisfied.

SENEY: One of the bills that you indicate that probably got you on that blacklist was your vote, keeping a campaign promise made in 1948, to vote in favor of a health insurance bill.

MOSS: That's right, that's right.

SENEY: This would have gotten you the wrath of the medical association?

¹ John E. Moss Papers, MS., Box MP 276, University Archives, The Library, California State University, Sacramento.

MOSS: Oh, boy, did it! There was lots of interesting work going on amongst the doctors. Again, like the Sutter Club, I had good sources that kept me informed on the things they were doing. So I was never surprised. I remain to this day an anathema to the AMA [American Medical Association].

SENEY: You mentioned that not only was the medical profession angry at you, but large insurance companies were too.

MOSS: Oh, yes.

SENEY: They were cut out of this, weren't they, in a way, of this health insurance bill. This was Governor Warren's bill that you supported.

MOSS: This was the Salsman Plan that Governor Warren had strongly endorsed, and I did everything I could to support it because I felt if anything had a chance of passing, it had a chance.

SENEY: One of the things you say in one of your statements here is, "The voters of the Ninth District should be aware of a last minute attempt by my opponent to raise false and misleading issues during the closing days of this campaign." You don't say what these issues are . . .

MOSS: . . . I anticipated them because they had lots of money to spend, and I had very little. A tactic over

the years was to use letters and ads and radio spots that were misleading. And I think I probably arranged to get maybe five minutes on a couple of radio stations reserved for the night before election in the event that too much was done; I wanted to have some opportunity to counteract it.

SENEY: So, you weren't sure what was going to come, but you felt certain that something was?

MOSS: I was positive it was.

SENEY: Did it come?

MOSS: It probably did. I honestly don't remember now.

SENEY: These statements here that I have--carbons of statements--look to me like press releases that were . . .

MOSS: . . . They were delivered by me to the newspapers sometime around midnight of the day they were put together.

SENEY: Could you depend upon, at this point, pretty much getting in the Bee when you wrote them?

MOSS: Not always, not always. After that first campaign, I remember one time talking with Walter Jones, and he said, "You want to remember when you go out and campaign, if you talk to one hundred people a night that's a lot of a good crowd for a candidate. If you do that every night for a month, why you've talked to

maybe three thousand people. But," he said," If you can write a report of what you have to say and the paper picks it up, you're talking to many, many thousands of people. And you want to remember that has value. So, if you're going to be talking about any issues, keep us informed."

So I would always leave off [statements] to them--the Bee--and I'd leave off [statements] to the Union, though the Union never used them except for adverse editorials. And sometimes I regarded those editorials as helpful too.

SENEY: In here, there are a number of statements by people who are endorsing you. Mr. Harry J. French who was an automobile dealer . . .

MOSS: . . . Out in Florin.

SENEY: Yes. Another person who endorsed you was a Past Commander of the American Legion, E. J. Carr, a prominent Walnut Grove and Courtland rancher; he was Republican, and you were running in the Republican primary. You also had down here a list of endorsements by labor unions.

MOSS: Yes. In my second campaign, I got a fair number of labor endorsements. In my first campaign, I remember Marsh was the Executive Secretary of the Sacramento Labor Council, and they pulled their endorsements of

me because I went contrary to their views on the reapportionment issue of 1948. No, I had pretty good support from the carpenters and the Southern Pacific shop workers.

SENEY: And the retail food clerks union, cannery and warehousemen's union, electricians, building service employees, typographic union. . . .

MOSS: . . . Well, they all sort of fell in then. One of the first to ever to come forward in my first campaign in 1948 was the carpenters' local; I think they came forward and made a contribution of \$275 to my campaign.

SENEY: Was this a very difficult campaign, the 1950 one, or was it pretty easy going for you?

MOSS: I always treated every campaign as though it were major. I don't think we did any overkill; I think it was justified. We made a vigorous campaign.

SENEY: I have here your candidate's campaign statement for the primary election, which was the election this time.

MOSS: Yeah, that's right.

SENEY: And you raised a total of \$2,338.65 . . .

MOSS: . . . Sounds about right . . .

SENEY: . . . and you spent a total of \$3,024.59.

MOSS: That was out of my own pocket.

SENEY: So you made up the difference.

MOSS: Oh, yes.

SENEY: Now, when it comes to campaign contributions, the largest one was from the Volunteer Joint Action Committee of the carpenters' local. They gave you \$500.

MOSS: Uh huh, they came up that year.

SENEY: Between '48 and '50, they came up. The next largest contribution is at \$250, and that's Henry Moss. I take it that's your brother.

MOSS: That's right.

SENEY: And then the campaign contributions are not large.

MOSS: No.

SENEY: There is. . . the cannery workers union gave you \$150; a man named John E. Malone gave you \$200.

MOSS: He was an attorney who lived over here on the other side of the park. He had a brother who was an extremely conservative Republican, and John Malone was a liberal Democrat, and so he came forward. I had known him for quite a while before I ever ran for office; so he came forward and gave a contribution.

SENEY: The Democratic State Central Committee gave you \$100, and then the rest ranged from a low of \$10 from Bea Stern who also supported you in your first election.

MOSS: Yes, Bea's husband was the Regional Director of the Bureau of Reclamation, and Bea lived down just the other side of the park. She was very active in the Democratic Women.

SENEY: This strikes me as a very modest campaign.

MOSS: Oh, a very modest campaign.

SENEY: The bulk of the money was expended under the category of printing: pamphlets, circulars, newspapers, handbills, posters, and so forth. That was the bulk; \$2,856.59 was spent under that category, \$53 for your personal traveling expenses, \$40 was the filing fee in this case. You did have a few billboards.

MOSS: I guess we got those from Foster and Kleiser.

SENEY: Foster and Kleiser. You had one at U.S. 99 and Grass Hill Road, northwest. It was in Galt; you had that for a month from May 9 to June 9. It cost you \$18.

MOSS: That's right.

SENEY: Kind of reasonable.

MOSS: They were then. [Chuckle]

SENEY: And then in Sacramento you had four illuminated [billboards]. The location . . .

MOSS: . . . They cost what, about \$50?

SENEY: Well, no. They were \$72.25 for four of them and they were only for a week.

