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George J. Mitchell Oral History Project

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Bob Kerrey
(Interviewer: *Brien Williams*)

GMOH# 110
June 11, 2009

Brien Williams: This is an oral history interview with former Senator and current President of the New School University in New York City, Bob Kerrey, for the George J. Mitchell Oral History Project at Bowdoin College. We are in the president's office at the New School in New York City, and today is Thursday, June 11, 2009, and I am Brien Williams. I thought where we would start is with your coming into the Senate in 1989, and was there anything in common about you as a class of '88 who came in, the group of you?

Bob Kerrey: Well, there were only four of us, it was a small class. It was Chuck Robb, myself, Dick Bryan, and Joe Lieberman; we all came in in the same group. And actually I first met George Mitchell, Senator Mitchell in 19-, I think it was '86, when I came back to Washington, maybe it was '85, whenever it was that he was chairman of the Democratic Senatorial Campaign Committee, because he tried to persuade me to run for Senate. And then I met him - The first thing that happens after you're elected, you come back before actually you're sworn in, and you caucus and you select your leadership. So I supported Senator Mitchell for majority leader, that's how I really first got to know him was when he was making an appeal for me to vote for him rather than Bennett Johnston or Danny Inouye. Both of them I liked a lot as well.

BW: So am I to believe that George Mitchell's putting the pressure on you was, caused you to have a Senate career, or?

BK: No, but, no, actually I told him 'no' when he asked me to run for Senate, I was finishing up my first term as governor and I did not run for a second term, I was anxious to go back to a private life. And so no, he didn't persuade me to run for Senate, I persuaded, in part, mostly persuaded myself a couple years later.

BW: But he was putting the seat in your mind, although I guess it was already there.

BK: Well, he wasn't really. No, actually the seed that was put in my mind came a bit later, about the Senate. I didn't really have any intent. [*Cough*] Hope that doesn't mess up your recording.

BW: Oh that's all right. Just -

BK: I didn't have any intent -

BW: Just my ear.

BK: Just your ear.

BW: No, I'm joking.

BK: But Senator Mitchell had a big impact on my Senate career because of the two committees that I was most anxious to be on – Appropriations and Intelligence – he assigned me to both.

BW: Really, really. Right from the start?

BK: Right from the start.

BW: Now when you came in he was just beginning as majority leader, as you've just said.

BK: He was elected as majority leader by the Democratic Caucus in, I think it was November of 1988.

BW: And took over the office in '89, in the session.

BK: That's correct.

BW: Did you see him grow in that role a lot, or did he come in just full speed ahead as majority leader, do you have any sense of that?

BK: Well I didn't have the opportunity to serve with him prior to him being majority leader, so I can't position him against what he used to be like. But right from the beginning I saw tremendous, I wouldn't actually say oratorical skills so much as his logical skills in presenting his argument. He was a real leader from day one, both on the floor of the Senate as well as inside the caucus.

BW: How would you characterize his style as leader, what would be the words you'd use to describe his leadership style?

BK: Well, George was an unusual combination of gentleness, very considerate, very respectful, and at the same time when he's engaged in an effort, such as we'll say the Clean Air Act of 1990, he's quite determined, knows what he wants and has got a pretty good idea of what he needs to do in order to get there.

BW: What would you say were his strong points as majority leader, what would be the things that, like was he a great strategist, or very convivial, or -?

BK: Well I think his strength is, he's a leader, he's a natural leader, and he uses his natural skills very, very well. He manages in the caucus to make you feel like you're still an independent member of the caucus, but produced, on most occasions, very large votes from the majority for a variety of initiatives; Clean Air is actually quite a good example because you have a range of interests in the Democratic Caucus, and east to west, that make it difficult to put together a piece of legislation that everybody can support. He did the same thing working with the first President Bush on the budget, the 1990 budget which set in the motion balancing the budget seven years later. So there he had to work with a president of the other party, and pull the Democratic Caucus, at least in the Senate, and influence the House as well and getting us set on the road to balancing the budget.

BW: Were you part of the retreat to Andrews Air Force Base for that?

BK: No, no, I was too young for that voyage.

