

## **New Audiences, New Opportunities**

### **Interview #6**

**Wednesday, September 22, 2010**

**Scott:** Welcome.

**Baker:** Thank you.

**Scott:** Thank you for being here. I thought we could start with a discussion of the presidential impeachment trial of 1999. I'd like to know what role the Historical Office played in helping the Senate to prepare for that trial.

**Baker:** The one thing to remember about the role of the Historical Office in preparing for that trial is that a lot of it was conducted in a semi-secret fashion. We really began in late November of 1998 when it was very clear what the House was going to do, but they hadn't formally impeached President Clinton. We met quietly. There was a team of maybe 20 people, heavily populated with lawyers from various parts of the Senate. But also the historical component was important because, as you know, around here, if an action has the blessing of tradition, of precedent, then it's a lot easier to accomplish that action than if you are doing something from scratch. Just a very trivial example: the gallery admission cards for visitors—do you issue one card as a permanent card or do you issue a new one every day? How do you manage that? A lot of that was dealt with by the curator's office. Once we determined that the Andrew Johnson impeachment trial had a policy of daily admissions as opposed to permanent admissions, then all of a sudden it didn't deserve any more thought. That was it. There's a reason for doing it. So even though some of the precedents were a century-plus old, once we established the existence of those precedents, we could move on. That was partly the role of the Historical Office, just to talk about the tenor of the Andrew Johnson impeachment trial. The Senate in 1998 knew a lot about impeachment practice because of all of the preparations starting in 1974 when they thought there would be a presidential impeachment trial for Richard Nixon and then the three judicial trials in the 1980s. It was really a matter of fine-tuning it for how do you deal with a trial of a sitting president?

**Scott:** That's interesting. Did that consume a lot of the office's resources for a short period of time? Were you really busy on the project?

**Baker:** It certainly was an intensive involvement for a short period of time. Yes, I'd say that it did consume quite a bit of the office's resources. Betty

Koed became the expert on impeachment trials. Of course, new books were coming out at a great rate, maybe three or four because of the potential market for those books. Someone had to read, digest, and understand and figure out how those might add to the sum total of knowledge. Plus, just lots of articles and old reports, old Library of Congress Congressional Research Service reports. Somebody in the office needed to be on top of that. Betty beautifully performed that function. And then of course she translated all of that information into an Internet-friendly format. We were getting calls about precedents and it was great to be able to direct people to the Internet, to our website. A lot of people never called us because they had already gone to the website which is typical of any breaking controversy, whether it's a contested judicial nomination, or a treaty fight, or an impeachment. If you get it up there on the Senate website, you make a lot of people happy. They understand that what they are getting is balanced, nonpartisan information. It keeps us from getting telephone elbow in terms of all those phone calls.

**Scott:** Betty Koed was a relatively new hire at that point? She got thrown right into it.

**Baker:** She was. She started in 1998, right at the very beginning, but she picked up on it. It's typical of Betty to move right on in a positive way and she did a great job.

**Scott:** Maybe we can talk a little bit about the role that technology has played in the Historical Office over time. Clearly when you started in the 1970s it was a very different operation getting material and information out to the public, or to Senate offices, or scholars. It was a very different process than it is now. As you mentioned, our website is, in some cases, the first place that people go. If they can't find it, then they call us. Maybe you can talk about how technology has changed the mission of the office, or the way that you have distributed information over time.

**Baker:** I think the Senate of 1975 had much more in common with the Senate of 1935 than it does with today's Senate. Just take two major instruments of communication: the telephone and the typewriter. We had telephones, but they didn't have long-distance capability. If you wanted a long-distance telephone you had to go over to the secretary of the Senate's office where they had one long-distance phone, at least one, that was for use for the offices under the secretary. As far as typewriters were concerned, I think we did have electric typewriters but that was it, certainly not memory typewriters. That was a huge deal when they