MOSS: That's right. Yeah.

SENEY: And this is paid in advance.

MOSS: We never paid anything after. We paid in advance for everything. I never wanted to have a campaign deficit, and I didn't. If we had to, we would start the day before the election and work back, programming our advertising, because we did not want to have deficits.

SENEY: Now, when you returned to the legislature in 1950, not only had you served one term, but by this time you have more influential positions as well. Your committee assignments now have changed--and if I can take a moment to find committee assignments--you're now on the Education Committee. . . .

MOSS: . . . Right . . .

SENEY: . . . and you had been active in the education field in the 1949-1950 session. You had been responsible for funding legislation.

MOSS: I had sort of a brain bank in members of the faculty at Sacramento City College. I had been active in politics and party affairs for quite a number of years, and I had been working with John Harold Swan, Carson Sheetz, and George Kimper who was a Republican; we had a group of about eight. I had worked with. . . . They gave me a lot of support, a lot of ideas.

- SENEY: Did they urge you to seek a place on the Education Committee?
- MOSS: No. I had requested it, I think, the first time, but I didn't get it. I got it the second time.
- SENEY: What was the Education Committee like during the period you served on it?
- MOSS: It was pretty good. I think we had some successes there.
- SENEY: Do you recall any specifics?
- MOSS: No, I cannot.
- SENEY: I did not find any legislation under the education category with your name on it.
- MOSS: No . . .
- SENEY: . . . When you ran . . .
- MOSS: . . . I learned in that first term that lots of times it was best to hold off introducing stuff.
- SENEY: Let me tell you what you said in one of your campaign statements in the 1950 campaign because it had to do with something you did. In December 1949, you were co-author of A.B. 47, which provided \$2,500,000 in emergency funds for distressed schools. Now, these were still being distressed by post-war growth in enrollments, weren't they?
- MOSS: They continued to be. They still are.

SENEY: And then during the 1950 session you say you worked long and hard on behalf of Assembly Bill 65, which allocated more than \$3,000,000 for distressed districts in the next year. Now, you indicated that you were co-author on those bills, so you had been working on legislation.

MOSS: Right. Yup.

SENEY: Did you enjoy your service on the Education Committee?

MOSS: Even the committees where I was totally frustrated, like the Public Utilities and Corporations, I enjoyed my service, and I learned from it. So I would have to say, yes, I did enjoy my service on it. I don't recall a committee where I failed to enjoy the work I was doing.

SENEY: As I looked at your committee assignments in 1948 and your committee assignments in 1950, they were not bad assignments in 1948.

MOSS: No.

SENEY: You had good committees, but the difference between these two years is remarkable. Not only are you on the Education Committee, which I think is generally regarded as an important committee, you continue on Civil Service and State Personnel, which makes sense

given the district you represent. But now you're on Government Efficiency and Economy Committee.

MOSS: That's right. That was very important.

SENEY: Tell me a little more about that. What happened during this period on that committee?

MOSS: We finally had a revolt throughout the understructure of the leadership. I recall it changed the way of creating the Rules Committee. They changed it to make it an elective body, and I was elected to the Rules Committee . . .

SENEY: . . . Yes, you were . . .

MOSS: . . . As one of the first members. As a matter of fact, one of my first assignments was to go to Mr. [Assemblyman] Randal [F.] Dickey, who was majority leader, to inform him that he was going to have to vacate the very deluxe suite of offices he had over in the new legislative building and be satisfied with the offices of an average member, which didn't make him happy, but nevertheless he had to move.

SENEY: The Rules Committee dispensed offices, did it?

MOSS: Oh, yes.

SENEY: It says that on June 15, 1951, you were elected to the Rules Committee pursuant to House Standing Rule 8, and that's the rule that changed [how the membership of the Rules Committee was selected].

- MOSS: That's the rule we created that made the Rules [elective]. See the Rules Committee used to be the instrument of leadership under the speaker. He appointed it, and it did his bidding. We decided that the Rules Committee ought to do the bidding of the assembly, and we made it elected by the assembly.
- SENEY: This change that came out of the Government Efficiency and Economy Committee, was that the basis for that?
- MOSS: No, it didn't come out of there. The way that came about is, we conspired very carefully, building our oaths, solid commitments, blood commitments, because if we had lost, we would have been in perdition. I guess we'd have been banished . . .
- SENEY: . . . When you say, "we," who do you mean?
- MOSS: Well, it was a group of Republicans and Democrats. Fleury [a Republican] was one of those, of course; he was very active with me. I'd have to go back over members. And we met . . .
- SENEY: . . . If you like, I can give you [a seating chart].
- MOSS: . . . With some of the members of the . . . well, Julian Beck, and [Assemblyman Samuel R.] Sam Geddes, and [Assemblyman William A.] Bill Munnell. Of course, we see dear Randy Dickey up there.
- SENEY: He was the majority leader at the time?

MOSS: Yeah. [Assemblyman Robert L.] Bob Condon, [Assemblyman] Harlen Hagen, Gordon Fleury, and myself, [Assemblyman] Francis [C.] Lindsay, [Assemblyman Charles S.] Charley Gubser, [Assemblyman James W.] Jim Silliman--who we finally elected speaker later--[Assemblyman Robert C.] Bob Kirkwood, [Assemblyman Robert I.] Bob McCarthy. We determined to change the rules. You had to give notice that on the next legislative day you would move to amend that rules in this fashion. That had to be given . . .

SENEY: . . . So the opposition . . .

MOSS: . . . So that when you finally got your forty-one votes carefully sealed, you hoped, in concrete, then you would give your notice. But we wanted to be very certain; so we tried to have about three extra votes, carefully sealed, knowing how you get a flaw in cement even. [Laughter] And we gave out notice. All hell broke out. Everybody was lobbied vigorously, and when the roll call was finally called, we had forty-one votes.

SENEY: Did this go on in secret, pretty much?

MOSS: It did until we gave notice. It went on in as much secrecy as you could ever hope to see around the legislature. That changed the whole climate in the assembly.

SENEY: How would you describe the motives of the members for this change? What was the reason that they supported you?

MOSS: I think because they were tired of being dictated to, and they felt that the legislature had sustained some serious blows in public relations in their districts. I think at that time they had been through another election; they'd been home, and they could sense the disenchantment' . . .

