

George J. Mitchell Oral History Project

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George J. Mitchell (2)

(Interviewer: Michael Hastings and Andrea L'Hommedieu)

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Michael Hastings: The following is a recorded interview for the George J. Mitchell Oral History Project, an activity of Bowdoin College. [The date is September 11, 2008]. The location of this interview is One City Plaza, Portland, the law offices of Preti and Flaherty, the interviewee is Senator George J. Mitchell. Andrea L'Hommedieu, the project manager, and I are the interviewers. Welcome, Senator Mitchell.

George J. Mitchell: Good morning.

MH: Good morning. My questions this morning will deal with your Senate years, and particularly those before you became majority leader. In 1980, the year you were appointed to the Senate, the Maine Indian Land Claims case was still a very active topic in Maine. Can you describe your role in the settlement of that case?

GM: Well, that is now twenty-eight years ago, so I don't have a detailed memory of the events but I do have a general recollection. It had been a very emotional issue, and an important issue in the state for a substantial number of years. But by the time I got to the Senate I think there was a growing recognition that the case ought to be settled, that the peak of the passion and the politicizing of the issue had seemed to have passed, and there was a generalized search for 'how do we resolve this and get the state out of this difficult circumstance.'

So I think, in a sense, I was a late comer to the issue and to the process, and probably benefitted from the fact that this general attitude seemed to have taken hold. I don't think I could fairly claim to be given credit for creating that attitude. By the time I got there in the middle of 1980, I think it had pretty much reached that point. So I did get involved then in the effort to try to figure out a way out of it, and worked with others in doing so.

MH: Did you, when you had, previously when you'd been in Bangor as a judge, or as U.S. attorney for Maine, were you familiar with any of the tribal players, or were you meeting them for the first time?

GM: I was generally familiar with the issue, although I had never been deeply involved in the legal aspects of it. I have a vague recollection that while I was U.S. attorney some small part of the case came up in the court, but I wasn't handling it personally and I don't recall the details. I knew Tom Tureen, the principal attorney for the tribes. I knew some of the tribal leaders, although not nearly as well as I would get to know them.

MH: How did you get to know them later?

GM: Well, as a senator of course you travel around the state and you meet with people from all parts of the state, both in geographic terms and economic terms, and in every other category. And so in the course of my representation of all the people of Maine, I got to meet many of the tribal leaders and many of the individual members of the Native American community.

MH: During your appointed term and your first elected term, you focused on issues, I would assume, presumably for the committees on which you sat. Early in your Senate years, what were those issues?

GM: Well, I focused on a number of issues, but I don't think the committee assignments were the principal basis of what I did. For example, when I became a senator, having entered by appointment in the middle of a legislative year, I inherited Senator Muskie's staff. The only thing that Governor Brennan asked me about when he talked to me about his desire to appoint me to the Senate, I recall very clearly him saying, "I'll never ask you for anything; I'll never call you up to ask you or urge you to do anything. The only thing I ask is that you do what's best for the people of Maine based on your own conscience and judgment." I have to say I was very impressed by his saying that, and by the fact that I then served in the Senate for many years and he never did ask me for anything. He never [once] called me up and said, "Would you please do this? Would you think about this? Would you vote about that?" He left it entirely up to me. For me it was an indelible lesson in political integrity.

But he did say to me, "Senator Muskie has asked that you consider keeping on as many of his staff members as you think appropriate." He didn't ask me for a blanket commitment that I would never change anyone in the office; he just wanted to make certain that I would give consideration to each member. And so I began a process of trying to meet each member of the staff, and I asked each of them, "What do you do? What are you working on? What is it that takes up your time and what do you think I should do in relation to the issues that you're working on?" So a good bit of what I did was simply inherited from Senator Muskie in that way.

Just to take one example, Estelle Lavoie, who is now a lawyer in Portland, was on Senator Muskie's staff, and when I met her she described to me one of the issues she was working on [that] involved a dispute between roughly the national park at Acadia and the towns in the surrounding area -

MH: Master plan.

GM: Master plan, and a boundary dispute, and there were many issues. And she said she was working on that, and she urged me to get involved. I did, and ended up spending six years working on it, which I didn't anticipate when I accepted the assignment. [I] made many trips in the winter up to Mt. Desert Island to negotiate with town councils and planning boards and land owners. It was a long, arduous task, but I think it was by 1986 I got legislation enacted to

establish a relatively contiguous land mass and a park boundary and a master plan, and give some legal authority to the park that didn't exist before. So I was led in to that merely by virtue of the fact that a controversy existed prior to my coming to the Senate. Senator Muskie was in a general sense involved, I don't think he got involved to the extent that I did, and so that's a task that I worked on.

There were clearly issues that I got involved in based on committee assignments, but again, the committee assignments were inherited. I was simply assigned to the committees on which Senator Muskie sat -

MH: So which committees did he sit on that you inherited?

GM: Environment and Public Works, Banking, and Veterans. But at the end of the first year, members of my staff urged me to try to get on the Finance Committee and give up the Banking Committee, and I did so. I was lucky enough to get an assignment, to seek and obtain an assignment, to get on the Finance Committee, which has jurisdiction over Social Security, Medicare, taxes—very broad jurisdictions.

MH: Those assignments are given by whom?

GM: They're given by the Steering Committee. I later learned, I didn't know this at the time, that the Senate majority leader appoints a Steering Committee: that is, a number of senators of the Democratic Party are appointed to a committee which meets to dole out committee assignments to other members. While the majority leader retains some authority and influence by virtue of the appointments [of] the members of the Steering Committee, he doesn't directly [p/o] [control] the Steering Committee. I think this was a reaction to when Lyndon Johnson was majority leader; [he] directly appointed and removed people from [Senate] committees, and my impression is, although I haven't personally researched this, that when he left, the members of the Senate felt that the power ought to be diluted somewhat, and so the institution of the Steering Committee was created.

And there's an interesting story about my getting assigned to it. The way it worked was the Steering Committee would meet and the individual senators would come in and make a pitch for what [they] wanted. There was a break before I came in, and talking with some of the members of the committee, waiting for the meeting to resume, one of the senators said to me, "Oh, you're going to have a difficult time," he said, "because the Finance Committee is a very desirable assignment." A lot of senators wanted it, which I later learned to be true when as majority leader a few -

MH: People were coming to you.

