

THE GREAT SOCIETY

Interview #3

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RITCHIE: You said that Senator Mansfield never had a press secretary.

FERRIS: Mansfield did not have a press secretary. He dealt with the press personally every day in the well of the Senate. He always came to his office on Saturdays for half a day. He had an open door each Saturday morning to anyone in the Senate press gallery to have a cup of coffee with him in the leader's office. It was surprising that only three or four used to do it, but only that many came in on weekends when the Senate was not in session.

I sort of half backed into the job. The press would come to me to ask "What's the meaning of this?" I never held myself out as a press liaison but I had friendly relations with many and the routine developed.

One of the things I asked all of the reporters who came in was that our conversation was to be for background purposes only. I never wanted my name to be in the paper. Mansfield had to get elected; I didn't. You can talk about a source or whatever, but don't put my name in it. The other thing was: If you take a blind quote from our conversation, I'd just appreciate it if you would run it by me before publication to assure accuracy and to get all the dangling participles out of my quotes. I only asked them the first time we had a conversation and never needed to again for as long as our relationship lasted. So any time they were going to quote me as a leadership source, they would call and I would purify my grammar. That's what I need very badly, as this interview shows!

RITCHIE: There are a lot of reporters who will never do that. They just don't want to show you anything they've written before they've published it, but when they sometimes do read back something they want to quote you saying, half the time they've gotten something wrong.

FERRIS: I never recall saying, "Gee, no, I never said that." It was more "Yes, I said that, but it would be clearer if you put it this way." And they usually said yes. As long as you weren't trying to haggle with them over "did I say this" or "did I say that," they would go

along with you. The best policy on all of this is to never play games with the press or with the staff or anyone else because it comes back to bite you. You'll trip over your own spin if you do that. We used to put spin on it. I would express a view from our standpoint, but that was all legitimate. I never had any difficulty at all with the press. John Finney of the *New York Times* covered the Senate during the 1960s. David Rosenbaum, who is still writing for the *New York Times* was up there before I left in the '70s, and he's still covering it. Joe Albright, who was there for the *Washington Post*, retired in the '60s and was replaced by Spencer Rich, who still occasionally writes for the *Post*. I don't know if he has a regular beat or not. I remember Spencer Rich, when he was first assigned to the Senate. We were considering the authorization of the ABM or MIRV. John Finney was very interested in those issues and wrote with the authority of an expert. His stories on those issues were usually on page one of the *New York Times*. Spencer Rich came in to introduce himself to me. He was a very direct guy. I liked Spencer. He said, "Charlie, my editor said that my task is to be beaten only twice a week by the *New York Times* and not five times on the lead Senate stories." With John you had a conversation. He knew a lot of the players. The conversation with John Finney would be as revealing to me as the information I gave to him. Spencer was a good reporter but liked to keep his information close to his vest. He learned that an exchange was a better way of getting information.

You had Joe Stern of the *Baltimore Sun*, John Avrill, Jack Nelson of the *Los Angeles Times*. It's amazing that I remember all those names. And you had Walter Mears of AP and Steve Gerstel of UPI. There was Marjorie Hunter from North Carolina for the *New York Times*. She loved the House, but she reluctantly used to come over to the Senate when she had to. That's when the *Times* covered by chamber, and the *Post* did too. Then they reorganized and started covering by subject matter, so each reporter had a specialty or set of specialties and would follow their issues on both sides of the Congress. I suppose that provided each issue with more depth coverage. When the reporters were generalists, it made for an easy and casual interaction that added a fun dimension to the place.

RITCHIE: You mentioned all print reporters. Were there any broadcasters who came around much?

FERRIS: Sure. Roger Mudd [of CBS]. Sam Donaldson [of ABC]. Paul Duke, who later went over and ran *Washington Week in Review* on PBS, was there for NBC.

RITCHIE: Would you have press conferences at all, or would they just drop in when they needed something?

FERRIS: They'd just drop in. In the afternoons, after the adjournment of the Senate for the day, I'd go up to the press galleries and occasionally had a hearts game. Steve Gerstel was the big organizer of that. I felt comfortable just walking into the press gallery and socializing. I can't recall going with a specific issue to talk to them about. There was a pub down here on Eighteenth Street, The Class Reunion, where many in the press gathered on Friday night--both from the White House press and the Hill press. I used to drop in occasionally. I just liked the people of the press, and in particular the *Boston Globe* reporters, David Nyhan, Jim Doyle, Marty Nolan, Bob Healy, Mike Barnacle and Dick Stewart would give me an opportunity to talk in my native dialect. The *Globe* had a very good bureau and they covered the Congress very well. They were guys from my hometown. I enjoyed their company.

RITCHIE: When you were at the Policy Committee, was part of the job essentially to let them know what the likelihood of the schedule was going to be or were you actually talking to them about the substance of the bills?

FERRIS: It was more than the schedule. The schedule was always announced on the floor, but it was always by floor amendment that the final shape of legislation was determined. Their interest was in the interrelationship and interaction of controversial issues that were making their way out of the committees. I used to get more information from them than they got from me. They'd say, "Do you realize, Charlie, that..." Or "Did you hear...?" I hadn't heard a damn thing. So we'd have a discussion about it. It's like I used to go out in recess periods and talk to colleges. I always found that with every college group that I spoke to, we would have a Q & A afterwards, I learned more than they ever learned from me. It's the same thing with reporters. I used to learn so much more from them because they were digging around in all the crevices in the Capitol finding out the latest conspiracy. It was very good intelligence for me to have.

RITCHIE: How would you rate the press coverage of the Senate during the years you were there? Was it fairly well covered or were you at times disappointed in the level of coverage?

FERRIS: I thought it was covered well. The *New York Times* was always very good on the big issues, as was the *Post*. They had very talented people that covered the Senate. I don't know if they put their best on the Senate beat, but they certainly didn't put their worst. I thought their coverage was great. I don't know how it is now, but then I thought it was very good. Now, that might mean that I thought it was very favorable to our side of the issues, and it could very well have been. But it wasn't biased coverage.

