

FROM THE SENATE TO THE HOUSE

Interview #5

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FERRIS: The Congress is lacking in civility. Politics is angry and confrontational these days.

RITCHIE: It's gotten more on the edge. It seems to be hard to do anything in the center.

FERRIS: Yes, no one wants to be in the center. Except they want to co-opt it. They want to be on one side or the other, depending on their constituency. But I just remember that we had the John Sherman Coopers, the Ed Muskies, and the Howard Bakers, who were always just interested in doing something that's worthwhile. When members start with that mind set, it leads to nice things.

RITCHIE: There were some very warm tributes in the *Congressional Record* by members to Senator [Edward M.] Kennedy. A lot of the Republicans talked about his ability to do that sort of thing, to reach out to their side and to find somebody on their side to co-author a bill.

FERRIS: Yes, Ted did that better than anyone else and it was so much a part of his approach to life in general. Robert Kennedy was so different when he came to the Senate. He had more confidence and Robert had more experience with his own staff to think out where he wanted to go and what he wanted to do. Then he'd call some people, outside experts, to validate his judgment. Ted, in contrast, immediately started calling experts and getting input. So his process was a very different one. He was used to listening to conflicting views and probably it just sort of developed into a style that made him very, very potent in this type of environment.

RITCHIE: His staff has talked about going to his home on Saturdays with their briefing books to get him ready if there was a bill that he was really interested in—and how with other some Senators, you could do the same thing with a one-paragraph memorandum.

FERRIS: That's right. Ted was really a Senate creature. It's so obvious to me, the Senate was where he was most comfortable. The presidential run was a creature of the organization of the "Kennedy nation." It's like "Red Sox nation." "Kennedy nation" had to have a candidate, and so he had to lead that charge in '80. After that was over, that's when he just really blossomed.

RITCHIE: I've been reading his memoir, *True Compass*.

FERRIS: Have you? I haven't. I've just read reviews of it. Is it good?

RITCHIE: It is his voice, because he did a long oral history before he died. I think they used a lot of those interviews in putting the book together, so it sounds like him. You get from the book a sense from it that, especially after Bobby Kennedy died it took him a long time to recover from that. He spent a long time in the '70s being distracted and not focused. But after 1980, he was one of the most effective Senators on Capitol Hill.

FERRIS: Oh, absolutely. Mansfield told me that he was the best Senator he ever served with. Mike just thought that Ted really was a Senate man. What Dick Russell was for the Southerners, Ted was for the Democrats from the '80s on. He was a Senate man. From the very beginning you had glimpses of that potential.

RITCHIE: Yes, he was a gregarious person who fit into a collegial organization.

FERRIS: Absolutely.

RITCHIE: And the Senate really was the right fit for him, for forty-seven years.

FERRIS: That's right. When someone asked him how long he was going to stay, he said until he got it right.

RITCHIE: One reporter asked me who would be the next Ted Kennedy and I said that frankly, in 1962, I don't think many reporters would have predicted that Ted Kennedy was going to be Ted Kennedy.

FERRIS: That's right.

RITCHIE: A lot of people assumed that he would run for president and that he wouldn't be there very long. But you never know.

FERRIS: Yes. This is a country of second chances.

RITCHIE: He became such a good committee man. Do you think that losing the floor leadership, losing the Whip position, redirected him in some respects, and that his legacy was really what he did in the committee and in the legislation he made?

FERRIS: Absolutely. Absolutely. Both Robert Kennedy and he attracted extraordinary staff. They had the best, there's no doubt about it. The reason they had the best is they vented their staff. Their staff would come up with ideas and they'd develop them and they'd run with them. I can remember that Gaylord Nelson had very, very good staff, but Gaylord didn't have the same instinct. He wouldn't vent the work product of his staff. That makes a big difference. Excellent staff doesn't stay in that environment. But Ted had very good staff, as did Robert. You can't get a better staff person than Cary Parker. His soul and Ted's soul merged as the years progressed. You could ask Cary and get a reaction from Cary and it'd be the same reaction you'd get from Ted if you'd asked Ted first. He was up with him from the 1960s. I think he clerked on the Supreme Court in the late '60's and then came right over to Ted's office and stayed the entire time. Cary was an incredible writer, just a magnificent writer. But that says something for a Senator when they keep someone for that long.

RITCHIE: Quite a few of Kennedy's staff had been with him for a really long time.

FERRIS: Yes, the environment was a very positive one. Ted created a stimulating environment.

RITCHIE: I'm not sure whether you know that the Senate has named the Caucus Room for the Kennedy brothers; John, Robert and Edward? The Caucus Room in the Russell Senate Office Building.

FERRIS: Oh really? That's where all three announced their run for the presidency.

RITCHIE: It was right after he died. The Senate passed a resolution. But I thought it was very interesting that they named it for the three brothers.

FERRIS: That really is nice.

RITCHIE: That's also, of course, where the Racket Committee held its hearings in the 1950s.

FERRIS: And Bob was the Committee's counsel. Well that's nice. I didn't realize that. I didn't see anything in the paper about that.

RITCHIE: It didn't get much publicity. But it went through unanimously in the Senate, as most things do.

FERRIS: Most things do, that's right [laughing]. Well that's great. I'm glad to hear that.

RITCHIE: Since the last time I saw you, we've come into possession of all of the Democratic minutes from 1964 to 1981. The Conference has asked us to edit them for eventual publication.

FERRIS: Of the Policy Committee?

RITCHIE: The Conferences and the Policy lunches.

FERRIS: Yes, the Policy Committee was always at the luncheons when I was there.

RITCHIE: They are very interesting to read. We had done the earlier volume up to 1964, and volunteered to do the next volume. So I've been reading through all of this, and of course your name is in all of them. I was very curious, because in January of 1973, they went from doing minutes to having a reporter there who recorded a verbatim account. But they don't explain in there why they did that. They just did it. I wondered if you remember what was the motivation that led them to have a reporter of debates do a full transcript.

FERRIS: Did they have one of the official reporters in there?

RITCHIE: Yes. They still do, in fact.

FERRIS: That's interesting. You know, I don't recall the actual transition. I can assume, probably, why Mansfield wanted it. It was in the Policy Committee that Dick Russell expressed reservations about Vietnam back in the '60s. But Russell had this position that once the flag is planted, you supported the president. If Dick Russell had gone public with those doubts, it would have given legitimacy to an awful lot of people on the question of the Vietnam War. And it would have given Lyndon Johnson earlier cover, because LBJ had traditionally followed Russell on military affairs. But I think the transition to an official reporter was post-Watergate, wasn't it?

RITCHIE: It was right in the middle of Watergate, actually. Just when the Ervin committee got started out.

FERRIS: Okay, I'm trying to think. That was after we had Harriman in there and Kissinger.

RITCHIE: The Vietnam War was still going on. That's one of the big issues that they talk about in there.

FERRIS: Yes. I assume that the motivation was that some things were said in the confidence of the Policy Committee, but those proceedings were kept secret. We never had one breach in the entire time that I was there, which with any group, especially a group of Senators, it's very, very unusual that they keep secrets, especially when they get something that they think is newsworthy. I think that Mansfield probably wanted to have a verbatim record of what people were saying in the conversation. I might try and read some of that, because I wonder if the dynamic changed. I always felt that if you brought television into the Senate, the character of the Senate would change because they'd be speaking to a camera. To some degree it does, because they stay in their office and watch. It will be interesting to see if the Policy Committee deliberations changed because there was verbatim.

RITCHIE: The one thing I noticed is that the Conferences were quite formal. I thought that in closed door they would be informal. But they say, "Will the Senator yield?" It sounds like what you would hear on the floor, although sometimes they also call each other by first name. It made me wonder how many of them were conscious of the fact that

the reporter was sitting over there in the corner.

FERRIS: Oh, I'm sure they were. It's amazing I don't remember. They had one of the regular reporters? I wonder if they had the same one all the time.

RITCHIE: I'm not sure, but most likely.

FERRIS: More than likely.

RITCHIE: They still do. I went to the policy lunch last week. I gave a brief "historical minute" at the beginning, and the reporter was right up there in the front, keeping a record of everything that's said. They started in January of 1973. Up until that point, there had always been minutes. But the minutes were getting longer, and so—

FERRIS: Well, the Ervin committee was post-January 1973. So it might have been motivated by Watergate. But actually, I don't remember that. Well, some of it might have happened before lunch. Did he sit in the lunch and get the conversation over the lunch?

RITCHIE: Just the formal part.

FERRIS: That was after the lunch, then.

RITCHIE: Yes. They would convene the meeting and then Senator Mansfield would make a few remarks.

FERRIS: A few remarks to set the tone.

RITCHIE: And then there would be a dialogue between the Senators on whatever the issue was.

FERRIS: Well, were the formal meetings long?

RITCHIE: Some of them are, yes. Some are fairly short, but some of them were about an hour length of discussion—

FERRIS: When the formal meeting was convened?

RITCHIE: So you've got about seventy pages of transcript in some cases for them.

FERRIS: That's fascinating.

RITCHIE: The interesting thing, in reading through it, the tensions that I see, I thought it would be Vietnam. And there is some Vietnam tension, but it seemed to me there was a generational tension as well. There were some younger, more progressive, reform-oriented Senators; Fred Harris, Lawton Chiles, Jim Abouresk. They seemed to want to push the party a little bit further along. And then there was, of course, some resistance from the old chairmen; the Russell Longs and others like that. Senator Mansfield seemed to be straddling the two, trying to keep peace.

FERRIS: Yes.

RITCHIE: I don't know if that reflects your view of those days.