trundled into the office up in the Capitol a “mag” card typewriter. The data was captured on a magnetic card that looked almost like a strip of microfilm. The secretary would type in everything to that card and save it. The data was stored in a large electronic box placed near the typewriter. That’s the other major change. The secretary ruled the office, the office secretary, not the secretary of the Senate. If that secretary was having not a good day or was irritated with, say, the historian, the production might slow down a little bit. All roads led to that staff member. Over the years, just as in other office situations, the role of a traditional secretary has basically ceased to exist. Now we have office managers, which is a higher grade in terms of quality of experience and background. It took us a long while over the years to get that right. We ended up finally with Stephen Tull and that was a great mark of success. I knew I could retire when Stephen was well established in that job. His predecessors, with the notable exception of Liz Strannigan in the early 1990s, in fairness to the office, I would not have walked out of the office and left them with that problem. That’s another story.

**Scott:** Nordy Hoffman talks about introducing computers into members’ offices in the late 1970s. When did you guys get your first computer?

**Baker:** A bit later. When the Republicans took over in 1981 Senator Mark Hatfield became chairman of the Appropriations Committee. He was very proud of what his office was doing as a model, as a showcase for the “all automated” office, even using the expression “paperless” office. Being in the support portion of the Senate, we’re not the first to get the cutting edge technology. It comes along. As a way of communicating to what we thought was our constituency, we developed a newsletter. If you have a newsletter, you have to have a mailing list. Someone has to maintain the mailing list. You have to keep it up to date. That became a huge project. The newsletter itself, we perhaps sent to 1,000 people. I like to think that the *UNUM* newsletter, the secretary of the Senate’s current newsletter, is really a direct descendent of our newsletter. Ours had the catchy title of “Senate History.” It was a bold undertaking and lasted for a few years. It served a very good purpose for us within the historical community because it reminded historians around the country, as well as people around the Senate, that we existed. It was a good communications vehicle. It eventually became obsolete thanks to the Internet.

**Scott:** The office really started using the Internet in the late 1990s, when you started to populate the Senate website with information about Senate history.

**Baker:** That was the beginning. Today, we hear about these two milestone dates, somewhere between 1994 and 1996, when all of a sudden more and more people have access to it. I'd say that's about right. That was not long ago.

**Scott:** No it wasn't.

**Baker:** But it had an enormous impact on how the office communicates with the world and how we communicate with each other. It is now customary to send an e-mail to a colleague sitting just fifteen feet away. Who would have conceived of something like that prior to the mid-1990s? And we were able to automate all of our paper files and to have those scanned and available. That would have been unthinkable in 1975 or 1985 or even 1995. Now we have it.

**Scott:** Do you think it's been a time saver?

**Baker:** The automation of the files?

**Scott:** The digital system of having everything available on individual computers at individual workstations rather than maintaining files in a central location where people have to dig through them.

**Baker:** That's a tough question. My instinctive response would be, not much of a time saver. It certainly is if the building has to be closed. If there is another anthrax attack or some other reason they have to shut down the building. Now that you can operate from home and reach into those files, it's wonderful. It's really more of a security benefit. In terms of my own way of gathering information, I'd much rather pull out that file and leaf through it.

**Scott:** That's a perfect segue to talking about how you and your office handled the evacuation on September 11, 2001. How did you respond to what was going on?

**Baker:** Well, we all stood around in my office on that gloriously beautiful but indescribably awful morning. At the time we had one television set. We all watched the TV and couldn't believe what was happening, just as everyone else couldn't believe it. Eventually we decided we probably should leave for the day. It wasn't as if the buildings were evacuated or anything else, despite a plane flying into the nearby Pentagon. We went home. And then came back the next day and began to deal with the horror of it all. From the perspective of our workplace, memories of that day are somewhat clouded by what happened here a few weeks

later when an envelope containing anthrax was discovered in Senator Tom Daschle's Hart Building mailroom. No one ordered an evacuation of the building. That would make sense only in hindsight. Senate staff all came back into work the next day. I think it was the third day that the sergeant at arms and leadership decided to close the Hart Building and also the Russell and Dirksen Buildings. Those other two buildings were opened within days or weeks of that closure. But the Hart Building stayed closed for three months. We didn't know along the way what the duration of that closure would be. Any forward motion in the work of the office took place from a desk in the Senate Library because the library was located in the Russell Building and that opened up fairly quickly. We would have telephone communications with all of our colleagues, but it was a pretty rustic kind of situation and not very efficient communication. It was a very long three months. We didn't get a whole lot of work done. Today, because of that event, the idea of telecommuting, although I don't personally think it's a great idea in our specific situation, it is feasible. You literally can do your job from home. In 2001 that would not have been an option.