SENEY: . . . So some of this . . .

MOSS: . . . They were more amenable to change, and change became possible. It's hard to get people out. You [need to] show some substantive onward movement where they feel a little more secure.

SENEY: When you say change became possible, what do you mean by that?

MOSS: It looked as though we could put it together; we did a lot of canvassing individually. We would meet from time to time to review what we had accomplished. Where we thought we had strong members, we'd get firm commitments. It was the usual thing of trying to put together a bloc to accomplish something where some element of surprise is important.

SENEY: Can we take this back to Mr. Samish? Was he . . .

MOSS: . . . Oh, I have no doubt that he was . . .

SENEY: . . . Help to set the stage for this change?

MOSS: Well, yes. I think the major lobbying groups had a very real role in bringing about the situation which made it possible for this to come about. To define that would be difficult because how much influence they had with certain members is a matter of speculation.

We were counting on the fact that there was dissatisfaction, and that there was a natural tendency on the part of the majority of the members to want to improve; if we could show a probability of success, we could get support. That's what we had to do. It took several months to do that, during which time we had to be very careful because there were some members you didn't bother to approach. It would have been useless. Those that were not the strongest you approached last, so they'd have the least time to work mischief against you.

SENEY: Am I wrong to kind of imagine late-night strategy sessions?

MOSS: We had late-night strategy sessions. We had lots of telephone talking. Yes, we had . . .

SENEY: . . . Kind of exciting, was it?

MOSS: It was most, most exciting. This was my first revolt . . .

SENEY: . . . Your first revolt?

MOSS: . . . My first revolt, yes. But it worked, and that was very satisfactory. I think we improved the legislature from what it had been. We would like to have seen more happen, but the initial building blocks were in place.

SENEY: Would you rate this as maybe your most important accomplishment during the time you were in the legislature, including whatever substantive legislation you might have authored?

MOSS: I certainly rate it as important. It is very difficult looking back over the years to assess the relative importance of something; to others it may be trivial. It was very important, and I think was so regarded by the statewide press. We had excellent support of the press when we finally announced our move. And we had had some consultations with some of the representatives of the press, those that we felt would be supportive, to keep them informed that this was a possibility.

SENEY: So when do you put on the calendar your intention that . . .

MOSS: . . . Then our necks were on the line . . .

SENEY: . . . But you had the support of the press, I take it, and . . .

MOSS: . . . We did . . .

SENEY: . . . People in their districts would see this . . .

MOSS: . . . Yeah, I didn't see any adverse press comment.

SENEY: . . . And that was helpful.

MOSS: Right. It was helpful. From the L.A. Times, we had good support and out of some of the San Francisco papers, we had good support.

SENEY: It is a big thing to change the structure of the legislative body.

MOSS: Especially where you have had leadership that's been so deeply entrenched for so long.

SENEY: And these legislative institutions tend to be institutions of habit, which are not easy to change.

MOSS: That's right. Very, very much creatures of habit and custom.

SENEY: You were also now on the Ways and Means Committee, which is a pivotal committee.

MOSS: Yeah.

SENEY: Was this appointment the result of your budget conference work?

MOSS: . . . I think so. I think I performed to the satisfaction of the members of the assembly as a member of the Budget Conference Committee. I proved that I was willing to do the work that you have to do if you're going to make any kind of a contribution.

So I then served on each of those budget conferences after that. So I was there four years, and I served three years on the budget conferences, which is a fairly good record.

SENEY: Looking at the difference between your first term and your second term, using committee assignments, which is a very important index of an individual's influence, your influence certainly grew by leaps and bounds.

MOSS: That's right.

SENEY: Given the incident you related about asking that the galleries be cleared of the lobbyists, and some of the other strong positions you took, I don't guess this leap of influence came about because you were the pleasantest guy in the legislature. I don't mean . . .

MOSS: . . . No . . .

SENEY: . . . I think you understand what I'm saying. How would you explain this leap in influence?

MOSS: Oh, I think I had the respect of my colleagues. I think even the outburst on the floor was not met with great disfavor. You know sometimes people say, "Gee, I wish I'd done that. It's time somebody did it." And I just felt it was. . . . I thought the way they were behaving was disgraceful.

SENEY: Let me suggest another explanation that I'd like you to comment on. A lot of members in the legislature simply don't work very hard . . .

MOSS: . . . That's true . . .

SENEY: . . . On the tasks at hand. And those few who do work hard . . .

MOSS: . . . Have got a heavy burden . . .

SENEY: . . . And generally the respect of their colleagues.

MOSS: That's right.

SENEY: Would I be wrong to think that you were in that second group?

MOSS: I think I was definitely part of the second group. I was a hard-working member. I learned that whatever I did, if I tried to master the details and the facts, if you know where you're going and why, that you're much more effective. I made it a policy during the years I chaired committees to be thoroughly prepared before I went into a hearing. I, usually, before I asked a question, wanted to be damned sure I knew what the answer was. Preparation is the key to it. You have to have plenty of preparation if you had to carry on and be effective. So I tried . . .

SENEY: . . . I want to ask you about other committees that you served on, and these are the interim committees, which during the time you were in the legislature

were, I think, generally regarded as more important perhaps than they are now because the legislature . . .

MOSS: . . . That's right, because we were in shorter sessions . . .

SENEY: . . . Right. And much of the business was deferred to interim committees, especially if it was controversial or new. Let me give you a list of . . .

[End Tape 6, Side A]

[End Session 3]

[Session 4, November 2, 1989]

[Begin Tape 7, Side A]

SENEY: Good morning, Mr. Moss.

MOSS: Good morning, how are you today?

SENEY: I'm fine, thanks. I want to talk about the interim committees you served on. In the 1949 session and again in the 1951 session, you served, as all members did, on a number of interim committees. One of them had to do with fairs and expositions. Can you tell me something about that one?

MOSS: I think that was chaired by. . . . Was it [Assemblyman] Lester [Thomas] Davis?

SENEY: Yes, it was.

MOSS: And I think [Assemblyman] Lloyd [W.] Lowrey was on that. Primarily, it was reviewing the allocation, I believe, of funds to the district and regional fairs, and there was a great deal of interest on the part of the Western Fairs and Expositions Association--I believe was the name of the group--in having a fixed

guaranteed formula for them [the fairs]. I think that was finally brought about.