BW: You heard about it, I guess, from your -

BK: Well, I was asked to vote on it, so yes, and it kind of answers your other question, I wasn't invited to the meeting – I wasn't selected because I wasn't on the Budget Committee, to go – but George did a very good job of communicating to everybody what was going on, was very clear in explaining what's in the bill, and, I think, increased the chances therefore that Democrats signed on with President Bush. President Bush got a lot of criticism for supporting a tax increase but deserved a tremendous amount of praise actually, bringing Democrats, just to use the political spectrum more towards the center in some cases, center-right, with PAYGO and other procedures that you would normally think of as coming from conservative Republicans. So George did a very good job of keeping not just the caucus together, but the Senate together at that moment. He's a natural leader, and he uses the natural skills that he has exceptionally well.

BW: How important is the majority leader, or 'the leader' of either party?

BK: Well, it's very important, because the only thing that separates the Senate from having no order at all are, first of all, the Rules of the Senate, but secondly, the leader. And, "I wasn't elected as a Democrat," Senator Mitchell is very fond of saying, "I'm a United States senator first, I'm a Maine senator second, and I'm a Democratic senator third." Well that describes all of the other ninety-nine people in the Senate better than they're apt to be able to describe themselves. So you're thinking is, you orient to your state and your country before you orient to the caucus, so trying to pull that caucus together in some ways that preserves the independence of an individual is a real difficult task, and that George did it is a mark of a real leader.

BW: We've seen in recent years with the Republican Party pretty much everyone walking in lock-step with the leadership. The Democratic Party doesn't operate that way, correct?

BK: Well – who was it? – Will Rogers, who said, "I'm not a member of any organized party, I'm a Democrat," so yes, it's kind of in the gene code of individuals who orient to the

Democratic Party, it can be baffling and it can be maddening for people to watch us go in many, many different directions, but that's who we are.

BW: Coming in with the experience as a governor, what did you have to learn, or what were the striking differences about being a senator?

BK: Well, many differences. I wasn't just a governor, I was a non-lawyer, so I had to learn a lot about laws and how to write laws, and the relationship between the law and the Constitution. In my case, I spent a fair amount [of time] over at the Supreme Court listening to oral arguments as a means of getting that job done. But the actions and work and effort required to be successful in the legislative branch of a government are considerably different than what's necessarily to be successful in the executive branch. There are certain things, certain commonalities, but there's a lot of differences.

BW: What are some of the important lessons that you learned that you needed to learn to be a successful senator?

BK: Well, you have to learn the language of the law – the laws are different, and you had to learn the rules. There are certain rules of governing as a governor, but it's not like a legislative body where all of a sudden something comparable to Robert's Rules of Order are necessary. You had to learn what a markup was, and you had to learn what a conference committee was, and you had to learn the schedule and you had to learn the rules of debate and so forth, and it's a different set of work than you've got on the executive branch.

BW: When did you end up feeling comfortable as a senator? Right away, or did it take a long, take a little while?

BK: No, I'd spent time in Washington as governor, but that was a big city for me, so - I don't want to make it sound like I was a complete rube, but it was a lot bigger place than I'd ever been in before, and walking into the United States Congress is like walking into a church. So I had this reverence for the place as a consequence of the history, and its importance under the Constitution, and then just a lot of things that I had to learn in order to - So I don't know when it was that I got completely comfortable. I had confidence, but in terms of saying, "Okay, I'm ready to do the job," I don't know, I think I got better every day that I was there, so I was more comfortable the second day than I was the first, and more, you know, I just kept, even though I, you'd have setbacks, you'd have moments where you'd think, "Gee, how could I have been that stupid to have done that?"

BW: Did you attach yourself to some colleagues, sort of as, let them be your mentor, or did someone, say, reach out a hand?

BK: Well, George is a real role model, he would be one, just to continue that, but the answer is yes, personal relationships matter in the Congress, a lot more than people realize. In some ways more than ideology. So I'd hang out with guys that were in wars, World War II, I got close

to Warren Rudman, who was in the Korean War, got close to Mark Hatfield who was in the Second World War. So there's a tendency to orient to individuals who have similar sets of experiences. Pat Moynihan probably became my best friend in all of the Senate. It wasn't because I have an intellectual capacity that rivals his, it's because he was in the navy, and loved the navy, he considered it to be one of the most important experiences of his life. So I think that's where he and I, in first instance, bonded.