GM: People were coming to me and asking me for help in getting on the Finance Committee. And I'll come back and tell an interesting story about that as well, if you remind me, because it's a story I really haven't, I've never told publicly.

But on this instance I was talking to a committee member, he said, “One of the senators came in this morning, he’s been very successful, he pointed out that he never lost an election and he’d done very well on a succession of offices and made a very strong presentation.” And it hit me at that moment that I was in the opposite position; I’d never won an election. I’d run for governor and lost, and then I’d been appointed to the Senate, and so I thought I would try the opposite tack. And when I had my turn before the Steering Committee I said, “I have never won an election. And so of all of the senators that come in here to ask you for help, no one needs it more than I do.” And of course they knew that I’d been appointed and -

MH: They agreed with you.

GM: They agreed with me, it worked and I got assigned to the Finance Committee. The other story, which is a digression, but while I think of it, it would be interesting to know.

When I, in later years when I ran for majority leader—we’re jumping ahead now, but it’s on my mind so I’ll tell the story—I sought the position of majority leader. The election was held in late November of 1988. I had run for reelection and been lucky to win by a large and comfortable margin. Before the election, sometime during the year, Senator Byrd announced that he was not going to seek reelection as majority leader and three candidates emerged. One was Senator Inouye of Hawaii, the other Senator Johnston of Louisiana, both of them good friends of mine and senators with much greater seniority and standing and prestige in the Senate than I had.

To the best of my recollection, the first time I ever thought of running for Senate majority leader was when Senator Baucus of Montana came up to me one day and asked me if I was thinking about running, and I said, “Well no, I’ve really never thought about that.” He said, “Oh well, you ought to.” And I was really kind of surprised because I had only been in the Senate for a few years and I just didn’t think of myself in the same league as the then-majority leader Senator Byrd and the candidates to succeed him.

Within a very short time, maybe a day or two, Senator Bill Bradley of New Jersey came up to me and said essentially the same thing. And to this day I don’t know whether they discussed it between themselves, or whether these were completely independent suggestions. And I had really kind of internally dismissed it when Senator Baucus had suggested it. He was a good friend and we later worked, we had worked together for some time on the Finance Committee and the Environment and Public Works Committee, we were on two committees together and so I knew him real well.

MH: And Bradley was on those committees as well.

GM: Bradley was on the Finance Committee, not on the Environment Committee. And I didn’t know Bradley as well as I knew Baucus. So when two of them spoke to me, I then really started thinking about it in a serious way and eventually decided to run. And ultimately several others came along and encouraged me to run, and then I announced I was going to run and I

began to solicit support from all the others. And as you know, it's a very small electorate; in this case, there were a total of fifty-five Democratic senators as a result of the election that had been held. So I had to go around to fifty-four other senators, seeking their support, and I personally visited each one of them, as did Senators Inouye and Johnston.

Under the rules then in effect, you had to have a majority of the votes; so the process was, with three candidates, if one person got a majority on the first ballot, he was elected. If no one got a majority on the first ballot, the bottom, the lowest vote getter would be automatically eliminated and there would be a runoff between the top two voters. You had to get twenty-eight votes. Through all the course of solicitation of the votes, I ended up with commitments, including my own vote, of twenty-eight votes. I had exactly the number of votes necessary to win election on the first ballot, commitments. I had a fairly sizeable number of senators who said they would support me on a second or a third ballot also, but I'd read all the stories about 'senators don't keep their words' and 'you can't be too sure.' I really didn't believe that, and I still don't. I thought that people who committed to me were committed.

And so when we went into the Old Senate Chamber to vote, it would have been in late November of 1988, I was pretty confident that I would be elected. I felt that having -

MH: You thought on the first vote.

GM: Well, having the first vote commitments [of] exactly the number needed, and a number of second and further ballot commitments if necessary, I thought ultimately I would get elected.

MH: Did that realization come to you the day before, or for some weeks?

GM: Well, not some weeks, no, but a lot of people didn't make up their minds until fairly close to the vote. I can recall, I spent Thanksgiving weekend making a lot of calls from my home. A lot of senators were traveling and I remember talking to a lot of people. The vote was the following week.

So when we got into the room to have the election, senators made nominating and seconding speeches. I had asked Senator John Glenn of Ohio to make a nominating speech for me. He was a good friend, he was a strong supporter, he was well respected by other senators. And so each of us were nominated and then the ballots were counted. I was sitting right in the front with Bennett Johnston sitting right next to me and Dan Inouye sitting right next to him. And each of us had asked a senator to participate in the counting so that there was one senator representing me, one representing Inouye, one representing Johnston up, sitting up front, counting the ballots as they were pulled out of the box. It's a primitive method, you just get a slip of paper and you write in the name of the person you're voting for. So I wrote in my own name, as did Johnston and Inouye, and everybody wrote in a name.

So they counted the votes as they came out, and then they announced the result: I had twenty-seven votes, and Johnston and Inouye had fourteen votes each. The count I had expected was

twenty-eight for me, fourteen for Inouye, and thirteen for Johnston; that's what I had expected going in. And instantly, literally immediately, I knew who the senator was that had told me he'd vote for me but didn't. I can't tell you how I knew, it was some sort of intuition, but I just knew. I also knew of course that I would be elected because I had so many commitments on the second ballot. Of course Johnston and Inouye knew that also. So as soon as the vote was announced, twenty-seven for me, one short of a majority, and the lesser numbers for the senators, for the two other senators, Bennett Johnston got up and he said it -

MH: He voluntarily dropped out.

GM: He volun-, he got up and said, I—no, he didn't voluntarily drop out. In fact he was in second place. If we'd had a runoff, it would have been between me and him because the other vote was cast for him. He said, "I move that we elect Senator Mitchell by acclamation." Senator Inouye agreed, and all the others agreed. It would have happened had another ballot occurred, but it was a very nice gesture by Bennett, who was and to this day remains a very good friend. He's a terrific guy, we became quite friendly, we played tennis together in the Senate and I thought very highly of him. The election was quite difficult in [p/o] that I was running against two men that I, that were friends and I regarded as friends and I had high respect for. I had feelings of, as I said, inferiority, that these guys, I'm not in the same league as these guys. They've been here for a long time, they know their way around, and I'm relatively new, [even] kind of lucky to [be] here.