FERRIS: Oh, sure. The Policy Committee didn't count as a committee assignment and once you were on the Policy Committee you stayed on. But there was the Legislative Review Committee, which never met separately, but they met with the Policy Committee and they functioned the same as the Policy Committee. Mansfield used to appoint the young, aggressive Senators to that group. It gave a better mix on the committee, because with seniority, once you're on the committee, you stayed. So it was a way to keep balance. But I think the interesting thing on the Watergate, one of the coups that Mansfield pulled off, was the notion of the special committee. Ed Long of Missouri had that subcommittee with Bud Fensterwald as his aid who wanted to really go after this thing. And then Ted Kennedy wanted to head the investigation. A lot of people wanted to initiate hearings in their committees, but Mansfield came up with an ad-hoc committee, and he got all of the Republicans to vote for it, so it wasn't a partisan charter that was set up. It was a bipartisan charter, unanimously voted by the Senate, and the legitimacy of that committee was established. Mansfield decided that no one who had presidential ambitions was going to be put on it. None of them did—Herman Talmadge, Joe Montoya. I mean, I can't remember them all off the top of my head, but none of them had presidential ambitions. So it was well-conceived. I don't recall any objections raised from proceeding this way.

But of the things that I remember, over the luncheon, those are the conversations that I remember. I remember Herman Talmadge, who was on that committee, coming in right after the counsel for the president, the one who's testimony really just laid it out. What's his name?

RITCHIE: Do you mean Alexander Butterfield?

FERRIS: No, no.

RITCHIE: Or [Fred] Buzhardt?

FERRIS: No, he had the blond wife.

RITCHIE: Oh, you mean John Dean.

FERRIS: John Dean. John Dean was giving multi-day testimony. And Herman Talmadge came into the meeting and someone asked him about, "What do you think, Herman, of Dean?" And Herman said, "Listen very closely, man. No one can be that good a liar. I believe him." Because they challenged him and everything he said was consistent. But those are the little anecdotes that you wouldn't get in these transcripts. They wouldn't say them for the record. But that's fascinating. I will try and read some of your edited work product.

RITCHIE: I just went to one of these weekly Conferences and it was interesting to watch where people sat, which groups got together. The newer members were all sitting at one table. Older chairmen were at another table. There was a group of women sitting together. Did they tend to break down into similar groups like that?

FERRIS: Not necessarily. I'm looking at right behind you. There's a picture there. See the picture of Ted Kennedy? That's when Ted was Whip. He's chairing a policy committee. Now that is Harold Hughes, Ted Kennedy, that's Ed Muskie and Bill Fulbright. Mansfield was absent. I don't know where he was. He was probably at one of these U.S.-Mexico parliamentary meetings. But no, it was really people just came in and sat down in the next empty chair.

RITCHIE: So in those days it really was the policy committee. Now it's become the whole Conference that meets every Tuesday. They've merged the Policy Committee and the Conference into one luncheon meeting.

FERRIS: The Democratic Policy Committee reflected the spectrum of the Senate. The ideological split in the Senate was mirrored in the Policy Committee. So you'd get a good sense of what the "hot button" issues were.

RITCHIE: What I'm getting from reading the meetings in the 1970s is a sense of incredible frustration on the part of the Democrats about the Nixon administration, being unable to cooperate and coming up against things like impoundment and the military policies. Even before Watergate breaks, there's a sense that the majority in Congress can't work with the president.

FERRIS: Yes. Well, the impoundment battles were what led to the establishment of the Congressional Budget Office, in the Budget and Impoundment Act. I think it was the frustration when members enacted a law and/or appropriated funds and the president just said, "No, I'm not going to spend it." It's probably like what they talk about with the signing statements, about how "I'm going to sign the law but ignore that provision." That is outrageous when it comes to balance of powers. Yes, there was great frustration. By 1972 many in the Senate felt that Nixon and the group he had with him at the time had crossed the line. The incredible fund-raising that was going on. Who was it that, was it Maurice Stans who resigned his cabinet post so that he could be the bucket man going around collecting campaign funds?

RITCHIE: The finance chairman.

FERRIS: The finance chairman. It was on a scale that no one had ever seen before. But was the campaign finance law passed before '72?

RITCHIE: There were campaign finance laws but the stronger ones came out after that.

FERRIS: Up until the early '70s, cash contributions could be made to members of Congress. I think it probably was in '73. But the cash contributions in the Nixon era were

just enormous. It was abusive. The Senators were all politicians and were all raising money themselves so they knew when someone crossed the line or went beyond the pale.

RITCHIE: There's a famous exchange on the Nixon tapes in which Nixon to Dean that raising a million dollars would be easy.

FERRIS: For the break-in, sure, that's right. I'm looking at another picture. Here, that's the Policy Committee. That's Mansfield, that's Stan Kimmitt, me, Russell Long, Danny Brewster, Stu Symington, Ed Muskie, Dick Russell, Hubert Humphrey, Phil Hart. See they're all mixed. There was no clustering or getting ideological comfort from someone who's beside you. It didn't work that way. That's what made it such a beautiful experience for everyone that was there.

RITCHIE: I also get the sense in reading through these minutes that Senator Mansfield was getting burned out in the '70s. He was straddling these tensions all the time. His comments were somewhat to the effect of, "I'm here to serve you . . . I'm willing to try what you want to try. . . ." and, "We've tried some of this before and it didn't work." Clearly there's a give-and-take that's going on between the various factions of the party that he's trying to keep as peaceful as possible.

FERRIS: Yes, and it wasn't just on policy. There were always a group of Senators who—talk about narcissism—the whole schedule of business in the Senate revolved around their personal travel schedules. They were just bulls. I mean, they'd come up to Mansfield and say, "You can't have a vote this Wednesday because I've got a speech I'm giving somewhere." Well, we've got to have votes sometimes. Stuart Symington was always a bull this way. But he was not alone, there were a dozen who were that way. With someone like Mansfield who was not confrontational, he would listen to them and try to accommodate them. "I'll do my best," and what have you. He always tried to accommodate all of them. That can become maddening. There's no doubt that he found it maddening. His leaving the Senate in '77 was, I think foreordained. He had run the course.

RITCHIE: Did you think that he was going to leave then? You had worked for him for so long.

FERRIS: I wasn't surprised. Because I remember one time when Carl Hayden was on the Policy Committee and Mansfield said—just sort of talking out loud with me—that when a person gets to that age he shouldn't be in the Senate. Senators should self impose a little discipline on themselves. I think he believed that and I think he lived by what he believed in. So when he said he wasn't going to run, I was not surprised. I was disappointed, but not surprised. Not really disappointed because I was ready to leave too. That was sort of *deja vu*. But no, I don't remember him saying or analyzing whether he was going to do it or not. But it wasn't how old was he when he retired. He was born in 1904 and he stepped down in 1977, at seventy-two.

RITCHIE: Of course, he lived another twenty years or more beyond that.

FERRIS: Absolutely.

RITCHIE: He came back one time in the 1990s for a reception—he was receiving an award, and I said, "Senator, you look better now than you did when you retired." He was like a character from *Lost Horizon*.

FERRIS: Yes. I remember making a similar comment when John Williams of Delaware came back to the Senate floor about eight years after he retired. He looked ten years younger. You know, the Senate can wear you down. Especially those that live nearby, the demands on their time to speak every night to people in Maryland or Virginia. How can the Senator say, "No, I've got to stay in Washington." "Well, hell, you can drive down here in an hour." Out west you can always say, "Well, I've got business back at the Senate." But for all it can be very, very demanding.

RITCHIE: It's been thirty years since Senator Mansfield left the Senate, but what have you thought about the kinds of leadership that followed him by comparison to Mansfield as leader? How would you rate his successors?

FERRIS: Well, I thought [George] Mitchell was very good. He had a great political sense and he had people sense. He certainly didn't trim his sails ideologically because of the job, but he handled the people side very, very well. Bobby Byrd—I had problems with Bobby Byrd, and so I probably can't be objective. But he was very, very faithful to the institution of the Senate. I think he probably had Lyndon Johnson as his role model. I don't know if

he did. I wasn't there then. But Mitchell succeeded him. And then there was—

RITCHIE: Daschle.

FERRIS: Tom Daschle came after Mitchell. I thought Tom Daschle was probably the best from the standpoint of talking to the media. He's very articulate and eloquent in describing something. From the standpoint of television, he was very, very good. They don't usually have television personalities as one of the bullet points for leaders. But I thought he was very good. But I know Daschle was always being attacked as being too partisan. So the transition towards what we have today was pretty mature even then and I don't think you could get another Mansfield who would be able to contain his personal feelings on issues so that people would have total confidence in coming to him and sharing their views on things. That's the ideal. I always thought it had to be someone from a small state where all the issues that we fought on the national agenda weren't issues in his state. That certainly was Montana. That gives the leader the luxury of being able to take votes on the basis of national issues rather than the state basis. Let me see, who were the Republicans? Howard Baker, he was the leader there, wasn't he when they took over in '81?

RITCHIE: In '81, right.

FERRIS: Howard Baker, I think, had Mansfield-type talents. He probably conducted himself very much like Mansfield because he wasn't a yeller and a screamer. He had strong views, but they were relatively moderate views. I'm sure he ran the Senate very well, as shown by the fact that he went down to the White House. Did he go directly from the Senate?

RITCHIE: No, he retired in '85 and then the Reagan administration called him back in '87 after Iran Contra.

FERRIS: Yes, to become White House chief of staff. Well, it probably ran its course with him, too. I mean, the Senate wears people out. It's like I find that managing partners of law firms, usually the one that's picked is a very successful lawyer who has generated a good book of clients and law firms put him in that job and he stays for five or six years and very few can make the transition back. You burn them out and they just die on the vine. It's really the same as what happens to the Majority Leader, although they maintain their

committees, but they slow down there. It burns them out. Howard Baker probably felt, "I've done this. It's not going to get any better." [laughing.] . It didn't get any better.

RITCHIE: The Senate just had the unveiling of Trent Lott's portrait at the Capitol and he invited Bill Clinton and Newt Gingrich as the speakers at his unveiling, which was an unusual combination.

FERRIS: Really?

RITCHIE: But Harry Reid opened the ceremony by saying—his first line was, "I miss Trent Lott in the Senate," by which he meant that Lott was someone he could sit down and reason with and we could work behind the scenes and we could get something done, which may not be necessarily the case right now.

FERRIS: Yes. I think Trent Lott had the advantage—he was the chief of staff on the Rules Committee in the House, wasn't he?

RITCHIE: He was with William Colmer, I think.

