

George J. Mitchell Oral History Project

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Bob Carolla (2)
(Interviewer: *Brien Williams*)

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(Significant revisions throughout; transcription edited without changes indicated; transcript and original recording restricted during Senator Mitchell's lifetime)

Brien Williams: This is a second oral history interview with Robert J. "Bob" Carolla, C-A-R-O-L-L-A. We are in the Washington, D.C. offices of the National Alliance on Mental Illness, NAMI, where Bob serves as the director of media relations. Today is Thursday, April 30, 2009, and I'm Brien Williams. Okay, we're picking up and going back to the '82 campaign, and what was "the dog dies story?"

Bob Carolla: Well, it was part of the folklore of the office, where some of us had worked on the '82 campaign. The story as I've always heard it was that at some point in the middle of the campaign the Senator's dog died, and it was a long-time family dog. And he suspended the schedule for a day; the feeling being is that the family was in mourning over the dog. And here we're talking about one of the closest, one of the most contested Senate races in the nation.

So there was sort of a sense of irony about that, but the additional part of the story was that people were aware that the dog was apparently on the verge of dying, and Janie O'Connor, who was from Augusta and who ended up being the receptionist in the Senate office, thought that the dog had already died and sent flowers to the Senator, but it was actually a day or so before the dog actually died.

Within the folklore of the office, it was very funny. Whether I'm telling it correctly in terms of details, I think either Mary McAleney or certainly Janie would have to confirm it. But I also think it shows the human side of the Senator. When a family dog dies it can be a very emotional experience for people. It also shows some of the interaction, the emotional loyalty that many of us often felt towards the Senator, and Janie was probably one of the most fiercely loyal people that I've ever met. So that was an anecdote that I wanted to make sure that I shared.

BW: Good. Well, shall we move on then to Iran-Contra, '86-'87.

BC: Right. My small slice of the Iran-Contra affair. I had one memo recounting a phone call. It's probably in the archives [i.e. the George J. Mitchell Papers], and it was only after Iran-Contra happened it became relevant because it had to do with some fund-raising that was going on to support the Contras. I turned it over to, I think it was Jamie Kilbreth [*sic*: Kaplan] the Senator's counsel on the committee who had ties to the Senator, I turned over the memo to him. And it was evaluated, it was interesting, but they also felt like if they were going to pursue it,

they could just simply ask the principals involved directly. That was my one little substantive contribution.

But the other one, which was fascinating, there was the week that Oliver North testified before the committee. I want to say it was a Thursday-to-Friday or something like that when he appeared. Before the questioning it became this charismatic drama that a lot of commentators were saying had put the committee on the defensive. I remember Martha Pope saying, “This is absolutely out of control,” and being very nervous about where it might lead.

So that weekend there was the launching of a destroyer, either a cruiser or a destroyer, at Bath Iron Works. I want to say that it was the lead ship the DDG 51, the Arleigh Burke class, but I might be wrong about that. I tried to find through my files to pinpoint when that particular launch was. Mitchell and Cohen flew up in a navy jet together, up to Maine, to attend the launch. I got to go along, I think it was Tom Daffron, who was Cohen’s chief of staff, and it may have been Dale Gerry as well, who was my counterpart in Cohen’s office. And that would have been unusual for me to travel with the Senator, especially in the close quarters of a jet like that. And we were to fly to Portland, to go into Portland first so that they could, at least Mitchell if not both of them, could appear on *Face the Nation* to discuss what had just happened with North, and then they – we – were going up to BIW for the ship launch.

We flew up, and first of all, it was fascinating, and even funny, because Mitchell clearly was trying to figure out and focus in his mind what he was going to say and ask North when they came back in on Monday, or maybe it was Tuesday but in any case, when they got back to Washington. It was almost like he was trying out questions or themes – and I’ve since learned that he was on the phone with Harold Pachios, who was a lawyer in Maine who was one of his best friends and who he often relied on for advice, and with other people that weekend. It was just fascinating to be part of that, but it was also funny because when you got Mitchell and Cohen together, by then they had forged a fairly good friendship that had healed some of the wounds of the ‘82 campaign, which Cohen’s people had been involved in, but Cohen was saying to Mitchell, “Yeah, I can just imagine how you’re going to lead off: ‘Oh, please, Colonel North, do you mind if I ask you a question?’” And you know, Mitchell sort of growled back and snorted, “Yeah, that’s going to be you, Bill.” And there was more discussion about, “What’s going on with North? Where is he coming from?” Some of the questions involved puzzlement in terms of the colorfulness of his perceptions about what had gone on his relationship with Reagan.

And in situations like that I rarely interjected into the Senator’s conversations with other senators, but I remember I said, to the effect of, “Well, he seems like a legend in his own mind, where he may be describing things that didn’t happen but probably believes they did. It’s like a really expansive sense of self.” And Mitchell turned to me quickly and as an aside said, “That’s exactly right.” That was often a habit that I had noticed, that whenever you sort of interjected with him, he might quickly turn to the person, he’d say, “That’s exactly right,” or to the other person who might be present, “You see, that’s what I mean,” but more in a critical sense there. So it was just a very fascinating interaction between the two senators, trying to get a feel for the situation, trying to suggest ways by which they might approach questioning, trying to evaluate,

“What is it with this guy?” Obviously they had a lot more information, they were steeped and briefed in it by then. And here we are flying in a six-person jet up to Maine as an interlude.

The other interesting part of that trip was that Portland was fogged over, the ceiling was very low, and the Navy regulations were that you wouldn't be able to land it with that low of a ceiling. And of course they needed to be there for this *Face the Nation* remote broadcast. And so the pilot's trying to figure out, “Well could we go into Pease Air Force Base?” which is down around Kittery. “No, it's too low there.” “What about Brunswick?” which had the Naval Air Station, which was right near BIW, but it would have been too far to get to Portland in time. And we're circling, trying to figure out whether we're going to be able to do a landing, and Mitchell goes to Cohen, “Well if necessary, maybe we just forget the launch but fly into Bangor and we can do the interviews from there.” And Cohen says, “Well that might be a good idea,” he said, “although I hate to miss the launch” – it was that kind of an exchange. Cohen says, “I really want us to get into Portland, can't you do that?” to the pilot. And the clouds were lifting just enough so that they could go in safely, or at least according to regs.

I remember we descended and came into the jetport where we flew out of the clouds, I don't know how many feet above the Maine Turnpike, and then over one of the highway bridges and I'm thinking to myself, I said, “Boy, I can imagine the headlines if this turns into a controlled crash with the two senators in the middle of this whole other drama.” But we made it in, they made it to the *Face the Nation* interview, we made it to the launch, we flew back, and early that next week I'm sort of recounting how everything had gone with I believe it was Martha Pope and Diane Dewhirst (who by then had become our press secretary). And Diane reacted in horror when she heard the fact that they had considered flying to Bangor to do the interviews as an option, and she sort of looked at me, looked at Martha, and says, “You can't do that,” she goes. The network had brought up special equipment in order to do the satellite feed from Portland, and said, “Bangor wouldn't have been equipped, there's no way that they could have done it.” And I remember she made a comment to the effect of, “This is what happens when you let them loose on their own, they have no idea.” Frankly, that's the type of thing that even here at NAMI we sometimes will say about our executive directors. “No, it's not that simple.”

But again it was, for me it's one of the memorable moments of that Iran-Contra day and drama, because, “Sure, let's go to Bangor, we can deal with *Face the Nation* from there,” and they would have, we would have been in Bangor in northern Maine and distant from everything that they wanted to do.

BW: That's a great story. Did the two senators at that point, were they already discussing co-authoring the book that they eventually wrote, or was that something that came up much later?

BC: Not that I'm aware. I really didn't have any sense of that, yeah.

BW: Good, so let's move on to the minimum wage press conference fiasco.

BC: Okay. Yeah, that's another funny one, and one of the moments I'll never forget and I

really love, and also had some very interesting political aspects to it. The minimum wage bill was one of the key economic issues that was pending as Mitchell became majority leader. And Bush had – who of course had just been elected, Bush One – had pledged to veto the bill that was being proposed by the Democrats in Congress. There was always this tension about, “Well when will it be brought up?” First in the House, then in the Senate, and that was sort of an ongoing theme we wove in between other issues.