George, when I think of Senator Mitchell I think of listening to the way he would present his case. He'd take his time, and you had to be very, very prepared when you were debating with Senator Mitchell, because he would listen closely to what you were saying, leaning in, and it wasn't like you felt like you were going to become his prey in a physical way, but intellectually he certainly could if you – he would say, "Now yesterday you said something entirely different, Senator Kerrey." I mean, can I explain? And you'd, "Oh my gosh, the lair has been set and the hook is sunk," or whatever. So you could learn a lot, and do far worse, listening to Senator Mitchell under all occasions. At a press conference, I was in his presence when he was making the presentation to the press, and he would be slow and deliberate and fully prepared for whatever it was that he was going to say.

BW: I wondered about his TV presence. That has become such an important part, I guess, of being a leader. And his studiousness and being called 'the Judge' and so forth, would not necessarily play into being a good TV personality, but I guess from your perspective, he was very effective in that role.

BK: He was very effective in that role, although if you're great on television and you do a lousy job of managing the caucus, managing the caucus is the first order of business for a majority leader. If you can't manage the caucus, you're not going to be majority leader for very long, because inside of that caucus on a weekly basis, if disorder prevails, when the Senate organizes itself, which it does every two years, you're not going to get the votes to retain the authority of the majority leader. So you have to be able to manage that caucus in the first instance.

It helps if you can carry the debate on the floor, and George certainly could. And that becomes, I would say, the second most important thing, being able to lead the floor debate, whatever the Democratic position happened to be versus the Republican position. Though there are times when the lines would be blurred, most often it was a Republican leader on the right and a Democratic leader on the left, and George sat on the left and Bob Dole in my era was on the right – and Bob Dole's no slouch himself, he can hit the ball pretty far himself when it comes to a debate.

And then thirdly, but less important, is the way you present yourself to the nation. You could present yourself very poorly to the nation, and be very good in the first two and the caucus will pick you every single time, because we need a leader, and we need somebody who can lead us both in the caucus and on the floor.

BW: You mentioned a moment ago debating Senator Mitchell. What were some of the issues that brought you two into a debating stance?

BK: Well, let me think. Fortunately I was on his side most of the time, so we were debating together. Well, I don't know, we may have to come back to that. I can't honestly say that he and I were ever in a ferocious, contentious debate on the floor. But I certainly watched others. Most particularly I would watch he and Bob Dole, because they were called upon quite frequently to debate each other, the Republican and the Democratic leader.

BW: How would you describe Dole's persona as compared to George Mitchell?

BK: Well Bob Dole had this stature. George acquired it, but Dole had it from the Second World War, and you knew enough about his story to say, "This guy's covered a lot of distance." So you looked at somebody with his story and said, "This is a member of the greatest generation, this is a guy who was injured and almost died in Italy, and he requires stature." And he was more experienced; he had been in the House, he had been in the Senate, ran for vice president, he was chairman of the Republican Party. And Dole was more of a passionate debater, he'd bring passion, both humor and sometimes real ferocity to a debate.

But Bob Dole and George Mitchell were alike in one key way, which was, they came back to George's definition, "I'm a United States senator first," and so they would find common ground. And prior to Senator Mitchell becoming the majority leader, Bob Dole was a part of the effort to reform Social Security in 1983, I mean they were doing, I hate to sound like an old fart, but they used to do things, Dole and Mitchell, that are very difficult today for the Democrat and the Republican leader to do, as a consequence of the way things have become more polarized.

BW: Did the war commonality, the war experience that you talked about for bonding people, did it also have an effect on you guys as legislators? Did you look at things maybe a little bit differently if you'd had military experience, and particularly combat?

BK: I think so. Yes, I would say yes, particularly those of us who were injured. I mean Bob Dole was one of the leaders of the effort to change the law to provide civil rights protection for the disabled, in the Americans Disability Act, and pressure that. He was, that was a major intervention in the market place, at odds with his political ideology, his economic ideology. But I think his own experience caused him to reach the conclusion that it was necessary. And you could hear in the tone of the voices of Bob Dole and Mark Hatfield and Warren Rudman, Danny Inouye, these guys that had experienced the ferocity of war. They didn't get up and talk about it in patriotic terms alone, they were well aware of the horror of it.