RITCHIE: But it was fairly comprehensive?

FERRIS: Very comprehensive. I remember one instance on one of the ABM or MIRV debates in the '70s. Scoop Jackson actually went to the publisher or the editor of the *New York Times* and complained that John Finney's coverage was biased against his position on the ABM and he wanted someone else to cover the issue. I thought that was pretty rough. These issues were being staffed by Dorothy Fosdick and Richard Perle for Scoop. I know it happens, and John told me about it, and I told Mansfield about it. Nothing ever happened, but John was upset by that. No reporter wants anyone ever to say that they are biased. On the ABM/MIRV debate, the Senators who were opposing the Johnson Administration's ABM proposal were making the better case, assuming the burden of persuasion and as a result were getting the most ink.

I remember this vividly, when the ABM was first proposed, it was in the military construction authorization bill, and the language in the bill never mentioned the ABM. It was included in the line item "Army, missiles, \$8.2 billion," or something like that. That was it. There were about thirteen words and that was all that referred to the ABM. The lack of specificity in those bills was incredible. So there was tremendous burden on the people who were trying to make a case to challenge it. They had to do all the work. John Finney was a very good reporter, who dug deeply and had great sources on the Hill. His ABM coverage was the lead story many times in the *New York Times*; he had great credibility in the Senate and with his colleagues in the press as well as with his newspaper. I think he had great impact on the issues he addressed. It was more an indication that the story was being well reported and it was not fortifying or strengthening Scoop Jackson's case. Nothing ever happened, thank God, but John was very upset because his integrity was being challenged without real justification. I'm sure that Dorothy Fosdick and Richard Perle, who worked with Scoop Jackson at that time on these issues, thought that a message to the *New York Times*' management would affect John's coverage. It didn't.

RITCHIE: The *Times* has been prevailed upon by various presidents to get rid of one reporter or another, and it has always had just the opposite effect, it locks the reporter into place, because the newspaper can't be seen as caving in by removing somebody from a beat.

FERRIS: That would seem to be the normal reaction. Scoop later ran for president. He took a risk that could have had impact on his political reputation.

RITCHIE: One of the biggest flaps with the press in the late '60s was when Drew Pearson and Jack Anderson went after Senator Tom Dodd, running a long exposé of his behavior, which eventually led to his censure. How destructive was that inside the Democratic Party to have a Democrat targeted like that?

FERRIS: Well, you always feel for someone who is under siege, as Tom Dodd was at that time. Tom Dodd had a very interesting relationship in the Senate. I had the perception that he was a loner. I never identified his fraternity of comrades. And he had the poor timing sometimes of coming to the floor when he should have stayed in the office. Russell Long had that difficulty as well, and that hurt Russell badly because in the minds of the Senate elders anything that brought disrespect and disrepute on the Senate as an institution was an unforgiveable sin.

What was so evident back in those days was the reverence to the Senate as an institution. The institution really was more important than the sum of all the Senators. Even though there were members who were running for president—and many thought they should be president—they respected the Senate as an institution. That was really attributable to the Senators from the Deep South. They never entertained the possibility of running for President. The Senate was the pinnacle of their political achievement in office. They were very protective of the institution. It was pervasive throughout the entire institution and prescribed the behavior of the younger members. Now I read in the paper about what's going on up in the Senate where the Republicans have excluded Democrats from conference committees. Wow! Doing things unilaterally. Not even having them come to the meetings. Sure you're going to outvote them. You can always outvote them. You can appoint more of the majority party than the minority party. But excluding them doesn't treat your colleagues with respect. They obviously don't respect the concept of a legislative body. A legislative body is supposed to listen to all viewpoints. Everyone puts some flavoring into the stew. But that has disappeared, apparently. That was not the case back then. The

institution was most important, and so when someone embarrassed the institution, it had an impact on each member.

The issue of Tom Dodd and his censure was tough. There are times when the mores or the rules or the standards of conduct change. The changing of the language of a rule never seems to be effective until someone is sacrificed. The stamp money in the House with Danny Rostenkowski was such an issue. The practice in the House was that the \$2400 in stamp money if not used could be converted and added to your office expense allowance. They weren't supposed to do that, but to really change the rule someone had to be made an example. Danny was exposed, and the rules changed. I think with Tom Dodd it was the co-mingling of campaign funds with his personal funds. For members today, everything they do is a political act. They're running twenty-four hours a day, so out of their campaign funds they can pay for almost everything they do everyday. The big difference is the openness of the process and the accountability of the donor. That's acceptable now, and it was certainly acceptable back then. In the 1960s, cash contributions could be made to members. It wasn't until '72 when they passed the Federal Election reform that the sources and accountability of campaign funds and the banning of cash payments was enacted. There were lobbyists before the '72 election who used to go in to visit Senators and leave envelopes with cash for their campaigns. To be able to do it simultaneously was a little untoward, but it was not illegal per se.

With Tom Dodd, it was the issue of co-mingling. From my foggy recollection of the events, he did some repairs on his house out of campaign funds. It pushed the limits on "political expenditures." Everyone gets the message when an example is made. What Tom Dodd did, might have been done in the past by many others but it was a time bomb ready to go off. The age of TV was arriving and the cost of campaigning would soon escalate dramatically. So much more money would be needed to get elected to office. The lines defining the limits on expenditures were being redefined. The casualties often occur to those who are the slowest to become aware of the changing environment.

[Harrison] Pete Williams was caught in the ABSCAM affair. In my opinion, it was entrapment. In law school in the tort class one learned the notion of an "attractive nuisance," like a swimming pool in your backyard. You've got to have a fence around it because little kids will be attracted to it and they can drown. You have to have barriers to save the public officials from themselves. In the entrapment of ABSCAM there was no barrier. It was so

sad. I didn't like the idea that it was being done. That our government sets up a situation not based on proven activity of the individual and offers tens of thousands of dollars to support a position is more reprehensible than succumbing to the temptation. I remember the Walter Jenkins episode where he was observed through a peephole in a YMCA men's room stall in a compromising situation. I thought then that a police force that assigns officers to spend their day looking through peepholes in YMCA toilets was far more repulsive and embarrassing than anything they observed.

