ONE

Mr. Coleman Goes to Washington

Government is a trust, and the officers of government are trustees; and both the trust and trustees are created for the benefit of the people.

—Henry Clay, 1829

One Thursday afternoon in late 1974, I was sitting in my law offices at the Dilworth firm in Philadelphia, preparing for a court hearing. My assistant buzzed me on the intercom: "It's Mr. Donald Rumsfeld on the line."

"I'll take it," I said. I knew and admired Don Rumsfeld from my days on President Nixon's productivity and price commissions. When Gerald Ford assumed the presidency after Nixon's resignation, Rumsfeld became his chief of staff. That afternoon, in his usual brisk but courteous manner, Rummy told me that President Ford wanted to see me in the Oval Office the next afternoon.

I was in the middle of seeking an injunction against the local transit unions on behalf of the Southeastern Pennsylvania Transportation Authority, the regional transit authority. But one does not lightly turn down an invitation from any president of the United States. I had great respect for Gerald Ford, with whom I had worked closely when he was a member of the Warren Commission, formed to investigate the assassination of President Kennedy, and I was one of its six senior legal counsel. Ford was a decent, bright, down-to-earth, practical politician, and I thought he had made a great start as president under most difficult circumstances. While Rumsfeld did not say why the president wanted to see me, I knew that Ford was in the process of assembling his own team, consisting of some veterans from the Nixon administration, like Secretary of State Henry Kissinger, who would provide continuity in our delicate international relationships, and some new faces who would enable Ford to put his own stamp on the presidency and differentiate his tenure, in style and content, from that of his predecessor.

On the train down to Washington, the next morning, I rehearsed in my mind what the president might say to me and how I should respond. I was

content with my responsibilities at the Dilworth firm as the head of its thriving litigation department, with the challenging corporate, securities, labor, regulatory, and appellate work that I was doing there, and with the private corporate boards on which I was sitting. I felt that I was reaching the pinnacle of my lifelong ambition to become a successful lawyer in my hometown, Philadelphia. As chairman of the NAACP Legal Defense and Educational Fund, I was fully engaged as a volunteer in the continuing legal assault on racial discrimination, following in the footsteps of my mentor Thurgood Marshall, then a justice of the U.S. Supreme Court. From a more practical standpoint, I was paying hefty tuition bills for my two older children, who were at Yale Law School, and my younger son, who was attending Williams College. I shored up my resolve not to accept a full-time position in the Ford administration if one were offered and hoped that what the president had in mind was an advisory role, perhaps on a commission to address the challenges of stagflation, the high inflation and jobless rates that haunted the economy.

When I arrived at the Oval Office at 2:00 p.m. Friday afternoon, President Ford greeted me warmly. We chatted briefly about the findings of the Warren Commission. In 1963 Ford had raised some of the toughest questions about whether there had been a foreign conspiracy involving the Cubans or the Soviet Union in the Kennedy assassination, which was my primary area of investigation. The president then abruptly changed the subject. He came right to the point: "Bill, I would very much like you to join my cabinet as secretary of housing and urban development."

I was flattered. But in some ways the president's offer of this particular job made it easier for me to stick by my resolve and turn down full-time government service. President Johnson had appointed the extraordinarily well-qualified Robert Weaver as secretary of housing and urban development, the first American of color ever to be appointed to a cabinet position. (That is, unless we are able to verify what some historians recently have reported, that Alexander Hamilton, born on the Island of Nevis in the Caribbean, had some Negro blood. If so, then—by the peculiar U.S. tradition in defining race—George Washington appointed the first American of color to the cabinet when he selected Hamilton, who became an outstanding secretary of the treasury. I would be proud to claim him.)

In some respects, the offer of the HUD post was unsettling. Was the department considered to be the "black" cabinet chair at the table? Candidly, I was then no fan of HUD—or of federal housing policy, for that matter. America's inner cities were cluttered with federally subsidized high-rise housing projects that spawned vertical black ghettos—the result of well-intended but ill-conceived policies dating back to Franklin Roosevelt's administration that had created almost insurmountable obstacles for those of us who fought to

desegregate schools and communities. It was easy for me to decline the offer, politely pleading my financial obligations to three university-aged children.

President Ford seemed disappointed but then asked me tentatively if I would feel the same about being the ambassador to the United Nations. He noted my service as an alternate delegate to the twenty-fourth U.N. General Assembly and my work with Henry Kissinger in freeing Namibia from South Africa. It wasn't so much a firm offer as an exploration of my resolve. Again, I said that I simply wasn't in a position to take a full-time post in government at that time.

With a discouraged look on his face, the president rose from the couch, walked toward the Wilson desk (which dates back to President Grant's administration), turned abruptly, and said, "Bill, you were a pilot. You represent public transit companies. You are on the Pan Am board. How would you feel about secretary of transportation?"

I was caught off guard and feeling a little guilty about my lack of responsiveness to the president's persistent interest in recruiting me for his administration. Moreover, I was not about to admit that I didn't even know that there was such a thing as the U.S. Department of Transportation. My resolve began to crumble, and I said, with some hesitation in my voice, "Well, Mr. President, I'll have to think about it. Can you give me a couple of days to think it over and discuss it with my wife, Lovida?" He agreed, and the meeting ended on a positive note.

When I discussed the offer with my family over the weekend, it was fortunate that my daughter, Lovida Jr., was home from Yale Law School. She was, as she always is, direct and to the point: "Look, Dad, there probably have been only about two hundred Americans in the history of this nation who have served in the cabinet—and only one other black person that we know of. I really don't see how you're qualified to be secretary of transportation, but it's a great privilege to be offered the job. It's a chance for you to do something important for your country—especially now, when the nation is going through this post-Watergate trauma."

"President Ford is a decent and honest man," she continued. "He graduated from my law school, and he's trying to restore trust in government. You know, Dad, several of my professors at Yale have said that Ford got the highest grade in the course on legal ethics. He needs to assemble his own team, and he obviously thinks you can help him bring back integrity and quality to the federal government. How can you turn him down?"

First thing Monday morning I called Rumsfeld. "If the President still wants me," I said, "I will serve as secretary of transportation."

Rummy sealed the deal. As it turned out, President Ford appointed Carla Hills as secretary of housing and urban development. She did a superb job,

much better than I would have done. I hope that my obstinacy did not deprive her of the opportunity of being secretary of transportation. The HUD building was across the street from the Department of Transportation, and Carla and I worked on many projects together during the Ford administration; in subsequent years she and her husband, Rod, became close personal friends of my family. Rod is a client, and their son-in-law, Steve Bunnell, is one of my outstanding law partners.

A creature of Congress, President Ford knew the importance of keeping the congressional delegations informed about prospective appointments. He immediately called Senator Hugh D. Scott, a close friend of my father's, who, I suspect, leaked the news to one of Philadelphia's newspapers. That was a bit unsettling because I was in active negotiations with the transit unions on behalf of the regional transit authority at that time. On the other hand, the newspapers put a more positive spin on the prospective appointment than the FBI, whose investigators traipsed around my Mount Airy neighborhood questioning curious neighbors about my character and integrity. With the FBI clearance completed, the president sent up my nomination, and, after some courtesy visits to key senators, I testified before the Senate Commerce Committee, which reported favorably on my nomination, without objection, and the Senate confirmed my appointment by acclamation. (My daughter remarked that nobody objected because I hadn't done anything worth objecting to.)

Shortly thereafter my beloved wife, Lovida, and I packed our bags and eagerly headed down to Washington.