It passed the House in the form that Bush had pledged that he was going to veto it. Mitchell internally was of a mind, “Well, okay, we know if he’s going to veto it we should just start now to compromise it.” And Labor did not want to do it; Kennedy did not want to compromise it at that point. Martha Pope had a conversation with me about how part of the dynamic was that Mitchell had not served in the House at any point, so he didn’t necessarily understand the dynamics there, and the partisanship, and how you couldn’t simply walk away from the House’s position but that you really needed to draw the line in the Senate as well in making a challenge to the White House on it. And eventually that’s where Mitchell came around. But it was interesting because he was still thinking through the legislative tactics, the political tactic, but also wanting to get something done, not wanting to spend too much time on something that was a preordained result, a defeat.

But the House passed it; the Senate passed it. What was left was to then send it to the White House, let them veto it. Now, in the middle of all this, Jim Wright, as speaker of the House, was forced to resign over what I think was the House Bank scandal or something else – there’s a whole layer of issues that Newt Gingrich and Republicans had orchestrated. So Tom Foley had just become speaker, and that same week, or maybe the week after, we scheduled a press conference at the Senate press gallery for Mitchell and Foley to together make one last appeal to the president to sign the minimum wage bill, not to veto it. And obviously this would have been to reinforce the profile, with the political edge to it. Kennedy was also to participate in it.

I want to say it was probably scheduled for two o’clock in the Senate press gallery, and I was preparing for it, Kennedy’s staff was preparing for it, his staff person who handled it [Jay Harvey] had been a classmate of mine at Middlebury so we had a really good rapport. And about fifteen minutes before the press conference, I hadn’t even gone down from the Russell Building to the Capitol yet, Jay calls me, and he says, “The president’s already vetoed it.” I said, “What do you mean, ‘he’s vetoed it’?” He goes, “It got delivered early, and he vetoed it.” Apparently it had been delivered, I mean physically, the bill had physically been delivered to the White House and the president was someplace on Air Force One and faxed a veto message, or however they do that. So we ran down to the press gallery, totally mortified, not knowing what was going to happen. The press was already filling the press gallery.

Kennedy showed up first, then Mitchell. Kennedy started laughing and bending over and sort of putting his hands on his thighs and then just sort of laughing, and he goes, “George,” he says, “is this really true, that they’ve vetoed it, that it was delivered to the White House?” And Mitchell’s going, “Well that’s what I’m being told,” and he was, you could really see that there was anger seething under it. And as they start to talk about it, Kennedy says, “Well come on, we better go”

– because we were really literally outside the press gallery when this was happening. And Kennedy goes, “Well come on, let’s go into my office.”

So we go into Kennedy’s hideaway office, which for me was sort of fascinating, almost breathtaking, because he has pictures of his brothers and it was a really intimate and almost like being in a historical museum. And we’re in there talking back and forth, trying to figure out what had happened, and I forget who else was. I think Martha Pope was calling in, maybe Diane Dewhirst. What was reconstructed was that the bill physically had gone through the process of having the Senate officers sign it, and then also the House officers, and it was sent to, I believe, the House Committee on Administration which does what’s called an enroll-, I may be getting the procedure mixed up, it does an enrolling process, and then they’re responsible for taking it to the White House, physically, and my understanding is that that’s done by one of their messengers.

I’m not sure anyone totally figured out what happened, but the most common story or understanding was that it was sent to the Committee on House Administration, no one had told them that they needed to hold off until a certain time to deliver it, and – this may be apocryphal, but – one of the staff, the messenger who would be delivering it, since it was about two o’clock, if he took it to the White House early afternoon, he would basically be able to go home early. That seemed to have been the chain of events.

Well, Foley shows up in the hideaway, guided, I think by Martha, or Diane Dewhirst, and this is the first interaction that Mitchell and Foley had as speaker and majority leader. And you can tell that Foley is livid. And Kennedy again goes, “Tom,” I think he said, “Tom,” he goes, “do you believe this? It got sent early.” And Foley looked at Kennedy, then looked at Mitchell, he says, “Well I can see that this is going to be the beginning of a great relationship.” They both were angry, so Mitchell explained, “What I’ve heard is that it was delivered to -” and I think he may have said the House parliamentarian’s office or whoever. And Foley just sort of looked at him and he says, “Well that’s not true, they’d have absolutely no authority to do this.” And I think the confusion was, is where had it gone and to who and who had done it early.

As soon as Mitchell realized Foley’s level of anger, he said, “Well that’s fine. I take full responsibility for this, I’m very sorry.” He said, “So now what do we do?” And I remember, of course I’m the fly on the wall in some ways and I’m thinking to myself, “One, that was decisive, two, taking absolute responsibility for it, and then clearly put it to the side, ‘We’ve got to deal with the situation now.’” And it was a very awkward but funny press conference, because they went out, they were talking from their prepared remarks, trying to adjust them as they went along but clearly that was still a tone of ‘we really wish the president would sign it.’

And the reporters had seen enough of this to know that something had been screwed up, but they didn’t really pounce on them, it wasn’t a ‘gotcha’ type of questioning, but you could see that they were all suppressing laughing or smiles and so forth and saying, “Well, our understanding is that the president has already vetoed it.” And the answer was, “Well that may be so, but clearly this is something that he should have signed.” And Mitchell had actually during the course of

that debate come out with a really succinct way of framing the issue, he says, “This is a president who’s proposing a tax cut of thirty thousand dollars a year to the most wealthy Americans and denying an increase of thirty cents an hour to working Americans who are most in need.”

And so they were on message, but the timing was off. We went back to the majority leader’s office and Mitchell went to Martha Pope and to Abby Saffold and he was waving his arms a little bit, he’s going, “I can’t believe it. We have at least fifty staff who have been working on this issue, millions of dollars in salaries, and we can’t pull off one simple legislative tactic?” He goes, “I want a memo by the end of the day explaining what happened and who was responsible.” And he goes, “I don’t care if it’s you or you,” pointing to Abby and Martha, and then he went into his office. And Martha always had a style where when, she’d be very focused and respectful talking to the Senator, as we all would, but then when he wasn’t there, she would just crack up laughing, and with a really wonderful sense of irreverency.

And so she looked at Abby, “Do you want to write it, or should I write it?” And Abby is sort of going, “Well, I’ll write it.” And apparently she did write it, and Martha thought it incredibly funny because one of the phrases that was used in the memo was that “the fatal mistake seems to have been ...” and Martha just thought “fatal mistake” was amusing, if not hilarious. And of course it was sent in to the Senator and nothing was ever heard about it again. I mean obviously he was angry, but he vented and I think when he probably looked down at the explanation it was clear that it was maybe a series of innocent errors that had happened.

But the fact that it was the very first meeting between Foley and Mitchell in their roles, in their leadership roles, and the fact that it was also in Kennedy’s hideaway, it was one of the moments when I felt like it may not be the biggest thing that’ll ever make the headlines or the history books, but on the other hand, I really felt like I was in some moment of history that was the forging of a relationship.

I mentioned that the issue came and sort of kept flowing back and forth as to when certain things would happen. It’s important to, or relevant to also know that throughout that same period the Eastern Airlines strike was going on, and the under procedures unique to the transportation industry, the railroads and airlines, you could have a presidential emergency order that would, stop the strike for like sixty days, go into mediation, and then the historical pattern was, is that if that didn’t happen, if there wasn’t a settlement, then Congress would do another emergency board to do the mediation, and if it still wasn’t resolved then the pattern had always been that Congress would actually legislate the settlement, based on the emergency board recommendations. Fairly arcane area of labor law, the transportation law.

And Labor was very angry because they wanted legislative intervention to happen, but it wasn’t going to go anywhere; the president would have vetoed it all. And Mitchell and Kennedy and others involved were sort of saying, it was almost like they hoped the issue would go away, and it was going to be futile, and on the other hand it was being driven by the politics within the Labor movement. Reluctantly, at some point, they did try to intervene and it was unsuccessful. But it was interesting because there was a Labor caucus that used to meet, mostly with Tom

Daschle who was the liaison, where Bob McLaughton, who was the legislative director for the AFL-CIO, would come up and say, “We’ve worked on minimum wage, which affects all Americans, but we really need to talk about this, the issue that affects us specifically,” which was Eastern. So it was really a source of tension to some degree.