RITCHIE: On the day of the vote on his expulsion, I was standing in the Russell Building waiting for the elevator when Senator Stennis came up beside me and pushed the button for the Senators' elevator. He turned around to me without any introduction and said, "When I was a judge, I threw out every case of entrapment that came before me." And then he got on the elevator and went to wherever he was going.

FERRIS: He threw out every case where entrapment was involved?

RITCHIE: If it was entrapment, he didn't want to have anything to do with it.

FERRIS: Boy, I sort of felt that way during that whole Pete Williams incident. But that wasn't part of the Tom Dodd case. The Tom Dodd situation was about converting the money. One of Dodd's lawyers was an old neighbor of mine, formerly with the U.S. Attorney's office, and then in private practice. He was retained to help Senator Dodd. I remember him making almost a net worth case to me that Tom Dodd ended up with no money. He didn't come from money, he had no money, and even at the end of this affair he had no money. How could he be culpable for this enterprise that didn't benefit him? I said, "I think really it's not the issue of whether the enterprise was a failure or not. Was the enterprise something that should not have been undertaken because of the co-mingling?" I think that's what the issue came down to. But I think it was a line drawing. You have to carve out things that are not acceptable. If people give you campaign money, you shouldn't use it explicitly for personal capital expenditures on your home.

RITCHIE: Ever since the Bobby Baker case in '63, and then the establishment of the Ethics Committee in '65, there was a lot of effort to define what was and what was not acceptable. A lot of the practices had been going on before, but people looked the other way and tolerated them.

FERRIS: Yes. And John Stennis was the chairman of that Ethics Committee. He was always considered "The Judge." Paul Douglas said, "If I were going to be tried, the one man in the Senate I'd want to have as my judge would be John Stennis," which was the greatest compliment coming from the most liberal Senator to one of the most conservative. Did the Ethics Committee establish a set of rules of conduct to guide the Senators, or did they just respond to petitions that came to them alleging improper activity?

RITCHIE: I think it was both, responding and drawing up guidelines, and some of it became statutory when it came to campaign finances in particular, and they still respond to questions from staff and Senators who confront situations that are problematic and ask the Ethics Committee for a decision about what they should do. A lot of it seems to be situational ethics.

I wanted to go back to the mid 1960s when you took over as the staff director of the Democratic Policy Committee. Lately there has been a lot of writing that says "the Senate doesn't work." Everything is gridlocked. The parties aren't cooperating. In 1965, it was just the opposite. Everything worked. It was probably the most productive Congress in terms of numbers of bills considered and numbers of bills passed. The whole agenda got passed during those two years was remarkable. What was it that made the Senate work in 1965?

FERRIS: I think the procedure followed then for legislating was to separately authorize a program and after enactment into law then the appropriations process began. The legislative committees were making recommendations as to the course of action to be taken to address a problem and not focus on the amount of money that would be expended in a given year. The focus was on defining the problem and why it was appropriate for the federal government to address it. So the question was always: Is this something that the federal government should or should not do? It was the appropriateness of the federal government involving itself in remedies for these problems. Should it be the federal government or should it be left to someone else, the states, the local government, or private interests? It was such a marvelous place for an idealist because you just had to make the case that the problem needed attention, whether the problem was poor people, education, environment, rebuilding of cities and our superstructure. If the problem was defined satisfactorily and the remedy was considered reasonable, the presumption was that the money would be there. You didn't worry about the money. It was a time when a lot of Senators did not have to make real choices. You could be for everything. You had people

like Scoop Jackson and John Pastore who were for everything for the military and everything for social legislation. You could be a generous social liberal and a generous conservative hawk.

Then in the late '60s, when Vietnam started draining the bank, it became a guns or butter situation and then people started to have to make choices. The dynamics change. But that period that you are talking about, from '65 to '66, was a beautiful period where idealists and romantics could talk about issues and not be swept away by the response: "But we can't afford it." No one worried about affording it. Sure there's money there. Is it something we should do? You really focused on the merits of the case without a summary dismissal based on the notion that we could not afford to consider it.

Of course, the tragic assassination of John Kennedy and his successor Lyndon Johnson's forte being the legislative branch created the perfect legislative storm. You had this confluence of Kennedy idealism and his memorialization and the energy and commitment of President Johnson. You always go to your strength, and Lyndon Johnson obviously wanted to make his mark as one of the great progressive presidents. He was a great admirer of Franklin Roosevelt, and did not come from wealth. He understood what poor people needed. In Johnson's original congressional district, his constituents were plain folk and he had a feel, a personal touch with them and their problems. I think his commitment was very sincere.

And you had a marvelous majority of progressives in the Senate. But it was totally bipartisan. Never once did we pass anything on a partisan basis. Never once (of course a vote on the election of the President pro tempore and the establishment of committees was ritualistically along party lines, but that was always by voice vote). That made the dynamic so positive and reinforcing. Senators would listen to one another. They actually listened. And they tried to take into account the concerns of someone opposed to their position to really understand that perspective. They respected each other and each felt they were being intellectually honest about their state's interest. It's the old question that all when they first run for Congress, say, "Elect me and it will be different because I will..." Well, nothing momentous happens, because they just are one out of 535 viewpoints to be considered, and every perspective of every congressional district is very different. Their views should be listened to and considered, because your district is not the same as anyone else's district. If you are in a listening mode you can learn from someone else, and you can learn another

dimension to a problem. That horizontal dialogue that took place made the institution such a beautiful functioning institution and a beautiful place to work. Members of the Senate were very satisfied with what they did because what they were doing was what the bipartisan majority considered right. The partisan majority weren't ramrodding bills through. The partisan majority was not usually large enough but if it had been, it would have made the work product less appealing.