But I knew right [away] in my mind who it was, and I then went about the business of the day. We walked out, we had a press conference, I did a lot of television interviews, so it was an extremely busy day. Late that night I went back to my apartment. It's interesting, I had decided to move and the move occurred on the day of the vote, so it was a very busy, very busy day. Obviously I didn't, somebody went and took care of opening the door and let the mover in and so forth; but I went back to this townhouse where I spent the first night there, it was all just filled with empty boxes and so forth.

I was so tired I went [right] to sleep, and about sometime between midnight and one o'clock the telephone rang. I picked up the phone and a voice said, "George." I said, "Yes," and I recognized the voice. He said his name, "This is -," and he said his name, and I said, "I know why you're calling." There was a very long pause on the telephone, and he said, "How do you know?" I said, "I can't explain it, but I just know." He then explained to me the circumstances under which he had made a decision to vote for another senator even though he had committed to vote for me, explained why he did so. I said to him, "I accept -"—and he apologized—I said, "I accept your explanation, I accept your apology." I said, "And as far as I'm concerned that's the end of it," and I said, "I will never, ever disclose your identity, and I hope we can work together in the future." And he said, "Well," he said, "I would like that very much, that would be great"—words to that effect, I don't remember the exact words—and we were and remain good friends to this day. He went on and had a very successful career in the Senate and I went on and became majority leader and I helped him quite a bit in some matters later in the Senate. It's an interesting story, and as I said, I've wracked my brain trying to figure out, how did I know it? I

have no, there's no substantive or hard or concrete reason why, but intuitively I just knew who it was, the instant the vote was tallied his name and face came right into my mind.

MH: When this happened, weren't you already deputy president pro tem?

GM: Yes, that had come about because of the 1986 election.

MH: Why is it that only you and Hubert Humphrey ever occupied that position?

GM: After the 1984 election in which President Reagan was reelected, and the Republicans did pretty well, Democrats were in the minority. Senator Byrd, who was then the Democratic leader and the minority leader in the Senate, asked me to serve as chairman of the Democratic Senate Campaign Committee. Now remember, I had been appointed to the Senate in 1980, I was widely seen as having no chance to win—I'll digress in a moment and tell another story about that—but I had won in 1982 by a sizeable margin after having been way behind, and so when, after the '84 election, Senator Byrd asked me to serve as chairman of the Democratic Senate Campaign Committee I accepted. That would run from after the 1984 election through the '86 election, so it was a two-year assignment which culminated in the election of 1986. I worked hard at it and we did well. I traveled around the country to recruit candidates; we had a very good group of candidates, Bob Graham from Florida, Barbara Mikulski from Maryland, Tom Daschle from South Dakota, Bob Kerrey from Nebraska, there were some terrific candidates. We won eleven new seats in the Senate and regained the majority, and of course I got a lot of credit for it. People were very thankful, they said 'oh, you did a great job,' so forth and so on.

Senator Byrd said that he wanted me to become a part of the Democratic leadership, to take a further active role in it, and so I became the deputy president pro tem of the Senate. [It's] largely an honorary position, but that's the origin of the -

MH: I read somewhere, and I honestly can't remember where, that one of the excuses at the time was that Senator Stennis was not in good health or something, was that a factor?

GM: I don't remember that.

MH: I guess he was the pro tem -

GM: Well, let's be clear for the record. The president pro tempore of the Senate is the longest serving member of the Senate in the majority party, and I—that probably would have been Senator Stennis, who incidentally was wonderful to me when I went into the Senate. He treated me like a son. He obviously was fond of me, he was very kind to me, and many years later, after I became Senate majority leader and after he had retired, a program and a building were named after him at Mississippi State University, in Starks, Mississippi, and he called me and asked me if I would come to Starks to be the speaker at the event, inaugurating -

MH: The Stennis Center.

GM: The Stennis Center, inaugurating the program for him, and of course I did so; I loved him really. We didn't agree, obviously, on every issue, but he was a very kindly, courtly gentleman and he took a special interest in me, talked to me a lot, sort of basically told me stories about -

MH: I'm going to come back to the deputy president pro tem, but I want to follow up on this. When I first went to Washington as a twenty-two year old, I ended up working on Capitol Hill and I was just bowled over by some of the personalities that, you know, were around every day. Were you? When you first got there?

GM: At first, of course.

MH: And who were those people?

GM: Well, but let me interject and tell an appropriate story that's been told many times about former President Truman. I've used it in speeches many times and it's, many people are familiar with it, but it's the story of—and I don't even know if this is true, but—when Truman first went to the Senate he was somewhat in awe of the institution and the members of the Senate, and he wrote his wife a letter on the first day and said, "I'm sitting here in the Senate and I look around at these other senators and I wonder what am I doing here?" And then a couple of years later he was sitting in the Senate and he wrote a letter to his wife and said, "I'm sitting in the Senate looking around at these other senators and I wonder what are *they* doing here." So you, I think it's that way for everybody, you go in, and in my case particularly so, since I was appointed and not given any chance to win, so you sort of have an asterisk next to your name when you're appointed anyway, and then when the word gets out, as it does, that you're way behind and likely to lose, you sort of sink a little further in everyone's esteem. And so gradually over time, as you become familiar with them, you recognize that they're all human beings and subject to the same strengths, weaknesses, and issues that all humans have.

I actually tell the story about Truman more in relation to presidents I've dealt with. I grew up as a young boy in Waterville, like most Americans, in awe of the presidency. And then when you get, like in my case, completely unexpectedly and through a series of accidents, get to know and work with a lot of presidents, you realize that they are just human and have the same weaknesses, and the awe dissipates. You do appreciate the burdens that they have, but there's no longer any awe about, certainly about the presidents as individuals, although that probably does remain about the presidency.

But the other story I wanted to tell was about how far down I was. In the period between 1980 and the election of 1982, the two years that I served to complete Senator Muskie's term, as we discussed in our last interview, a number of public opinion polls were published which showed that I was very far behind and was given really no chance to win. Of course that word got back to members of the Senate, everybody was pretty much aware of my circumstance. Then in 1982 I began to close the gap, as I described in our other interview, but I remember very clearly

Senator Moynihan, who was a good friend, at a caucus of Democratic senators—we've already discussed how they'd meet for a caucus once a week usually at a luncheon on Tuesday, the Republicans in one room and the Democrats in another—a discussion was held about the election prospects. And Senator Moynihan was talking about, in a very positive way, about how good our chances were because the polls looked good in several states. And he said, and I'm certain he didn't mean to be demeaning to me, but the way it came out, it [was] demeaning. He said, "Why, one of the polls shows that even George Mitchell is now only twenty points behind." And of course all the senators laughed in the caucus. [It] made me feel about two inches tall, sort of laughing at the reality that I was doing much better than I had been because now I was only twenty points behind.