**Scott:** For those three months, did you have any access to the documents that you have here in the office?

**Baker:** No. The office was sealed, the building was sealed. Mike DiSilvestro, who was the director of the office of Senate Security, was really in his element. He's a terrific guy. He is perfectly cast for his job. He was happy to put on a moon suit and come in to retrieve work. To retrieve financial information from the Disbursing Office so they could move ahead with the payroll off site. But otherwise the building was sealed to anyone who wasn't wearing protective gear because they didn't quite know what to expect. Three months later, on January 22, 2002, the day was announced and we all walked into the office with Gail Chaddock, a reporter from *Christian Science Monitor*. She wanted to do a story on what it was the historians found when they came back. We found Don Ritchie's plant, indestructible! [Both laugh] We were all concerned about the physical quality of the files. The incident response team said that they did spray some chemicals. It was also not clear whether they sprayed in our office or other places in the Hart Building. That was the moment of truth when we opened the first file drawer on January 22 and everything looked okay. The office looked the way it did three months earlier. There weren't sandwiches on the desks, but basically, it was as if people had just stepped out for a few minutes and had come back after a 95-day lunch hour.

**Scott:** During the time that you worked, you had a desk in the library. I would imagine that journalists would have been very interested in what the Senate was doing and what was going on in the Hart Building. Were they calling your desk there in the library?

**Baker:** We did get quite a few calls. But it was a time of great confusion and chaos. There were many other information outlets. Around here every senator's office is an outlet. It was a good home-state story, how are our senators coping with the fact that one or both of them are out of their offices in the Hart Building. Senators had to double up with other senators in Dirksen Building offices and Russell Building offices. It was a time of enormous inconvenience for sure. Coming in the wake of 9/11 people really didn't know what was going to happen next. Is this the beginning of a chain of horrors? I got a number of phone calls at home, Don did, Betty did. So we did the best we could. I remember doing a lot of business from my cell phone. One day in particular, I remember sitting in my car parked outside the Capitol. I was here to do my shift in the Senate Library and trying to field very detailed questions from reporters—about Senate history, about questions specific to the event. I thought, boy, this is really working out of your vest pocket. It was not a preferred way to do it, but we did the best we could. Of course, with three Capitol Hill newspapers, another major change from 1975, they have to feed the beast. They have columns to fill up so we did what we could.

When we returned to the Hart Building on January 22, Don, Betty, and I needed no prompting to recognize this as a unique (let it be hoped) event. We also recognized that interviewing key staff in the Secretary's Office about what they do on a day-to-day basis might be less than thrilling, but getting them to describe how they struggled, during the anthrax crisis, to get back to normal would be a good story—and it surely was. Don and Betty took the lead in developing standardized questions to help give the project a degree of coherence. They did the interviewing. I believe those transcripts will only grow in value in the years ahead. (Imagine having something like that for the displacement that followed the 1814 burning of the Capitol.)

**Scott:** How has the institution changed since the attack of 9/11 and then the anthrax attack after? What are the biggest changes that you have seen after that period?

**Baker:** These would be security related changes. Obviously the level of security increased. We witnessed it from 1971, 1983, and then 2001. You can

only ratchet it up so far, however. During each of those times there was discussion about building a fence around the Capitol Building. There were cooler heads who said you cannot wall off a representative assembly's quarters, although, in effect, after 9/11 that's what happened in the Capitol. The perimeter has been tightened and sealed. Looking out from a third floor window of the Senate wing onto the east front and looking down and seeing behind one of those big marble columns a Capitol policeman with submachine gun and extra ammunition attached to his or her belt, it is so chilling and so sad. I think, speaking as a person who likes to think of himself more on the content side and less on the security side, it's extremely unfortunate and it's a great overreaction.