With civil rights, you knew that the Southern Senators weren't for it, nor could they be because the overwhelming number of their constituents held attitudes that wouldn't permit compromise. But still there was dialogue, really genuine dialogue and real listening. That process resulted in much stronger legislation. I've always said that with the Civil Rights Act, because the Senate had to pass it by a two-thirds margin, that legislation, when enacted into law, was honored by all the institutions of the South. The compliance by institutions in the South was remarkably fast, however unenthusiastic. I believe the entire country realized that there was a legitimacy to the process of how it was passed. The opponents were listened to. They didn't change their minds, but they were listened to, and they knew their constituents' attitudes were considered. The majority didn't act until the opponents had run the full gambit. That was a process that happened in a less dramatic way on every bill. From both sides of every issue as well as across the aisle there was communication. Nothing was ramrodded.

ITCHIE: In the Policy Committee, you still had a good representation of the Southern conservative Senators.

FERRIS: We had that in every committee of the Senate. If it was going to work, each committee had to reflect the ideological spectrum that appeared in the parent body. Our Policy Committee totally reflected the spectrum in the Democratic Party, just like any committee should. A committee could evolve over years to get out of balance with the full Senate, but then those committees would be more likely to attract greater scrutiny when their recommendations came to the floor. The Committee on Armed Services fell out of balance. Only those who were very interested in defense facilities present and future in their states were members on that committee. It changed around the late '70s when Ted Kennedy went on it, and Carl Levin went on it. There were people who said, "We should be focusing on some of these things." And it's probably much healthier now because there's a balance.

RITCHIE: Hillary Clinton is on the Armed Services Committee.

FERRIS: Is she on it? Well, that's good. That means that when something comes out of that committee it has gone through that filter, and that's the way it should be. Our Policy Committee was that way.

RITCHIE: Did the conservative Southern Democrats have a sense that the train was going and there wasn't any chance to stop it, or did they put up some resistance to some of these Great Society proposals?

FERRIS: Questions were raised about whether it was appropriate to be doing this or that. But on the Policy Committee we never had a breach of any of the discussions. In my fourteen years there, there was never a leak. The members of the Policy Committee felt very comfortable having conversations that they probably could not have had back home or anywhere else where they could be reported. As a result, they could still be very opposed to an issue, but I don't think they felt it was a place where you had to trump the other guy. People would listen. Mansfield had a tremendous capacity to listen. I think that helped that dynamic, because they knew that Mike was going to be listening, and he always did listen to all sides on these issues. They knew they had his ear. That's what counts.

Even with all the Great Society legislation that was passed, a lot of it has now been challenged because it didn't do the job. A lot of it has been characterized as just throwing money at a problem, and in many cases you could accurately make that characterization. I think on the poverty bill, the beneficiaries, the poor people, were the first to know that this was not going to have a long term impact on their lives. But I think they got great comfort from the fact that someone in power was attempting to think about them and do something for them. That is very important for the country, for the people at the lowest economic level to feel that the people in power are really concerned about them and want to do something about their plight. If what they did was feeble and ineffective, they were the first to realize that. It wasn't going to change the basic infrastructure, but it was very important that the effort be made. I think it gave a connection to an awful lot of people who could have been totally disassociated from society.

RITCHIE: I noticed that there was a Legislative Review Committee as part of the Policy Committee at that time. What did that do?

FERRIS: It really was not differentiated. The Legislative Review Committee was used to expand the Policy Committee membership to give it real balance. Phil Hart came on on that basis. Danny Brewster was someone that came on the committee that way, and Ed Muskie. I think Mansfield used it to give a representative spectrum on the Policy Committee, because you never rotated off the Policy Committee. You were there for as long as you were in the Senate. Dick Russell was on, and Lister Hill was on long before I got there. Fulbright was on. But those were non-competitive states. The Legislative Review Committee never met as such, they just met with the Policy Committee. I think there was a card that had Legislative Review Committee, but it never met and had no staff. We were the staff for it.

RITCHIE: It was a way of giving more Senators a feeling that they were part of the leadership process?

FERRIS: It was a way of making the Policy Committee representative of the caucus.

RITCHIE: And very different from Lyndon Johnson's leadership, where a handful of people met for Policy lunches.

FERRIS: Yes, it was different, apparently. I wasn't there, but just reading Caro it was different. There were super Senators. There were the giants. When you perceive some Senators as giants you are subtly saying that there are other Senators who are pygmies. Mansfield had a strong egalitarian sense about the Senate, that every Senator was equally as important as any other. It might be that coming from a small state he felt that way, but I think his general temperament required that approach. The Democrats kept all the power in one person—the floor leadership, the caucus, the Policy Committee, and the Steering Committee—all were chaired by Mansfield, as they were by Lyndon Johnson. Whereas the Republicans fractured theirs, and that deprived the Republican leader from using these vehicles as a way of informing his judgment on matters as floor leader. He didn't have these pockets of communication. So the centralization worked from the standpoint of assisting the leader in performing his job as leader. I think Lyndon Johnson wanted to have everything always in his pocket, all the levers of power. That was not Mansfield's motivation. He inherited consolidation and he used it well.

RITCHIE: I was looking at the statistics of the number of bills introduced and passed in '65 and '66, and the numbers and percentages increased enormously between the Kennedy and Johnson years. What kind of problems did that create for running the Senate calendar? Was there a problem in scheduling so much?

FERRIS: It was hectic but interesting. We tried to work out a consensus on the floor debates. If you had a committee that was very representative and worked in a bipartisan way, you could get a bill through almost on the consent calendar. You take the Public Works Committee with all the Clean Air and Clean Water Acts. Jennings Randolph, I think, was the chairman, but you had Ed Muskie, and Howard Baker, and John Sherman Cooper. These were marvelous people from the standpoint of understanding the Senate as an institution, and listening, and accommodating, and working things out. When something came out of that committee, no matter how significant it was, it was going to fly. We'd try to get unanimous consent agreements for debate on bills prior to their actual consideration on the Senate floor. We would see if we could work out an agreement with the minority on the time allocated for debate, whether it was five hours of general debate and an hour on each amendment, or different amounts of time on specified amendments. We'd attempt to get very detailed agreements. And we always had a germaneness issue in our consent agreements so that the leadership wouldn't get blindsided with mischievous amendments.