So yes, I would say that there was a different seriousness, a different approach that came. But it's like anybody that's had a set of experiences of some kind, if there's a debate relevant to war, relevant to taking care of veterans, we might bring something that other people wouldn't. But Chuck Grassley's a hog farmer, so if a debate was about agricultural policy, he and Dick Lugar tended to get more credibility because they'd had that experience of farming.

BW: Just a couple of other questions about George Mitchell as leader. Did he ever take steps to, quote/unquote, 'rein you in' on a particular issue or anything, was there that kind of -?

BK: I think you'd have to ask him. I never felt reined in by Senator Mitchell. My guess is the answer is yes, certainly he had, I tended to be more of an independent Democrat, he'd probably tell you plenty of stories where he thought, "God, who's going to talk to Kerrey to get him to go with us?" on the '93 budget and other sorts of things. I was largely a team player when it came to Democratic ideas in which I believed, so I would guess that – and in fact it's quite revealing that, about his brand of leadership, that I can't recall an instance where he'd rein me in, even though my guess is he did.

BW: Now, somewhere I read that your, you feel that your achievements, particularly in the Senate, were in the areas of agriculture, education, health, intelligence, and the military.

BK: Hmm-hmm.

BW: How crucial was Mitchell to furthering your ambitions in those areas?

BK: It was crucial. I came to Senator Mitchell and asked to be on the Appropriations Committee in my first term, in my first year, and he agreed. Now, Bob Byrd, the chairman of the committee, also agreed, so I'm not sure if he'd opposed it if Senator Mitchell could have gotten it done, but it was enormously important. Because I like, among the things what I like to do is build things, and work with local communities on the Appropriations Committee, you can do that. So I couldn't have accomplished anywhere near what I was able to accomplish had he not done that.

And as a result of my experience in the military, I had an interest in intelligence, and he gave me the position that would have made me chairman, had we not lost the majority in the November 1994 election. But as it was, I was vice chairman and was able to do a lot of the things that I cared deeply about as a consequence of that. I wasn't on the Finance Committee when Senator Mitchell was in the Senate, but I had a deep interest both in welfare, but particularly health care, so as a result again of my own experience in business, but probably more importantly my own experience as a patient. He didn't join with me when I introduced my bill in 1991, but he was very respectful and I would say sufficiently supportive that I certainly felt like I was getting a helping hand from him.

BW: And which bill was that?

BK: It was a bill called Health U.S.A., and in the end only Senator Moynihan and I co-sponsored it, and largely because I ran for president, and if I had not run for president I think I might have been able to move that thing a bit further. It was a kind of a modified single-payer system that established eligibility based upon proving that you are an American citizen or legal resident and nothing else. So I think it contributed to health being a big part of the presidential

campaign in 1992. And of course George had a big interest in it, such an interest in it that he turned down an opportunity to be on the Supreme Court to stay in '94 to try to help Bill Clinton get it passed.

BW: Were you, did I understand this right, you were on Appropriations and then moved to Finance, is that correct?

BK: That's correct, after Senator Mitchell left I became a member of the Finance Committee when Tom Daschle was the majority leader.

BW: And that was a move that you requested, you wanted that?

BK: Yes, it was.

BW: For the reasons you -

BK: For the reason, right, because of an interest both in, well in all, in the four big areas, welfare, tax, health, and trade.

BW: Right, right. And then I suppose Agriculture was pretty important for you politically, coming from Nebraska.

BK: It was, and I acquired an understanding of agriculture. I mean I was, my mother was raised on a farm, but I grew up in Lincoln, Nebraska. Indeed my, the incumbent governor against whom I ran in 1982 said, pretty close to factually, that I couldn't tell an ear of corn from a ukulele, so - I learned a lot about agriculture as a result of being governor, and the connection between agriculture and jobs and the environment and so forth, so yes, it was important for me politically, but I had a real interest in what the committee was doing, and its jurisdictions.

BW: Did you have problems, as fiscally conservative as you were, with some of the farm policy, particularly subsidies and things of that sort? Or was that always easy for you?

BK: Well no, I did have a problem with it. For fiscal, sometimes ideological reasons, I always felt that there was a better way than spending a lot of money to try to get prices higher. So yes, I would say I had some fiscal as well as policy qualms about farm programs.

BW: But you, as a result, you didn't get a lot of opposition from state farmers?

