

**Diane Dewhirst:** This is Diane Dewhirst, I'm here with Senator Paul Sarbanes, from the state of Maryland. We are in the United States Capitol, and it is Tuesday, September 29<sup>th</sup>, [2009]. Senator Sarbanes, we're doing this for Bowdoin University [*sic* College], for the George J. Mitchell Oral History Project. Thank you very much for agreeing to do this, and if you would state your name and where you are from, and then we'll take a few questions.

**Paul Sarbanes:** Paul Sarbanes, I'm now retired but for thirty years I was one of Maryland's senators in the United States Senate, from the beginning of 1977 until the beginning of 2007, and before that I had three terms in the House of Representatives.

**DD:** When did you first meet Senator Mitchell, either in the Senate or before, when was your first meeting with him, and what were your encounters like?

**PS:** Well, I'm trying to recollect. Obviously I met him when he came to the Senate and we became good and close friends, but I think I met him [when] he worked in the Muskie campaign.

**DD:** Nineteen seventy-two? Seventy-one and '72?

**PS:** I met him, and at that time I was a new member of the House of Representatives, and my recollection is that we met at some political event, or a couple of political events.

**DD:** And then you met up with him again when he was elected after Senator Muskie in 1980?

**PS:** No, he was appointed to begin with. Senator Muskie went down to be Secretary of State, and George was on the federal district bench in Maine, and he left the bench and was appointed to the Senate. Then he had to run in the next election and was elected, but I met him when he first came down to be in the Senate.

**DD:** Were you on any committees together, or did you sit near each other on the floor, or how'd you get to know him when he was in the Senate?

**PS:** Well we didn't sit very far apart, because I had only come to the Senate in '77, and he came I guess in '79 I think.

**DD:** Eighty.

**PS:** Was it '80, I thought Muskie was Secr-, oh, okay.

**DD:** He was, but remember Vance left because of the hostage mess up with the rescuing, and that I believe was in '80, April of '80.

**PS:** Oh, okay, well then, anyhow, so we didn't sit very far apart, and I kind of took to him as a kindred spirit.

**DD:** What does that mean, you took to him as a kindred spirit?

**PS:** Well, I liked George Mitchell a lot right from the beginning, and I thought he was serious about his responsibilities and yet he had a very good sense of humor, and he was a very interesting person to be with and to talk to. And I think he made a good strong impression right from the beginning on his colleagues in the Senate. Well he obviously made a good impression, because about six years later they selected him as their, I mean he won, we got the majority and then he became the majority leader.

**DD:** Prior to that he made his name, so to speak, picking up some of Senator Muskie's resume, with regard to environmental issues, he also was influential on the Finance Committee with regard to tax reform, and he was put in charge of winning back the Senate, which ended up successful, in '85 and '86 under Reagan, when a lot of people thought it was not to be. You through that, though, I having been a staffer and seen some of it, really were very, very close to him, and I know that he felt, that he often went to you, as well as a few others, but you often on major decisions or whatever. Could you just kind of talk about that period and your impressions, and if you have any examples, and then we can get to kind of Iran-Contra where you served with him, and then leadership.

**PS:** Well he had a wonderful way of working, he listens to people to begin with, and he seriously considers what they're saying. I talked to Mary Robinson once, over in Ireland, this was after the conclusion of his work in Ireland, and she was effusive in her praise about the work that George did there to help bring peace to Ireland. And she said the one quality he had, amongst many, but one that really was so important, was that he would just listen to people. She said, he would hear them out, and obviously think carefully about what they were telling him and so forth, and she said that did a lot to help develop people's sense of confidence in George Mitchell, and in his judgment. And he reflected that here I think from the day he came.

See, a good friend of mine Paul Brountas, who's from Maine, actually Brountas is a graduate of Bowdoin College and was the head of their board of trustees or board of visitors, and is a very loyal alumnus of Bowdoin College, but he had worked in the Muskie campaign. He now lives in Boston, but he was from Maine originally, from Bangor, Maine, and he was very strong in his comments about – and he's a close friend of mine from law school and from Oxford days. So I was looking for George Mitchell when he came to the Senate, so to speak.