But it is my recollection that we were primarily doing the kind of work that is not amenable to the pattern of sessions as they existed then. They were relatively short sessions, and you didn't have the kind of staff that permits the detailed examination of issues. And I believe that the Fair and Exposition Committee under Mr. Davis relied significantly on representatives of the fairs themselves and of the local boards of directors of the fairs associations that had proposals which were analyzed, regretfully, by them and their experts. I don't recall that we produced any significant legislation out of that committee at that time.

SENEY: We're talking here, of course, about county fairs, about the state supplying funds to county fairs.

MOSS: Yes, that's right.

SENEY: This was a very political matter, wasn't it? There was intense political interest in this.

MOSS: It was highly political, particularly in rural counties, and in some of the large counties that wanted to have really miniature state expositions it became a very significant factor. I think there was a strong feeling that the smaller fairs and

expositions were getting a lion's share of the state funding for these purposes. After I left the legislature, I didn't follow it closely, but I have noticed that there has been a sort of crumbling away of the pattern of state-allocated money supporting any meaningful local fairs. I noticed that here in Sacramento County. It was not one of my most important assignments.

SENEY: There was a lot of competition by locally politically influential people to be on the local fair board.

MOSS: Oh, I should say there was and on the State Fair Board. There was a lot of competition for those assignments. I don't know whether it's because they had certain influence in the fair to do favors for people who were intensely interested in the fairs or not. I never had any particular desire to serve on a fair board of directors.

SENEY: You know, there's another aspect . . .

MOSS: . . . I think we did do some studying, and I believe that we had the Raymond Lowie and Associates do some work with the committee and with the State Fair, and I believe the Deputy Director of Finance who handled the fairs and expositions was responsible for that. And thought was given to the development of a better type of format for fairs. As I say, it was not one

of my most significant areas of interest, but I do have some recollections of those . . .

SENEY: . . . Well, as I have looked at this period in the legislature, I see a lot of interest in this subject and important people being on these committees. One of my assumptions is that the local notable people, influential people, that a legislator would be interested in wanted on these fair boards. That would be one aspect. Another was that in this period before the advent of television, these county fairs were a place that politicians could address a large number of people and make their presence known, and there might not be many opportunities like that for them in their community. Am I right in thinking that's important?

MOSS: That may have been; I don't know. I'm trying to think if I ever addressed a fair crowd. I don't recall having done so. Our fair was held out at Galt; the Sacramento County Fair took place in a group of buildings that they had had out there for years. I had no influence in the appointment of any of the members of the board, so I can't tell whether that was an advantage or a disadvantage.

SENEY: OK. [Laughter]

MOSS: Sometimes local issues that are of great interest can become matters of great disadvantage to you unless you are in a position to control them. I wasn't, so I didn't have that problem.

SENEY: You also served on this committee in the 1949 and 1951 sessions on the Interim Committee on Fairs and Expositions; so during both your terms, you were appointed to that committee. Another one you served on the 1949 and in the 1951 interim was the Public Employees . . .

MOSS: . . . Retirement System Revision . . .

SENEY: . . . Yes, it was titled Public Employees, Equalization of Salaries, Qualification and Job Classification.

MOSS: And we did some basic work that led to some--what I would regard as--improvements in the State Employees Retirement System. I think that was a fairly productive committee.

SENEY: That dealt primarily with the changes in the state retirement system . . .

MOSS: . . . In my opinion that was its special interest at that time. On one other committee we did quite a bit of work on judicial salaries and studied the work load of the courts throughout the state. There was great disparity between the payments for judges in

California, for Superior Court Judges, and our effort was to try to bring it more into line with a sort of a tiered system to reflect the population and work load.

SENEY: You mean during this period they were paid differently according to where they sat?

MOSS: Oh, yes, yes. I should say they were. I think there is much more uniformity now.

SENEY: Another one of the interim committees you served on in the 1949 session was the Public Utilities and Corporations. Now, you indicated that your service on that standing committee was kind of frustrating.

MOSS: Any kind of service in the legislature in the 1940s, and I guess in the fifties--I don't know--affecting utilities and corporations could not help but be frustrating to a person who was interested in making changes that were not necessarily to the liking of the utilities or the corporations. You have a nuisance value, and sometimes become enough of a nuisance to affect change. I think we did a few things, but very few things. I remember a representative of Pacific Telephone and Telegraph; I had legislation in that would require that the management fee paid to the parent, American Telephone and Telegraph, reflect not just the percentage of the

receipts of the utility, the local operating utility, but a value of services rendered, which to the people of AT&T and their captive that was unthinkable, absolutely unthinkable.

Well, it wasn't to me. I felt if you performed a service, you should be able to define the nature of the service and relate it to some reasonable standard or basis for costing it out, but that was never done. I remember an old gentleman who represented AT&T in all good spirits said, "Young man, I think you really ought to think through." He said, "You know, we're defending free enterprise, and that's what you should be doing."

I said, "Colonel, that's precisely what I'm doing, and I'll defend free enterprise just as long as it's free competitive enterprise, but I'll be damned if I'll defend monopoly without reasonable brakes on it. What you're representing is monopoly, not free enterprise. You have no competition, so government has to act in that role and bring about the improvements and changes that competition would force on you."

But they didn't agree with me. [Laughter] I might say he was a retired military officer, so he

didn't have a great deal of experience in free enterprise. [Laughter]

SENEY: Another one of the interim committees you served on, this was in the 1951 session, was the Ways and Means Interim Committee.

MOSS: I think on Ways and Means Interim Committee we had very specific assignments to look at, relating to fiscal issues. I don't remember the bills that were signed or studied. Remember, interim committees were set up, given a staff and a budget, and then in theory they did what all other committees finally do. They reflect the determination of the chair to use the committee for the purpose of improving functions, and to the extent that the chairman wanted to be active the committee was active. Otherwise, it wasn't. I don't recall that we were overly active in the Interim Committee on Ways and Means.