BK: No, but the farmers themselves in Nebraska have very mixed feelings when it comes to getting a check from the government, they'd prefer to get it from the marketplace, and I think there is a way to get that done, but we were typically on the losing side of the argument. So I think for the most part, farmers would not like to get a check from the government.

BW: Hmm-hmm. You participated in a few what look like really big battles, and I guess one,

I'd like you to talk about your own position on the Gulf War, because you took a position and then later pretty much disclaimed it, I guess.

BK: Well I didn't disclaim it, what I said was that the effort that we had, which was to try to delay the initiation of the war for the purpose of having some additional negotiation, I think we could have better accomplished the objectives that we had by saying to the Republicans, "We'll support you if you'll change the resolution itself." I think that was the mistake. It's an easy mistake to see looking back upon it, but I wouldn't say that I repudiated the actual vote. And I do think that what we were trying to do was right, but we would have been better off, *I think* we would have been better off saying, "Look, we'll support this resolution if the following changes are made in it." That's where I was with it.

BW: And you were talking about the '91 –

BK: The '91 War Powers Resolution. And I still can hear a lot of that debate, and I felt very uncomfortable that we appeared to be fighting a war just to drive Iraq out of Kuwait. It wasn't about freedom, it felt more about oil, it felt more connected to something that I didn't feel like was worth what at that time was the predicted loss of life. Predictions of much greater loss of life than what we ended up experiencing, and a much longer war than what we ended up experiencing as well. And having fought in a war where public opinion turned in a hurry, my view was that if there wasn't a larger purpose than just driving Iraq out of Kuwait, I was worried that we'd get involved in another war and then not be able to sustain public support for it, if it floundered and met unexpected setbacks.

BW: But when you had second thoughts about your vote, that was based on your feeling that we should have gone in and done away with Saddam, or not?

BK: Well, it's more than doing away with Saddam; it's a longer point of discussion. I think we made a mistake then, and I think we made a mistake later on not supporting the efforts that were necessary to build democracy inside of Iraq. There's a large, both ex-pat as well as indigenous, Iraqi population that were organizing themselves, particularly after the first Gulf War, when we got a United Nations Security Council resolution demanding the elimination of weapons of mass destruction, and then Saddam refused, at one point, kicked them out in '98. So again, it's a complicated answer but yes, I think that building a democratic alternative in Iraq was possible, and I don't think we, either under President Clinton or President Bush, did the kinds of efforts necessary to do that preliminary work. It takes time, and we didn't do it.

BW: You mentioned the Clean Air Act. That was something that George Mitchell really pushed hard on, as I understand it.

BK: Yes, I recall when I talked to Senator Mitchell about what he was going to do as majority leader as top of his list, I recall at the time acid rain was a big problem in the northeast, and that was a problem that we weren't experiencing in Nebraska, clean air was hardly an issue in Nebraska at all. So what Senator Mitchell fashioned was a really genius, as it turns out,

mechanism, the trading regiment for the right to pollute. I think maybe some European nations had already done it, I don't recall, but it was a bold way to solve an environmental problem and it worked, it worked.

BW: What was his position on the '90 budget, the one that I referred to, the Omnibus?

BK: Well, the OBRA, the Omnibus – what was it? – the Omnibus Budget Reconciliation Act of 1990 was the foundation for the '93 and the '97. All we did in '93 was amended the 1990 Budget Act, and all we did in '97 was amended the '90 Budget Act, so the foundation for balancing the budget was built in 1990. And it occurred when President Bush, maybe in private but he later publicly said he's, "Had enough of voodoo economics, we've got to balance the budget," and declared his willingness to support tax increases to get it done, or to put everything on the table, I think that was the language, and in the negotiations that followed, tax increases ended up being a part of the package, as well as spending cuts and spending restraints and all the other sorts of things that eventually balanced the budget. So I don't think we'd have gotten the agreement without Senator Mitchell, and I think a special relationship that he had with President Bush.

BW: That was going to be my next question, what kind of a relationship you felt he did have with -

BK: Well I felt that he had a very good relationship. President Bush vacationed at Kennebunkport, and it seemed to me that that relationship was important. I don't know, maybe it's just putting on rose-colored glasses to examine it, but I don't think he could have gotten it done unless he had a good relationship with President Bush, and it had to be done in a fashion that the president would support, because if he vetoed it, we didn't have the votes to override it.