FERRIS: Colmer, yes, and so he understood the mechanics and the give-and-take and what the dynamic was going to be. So he had a good legislative background for how the mechanics worked. He probably was very successful. I remember him when he was up there. I don't know if he was in the Senate then, but I knew him probably from when I was over the short time with Tip O'Neill. He probably was in the House then. I thought he was a very pleasant fellow and didn't have the fire and the intolerance that so many have now with those that don't agree with their ideology or their views. Who was he leader with? Was he with Mitchell?

RITCHIE: It was Bob Dole as the Republican counterpart to Mitchell. Then Dole stepped down in '96 to run for president, and Lott succeeded him. So Lott and Daschle were the two leaders together.

FERRIS: I forgot all about Bob Dole. He had a tremendous political sense, I thought. He was as sharp as you get from the standpoint of analyzing the dynamic in the Senate even though he had been chairman of the RNC. I always say that anyone who was

chairman of their National Committee always was scarred by that experience. The National Chairman probably got five seconds of time on television. They always had to come up with a real zinger in that five seconds. Dole was the king of zingers. But that's not good when you're the Senate leader. I thought he was very, very constructive as a Senator during my time up there. I think Phil Burton and Bob Dole were probably responsible for the food stamp program. You know, he came from a farm state, and they worked together incredibly well.

RITCHIE: Yes, I think he was involved in it.

FERRIS: I mean, that's pretty progressive stuff. I think Bob Dole was also a big factor—although Packwood gets most of the credit—for the '86 Tax Reform Act. Was Dole Chairman of the Finance Committee then?

RITCHIE: He was floor leader. He was Majority Leader.

FERRIS: He was Majority Leader and Packwood was the Finance Committee chairman. But he was on the Finance Committee, wasn't he?

RITCHIE: Yes, he had been the chairman before he became leader.

FERRIS: I think he was the one that really got that passed, because he had the confidence to be able to make a judgment like that. And that was revolutionary. That was wiping out all the exclusions and exemptions and starting from scratch. I always thought there should be a sunset on special tax provisions. The reason for the special tax treatment that is intended to help a particular segment of the economy would expire. If the special tax treatment was successful, it was no longer going to be needed. But they stayed forever and I'm sure he sensed that.

RITCHIE: The floor staff always said that whenever they were looking for Senator Dole they would go to the Democratic cloakroom, because—

FERRIS: He'd be in there.

RITCHIE: –he'd be in there because you can't have staff in the Democratic cloakroom. If you went to the Republican cloakroom, you had all those Republican staffers looking over your shoulder. It was easier for him to cut the deal if he was in the Democratic cloakroom.

FERRIS: Could the staff go in the Republican cloakroom?

RITCHIE: They did then and they still do, actually. The Republican cloakroom has always been open to the staff. But the Democrats shut it off sometime in the late '60s, except for the Policy Committee staff. There were a lot of complaints that the cloakroom was too crowded. They still have a rule against Democratic staff in there.

FERRIS: Well Bob Byrd led the anti-staff feeling in the Senate. He put those corrals in the back of the Senate chamber and the staff have to stay in the corral. This was when he became Majority Leader. I think he resented staff to a great degree.

RITCHIE: Well, the staff was growing at that time, too. I think there was a sense that there were too many of them around. It wasn't like in the '50s and the '60s when there was only a handful of staff in the back.

FERRIS: Yes, that's right. Before S. Res. 59 was passed—was it 59 or S. Res. 60? It was after Russell Long really pulled a fast one in the Finance Committee in an executive session. Gene McCarthy wasn't there and they voted on something against Gene's position. He raised such hell. That's when they passed that resolution that every Senator would have a staff person to serve them on each of the committees that they were on. Talk about doubling the staff on the Hill!

RITCHIE: Right.

FERRIS: What year was that?

RITCHIE: That was 1975, I think. S. Res. 60.

FERRIS: Was that '75? It was that late?

RITCHIE: I'm pretty sure.

FERRIS: Okay. I thought it was much earlier.

RITCHIE: They were moving towards it because in 1971 the Senate created minority staff on the committees for the first time. In '75 they said that every Senator would have someone on each committee the served on.

FERRIS: One staff person for every Senator on each of the Senator's committees.

RITCHIE: That did have a big impact. That's why the Hart Building is there, among other things.

FERRIS: That's right.

RITCHIE: You had to put the extra staff somewhere. For a while there were apartment houses and hotels across the street that had been converted into Senate offices and the staff were working out of what had once been apartments.

FERRIS: Sure, but that was as late as '75? I thought it was probably a little earlier. Okay. But that was a doubling almost of what we had up there.

RITCHIE: In the mid-1970s a lot of the ways the Senate operates today were forged. Partly it was because of the Vietnam War and Watergate, which broke ties to the executive branch. And so Senators needed their own sources of information.

FERRIS: Yes.

RITCHIE: And the junior Senators didn't want to wait so long. They wanted to be part of the action.

FERRIS: Sure. It was the virus that brought in the class of '74 in the House. It was 85 members or something like that that came into the House. There was sort of a revolution that took place. The new Senators wanted to be a part of that revolution and justly so.

RITCHIE: That was when the cloture rule was changed in the Senate, too, in '75.

FERRIS: That was when it went to sixty, yes.

RITCHIE: There's a story in that some Senators, led by Walter Mondale, were trying to cut cloture to a simple majority, but Senator Mansfield is always cited as one of the reasons why they didn't reduce it to a simple majority. He felt that they needed more Senators to make a big decision.

FERRIS: Yes. Most of Mansfield's floor statements were written by Frank Valeo. But on that one, it was when the whole thing was being set up, and Hubert Humphrey was going to be in the chair. No, not Hubert. Yes, we did it when Hubert was the Vice President in '68 or '69, there was an effort made to change cloture at that time.

RITCHIE: A version of the "nuclear option."

FERRIS: Yes, that's right. But I worked out the scenario of how it was going to happen. It was just the idea that Mansfield had the right of recognition and therefore that gave him the right to control the dynamic. I'm sure I must have mentioned this before, but I went to Mansfield's back room in his office. Mansfield was there with Dick Russell and Clint Anderson. It was just on this procedure, and I had given him a memo about how it was going to play out, how if you appeal the ruling from the chair you can table it, and if you submit it to the Senate you can't, one or the other. We had it all worked out and so we went over it and Mansfield said, "Okay, you write my statement for tomorrow, Charlie." I said, "Fine." And I remember Dick Russell saying to me, "We've got a young fellow who I think is pretty good on the rules." I said, "Yes, sir." He said, "Talk to him." Well, he said, Russell Long! [laughing.] Russell Long was the "young fellow!" [laughing.]

But after Mansfield gave his statement on this thing late one day, it was one of the nicest compliments, Dick Russell came down and he knew I had written it because he was with Mansfield when Mansfield asked me to draft his statement. He said, "Charles," —he always called me Charles, he was very formal. He said, "Charles, that was the best statement on the meaning of the United States Senate I have ever heard." Of course, it helped that the statement agreed with Dick Russell's position. I was in favor of the two-thirds after the passage of the civil rights legislation. The bill was so strong because of that. If we had

majority cloture back then, Title 7 would have gone. Title 6 would have gone. Title 2 would have been emasculated to a great degree. I mean it was because you had that hurdle in the Senate and the South knew that they would have their day in court. So I was a believer in the two-thirds rule. But then Spessard Holland was the one that was very active in this. He was the one that wanted a constitutional amendment. Of course, it was silly having a cloture rule on a constitutional amendment. They were willing to go to sixty but they didn't want the sixty to be changed. I thought that if you want to change this rule you had to get two-thirds to change it?

RITCHIE: It's still two-thirds to cut off debate on a rule change, yes.

FERRIS: To change any rules. Yes, okay. So that's how they worked it out.

RITCHIE: They reduced it to sixty for everything but rules changes. That stayed at two-thirds, which means that a rules change has to be broadly accepted. Usually rules changes are unanimous.

FERRIS: Sure.

RITCHIE: There's nobody objecting at that point.

FERRIS: That's right. No one knows enough about the rules. Jim Allen and Dick Russell were the only two, really, when I was there who had a good understanding of the rules. I don't know how it is run now. When we had Charlie Watkins as the parliamentarian, what an incredible guy he was. Floyd Riddick was his assistant for a number of years, and he succeeded him. Then Floyd retired and Murray Zweben succeeded him. But then when the Republicans took over, they fired Murray and brought in Bob Dove, who was a Republican.

RITCHIE: Well Dove was the assistant. He was already there.

FERRIS: As the assistant, yeah. But Murray had not left.

RITCHIE: Right. Murray Zweben was fired in 1981.

FERRIS: Murray was fired so that Dove could get it. Bob was a good guy. I like Bob, too. But how do they do it now?

RITCHIE: The parliamentarian's office still does it by moving up. They start people in at a beginning level and usually it takes them years to learn the parliamentary procedure before they can move up. Bob Dove actually was fired twice; once by the Democrats in 1987, and once by the Republicans in 2003. First by Senator Byrd and then by Senator Lott. Alan Frumin was his assistant and Frumin moved up and then moved back down and then moved up again. He's now the parliamentarian.

FERRIS: Okay.

RITCHIE: There are some people saying that the parliamentarian is standing in the way of reconciliation, and that's the way they should get the health care bill through the Senate. But in fact, if for some reason they should get rid of him, his assistant will move up and probably make the same ruling that Frumin would. But they can't bring anybody in on the top-level position. It's almost an impossible job to step into.

FERRIS: Well that's right, to assimilate those rules. It's just an overwhelming forest of trees.

RITCHIE: And the parliamentarian has to be accepted as the fair umpire. If you tried to bring in someone in at the top, it would be like the home team hiring the umpire. You know that the visitors are going to object.

FERRIS: Yes, that's right. None of the Senators get involved enough to be able to even argue with the parliamentarian. They just take what he offers them. And, you know, it's good that they do it. At least it's someone with expertise that is making the recommendation. But the thing I've wondered is when we sent things to conference, the conference committee could only come back with something that straddled the two positions. Now they seem to go way outside of the parameters. Is that right?