**DD:** Were you surprised by his abilities with regard to winning back the Senate?

**PS:** Oh, I think we were all impressed by that. I think everyone saw the odds as long, we were nine of eleven open seats or something, it was really some sort of figure like that, so it was a tremendous accomplishment. And George was the clear leader in that effort. And I think most

people were, we thought we'd do okay, we thought we were going to pick up seats, but I don't think we had any sense of the magnitude of the victory that was in the offing.

**DD:** Some folks have written that he was rewarded for that with, I know that Senator Byrd gave him a title, but also with a high profile position – you had one also – on Iran-Contra, which some folks give credit for putting him into the national limelight, more so than he had before. Do you have any recollections of that time?

**PS:** Well I think they tried to put together a committee of at least the Democratic leadership, which would have been Senator Byrd. That kind of enquiry requires people who are going to be very serious and very responsible about doing their job, aren't going to be seeking the spotlight, and I think the judgment was that, of course Mitchell was a former judge so he was familiar, not that it was a court, but he was familiar with a lot of the process and procedure of a court, and that was very valuable I think in our deliberations.

He's a deliberate person so you, I always have had a lot of confidence in George Mitchell's judgment. If you were to ask me who of the people you've associated with, if you could have just picked out the president and put him in the Oval Office as president of the United States, who would you pick out, George Mitchell would be at the top of the list, as far as I'm concerned.

**DD:** After Iran-Contra, not to skip over several huge things that happened, but there was the Senate leader's race, when Senator Byrd chose to go to Appropriations, and Senator Mitchell ran against Senator Inouye and Senator Johnston. As I recall, you were fiercely in Senator Mitchell's corner. Could you talk about that a little bit.

**PS:** Well I was there from the beginning, and very openly so. Sometimes in those leadership races you don't sort of indicate a preference, but I thought he would make an enormous difference for us.

**DD:** Why?

**PS:** Well, I thought he had a feel for the changing nature of our politics, I agreed with him substantively on I think virtually every issue, I thought he had a deep understanding of what America's all about and what represents our best values, and I thought he wanted to be the leader in order to implement those things. He represented something of a new look for the Senate, and my evaluation was that we would do very well under his leadership, and we did do well under his leadership.

**DD:** Those of us who were on staff used to chuckle about the budget discussions that went on, and I think you were chair of JEC [Joint Economic Committee] at the time, Senator Sasser was chair of Budget, and Senator Bentsen was chair of Finance, and you all spent a lot of time together, including out at Andrews. And many folks think that with the end result of that, it was a prelude to President Clinton being elected, because of the tax issues and whatnot that were discussed, and Bush being perceived as breaking a campaign pledge to raise taxes. But that's

kind of the outside perspective. You were involved with Senator Mitchell at Andrews, if not once, twice, three times, whatever, that whole budget discussion, and even things that are harkened back to now. Do you have any ---

**PS:** Actually, I wasn't at Andrews, because Sasser was there, because he was chairing the Budget Committee.

**DD:** But that debate in general.

**PS:** Yes, I played an instrumental role, yes, we were very much involved in that debate. Well Mitchell was a very smart leader. He could see things that were coming around the corner that no one else had even seen yet, so he was very good at anticipating situations. He's a very clear thinker. He can take a complex issue and separate it out in terms of its component parts, and then analyze it and then put it all back together again.

One of his challenges during that time was maintaining a unity within the Democratic ranks, and that posed some real challenges at times. And I supported him in that effort every way that I could. Sometimes that meant leaning heavily on recalcitrant members to sort of join the majority, other times it meant being prepared to compromise to some extent in order to reach a consensus, and I thought he was always very sensible in making that process work.

There were a lot of caucuses that got pretty intense, and I can't remember one in which I differed with Mitchell. I think I was supportive of him, because I thought he was doing a really outstanding job.