From my perspective, the classic example was the sergeant at arms decreeing that the Senate Chamber galleries would be closed when the Senate was not in session. That's understandable in the immediate aftermath of these incidents when people are trying to develop a revised security plan for the whole campus. The sergeant at arms and the leadership are responsible for the well being of 7,000 staff members plus countless visitors. Caution is definitely the watchword. Unfortunately, from my perspective, after a reasonable period of caution passed these restrictions remained in place with no indication that they were ever going to change, that the galleries would be open so that people could just go in and look down in the Senate Chamber. It took basically more than eight years and a lot of hair pulling and ranting and raving to finally get the Senate to change that policy.

**Scott:** Can you talk a little bit about the day that it was announced that the policy would change?

**Baker:** It was at my retirement party. Senator Mitch McConnell, the Republican Leader, said as a going away present they were going to open up the galleries. Both he and Senate majority leader Harry Reid very kindly offered that as an added farewell gift. But then there was some confusion because it wasn't clear whether they were going to open the galleries for the rest of the recess in August 2009 or forever. Anyway, we got that confusion resolved—it's forever. That was really wonderful.

**Scott:** Why do you think it took them so long to get to that point?

**Baker:** It was an oversight on the part of the leadership. It was the sergeant at arms running the security program as he interpreted guidelines from the elected leadership. If you do it the way the security folks want to do it, you'd

never have anybody in the building. Their job is to protect the members. The easiest way to do that is to keep the outsiders out. I think it simply hadn't come to the attention of the leadership. Over the years I talked to a number of senators, starting with Senator Byrd, who had other things on his mind. It was really Senator Tom Harkin of Iowa, who I have seen socially on a couple of occasions, and I have a nice relationship with him. He got outraged. He said, "I can't believe it! I cannot believe it! You must be kidding. Explain that to me one more time." I think that's the reason. Senators did not know that the galleries were closed when the Senate was not in session because they leave the campus.

**Scott:** They are off doing other things.

**Baker:** They are gone. With all the other things they have to focus on, this is a housekeeping matter. You leave that up to the sergeant at arms. At one point, some of us lobbied a bit, without that official's knowledge, to have the secretary of the Senate added to the Capitol Police Board or to another policymaking body that the sergeant at arms was on but the secretary of the Senate was not on. The secretary, and the clerk of the House, the counterpart over on the House side, represent program as opposed to security. There is this constant battle between those two forces. The people with the guns, the police, usually win. There's been a chronically touchy relationship between the secretary of the Senate and the sergeant at arms going back to Year One. If you have to run an institution administratively, you need to have one administrator, not two. In 1975 the Commission on the Operation of the Senate recommended that there be a chief administrator of the Senate. The same thing was recommended over on the House side and indeed there is a chief administrator of the House, but they also have the sergeant at arms and the clerk of the House. So all it did on the House side was add a job and they all appear to have their independent fiefdoms. Whereas, I think in the Senate, the recommendation was an administrator of the Senate would set policy and it's just not going to happen. So we have the secretary and the sergeant at arms. In some cases those two individuals have gotten along very well. Al[fonso] Lenhardt was the sergeant at arms during 9/11 and Jeri Thomson was the secretary of the Senate. Jeri was responsible for recruiting Lenhardt, so they had a naturally strong relationship. Other relationships have not been so close.

**Scott:** Do you think a good balance has been struck here between program and security after 9/11?

**Baker:** I don't know. It's not an easy question to answer. In some areas it has, and other areas it hasn't. That's not a very constructive answer. I think the



opening of the Capitol Visitor Center has solved a lot of those problems. It's probably brought additional problems in its own wake. But at least it has rationalized the security problem. As I said in the earlier interview, it's the primary reason that the Capitol Visitor Center exists, for security. The educational function is secondary. There it is.

**Scott:** One thing we haven't talked about and a big change in the Senate since you've been here is the introduction of televised floor proceedings which started in 1986. I wonder if you would like to comment on that. How you've perceived a change over time since C-SPAN started to televise the Senate floor proceedings.

