

George J. Mitchell Oral History Project

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Harold Ickes

(Interviewer: Diane Dewhirst)

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Diane Dewhirst: Hi, I'm Diane Dewhirst, I'm here with Harold Pachios in Washington, D.C.

Harold Ickes: *(unintelligible)*

DD: Wow that was a Freudian –

HI: *(unintelligible)*

DD: You know Harold Pachios, right?

HI: Yes, yes.

DD: Mitchell's best friend. Yeah, okay. Sorry! Harold Ickes in Washington, D.C., on March 27, [2009], and there's a couple of questions I'm supposed to ask to get this going and then we'll talk about Senator Mitchell. Can you please state your full name?

HI: Harold Ickes, I-C-K-E-S. I have a middle initial, M as in Mary.

DD: Where were you born, and what are your parents' names?

HI: My – I was born in Baltimore, Maryland, on September 4, 1939, my father was Harold L. Ickes, I-C-K-E-S, born in Altoona, Pennsylvania, and then raised from the age thirteen on lived in Chicago until he joined the Roosevelt administration in 1933. My mother was Jane Dahlman, D-A-H-L-M-A-N, born and raised in Milwaukee, Wisconsin, Irish on one side, Cudahy Irish on one side, Dick Cudahy who sits on the 7th Circuit is her cousin, and I guess my cousin also by some extension, and German by way of her father.

DD: Clearly, you've done these before. I've been asked to talk to you about your relationship with Senator Mitchell, and your observations about him with regard to health care. But I also know that you had an earlier relationship with Senator Mitchell in the Muskie campaign in the '70s. Could you talk about that a little bit?

HI: I, well, let me just say by way of starting, that I am an enormous fan of [] George Mitchell's –

DD: *(unintelligible)*

HI: But I'm sure I'm in a very long line of very big fans. I first met him in the Muskie [presidential] campaign [of 1972]. I had joined the Muskie campaign and was running Wisconsin; I was the Wisconsin campaign director. We had quite a team: Ann Wexler, Alan Baron, Jim Johnson, John Riley (now dead), Tony Podesta, and Mark Shields, among others, were all in the Muskie campaign. And Jim Johnson had been running Iowa, [] after that he moved in to run Illinois. [] I was living in the Pfister Hotel in Milwaukee there, and my partner, now dead, [] Jack English, was the political director for the campaign, and it was interesting about the Muskie campaign because that was the campaign of sort of the establishment. Virtually every senator, every congressman, every governor, every this, every that was, had either endorsed or was in the process of endorsing Senator Muskie for president.

But his campaign was basically staffed by people who he, I think, had not known either at all, in [] Jack English's case and others, or very slightly. And I didn't know Senator Muskie very well, but it struck me that he didn't trust too many people. And there was a very contentious scheduling operation. Alan Baron wanted him [] down in Florida [] to do some chicken fry deals up in the panhandle, Jim Johnson wanted him out in Iowa, I wanted him up in - So there was this constant turmoil about the schedule.

And we had a national scheduling meeting at one point. It got so bad, [that] all the state directors were called back to Washington, D.C., for a scheduling meeting - I can't tell you the month - and George Mitchell was in the meeting. That was the first time I had ever either met or laid eyes on George Mitchell or, frankly, had heard of him. And he didn't say much. I liked him immediately. My sense was, and a sense only, that he had been, and I don't know how long he had been, formally associated with the campaign, this was my first experience with him. But my sense was that [] Senator Muskie had asked him to come in because they knew each other very well and I think that Muskie just wanted somebody in there that he knew that he could trust to sort of make sense of all of this [] fighting back and forth among various state directors and political directors and on and on and on.

I didn't have that much to do with him during the campaign, but kept in touch with him and then got to know him better, [] and I would see him from time to time. He always seemed to remember me. I always introduce myself to people, even if I've known them for ten years, because I find it obnoxious, people walk up and say, "Of course you remember me," and of course I don't. And then I really reacquainted with him in 1994.

DD: Talk about 1994, what your role was, what his role was, and health care.

HI: He was the Democratic Senate majority leader then. I was asked to join the Clinton administration - I was supposed to join it in 1993, [but] I had to go back and clarify some things back in New York - and so I joined the Clinton administration and the White House staff as one of two deputy chiefs of staff in, on the 3rd, I think it was the 3rd of January, 1994. And my brief was: one, health care, about which I knew very little, to try to help get it [] through the Congress; two, was the [1994] midterm elections, and some other [issues].