**DD:** Clean Air, the budget agreement, Clarence Thomas, some of these all kind of, when you go through the profiles of Senator Mitchell, these are some things that are both good and bad that are mentioned. Obviously Clean Air and the budget agreement, Clarence Thomas, some concerns about how that was handled and whatnot. What would you say were his, he left in '94 and the Democrats lost the Senate following health care, not relating the two but I'm just telling chronologically, what would you say were his legislative achievements, or if their not legislative achievements, what were his achievements?

**PS:** Well first of all, let me tell you about George Mitchell leaving the Senate. In 1993, I was trying to decide whether to run again. As my wife used to say, "Every time an election comes along you go through this process of deciding whether to run again, and then you go ahead and run again." Anyhow, so I went to see George, to talk with him.

So we sat in his office and talked, oh, for more than an hour about different things but primarily about him telling me why I should run again, why it was important to do this and so forth and so on. So at the end of this long conversation I said, "Okay, I think you're right and I'm going to go ahead and run again."

Not too long afterwards I'm at National Airport, getting ready to fly somewhere to a fund raiser,

which was one of the reasons I was thinking of not running again. So they come on the television screen, at the airport, I'm waiting for the plane. They have those restaurants along the concourse there where the televisions are on, so they've got a special, they come on to announce that George Mitchell has said that he's not going to run again. So I call right in to the Capitol and I get to him and I said, "You're not running again?" He says, "Yes, that's right." I said, "Well you just persuaded me to run again, and now you're not going to run again." And then I flew off to my fund raiser. That was a real blow. Of course he only recently before that had gotten married again, when did he marry?

**DD:** He got married after, he got married that December, after he, after the November elections but before he left in January, I believe it was December.

**PS:** But anyhow, it was in the offing I think, and I think this was part and parcel in a way of that decision, which was too bad. We kind of recovered from it, and then we were all supporting, not all but most of us, were supporting Jim Sasser to become the leader of the Democrats, and we assumed to become the majority leader. But as it turned out in the election in 1994, Sasser himself lost, and the Democrats lost the majority. We went from being the majority to being the minority, so that was an upsetting election in lots of ways. And then Tom Daschle was elected leader for the Democrats, but of course he was a minority leader, not the majority leader. And then George went into private practice.

**DD:** And did the Ireland Commerce and Ireland Peace negotiations.

**PS:** How long did he do the Ireland thing for, ten years, eight years?

**DD:** Eight. There was that first piece that was Commerce, that was for trade, and then it went into the decommissioning, and then that turned into the Good Friday talks, so it was ---

**PS:** He did a superb job. Very able people after able people after able people kept trying to resolve the Northern Ireland thing, and of course he didn't do it all by himself but he played an absolutely instrumental role in bringing about the peace in Northern Ireland. It's a real tribute to George and his abilities, and of course now he's trying to do the Middle East which is an extremely difficult issue as well.

**DD:** Was he too partisan?

**PS:** Well I didn't think so, but I'm not speaking from the other side of the aisle.

**DD:** What about those charges?

**PS:** Well I thought his partisan-, well he was a Democratic leader, so he has responsibilities as a Democratic leader, but I never thought he was mean in any way, I always thought he was respectful of the other side. On occasion he would, particularly if someone made some damn fool argument that was inconsistent in its own terms, Mitchell would get up and just tear them

apart. He really, it was a very lawyer-like, judge-like thing, he would just take it and he'd say, "Well now you said this, and a little later you said this. Now those two statements contradict one another. I mean it's apparent for all to see that they contradict one another." I used to sit there, I would go to the floor and just sit there and watch him do this, it was a pleasure to behold, it really was.