It was interesting from the perception of how Labor and the Democrats were interacting at that point, and still within two years of having regained the majority, I suppose. There was one long-time political director for the machinists union who actually – my relationship with him predated the time that I was with Mitchell – and he actually came up to me at one point and he said, “I think your boss needs to stop playing statesman and start playing politics and hardball.” There was always that tension, “Do you do what is really the constructive and successful option? What’s going to produce results? Not just rhetoric; not just political posturing.” You could see that happening during that first year or so that he was majority leader. And of course the majority leader has all these constituencies that he needs to worry about, all the groups back at home, the different interest group communities here in Washington, be it Labor, be it some part of the corporate community, his own caucus of the majority, but they aren’t all of the same mind.

I mean, you had Fritz Hollings over here, and Kennedy over here, and in fact, when we were putting together the vote on increasing the minimum wage, we really had to focus on taking care of some of the Southern senators. It was only a handful, and ultimately I think we got all but two, but that had been part of the equation. And I also step back – I had forgotten about this, and then I’ll get into the Railway Labor Act that govern airlines and railroads in a bit and then you’ll hear all the railroad anecdotes at least.

With the minimum wage, after the veto, the hope was that there was going to be a compromise worked out. And at least some of the discussions that were taking place around it were with the AFL-CIO directly with Bush. And then at some point the word went out, “There’s been a compromise, the White House has agreed to this, AFL-CIO has agreed to this, let’s have a press conference, Mitchell’s coming to it, I think Foley, and Kennedy’s coming to it.” And Mitchell is going to me and to Jay, saying, “Well how do we know that there’s been a compromise? Just because Bob McLaughton says so?” He says, “Do we have anything in writing?”

And that was the weirdest thing. No one was quite sure, other than the AFL-CIO, what had been agreed to, and it seemed to have been entirely through word-of-mouth assurances. Now probably it was from the AFL-CIO to Kennedy, Kennedy to Mitchell or however. But once again, putting out a statement, or going into a press conference situation, and at that point really going on early press reports – So again, tactically there was a lot of scrambling and improvisation that was going on with the House leadership and the Senate leadership. That may be the case all the time, it always looks messier from the inside than it does from the outside. But on the other hand, some of these near misses might very well have also been the smoothing out of the machinery between two relatively inexperienced staffs as well as leaders.

I mentioned Eastern Airlines, and now I shift to railroads. In both cases you were dealing with deregulated industries on the rate setting side, with increased competition, and which among the

industries as a whole were trying to also break out from their perspective of the labor cost side of the equation, with more flexible work rules and so forth and so on.

In 1986, there was the strike, it was the Maine Central Railroad strike, which also included the Boston and Maine Railroad, which both were owned by Guilford Transportation Industries at the time. The Brotherhood of the Maintenance of Way Employees, which essentially is the track laborers, went on strike. They managed to, besides shutting down the railroad in Maine and in parts of Massachusetts, they were able to extend the strike by taking out New York and Pennsylvania through a provision of the law which had not been settled, allowing for secondary boycotts. I think literally they placed a lone picketer in one of the rail yards around Albany and that was enough for the unions there to recognize the strike and to stop work, which at that point would affect Conrail and other railroads.

Because it would have precipitated a national railroad strike at that point, the White House gave in to something that we had already been lobbying for: a presidential emergency board, imposing a cooling off period. They came out with a report that the railroad ignored, so the Congress ended up passing legislation within a twenty-four to forty-eight hour period, again extending the cooling off period and having another mediation board. And when that didn't work, we passed legislation that ended the strike and created a mandatory resolution which then had to be, the details had to be worked out.

From a personal standpoint, that actually sort of raised my standing in the office with Mitchell, and caused my role to shift more to Labor and to handling labor and commerce issues – now all of this I'm talking about is 1986, so it's before he became majority leader – in part because Mitchell was not familiar with labor relations and he at one point in the process, where we were following the legal process with the emergency board, and he sort of said, "Well what I want to know is what happens next." And so I laid out the process and the precedents which I had worked on, and it was probably the deepest level of legal research I'd had to do with him. And so sure enough, it worked.

At that point the holding company or the ownership company, Guilford Transportation, turned around and pulled a maneuver whereby they leased the Maine and Massachusetts railroads, plus a third one, the Delaware and Hudson Railroad, to this small entity called the Springfield Terminal Company, which essentially was something that managed the rail junction in Springfield, Massachusetts. And through that procedure, because it was a leasing arrangement, the Interstate Commerce Commission, which had been stripped of a lot of regulatory powers by then, still had the authority to decide what kind of labor protections would be put on it. So essentially, it was a jujitsu move negating what had been worked on legislatively.

At one point the vice president of the railroad, who I kind of liked but who a lot of people, including the Senator, considered fairly obnoxious (although the Senator once said to me, "You know, he's really obnoxious but what he's saying about the economics of the industry is essentially true" – and that was an aside, it was also part of the frustration of, "Will this issue never go away?") but the vice-president once told me, admitted to me, "We're never going to

pay any of the labor protections or settlement.” He says, “we’re going to just fight this legally as long as possible, and in the meantime the money will be in the bank, we’ll be using it for other things.” He says, “We’re just never going to honor this.” And it was one of the few times that I really got a sense of just how ruthless a company could be with the bottom line.

The labor protection issues, and then rail safety issues, started playing out in parallel over the next year or two. And the Maine delegation and Massachusetts delegation’s position was, to the ICC and to the Federal Railroad Administration, was, “Would you please do your jobs and just sort through this mess and get it done?” And at one point I thought we had gotten the agencies on track to do it.

I went on vacation, actually to Italy (I was taking my dad back to the village where he was born), and I came back and somehow everything had blown up again. All of the union folks in Maine were angry, had gone and met with Larry Benoit, who was our chief field director in the state, had been Mitchell’s campaign manager in ‘82. And my first day back, Larry called me and he says, “Bob, you’ve got to do something,” he says, “this is a mess, what’s happening here is wrong, and there’s nothing, there’s no political downside to standing up against this railroad because they’re hated by the shippers as well as the unions, and,” he says, “I’ve never seen anything like it.”

So of course I’m thinking, I’m jetlagged and I’m thinking to myself, “Oh God, here we go again.” And the only thing I could think of is that I called in the ICC’s legislative people, which ended up including the chairman’s special assistant, and the FRA’s safety people, to have a meeting in our office, with the Massachusetts delegation staff as well as the rest of the Maine staff, and we also called in Hollings’ staff who – Bob Holleyman – who handled the, I think it was the Surface Transportation Subcommittee which oversaw railroads.

So the groups file in, and one of the people from the ICC practically turned white when they saw Hollings’ staff there, because it’s the immediate committee of jurisdiction. And what I remember of the meeting was, “Why can’t you just work this out? I mean you’ve got legal authority, people are looking to agencies to do their jobs.” And I said, “We’re not arguing for any settlement one way or the other, it’s just that people need some kind of certainty, this has been going on for a year or two.”

So they went back, and I never figured out if they did anything in terms of making any decisions. However – and I’ve never quite figured out the exact dynamic, but – so the Guilford vice president, a guy by the name of Colin Pease (and like I said, most people considered him obnoxious but I kind of liked him), he calls me up, he goes, “This is the last straw, this is terrible,” he says, “I can’t believe that Congress would ever intervene like this.” And I’m thinking, “This is a bit of an overreaction.” Little did I know. I think within a week, subpoenas were delivered for the Senator, me, for Cohen and his staff, same thing for Joe Brennan’s, and for John Kerry and also Silvio Conte. It wasn’t an investigation of us or suing us, it’s just that they had one lawsuit that was going on directly with one union and so they used that as an opportunity to go after us, I think partly for intimidation, and then partly as a fishing expedition,

to argue undue influence somehow.

This was '89, so Mitchell had just become majority leader – last thing we needed at that point. We worked out an agreement where they would only be deposing me but we would be providing documents from our offices. That required a Senate resolution to authorize. I've got the copy of the resolution framed and in my office, but it was sort of like, "Senator Mitchell and Senator Dole, on behalf of the two," it says, "authorize this and this and this." With the Senate legal counsel, I went through just about every box and every file I had, and that our field offices had, because there had been a lot of railroad workers coming in, trying to explain their financial situation and so forth and so on, and it took a lot of time.

We had to look at every document and decide whether it was required to be presented or not, because there's a constitutional legislative privilege involved. We provided documents, withheld others, the railroad wanted the others and we said, "No, you can't have them because they're subject to constitutional privilege." So that got litigated. And there is now someplace in the legal case law a decision involving the Senate majority leader and his staff in how much would they be required to disclose in a suit. And it basically upheld our position. The judge was based in Bangor and basically I think, among other things, sort of knew the measure of what he was dealing with.