**Baker:** You can use the tired old cliché of Pandora's Box. At the time that they were debating whether to allow gavel to gavel television coverage, really beginning in the late 1970s on up through 1986, that reference was made on more than a couple of occasions. "You let those cameras in here and no one can predict what the consequences are going to be." I personally think that they had no choice but to do that. Eventually they would have done it. The House did it in 1979. The Senate, being the slower, more conservative body, waited another seven years. If it hadn't happened in '86 it would have happened a couple years later.

From the perspective of the Senate Historical Office, and the mission of the office, it was a very good thing. People, who wouldn't otherwise have any connections with the operations of the Senate, could for the first time see, day by day, every minute that the Senate is in session. The Senate literally extended its gallery coast to coast, and worldwide. That's good. Prior to 1986 I think that anybody who stopped to think about Senate operations might be tempted to think about a Hollywood version of that.

A few years later came the development of websites and the expansion of the Internet. This gave us the welcomed opportunity to populate the websites with explanatory information. Why is the Senate doing this or that?

I thought we had a major breakthrough in 1989 when I asked Senator Byrd if he didn't think it was unfortunate that people who came to the Senate after seeing it on television on C-SPAN didn't have any piece of paper they could take away that explained what was going on in the chamber other than just a one-page seating chart. He thought that was pretty bad. I was then able to say, "Senator Byrd really thinks it's unfortunate that we don't have something to hand to visitors." That was the beginning of the booklet that was issued every Congress

with the seating chart in the middle and a lot of the historical and room-related and site-related information. In more recent times they have separated the seating chart from the book, which is a great idea because a number of years, they would print large numbers of copies of those books and my experience was that the doorkeepers were not enthusiastic about giving them out. For whatever reason, there was a surplus of these Congress-by-Congress brochures. They would have to be pulped, huge numbers of them. It's a real good thing that they have developed an evergreen version that people can take with them. I suspect that many of those pamphlets will show up in family archives 20, 30, 40 years later—when Grandma went to Washington for the first time.

**Scott:** You mentioned something really interesting which is that with C-SPAN coverage, the office had a role to play in educating the public about what they were seeing. So that created, not more work, but it meant that you had more information to get out there. Is that because people were calling and asking you how things were going? Or you just felt from your own standpoint that we better explain to them what it is that they're watching?

**Baker:** A little of both. It came from both directions. I was very happy to be invited to be on C-SPAN that first day that they did live gavel-to-gavel coverage, along with the Senate parliamentarian, Bob Dove. What is the significance of this big day in Senate history? Nobody knew what the significance was because it was new. Even today, all of these years later, you can still get a good debate going about the impact of televising Senate proceedings. Certainly it has made keeping up with the floor proceedings a lot easier for members, for staff, for lobbyists, for the American public. That's huge. But in terms of trying to help explain what was going on there, we had to really think in different ways about how you are going to communicate. It wasn't something that we arrived at quickly. Having within the next eight years the availability of the Internet and e-mail really began to jump-start that project into a higher gear.

**Scott:** Television and the Internet have vastly expanded the audience of the Historical Office, is that accurate?

**Baker:** They have, at a time, as you would well appreciate, when the field of American political history has really shrunk. The people who are doing really good writing in American political history tend to be journalists who are good writers and know how to tell a good story. American political historians are retiring from academic institutions across the nation and being replaced by people in other fields of historical study. That is sad. In the earlier days we really did try

in a very aggressive way to communicate with our colleagues among other American political historians. We went to the annual meetings of two, three, sometimes four associations and had high visibility. In more recent times, that audience has almost disappeared. But instead we have access to the whole wide American public and the international public, judging by the kinds of calls that we get from BBC and German television and Japanese television and so forth. I don't think we would have ever expected to be able to pick up the phone and have somebody calling from London who sounds like they are speaking from the next room. That's a far cry from the days when we had to go over to the secretary of the Senate's office to get a long-distance line. [Both laugh] That wasn't that long ago.