The dynamic was marvelous. Although the environmental acts were passed in later Congresses, they are the best examples of how cooperation and consensus building in the committees led to consensus on the floor.

Whenever we had a vacation scheduled, whether it was Easter or the Fourth of July or the August vacation, the amount of work we would get done in the few days prior to that recess would oftentimes equal a month's worth of work. The Senators wanted to leave town on schedule and they knew that the entire Senate felt that way. The leverage of delay worked against the footdraggers when the leadership announced the scheduling of a bill, so they would agree to consent agreements. We'd work with tremendous fervor for that whole period, and to a great extent would clear out any backlog on the Senate calendar. These vacations really helped because there was a finite time to do things. So when the manager of the bill or the chairman of the committee wanted something passed, we'd work with him and the ranking minority member on a debate time limitation. A great deal of it was passed on that basis. I don't think we had open-ended debate on many things at all. If we started

it open-ended, it ended up with a consent agreement. Is that still the practice?

RITCHIE: Well, it's much harder to get those agreements today.

FERRIS: That's because of the lack of communication horizontally. It's sad.

RITCHIE: One of the very few issues that the White House wanted, or at least said they wanted, that they didn't get was the repeal of the provisions of the Taft-Hartley Act, section 14 (b) on "right to work" laws. Johnson proposed the repeal, the AFL-CIO wanted it, and the Senate ended up not being able to invoke cloture on the filibuster against it. It stands out as the only thing that was high on anyone's agenda at that time that didn't get passed.

FERRIS: I'm not certain of this, but I think there was a little Kabuki theater there. Labor wanted it and you had to give them a shot at it. You're going to bring it up, but you knew that you weren't going to get the votes. There were some people who were not going to vote for cloture no matter what. But you just couldn't tell the advocates that such was the case. Sometimes you had to run it up the pole and see what happened. I have a vague sense that before that was even called up we sort of knew what the outcome was going to be, but you had to do it. They were fighting for that for years, and when you had a majority that big in that Congress, if they couldn't get it then, they knew that would be the end. So you gave the proponents a shot at it. But it wasn't something that you could go to people like civil rights, from the standpoint of stopping all the trains until its passage.

RITCHIE: What kind of direction came down from the White House? These were bills that the president wanted passed. Were his people showing up on a regular basis, or were they getting you on the phone saying why isn't this bill on the calendar?

FERRIS: No, I believe I mentioned before that Pauline Moore, who was on our Policy Committee staff, kept an exhaustive list of every piece of legislation, and beside every piece of legislation she had a code as to whether it was mentioned by the president in the State of the Union, in the budget, or anything that could say it had an endorsement by the administration. She started keeping these things in the '50s, under Johnson, and sent them to him as leader every week. She talked on the phone to the committee staffs about when the hearings were scheduled, target dates for mark-ups, forecasting their prospects for reaching

the Senate calendar. Pauline revised it every week. Lyndon Johnson, as Vice President and President, continued to get a copy of that report. So he was informed completely by that one document. He was informed where everything was, and therefore knew where the problems were and what the expectations were. They didn't have to be nagging because they knew where it was, and they could see if there was change, or if it was frozen in place.

Then, when it came out of committee, it went on the calendar, and Mansfield always wanted to keep a clean calendar. He never used the calendar as leverage on other Senators. He didn't hold things back because "I want this guy to come to me and ask." Never. We'd mark up the calendar every day and at the end of the week he'd say, "Give me the calendar," and he'd put crosses through those that we knew were deadwood on the calendar, that were going to stay that way until adjournment. Then he'd say, "What about this?" He put pressure on the committees about getting them done, because he wanted to clear them out. He didn't want them cluttering up the calendar. Lyndon Johnson used to clutter the calendar. He used to keep the bills from being voted on so you had to come to him and ask. Mansfield did not like that sort of thing. His style was just the opposite.

Chairmen did not have to lobby Mansfield, it was more the other way around—Mansfield pushing the chairmen to prepare the floor action. Once a bill was reported from committee, it was just a matter of determining the intensity of the opposition, which Senators wished to oppose the legislation and/or wished to offer amendments. We would work to get that information. Then it was a matter of trading a block of time, whether hours or days, to fit it in the schedule. If there were Senators who were opposed, or had amendments, whether on the committee or not, and didn't want a bill up unless they were prepared, you would have to clear it with their offices to find out when they would be ready. It was a very informal, rolling process that was very inclusive. There was no real steamrolling that took place.

RITCHIE: Up until '64, Hubert Humphrey was the Whip, and Mansfield relied on him on bills like the Civil Rights Act. In '65 Humphrey was vice president and Russell Long became the Whip. What kind of a relationship did Mansfield and Russell Long have?

FERRIS: I think they had a very civil relationship. The thing is, the Whip has no power in the Senate. The only power or duties that he has are those which the Majority Leader gives to him by specific assignment. Russell was kept busy as chairman of the

Finance Committee. He was never around looking for assignments on the floor. The Whip could always volunteer to adjourn the Senate for the day and that could require listening to Wayne Morse talking intensely and endlessly one day on Vietnam and the next on the Corporation Counsel in the District of Columbia fixing tickets. Well, Hubert would always be around because Hubert lived in his office, the Whip's office. Russell Long never really functioned as a Whip in the sense of being there to do some of the administrative, the menial tasks of the leadership. The relationship was cordial but functionally nonexistent, because you have to have a leader who wants to give and a deputy who is seeking to get, and Russell never sought any at all.

RITCHIE: So did Mansfield rely essentially on the chairmen of the committees to be on the floor and manage the bills?