But it's interesting, that long string of labor issues created legal precedents. The first one, coming out of the Maine Central strike involving the secondary boycott, that went to the Supreme Court. I can't remember for the life of me which way they ruled. I think it was supporting the right to secondary picketing, but I can't be sure of that. It just shows how much of it becomes a blur after a while. But again, that whole series of railroad issues ended up at least with those two precedents.

After the documents were produced under the subpoena, I was deposed for two days. I think the deposition is in the archives – I've got one copy at home. After that was completed, that was sort of the end of it in terms of us having any involvement with the legal case. However, the railroad then turned around and requested an investigation by the inspector general of the Interstate Commerce Commission. That went on for a while, and I think it was in 1993, maybe even early '94, so we're talking about, towards the end of my time with Mitchell, that the ICC report came out and essentially said, if I remember correctly, "Nothing untoward happened here, and frankly, it's pretty much typical of what every congressional office does in communicating with federal agencies and there's nothing wrong with that."

But in reaching that conclusion, they recited all of Guilford's charges and claims, and what I always found very peculiar was, that they never came to our office, or to me, to get our side of the story which, as I said, I considered it as a way to chill any further actions by the two state delegations. So I was angry because, "Hey, wait a minute, this is my reputation and I never got a chance to give my side of it." On the other hand, this is such a footnote and no one paid any attention at the time anyway.

I hope that's not too confusing, because it's a long chain of events and regulatory actions to try to sort through. In the middle of all this, John Hilley became the chief of staff and essentially legislative director as well for the Senator, and so he inherited me and my set of issues, which were broader than just this thing, but he, to this day, and I remember the last conversation I had with him, he goes, "I still don't understand what the hell was going on with those railroads."

That was a big part of, or a big chunk of my experience with the Senator, lasting over seven years. Well, do we move on to the Portsmouth Dry Dock?

BW: I think so, hmm-hmm.

BC: Okay. I inherited the Portsmouth Dry Dock issue from Mike Hastings. At that stage initially it was a concept, not even a model but a concept to cover one of the dry docks at Portsmouth, I mean literally put like a super dome over it, to allow greater efficiency for the work force coming and going inside the subs in what was a harsh winter climate where a lot of the workers would literally have to put on their coats to go out to get tools or whatever, and then have to take them off going into the close confines of a sub that was often overheated. So it was viewed as the key to efficiency, but it was incredibly prohibitive to have spent the money. I think we're talking about \$200 million to try to do it.

But with Senator Cohen, who was on the Armed Services Committee, Dale Gerry and I kept pushing the concept along. We would hold meetings with the admirals from NAVSEA, that oversaw the shipyards, Dale got language in one of the Defense bills to require them to have the engineering design thirty-five percent complete by a certain date, things like that. Giving a competitive advantage through higher efficiency for the shipyard in our minds was very clearly a key to ensuring the future of the shipyard, particularly if base closures were anticipated. There were maybe seven public shipyards in the country, Portsmouth's number one competitor was considered Charleston in South Carolina. South Carolina: another Hollings interest.

And the Navy started digging in, saying, "We're not going to do this at all." Admiral Bruce DeMars was the – I've never quite figured out the hierarchy, but essentially he was the admiral that was in charge of all the nuclear reactor programs, and I think he was like the Admiral Rickover of the day. We called a meeting with him and the secretary of the navy, [William L.] Will Ball, in Mitchell's office, with Cohen – I don't know if any of the other members were there, but we had the Navy liaison, you had me, you had Dale Gerry, and it was an ugly meeting. Partly because Cohen's style can be very hot. Mitchell's style would be more reserved, judicious, but if he ever got angry you could always tell it in the tone of his voice. Cohen was absolutely hot over the fact that they were not willing to cooperate, to work with us on, "How can we make this work?"

DeMars had a very imperious manner about him and an engineer's mind, like: "We can't do this because of x, y and z, it just isn't going to happen." Well it turned into a very heated moment, and the unfortunate timing of it all, was this meeting was going on *while* the Senate was voting on whether or not to confirm John Tower as secretary of defense, with Will Ball having been one

of his former staff people. So Ball is having to be in this very contentious meeting with the new Senate majority leader, with Cohen, at the same time that his former boss's future is falling down a few steps away on the Senate floor. And if nothing else, Senate staff develop such a loyalty to their bosses that they become mentors to you in many ways. So it was a very contentious, painful meeting.

Not to take on a hero aspect, but at one point I realized that Cohen and DeMars were talking past each other, and that DeMars was trying to make a point which seemed valid to me, which was that part of the modernization that needed to occur involved putting a huge crane that could literally pull out a reactor and move it, or move the casing to some other part of the dry dock. If you covered the dry dock, you couldn't perform the maneuver unless the cover was retractable, or unless there was someplace that cleared it to the sides. But that was being missed.

So we were all bothered by the meeting, and so I called the liaison office and I said, "Can you get me time to go over and talk to DeMars? I want to see if there's anything else." Within an hour they had me in a car going out to the Pentagon, going up to DeMars – or, I think it was the Pentagon – it may have been NAVSEA in Crystal City – but going in to meet with him, he made the time. And we walked through it, and I didn't budge him at all but I got a better sense of what the concerns were.

And I went back and Dale Gerry and I met with the Navy liaison folks and I said, "Can't we really address this?" Long story short, they figured out a way to create what was essentially like mobile home units that could be moved back and forth to the side of the subs, but that would not present any impediment above. And then of course the dry dock itself was going to involve the crane and some other pieces of things. And I think at that point it came down to about sixty million dollars, and we got it.

We had a letter someplace confirming that it would be going forward, although DeMars at the very bottom wrote, "I still do not see the need for this aspect of the modernization." But we got it. At one point someone estimated that it maybe was a thirty percent, thirty-five percent improvement in the efficiency of the yard. Ultimately what happened was, maybe in the '93 base closure round, they closed Charleston. Maine is still in operation.

Now with the shipyards, the other key to the workload and how many people are employed there is how many, literally, how many submarines get assigned for overhaul. Not just this one year, but you have to plan it out in terms of fleet mission and everything else, so there's often like a five-year, ten-year projection and, "This year has a trough, what can we do to fill it in?" And it wasn't just the Navy paying close attention to it; it was also the Congressional offices.

The Portsmouth shipyard had something like six thousand, eight thousand workers, just about evenly divided between Maine and New Hampshire. So we also used to fight battles, or at least make requests and lobby, to get subs pulled in from someplace else, or to balance it out relative to other yards to fill in the troughs so that we could keep the workload up. Same concern with Bath Iron Works relative to how many destroyers or cruisers were being built relative to other

shipyards. It's microeconomic management, but the question of one ship or submarine could literally mean a couple thousand jobs for the state of Maine.

And that was a big part of what I did and Dale Gerry did. And what I learned from it all was how many decisions end up getting made that people never even are aware of. Most people who live in the Bath area, they know that the Iron Works is important to their economy, but they don't necessarily see what goes into it. Same thing with Kittery. And I remember having a conversation about that with one of the admirals at some point. For Mitchell and for Cohen, there was a big focus on the Portsmouth shipyard, which is physically in Maine, and Bath Iron Works.

That's a good lead-in to Loring Air Force Base, which was the other one that we tried to watch out for but which ended up being the one issue I lost for the Senator, and that personalizes it in a way it shouldn't be. As a team, the entire delegation really fought hard, but it was a big loss for the state and I know that at the time I sort of felt like, "Well there goes my string of successes that I've worked on," and I still don't like thinking about it too much because of what it meant for that part of the state.

As soon as we learned that Loring was on the 1991 base closure list, when it came out we scrambled a meeting of the delegation with the two senators, the two members and all the staffs, to work out a strategy. And basically we decided that Mitchell and Cohen – I don't think the House members were involved, but I might be wrong – is that we would ask for a series of breakfast meetings with each of the commissioners, in the majority leader's office, to walk them through our case and to lobby them.

Mitchell also proposed something that was a good strategy, but on the other hand, at the time I remember thinking, "Boy, is he putting Cohen on the spot politically." He said to Cohen, "I think we need to get a consultant to work on this who knows the issues and it has to be a Republican, so Bill, you need to find someone for us," something to that effect. Which he did, it was a fellow by the name of Carl Smith who had just left the Senate Armed Services Committee Republican staff to go open his own lobbying shop.