**Scott:** I've been answering a lot of those e-mails that come in through the historians' e-mail account, where anybody can find us on the Internet and e-mail us a question. We've had e-mails from people all over the world. It's just remarkable the audience that we can now appeal to, because of these technologies. As you say, 35 years ago that wasn't possible at all.

**Baker:** That's right. Not even 25 years ago.

**Scott:** One question that we do need to cover and haven't is, what's been the biggest change in the institution in the last 35 years?

**Baker:** You can get a lot of answers to that question, but certainly the breakdown in comity among members is one answer. That is huge. To see what we see now, almost every day the Senate is in session, a solid phalanx of the minority party saying, "You're not going to move on this. We're not going anywhere." That would have been inconceivable 25, even 20 years ago. Prior to the 1980 election, that was sort of a turning point when all of a sudden you begin to get a harder-line group of members in here. Of course, they're not selected as in the case of a private club's members. Aside from age, residency, and citizenship requirements, the Senate must welcome anyone who shows up at its door bearing valid credentials. They are sent here and they are a very good reflection of public attitudes. That hard-line intransigence is very sad. Since the basic premise of the Senate is as a forum for compromise, for educating one another about what is happening in different parts of the country, all of a sudden compromise is out the window. Willing to be informed by your colleagues about their particular region's problems or state's problems is also, I think, of less importance, now that everyone has 24/7 access to the Internet. You can find out yourself what is going on in Colorado. If there is a difficult political situation

there, you're going to see it in a blog very quickly. So the interconnection among members has weakened enormously.

**Scott:** Why do you think that is?

**Baker:** Well, I think you trace it back to the economy and to the United States government running a very large deficit. Fighting wars without limit. You see pictures taken of the Mine-Resistant-Ambush-Protected (MRAP) vehicles being used in Iraq and you wonder what each of them, and countless other modern vehicles and weapons systems, must cost. It's a staggering amount of money. Nothing is more important than the safety of our troops, but it is impossible entering these kinds of military actions to even begin to know the financial consequences of such decisions. Then we look at the country and we see school systems are in crisis. There are a higher number of people living in poverty today, one out of every seven Americans. What is happening to the country? We are bleeding to death. We are bleeding to death because of these limitless wars. We have got to refocus our views. We've got to think back more to the idea of collective security. Hopefully there will never again be a day when a Congress will supinely allow a president to raise the banner and say we're going to have a preemptive strike on some sovereign nation no matter how much we like or dislike that nation. Now we are paying the price. We are in open-ended conflicts. Who is going to stand up and say, "I'm going to vote against an appropriation to provide more MRAPs or more body armor for the extra 100,000 troops that we're sending off to the Middle East." So, from a legislative perspective, it's truly out of control.

This reflects the enormous swing of power to the executive branch. The president in times of crisis has always been the preeminent official of the executive branch. The Senate and House come out very badly in that kind of a competition. Again and again we see the president appointing senior officials to his personal staff because he knows that he can't get them past the confirmation process for the job he actually wants them to function in. That's bad for the Senate and it is bad for the president, but most of all it's bad for the process. The framers of the Constitution didn't anticipate, in their wildest dreams, that that would happen. And it is happening and it's happening more and more. The question we hear all the time, with greater volume and with greater intensity is: "Is the Senate irrelevant? Is the Senate dysfunctional?"

**Scott:** "Is it broken?"

**Baker:** Right. And parts of it are indeed in need of repair, but the Senate, just as it doesn't control who comes in as members, has to deal with the situations it faces. I think it's done a pretty good job over the last 220-plus years of doing that. But it's tougher and more challenging now than it's ever been. There have been times of enormous challenge in the past: the Civil War, the Spanish American War, the two World Wars, any war-related era. But it's hard to think of a time when the polarization has been greater, the public distrust of their elected officials higher, and that's a huge breakdown.

**Scott:** It's very interesting that as people announce greater distrust of Congress in poll after poll, they also are electing officials who run on a platform of, "I will not compromise. I will stand firm to my convictions." In effect they are putting people in Congress who won't cross the aisle and won't work to find that hard compromise that can make progress possible. I think your comment about the officials being a reflection of the greater body politic is an important one.