So, everybody was aware of my situation, and it was all the better for me when I eventually won the election. So, that kind of helped me out as, now closing the circle on this discussion, when two years later Senator Byrd asked me to chair the Democratic Senate Campaign Committee for the election cycle of 1986.

Andrea L'Hommedieu: I want to ask a question now. In those first couple of, year-and-a-half to two years, and you were quite busy trying to be reelected and all that, did you have time to start—and you were learning the Senate as well—did you have time to start forming bonds with some of the senators? I know a lot of the Democrats were southern, there were quite a few southern senators, and there was a prayer group of some sort?

GM: A what?

AL: A prayer group?

MH: Prayer breakfast?

GM: Yes, yes.

AL: Yeah, did you join in that?

GM: I did on occasion attend. I was not a, what you'd call a charter member or a regular attendee, but I did go a few times with some of the senators. I did begin to form bonds with other senators. It was basically through work, though; there was very little socializing. I came home to Maine every single weekend. I spent as much time as I could in Maine, trying to make myself known to voters. And when I learned in the middle of 1981, when I was shocked to learn that I was thirty-six percentage points behind, it had an effect that I guess I could describe as sobering, somewhat depressing and discouraging, but on the other hand [it] created a resolve for me to do better.

So I got to work with Senator Howell [Thomas] Heflin of Alabama. There was a controversial issue over the construction of a canal in the southern states that, it's called the Tennessee-Tombigbee Canal, that's the name of a river system, and it was very environmentally

controversial. I was regarded as a pro-environmental senator, and environmental groups were opposed to this and I ended up voting for it. I think it was decided by a one-vote margin, it was very close, and the environmentalists were very angry at me. I can recall being criticized here in Maine, the newspapers were critical. I remember there was a cartoon, an unflattering cartoon in one of the papers in Maine, [p/o] but [for] Senator Heflin, it was a big project and he was very grateful and we became good friends. I think I cast the right vote, actually, but these are difficult issues on which there are valid arguments on both sides.

I got to know Senator Stennis, as I pointed out, although that began before and was really independent of that vote. Senator Henry Jackson befriended me very much. Now, one of the reasons for that was that he and Senator Muskie didn't get along too well—I don't know if you'll get into that in your history of Senator Muskie.

AL: Yes, there [are] recollections of it.

GM: Yeah, there was, I have no idea what it was about, I wasn't involved. But I think in Senator Jackson's eyes, the fact that I wasn't Senator Muskie was a plus and so he was extremely friendly to me, tried to help me out and sort of do what he could to be of assistance to me.

But essentially it was pretty lonely. And it's understandable. When you're an appointed senator you haven't, you don't have a full status. I guess, as I have already described, the best way to describe it, you have an asterisk beside you so you're not a full member of the institution in the sense that elected senators are. It was pretty hard work, and I knew obviously the only way that I could ever become, or ever achieve anything was to get elected in my own right, and that's what happened.

MH: I'm going to start another topic here. Since you left the Senate you received a lot of praise for your work in foreign affairs, in [Northern] Ireland and the Middle East. When did your interest in resolving international conflicts, how did it develop? Is that something that developed while you were senator, or was it something you had an interest in even before you were senator? I guess I'm interested in the education of George Mitchell, particularly as it relates to foreign affairs.

GM: Well, I don't think I ever thought of it in the narrow terms of resolving international conflicts. I really never thought about serving in that capacity until the time I became involved in Northern Ireland, or just before that. But I was interested in, as I think many Americans are and I think every senator should be, in international affairs in a general sense. In fact, I can remember that one of the first, maybe *the* first major speech I gave in the Senate was on the issue of nuclear arms control. I recall very clearly, I had a discussion with a reporter, a Maine reporter who was covering Washington at the time, about the fact that nothing appeared about it in the newspaper and I asked him why and he said, "Well nobody cares about that stuff, nobody in Maine cares about that stuff." And I said, "Well," I said, "I hope they do because it's very important." But it was a good lesson in what is or is not newsworthy [p/o].

So I was interested from the beginning, before I entered the Senate, as a citizen in general issues of international affairs, and that gradually increased, particularly after I became Senate majority leader and began to occasionally travel to foreign countries. I hardly ever went on a foreign trip of any kind before I became Senate majority leader.

MH: Really?

GM: Yeah, very, very rarely.

MH: What countries did you visit?

GM: I can't remember that now. I mean I visited several, but I can't distinguish in my mind the dates when they occurred. Although I do recall that I went to Bosnia and the Balkans in, as Senate majority leader, as the leader of a Senate delegation, probably in 1992. I also went as the junior member of a delegation to Soviet satellite countries, I think it was maybe to Hungary and what is now Ukraine, and then on to Moscow in 1986, I believe it was, before I became Senate majority leader. Just after Gorbachev took office in the Soviet Union, a group of us, bipartisan group, went and had a very long meeting with him and with other leaders of Communist countries on the way. That was '86, I do recall that visit. Senator Thurmond was on that, I remember very clearly. And we met with President Reagan before we went, or after we came back I think it was, and had a long meeting with Gorbachev. So I recall occasional visits, but not very frequently before that.

MH: Did you ever return to Berlin where you'd served in the army?

GM: I did, just briefly, after the Wall was breached. That would have been, what, '89 or '90? I was Senate majority leader at the time. And the one most explicit memory I have is how entrepreneurial people can be, because when we went to look at the Wall and to see the areas where it had been breached, there were young men walking along, young German men, local boys, renting hammers and chisels for two or three minutes each so you could take the hammer and chisel and knock out a piece of the Wall and bring it back home. And I did, in fact. I can't remember what it cost, fifty pfennig, fifty cents or something, you got it for about a minute or two and you chiseled out a piece. I brought home with me a couple of small rocks and they sat on my, on the table in one of the rooms in my apartment until I moved, and then I threw them out, like a lot of these things that you -

MH: They're probably at Bowdoin now.

GM: No, I think I threw them away, just pieces of concrete off the Wall.