I immediately got immersed in damage control, because of Whitewater, was overflowing at that point – I didn't even know where Whitewater was – but I was – became very involved in health care. Senator Mitchell was a very key person in the Senate, because he was the Senate leader, he believed in health care, he had a good relationship with the Clintons, and so I got to know him – again, not intimately, but got to deal with him a lot. Pat Griffin, who was our legislative director, had just joined the Clinton administration in December of '93. Pat and I, and my partner Janice Enright, became very close because, one, we were working together, and two, we liked each other, and Pat knew Senator Mitchell.

And just tangentially, let me jump back if I can. Can I jump back?

DD: Sure.

HI: Okay, I forgot to mention this. David Johnson, who [along with Pat Griffin] founded the firm of the offices in which we're sitting doing this interview, had worked for me in the Muskie campaign in 1972. After the campaign, David went to Washington. He was born and raised in Oklahoma, he was just a [] kid at the time, and he and Muskie liked each other and he came to Washington with Muskie and worked for Muskie for a number of years, and then finally left the Senate and came here and founded the firm; so just a tangential relationship.

So my connection with Mitchell was also a little bit by way of David Johnson, because David got to know George Mitchell by way of Ed Muskie, [and] ended up [also] working for [George Mitchell] in the Senate, before he left the Senate and joined and created this firm.

DD: David also worked for Senator Mitchell; he was his first AA, right?

HI: He did, yes, he worked for, I'm sorry, it was Muskie then Mitchell then [founding the] firm, and so I had a sort of tangential relationship with Senator [] Mitchell by way of David.

Anyway, health care was a very contentious issue, and Hillary Clinton had mapped out, along with Ira Magaziner, a very extensive, elaborate, very detailed proposal. It ran some thirteen-hundred pages, it had been basically written in secret without any serious input by even the legislative leaders on the Hill, and then I think in September or October [1993], it had been unveiled by the president and Hillary, and then Congress was expected to pass it. Ironically, there are five committees of jurisdiction over health care, two on the Senate side, Senate Finance and now what they call the Senate HELP [Health, Education, Labor & Pensions] Committee, which Senator Kennedy is the chairman of, and three on the House side. It never made it out of any of those committees.

Mitchell and his then-top assistant Hilley - What's Hilley's first name?

DD: John.

HI: John Hilley [] worked very closely with the White House. I think [he] and Senator Mitchell wanted to get this through but [Senator Mitchell] understood the dynamics of the

Senate, he tried on more than one occasion to explain those dynamics to the White House, and I don't want to say we turned a deaf ear, but I think there was a feeling, starting at the very highest level of the White House, that there was this strong public need for health care reform, was very strong public support for health reform that had been reflected in the election – in the presidential election in [1992] – and [the president and Hillary were of the view that] clearly the Congress was going to listen to the people and run [the bill] through.

And I will never forget, I think the most interesting meetings I had – I had several meetings with Pat and others, with Senator Mitchell [p/o]. I think this was before the Memorial Day recess, we had a meeting in the White House, in the map room, which is the lower floor of the White House. Senator Mitchell was there, Congressman Gephardt was there, I think John Hilley may have been there, Pat Griffin was there, I was there, President Clinton was there, Hillary Clinton was there, a few other people were there, to map out what should take place during the Memorial Day recess, and then coming back to try to push [the health reform bill] through in June.

And Hillary gave an impassioned plea to the legislative leaders that this had to be done, the people wanted it, America needed it. There was no question that she was right on all those scores at that point – thirty-seven million people were uninsured, today forty-seven or fifty million people are uninsured. As I remember, I was standing off to the side, and Hillary had said, “When members of Congress go back home on recess and they hear from their constituents” – and the White House was going to work to whip up support publicly around the country – “they will come back and this health care bill will be passed.” And I remember Mitchell saying to me, in a side bar conversation, “Harold, the fact is, when we go back, we meet such a thin skim” – I think he used the word skim, and I'm not, but he wasn't using that in a pejorative sense – “We meet such a thin skim or a tiny group of people, most of them are people that we know, a lot of them are our contributors. Yes, we have our town halls and all that, but Hillary's just really missing the mark on how much public pressure is going to be brought to bear on us as we go back to our states.” And he said, “I just don't think this can be done, I think it needs to be reworked.”

He was right. He came back, and at some point, I think it was after Memorial Day but before the August recess, in which I think [] Senator Mitchell [] said, “I'm going to try to get this done.” And I forget whether that was before the August recess or after the August recess, but at some point he really took ownership and gave it one last best effort. And it couldn't be done.