RITCHIE: Well, especially on appropriations bills things would come back in the conference report that had never been in either the House or Senate bill.

FERRIS: Yes.

RITCHIE: Now there are some restrictions as to what they can do in conference. But the two bodies have gotten to the point where they sometimes don't even go to conference. They just keep amending the bills and they ping pong them back and forth to avoid a conference committee. That's one way for the majority to limit the role of the minority.

FERRIS: They ping pong it back to the other house?

RITCHIE: Yes, basically they amend the bill and they send it back, and then the other house accepts it or amends it again and sends it back for acceptance or further amendment. So in the last several Congresses there have been fewer conference committees.

FERRIS: That's interesting. Well, that certainly takes any discretion from the parliamentarian who would have to rule, if someone raised an objection. But do the rules still say that you have to sort of come within the boundaries of the two houses?

RITCHIE: Essentially, yes. They've tried to restrict them because they were getting pretty far afield. Of course, a conference report, when it comes back, has to be voted up or down. You can't amend it again and that creates problems in the process. But the ping pong approach only works if the same party controls both houses. In which case the leadership in the one can negotiate with the leadership in the other.

FERRIS: I didn't realize they were doing that now.

RITCHIE: Part of that is because conference committees are supposed to operate in sunshine rules and it's hard to cut a deal when you're on public display.

FERRIS: Now, they just talk on the phone. They always cut the deal or staff cuts the deal and then it's just a formality when they convene the conference committee.

RITCHIE: Yes, that's right. Sometimes the conference committee becomes just a photo op, before they adjourn to the back room where the things actually happen.

FERRIS: Absolutely. I remember when I went down to the FCC, they adopted sunshine rules and the Commission thought this was terrible. I said, "Boy, I think they're helpful, at least to me." I said, "As the chairman, no four commissioners are going to get together and take control of the Commission, but every commissioner can talk to every other commissioner individually one on one and line them up that way." I thought it enhanced the power of the chairman. But when I went down there they thought, "Oh boy, does this hurt." I said no, I didn't think it hurt at all. I don't think it hurts in the Congress, either. It's probably some of the conversations that are now had in the cloakroom, or on the telephone or in someone's office. But I don't think the Sunshine Rules substantively affect outcomes.

RITCHIE: One of the things that Ted Kennedy said in his book is that these days ninety-five percent of the nitty-gritty work of writing the bills and even negotiating the bills is actually carried out by the staff. He had seen the movement in the years since he had been there.

FERRIS: Well, I think probably a great deal of it was staff back then. I think the staff probably was more subtle and didn't exhibit that they had the power to do it and used to program their principals to deliver the words on both sides. But now I think the staff probably has that independent stature of their own. Yes, I think that's probably the case. But I think of Larry Woodworth. Do you remember Larry?

RITCHIE: The tax—

FERRIS: The Joint Committee on Taxation staff director. He would staff Ways and Means on the House floor and the Finance Committee on the Senate floor. Talk about a guy who had bridged it all. He handled it magnificently. I don't think anyone had any idea what side of the partisan aisle he was on. He was an incredible talent. God, they worked him to death. I remember when he went downtown in the Carter administration. He went down to Treasury as the assistant secretary in charge of tax policy. But the Ways and Means and the Finance Committees never accepted that he had a new job at Treasury. He was still going to be the committee's chief advisor. He did respond to their requests. Larry didn't know how to say no and they said he worked himself to death. He had a stroke, I think, down in Williamsburg. He was a magnificent guy. He was probably one of the best that I came across.

RITCHIE: Because he knew his information?

FERRIS: Oh, he was so well informed. Someone would come up with an amendment and he'd call down. He would call someone down at the Treasury, and they'd get what the revenue impact would be. Most of the time he could give you a ballpark estimate what the revenue impact would be of a particular amendment. And when he said something, no one said, "Oh, I want to get another opinion." If Larry said it, they believed it, because they knew that he played it straight. And he did. A good man.

RITCHIE: You mentioned before that you were briefly with the House of Representatives and when Senator Mansfield left the Senate you spent a year over with Tip O'Neill.

FERRIS: Yes.

RITCHIE: How different does the world look from the House side than from the Senate side?

FERRIS: The House side is so much more democratic in the broadest sense. I mean, the Senators did have a toga complex. They had that sense about who they were and how they should be treated. But over in the House it was very different. With limited debate under the House rules, no member of the House had that immense leverage each Senator has on every bill. I thought it was such a different dynamic. The short time I spent with Tip over there, I had contact with so many members of the House. After I left Tip's office, they always just remembered that I was general counsel to Tip O'Neill. That was just a small part of my background with the Congress, but that was the perception they had, which was fine. I don't know if they were discounting the Senate as having any real value [laughing].

But I had much more freedom. Like I could go on the floor of the House and sit down beside a member and have a chat. Or they can come and sit with you and have a chat on the House floor. That made information flow very, very easy. It was very helpful. But Tip O'Neill was the ultimate politician. He could read a room so well, the political situation so well. He didn't need me as his eyes and ears in the House when I was over there. He picked it all up himself. So it was very different than what I was able to do to a great extent for Mansfield over in the Senate. Mike Mansfield was so much of a loner in comparison to

most Senators. Tip O'Neill wasn't like that. He loved the rough and tumble of the House and getting in the middle of it all. He'd listen and he'd hear and he'd have a sense of where his party was going to go. I think Bob Michel was the only name he knew on the Republican side. He and Bob Michel had a very good relationship. But everyone has a good relationship with Bob Michel. He's still to this day that type of person.

Talk about how the bodies operated. You know, Lou Deschler, the parliamentarian over in the House, didn't even have a book of the rules and its precedents. He had them in his mind. So you had to go to him. And there was no appeal from him. I think they've reduced things to writing now, at least I've been told that. But he was just a power base in his own right and he didn't listen if the Speaker said, "You want to do this." He'd say, "No, you can't do this." And the Speaker would have to take it. Because there was no appeal. No one knows where to go to find out. He probably had things written down somewhere, but he didn't share that. They used to have the *Senate Procedure* book, and the precedents were updated periodically. They didn't have that over in the House. He just let them know. And of course they had the House Rules Committee, which was so blatantly powerful. They set the terms and conditions when a bill came to the floor. I don't recall any time when Deschler took on the Rules Committee. I don't even remember a situation where it could have happened, but I don't think it ever happened. He probably was reflecting the wills of what he thought the Rules Committee wanted: how they would want the process to move forward? Who's the parliamentarian over in the House now?

RITCHIE: Gee, I don't know the name of the current parliamentarian. [John V. Sullivan]

FERRIS: Jim Johnson was Deschler's deputy. He probably replaced Deschler.

RITCHIE: When the parties changed in 1995, the Republicans dropped the parliamentarian. They had been in the minority for forty years and decided that anybody who worked there must work for the majority.

FERRIS: So they brought an outsider in?

RITCHIE: I'm not sure how they did it, but just cleared everybody out.

FERRIS: What year was this?

RITCHIE: In 1995. That was right after the '94 election when Speaker Gingrich came in ready to change everything, including the names of most of the committees.

FERRIS: One thing that Gingrich did that I thought was so positive, you could only serve on a committee for six years as chairman. You had to rotate. I remember talking to Tom Foley. He wished he had that rule.

RITCHIE: Well, Foley was Gingrich's predecessor.

FERRIS: Was he defeated in '94?

RITCHIE: In '94, right.

FERRIS: I remember we had lunch after that and he said, "Boy, what a rule that is." He and Tip O'Neill had some entrenched chairmen to deal with. They had Jack Brooks over there, and Jack Brooks listened to no one. John Dingell listened to no one. Dan Rostenkowski listened to no one. They were warlords. They were able to trump the leadership. There's no doubt about it. The idea of the leadership having input into who's going to chair the committees is very attractive. When did Les Aspin take over from the congressman from Illinois as chairman of Armed Services? Was that back in '74?

RITCHIE: Somewhere in there. [1985]

FERRIS: Yeah, when the big class came in.

RITCHIE: Was it [F. Edward] Hébert they ousted?

FERRIS: Hébert was from Louisiana. I think it was [Melvin] Price. He was an old, old-timer. He was really a very nice man, but he stayed too long. I remember talking to Barney Frank when it happened. I said, "You know, it's a big precedent." Les Aspin was sort of a strange guy. He was a loner. He had the personality and profile of Bill Proxmire. Bill was probably his mentor mentally. I was talking to Barney about it and he said, "Yeah, it's going to be a change." I said, "The thing that I think is going to be positive is when the

Armed Services committee has a dialogue with the Pentagon, you're going to have someone who knows how to ask the questions and understand the meaning of the answer." And that's true, that was the case. But Les had other failings. He wasn't able to communicate with his own committee members. I don't think he had real control of that committee. But it was a significant precedent that I think was a very positive one. I mean, I think Carl Hayden was ninety-three and still chairman of the Appropriations Committee, and [Theodore Francis] Green was chairman of Foreign Relations in his nineties.

RITCHIE: Now both Democrats and Republicans in the House have the six year limit, and Senate Republicans have a six year limit. The Senate Democratic Conference has not limited their chairs as of yet. But we did go through a switch after the Republicans had been in the majority for over six years and a number of chairmen had to step down. The way it worked, they all wound up chairing other committees.

FERRIS: I just think the whole question is one of a stale record. I mean, the questions you asked twenty years ago and got valid answers, would get different answers today because the circumstances have changed. But they didn't ask it because they already knew that. That's the value of the turnover. I had that when I was down at the FCC. Talk about stale records. When I went down there as chairman, I didn't have any telecommunications background. I'd go to the Commission meetings, and I would ask the people from the bureaus who were presenting the items to the Commission what the basis of any proposed change was, and would develop the whole item piece by piece. It was not enough to say it has always been done that way. They'd come up and present, and we'd say, "All in favor, aye." But I made meetings go much longer. I wanted to be educated. I didn't want to accept things. I wanted, at least, to use them to educate me, and it was very useful. But there were an awful lot of stale records over there at the FCC when I came. It wasn't because people had a conspiracy going on, but it was just the idea that I think that's the way things happen. You ask a question and you get an answer and you think that answer is going to be valid forever. And it's not. That's why I think the House is right on the rotation of Chairs.