SENEY: Apart from whatever substantive legislation might come out of an interim committee, I've heard comments from former legislators that they brought the legislators together. Often you'd travel and be somewhere overnight; it would kind of help to develop a sense of rapport among the legislators. Did you find that to hold true? [Inaudible]

- MOSS: No, I didn't find that, and I think if that was the main purpose, there are other ways of achieving that without employing a staff and embarking on theoretically careful and critical looks at government.
- SENEY: I'm not saying that that was a major emphasis, but it was maybe one of the by-products that was useful.
- MOSS: I didn't recall that as being typical. I more likely would fly or drive to a meeting. You'd see your colleagues in the meeting, and as soon as it was adjourned, you take off, and you wouldn't see them again until the next time there was a meeting. I don't think that's a spin-off that I could, from my own experience, endorse.

In all my years of experience the only committee where that sort of out-of-the-capital hearings produced a better understanding between members was the sub-committee on post office and civil service, giving consideration to salary differences between various regions of the country.

Under a very active chairman of the House Committee on Post Office and Civil Service, the sub-committee held hearings in Denver and Atlanta and several other major centers of federal employment. Those I thought were highly productive in two

respects: we got to know each other better in traveling together because it was extended travel-- frequently, we'd get together for dinner--and we also got better exposure to the nature of the regional operation of the federal government. The big centers are different, and, of course, there's intangible differences which you become familiar with. Very beneficial. But I don't recall a connection with my state service.

SENEY: We talked a little bit last time about what you might have felt were among your important accomplishments while you were in the assembly. One of the things that was mentioned was the change in the way in which the Rules Committee was selected. Were there any other things that you can think of as you look back on your legislative career that come to mind as important contributions, things that you're particularly satisfied that you had a part in?

MOSS: I hadn't been there long enough to be a leading member of the legislature. I was sometimes an annoying member, but I was able to make associations with a number of legislators who were inclined to be less partisan and that were willing to support some of the efforts then being made by Governor Warren to deal with what was obviously a rapidly growing state

with the multiplicity of problems. I think in working with them and being part of that group that I was enabled to make contributions that had some significance because we were not always in the majority. And I worked within the Democratic caucus. My colleague from Sacramento, Gordon Fleury, worked within the Republican caucus. And I think we both had a role in seeing that some things were kept from becoming too partisan, where there was no need for partisanship. I think partisanship can be healthy when it defines significant difference, but I think just partisanship for partisan purposes is not particularly productive. I really don't know.

SENEY: Let me read to you for a moment from an article from the Woodland Democrat.

MOSS: Oh, yeah.

SENEY: This is October 10, 1951, and at this point you are beginning to discuss running for congress.

MOSS: We had a big fight on reapportionment.

SENEY: Why don't we. . . . Actually I wanted to ask you about that. Why don't we start there because this was a new district, which was the Third District, am I right?

MOSS: The Third District of California. Six counties in the Valley, upper Valley.

SENEY: Tell me about that reapportionment fight, what role you played in that over this district.

MOSS: Well . . .

SENEY: . . . Can I interrupt you for just a second? As I understand the 1950 reapportionment, this was the last one that was pretty much in Republican hands . . .

MOSS: . . . That's right . . .

SENEY: . . . That they wrote and they controlled . . .

MOSS: . . . That's right. They did. The district I got, for example, was badly cut up. It was sort of planned as a Republican . . .

SENEY: . . . This was the Third Congressional District?

MOSS: . . . Yes. It was a Republican district, which, when I finally decided to enter, I won. I think I played a role in helping to make it less of a butchering job than it would have been otherwise.

SENEY: Were you thinking about running for this district?

MOSS: No, I wasn't. No, I wasn't thinking about running for the district. I didn't think about running for the district until we had substantially created it, and I didn't see anyone else that I thought was going to go out and make the effort and do the things necessary to win it. By the normal patterns of the past, it was a fairly conservative district, and I'm

not a conservative in the sense that we use the word today. I think I'm a true conservative in a more classical sense. I remember writing to young Earl Warren [Jr.] when he joined the Democratic party. I said, "Welcome to the ranks of the true conservatives, those who have a great interest in conserving both our natural and human" . . .

SENEY: . . . This was the son of Earl Warren?

MOSS: . . . Yes, [Inaudible]. I think that a lot of those called conservatives today are some of the most radical men in our country. I don't think the tendency to rush backward represents conservatism; I think you can be terribly radical. I used to, in discussions, liken it to a circle. I said you get down here, and you have the extreme right and the extreme left, and they meet. [Clap] They're the closest of all. They both want to do away with part of your liberties one way or the other.

SENEY: Well, during your political campaign, and this article here in the Woodland Democrat certainly characterizes you as a fearless liberal . . .

MOSS: . . . Yeah, I was liberal . . .

SENEY: . . . Independent Democrat. You certainly have a reputation all throughout your political career as very liberal.

MOSS: Yeah. An old gentleman out in Elk Grove branded me as a communist. I was asked [about this] at a meeting where I was speaking in Elk Grove. I said, "Well, maybe I am. Let me tell you the kind I feel I am. I love to own property. I want to get ahead. I want to make money. I want to be free of any political influence that isn't absolutely necessary. I want my children to have a great many opportunities. I want to be able to go out and start a business of my own if I want to and risk my own capital without having someone poking a finger at me and saying, 'You can't do that.' And if I want to go someplace, I want to be able to go there. Now if that's a communist, I guess I'm guilty."

SENEY: Now this brings me to what was going to be my next question--but we'll kind of move back and forth if you don't mind--and that is, one of the issues that was bubbling up to the surface during this period was the whole issue of communism and loyalty. Mr. [Richard M.] Nixon, of course, was responsible for raising that issue in California in 1946. Did that issue, besides this incident, plague you or bother you?

MOSS: No, because I dealt with it frontally.

SENEY: In the way you just described?

MOSS: Yes. I remember one, one banker in town had made some comments that were reported back to me, and I walked into the offices of the headquarters of the bank, and I looked around on the platform for his desk, and I walked over to him and introduced myself. "Oh," he said, "I'm pleased to meet you."

I said, "You damned well are not pleased to meet me." But I said, "I'm in here because I want to give you a warning. It's been reported to me that you have characterized me as a communist. Goddamit, the next time you want to make that kind of a statement, you be prepared to prove it, because I'm going to take you into court and let you have that opportunity." I never ducked it.