[As to] his reputation: I was never on the other [side] of George Mitchell, but his reputation, at least as I understood it was, that he, one, was brilliant; two, he was as tough as nails; and that he really did make decisions in the Senate, as the Senate leader he was a leader in the best sense and the toughest sense of that. He would make decisions, and some of his colleagues didn't like it. But once it was made, he would push it through. Our view was that if George Mitchell couldn't get this through, it couldn't be done. And it wasn't done.

DD: I know this was a long time ago, but there were some, you've mentioned a few players that were involved in this. Senator Kennedy was and is the prime mover here, there was also Senator Daniel Patrick Moynihan, there was also a whole House piece of this, and there was also

a, what did they call them? They don't call them blue dogs on the Senate side, but the, Senator Breaux and the moderates and whatnot.

HI: Right.

DD: You had dealings with all of them. I don't know how much your dealings were, watching Senator Mitchell, but could you talk a little bit about that dynamic and what had to be accomplished, with Mitchell being leader and trying to get this through the summer of '94 and ending in the fall of '94?

HI: Right. Well, there were a lot of very key players. Ted Kennedy, Senator Rockefeller, Senator Moynihan, Senator Breaux and others, and they all played key roles in their own ways. Senator Kennedy was an absolute stalwart, I think he had more sense that the public pressure would carry the day. And Senator Kennedy, who I worked for in 1980 when he ran against President Carter for the presidency, and have kept in touch, pretty close touch with over the years, was an absolute stalwart. He is not a person who is above it, he is down in the committees, he is convening the outside groups, he is in there with his - He has a top staff, and he played an enormously key role in trying to shape this politically.

One of the problems was that it had been written at the White House without the input of Congress, and then it was sort of plopped on their desks with the idea that they were just going to take it up and pass it, because the public wanted it. It was a key, key mistake not to include them. And it's interesting as you watch the health care that's being shaped now, under President Obama, in which the members of Congress, I think they really learned a great deal from how we dealt with health care. And I'm not saying that the Congress is going to write the whole bill, but it is clear that the Senate and the House, the leaders, are very, very involved in writing whatever the health care proposal's going to be this year, and they learned from our mistakes.

So we plopped it down on their desks, expecting them to sort of take it up, run it through the committees, make a few changes, and take to the floors and get it passed. Kennedy was a key player, he convened outside groups, as I've said, he was involved with talking to the White House, talking to the president and Hillary and others. Senator Breaux, who represented sort of the centrist, if you will, members of the United States Senate, he [] was a very savvy legislator, he understood very well how the dynamics of the Senate work, and he kept advising us that we had made a mistake by the way we had approached it, [] that we needed to include more of the leadership, more of the Senate Finance Committee, and that they really had to have the sanction to re-work the bill in a way that could muster a majority of the Senate. In fact, they had to muster sixty votes in the Senate to cut off debate. And that was going to take a lot of re-working, and the White House was not prepared to have them re-work the bill in a way that could command sixty votes in the Senate.

Jay Rockefeller was another one. [] He desperately believed in health care and worked hand in glove with Kennedy and Mitchell and others to try to put the politics of it - this was a political issue, you had to put the politics of the Senate together, which in large measure we had ignored, quite frankly, on both the Senate and the House side. So Senator Rockefeller was a key player,

Breaux was. Pat Moynihan was then the chairman of the Senate Finance Committee, the single most important committee, non-appropriations committee, in the United States Senate, certainly as it pertained to health care. Moynihan had not been involved in the writing of the health care bill. You can't get a health care bill through the United States Senate unless it goes through the Senate Finance Committee first. And even if it goes through that, it doesn't necessarily assure passage on the floor. And Senator Moynihan was not involved. I think the relationships between the White House and Senator Moynihan were prickly.

As I recall, it was before the Memorial Day recess. [] He was a favorite of Tim Russert, one of the best interviewers in Washington before he died. Tim had worked for Senator Moynihan in New York, and Moynihan was a favorite on that program. [] I think it was on that [Sunday interview] program in which Moynihan basically declared health care dead. I don't think he used the word dead, but [] anyone watching that [broadcast] with any sophistication [quickly] came to understand that health care was not going through the Senate Finance Committee, or at least health care as drafted. And that to me was the key. I think health care really from then on was not going to go through.

I think Mitchell understood that, he understood the dynamics, but he was prepared to give it one more go and he did at some point, I forget exactly when. Gave it his best effort to get it through and it couldn't get done.

DD: Senator Mitchell worked a lot with Senator Dole throughout his Senate career, and Senator Dole was also either on the Finance Committee or had a role in the Finance Committee and obviously was Republican leader. There were fierce Republican attacks: "Harry and Louise," et cetera. Can you talk about that a little bit, and what you know as it relates to Senator Mitchell's career but also about what that component was and their branding of the health care bill, or how they characterized it.