**Baker:** If you really want to run for Congress on a platform of "I will not compromise," you ought to run for some other job. [Both laugh] Go into the military. But that's not what this is about—I don't know what the role of the Senate or the House of Representatives is, if it is not about compromise. It is about shifting, altering your views within broad parameters of principle, for the common good.

**Scott:** And particularly in the Senate where individuals have so much power to slow debate and to deliberate on particularly contentious issues.

**Baker:** Exactly. Other people will say that a turning point was 1975 when they shifted the margin required for cloture from a two-thirds vote to a three-fifths vote, making it easier to get, but also more feasible to use that as a weapon to delay proceedings. Under two-thirds vote a filibuster was very, very hard to break. Under 60 votes, it's possible to break so it's a whole different dynamic. There's a new book called *Filibustering* by Gregory Koger and that's one of his theories, that the change to 60 votes has really had an enormous impact on the operation of the Senate. I think as historians we'll let a little more time go by.

**Scott:** It's striking, too, how many people, when you read the oral history interviews for example, who have worked in the institution defend to the end the filibuster and say that it is a very vital component of the Senate. They often criticize academics who work outside of the institution and who haven't really

been grounded here for suggesting that it needs to be changed and that it's undemocratic. It's an ongoing debate.

**Baker:** A good example of your point is that the Brookings Institution held a conference this past May 17 and they had two panels. One panel included Bob Dove, the former parliamentarian, Marty Paone, the former Democratic Party secretary, and me. We all said just what you said and offered a qualified defense of the filibuster. Otherwise you just have a smaller version of the House of Representatives and the Senate becomes a majoritarian body. At the Brookings conference, Norm Ornstein, Thomas Mann, Sarah Binder, Steven Smith, and a couple of other political scientists argued that this is a huge crisis. It is, but their solution to the crisis is to go to majority cloture. The Senate is anything but a majority based institution. Half the nation's population lives in the ten largest states, which are represented by only 20 senators.

**Scott:** Can you say something about the nuclear option? That's been a recent, pretty heated debate in the Senate. Maybe you can say something about that in terms of your historical perspective and the perspective of the Historical Office. What did you think about that debate? Were you contacted in any way, were you involved in thinking about the historic precedent for that?

**Baker:** We did not play a significant role because it was such a highly political, present and future-oriented battle. Consistently, over the years, when the political people are making their cases, they realize that we are in a nonpartisan stature and that if our advice or guidance is going to mean anything, it is only if it's taken in a nonpartisan way. The idea that the then-Senate majority leader, Bill Frist, was actively considering getting a ruling from the presiding officer that with regard to judicial nominations you could have a simple majority vote to close debate to take up those nominations, that move being the nuclear option, was to those who have been around the Senate a while and who have respect for its proceedings, anathema. It was a highly unusual kind of situation in which Bill Frist found himself one morning as the Senate majority leader through an unprecedented series of events. He didn't come up through the ranks the normal way that a leader would. If you look back on any of the other leaders previously or since, those are people who would probably not pull the trigger on the nuclear option. We can only hope that future leaders will demonstrate restraint comparable to that which Senator Frist ultimately exercised.

**Scott:** One thing I would like to follow up on from an earlier conversation we had. You mentioned before that there were more federal historians when you

came to the Senate in the 1970s, more historians working within the federal government. And also that the community here of federal government historians worked very closely with people in the academic world. You had annual meetings and luncheons. And you said that it has changed. How do you account for that change? What has happened that has led to a less collegial community here in Washington?

**Baker:** I think it all begins with the availability of teaching jobs, or government history jobs. The supply of jobs has shrunk while the supply of competent, well-trained historians has increased. People coming up through the profession are giving up on the possibility of working as government historians. Earlier, the government history field was, from my vantage point, populated by people who realized there was no hope getting an academic job. Or the opportunities were greatly constricted. They began to look around at this emerging field of federal government history, of public history, and you can get pretty excited about what you can do in these fields. You have large potential audiences to reach, but, sadly, even that reached a saturation point.