SENEY: This was during your time in the legislature that this incident occurred?

MOSS: Yeah. Later. There were a lot of 'em that when I decided to run for congress they just popped forward, you know, to support me for retention in the legislature. I remember a big-time Republican officer of Bank of America here, Earl Lee Kelly, and he was telling me what a great supporter he'd always been. I listened to that bull for a while.

One day when he stopped me and was telling me what a serious mistake I'd made to run, he said, "You

just need more seasoning." He said, "You know I've always supported you. I've always voted for you."

I said, "Earl, you couldn't vote for me; you don't even live in the district." [Laughter]

SENEY: Well, he was obviously trying to keep the way open for someone else for that district.

MOSS: The one that he wanted to run was Les Woods who was Mayor of Sacramento at the time.

SENEY: And became your eventual opponent.

MOSS: Oh, right.

SENEY: Now the whole issue of communism and national security and anti-communism during this period was a very, very serious and divisive issue, wasn't it?

MOSS: It was a divisive issue, but it was never a serious issue, I don't think. I don't think even the most rabid of the so-called red-baiters really believed we were ever at risk.

SENEY: Maybe I didn't make myself clear. I don't mean that it had an basis in fact . . .

MOSS: . . . No. No, it did not . . .

SENEY: . . . But it was serious. My word was . . .

MOSS: . . . It was if you started to immediately protest, "Why, of course, I'm not a communist. I'm not." I don't think that convinced anyone of anything.

SENEY: What I mean by serious, I think, is that it tended to begin to color everything.

MOSS: . . . It continues to do the same thing in the charges of radicalism, which are made against anyone who thinks beyond tomorrow. They persist to this day; they switch from one thing to another that appears to be popular at the moment. Right now everyone is on drugs, and I don't think we have any more serious problem than the addictions of our population to drugs of a variety of types. And when I could I have fought, whether it's cigarettes or alcohol or cocaine or any of the others. All of those are very serious addictions. Very, very destructive.

But I think you educate people out of it. I don't think you put them in prison. I think when the public finally awakens to the billions of dollars it's going to cost us to maintain the enormous prison systems we're building, the housing of these people without having facilities to try to train them into something that is better than the life they've led, well, we're just going to have a constantly accelerating turnover. That doesn't solve things. We're ducking the hard realities and trying to find the easy, tough-sounding, "Lock 'em up. [Clap] Take

'em to court. [Clap] Jail 'em. [Clap] " Courts are overloaded; jails are overloaded. All of the social mechanism to deal with these kinds of problems is overloaded; and yet we're not underpinning in anyplace any of these institutions.

SENEY: You think that there's a similarity between the cries of communism . . .

MOSS: . . . It's the same sort of thing, the popular crime. We never had a threat from communism. I used to say that we ought to boast to high heaven; at the depths of the depression there wasn't a meaningful number of Americans anyplace who subscribed to communism. And there wasn't. It was a remarkable thing that going through the very depths of the depression, with all the hardship and heartache, people didn't become radical.

SENEY: Do you think the charge of communism raised by some were a way of attacking some of the New Deal measures . . .

MOSS: . . . Oh, sure they were . . .

SENEY: . . . Progressive legislation that had passed?

MOSS: Oh, sure, they were. Absolutely. We had built a bugaboo. Nixon exploited it for years, years. One of the reasons I finally got the Freedom of Information Committee going was because of the

charges that developed in 1953, the early days of the [President Dwight D.] Eisenhower administration, about the great number of federal employees being discharged as security risks. When I finally learned what a security risk was under the federal laws, I discovered it was anyone who might go out and play around with young ladies, drink too much, or do any number of things that had nothing to do with his job performance. And when I wanted to get more information on it, of course, I wasn't able to get the information because they had it classified. That's when I decided I wanted to know what the hell they were classifying and why and what good it was serving.

Finally, I got a select committee to go out, take a look, and try to find out why; eleven years later that resulted in The Freedom of Information Act.

But there are issues which are very important in the nation, but you ought to define them and deal with them and not manufacture things that are totally phony. And that's what happens too often, I think.

SENEY: Let me take you back to this Woodland Democrat article and your intention to run for the congress

because in this article, which again was published October 10, 1951 . . .

MOSS: . . . Oh, sure. I remember . . .

SENEY: . . . They summarized your legislative career, and they drew some conclusions here about what they thought was important. So since I've asked you how you might've felt about what you thought was important, let me get you to comment on the things that they say about you here. As I said, quoting from this, "Moss became recognized in Sacramento as a fearless, liberal-thinking, independent Democrat; a strong supporter of Governor Earl Warren's legislative program . . .

MOSS: . . . Yup . . .

SENEY: . . . And then they go on to say that the Governor gave Assemblyman Moss credit for helping him carry some of the most important measures on the Warren agenda, including the bill giving subpoena power to the new State . . .

[End of Tape 7, Side A]

[Begin Tape 7, Side B]

SENEY: The Woodland Democrat describes your carrying legislation giving subpoena power to the new State Crime Commission. They thought that was an important bill. Do you agree that was an important bill?

MOSS: I think it was. The state was faced, or had been, with a growing number of series of improper forces, having far too much to do with government. If you're going to, finally, in an investigation try to get the truth through hearings and testimony, you almost have to put persons under a subpoena, where they are, in theory, compelled to give evidence, unless, under the Constitution they are going to indict themselves. Then you can't compel them, but, at least, you get it on record; and you can rely much more heavily on the testimony adduced under the power of a subpoena than you can on someone just coming before you and dealing in a fashion with his testimony where he doesn't have to be accountable for what he says.

I guess under general rules of libel and slander, he might be partially accountable, but not to the extent he would be under subpoena. So, yes, I think that the subpoena power was an essential tool for proper investigation.

SENEY: Another thing they mentioned here . . .

MOSS: . . . I might add that in my years in the congress as chairman of quite a number of committee investigations, I have used subpoenas, and I have forced production of testimony under oath. And I always administered oaths, so that I had at least a

violation of their oath if they [lied]. But you have to rely on what you get, or you should rely on what you get.