Later, we had a meeting in Carl's office at one point and I happened to look down on the sideboard that he had, and there was a plaque that had been presented to him at his Senate farewell party, and it was dated the day before the base closure list had come out, and I'm thinking to myself, "Well that's how Cohen found him, he had just happened to be at the guy's farewell party the day before, and this is great news for the guy who was going out and trying to build his lobbying practice."

We worked that entire summer on the issue. The meetings with the commissioners, meetings with the Air Force to challenge their information, we developed a briefing book to give all the commissioners, and even the staff -

End of Disk One

Disk Two

BC: There were some very surreal moments in it. People generate bizarre ideas, or unrealistic ideas at times. This was the summer that the Clarence Thomas nomination was playing out, before it exploded, but Carl became convinced in his own mind, and didn't vet it with anyone, and called up Mitchell and said, "Senator, I think I've found the way that we can save the base. You need to tell the White House, to guarantee the White House, that you'll get Clarence Thomas nominated." Mitchell was very good at keeping a poker face, keeping his own counsel, so I don't know what exactly he may have said, it was probably like, "Well I'll think about that and maybe discuss it with Cohen." What I heard happened was, he picked up the phone, it was maybe to Mary McAleney or maybe Gayle [Cory] and was like, "What the hell is going on? Who the heck is this guy?" you know, "*What* is he thinking?" And knowing Carl, knowing his personality, I can see it as an idea that popped up and probably he should not have even broached it because it was so far-fetched.

However, I had my moment when I became convinced that the way that we could save Loring would be if we agreed to put a bombing range in northern Maine, so that B-52s, instead of going out into the desert someplace in Nevada or wherever, could basically drop high explosives into the North Woods. And I'm thinking like, "Oh, that would be a good tradeoff." And when I talked to Mary McAleney she says, "Are you kidding me?" She says, "Do you really think Mitchell and Cohen would go and try to convince the people of Maine that they're going to turn the state into a bombing range as the price of saving Loring?" *And*, those kinds of quid pro quos really don't work. People think about horse trading in Washington, but it's more subtle, certainly not quite that dramatic.

But that was part of the mindset of what we were going through was like, "At all costs, what can we do to save the base?" I think we came close. The decision hinged on a discussion of quality of life that popped up, where Plattsburgh Air Force Base, which our arguments had caused Plattsburgh to be put up for consideration as a substitute closure. It didn't endear the people in Plattsburgh to the state of Maine. In making their presentation, the Plattsburgh community passed out recreation pamphlets, talked about how Montreal was only two hours away, you could go to a ball game, it was this entire quality of life argument, which the Air Force had assured everyone had not been a criterion in their base closure selection process. They had considered it, but how do you really measure it because one person's quality of life can be another person's misery. People in northern Maine love their quality of life, from the point of view it's scenic, great winter sports, snowmobiling, hunting, people that spend a lot of time – while there's people that go to Loring, it's too remote and they transfer out as soon as they can, other people will retire and stay up there.

So we felt very blindsided when the vote came, in particular because of this quality-of-life argument. And the thing that had been nagging me was that we knew there had been this one briefing that had occurred with the Air Force and the commissioners that we had not been allowed to attend. Its transcript was classified. We had requested that it be declassified, and that was one detail we had never quite tied up. And in the wake of the decision, I pushed hard, and

Dale with me, we pushed hard: “Get us that declassified transcript.” We both had security clearance, so I think what they ultimately allowed was that we could go to the Pentagon, we could read it, and we couldn’t take notes, and they would continue to try to declassify it.

Well we looked at it, and sure enough, Colonel Heflebower, a name that was always being mispronounced – and he was very sensitive to it – but Colonel Heflebower had briefed the commissioners, and in the progress talked about how between Loring and Plattsburgh, one issue that had been considered was quality of life, but they had rejected it as one of the criteria, for the same explanation that I just gave. However, clearly they had heard about it, it had been discussed, improperly so.

Long and short, what came of all that is the state brought a lawsuit against the Air Force to try to overturn it on various grounds, that being one of them. So that’s another case where each of the delegation staff got deposed, this time by the Air Force. Instead of taking two days, like Guilford did, the contrast in the experience was it took maybe a half hour. So that was the strategy we played out, that was the way the decision went. Again, in the archives there’s probably a ton of materials about the base.

I remember feeling at the time that there was going to be a consequence from the decision, where our war-fighting ability was going to be affected negatively, from the closure. That may be because I was too deep into it. What later happened, I believe, is that Plattsburgh did get closed and a lot of the air needs are now serviced out of one of the bases in New Jersey. I may be wrong, but I think that when you look at the other closure rounds, that’s what came out of it.

And the refueling stops that Loring used to do now are handled out of Bangor. During Desert Storm, I think it was in ‘91, troops coming back from Desert Storm, they were landing at Bangor and that was where a lot of the news coverage of them showed the entire town turning out to the airport to greet them as they came in. Well, similar scenes were going on up in Loring, because strategically, relative to the Middle East and Europe, that’s where a lot of the air routes are structured.

Like I said, it was this hollow feeling; I felt like there was going to be a consequence. I may be wrong about it, I’m not sure I could even define it. The sense of loss that the state of Maine had, and to some degree I felt, like, “Dammit, it’s the one issue I lost for the Senator,” which I know that’s just me. One of the things I was very grateful for was that the week before, maybe a week before the vote was going to be happening with the commission, when it rains it pours, that was the weekend we bought our first house and were moving in, and I was painting a lot of it, and I remember I was up on the ladder painting, up in the attic, and the phone on the ground floor rang. Stacy answered and called up and she said, “Bob, it’s the Senator on the phone.” Very rarely would he call other than Martha or some of the other top folks, at home. More often it would be through the chief of staff or someone.

So I got on and it was like, “Yeah?” And he was asking me some questions about how I thought it was going to go, and trying to read the situation – I think he was getting ready to make some

last-minute lobbying calls – and then he sort of just said, “Well whichever way the vote goes, I want you to know you’ve done a hell of a good job on this one.” And it really made me feel great, in part because it was very unusual. I think I’ve mentioned before that he really in many ways had a reserve relative to the staff. Every now and then he would say something, but it was sparing. And for him to say it that directly was just really unusual, and I think probably goes to his own recognition of just how huge the issue was.

A contrast to that was my first year with him. We had to do end-of-year memos summarizing what we had accomplished in our positions, as much for putting together talking points for him, not as necessarily evaluations. On the Portsmouth shipyard issues, it wasn’t the dry dock but on some other things, we had gotten like four things that we needed, projects or improvements or a sub being assigned. There were like four which were all of the issues that had been up that year, and we got all of them. And the memo came back to me, and in the right hand corner, written in very fine handwriting was, “Good job.” It made my month if not my year. But then it was funny, I remember feeling almost angry, I’m not sure with him or with me, thinking, “Dammit, this is all it takes for me to, for all of this loyalty and joy to surge up.” I mean like “Good job,” that’s all? Which of course, I mean that was me young in my career, and you learn that in a lot of places that’s very appreciative.

Another story like that also comes out of Loring Air Force Base. I mentioned the lawsuit, and this would have been just before the elections in 1992. The lawsuit had been filed against the Air Force, that was sort of ongoing, and for some reason, I don’t know why, I checked into something about lawsuits involving members of Congress where they were bringing them on behalf of states. And I stumbled across an interpretation of the Senate ethics rules, that if they were the primary plaintiffs, if the state was paying for the lawsuit, or if a private entity was paying—in this case there was the Save Loring Committee, which was a community committee, and they actually were paying the bills of the lawyer for it. But there was a gray area whether the members of Congress might have to declare it as income or pay a share of it themselves.

And I’m looking at this and I’m going, “Oh, this is weird.” I raised it with Mary McAleney, who’s not a lawyer, and she’s going, “Oh, that’s strange. Well, we’d better alert him to it.” So I did a very short memo trying to explain it, and like I said, it was a gray area, and you had to look at both case law, you had to look at the definition of what the community committee was, you had to look at the ethics rules and all this other stuff. And so I sent the memo in to the Senator and then Mary said, “Well, we’ll want to come down and talk to you.” And we start to talk with the Senator, and he’s really under the gun, I mean it is like the Senate is going out of session that day, he needs to get to Dulles Airport, I think to hit the campaign trail, and we get into this discussion of it and I’m presenting the legal arguments, he’s getting very heated and going, “You got to be kidding.” He goes, “No one in their right mind would think of something like this,” and “This is what Senator Byrd always says and means.” He goes, “We’ve got all these staff, and half the time they’re sitting up in their offices thinking up issues that no one cares about.”