BW: My next question would be then, what about his relations with Bill Clinton?

BK: Well again, I think they were largely good. I recall in 1992, he organized a big event in New York and had all the senators who had run for president, and a bunch of other people as well, coming up to the Waldorf and doing a big unity event. I think he had a very good relationship with Bill Clinton. And it was at a difficult time, I mean '93 was exciting, and then health care fell apart, and we ended up losing the majority in 1994, so it was a tough time for Senator Mitchell, because he'd turned down a chance to be on the Supreme Court.

BW: What was your position on the stimulus bill that preceded the budget in '93?

BK: I voted against it.

BW: For what reasons?

BK: Well I think it was \$50 billion; it looked like it was going to stimulate a few interest groups. And the economy was recovering; I didn't think we needed a stimulus, not at that

particular time. It's not like today where if you didn't stimulate the economy in some fashion, you fear that the economy's going to spiral downward out of control. Then, but *then*, the economy was growing again. So I don't know, what needed to be stimulated? What I thought was necessary was to balance the budget.

BW: What was Mitchell's position on that, do you recall?

BK: Oh, I believe he supported it. Look, being the majority leader's a - Being a Democrat when the president's a Democrat, or being a Republican when the president's a Republican in some ways is harder, because any disagreement you've got with him is magnified beyond the significance. People still feel like, they say, "Oh, you and Bill Clinton never got along." Well that's not true, we got along just fine. We had a couple high-profile disagreements, but it never caused me to lose respect for him and willingness to work with him. But the majority leader, you don't have that option. You can't say, "I'm not for the stimulus package." You've got to be for it, and you've got to try to deliver as many Democratic votes as possible.

BW: Do you want to give me your version of the battle with the budget in '93 and your holding out and so forth?

BK: Well, I won't give you my version; I'll tell you what happened.

BW: Okay, a deal.

BK: Well, the budget passed the Senate, and I had made a statement indicating where I thought the bill was weak. And it went to conference and it came back from the House-Senate conference worse, in my view, than when it left the Senate, with fewer cuts and more taxes basically. And I thought, "Look, we're going to catch hell for voting for this thing, let's get the job done. Why do two-thirds of it? Let's get it all done." And in particular I thought that additional spending cuts were warranted, so I'd basically, with my own language, had put myself in a position where I'd have to vote 'no.'

And then I was sitting at my desk, watching C-Span, and I see, "Oh my God, there's a Democratic press conference," and it's Dick Bryan, Sam Nunn, Bennett Johnson, David Boren, Frank Lautenberg, five of the six Democrats who had yet to declare how they're going to vote, saying they're going to vote 'no.' And I knew exactly what that meant - "I'm the last man." I don't know why I wasn't invited to the press conference. Had I been invited to the press conference, it would have been all six of us there saying, "We're going to vote no." So when it became clear that it was the best we were going to get, I had a conversation with Bob Dole and asked him where we'd go if I voted no, and I just wasn't confident that we'd get any better than that, so I voted yes. I made my decision, wrote a speech, and went and saw a movie.

Mostly just to avoid the press, because they were just, the minute that - it felt like to me - minute after that press conference with those five people, everybody understood in the press what it meant: "Let's go see how Kerrey's going to vote." Well they started camping outside my

doorstep, so it's an object lesson: I never again was the last person to make up their mind about a controversial issue.

BW: You took some pretty hot phone, at least one pretty hot phone call from the president, too.

BK: Oh, a lot of them, a lot of them, yes.

BW: Let me pause here just for a moment.

(Pause)

BW: What are the most vivid memories then, moving on to '94 and the health care battle, for you, in terms of that?

BK: Well, I was a part of the – I don't know what we called ourselves – the mainstream, centrist coalition or something; it was led by John Chafee and John Breaux. And, God, there was just one moment, and I remember calling President Clinton, I said, "You got to support this bill, we're ninety-eight" – or something like that – "percent of the way there." It wasn't perfect, it wasn't what I wanted to do from the beginning, but I had read his bill, I had taken it border to border in Nebraska, and I had a tough time explaining it to people because it was way too complicated. And my bill was considerably to the left of him, so it wasn't an ideological opposition, but I thought we had to pretty, *still do* think we have to pretty dramatically change it to create a different kind of market than the one we've got today.