SENEY: Another thing they mentioned as an important matter was that you were a leader in the development of the water and power resources. You were especially influential in crystallizing sentiment, as they put it here, for the Feather River Project. They quote Governor Warren as calling that, "the most important legislative bill to pass the 1951 session."

MOSS: It was in a succeeding administration that we really got into the State Water Plan; Governor [Edmund G.] Brown was able to get that through.

Governor Warren was trying to develop coherent plans. As I indicated in our previous conversations, I have always been interested in the function of our utilities, our monopolies, in an effort to see that we have the power and water and the tools necessary to develop the state in an orderly fashion. The streams that were not developed, but that had potential to meet the needs of California, should be explored and evaluated, and to the extent possible, developed.

SENEY: So you consider that an important piece of work?

- MOSS: Yes. Almost anything you do that is beyond just routine, day-to-day housekeeping bills is important legislation. One gains more weight than the other because of the attention of the media or the competing interests of the different sections of the state or of the populace, but it's very difficult to find one that isn't important.
- SENEY: They also mention your legislation that was designed to plug the loopholes in laws for handling sexual psychopaths, which was talked about in the 1949 special session; then you also fathered legislation, they say, for the education of mentally defective children.¹
- MOSS: I used to work very closely with the parent groups that had what they call "exceptional children." I thought there was a lack of understanding of what they were dealing with. These youngsters were not crazy in the old sense of the word, crazy being something that defines nothing. They were exceptional; I've seen people with Down's Syndrome who were highly intelligent. I've seen others with various mental syndromes; frequently, you can tell by

¹ A.B. 1954, 1951 Reg. Sess., Cal. Stat., ch. 1599.

looking at them, but it's amazing what training and education can do for them.

I've always been convinced that one of the greatest wastes that any nation can indulge is the waste of the human intellect. I think it's one great resource, and God knows where you'll find an outstanding brain. So you try to give as many as you can a chance, and that goes for those who are routinely classified as mentally incompetent or deficient. Frequently, they had physical problems that needed attention to improve them, and sometimes they just needed a little more intense training. We tried in that legislation to limit the size of classes and to have special classes for some of these youngsters.

I remember--that's in connection with that legislation--looking for support; I went to the one member of the legislature who I felt would be the most vigorous opponent. I spent quite a bit of time courting him, and finally I got his support.

SENEY: Who was that?

MOSS: Oh, dear. I'll think of it. I've been trying to think while we were talking. He was from southern California, an extremely conservative Republican, and

he gave us some valuable support. [Assemblyman Stewart] Hinckley.

SENEY: That would be S. Hinckley.

MOSS: Yeah.

SENEY: This article [in the Woodland Democrat] indicates that you had appropriated money where there would be savings on the education of, as they say, "mentally defective children." They go on to say that you had been helpful in agriculture; they mention your work in lobbying reform that we talked about already and the changes in the Rules Committee. This article was a very nice summary, I thought, of your legislative career. And it was a very straightforward article.

They indicate something you had said here when you were thinking of running for congress. Let me read a little of this because it goes back to, I think, the way you approach politics. It says here, quoting the article, "He's not trying to bamboozle the people into thinking that he's being drafted" . . .

MOSS: . . . No . . .

SENEY: . . . "Or seeking the job by popular demand." Now they quote you, "No individuals or groups have kept me awake nights trying to coax me into this contest."

MOSS: . . . That's right . . .

SENEY: . . . "But I can honestly report that I have strong encouragement from those with whom I have discussed the possibility."

MOSS: That's right. I always disliked these candidates who reluctantly enter a race. I served with enough of them that entered reluctantly and watched their disappointment when they found that their reluctance was rewarded. I never set out to fool people. I think you have a very close relationship with people when you represent them and their interests. At the very least, you should be honest with them. If you have any other motive, tell 'em about it. They're gonna find out sooner or later.

The same way, in traveling, I used to always release my itinerary, and then if somebody wanted to raise hell about it, why go ahead. I feel full disclosure is important. Of course, nobody was trying to get me to run. I looked it over and felt it was doable, that I might accomplish something.

SENEY: What were your motives for running for congress?

MOSS: It was very simple. I just could not continue to put the heavy demands on my personal financial resources. We had very inadequate compensation, and it had gone beyond my ability to fund the special sessions. We had a number of them, and there were extended periods

of time when you were not able to be in your business. My wife and I decided that we either get in or get out.

SENEY: So if you had not decided to run for the congress, you probably would have left the state legislature in any case.

MOSS: I probably would've.

SENEY: Let me ask you now about . . .

MOSS: . . . They immediately improved the salaries here. Remember, when I was elected, they had \$100 a month for twelve months. That's it.

SENEY: And there was a ten dollar per diem . . .

MOSS: . . . Oh, no, that came in my second term.

SENEY: Oh, that came in your second term.

MOSS: Yes.

SENEY: Did you get that per diem even though you lived here locally?

MOSS: Yes, and there was a lot of fuss about that. And I know some people said, "We're not going to take the per diem. What are you going to do?"

I said, "I'm gonna take it; I need it." I never made any pretense of not taking it; God knows I didn't feel it was excessive.

SENEY: Well, it was ten dollars a day.

- MOSS: Isn't a hell of a lot of money. I never felt that I was denying anyone anything. But I felt that you either get in or get out if you can't afford it. I quite clearly couldn't afford it.
- SENEY: Let me ask you about Mrs. Moss and about her role in your political career and about your family. How long have you and Mrs. Moss been married?
- MOSS: Fifty-four years.
- SENEY: When did you marry?
- MOSS: 1935.
- SENEY: How did you meet?
- MOSS: On a blind date with a couple of very close friends. We both knew them well, but we didn't know each other. And [Laughter] we had a very short courtship. All the rules were breached. We met, I think, on the last of July, and we married the fifteenth of September. Everyone said, "Well, you don't know each other, and you can't succeed in that." But we did, and [Laughter] we have.
- SENEY: You're smiling broadly as you tell me about all this, and that's very sweet. It sounds to me kinda like love at first sight. Was it?
- MOSS: Well, we enjoyed talking. We don't always agree; we sometimes disagree, but we can talk about it. I wouldn't want somebody who always agreed with me.

SENEY: She's been pretty much an active partner in your political career, I take it, from what you've told me.