MH: When you were in Berlin earlier, there was no wall, was there?

GM: That's right, because the Wall was built later. But I also remember, when I was stationed in Berlin, among the other duties that I had, I supervised a team of German civilian

employees of the U.S. Army and U.S. military personnel who spoke German, who screened refugees at a refugee center in Berlin, it was called Marienfelde, M-A-R-I-E-N-F-E-L-D-E, which is the name of the section of the city of Berlin in which it was located, next to the border with East Berlin. Marienfelde is a district, it's kind of a working class district, and in that district the U.S. Army, which controlled that sector of Berlin, created and operated a refugee center.

At that time, there was no wall, and transit back and forth between the East and West was open. You could get on a bus, you could, they called it the S-Bahn, the U-Bahn, on a surface street on a sort of, well a different variety of ways to get across. You could walk across, and many thousands of people did so from, primarily from East Germany but also from Czechoslovakia, from Poland, and from what were then the westernmost parts of Russia. [p/o] [There was] a system of receiving and screening and relocating these refugees. What our team did was to try to, through a series of screening processes and questions, ferret out anyone who was being sent over on behalf of a Communist government to become a spy in the West, and there were many, many of them, and also to try to recruit some people to go back to the East as spies for us.

This was an intelligence [operation]. I was part of the U.S. Intelligence Services, U.S. Army's Intelligence Services. And while the principal operation was at the Marienfelde camp, we also had scattered throughout Berlin what we called safe houses, where when there was an intensive or lengthy interrogation or some special treatment for an individual or a group of people were necessary, they were kept in these safe or secret houses. I remembered the address of one of them because I'd been there so often, so when I went back to Berlin later for the Wall I went and knocked on the door of the house, and there was a family living in there. I just said, well, "I used to stay here," I said, I didn't tell them what it was, just to sort of reacquaint myself with where I had spent some very interesting times. Someday I'll get into some stories about that.

MH: Sometimes, I understand, congressional trips to foreign countries included intelligence briefings. Did you get one when you returned in '89?

GM: I can't remember. I'm sure we did, but really, Mike, not just sometimes, I think pretty much every trip included briefings, but I can't remember the -

MH: That must have been very interesting for you, having been in Intelligence earlier and then hearing about what they did.

GM: Yes, but it was a very different world. I mean, first, the span of years was very substantial, it was almost forty years and of course the circumstances were dramatically different. But it always was interesting. I must say, I didn't do much foreign travel until I became majority leader, then I tried to keep it as minimum. I think I was the first Senate majority leader to lay down some written rules regarding foreign travel, which I came to believe had been abused by some members of Congress, which I got a lot of flak for from some of the senators.

MH: What kind of rules?

GM: Well, the circumstances in which you could use planes, minimum number [of senators]. There had been a lot of publicity about the fact that a House member had organized a trip to go somewhere, I think to Latin America, and ended up, a couple of the other guys cancelled so one guy went on his own, had a military plane, one guy flying, and there was a lot of publicity about it. Just to establish a procedure—before that, people sort of could do it when they wanted—and get a committee chairman to ask and to try to rationalize it and put it on a level that would permit the continued travel, which I believe was important and educational for senators; but to do it in a way that would not lend itself to abuse or misuse, so that all trips were in fact for a genuine purpose and done in a way that made economic and political sense. If you have one person traveling, you can't justify a government plane, you can fly commercial at much lower cost. But that's a separate story.

MH: Do Senate trips have to be bipartisan?

GM: No, I don't think -

MH: They can have all Republicans or -

GM: Oh sure, yeah, I think you can go (*unintelligible*), although most of them tend to be bipartisan, or at least a lot of them. I can't say for sure, but I think that every trip I ever went on was bipartisan.

MH: When you were overseas, how did you find America's representatives, ambassadors or whatever, was it a fairly capable group or were there some, any thoughts on that?

GM: I think by and large they were very impressive men and women who knew what they were doing and served the country well. I think over the years, beginning before I was in the Senate and continuing since, there has been an increasing politicization of the Foreign Service, so I think you have, I think the [Bush] administration probably has more political appointees than previous administrations, and I think less attention to quality and ability and more to political contributions than otherwise. But you know, it doesn't mean the person can't be able and be a political appointee. The fact is, things being what they are in life, you could have a career Foreign Service officer who wasn't that able and a political contributor who is a very able person. The averages operate the other way, but you can't preclude one or the other, so I tend to stay away from generalizations and focus on individuals. But speaking in generalizations, I think for the most part the people that I encountered—and I still do, I still meet with ambassadors and others as I travel around the world—they're, I think, largely an able and effective group of representatives.

MH: Now, ambassadors are confirmed by the Senate or by the Foreign Relations Committee?

GM: By the Senate, I think.

MH: By the Senate. Tell me, I do want to ask you about the many confirmations that you had to organize.

GM: Well, so many, I can't remember them (*unintelligible*).

MH: Are there any that stick out? I mean that's a, we often read in the papers about the Senate's role in confirming people, like Supreme Court judges and, are there any ones that are particularly memorable for you?

GM: Well, of course Clarence Thomas is memorable for everyone. One of the problems with the confirmation process is that it's used as a tool in negotiations by many senators, who using the so-called Senate hold, the right of an individual senator to delay a nomination for a period of time without having to state either the senator's name or involvement, or any reasons for it, and holding up nominations is a favorite way to create bargaining chips for other matters that you're dealing with the administration on. And that came to be, and I assume still is, a widely used practice which is not a very good practice. You would hold up a nomination, someone's nomination, because you didn't like a decision by the secretary of agriculture on some issue relating to a group of farmers in your state, and you use it as a bargaining chip.

I'll tell you a funny story about this whole bargaining business. Many years later, when I'd left the Senate and I was working in Northern Ireland, I got to know all of the British prime ministers quite well, and I worked with and liked really all the ones I dealt with. And John Major was the prime minister, and we became good friends, I really did think highly of him. He's not held in wide esteem at the moment in the U.K., but I thought he was a good guy, working in very difficult circumstances.