It was the only thing we were going to get, and there was a moment, about a twenty-four-hour period when Bob Dole was on our bill, the one that Chafee, and then he started to look and see what was in the darn thing and went against it. But there was a moment when, if President Clinton had said, "I'll support that bill," I think we could have passed it. Because Senator Dole was supportive of the bill at the time, and it looked like, I think his health policy guys were saying, "Oh, it's too conservative." Because President Clinton had given a speech, I think it was in the '94 State of the Union, when he said, held up a card, and, "I'm not going to sign anything that doesn't cover everybody." But it just wasn't to be. There are a lot of moments that I remember, but that's the one I remember the most vividly, because I knew exactly what was going to happen, that we just didn't have the votes to pass something with just Democrats alone.

BW: How would you characterize George Mitchell's leadership on that one bill?

BK: Well again, it's a terrific example, that moment's a terrific example of the difficulty of being the leader. He has to, Senator Mitchell was supporting President Clinton's plan and trying to bring Democrats on board, and I thought that he did the best that he possibly could under the circumstances, but it turned out to be a losing cause, sometimes those things are that way. Just a, it didn't line up. The insurance companies were running 'Harry and Louise' ads and spent a lot of money against it. But, I thought Senator Mitchell did the best that he could under a very, very

difficult set of circumstances.

I think Senator Clinton has said since that the process that she had established to produce a piece of legislation was flawed, because it was just too secret, nobody knew what it was, and here's the bill and you look at the bill and, "Well I don't know what these..." I couldn't quite understand how it was all going to work. So my guess is it was a very difficult time for George.

BW: Well, and he made his own version of the bill, didn't he? And you were vocal in not supporting that too.

BK: Right. Try to forget that, in this, that part of the oral history. I hope I wasn't disrespectfully vocal. I can't remember what his bill had in it. I hadn't, until you said that, I had forgotten that I'd -

BW: Well he had a bill, and Dole and Packwood had one, and so forth. It was, they were challenging times.

BK: Yes, because it's easy in life - and it kind of goes back to the Iraq vote - I mean one of the things I should have said at the time, particularly in oral history, that people that are uninitiated in this process need to understand is that, if you've got a thousand votes over a twelve year period, and there were more, there was a thousand votes each year, so say a thousand votes each year, I don't know, maybe a hundred of those votes you're fifty-five percent certain when you walk down and vote. And let's say the vote's on Monday, Tuesday you might only be forty-five percent certain. There's a lot of these votes where the certainty level never rises to a hundred percent, even though it sounds like we're a hundred percent certain, they never rise to a hundred percent. Some of them do. I would say most of them don't, and there's a number, particularly when they get controversial like that, where you're like, "Oh my God," after the fact, "maybe I voted wrong." And it's exceptionally difficult to say that, because it sounds like you're being wishy-washy and flip-flopping and so forth.

BW: Were you surprised that George Mitchell chose to retire in '94?

BK: Yes, I was surprised. I was somewhere between surprised and very disappointed. I mean he was, that left a big hole in the place. So when you've got a leader and the leader walks off the field, that was a difficult moment for us.

BW: Did you get on the phone and say, "Rethink this decision, George," or -?

BK: No, no. A decision like that, once it's made you're not going to, and I wasn't close enough to Senator Mitchell that he would confide in me that he was thinking about doing it. So no, I didn't try to talk him out of it.

BW: One other question, we passed through this, but I haven't asked you anything about your run for the presidency in '92.

BK: I was hoping you wouldn't.

BW: Well, I'll just ask one question, okay?

BK: Okay.

BW: Did George Mitchell ever communicate any sense of where his thoughts were on who was going to be the nominee and whatnot?

BK: Well he, no, he stayed neutral, he said very nice things about both Senator Harkin and I, with whom he served, and he stayed appropriately neutral and appropriately inoffensive to all the candidates who were running.

BW: Is there such a thing as a George Mitchell legacy, after he left the Senate, was there a legacy that you felt continuing on in '95 and so forth?