FERRIS: Yes, absolutely. The chairman of the committee or the chairman of the subcommittee or whomever the chairman of the committee designated, it could have been the person who introduced the bill or had an identity with it, but it was always the chairman of the committee who would determine who was going to manage the bill. The ranking member on the other side was the same way. If it was not the chairman of the committee or the subcommittee, it would be someone not on the committee. That is why the Civil Rights and Voting Rights bills were such extraordinary exceptions.

RITCHIE: That Congress was so productive, and Lyndon Johnson always took all the credit for it. But there was Mansfield who had been under attack in '63 for not providing enough leadership and in '65 everything had turned around. How much of that do you think is attributable to Mansfield's style?

FERRIS: I think it's much more attributable to the change in circumstances. It's attributable to Mansfield because Mansfield's interest was in the process that the Senate as a whole has the opportunity to consider and vote on legislation that has been recommended to it by its committees. The Kennedy assumption and the resultant memorialization of the Kennedy/Democratic agenda combined with the overwhelming Democratic majorities in the '64 election and the LBJ energy to establish his legacy combined to create the perfect storm.

The tone of the Senate was created by Mansfield and was an essential ingredient in maintaining a positive climate. You know, Lyndon Johnson was rejected in his desire to

chair the Democratic caucus in 1961, and rejected by some of his stalwarts who were more Senate institutionalists than LBJ had suspected. I think that had an impact on Johnson from the standpoint of how far he could go in pushing Senators. He could do it indirectly, he could do it subtly. But there were changed circumstances. He realized there was an institution before he came and after he left the Senate. Johnson gave a tremendous bully pulpit to all of this legislation because he was a strong advocate of it in his State of the Union and other public statements, and that's very important from the standpoint of people out in the country identifying with it. And from the standpoint of the Senate it was very important to have people out in the country favor it. But the Senate can become logjammed. If anyone wants to stop the process there, it can be stopped. The power of one Senator in the Senate is enormous. A Senator would ask us to put a hold on a bill. We didn't publicize that information, so undue pressure would not be put on them by outside groups. But we also communicated with the Senator who had the hold and we'd tell him other Senators were inquiring about its floor consideration and that he should start preparing for the debate on the floor.

The institution ran as well as it did because of the trust that Mansfield engendered with everyone in that body. It was very hard to accuse Mansfield of being unfair. When he went to someone and said, "the time has come," they knew there was no hidden agenda with him. His actions were transparent. I think that was very essential. He never took credit either, so there was a perceived contrast with Lyndon Johnson in the White House. There was no one with a pulpit that could attract national attention seeking accolades for legislative accomplishments, so it was easy for Johnson to take credit. Mansfield always sought to give others credit, he just wanted to make sure that the Senate worked its will. I don't know how much you attribute one to the other, but it's not as one-sided as it probably was perceived by the general public.

RITCHIE: At the same time, the Vietnam War was starting. Johnson started sending troops in. The Gulf of Tonkin Resolution was '64. The Dominican Republic intervention happened in '65, and in '66 Senator Fulbright was making speeches that were causing trouble with the White House. Was that beginning to cause a ripple effect inside the Democratic Party in the Senate and the enactment of the rest of the program?

FERRIS: Among the Senate Democrats, I don't recall it cutting greater fissures than already existed on domestic policy issues. There was a split that already existed in both

parties of hawks and doves. I think the Vietnam War probably cut down some communication with both the Republican and Democratic hawks. But you know, Mansfield gave a commencement address at Michigan State University in 1962 and came out against putting troops into Vietnam, so they clearly knew Mansfield's position, but he never took the point position on the war. He'd give measured speeches on the floor that were never ad hominem, and he'd send memos to the president on the war that drove Johnson out of his chair. But the country started to engage and get divided on the war, and the kids started to get involved, and college campuses started to erupt, and the Senate, as you would expect, was affected by that change in alignment and intensity.

I can remember that the Policy Committee in '67 unanimously voted on and sent down to Lyndon Johnson a resolution against Vietnam. Dick Russell was not only on the Policy Committee but was ranking on the Armed Service Committee and chairman of the Appropriations Committee, and chairman of the Defense Appropriation subcommittee. I remember one time something Dick Russell said about a ship that the Navy wanted, the FDL, Fast Deployment Landing vehicle. It was a big ship that could carry a battalion of Marines and all their equipment. A proposal was being made, but Dick Russell said in the Policy Committee that he was against it. He said, "If you make it easy for the military to go places and to do things, they'll find reasons to go places and to do things." Beautiful wisdom in that. He was considered to be a big hawk, but he had perspective.

On Vietnam, Russell was against the war. But he fell into the category that believed: "Once the flag is planted, you can't back off." It's sad that he didn't get to Lyndon Johnson personally, one on one. If the flag is planted, you are committed. But he didn't have any real commitment to the cause. And if Dick Russell had gone to Lyndon Johnson in '64 and said, "Don't get involved," or said in '65, "This is a sinkhole." I think it would have had impact, because Johnson used to listen to Dick Russell. Russell was his mentor in the Senate. But President Johnson had [Dean] Rusk, and [Walt] Rostow, and [MacGeorge] Bundy, and [Robert] McNamara, the best and the brightest down there, pumping him the other way. Dick Russell was just someone from Georgia who had been around for a long time. Probably really an isolationist at heart. He could have been discounted as such by Johnson's advisors. But it might have made a difference.

Remember how divisive it became in the country. I think most Senators for different reasons felt this was not a great venture, but we're stuck with it. It's almost like Iraq. We're

there. Presidential candidate John Kerry is not going to come out and say we should cut and run. He's going to have to ultimately make the case that he's a fresh face and he can make a case to the U.N. and to the international community—he might be able to get them to come around and do something. But we're not going to leave. It's so interesting how history repeats itself. The situation in Iraq is so tragic. I went to a funeral a month ago at Arlington Cemetery for one of my partners' dad. He was a World War II veteran. They did the ceremony with full honors. The Honor Guard is a select group. They pick soldiers who are all over 6'1" and handsome; they all seemed nineteen or twenty years old. I turned to my partner and said, "These are the kids who are being killed in Iraq. Look at them, they've got their whole lives ahead of them. These are the people we're sending over there to die." There was only one member of Congress that I know of who had a family member then in the military in Iraq, Tim Johnson from South Dakota. The elected officials had no personal risk. The country as a whole had no personal risk, unlike in Vietnam. The draft should never have been repealed. People are engaged when all young adults are at risk with the draft. It's not just the kids who volunteer who go, the whole country should be at risk. That's how you make good policy. When they know that they're at risk, people focus.