**DD:** He'd do it in hearings, too, and sometimes in the caucus.

**PS:** Yes, although in the caucus he would usually look to some of us to do it for him. He ran the caucus with a pretty, I thought with a fairly light hand, he let the caucus run a little bit, he wouldn't try to control it every step of the way, and then he'd try to bring it to a shared conclusion. He was good at that; I think the members respected it. I guess you're interviewing other members too, and you'll get their take on that, but I don't think members felt that he was running the caucus with a heavy hand, and I don't think they felt that he was, that in some way or other they were going to get really punished if they didn't go along with the leader.

**DD:** So he consulted enough.

**PS:** I thought he consulted, yes, I thought extensively. He had an open door policy. I guess some members who didn't, when the substantive decisions didn't come out where they wanted them, would get a little unhappy about that, but I don't think they were unhappy with his leadership style. And the fact that the decisions didn't come out where they wanted them represented what the majority of the caucus wanted. But I think the caucus was very supportive, and he could have clearly gone on being the leader indefinitely.

There was also the talk at one point about putting him on the Supreme Court, but he indicated I think that he didn't – I don't know whether it was ever discussed with the president, but as I understand it George indicated he didn't want to do that.

**DD:** We were still, it's ironic to say that today, but hoping for something on health care.

**PS:** Yes, and he was very much committed to that effort.

**DD:** Right, right. Just singling out two ---

**PS:** Did he write a book, no, he wrote a book on the environment.

**DD:** Yes, World on Fire.

**PS:** And then he wrote another book, didn't he? He wrote a book off of Iran-Contra, didn't he?

**DD:** With Senator Cohen, and then he wrote a book about Ireland also, which I can't remember the name of right off the top of my head.

**PS:** Okay, I haven't seen the Ireland book, I'll get that and take a look at it.

**DD:** Just to cite two members, and I'm still hoping to get some input from him, but his relationship with Senator Byrd?

**PS:** I think Byrd respected what he was doing, but they differed on some of the environmental issues, particularly as they affected coal, and we had one issue, I don't remember exactly the substance of it but it involved coal and I think pollution control and something.

**DD:** Acid rain?

**PS:** That was a pretty intense difference, and Byrd was pushing members very hard to support him. I remember it in particular because I had been fairly close to Senator Byrd pretty much from the time I came to the Senate, and I went with George Mitchell on that issue. But I talked with Senator Byrd and told him I was going to do that ahead of time, so I didn't surprise him or anything, and I think he sort of accepted it, but that was pretty intense. Of course you had the substance of the issue where I basically was with Senator Mitchell, although I have a coal mining industry in my state, but to some extent that issue got put in terms of, well you're going to be with Senator Byrd or you're going to be with Senator Mitchell, which I didn't think was the right framework to put the issue in. But anyhow, I supported Senator Mitchell. It was a pretty close vote, as I recall.

**DD:** I don't remember exactly, but I think it was very close. But a lot of people made it, made the Mitchell-Byrd thing I think, in my opinion, more than it was, but there were some awkward times because you had the former boss right there.

**PS:** Well Senator Byrd had been a strong and an effective leader, and I think was respected by the members. Of course he's now the longest serving senator in U.S. history. He wasn't at the time, but he is now. But he was on his way to that, I mean one could see it coming. He was a great student of the Senate, he's written those volumes about the Senate, and a great believer in the significant role of the Senate in the U.S. system of government. Which Senator Mitchell was as well, I think, and so Byrd commanded a lot of respect. He was also chairman of the Appropriations Committee.

**DD:** No small title.

**PS:** And so that's an extremely important position as far as members are concerned, because you have all the items that are in Appropriations bills. I don't think there was any lasting grudge between Byrd and Mitchell, and Mitchell's position was perfectly consistent with his previous record and what he'd been involved in. It was certainly consistent with the Muskie tradition in which he stood. I think to some extent he saw himself as carrying forward Muskie's legacy. Of course they were both from Maine, so you had the Maine dimension. And so I don't think Byrd thought, I think Byrd understood that Mitchell was there because that's, in effect, it just fitted in

with what Mitchell was doing, so I don't think it left any bad feeling.