RITCHIE: After they came back to the majority they carried over that policy.

FERRIS: Good, good, a good carry over.

RITCHIE: As different as Nancy Pelosi is from Newt Gingrich, she's kept a lot of the practices that he established, because it concentrated more power in the office of the Speaker. Just as Gingrich carried on the same concentration of power that Speaker Jim Wright employed. Senate Majority Leaders like Harry Reid will lament publicly that they wish they had the kind of power that the Speaker of the House has and that Senate leaders just don't have.

FERRIS: I think that would be a big change if they nominated who were going to be committee chairs. That would give a little more responsiveness to the leadership. Now a chair probably can ignore the leader. And the leader in the Senate still is the chair of the Steering Committee and chair of the Policy Committee.

RITCHIE: The Democrats have now given the Policy Committee to someone other than the floor leader. I think it is Kent Conrad who currently chairs of the Policy Committee. Previously, Senator Mitchell split it with Senator Daschle as co-chairs of the Policy Committee, and Daschle carried on the practice when he became leader.

FERRIS: Well, when did the Policy Committee stop meeting as a small committee and having a caucus?

RITCHIE: I'm not sure exactly when, but I believe it was in the early 1980s, when Democrats were in the minority.. I think it's something that they adopted because the Republicans were doing it. It was also because the work week had gotten concentrated to Tuesday to Thursday. They began holding regular Tuesday lunches, and instead of just having the Policy Committee, they opened it up to everyone in the Conference. And when they needed to vote as a Conference, they could go into Conference mode because they were already there in one place. It was convenient for the leader because it was the one time of the week he could get everybody in the same room and try to work something out.

FERRIS: Yes, but the Senate Republicans always split their leadership.

RITCHIE: Oh, yes.

FERRIS: There was a floor leader, a Republican Policy Committee, Republican Conference. So the floor leader couldn't use the Policy Committee or the Steering

Committee as an instrument of his leadership.

RITCHIE: Right.

FERRIS: We usually met on Tuesdays and the Republicans always had a caucus on Tuesdays, a luncheon caucus. That's too bad, because I think the Policy Committee is a very useful vehicle for the leader to float trial balloons on legislation.

RITCHIE: I frankly don't know if the Policy Committee continues to meet separately anymore, but I know that now it's essentially the entire Conference that gets together.

FERRIS: Do they ever call a meeting of the Conference?

RITCHIE: Yes, depending on the circumstance. Most of the time it's called a policy luncheon. But when they need to be a Conference, to take a vote, they can go into Conference mode. And the leadership can also call separate Conferences.

FERRIS: Yes, they have to do that at the beginning of a session to ratify the Steering Committee's recommendations for committee assignments.

RITCHIE: Unfortunately, the minutes that we have only go as far as 1981, so I don't know what the practices have been since then. I haven't seen the specifics after that date. But that's my sense of what they do now.

FERRIS: You have them, what, from '64 to '81?

RITCHIE: Right, that's the part we're working on. We're planning to produce two volumes. One will be the Mansfield years; '64 to '77. And then the other will be the Byrd years from '77 to '81. They're going to be quite voluminous, because these transcripts are quite lengthy. One reason why they cooperated with us is because they really like having their minutes indexed so when they're looking for something they can find it quickly. We can scan the minutes and have them online and do an index for them as well.

FERRIS: That's good.

RITCHIE: Well, as I said, it was only after 1973 that they did it. I noticed that the minutes were getting longer and longer. I don't know who was keeping the minutes, but they may have complained after awhile that it was getting to be quite a chore to do it.

FERRIS: I did the minutes when I was there in the Policy Committee.

RITCHIE: Oh you did?

FERRIS: I think the Policy Committee evolved into something that was more open ended. I think the members liked it and they used it as an opportunity to float ideas. But I think now it seems so different. It seems as if the legislative process is eliminated. The chair or the subcommittee chair will introduce a bill that's always been worked on before introduction and that's the bill. Here it is, don't play with it. It bypasses the strength of the institution. Wilbur Mills never introduced a bill. He always placed the capstone on the tax bill in the Ways and Means committee, but everyone else was pushing and pull; he had the capstone. Everett Dirksen was the same way in the Senate. He never had a bill other than the flower that he wanted [to make the marigold the national flower]. But he was a big capstone-type person. That's how the process is supposed to work. I don't know if that's been lost, but it seems that the chair of a committee; whether it's Ed Markie or the chair of the Finance Committee, Max Baucus. The health bill had six people working on it for months. They represented two percent of the country. They obviously had great discretion to shape the bill without strong constituent pressure. This can be a great asset to be free from accountability back home.

So that's the way it is. It's going to be interesting how that happens. People were criticizing [Barack] Obama for just sending an idea up there, a concept, and having them do it. I said, that's a brilliant stroke, because what you're doing is you're going to have six committees all competing with each other to get out the first bill. And they're going to be working and competing and all their energy is going to be competing with the other committees to get something out. Then when they get something out, that's when the White House can come in, ideally at the conference committee, and then the White House can swoop in with their policy. They don't waste their candle before. I think that wisdom has been lost to so many.

By comparison, you just have to look at the Clinton health plan. He sent them up a nice package, well structured and defined in detail. The Congress said no. It was too much for them to assimilate. But I think they're going to get something. I'm at a distance, but it seems to me that the dynamic is right for them to get something. Do you?

RITCHIE: I think they're afraid to fail. That they see what happened in '94 as the example of the consequences if they fail to come up with a bill. What they can get is another matter. We have a lot of commentators who say, "Well, this whole process has been a mess." And my response is, "All legislation is messy. You just don't pay attention to it most of the time."

FERRIS: Absolutely.

RITCHIE: It's a matter of compromise and seeing what you can get into the bill, and what you can take out of the bill.

FERRIS: Yes, and the Senate's mind can only focus on small pieces. Something has to be symbolic of the whole thing. Because that bill must be two thousand pages or something like that. Not one of those Senators or congressmen read it. So who knows what's in it. It's always someone has told them what's in it and it's only some provisions of the details in those bills. But if you can control the public dialogue from the standpoint of keeping it on certain issues, you can get an awful lot done behind the scenes in that bill. I'm sure that's going to be the case here. It's probably going to come down to the public option or not, but everything else will probably be the way they want it. I think that would be unfortunate, because I think the public option, personally, is necessary to hold the whole thing together.

RITCHIE: The limitation on reconciliation is it can't increase the federal deficit. So there is a revenue neutral factor there.

FERRIS: So the Congressional Budget Office really is the one that has the control?

RITCHIE: And the parliamentarian also has a say in that as well. You're not supposed to be able to run through something that would authorize huge expenditures on a reconciliation bill.

FERRIS: What is the time frame?

RITCHIE: I'm not sure how they work that out. But in 1981 they ran Ronald Reagan's tax cuts through on the grounds that it wasn't going to increase the deficit, and it wound up increasing the deficit enormously.

FERRIS: Sure.

RITCHIE: Because they used reconciliation loosely in 1981, after that they put some limitations on how it could be used.

FERRIS: Did they actually modify the reconciliation process?

RITCHIE: There's something called the Byrd rule that stipulates that the parliamentarian has to make some assessments in the process, which is the reason why the parliamentarian is in the middle of this fight right now. He's got to look at all of this and see whether it fits.

FERRIS: The Congressional Budget Office always seemed to have a sense of calling it pretty straight and non-partisan. Do they still have that reputation?

RITCHIE: Yes, I think so. The Congressional Budget Office has been shaken up at various times. But because it has to respond to both the Senate and the House, and because it's got members in both parties who are keeping an eye on it, they've kept it fairly neutral. I think it's probably irritated both parties at different times, which is a good sign of neutrality.

FERRIS: Yes. But I would think that the parliamentarian would rely upon their estimates for his own, because how could he make the estimates himself?

RITCHIE: Right. They have to make a case for it, I guess. But the parliamentarian is now responsible for making some major judgments. That wasn't the case when Watkins and Riddick were there. I'm not sure the current parliamentarian really relishes that role. It's been thrust on him in some respects and puts him in a difficult position a lot of times.

FERRIS: Absolutely. He has to choose sides. You're going to make one enemy and one friend. One side's going to win. And it's unfair to throw that on someone who's not supposed to have a political job. How is this new parliamentarian? Have you had a lot of dealing with him?

RITCHIE: Alan Frumin? He has been there for thirty years like me, and so I've known him for most of that time period.

FERRIS: Well, he probably came after I left in '76.

RITCHIE: Yes, I think he came around '78 or so.

FERRIS: Okay.

RITCHIE: He's a very quiet person. He plays his cards very close to his vest. He doesn't volunteer a lot of information and that's probably kept him on the job as long as he's been there.

FERRIS: That's right. And does he have deputies that have been with him for a long time?

RITCHIE: Yes. His deputies have been there for quite a few years as well, There are four parliamentarians now. Each one has so many years of experience. They rotate on the floor regularly, and they're working on a new precedence book but it always takes longer than they estimate.

FERRIS: Oh sure, absolutely.

RITCHIE: And of course, the precedents keep changing constantly. So the only staff person on the desk in the Senate chamber who can have a computer is the parliamentarian. That's the one thing that Watkins and Riddick never had, a computer. They had to keep it in their heads. But the parliamentarians now can check to see what the precedents are on some issues.

FERRIS: Charlie Watkins was the journal clerk. They didn't have a parliamentarian before him. I think he came to the Senate in 1912, about the time when Carl Hayden came. The parliamentarian's job didn't exist. But since he maintained the journals, he had all the precedents. The journal clerk was in effect parliamentarian. At some point in the distant past, the Senate established the position of parliamentarian. Charles Watkins moved into that newly established position. During my years, Floyd Riddick was his assistant. Who is the journal clerk now?

RITCHIE: Scott Sanborn is the journal clerk now.

RITCHIE: The legislative clerk was ten years younger than I am and he just retired. He just wanted to spend some evenings with his family for a change. I used to see him during the day and then I would go home and at ten or eleven o'clock at night, I'd turn on C-SPAN and there he would still be. The demands on the floor staff are really intense.