RITCHIE: My sense from looking at the Congress in 1965 was that most of the Senators were more focused on the social legislation.

FERRIS: Absolutely. Vietnam was not yet a big issue. When did the first combat troops go in there?

RITCHIE: February and March of 1965.

FERRIS: It was after Johnson's 1964 election that the combat troops went in. And the election gave him a mandate. He had tremendous power to do whatever he wanted. You listen to some of the tapes and Lyndon Johnson really wanted to get out of there. He didn't know how to get out of there. He was trapped. At least he considered himself trapped. There probably wasn't a good way of getting out. We had to lose the war. And only George Aiken had a proposal on how to end our involvement: Declare victory and leave.

RITCHIE: One of the people who was telling him not to go in, from the start, was Mansfield, who was consistent in giving that advice to Kennedy and to Johnson.

FERRIS: Oh, yes.

RITCHIE: Would it be safe to say that that was Mansfield's primary concern in '65, foreign policy issues?

FERRIS: That's where he put his energy. I had a hobby while working in the Senate. I tried to find out every Senator's real interests. They all had their committee assignments, which in many cases reflected their constituents' needs, and their state's needs. And most of their time was taken up in hearings and on the floor on these responsibilities. I used to try and detect what attracted them with the little discretionary time they had left. I tried to discern each Senator's personal passions. Where were they putting their discretionary time? Mansfield's was certainly on Vietnam and foreign policy. When he had extra time, that's where his thoughts were. He studied East Asian history and later taught it at the University of Montana, so it's understandable. Yes, I would say that more than anything else.

RITCHIE: I wondered if you would also at this time talk a little bit about the Kennedy brothers who were both Senators from '65 to '68. You had that contact with them after you came up to the Hill. What kind of Senator was Robert Kennedy?

FERRIS: I thought he was a great Senator. He was so able. He had a great perspective. He had been the top advisor to the president, even in addition to his responsibilities as Attorney General, so he had the broadest of perspectives on issues, and had a tremendous sense of commitment on social issues. He and Ted approached problems entirely differently. David Burke was the legislative assistant to Ted Kennedy. I think John Culver was his administrative assistant until John ran for Congress in '64, and Dave became his top guy. On every issue, Dave would know a full range of outside specialists and he would contact every one of those specialists for their views, and bring them in to talk to Ted. Ultimately Ted would come up with his position. It was a very good way to educate yourself, by listening. Ted was young and didn't have the same experience that his brother had when he came to the Senate.

Robert Kennedy was very different. He used to think an issue through with his staff and then he would select the person whose judgment in the area he respected most and would test what his tentative conclusions were on that person. He would test it and that was the end of it. Okay, I go. He was one who had tremendous confidence in his own judgment.

He had a national awareness—much more aware than most freshman Senators who came to the Senate who were at best expert primarily on the intricacies of their states. I can remember one issue, it might have been on a jobs program or minimum wage or something covering the working poor. The vote was taken on some amendment, and the vote came out a tie. The amendment was to reduce the bill's coverage. Everett Dirksen had voted for the amendment, but as a tie it didn't pass, it was defeated. Senator Win Prouty didn't make the vote but they thought that he was on his way to the Capitol. So Everett Dirksen moved to reconsider the vote. We didn't want it reconsidered, because Win Prouty would then be able to change the outcome. Mansfield was there and Pastore was there, and I said [whisper] "Point of order, he's not eligible to make a reconsideration," because you have to be on the prevailing side to move to reconsider a bill. Pastore, who was just a pistol, didn't even know the reasons but he said, "Point of order," and I whispered to him what the reason was. And of course they ruled Dirksen out of order. The action stood. About five minutes later Robert Kennedy came down to the well and said, "Charlie, great work, that saved coverage for 250,000 people." He had observed the whole thing from the rear of the chamber, despite all the clutter in the well. That's a good day's work when you accomplish something like that, but it is more remarkable that a freshman Senator would be so alert to discern what was going on in the well of the chamber.

I can remember another personal involvement with Robert Kennedy, when the constitutional amendment was being considered for presidential succession. Birch Bayh was the floor manager of that bill, and there was a question as to who made the determination when a president was incapacitated. And who made the determination that the president's capacity was restored? I don't recall the details, whether a majority of the cabinet or other similar group. It was that process of activating a group with power to replace and restore the presidential power that created a gray area. Birch Bayh didn't want any modification. Bob Kennedy came over to the floor with Adam Walinsky, and Peter Edelman, both of whom had worked on a speech to address this issue. Senator Kennedy came to the well and asked, "Charlie, can you come off the floor?" We went into the outer office of the Secretary of the Senate, on the couch. He said, "Read this speech." It was about seven pages, so I'm sitting there reading this speech. They're all standing there, the people who had worked on the speech and the Senator. I'm reading it the way you should read something you've been asked to read. It took me at least five to seven minutes to go through this. It was a beautifully written speech. He was weighing in on the notion of when the cabinet group would be activated to assess whether the presidential powers should be transferred because of

incapacitation, when the president is not part of the decision making group. It was addressing the possibility of a coup.