One morning I had a meeting with him, and like all politicians, he liked to talk politics and so did I, and he was upset and I asked him why. He said, well, he said, just this morning a—(Major was the leader of the Conservative Party and therefore the prime minister of England)—a member of his party in the British Parliament had said publicly that he was not going to vote with the party. They have a phrase for it, 'not comply with the whip' or something like that, but essentially he meant he was not going to permit his vote to be cast consistently for the party, in protest because a government health clinic in his district was being closed, he wanted the decision reversed, and the leverage that he tried to use was his vote in Parliament on whatever issues came up. Major was very upset about this, what he thought was unfair and an abuse of the process, and he asked me what I thought about it. I said, "Well when I was Senate majority leader I had that happen fifteen times a day, every day." So the notion that a senator or a representative is going to use as a bargaining chip his or her vote, that happens dozens, perhaps hundreds of times every day that the Congress is in session, and there's nothing unusual about it. But in their system, they have a high level of party discipline, and it was regarded as extraordinary and really the wrong thing to do, to try to mix up one issue with the other, to say if you don't do this for me, I'm not going to vote for you on that (*unintelligible*). I thought to myself, you'd have a tough time if you were Senate majority leader with that attitude.

You sort of get used to it, and the hold on nominations, the confirmation process, is one of the ways in which that is done. It makes life very difficult for the majority leader because you've got to go and wrangle with every guy that's got an issue, and then of course the guy putting the hold on wants to solicit you to go to argue with the administration, in the example I gave, the Department of Agriculture, to get them to do what he wants so that he'll release the hold. So you end up in hundreds and hundreds of side issues—in reality non-issues—trying to keep the wheels turning and the process moving forward. And the confirmation process is a big contributor to that.

But I do remember some of them. The nomination of John Tower to be secretary of defense was very difficult, very emotional, and for me it was particularly a problem because I had just become Senate majority leader. President Bush the First took office in January of 1989, he was new, I was new, we were both trying, I think in good faith, to work together and develop an accommodation. I recall in his inaugural address he said he extended his hand in friendship and cooperation to the Democratic leadership in the Congress. We reciprocated in kind, and then right off, almost right off the bat we had this huge fight over this, over the nomination of Senator Tower. So that was very, very difficult for me. I had a lot of pressure on all sides, 'do this,' 'don't do this;' 'do that,' 'don't do that.' It ended up, the nomination was not confirmed, and he then nominated Dick Cheney to be his secretary of defense.

Again, as another small aside [p/o] later, probably a year later, when we were at the White House with the congressional leadership for a briefing on the Iraq War, Dick Cheney gave the briefing, and it was an impressive, masterly presentation. Dick Cheney's a very smart guy, and he had the facts and the issues well organized and presented. I scribbled a little note and I gave it to President Bush. I said, "You don't have to answer this, but you should thank us for turning down John Tower and letting you get this guy." He took that note and he folded it up and put it in his pocket and he didn't respond. But I have to say, I don't agree with a lot of things Dick Cheney has done as vice president, but he was, he is a very smart man and did a good job in that, in the context of the first Iraq War, and particularly in the presentations that he made.

But that's a digression from the fact that we had a very difficult and emotional and messy struggle over the nomination of John Tower. Senator Nunn, who was very widely respected in the Senate among Democrats and Republicans alike, was obviously the decisive figure in that. He, Sam Nunn, who I think very highly of as an individual and as a public servant, and as a senator, was one of the few senators who commanded the attention and whose actions swayed other senators. When he said he was against Tower, that was the decisive moment in the Tower nomination [for] a lot of senators in both parties, but in that instance particularly. Democrats had such a high respect for Sam that they felt that he, who had worked with and knew and was friendly with Tower, was going to vote against him, that they would do so also. And Sam also had a similar influence on the resolution authorizing the use of military force in the first Gulf War, when there were competing resolutions. Both would have authorized force, but under different circumstances and conditions. He was a very good senator, he's a man of high intelligence and high integrity, and he had a lot of influence among other senators. That was probably the [p/o] most important and probably decisive factor in the Tower nomination, but

what it meant was, there would be a fight. And it was very difficult.

MH: You mention the right of senators to put holds on legislation. We often hear about the senators filibustering and I, was that a problem while you were a senator? I mean was it a, were there many filibusters that you can recall, and was it something that you had to—I assume after you became majority leader it became a real problem. Can you -?

GM: Well it was, that's my clearest recollection of when I was majority leader because of course then I had to deal with it. When you're an individual senator and a filibuster occurs, well you just go do other things usually, unless you're involved in the issue. But when you're majority leader, you've got to deal with the problem. It was an enormous issue.

I once had some research done, so I have some recollection. I'm not a hundred percent certain of the figures that I'm about to cite, but I think they're largely correct. In the one hundred years, from 1800 to 1900, there were about sixteen filibusters in the Senate. That's one filibuster about every six-and-a-half years. In the last two years of my tenure as Senate majority leader, 1993 and 1994, I filed motions to evoke cloture, which is the mechanism for ending filibusters, more than seventy times. That doesn't mean there were seventy separate filibusters, because on some of them you file multiple motions, but I think there were something like forty or fifty different filibuster efforts.

Now what happened was we, perhaps unwisely in retrospect, reached a method of operation in which a senator didn't have to actually filibuster but could merely threaten one, and therefore stop the process. Rather than inconvenience all of the senators and go through the formality and the tremendous difficulty and inconvenience of an actual filibuster, we would allow this process to occur. The Republicans had a very clear strategy in 1994, which worked, and that was to prevent anything from happening in the Senate and then to claim that the Democrats couldn't get anything done. It sounds cynical, and I guess it is, although both sides have done it at various times, but the most difficult part to accept is that it clearly worked.

And so if you go back and look, I can recall with absolute clarity that right in the last few months, they were even threatening filibusters of individual nominations to promote military personnel [p/o].

MH: So you're suggesting that the tool became trivialized as well.

GM: Well, it became trivialized, but it was overused and it became very difficult. That's what's made all of this subsequent issue about judicial nominees so cynical, [p/o] because they really used it very aggressively to try to stop any kind of progress from occurring, including, as I said, in the closing weeks. I remember that some guy was going to be elevated from two-star general to three-star general, and those have to go through the Senate, as you know, and usually they're done in a routine manner and in accommodation to everybody concerned. There was going to be a filibuster of that, a filibuster of this, a filibuster of the other, and it was an extremely difficult two-year period. But the intent was clear, the political purpose was clear, and

I'm sorry to say it worked. They were successful, and had a very good result which, given human nature, led subsequent Democratic congresses—I was then gone—to try to use the same weapon in response. I think the Republicans would say they didn't invent it, and probably they didn't; people have used it back and forth, but the number has increased dramatically.