And of course everyone gave Mitchell credit and a certain amount of space, because the general feeling was that it was he who had engineered the political victory in '86 which returned the Democrats to the majority, and gave us a good majority, although '94 upset it.

**DD:** What about Senator Mitchell and Senator Dole?

**PS:** Well they seemed to have a good working relationship. When did Senator Dole become the Republican leader, do you recall?

**DD:** It was before Mitchell did, so when Mitchell came in, that was the only, he was the only Republican leader that Mitchell worked with. And a lot of people today say, oh, it was different back then, because there was this congeniality, and other people that we've talked to about the kind of antics that – I don't mean to be disparaging – things that go on on the floor today wouldn't have happened then and whatnot, and I just wondered what you thought of the relationship and the way that the floor was conducted with Senator Mitchell and Senator Dole, and their relationship.

**PS:** Well my impression was that they had mutual respect. I don't think they sprung surprises on one another, which was very important. I think Mitchell recognized that Dole had to deal with his caucus, just like Dole recognized Mitchell had to deal with his caucus, so they took that into account in their relationship. Of course he had six years as leader with Republican presidents, and then just two years with a Democratic president, right?

**DD:** Right. No, four, it was '89, because Senator Byrd did two years, we won in '86, Senator Byrd did '87 and '88, then Senator Mitchell did -

**PS:** Byrd finished out the Reagan years, and Mitchell did it with Bush senior and then Clinton, so he had just six years as leader, and fifteen years in the Senate.

**DD:** Since '80, so it was, yes, almost fifteen. Is there anything that I've forgotten or any, you've been generous with your time, is there anything else that you would like to add about Senator Mitchell's leadership, either in the Senate or in general, or any personal reflections?

**PS:** Well what's going to happen with this material, is it going on the public record?

**DD:** Yes, what happens is, they will do a transcript and it will come back to you, and you will be able to approve it and determine, and there'll be a whole formal piece that they'll send to you.

**PS:** Well I'll tell you a story, I think it's okay to tell it because I think Mitchell has told it, I know Mitchell has told it in public on a number of occasions. Do you know the John Warner story?

**DD:** I think I do. Why don't you tell it.

**PS:** And the filibuster?

**DD:** And the sleeping? Yes, so have I heard it.

**PS:** Yes, well you could put it in the record, I wouldn't have to do it.

**DD:** I'm not being interviewed.

**PS:** Shortly after Mitchell got here, we had an old style filibuster, and I think it was on the natural gas bill but I'm not sure, but anyhow they brought the cots out and set them up in the room behind the chamber, the lounge back there, along the runway there.

**DD:** I yeah, I never knew what that was called.

**PS:** I don't know that it has a name, the lounge back there, it's a big room there and they had all those sofas and everything, but then when you get a filibuster they bring just like army cots and set them up, one next to the other. And the way George tells the story, he was wandering around, just a newly sworn in member of the Senate, I don't think he'd been there very long, and he's wandering around, it's about three o'clock in the morning and he's really feeling sorry for himself. He said, "God, here I am, it's three o'clock in the morning, I haven't gotten any sleep, we're involved in this filibuster, I left the federal bench to come and do this, I was sort of the boss of my own courtroom, I set the schedule and everything, now look at what I'm [doing]."

So he went back there to lie down and get a nap, and just then the fellow on the cot next to him, because they'd set them up one right after the other, like in the army, next to each other, and this guy rolls over on his cot, and Mitchell looks over and it's John Warner (who just retired from the Senate, who was really a good guy, I think the Democrats got, I mean we all got along well with Warner, he's had a very distinguished public career. He at the time was married to Elizabeth Taylor). And George said the thought that went through his mind was, "Who am I to feel sorry for myself, when this guy next to me here could be home sleeping with Elizabeth Taylor?"

And we traveled together, we went to Russia together I think, didn't we go on that?

**DD:** We went to Berlin, St. Petersburg, I don't know if it was Leningrad then, and Moscow, at the height, or coming of soon to be height of Gorbachev, I believe, and then we were in Berlin when the wall was coming down. Remember, we took pieces of the wall down, and went to East Berlin?