Particularly during the bicentennial of the government's establishment in 1989, there was hope that you'd get every government agency to have a formal historical office. That was a pretty modest goal, or so one might think! The military agencies had such a program. The State Department did. For a while the Environmental Protection Agency did. And then it began to taper off. I think a lot of it was due to availability of funds and priorities and changes in presidential administrations. For years we tried to get established a White House historical office. We had an agreement that we would have a meeting with President George H.W. Bush to talk about actually doing that. And then he was defeated for reelection. So that was the end of that. There have been a few other times like that. I had long conversations with Charles Ruff who was the White House chief counsel and defended President Clinton in his impeachment trial. He said, "There's no way we are going to let historians into the White House. That will be like a magnet for subpoena servers. Historians will have documents and people will subpoena those documents, they will have inside information about how the White House operates." So it's the glass half full or half empty kind of situation. The strength of having a historical program in his interpretation is also the weakness of having such a program.

The Society for History of the Federal Government was created in 1979 and at its apogee had well over 400 members and today its membership is probably half of that. It's another indication of what you are mentioning. And

let's hope that we're talking about cyclical trends here. We're heading on the up cycle again.

**Scott:** It strikes me, too, that now there isn't a lot of interaction, and I'm new here, but there isn't a strong bond between academic historians in Washington (because those would be the easiest folks for us to meet with) and historians who work within government agencies. That seems to have changed. Don has talked to me a number of times about the luncheons that you all attended and what great opportunities they were to keep contact with people working within academia and also to keep those historiographical conversations going. That bond is no longer as strong as it was.

**Baker:** The University of Maryland is a good example of a history department that had some very good historians. That department went out of its way to have collaborative programs with federal history agencies. But those very historians at Maryland are either dead or have retired and they have been replaced, if at all, by someone in an entirely different field, so there is really nobody to reach out to anymore. I couldn't name three people in the University of Maryland history department. Whereas 20, 30 years ago, of course I did my Ph.D. there so I knew quite a few of them, but even so, they were reaching out to us. I don't think that's happening.

But it gets to a fundamental question: What's the audience for the Senate Historical Office? I think we were created under the assumption that we would help historians around the country gain access to rich documentation of Senate legislative activities. That was what Arthur Schlesinger had in mind in 1974 when he wrote that letter to Mike Mansfield. It's shifted to, I think, a much more useful purpose of helping the nation at large, now that it has unimpeded access to the proceedings of the Senate, to the proceedings of Senate committees, everything right down to the personal conversations, with the exception of personal conversations between two members meeting behind a door trying to strike a deal. It's a much more open institution and I think our service is to help respond to the barrage of questions the Senate's greater public visibility now stimulates throughout the land.

**Scott:** That's interesting. I hadn't thought about it that way. Is there anything that we've missed here that you'd like to mention?

**Baker:** Our relationship with the Center for Legislative Archives is a very important one. Just in a nutshell, when their office began, there were just two



people at the National Archives who had any responsibility for taking care of the Senate's official records. That has evolved, particularly since the early 1990s, into the Center for Legislative Archives, with a staff of about 20 people, very good professionals. It's very gratifying to see that. I don't know whether maybe you want to add as an appendix to this interview, a paper I did for the Capitol Historical Society Freedom Award about the role of this office and the National Archives in making the archival records of the Senate more accessible.

**Scott:** I will do that. If there is anything else you would like to add to an appendix, please let me know.

**Baker:** In Karen Paul's *An American Political Archives Reader*, the first article is sort of an overview that I did. Entitled, "Reflections on the Modern History of Congressional History," it might be useful. You are welcome to be the judge of that.

**Scott:** I can't thank you enough for spending so much time with us and for being so patient with me as I work my way through this first interview. I've really enjoyed it and we've added so much information to the record about the history of the institution and the historical office.

**Baker:** It's given me an opportunity to interact with you for six sessions and to get to know you a little better. That is something I'm really glad happened.

**Scott:** I am too.

**Baker:** I hope we will continue a good friendly collegial relationship in the years to come.

**Scott:** I do too. Thank you so much!