Tom [Thomas E.] Mann, who's at the Brookings Institution, later did a little book on it which I read some years ago, it's sort of almost a pamphlet type book, soft cover, pointing out that the way in which it's been used has changed over time. What has changed really is attitude. The Senate has always had in its rules and its procedures mechanisms, which if exploited to the hilt, could be used for delay and obstruction. But there was a sense of institutional loyalty, of comity, of accommodation, in which senators refrained from using to the hilt every mechanism for obstruction that was possible. That gradually eroded. It began before I got there, in the Civil Rights legislative struggles of the '60s, and it continued gradually in an expanding way.

As you know, Mike, having served in the Senate, you need, there's a process that you have to follow to do everything, including bringing up a bill. When I was there, the Republicans began threatening filibusters to bringing up a bill, to acting on a bill and then in one extreme case, the naming of a conference committee. After a bill passes the Senate in one version and if it passes the House in any version that's not identical, then a conference must be held between the two and each body names a small group to represent it in the conference. The naming of the conferees in the Senate is an act that is subject to filibuster. Well, never before had a filibuster been used on it, just as an accommodation, and now we faced filibuster threats over naming conferees on a bill. So there are a lot of ways to delay and obstruct action in the Senate, and gradually over time the institutional loyalty has declined, the comity has dissipated, and the exploitation of the rules, to the hilt, has increased.

MH: Did you become your own parliamentarian? I remember that you had a tennis partner, Murray Zweben, was once the parliamentarian. Did you have to depend for these issues on, I mean on these procedural matters, did you depend greatly on the Senate's parliamentarian, or did you become your own expert on these issues?

GM: A combination of both, but more of depending. Murray Zweben was not the parliamentarian by the time I got there. That's another area of politicization which I thought was very unfortunate. I don't know or recall the full history of it, but for a very long time both parties had apparently attempted to de-politicize the position of the parliamentarian, so the person could make independent and impartial judgments. But, at least it was claimed by many Democrats, the Republicans had politicized it by, because they didn't like the decisions made by some. I guess they thought Murray had been too partisan, so they installed their own guy and disputes arose.

I remember telling the parliamentarian when I was there, a fellow named Alan Frumin that, look, I just want you to do it right, you know, do it the way it should be done, don't, I don't want you to make political decisions. But nonetheless, whenever he made a decision and someone didn't like it, they'd accuse him of being political. And so it's gone back and forth in a way that's I

think kind of unfortunate, and probably is a factor contributing to the more partisan atmosphere now than existed when I was there, although it was tough enough.

I will say this, that when I became Senate majority leader, one of the first persons I went to see was Senator Dole. I had observed and worked with Senator Dole for some time. He was chairman of the Senate Finance Committee, I'd served on that committee and I'd gotten to know him, although, I mean he was a very senior, well-known member of the Senate and I was a very junior, not well-known member of the Senate, so it was not at all an equal relationship. But when I got to be Senate majority leader, I think it was the first day, I went to see him. I said to him that, I said, these jobs, majority leader, minority leader, were very difficult under the best of circumstances, that I had observed and was aware that there were times when relations between he and my predecessor had not been the best, and that I wanted to try to, if I could, to get his cooperation in working together when we could.

What I suggested to him was that we operate under a very simple but straightforward set of principles. I said to him, "I will never surprise you, I will always tell you in advance what I'm going to do, I'll never try to embarrass you; I'll try very hard not to make it personal in any way; I will expect the same treatment in return; and I will also never try to say or do anything that's insulting or demeaning in any way to you." I must say, he was obviously pleased that I had come to see him and made this series of suggestions about how we should operate. He agreed completely with what I had suggested, assured me that he wanted much the same thing.

I had, to help break the ice and establish good relations, had granted a request that he'd made for some additional office space in the Capitol. One of the unknown, or not well-known responsibilities of the Senate majority leader is control of the entire Senate side of the Capitol in terms of who gets what office and who gets this. There are procedures and rules and committees and all of that to do it, but the majority leader has, can if he wants, have a major say in it. And Senator Dole had wanted some space near his office, and I told him I had no problem getting that, and he was grateful for that.

We agreed, and that's how we operated; and to this moment, Bob Dole and I have never had a harsh word pass between us, in public or in private; never had a harsh word. We had all kinds of disagreements, I don't know how many thousands of times we negotiated continuing agreements under which the Senate operated -

MH: Did he have a particular negotiating style?

GM: Well, I always got along well with him. But he would have problems with some members of his, the Republican, what they call the caucus, the Republican caucus, Republican senators, and I would have problems with some of mine. He got some flak from some of them who thought he was not tough enough in dealing with me, and I got the same kind of criticism, I was not tough enough in dealing with him. But by and large I think he was pretty well respected in his caucus and was able to get things done.

There were times in which we'd make agreements and one or another senator either legitimately didn't know about it or claimed not to know about it and didn't keep the agreement, and you'd go back and work at it again. But, as you know, it's a very difficult process. You have to do everything by the consent of all the senators, so for sixteen hours a day you're negotiating: 'Can I bring this bill up now?' 'Can we do this now?' And the leaders negotiate and then you reach an agreement, you send it out, any senator can object to it.

Just as a matter of humor, you have to deal with these in a practical way, and sometimes you have to make up rules on the spot. One time, after a very long negotiation, I don't know how many hours, we reached agreement late at night, it must have been, I don't know, one o'clock in the morning or something, on how to proceed on a complex set of bills and amendments and so forth. I went out on the Senate floor to read the agreement and to get unanimous consent, and we had already sent it out—what's called the hotline, when you get the agreement, every office is notified, employees of the Democratic majority would contact every office and tell them, we got this agreement and we want to get everybody's okay, if you've got an objection you got to call within a certain time, and the Republicans would do the same on their side and that's how you—the phrase used, 'clear the agreement.'

So we thought we had clearance, and I went out on the Senate floor and I started reading the agreement. One of the young assistants came running out of the Democratic Cloakroom and said, "Well, you got to stop, we've got an objection." So I stopped the proceedings and [p/o] I said, "What's the problem?" He said, "One senator just called in with an objection." I said, "Well where is he?" He said, "He's home in bed." I said, well, I said, "I now make up a new rule that any objection made by a person who's not standing will not be considered. Go back and tell him, if he wants to object to this, get out of bed and come over here."