He said to me, "What do you think of this?" I said, "I think this is fantastic, but I don't think you're the one that should be giving it." He said, "Well, who should?" I said, "Call Phil Hart and call John Pastore." John Pastore was the debating king and Phil Hart was the conscience. "Call them and see if they would agree to make these points on the Senate floor." He picked up the phone and called them both, they both came over to the floor. They both immediately agreed that the points were valid and important, and both Pastore and Hart weighed in strongly. Bobby just sat up in the back and did nothing. He had this beautifully written speech, but he had decided that I would probably be a good sounding board on Senate floor dynamics and probably I reinforced his judgment on how best to address this issue. He obviously had questions on his mind. Detractors were always saying that Bob Kennedy was power hungry and always thought in these terms, but I always regarded him as decisive. He'd make up his mind and then test his initial judgment, and then act. He wouldn't tell you his judgment first, but you knew he had thought it through and at least had a tentative judgment. So it was a contrast with Ted. It's because Ted was not at that time nearly as mature from the standpoint of evaluating public policy issues as was Bob.

RITCHIE: Ted Kennedy seemed a lot more comfortable with the Senate as an institution. As a junior Senator he was very deferential to senior Senators and the chairmen of the committees. He was willing to bide his time. Robert Kennedy came in and was in more of a hurry and not as institutionally oriented.

FERRIS: Robert Kennedy didn't have the temperament for the Senate. He didn't have the patience for the Senate. He was an executive branch person. Give him a job and he was going to get it done. You don't have that up in the Senate. You have to wait and have patience, the gestation period on big ideas is long. You have to have a long time line. Teddy went up there when he was twenty-nine. I never thought Teddy ever wanted to run for president. The mantle was passed to him and the people who were in Bobby's campaign and Jack's campaign had this feeling that he had to run, and he did because he had tremendous reverence for his brother, great deference for his brothers, before and after they were assassinated, and he responded, in my opinion, to that sense of obligation rather than a burning passion from within to serve in that office. But I personally don't think he wanted to be president of the United States, at least not when he made his run.

You look at Ted Kennedy, and the last glimmer of that presidential opportunity ran its course in 1980 in the challenge to Carter, and that was the end of it. Ted Kennedy for the last twenty-five years has been the most effective Senator in the United States Senate. Mike Mansfield said after his retirement from public service that Ted had developed into the greatest Senator he ever served with in the Senate, and Mansfield served with some rather great Senators. He thought Ted was the most effective. Ted has marvelous staff, but he works with them on every issue. He never seems to run out of energy. He's got tremendous energy and never turns it off, and combines it with an enormous empathy for the disadvantaged.

If Jack Kennedy had not been assassinated, and Bob had lived, Ted Kennedy would have stayed in the Senate. Bob might have run after Jack. Bob had the temperament for president, more so than did Ted. The Senate was the perfect environment for Ted. He would have been like the old Southern Senators. This was the pinnacle, and he had the time. He was going to become a Senate man. The assassinations interrupted all of that for Ted and he obviously was distracted and deferred from his tremendous calling as the Senate's most effective Senator.

RITCHIE: There were a number of Senators who, once they got the presidential monkey off their back, came back and were good Senators. Hubert Humphrey came back to the Senate. Barry Goldwater came back to the Senate. There were others who, after they ran for president, lost interest and left, like Eugene McCarthy.

FERRIS: Hubert was a Senator all his life. He was fighting causes all his life. I don't think Barry Goldwater was greatly engaged before he ran or after he came back. On military policy he was pretty well engaged, but I don't remember him being very engaged in anything else. I wasn't a great student of his so I can't really comment. I was only up there for eight months before he ran, so I didn't see what he was before and what he was after for comparison's sake.

I just remember that John Tower used to tell him how to vote in '64. John Tower was his chief advisor on votes in the Senate during the '64 campaign. Goldwater, when he was running for president, wasn't following the debate, and John Tower was. John Tower was very smart. He was a teacher, in economics or political science, and he was always well versed. He used to tell Goldwater how to vote on floor amendments during the '64

campaign. I was told once that Tower used to be a very liberal political science professor when he was teaching but he married into a wealthy family and he drifted rapidly to become very conservative, or maybe he had to get elected. He was so feisty. He'd come to the floor, and give a speech, vote, and then he'd give you a little wink. He'd have a little twinkle in his eye that said, "Everyone does what they have to do, and I'm playing my role."

The thing I liked about him, if you go back into the annual Congressional Directories that contained their biographies, he always included that "John Tower was a seaman second class in the United States Navy." He used to publish that where everyone else had all their honorary degrees. It was like Senator Pat McNamara of Michigan who put in the annual directories that he was a graduate of the Pipefitters School from the Quincy Shipyard. I always admired people so lacking in pretense.

RITCHIE: And Mike Mansfield from the School of Mines in Butte, Montana.

FERRIS: That's right, the School of Mines. He was absolutely without pretense.

RITCHIE: This is probably a good breaking point, but I'd like to talk next time about the '66 and '68 campaigns, the Vietnam War and the Nixon administration. This has been a good introduction to that whole time period.

FERRIS: Sure, you're making me recall an awful lot of things that I haven't thought on for years.

RITCHIE: Also I enjoyed your observations about the Kennedys and would like to ask about some of the other Senators from that era. I came to the Senate at the very end of that era, in 1976, just as many of those people were leaving, but I got a chance to work with a few of them at the end of their careers. It was an interesting time.

FERRIS: They were the best and the brightest in the country in my opinion. The South always sent their best. The three great professions in the South were medicine, journalism, and politics. You went into politics, you were part of the elite. In Boston, where I grew up, politicians who didn't represent your district were just perceived as scoundrels. It was law, medicine, and priesthood up there. Journalism wasn't as honored a profession in Boston, but it was a great tradition in the South, and politics was also a great tradition in

the South. Those that came to the Senate from the South were the best and the brightest. If there is an aristocracy in this meritocracy, the South sent their best.

I loved Lister Hill as a human being. He did not run in 1968 when he was up for reelection. I asked him after he announced his decision, "Senator, I was very saddened by your announcement that you're not going to run for reelection." He said to me, "I wouldn't make a deal with that little dictator." George Wallace was the governor. Boy, talk about pillars of integrity. He gave up his seat in the Senate because no one was going to own him. You remember people like that. They meant something and you hope their examples added something to your own character.

End of the Third Interview