MOSS: Well, I think she's been one of the best advisors a person could have, and I've listened rather carefully to the advice.

SENEY: She has good political instincts.

MOSS: She has good political instincts. And in the first campaigns she was willing to go out and really work hard to contact voters. Her uncle had been a very prominent businessman here in town and was chairman of the board of supervisors. She'd helped his campaigns, and her family was well known in the area. Her grandfather, I guess, came here in the 1840s. Her grandmother came here in the 1850s and settled down in Dry Creek in the southeast part of the [Sacramento] County. So they had been here a long time; they had deep roots here.

But she's always been very supportive and when moved to Washington, why, just took that in stride. She had a family, and that wasn't the easiest thing in the world. We always maintained two homes. We kept our home in Sacramento. From the financial standpoint that was not a very wise thing to do, but we always came home. We didn't come home to some

rented place. After the first term in Washington, we decided we would buy a place there so we had homes at both ends.

SENEY: She didn't object to your desire to run for the House of Representatives?

MOSS: No, when we decided to finally do it, she was very, very supportive. In fact, with a couple of her friends she covered door to door some very remote areas of the district, which proved to be very helpful because people had never seen anyone out there campaigning for a congressional candidate. She was always very supportive. Not always the easiest thing in the world, she used to have to come here much of the summer for school vacation. Our youngsters went to school half a year here from the fall to the spring semester, and then the spring semester in Washington. Here they attended public schools. In Washington we found that to make the adjustments, they needed a lot more coaching, so they attended a private school.

SENEY: These are your daughters. You have two daughters.

MOSS: And they're both attorneys now. One's in private practice, and one is in the office of the attorney general in San Francisco. She's a specialist in criminal law.

SENEY: Do they enjoy politics?

MOSS: Well, the younger one enjoys some aspects of politics. The older one is not too much inclined to be intensely interested, but she follows it.

SENEY: Tell me their names. What's the older one's name?

MOSS: Jennifer.

SENEY: And the younger?

MOSS: Allison.

SENEY: You know, there's a couple of other general questions that I want to ask you.

MOSS: OK.

SENEY: One is, when we talked before, when we first met to discuss the interview, you told me about the way your political life had influenced your investments and your outlook on investments.

MOSS: Well, I recognized very, very early on in deciding to go into government, that one of the hardest decisions you have to make is whether the objective in life is to get rich, or to have less financial reward and a life that can be personally satisfying; we made that decision when we decided to go on to congress. We were building a new home, a speculative home, out in South Land Park, and I recall a weekend when we decided we better sell it in a hurry and get some cash to pay off some campaign ads that were due to be

paid for. We didn't have any other money. But we had every prospect of being able to succeed outside of politics very well; I was a licensed real estate broker. Having made that decision, then we had to make the decision that we were going to avoid certain things. One of them would be. . . . You know, you always have people who want to give you the inside edge on some occasion or another to make some money, always assuring you that there are no obligations; we steered clear of those.

Two things we invested in over the years were art and collectible things we've acquired, which also took us out of the active field of politics. On many occasions you can get a lot on a weekend of antiquing, and you don't think of politics, which I think is healthy.

We carefully selected the properties that we bought in Washington or here. We didn't go out and buy a lot of speculative property. We bought, and whatever we bought we sold, and we finally made money on that. I don't recall us losing on a piece of property. But the bulk of our investments were in our art. And we have some very nice pieces.

SENEY: Well, let me say . . .

MOSS: . . . By judicious selection years ago they have become . . .

SENEY: . . . Well, your home is filled with lovely, lovely things. You mentioned to me that you felt it was important to stay away from stocks in politics because there might be misrepresentation.

MOSS: When I went on the Commerce Committee, I had a small portfolio of stocks, but the Commerce Committee under the rules of the House had direct jurisdiction over the Securities and Exchange Commission, over the securities dealers, over the Investment Company Act [Banking Act], and various other commercial activities. It also has jurisdiction over the Independent Regulatory Commissions, and so I disposed of the shares that we held. We bought no more shares until I retired. And in the last six years we've developed a portfolio in bonds, municipal bonds, and we've some stock shares, not a great, not a staggering, but some to reflect a diversity of investment that prudence demands you have because I can no longer have my actions influenced by the rise and fall of the market.

But that was a decision that was not difficult to make. It is one that requires you sometimes look at yourself and ask if you were being too rough on

yourself. You get some attractive offers, but retrospectively, it was not difficult.

SENEY: Given the persistent charges of conflict of interest that center around the state legislature, especially in this period and in the national congress, it's certainly not the usual policy.

MOSS: Well, it's not as unusual as it seems. There are a lot of members who are very, very careful, very scrupulous in avoiding conflicts. It only takes one out of the 435 to make all the rest look bad. If you get ten or twelve or fifteen or twenty of 'em, you have, say, a percentage of 10 percent of 435. Well, then you have forty-three running around there, rattling and creating the headlines and making you all feel like you're somehow not up to it. It's just one of those things that happens. You try to avoid it; you try to act to see that steps necessary to minimize that take place, but you can't guarantee it.

SENEY: Let me ask you another general question. How do you think your service in the California State Legislature equipped you or helped you in your service in the congress? Was it a good training ground?

MOSS: I think it was a good training ground. I think anything you do, if you're making progress, is

important training. Before election to the assembly I had not served in a legislative body. You've got to work out a way of working in a collegial body so that you can achieve something. You have to learn early on that your desires can't rule, and you have to make compromises, reasonable compromises. You go ahead, and you try to make them. There's somewhere it calls for compromises in principle that you will not make. And you have to learn the differences. You've got to learn to lay aside your personal pride in some instances where maybe you're absolutely convinced that you're right, and you look at it more critically, you find that maybe you aren't quite as right as you thought you were. And I think you need to make those critical examinations from time to time. But, yes, I think it's a very important step.

SENEY: Good. I'm finished with my list of questions and the things that I wanted to ask you about the state legislature. Is there anything that I haven't asked that you'd like to add?

MOSS: No. It was a good experience. It was a good first step, and I think it trains you for a better understanding of government that you're then going to try to be a part of.

SENEY: All right. Well, let me thank you for being willing to take part in the State Archives Project. We appreciate it very much.

[End Tape 7, Side B]

[End Session 4]