And he’s looking at his watch and he goes, “Let me get in the car and I’ll head to the airport and I’ll call you from the car.” And I’m looking at Mary and I said, “Are we doing the right thing

here?” And she’s saying, “I think we’ve got an obligation to raise it, but I can’t say whether it’s right or wrong.” And I remember having a conversation with someone about it later and realizing that you try *not* to bring problems up to your higher level and make them have to say, “Well geez, I don’t know what I’m going to do.” Whether it’s a controversy or an issue, you try to figure it out and resolve it at your own level. That’s a good rule of thumb for anyone in any kind of hierarchical situation, business or otherwise. I hadn’t learned that yet.

So he calls me back while he’s speeding to the airport, and we’re going back and forth and, essentially it came down, it was a gray area, and it really was a stretched interpretation that no one would ever even think about. And as we’re going through it and I’m trying to argue the point, but not win the argument, he starts going, “Bob, I’m very fond of you, but…” And he says that several times, and Mary’s on the line listening in and I’m looking at her and making this puzzled face, and she’s starting to laugh. And he says, “Well, all right,” he says, “the next time I have a chance to talk with Senator Sanford [chair of the Senate Ethics Committee], I’ll raise it with him,” he says, “and now I have to go,” click.

And I’m going to Mary “He’s *fond* of me?” And it’s like, so “I don’t want him to be *fond* of me, I want him to *respect* me.” Although secretly I appreciated it, because he was one who tended to try to avoid being angry in a way that ever was hurtful to people, and he often regretted it when he did lose it with people. It showed just how angry he was, that he was looking to soften the impact of what he was going to say. Now, the bottom line on this was, I thought about it some more and then decided, “No, this is really not a real issue, I’m not going to push this again.” And Senator Sanford was defeated for reelection, so I know Mitchell never had an opportunity to have to worry about raising it for a second opinion, or third opinion on the whole thing.

That’s my footnote to Loring Air Force Base, and it does contrast with the call before the vote. He is a very caring person, and it’s not the side he normally shows publicly, but I think people in the state of Maine, that was of part of the bond that he had and has with them.

BW: Good, I want to pause here for a moment.

BC: Yep.

(Pause in taping.)

BW: Let’s turn to the aviation bill, then.

BC: Okay. One of the areas that I covered was, I had mentioned the Commerce Committee, which included the Subcommittee on Aviation, the chair of which was Senator [Wendell] Ford from Kentucky, whose office was directly across the hall from ours and so - And actually who we had been on the other side of the Daylight Saving Time Bill. Even though we were on opposing sides, I had gotten to know his staff and him through that. Sometimes there’s no better way to win respect and friendship than beating someone in a fight. I did a lot of work with him.

At first it was the Pan Am 103 issue. The widow of one of the people that were killed in the bombing had come to talk to Dole and then Mitchell. Mitchell had spent an extended period listening to her as she followed him around between meetings.

Pan Am 103 was bombed in December of 1988, just before the Bush administration came in, and just before Mitchell became Senate majority leader. In the wake of the bombing, the families, who of course were devastated and in shock, wanted answers” “How did this happen? How was it allowed to happen?” There were rumors that selective notices or warnings had been posted in embassies, not true, but the implication being is that only a few people were warned so that they could change their travel plans for Christmas. So they were really searching for answers.

What often happens with families who are grieving, the grief is fueled into anger, and the anger then is translated into what often is constructive action. Where I work now, the National Alliance on Mental Illness, we’re often dealing with families who are in shock or traumatized because a family member has a severe mental illness and their futures are often changed in many ways. Ironically, I think working with the families on the Pan Am 103 issue may have partly been what drew me here, because I understand that cycle.

So the families were in Washington, lobbying. One of the family members, Victoria Cummock from Florida, her husband had been an executive for Bacardi, and she was well connected, but in one very important way she was pivotal. Another was Paul Hudson, out of Albany, who lost his daughter, and he was a lawyer who had ties to some of the Nader organizations. The families had banded together and came to try to lobby for some kind of action or investigation.

Well, as often happens with bureaucracies, the White House and the FAA were stonewalling. None of the agencies wanted an investigation; the FAA didn’t want to be accused of being responsible, the Department of Transportation didn’t want to be held responsible, the FBI didn’t want to divulge anything, same thing with the CIA, although at the time they really weren’t out front in profile on it at all. Some of the families got in to see John Sununu in the White House, and one or two may have had encounters with the president, and it was always like, “Oh yeah, we want to help you and we’re so sorry,” but then nothing ever came of it.

So the frustration level was high, congressional offices were reacting sympathetically but also, it’s like, “This is not really something that we do.” The families’ vision was of something that would be like Iran-Contra hearings, and that wasn’t going to be the level that it would rise to. They were also split to some degree about what kind of legislation they might want, and no one wanted to touch the issue if they were split, because you were going to get attacked by one if not the other.

Well the person who broke through that stalemate was Vickie Cummock. I think the connection was that she was the godmother of the child of a friend of Senator Dole, and through that connection she was able to get in to talk to Senator Dole, who heard her out about why they wanted an investigation and so forth and so on. Dole called up Mitchell, down the hall, and said, “Could you meet with someone here? She’s a family friend but she’s involved in this.” And I

had been working on the issue, or at least monitoring it enough with Ford's staff so that our office knew that I was handling the issue.

So they said, "Okay, wait here and we'll get you in to see the Senator." I was scrambled to come from the Russell Building to staff the meeting. Mitchell and Vicki talked and it was a very poignant meeting because she really was talking a lot about her sense of loss; she was a young mother. Mitchell was very compassionate, listening. And then Mitchell had an engagement where he had to go speak to some luncheon, maybe a group of realtors, in the Senate Caucus Room back in the Russell Building. Vickie was going, "I realize you don't have much time, and I'm sorry to be taking—" and he said, "No-no-no," he says, "why don't you walk with me."

So we walked from the leader's office to the Russell Building, and as we got outside the luncheon area she said, "I really apologize for taking this much time," she says, "I know that a lot of people think that we shouldn't be here in Washington." And he stopped and he goes, "Wait, what do you mean?" he says, "who's saying that?" And she goes, "Well a lot of the people in the agencies and even some of the congressional offices say that there's nothing that can be done, this isn't appropriate to do, or at least that's the feeling we get." And Mitchell stopped and it was almost like he was angry – not at her – and he says, "Listen," he said, "it is your right in a democracy and under our Constitution to be here asking Congress and your government to do something." It wasn't a lecture, but it was like a thirty- to sixty-second lesson in civics, and it was a very genuine one. I mean if Mitchell has any legacy, it's out of his commitment to democracy and law, at whatever level you're dealing with and in whatever country.

He says, "Wait here." And he went in and talked to the luncheon, gave whatever jokes and remarks he wanted, came back, and we walked back to the Capitol with Vickie. And when we got there he goes, "Well," he says, "I'm going to see what I can do." He says, "Bob here is going to go back and talk with Senator Dole's staff," and he says, "I'm going to call Senator Dole." Well they talked and they agreed they would introduce a bill to establish a commission on aviation security to investigate the bombing.

Well, all hell broke loose with the White House. "We don't want this, we can do it ourselves." Dole's staff – what the heck was his name? – Witt, but that's not really it, only how all of us knew him, Witt, who was more a political guy than a legislative guy, he and I said, "Okay, we've got to do this." I went back to Ford's office, we took some legislation that he had been looking to do and we revamped it. I'm not going to go into it in detail, but one of the things I do mention in terms of the legislation is that it's discussed at length in a book, *The Price of Terror*, by Allan Gerson and Jerry Adler. Adler was an editor for *Newsweek*, and Gerson, I believe, handled the Pan Am litigation for the families against Libya.