BK: Well I would say, first the changes in the law that he brought to bear were significant in and of themselves, so he's got a significant legacy of accomplishment. I'd say secondly that it's likely that there's an awful lot of young people in Maine who were influenced, because I know that George prided himself on giving commencement addresses, and my guess is there are young people who were in those audiences who had their lives changed by his words and presence and deeds. And thirdly, I do think that people, I know my own self, I say, "I wonder if George Mitchell would do it this way?" "You're behaving like George Mitchell," is a compliment, is a high compliment. So yes, I think he set a standard of behavior that carried over. I don't know how long it carried over, but long enough.

BW: Was there a big adjustment to be made when Tom Daschle took over as maj-, well minority leader?

BK: Yes. First of all, adjusting, we went from fifty-seven to forty-seven Democrats. That's a big adjustment all by itself; we're no longer setting the agenda. And President Clinton's running for reelection and his numbers weren't very good either, and he made a decision, he didn't really run against us, but his argument was, "You need a Democratic president to control a Republican Congress." So he wasn't out there saying, "We need a Democratic Congress again." So it was a challenging time to be in the minority. Yes, I would say it was quite an adjustment to make. It's a lot more fun to be in the majority than the minority.

BW: Jumping ahead then, what were -?

BK: And we had a number of people in '95, like Jim Exon being the one I remember the most because he was my senior senator, and probably the man who had the biggest influence on me, my political life, made the decision not to run for reelection, so it wasn't just that we had only forty-seven, we had half a dozen senior Democratic senators who announced they weren't going

to run.

BW: What motivated your own decision to retire?

BK: Well, I was about to get married, and the woman I was intending to marry wanted to have a baby. And I'd raised two kids in politics, or participated in raising two kids in politics, and I didn't want to do it again. I wanted to spend more time, if we ended up having a baby, and we ended up having a baby, so I decided not to do it. Particularly after a job offer came to run this place, three blocks away from where she lived. The first president here was from Nebraska, and I did a little bit of due diligence, said, "Yes."

BW: Was it hard walking away?

BK: Oh yes, it's very difficult. Because like any time you know that what you're going to say will disappoint people. I made a lot of people in Nebraska happy, too, so I just didn't, that wasn't part of my objective, to make my political opponents happy, but my staff, my supporters, it disappointed people. You don't like to disappoint people.

BW: I've been asking people, do you recall any George Mitchell stories? And I know it's hard to say, I mean I, what I mean is some incident, some exchange. I don't know whether you did much travel with him at all?

BK: I didn't do much travel with George. I remember that terrible "Chauncey le pew" (*sounds like*) story that he told a hundred times, if he told it once.

BW: I may not have heard that.

BK: Well, I may not remember it. In fact, I don't remember it. "Chauncey le pew was full of gas," or something, I don't remember exactly what it was, but I just remember George telling it over and over and over. No, I don't really have, say, a private George Mitchell story. I probably should, I just don't, can't at the moment think of anything. I think most of my encounters with George were in the Senate.

BW: How do you think he should be remembered?

BK: I think he should be remembered for his legislative accomplishments, first of all. I would say he should be remembered for the way he conducted himself, which I think was exemplary. And I think he should be remembered for the people whose lives he changed. And this is beyond the Senate of course, he brought peace to Ireland, and hopefully will do the same in the Middle East, and he's got a big legacy that comes as a consequence of intellect and attitude and values.

BW: Have you had much contact with him since you left the Senate?

BK: I've had a little bit, because he's in New York. It's a big city, and I've had less than I would have liked. Every time I run into him, we say we ought to get together for dinner, and don't manage to do it.

BW: My last question. In '09, such as we are now –

BK: Yes.

BW: Are you a little bit envious of the folks that are down there in the Senate now, just because of everything that's going on and the efforts that Obama is undertaking?

BK: No, I'm not. I mean I had a moment when I had to decide; did I want to go back to Nebraska and run for the Senate? I'm not saying I would have won in 2008, but 2007, when Chuck Hagel announced he wasn't going to run, I made that decision. And it was largely based upon knowing that you *can't* go back. So I'm happy that President Obama's occupying 1600 Pennsylvania Avenue, and I'm happy that Congress is Democratic, and I'm happy for all of them, I wish them all the best. But I don't honestly envy them.

BW: Any last words, or shall we say this is it?

BK: No, that's probably enough.

BW: Okay, very good. Thank you very much.

BK: You're welcome.

End of Interview