FERRIS: [Edward E.] Ted Mansur was the legislative clerk when I was there. He was a grumpy old ham. It seems that there's a woman now who's reading the roll.

RITCHIE: Yes, Kathy Alvarez is now the reading clerk. Dave Tinsley is the person who retired and his predecessor was Scott Bates, who was killed by a car during the Clinton impeachment trial. That was a very sad moment for the whole Senate because he was a very well-liked person up there.

FERRIS: Well, the House and Senate evolved in different ways.

RITCHIE: But the House reverted to much of what it had been before. They renamed all the committees the original names. There's a certain familiarity that is hard to change. But the Speaker concentrated a lot more power in his office. And the current Speaker has kept that pretty tightly as well. You know politicians, once they get power, don't like to give it up.

FERRIS: It's like the real estate in the Capitol. You know, the offices the Senators have in the Capitol. My God, those are the things they really fought over. They never gave up anything, Mansfield even. Mansfield was not that type of person. But he had the LBJ room, you know, those suite of offices, which he never used. And poor Hubert Humphrey

had very little. And then he had the suite 208. I don't know if that's his office now.

RITCHIE: No.

FERRIS: Because the Secretary of the Senate's office was 212 over on the other side.

RITCHIE: They switched and now the Democratic leader is where the Secretary's office used to be.

FERRIS: Okay.

RITCHIE: And the Secretary is now up on the third floor.

FERRIS: 307?

RITCHIE: No, on the other side where the Radio/TV gallery used to be.

FERRIS: Oh sure, okay.

RITCHIE: The Radio/TV gallery now has a much larger space, where the Senate Document Room used to be, in the middle on the third floor across from the Senate galleries. So the Secretary's office has gotten smaller and the Senators' office have grown. The Republican Whip now has the offices that Senator Mansfield used to have.

FERRIS: Oh really? The Republican Whip is there?

RITCHIE: Yes, and the Democratic Majority Leader is on the other side. The Democratic Whip is upstairs where the Sergeant at Arms used to be.

FERRIS: Oh, okay. So right above the leader then?

RITCHIE: Yes. So real estate is still a premium.

FERRIS: They're not making any more [laughing]. Boy those are the fights. I was always surprised that the Policy Committee had really prime real estate. Do they still have that?

RITCHIE: They have the rooms down in the Brumidi Corridor.

FERRIS: 118, 119.

RITCHIE: Yes, right.

FERRIS: Yes, they are magnificent offices. You had a chandelier in there and it was impressive. Bill Fulbright came in there one time to see me about something and he said, "Wow, how the hell do you have this office?" He said, "I'm going to go for this office." And I said, "You're not going to be able to get this office, Mr. Chairman." Mansfield was very protective of his real estate. He never used it all, but he had that instinct that they all have. Foreign relations is still at 116?

RITCHIE: Yes, right.

FERRIS: Okay.

RITCHIE: Recently I've been interviewing a Marty Paone, who was the Democratic Secretary in the 1990s. He pointed out that when he was with the Policy Committee his base of operation was supposed to be that room downstairs on the first floor, but he was always on the Senate floor. All he did in the morning was come in, take his coat off, put his lunch in the refrigerator and then go upstairs to the floor. He said he almost never was downstairs in that nice office that was available for him.

FERRIS: Yes, well we didn't have the same hours back then. We used to work Saturday mornings, too. Because Mansfield came in Saturday mornings, we always came in. But it was a great office. You know Mark Shields [the political commentator]?

RITCHIE: Yes.

FERRIS: Mark Shields was married in my office up there. Harold Green was the judge from the district court who oversaw the breakup of AT&T and oversaw that consent decree for ten years. He was a magnificent judge. He had been the assistant attorney general for civil rights when they created that job in the '57 Civil Rights Act. And he came up and married them in my office, because it was a beautiful office. Mark was with [William] Proxmire at the time. He started his political career as a legislative aide to Proxmire. He's done very well and he's still very lucid. He and David Brooks are really a great combination on the Jim Lehrer show [the PBS News Hour].

RITCHIE: Yes, he does cut right through it when he makes an assessment.

FERRIS: I came back from New York on a train about a month ago. I always find in the summertime, with the thunderstorms coming into Washington, you get tied up up there at LaGuardia [airport]. It's really very pleasant coming down on the train. Jim Lehrer was on the same train with his producer and we chatted a little bit. He said, "you're a friend of Mark Shields?" I said, "Yes, I am. We go way back." And I said, "I think Mark and David Brooks do a great job. Mark and [David] Gergen did a great job, too." And he said, "Yeah." Because they were really very good. He said, "You know, we have a conversation before the program about what we're going to talk about. And so we go back and forth." And he said, "Mark will come out with one of his crisp little zingers in the conversation before." Then he said, "When I get on the program, I'll take his zinger and use it in a question. [laughing] And Mark will protest that I'm stealing his material." But he said, "You don't realize it but Mark spends so much time researching the entire week before that program." He has more interns working over there, running and getting this, getting that. It's not just right off the top of the head. Well it can't be. You wouldn't survive if it was just breezy top-of-the-head-type stuff. He said, "He really works very, very hard putting together his materials for the program." Which is very interesting because, you know they're on what—the segment is five or eight minutes? Or ten minutes at the most? And he spends most of the week researching for it. I didn't realize that. That was good to hear.

RITCHIE: Well, there are a large number of Capitol Hill alumni who are scattered around the city; working in the executive branch and in the media, whose experiences on Capitol Hill was a launching pad for them in many ways.

FERRIS: Oh, it's the best. Forming a sense of how the place works. Gary Hymel was up there.

RITCHIE: Yes, with the Speaker.

FERRIS: Is he still around in town?

RITCHIE: I don't know if he's still in town. He had Louisiana roots.

FERRIS: Yes, he came up to work for Hale Boggs. I liked him. Gary was a delightful guy. When Hale Boggs died, Tip kept him on as his guy as Whip. And then he kept him as leader and as speaker. Gary was a great political animal who didn't have any apparent ideology, but he had tremendous memory. He was great with people. Great recollecting issues development and who's on which side of what. So he was a great asset, I thought, to anyone up there.

RITCHIE: There's been an interesting development in the political parties since the 1970'. When you were there, there was almost never a party-line vote on any issue. Now almost every vote on Capitol Hill is a party-line vote, in the House and in the Senate. It strikes me that in the '70s the staff had to be more neutral because if you were in the Democratic side, you had a lot of conservative chairmen of committees as well as a lot of young liberal members. In the Republican party, they had everyone from Jacob Javits to Roman Hruska.

FERRIS: Yes

RITCHIE: So you really couldn't steer it in one direction or the other. You had to serve the whole party. Now the whole party is either the liberal party or the conservative party. There are very few exceptions in either one of the Conferences.

FERRIS: Well, the party identification was never prominent in our legislative decisions. The center of gravity of the Democratic Party was much more progressive than the Republicans. But the Republicans had people who were as progressive as any Democrat. Javits, Case, and Chuck Percy, Ed Brooke, and Tom Kuchel were very progressive Republican Senators. But there were more in the Democratic Party. So the center of gravity

was different and needed to be assessed as each issue was scheduled on the floor. As a staff person, I had to be subtle in engaging in this process, and never flaunt my participation.

I had one instance that could have blown up on a trade bill. It was right before the August recess. I used to go up to the Senate gallery when the session was out and sit and play Hearts with some of the reporters. Some of my best friends were there in the gallery. It was good for me to get their vibes and what they were picking up on issues. All conversations with them were off the record, on deep background. No way of tracing attribution for anything I said. It worked beautifully. I was able to give them perspective on certain things and they provided me with great intelligence. Mike Mansfield did not have a press assistant his entire career. But there was a new guy for Reuters. He listened in one time (I think in 1972), when we were talking about a trade bill, and the House was saying we were going to pass it before the August recess. I said, "There's no way that's going to be scheduled or passed before the recess." I gave some reasons and whatever. And damn it if the *Baltimore Sun* carried his story on their front page. The worse thing was I was in the lead paragraph, Mansfield was in the fourth paragraph, and Wilbur Mills was in about the seventh paragraph. Now the big thing is, they have to be elected, not me. Mansfield, he read the paper and he saw that report and he said, "Thank God we're going on August recess, because Wilbur Mills would probably be hunting you down." But Mike Mansfield didn't have a problem. He was a most unusual elected official. But boy that Reuter's reporter, he was never in my company when I talked about anything. He didn't play by the rules.

Today, there are no such understandings and as a result you don't have the ability to have conversations with members of the press in an easy way. John Finney of the *New York Times* covered the Senate for years. Maggie Hunter covered mostly the House. She was a very good reporter. And David Rosenbaum, he covered the Senate as well. At first, the *New York Times* reporters covered everything in one chamber whether on the institution or on substantive issues. They covered the executive branch on issues that were before the Congress. All had tremendous ability and capacity. They were nice folks and easy to talk to. There was no pretense to them. You could have a conversation with them, and they knew what the limits were. And I knew. But now I think that maybe it's not that way. Everything seems to have changed. It seems like everyone tries to get a leg up, use that type of relationship or input for leverage. I'm glad I'm not there. I guess you'd adapt to doing it, but it wouldn't be as enjoyable as it was. I think every generation probably says that, don't they?

RITCHIE: I suspect so. I suspect that the same complaints probably are there all the time. But one change is that reporters are not just writing for newspapers, they're also writing for the website. The print reporters now come with cameras to take pictures because they're doing the web story along the way. Some of the older Senators have a lot of trouble distinguishing between television and newspaper people. When a newspaper reporter tries to film them, that throws them off altogether.

FERRIS: Do they actually have a camera?

RITCHIE: A few of them do. Senator Ted Stevens was in the hallway outside the Senate chamber one day, and a reporter held a little hand-held camera up to take his picture. He just got furious and accused the reporter of ambushing him. Because that was not where filming took place. He would talk to him in the Radio/TV gallery, but he didn't want to be ambushed, as he said, by somebody with a little camera in the hallways.