HI: "They" being the Republicans?

DD: Yeah.

HI: Well, the Republicans were stoutly opposed to this, I think both on ideological grounds and on political grounds, I mean, and sometimes those two things merge in Washington and it's hard to separate them. But the Republicans had taken up the cudgel early on. There is a wonderful book about this called, what is the book that David Broder and Haynes wrote? [Note: Haynes Johnson and David Broder, *The System: The American Way of Politics at the Breaking Point* (1966)]

DD: Oh right.

HI: What?

DD: I don't remember.

HI: Well, it is the single best modern book about the legislative process, and the reason it's so good, it doesn't focus only on the legislative process, but really goes out and does a very broad inquiry and description of how the Republicans whipped up their base against health care. "Harry and Louise" played an absolutely critical role in this, the insurance industry was against it, but the Republicans were masterful in undermining the bill by saying basically, "This is big government, it is going to take away your doctor, you're not going to have any choice left," and they beat that drum day in and day out with just absolute singular focus, and they're very good at that.

We Democrats [] think that if we've said something once, it is enough, and we then go on to say something else. The Republicans understand that focus, focus, focus, repetition, repetition, repetition, and they seized on the argument that this was big, liberal government that was going to take away your health care plan, take away your choice of doctors, and that you would be at the mercy of a bunch of bureaucrats in Washington making your health care decisions. It was extraordinarily effective, and fit both their philosophical bent as well as their political bent.

I don't pretend to know what the dynamics between Senator Mitchell and Senator Dole were over this, but Senator Dole played a very key role [], Newt Gingrich played a very key role on the House side, and it helped sound the death knell.

DD: Just two more things in general: could you just talk about what your, from your perspective, what Senator Mitchell's leadership qualities were, what his tactics were in decision making or how he may have refereed if you didn't agree with him? And then I have one more question after that.

HI: I can't answer those adequately, because I was not an intimate of the Senate. My legislative experience was very minimal when I came down here, and we had a legislative team. Pat Griffin dealt a lot on a daily basis with the leaders. Pat and I dealt to some extent with legislative leaders, but Pat was [the lead]. Pat and I had made an agreement. Pat was very sophisticated about the Congress, he had worked on the Senate side, he knew Senator Mitchell, he knew virtually all of the senators, he had risen to the position of secretary of the Senate, which is the highest non-elective office you can have in the Senate. And when I came down I said, "Look Pat, you know, you have to be the lead on this legislatively," and so that was the agreement that he and I made.

I can only tell you what I understood Mitchell's reputation to be, is that he was as smart as they come, that he understood both policy and the nuances of policy, but he also understood the intersection of the politics [] particularly of the Senate, in the context of policy, that he was a very tough-minded leader, and that he would consult his colleagues; but once he made up his mind that he was going to go in a direction, he went in that direction. Now, he's not a fool, so he knew where he had his support among his Senate colleagues, but that he was a real leader in that sense, and often took positions that he had to really persuade his colleagues to come along with him.

What those methods were and his power of personal persuasion, I don't know. I can tell you my

assessment of him as a person, that he has a real intellectual rigor, and he knows his subject. Look, he's a former United States attorney, he's a former federal judge, he's a lawyer by training, [] and he's also an extraordinarily persuasive speaker, either in person or before a group, so he's formidable. And he is very well grounded in both the politics and the policy. I just don't know enough to talk about the rest of it.

DD: I'm supposed to ask, anything I've forgotten that you'd like to add?

HI: No, I just, as I think back, of the people that I've met in politics, and I've met my share, one's been a sitting president, others have been presidential candidates, and a lot of others – senators, members of Congress, governors – George Mitchell stands out in my mind as one of my ideals. As I think about his career, starting, as I understand, from economically and socially, you know, not the best of circumstances, as one might think of those. Not with wealth, and not with a lot of connections, or barely any connections in the context of politics. And his career is, in my view, a stellar career, and one that I think few people can match.

And I'm not saying there aren't other great senators, there are – I mean Ted Kennedy, Pat Moynihan, Breaux, and there are many others. But when you think of the span of his career, you know, United States attorney, sitting federal judge, a very strong, effective leader. Not flamboyant in the way Lyndon Johnson was, but from everything that I know, I think as effective a leader as Lyndon Johnson was, but in a much different way. In some sense a quieter but as tough and as singular way. In my view, his career is one that is, I have always looked up to, and I certainly look up to him as a person and enjoyed his company and think that he is one of the outstanding people I've met in my life, let me put it that way.

DD: Thank you Harold Ickes.

HI: Yeah.

End of Interview