MH: That's in the Senate precedence now?

GM: No, [p/o] that was in a private conversation. So I went ahead with the agreement, and oh gosh, the next day the senator came to see me, he was mad.

MH: Was it a Democratic senator?

GM: A Democratic, oh yeah, yeah, he was mad as the dickens and so forth. I said "Listen, you're lying in bed and you call in with an objection?" I said, "We spent twelve hours negotiating this thing," I said, "any time you want you can come in." And of course senators do come in, when they have an issue they're interested in they come in and they participate in the discussions and they make their views known. I said, "But heck, this is tough enough, that's just not possible," and I said, "you come in any time you want and you participate, and if you want to object"—his objection was minor, it was one of these deals that he had something he wanted and he didn't want this to go through until he got something else. We were friends, I mean, but boy, he was really sore at me when he came in the next day.

But that's the process. It's very difficult, it's complicated and it requires almost infinite patience

in dealing with all of the senators. It's sort of like pick-up sticks, we had fifty-five senators, they had forty-five, and you negotiate and negotiate and negotiate, and then one guys objects, you got to go back to the beginning of the line and get everybody's approval of the changes, and it can be difficult.

But the point I—this is a very long digression—was that Bob and I, Bob Dole and I worked together very well. We got along, we had a lot of disagreements, and I tried hard to accommodate his concerns where I could and to not embarrass him and to, when the opportunity permitted, have face-saving gestures.

I remember one such issue, when we passed the Brady Bill. That was late in the year, I think it was in November, I don't remember exactly -

MH: That was after President Reagan had been shot, I mean several years after.

GM: But, yeah, it was after, oh yeah, after he'd been shot, but it was late one year and the Republicans largely were against it, Democrats were largely for it, although there were exceptions on both sides. And when we finally were on the verge of final passage, Dole didn't want to permit a vote to occur because he was under a lot of pressure with his caucus. And he came in to see me, he said, "Well, what I'd like to do is to have the option of calling for another vote when we return in January." And I said, "Well I don't know if we can do that, I have to call in all the guys who support it." And so I called in the Democratic senators who were principals in it and some of them were adamantly opposed to permitting the issue to be reopened in another vote in January. And one of my aides who—we have a lot of, each side has a group of people who work on the Senate floor usually, the ones that worked for me were just terrific.

MH: Abby and Charles.

GM: Charles Kinney, Abby [Saffold], and Marty Paone; [p/o] they were just terrific. I think it may have been Marty who said to me, he said, "Senator, he's never going to ask for another vote, this gives him an out on this thing." And I thought, 'he's right.' [So] over the objection of the Democratic senators who supported the bill, I reached an agreement and I said to them, "Listen, we've got to get this done, I don't want to embarrass him, and I don't think there's going to be a vote." There wasn't, the issue was never raised again, and it's a way of making an accommodation that enables him, the other side, to save face, and [I knew] we would be in the same position at some point in the future.

I should make it very clear here, it's obviously, it's at least implicit, no side wins them all. I was in the position of being on the losing side on many occasions [p/o]. And we worked out a good accommodation. We often, when the Senate was in session late, we'd go in and have dinner, usually as part of a group in the private senators' dining room, a small group would go in and have dinner and talk about issues and where we were, and swap political stories. Dole would come to my office; I went to his office often. I wanted to make it clear that, you know, I wasn't, this was not a situation where I was going to summon him to my office, that it was a back and

forth, a mutual exchange. So we developed a good relationship, and we've maintained it to this day. I think that's possible. It's not easy, but it's possible. And part of the operation of the Senate is dependent upon the ability of the leaders to work together to try to get the job done.

MH: You mentioned your role as kind of the Senate landlord. When you first entered the building as an aide to Muskie, it was wide open. No security. By the time you left the Senate, there was considerable security, and in the intervening years there have been a couple of bombings and at least one shooting. How did you deal with all that?

GM: Well, it increased over time. I had an experience with that not too long after I entered the Senate. I can't remember the year; it would have been in the early '80s. On each side of the Senate chamber there is a room which is called the Cloakroom where senators gather, the Republicans have it on one side, the Democrats have it on the other. During debate, between discussions, there are telephones in there, chairs, reading material, and the Senate floor staff works out of there. The cloakrooms, the back wall of the cloakrooms faced out on the main corridor out in the public area, outside of the Senate, and there were glass windows you couldn't see through, but there was glass there. And across the hallway from the cloakrooms there were a couple of benches in recesses.

And one day, probably in the mid afternoon, I was interviewed sitting on one of those benches by John Day, a reporter for the *Bangor Daily News*.

MH: I was with you that day.

GM: You were? Yeah. And that night, after the Senate had left session and the building was presumably closed, a bomb which had been placed under that bench exploded, and it blew out several windows in the Republican Cloakroom. And as a result of that, the windows were replaced with a wall, there's some kind of reinforced wall there.

MH: The Senate had expected to be in, they had announced that the Senate would be in late that night, and then unexpectedly they adjourned at seven-thirty.

GM: Do you remember when it was, it would have been -

MH: It was late; it was just before I left so it was in the, probably in August of '84. Maybe not August, but it would have been, it was right toward the, at least halfway through the year.

GM: I remember very clearly sitting on that bench with John Day, and that night the bomb went off. So it was a dramatic -

MH: It was a Victorian bench.

GM: For me, yeah, very dramatic reminder.

MH: Two or three years later there were some people prosecuted for that bombing.

GM: There were?

MH: Yeah, they actually didn't determine who it was and so, it was a group and they were all women.

GM: Is that right? I didn't, I was unaware of that, I didn't follow it. But it's, the Senate, the Capitol is not separate and apart from our society, it's part of it, and it's subject to the same influences that affect the rest of society. If you flew before 9/11 and you've flown since 9/11, you're aware of dramatic changes there. [p/o] They're necessary. I do recall discussion and debate about security measures in the Senate, you know, how do we strike the right balance between maintaining the Capitol as an open facility with access for all citizens in a Democratic society, and take reasonable precautions to protect the people who work there. It's obviously not an easy balance to strike, and you have to constantly review it in the light of developments. As you know, there have been many incidents in the Capitol over the years of shootings, bombings, and incidents of various types, so you need some level of security. But you've still got to try to make it possible for the public to have access and be able to see and observe the Congress in session.

End of Interview