FERRIS: They can do it with a cell phone now.

RITCHIE: Exactly. But they're doing this because they're creating something for the website as well as for the newspaper because that's where the ad revenue is going right now.

FERRIS: Yes, that's where all the newspapers are going. It's sort of sad. But that's generational too. I think the young generation prefers to get it on the screen. I just love the experience of reading a newspaper, but that's generational.

RITCHIE: I wanted to ask you about after you left the government and came into a law practice. Did you continue to have connections with Congress; with the Senate and the House?

FERRIS: Yes, but mostly on a personal rather than professional level. Tip was Speaker until he retired in '86. You could sort of walk in with Tip. Leo Deal would be outside. He was Tip's goalie and once in Tip's office Leo would prevent interruptions. I was in a couple of poker games with some members from the House side. And so we had a lot of contact there. Phil Burton was one of the organizers of those poker games. The House was much more informal, and I enjoyed that environment. There was a bar down here on 18th

Street or 20th Street right near the White House. It was the Class Reunion. Do you remember that?

RITCHIE: Yes.

FERRIS: Well all the press from the Hill used to go there on Friday nights. And I used to go down there and we used to have sort of a good session down there. I think there must be another place that's taken over from that.

RITCHIE: That's gone, yes.

FERRIS: It probably was because I enjoyed the give-and-take up there and the press were very bright generally and the staff were very able and bright. So yes, I did keep contact, but it was in an informal way. I had a couple of clients in the mid '80s, after I came into private practice. Jack Valenti and I used to have a dog-and-pony show on the video tapes issue. When the machines first came out Jack Valenti thought it was going to kill Hollywood. That issue lasted for about two or three years. There were an awful lot of people—I think every law firm in town had some piece of that videotape dispute. I'd visit with Senators on that issue. Mostly in the Senate rather than the House on that issue.

The thing that I always liked most when I returned to the Hill was the reaction from Senators who would say, "Why don't you come up more, Charlie? We don't see you enough." And I felt good.. You knew you weren't wearing your welcome out when they had that reaction. I did the same thing over at the FCC. I don't go over to the FCC. I don't go anywhere now. But back in the '80s when I first came out of the government, I had Ted Turner and Chuck Dolan as clients. You would have issues and they'd want to meet with the commissioners and the chairmen. So I'd go over there then. But I'd never walk the corridors over there. You don't have to. It's all by written presentation. But it's nice when you go and they say, "It's good to see you," rather than hiding when they see you come down the corridor. I kept it on terms that I was very comfortable with and I think they were as well.

But you don't get that environment out of your system. My congressional years provided me with a tremendous opportunity to participate on the important issues that were the country's agenda. It was a rare, rare privilege to have been up there. The relationships

that you developed over the years have lasting ingredients in shaping your life. So I felt good that I didn't abuse any of their relationships in their mind, and not in my mind, either.

RITCHIE: There's certainly a legislative impact as well. The legislation that you were involved in had an enormous impact.

FERRIS: That was the great era. I was sitting in as the backroom lawyer on the Civil Rights and Voting Rights legislation. I have said to myself so many times to this day, this comes once a millennium when someone has an opportunity at this level to make inputs. I look back on my career and that was the most significant period—I said to myself it's too bad that I peaked professionally at the age of thirty [laughing]. But you know, there was no other event in my professional life that can match that period of time when we were doing such significant things. And they have remained significant things. Barack Obama is a result of the Voting Rights Act. The South being all Republican was a result of the Voting Rights Act. But that's great change for the better for the country. To think that you had a little part in it. It was a great, great time. Great opportunity.

As I said, I peaked professionally, because nothing can give you the same satisfaction. When I went down to the FCC, I remember Newton Minow saying to me, "This is going to be the most challenging job you could ever have." Well, I didn't know anything about telecommunications, but I'd been dealing with policy for fifteen years on the Hill. I had to change gears, but there's an approach to how you do these things and sort out the factors that are important. So it was the same thing down at the FCC. It was just very fortunate to have had that background and to be able to go down and it was not nearly as challenging as some of the things I had when with the Senate. And not as rewarding. You were the point person, and you weren't a staff person. You were running the show, so it was you who was on the line. That's the way it should be and I was very comfortable with that. You had people catching your coat before it hit the ground and kissing your earlobes. But the experience on the Hill taught me that people kiss the earlobes of the title of the person, not the person. I never forgot that. They weren't laughing at my jokes now because they were any funnier. So you got a perspective that was very, very helpful, very stabilizing. For me, at least, it made it easier for me to conduct myself in those circumstances.

Then you come into private practice and there's so much money being made. But lawyers aren't worth the amount of money that they are billing. I think the law firm business

model is going to collapse, to implode. The hourly fees have gotten so high now—getting paid by the hour. You should be paid by the value of the advice that you give. Sometimes you can give something that is of tremendous value and it's worth tens of thousands of dollars for that one afternoon of advice. That, to me, would make more sense on the outside if you got a bill for that. Whereas, just grinding out hours is not the best formula. To make a transaction to a fee for service now will be the real challenge.

But healthcare is the same thing. Doctors' behavior is going to have to change and I think we're going to have to generate so many more doctors in the country, family physicians and point people who deal with patients, whether they're going to be physicians assistants or nurses. I was on Medicare and my doctor, who I had since 1965, retired. So I said, "What do I do now?" I'll have to get another doctor. I didn't realize how difficult it was to get a doctor when you're on Medicare. I told my brother, "You know, we're going to provide insurance to everybody but no one is going to be able to get a doctor. We'll all be insured, but we'll have no medical care."

One of my neighbors was a retired faculty member at Johns Hopkins. She gave me a couple of names. These were Johns Hopkins-trained people and she said that "each would be great." So I called. I spoke to their assistant. They took all my information and I said, "My doctor retired and I need a new doctor. I don't have any ailments. I'm not sick." And she said, "Fine. And insurance?" I said, "Primary is Medicare and secondary is Blue Cross Blue Shield." Two hours later she called back, "The doctor's not taking any new patients." I called the second recommendation and gave them the same information. No reaction. A call back in a couple of hours said, "not taking any new patients." And I asked, "Is it because I'm on Medicare? Is that determining the decision here?" She was very calm. She said, "We can only take so many patients on Medicare." If you're a new patient, they can say, no, we don't want a new patient. I said, "Boy, that's going to be pretty tough when doctors can say, I don't want any new patients." But it turned out a friend of mine had a doctor who they were very friendly with and got me in to see him and he accepted me as a new patient. I'm healthy as can be, so they know that I'm not going to be a nuisance.

But I think that's going to be a real problem if we put forty-five million more people under insurance in some sort of system, do we have the doctors for that patient load? They all go to the emergency room now, I guess, for Medicaid. But if you're going to try to service these people and have preventive medicine as sort of the policy that guides everything, where

the hell are we going to get all the doctors? There has been a mechanism in the past that the AMA used to accredit medical schools. They put a limit at how many students they could have at each medical school. That's how they kept the lid on how many doctors there were going to be. I don't know if they still do that, but they're going to have to change that whole dynamic. I'm sure they're thinking of that up on the Hill.

RITCHIE: The interesting thing about legislation is not only the intended consequences, but the unintended consequences. Any bill of a major nature is going to have rippling effects.

FERRIS: Oh, absolutely.

RITCHIE: You hope that people are anticipating, well if you do this, how will it affect people on Medicare? How will it affect this or that? The number of doctors has got to be part of the consideration.

FERRIS: And this type of concierge type of medicine, where you pay two thousand dollars to the doctor every year but he's at your call twenty-four seven, but he reduces significantly the number of patients seen. Whether he has six hundred patients all paying two thousand dollars a year for the privilege of having a doctor answer your call and getting the best medical care. You don't pay for every procedure. The procedures you get are those needed. But it is so elitist. Everyone can't pay two thousand dollars a year up front. And the result is that the existing patient per doctor ratio is reduced. That's a terrible path that medicine is moving down. I don't think it's positive. I don't know if we should be talking about this type of stuff because it's not your interest at all.

RITCHIE: Of course, it's the Senate's interest. We have a young woman who is helping edit the Democratic minutes from the 1970s, and she came in one day and said, "All the issues they're talking about in the 1970s, they're still talking about them today." They were talking about medical care back then. They were concerned about American troops overseas back then, you know? She said, "Every single issue that we're confronting right now, they were talking about in the 1970s."

FERRIS: Yes, well, that's probably healthy. Every generation should be talking about the critical issues. But I'm hoping on the healthcare bill that they pass something. But

if they pass it, I think as you said, the unintended consequences of these things can be tremendous. I mean, I don't know where the doctors are going to come from.

RITCHIE: Historically, at least, the major changes have taken years to perfect.

FERRIS: Yes.

RITCHIE: Social Security was passed in 1935, but a lot of people weren't included in it until the 1950s. Congress just expanded it a little bit further and further to cover the people who had been left out in the previous times.

FERRIS: Yes but the retirement age for Social Security is sixty-five. Life expectancy was sixty-four in 1935 when they passed it.

RITCHIE: Right. There's a real problem now with people living as long as they do and having to increase the retirement age along the way to compensate for that.

FERRIS: But they really haven't done that yet, have they?

RITCHIE: Well it's a little bit higher than it used to be. You can retire at sixty-two, but your payment is low. If you wait until sixty-six, then you get your maximum payment. But if you retire at seventy, you can get even more than that. So they have some positive incentives to encourage people to stay working longer. I suspect they'll have to do things like that with healthcare as well, making decisions.

FERRIS: Actually the doctors have been making these critical decisions for generations about living and dying. And people accepted it. They didn't come right up front and say, "I'm making this decision," but they were making those decisions. Now they have to be transparent. Then it becomes a political issue, and politicians are not equipped to make those decisions. Each decision is so different. So with Medicare, they're going to have to limit what procedures will be available. Maybe at eighty or eighty-five, you don't get heart transplants. Or you don't get certain procedures—extraordinary procedures. I have a living will and I prescribe all that. But it's very, very hard for politicians to prescribe those types of things. They're going to break the system unless they can control the costs. Medicare is going to be modified because they're going to have to limit how much reimbursement you

can get for certain things. There must be certain hurdles before you can get a particular type of procedure. The hurdles will be applied to Medicare, too. So people on Medicare will be impacted by this even though it's not explicit. I mean, I don't think that's an unintended consequence. That's an intended, but not explicit, consequence of what is being done. But that's something that must be done and we should do it.