And of course once it became serious, once the White House realized that Mitchell and Dole were getting ready to team up to do this, we, the attorney general, secretary of transportation, Eagleburger from the State Department, I think the head of the FBI, and maybe even the CIA came in to meet with Mitchell and Dole: "Please don't do this, you're going to compromise the

criminal investigation,” and all this other stuff. Mitchell and Dole listened, and then Mitchell, I remember he said to the FBI, he says, “Well you raise legitimate concerns, but they are also the easiest to address and protect.” And then I think he essentially said, “And I think the families have very real concerns that translate to policy concerns,” and he says, “and I think it’s very appropriate what they’re asking for and that we should act.”

The next thing we know, Sununu calls Mitchell and says, “We understand that you and Dole are working on this legislation, we want to do it with an executive order, and I’m going to have my staff call your staff.” Next thing I know, the National Security Council, I think it was Walt Rostow, called Martha Pope, Martha calls me at home. Martha has this tone when she’s exasperated, “I’m busy dealing with this other stuff, I don’t have time for this,” this was not one that she had really focused on. “Bob,” she goes, “John Sununu’s staff has called and they want to meet with you to talk about drafting a presidential executive order, do you know what’s going on here?”

And well, so what ended up happening is that with the NSC staff, I was point person for the senators, drafting something that could then be acceptable to the families and so forth and so on. The president issued it, the commission was formed, both Dole and Mitchell had appointees on it, they conducted what turned out to be a really good report, both on the bombing but also looking at what some of the issues are, and also compiled a list of how many other bombings had occurred, not necessarily terrorist bombings, in the last thirty years. And so they defined the problem.

That turned into passing legislation to implement it, which I believe was in 1990, and again, that’s mentioned in the book. What was interesting to me, and I actually read someplace like the *New York Times*, the model of having a commission looking at a terrorist bombing, and then legislation flowing from the report and recommendations, was essentially the same pattern and structure used after 9/11, and what initially happened with 9/11 was that the executive branch resisted having an outside commission do any kind of investigation. So it’s an interesting pattern both for how bureaucracies react to major terrorist acts, and then the precedent for how Congress responds, and what really becomes a basis for hopefully thoughtful legislative policy, or public policy.

For 9/11, one of the proposals was the idea of a victims compensation fund. Or actually it *did* happen for 9/11. Ironically, with Pan Am 103, one of the recommendations was to ratify what’s called the Montreal Protocols, which had to do with the limit on which people can sue airlines or recover in airline accidents. As part of the ratification proposal there was some feeling that you could create a supplemental compensation fund to overcome the concerns about the limitation. It was included in the Pan Am 103 commission recommendations.

That actually ended up being an interesting battle where Mitchell assigned me to try to broker a compromise, or at least a solution, between the aviation industry and the trial lawyers. The way we handled it, we did a series of inquiries and an opinion by the Library of Congress Legal Division, which periodically Mitchell would insert into the Congressional Record, essentially to

evolve the issue. What was interesting was, I remember one of the lobbyists on it saying that they had never seen that approach taken before, where it was basically, “Lay it out, let people think about it,” short of doing a committee hearing or report, almost like an abbreviated process.

We actually got a compromise worked out. However, time was running out, and this was in ‘92, before the election, and there was some thought that we would be able to pass it. The airlines were for it, they then went and talked to Boeing, I think Boeing was the one that got tagged with having been the spoiler on it. They wanted to be included in the deal, as part of the limitation and the supplemental plan. And that wasn’t what was anticipated, we weren’t going to get into product liability. So time ran out. It was the unfinished piece of business from Pan Am 103, and time ran out, then Clinton was elected, and any chance that it had really died there, the issue, it wasn’t continued.

So that was a big part of my work with [Senator] Ford and the Aviation Subcommittee. We passed what was the Aviation Security Act. Now there was another bill that was moving simultaneously. I can’t remember whether it was the Airways Improvement Act, something like that, but it included a provision for passenger facility charges, PFCs, which now can be seen on every ticket that is issued. Essentially it’s a levy that’s put on each ticket to be used for facility improvements, essentially a user fee, at airports. And controversial at the time. The airlines didn’t like it because it meant that people would perceive that the fares were going up, and they ultimately wanted it separated out and it’s like, it’s the federal government making you do this.

One of the interests that was really pushing the PFCs was Mayor Daley in Chicago, who was looking to build a third airport. You know, you have O’Hare, you have Midway and I’m not even sure if it was ever built, but the vision was, it was going to be on the southeast side of the city, partly to alleviate traffic into O’Hare maybe. But this was something he really wanted, because that was how he was going to finance the airport.

So he came in to see Mitchell; I got to staff it. And this was another case where it’s the first time they’d ever met, the small talk began, and it was, we’re talking two heavyweights getting a measure of each other, bordering on locker room banter. And normally I sit there with my legal pad, taking notes or, and as they started in I’m realizing, “This is not something I want to have any record on.” I put down the pad and I’m just sort of sitting there, sometimes looking at the wall. And then of course they got into the issue, and again, it was Mitchell saying, “Well I’ll see what I can do to help, Bob will follow this,” which was enough for me to say to myself, “I got to try to do whatever I can to help this along.”

Working with Ford, working for his cutting a deal, there reached a point when it was being reported by the Senate Commerce Committee. Ford’s subcommittee chairman, Hollings is the chairman. It’s around the PFCs that Hollings doesn’t like them. And it comes up for a vote in committee, and Ford speaks up and he goes, “Mr. Chairman, I have this bill that our subcommittee has worked on, it’s very good legislation that’s been worked on by the parties.” He said, “I’d like to put it forward if you agree” – deference to Hollings as chairman. As I had mentioned, he could be very unpredictable. And Hollings sat back, and I think I remember, he

goes, “Oh Lawdy,” and he’s thinking for a minute, he says, “Well, I think we can proceed.” So it got out of committee. At that point it was a sure thing to pass.

Now, as I was working on it, in my mind, there was this very conscious calculation that, “If Mitchell runs for president at some point,” and there was some undercurrent within the staff, there was sort of an awareness that that could be a possibility, I’m thinking, “he’s going to need Mayor Daley, so this is something we should want to deliver on.” And so part of my role was just to be there to help Ford if he needed it. The other part was to be visible with a profile for Mitchell.

And so it passed, and there was one publication, a newsletter of some kind, that headlined “Mitchell to run for president,” saying that, “this is the surest sign yet that Mitchell has helped Daley get the PFCs that he wanted,” and so forth and so on. And it was amusing because I can’t remember what the source of it was, and I don’t think it was that big a publication, but it was absurd in some ways in terms of how much of that was a calculation in Mitchell’s mind, if at all. But what was funny was, that it was in my mind, and other than that it just struck me as almost absurd. You know, people, again, thinking too much about deals that get struck, or quid pro quos, and certainly it was a bonding moment with Daley – I don’t think he ever thanked us, but I could be wrong on that. But anyway, that’s the whole area of the aviation bill’s work.

And actually in some ways, it was some of the most satisfying work I did. Senator Ford, when Clinton was elected, at one point he put my name forward for a position in the Department of Transportation, working in aviation and international affairs, and it was, to be honest, it was something that was above my pay grade but frankly I felt it was an honor. Mitchell and Kennedy and Ford were supporting it. Actually I don’t think it got filled for about two-and-a-half years.

BW: Let me ask you this: was there any ground for speculating that Mitchell was considering a presidential run?

BC: Three things: one is, I think the natural tendency of a staff, when they’re working for a major senator, especially one who’s a bright star, to start feeding among themselves an expectation or speculation around it, so I think some of it was self-generated in terms of the staff. However, while we were close to the election for majority leader happening, Larry Benoit happened to say to me – and I’m not sure who else was in the room, it was in the Senate office, he was up from Maine, and I’m not sure who the other person was, it might have been Martha – he said something to the effect of, “Well if he doesn’t get this, then I think to hell with it, he should just start running for president immediately.” In that context it would have been looking to ‘92.

That was the first and only time I heard anyone who was in Mitchell’s inner circle give any hint that that might have been part of the thinking. Now again, it could have been the staff thinking it among themselves, but when you also think about the context of Mitchell was deputy campaign manager for Muskie’s run, there always was this feeling among the Maine Democrat network that those ambitions had been thwarted. It was almost a sense of destiny in some ways. I mean

even with Mitchell, I mean when I started with him in '85, I knew I was signing on with a really good senator. If I'd had to pick two or three, it would have been him and a couple others. And I knew, there was this sense of, "This is someone who's going to be great." You had no idea necessarily what that meant or where it would go, but I think that helped feed part of it. I think someone like Larry Benoit, someone like Leon Billings, even Harry McPherson, who was one of LBJ's counsels, would have a closer feel for it. But I think there was always this feeling that there was a political generation that hadn't quite reached *the* goal, and Mitchell was emerging as the leader of it. You know, getting to be majority leader was not a bad place to be and to sort of fulfill that.