**PS:** God, no, my memory is not serving me well. Of course he served in Berlin, when he was in the military, he was an intelligence officer, and I think the whole time he was stationed in Berlin which was, as I gather, a very formative experience for him.

**DD:** I think that was his first non-North American trip, because when he became leader he went to Canada, and he went to Mexico as part of, you know, representing the importance of North America, and I believe that was our first as leader, and I know you went and Senator Sarbanes [*sic*], Senator Glenn went, and it was in '89 and it was the anniversary of the first time that the Russians had sent someone, Yuri -

**PS:** Gagarin, or something.

**DD:** Right, and when Senator Glenn would walk in the room it would be like the parting of the waters, and I think Senator Mitchell was thrilled to host that. And Senator Glenn was, not that you all weren't, but Senator Glenn was a rock star going to those places.

**PS:** But I thought, I always wanted him to run for president, and I thought he'd have been a terrific president, and I thought he had, he really understands what the country's all about. I remember talking to him about, see, he was adopted.

**DD:** His father was adopted.

**PS:** Well Mitchell's father, or Mitchell himself?

**DD:** His father was adopted, as I recall.

**PS:** And then his mother was Lebanese, wasn't she?

**DD:** Correct.

**PS:** And I know he worked his way through college. Now he's established those Mitchell Scholarships up in Maine, which are a terrific thing and very highly prized, the kids really compete for them. Is there one in every high - there's an amazing number of them.

**DD:** I think it's either one in every county or one in every school district, it's statewide, it's pretty remarkable. [Note: One student from every high school in the state of Maine, each year, is awarded a scholarship.]

**PS:** It is absolutely remarkable. And of course he had been in the Muskie framework, so to speak, and of course Muskie was a highly esteemed senator, and Mitchell in effect took his place and himself became highly esteemed. I had an almost absolute confidence in his judgment, I always felt, well he'll make the right choice. And invariably I agreed, I'm trying to think of whether, I can't think of anything of consequence where we differed, and if it wasn't of consequence and we differed, he always had a good rationale for it. So he was a reasoned politician, not a highly ideological one. I mean he had strong values and principles, which all of us had, but he didn't have a closed mind and he wasn't rigid, and he was prepared to try to, he

would listen to others and try to work out positions that would command broader consensus. You can't always do that, and sometimes you have to just press ahead.

And I think the members respected it. On both sides of the aisle, I think he was – there's been a sort of a breakdown in that now I think in the Congress, partly, it began on the House side, but they transformed the politics from the other side being the opponents to be defeated to making the other side the enemy to be destroyed, and that's a tremendous, that's a very bad line to cross. And I think to some extent that's what happened now in the Congress.

And I talk to him from time to time. I don't see as much of him as I'd like to, but he's up in New York. And of course I know that DLA Piper firm. Well the Piper, Piper Marbury was a Baltimore firm.

**DD:** I didn't know that.

**PS:** Yes, originally, and then they started growing, they merged with other firms, then they went with DLA, that's an English firm, isn't it?

**DD:** I'm not sure.

**PS:** Well anyhow, now they're worldwide, they have quite a, and he's been the lead partner in a sense, or chairman.

**DD:** Chairman of the board maybe, but I think he may have had to set that aside when he got the State Department role.

**PS:** Yes, he has, and I'm not sure he thought that that was going to be required.

**DD:** I don't know, but I think he did because I know that, I think that was at least severed for, I don't know if that's permanent or whatnot. Well thank you very much, Senator Sarbanes, you'll be hearing from Bowdoin.

**PS:** I hope we covered, did we cover everything?

**DD:** Yes, we covered everything. You'll be hearing from Bowdoin, thank you very much.

**PS:** I should have mentioned that one of the reasons I think he was so effective as leader and did such a good job is he had the wisdom to hire staff people like you.

**DD:** Oh, please.

End of Interview