And I think, even as a Democrat, we have to do something about tort reform. The trial lawyers bet the farm at reelection with the Democrats, especially in the House. But arbitration is a concept whose time has come. I don't know if you need caps, because I don't know how caps would work. I guess caps would be a first on all of the punitive damages. But something has to be done, because the fear of litigation is driving an awful lot of doctors' decisions.

RITCHIE: Well, doing the right thing and selling it politically are two different phenomenons.

FERRIS: Absolutely.

RITCHIE: And I suspect that the one thing that hasn't changed in Congress from the days that you were there to now is human nature. Political leaders are just willing to go so far and when public opinion is not with them, they're just not going to sacrifice themselves on an issue for something that's politically unpopular.

FERRIS: Yes, I know it. And that's what gave birth to the term limit movement. Maybe people would sacrifice to do what is right. But they could as well favor the most generous. I always thought that term limits on chairmen would be a better path to follow. I always use Lee Hamilton as an example of a rotation of chairs of committees. Lee Hamilton would have been a leader on any committee he was on. So if he had a six year term on House chairmen, he could go to another committee and be a leader there. So I think the term limit rule, on chairs of congressional committees makes an awful lot of sense. It brings fresh talent to an issue every six years and that's good. We did that in the Senate on the Intelligence Committee.

RITCHIE: That's right.

FERRIS: That was the first one. And then when I went over to Tip, that was the one issue I took on for my short time with the Speaker. This is the gavel Tip gave me. That's the gavel he used when they passed the House Intelligence Committee. I worked with Mondale in getting the one in the Senate done. It doesn't work if you just have an Intelligence Committee on one side, we've got to get a House Intelligence Committee. So when I was there with Tip, I thought, this would be a good project. And we did it. We got it passed and we put in it the same type of rotation of committee chairs. That was a new concept then. You couldn't be chairman or a member of that committee for more than six years. You had to get off the committee. And that was a part of the resolution establishing an Intelligence Committee.

RITCHIE: I like the inscription here. [reading:] "To Charlie Ferris who walks the tightrope better than anyone else. From Speaker O'Neill. July 14, 1977."

FERRIS: That was nice. I didn't realize he was going to do that. I think it was Ari Weiss who probably got him to do that. Did you know him?

RITCHIE: I knew him by reputation, not personally.

FERRIS: Tip told me, "I want you to come over to the House. I know you're going to go down to the [Federal Communications] Commission, but I want you to just groom Ari. Well, Ari needed no grooming. He was just so bright. He graduated from Yale, I think, when he was nineteen, and was working in Tip's office as an intern in the summer. Then came and worked with Tip. He and I worked together and I enjoyed working with him. He was so able. I doubt if I left any imprint on him. When it came to reading the House, he was much more conservative than I was from the standpoint of how far you could go. He wasn't an envelope pusher. I was probably too much. But I remember Mansfield always saying that members are given so much capital to expend and you should never leave office with capital in the bank. You should use it all. I always agreed with that. That's why he felt Dick Russell, who had reservations about Vietnam, should have used that on Lyndon Johnson. That was capital that he had, you know, he had to have the courage of his own convictions to use it. He knew he'd have an influence on Johnson. So probably that restrained him. I always think that that's true. If you've got capital, you should use it. And I think I always did. But Ari was younger. He probably felt he had a longer life to spend his capital. He was amortizing his capital.

He's over in Israel now. Actually when he left up there, he went over to Israel. He learned the language and took the Israeli bar exam within twelve months and passed it, of course. Now I mean, taking the bar exam in a new body of law in a different language and passing it, now that's just incredible. He was an amazing, amazing guy. I'm keeping you here too long.

RITCHIE: No, no, I was just going to ask you about that tightrope allusion. It says you walked the tightrope. Why do you think he described you in that way?

FERRIS: I don't know. He probably just perceived me that way. I certainly did with Mansfield, I walked the tightrope. I never knew Tip until he met me when he became part of the House leadership. We used to meet at the end of sessions primarily. I bet he got a sense of me much more from Mansfield about walking the line. With Tip I didn't have the opportunity, because Tip was walking the line better than anyone I knew. He was doing the balancing act to get things done. So I don't know what actually precipitated that inscription.

RITCHIE: I like the image, and I think the leaders up there today continue to walk the tightrope. It's getting harder to do these days, but certainly the party leaders have got to continue to walk that tightrope to accomplish anything essentially.

FERRIS: Yes, I don't know this guy who's the Republican leader in the House, but he doesn't seem to have that as his mission, walking the line.

RITCHIE: No, the minority party's mission is to dissent loudly. There's no sense of cooperation right now, and that's too bad. They've lost a lot of the ability to bring allies in across the line. The minority party is supposed to offer an alternative, but not necessarily to sabotage the majority's program is.

FERRIS: That's right. It's not a good profile to have. But who knows? I don't think it's the right strategy for either party. Although I think the sounds bites and the cable network stuff is so much that way. I think they have so much influence on people. Because most people don't know what's going on and they heard something on the radio or something on cable television. And no one likes to admit that they're dumb so they have to have an answer and so they adopt the loudest and most confronting position. I don't know how lasting it will be, but it is a tough environment. But Tip walked the line better than anyone I know. I'm glad

that he felt that way about me.

RITCHIE: Well, I thank you for seeing me again.

FERRIS: Did you have an agenda?

RITCHIE: I just wanted to cover the territory we had missed. We had talked more about the 1960s than the 1970s. We never finished the 1970's, so I really do appreciate you making time for that.

FERRIS: Oh, I'm delighted to chat with you. You know, it's talking to an institutionalist of the institution that formed me personally on public issues.

RITCHIE: Well I've been very fortunate that I've had a chance to meet so many of the players who were there, particularly, when you were there. I interviewed Stan Kimmitt and I interviewed Frank Valeo, but everybody talked about you as well in the process. So I was very eager to have you in the collection.

FERRIS: I didn't talk about them at all. Maybe I should have, but I think I made reference to them.

RITCHIE: Yes, you have, especially to Stan.

FERRIS: Yes, Stan, absolutely. Stan and I were competitive, but he had tremendous political instincts and had tremendous political skills. I really admired Stan and what he did. He had communication with a different set of the Senate Democrats than I did. I was the liberal, and he always kept reminding everyone that I was an Abbie Hoffman. But that's fine. That's part of the game up there. He was a very, very able guy and I liked Stan. I liked him for what he did and he had a tremendous family. His boys were—Bob Kimmitt, I think, graduated eighth in his class from West Point and should have been a Rhodes Scholar, but he was being considered at the time of the Vietnam War. He was at West Point and they gave it to some political activist. But he has all of the accouterments of a Rhodes Scholar. Not a Larry Pressler, but a real solid man with great judgment and a great sense of public service. But Stan raised a magnificent family, and he and Eunice did a great job. But that's great that you interviewed him, Don. I didn't realize you had turned on that recorder,

otherwise I probably would have tried to be more disciplined.

RITCHIE: No, actually, I find the conversation is the best way to bring out information and I appreciate you doing that. I had a list of questions here and we managed to go through them.

FERRIS: Did we really? You're a very subtle interviewer. I didn't realize you were channeling me in any way. That's good.

RITCHIE: Well, I once did an interview with Roger Mudd over lunch when I was working on a book on journalism. We had a wonderful lunch, at the end of which he turned to me and he said, "Were you really interviewing me?" [laughing]

FERRIS: Yes, Roger. I'm a good friend of Roger still to this day. When I was down at the FCC, he called me and started right off and said, "Charlie, we're on the record." Just like that. You knew this was going to be something that he could use so you conducted your conversation a little differently than you would have otherwise. But talk about a guy who walked the line. Roger drew a line in the sand very, very early.

RITCHIE: He told me a funny story about his years as a Senate reporter for CBS. It was during the civil rights debate in '64, when the Democrats occasionally Conferenced in the old Senate Chamber. Senator Tom Kuchel, the Republican Whip, had the office right next to it. And if you stepped into the closet in Kuchel's room, you could hear through the wall what was going on. Kuchel used to let Roger Mudd listen in on the Democratic Conference.

FERRIS: I can see both of them doing that. That's great. Roger never told me that story.

RITCHIE: I think he kept that off the record in general but it was a little inside information that he wasn't willing, at the time, to admit where he was getting his sources from.

FERRIS: Yes, Roger was a journalist, and a lot of the television people don't have that journalistic background. He was like a pencil journalist and they developed their stories

very, very differently.

RITCHIE: And he was stationed at the Senate, so he was there regularly and he knew the institution inside out.

FERRIS: Absolutely. Did he ever do his Everett Dirksen imitation? He was just great. He was the Tina Fey of his day. He had a good sense of humor. But he loved the Senate as an institution. There's no doubt about it.

RITCHIE: He knew it inside out, which you can't say about a lot of the journalists who aren't there long enough to know it as intimately.

FERRIS: That's right, yes. He loved it, and he covered it very well. That Civil Rights bill of '64, he brought it to the country. He was out on the steps every day with that little meter that was showing how many hours and days the bill had been before the Senate. That was very important, especially for those living in the South to know that this debate was taking time and people were paying attention. That's why the law was so well accepted in the end, because they knew their Senators had fought it for so long and the bill passed after a most deliberate debate. And Roger was the guy who brought that home. The other networks weren't doing it like that. I think Roger got paid by the hour back then.

RITCHIE: He actually got paid by the amount of time he was on the air, and so he made a lot of money as a result of that filibuster.

FERRIS: That's right. I think I observed to him one time that his beautiful home over in Virginia was "the home the civil rights bill built." But he did his job not for the money, but because he had a sense of the significance of what it was all about. Well Don, thank you very much for coming down.

RITCHIE: Well very good, thank you.

End of the Fifth Interview