One other person, Grace Reef, tended to know things sooner and in more detail than many other people on the legislative staff, something that fell between gossip and intelligence information. And to some degree – this doesn't do justice to her – but almost like Radar O'Reilly in *MASH*. I mean she was somebody, Grace knew it in a lot of ways. And I had a conversation with her once where – and I don't know if this had flowed out of a conversation with someone else or whether she had reached a calculation on her own, but frankly it was one of the best scenarios – that Mitchell would be up for reelection, he's going to be up for reelection in '94, and then that would put him in a position to run in '96, and that was what the sequence was going to be.

If you had to lay it out, that seemed to me at the time as being the logical calculation. It would fit with the remark that Larry made that, "Well, if he doesn't get elected majority leader, then we should just go ahead and run, and start running for '92." So, who knows.

BW: I'm going to pause here just for a second again.

(Pause in recording.)

BC: One bit of background for Mitchell which I also usually delighted in telling people, friends and family whenever they would ask me about Mitchell, "What's he like?" and so forth. If I recall correctly – it's interesting in terms of his early development – he was in army intelligence, in Berlin, I believe during the Korean War period, which, at that point in the Cold War would have been a very fascinating vantage point. He came to Washington, applying to be in the CIA. But of course that takes a while to process, security clearance and so forth.

So while he was waiting, he applied to Georgetown Law School. He also worked as an insurance adjuster – have you heard this? Or is this -? Okay. And then I guess made contact with Muskie's office and sort of was brought into the fold. But until that point, he was a Republican. Confirm that with someone else, but I've always found it, I'm always interested in coming of age and what shapes people, and I always thought that that was a fascinating background. It certainly fits with what he has done in terms of the foreign policy interests since leaving the Senate. While he was in the Senate, I think he only took two trips abroad, one to Canada and one to Russia, and part of that was deliberate because he wanted to stay and keep his profile close to Maine, but that fits.

Let's see, the weekly driving report, just as a part of the culture of the office, before he became majority leader it often was an intern or a legislative correspondent who would be enlisted to be his driver, I guess in his own car, if he had to go off the Hill to an event or so forth. And so whenever we had our weekly staff meeting with his not being there, whoever had been the driver had to give the weekly driving report, involving some anecdote of something funny, usually around his personality, of something that he had done.

And the one I remember is that apparently they were late, they were off the Hill, he had to get back for a vote that had started, and he said, "Here, let me drive." He was always very controlling when you were driving with him, he would always say, "Well turn here, turn there," even if it was someplace you knew the turf. Well, he says, "Let me drive." So they were driving back to the Hill and he was speeding away, and apparently there was some woman that was stepping off a curb and then I guess jumped back as he went by, and as the story went, he sort of turned around and looked back and started to chuckle and said, "Gee, I almost hit her, didn't I?" So that was the weekly driving report. I just sort of mention that.

As I mentioned, he sort of was careful how he talked to people, in a sense of he really tried not to hurt people's feelings. And one of the expressions he sometimes used was, if you gave him a memo for a briefing, or even if you gave him a verbal analysis, he'd pause and then go, "The problem is that you're assuming a level of understanding that I do not have." In other words, "You are being too complex," or, "Don't make it this complicated, just tell me a better essence of what's going on." That was a very frequent refrain for not just me, it was with other people as well.

I've mentioned his reserve, I've mentioned that everyone knew he was a caring person. When they had the unveiling of his portrait as majority leader about two years or so ago, many of the former staff, we were up in the old Senate chamber, sitting with each other, some of us hadn't seen each other in years, and he got up and he was gracious and made remarks about the unveiling, and was thanking Senator Dole for the relationship they had. And he says, "And of course I want to recognize my family who are here, and I want to say to them 'I love you very much'." And I'm sort of, I'm sitting there going, this is in a public forum, and I turn to Kelly Currie, our former press secretary, and I said, "You know, this is the first time I ever heard George Mitchell say 'I love you'." And Kelly looked at me, and he goes, "Well gee, Bob, he used to say that to me all the time." Which puts it in perspective. What we saw was really a reserved, bright man, you knew he was caring, at times he would be joking with you, but it really was another dimension at the unveiling, and goes to really the importance that he puts on family generally, which we always knew.

The Maine Peace Mission and the firing range. This shows just how surreal the office could get, and this would have been in about 1987 or so. The Maine Peace Mission, which actually was a wonderful civic engagement project that the United Church of Christ coordinated, a woman by the name of Susan Schweppe – that's S-C-H-W-E-P-P-E – where every week one or more people from Maine would come in to talk about, at that point, El Salvador and Nicaragua, arms control, to every one of the members of the delegation. It was very repetitive, but it showed the

face of essentially the peace constituency in the state, and sometimes it could be exasperating, just because it was so repetitive, or even if Mitchell agreed with their positions, some people would get mad because he didn't agree with them for their exact reasons.

Well, we had a State Department Fellow that was working with us, Bob Fitts, and he and I had been invited by the Marine liaison to go out, along with other Senate aides, to go out to Quantico and basically see what their weapons are like and fire them off at their firing range. And we came back, and here we are in jeans, smelling of cordite and gunpowder, and Bob goes to me, "Oh no," he says, "I've got to staff the Maine Peace Mission in ten minutes." So he's quickly changing, and I'm not sure if it worked, hiding the cordite smell. They knew that he worked at the State Department, which was very suspect given the administration, but - That was part of the office, it was always surreal in terms of who would be coming in and other things that would be going on, that's why I included it here.

The Samantha Smith legislation I'll mention because it had to do with supporting foreign cultural exchanges with the Soviet Union. The idea was proposed by former Congressman Jim Symington of Missouri, and Mitchell had me research it and also talk to people in the state to make sure that it wasn't something that would be exploitive, or viewed as exploitive of the girl's death. But we introduced it, we wrote a letter to the president asking him to support it, this was like a couple weeks before the Iceland Summit with Gorbachev. They came out of the summit and the only thing that they had been able to agree on apparently was cultural exchanges, and the president was on television making that announcement and talking about it, and Rich Arenberg looked at me and he goes, "Well, obviously they read the letter."

Mitchell's retirement announcement, we got a message, "Please come to" - whatever the room was - "At one p.m.," and everyone was going, "What the heck's going on with this?" Then I got a call from Tom Bertocci, with our Rockland field office, and he goes, "Bob, what's going on?" He said, "We have been told to be in Portland at one o'clock, and they're flying Mary LeBlanc down from Presque Isle." And it was just this feeling, and he goes, "Is he not going to run?" And I stopped and I said, "You know, that may be it." And I got off the phone with him and I'm just sort of sitting there, and at that point I had my own office, I was alone in the office, and I'm thinking to myself, "That's it, this is what it's got to be."

We show up, and sure enough that's what it was. Martha Pope, who, as I've mentioned could be very irreverent and very funny, and it may have been March or April, but those of us who had received salary increases, they had just started or something like that, so Martha was standing there going, "Congratulations. The good news is that you've gotten a raise in pay; the bad news is, is you don't have a job."

There was that mood to it, and personally, when he made the announcement it was one of the times when I felt proudest of him. And I think because he showed a strength of, I don't know if character is the right word, but he basically showed a strength of following his own star in ways that were unpredictable. You know, who leaves at the top of their game? Well sometimes, that's sometimes the best time to leave. And I once actually had said to him, this was like two years

before that, because at that point I had been thinking of leaving to do other things and I was talking to him about it, and I said something to the effect, "You know," I said, "I'm not sure that this place [the Senate] is the kind of place you should stay too long in." I said, "I don't know how you feel about it." It was a totally presumptuous statement for me to have made, and I have no illusions that that played into his thinking.

But look at some of the senators who are still there now, who are or have been in positions of power, and are in their seventies and even eighties. And I think the place does something to you. And I'm just proud of Mitchell that he didn't buy into that.

BW: We've come to the end of our list.

BC: Good, good.

BW: All right. Well thanks very much for -

BC: Did that cover everything that we had left unsaid before?

BW: I think so, I think so.

BC: Okay.

BW: Great, thank you Bob.

End of Interview