

SECRETARY OF THE SENATE

Interview #5

Wednesday Morning, October 9, 2002

KIMMITT: This is not connected with anything, but I am just passing it along as a comment, those wonderful four volume of Senator Byrd's, where he delivered all those speeches in the Senate, I think I've told Dick this—very early on. If you remember, Byrd would give what we used to call his "history lessons," pretty much extemporaneously. After a few of them, I stopped him the back door of the chamber as he was going out one day and said, "Senator, these have become pretty much traditional for you and the members like them. We have a historian up there that can really prepare this information for you, even though a lot of it is in your head." At that time I was Secretary. I said "I know they would be pleased to give you any help you want on this." Now I think, selfishly, that was the genesis of getting the Historical Office involved in preparing what turned out to be that four- volume book, which is a very, very valuable item. I have all four volumes. Three of them I am confident that Byrd has written a note and autographed. The fourth one, I don't think he has, but I am going to get it to him.

RITCHIE: Well, that is interesting, because at first if he was giving a speech about the parliamentarian, he would ask the parliamentarian to provide him some background material and the parliamentarian would call us. We would send material to the parliamentarian and the parliamentarian would take it Senator Byrd. Then he did the same with the chaplain. So we were involved indirectly at first, but then he started calling us directly.

KIMMITT: I believe that came after I suggested it to him and it turned out to be a marriage made in heaven. Another thing, apropos of nothing, but it just occurred to me, we never hear or see any more the term "pairing"—live pairs and dead pairs. If you look at the records of my era, if I can refer to it as that, it was a very common practice that when a Senator had to be absent from the floor, necessarily or in some cases unnecessarily, we would get a call either from his staff and sometimes from the member himself who would say "I can't make that vote. You know what my position would be, but if you didn't it would be 'no' and I hope you would be able to find me a pair." Well, the first thing we would do, obviously, was look at the anticipated absentees who would probably be voting "yes." This was a judgment call. You would call their

chief of staff and legislative person and say "Is it all right to pair Senator X with your senator?" If they would say fine or good, that was a "dead pair." It got a little more sticky when it was a "live pair," because it was more valuable to the absent member.

Hypothetically, we'll say [Quentin] Burdick would be in North Dakota and there would be a vote coming up that he just couldn't make, but he would have a hard time explaining it in North Dakota if he missed the vote. He would say can you get either a specific Senator that he would name or a Senator to give me a "live pair" on this. So we would get it. Now that would require that the Senator who was present would stand and in effect say (these are not the exact words): "If I were permitted to vote, I would vote "aye," however, I withhold my vote and pair with the Senator from North Dakota, Senator Burdick who would vote "no." Then in the *Record* it was covered. In campaigns or otherwise, Burdick could use that to explain to his people that, "Even though I wasn't there, I didn't hurt the bill, because in fact, an opponent of the bill would have voted 'no,' and Senator so-and-so withheld his vote, so my missing that vote really didn't have any impact on the bill at all and the *Record* shows how I would have voted." Which is a cover story, but valuable.

Well, I have noticed that pairing seems all to be gone anymore. Sometimes you would have to get a "live pair" with two Senators. I think that was under the conditions where a two-thirds vote was required and somebody had to try to get one vote and two others to pair with and wipe them out. I don't know what brought this change about. It was an archaic procedure anyway. But on the other hand, I don't know when it came about that they just stopped doing it. Maybe you know. Do you have any idea?

RITCHIE: I think Senator Byrd stopped it, but I'm not sure exactly when. It has been a long time, probably twenty years since they have had any pairs. But I remember that you would always see the pairs at the end of the voting tally.

KIMMITT: Well, it would be an interesting aside for one of your people to track back when that practice went out and why.

RITCHIE: My sense is that when Senator Byrd was Whip, there were a lot of things he wanted to do that he couldn't, because they had always been done that way. He came in as leader

with the intention of making some changes in the operations.

KIMMITT: That is as good an explanation as any. But those two things out of left field just occurred to me and thought you might want to get them on the record. Anyway, you said the last time you wanted to follow up on what happened after I left the Senate.

RITCHIE: Before that, I would like to talk about when you were Secretary of the Senate. We spent most of our time talking about when you were Secretary of the Majority. I thought we could go back to that '77 election when Senator Byrd was running against Senator Humphrey for leader, and you ran in one of the few contested elections we have for Secretary of the Senate.

KIMMITT: I don't know if it happened before that, other than the anecdote I related to you about Valeo being pulled back for six months to let Emery Frazier come in, you might describe that as a contest. But it was a contest, more or less, a very benign contest between Dick Russell and Mike Mansfield. There is no doubt in my mind that if Russell had nominated Frazier and that had brought it to a vote as a contested matter that Frazier would have won. Mansfield would have been embarrassed and Valeo would have lost. Then whether he would ever have been proposed again or not, I don't know.

But I know there have been no elections since mine. The unique thing about that, I think I related it previously, was that it was generated by my challenging a seated officer. I am sure Frank thought, like I did when I became Secretary for the Majority. I couldn't see the Democrats would ever lose the majority. So it came as a rude shock to me in 1980 when, as I say, the "government fell" and I had to leave. But going back to Frank, I am sure he, with the Democrats in power, was fully anticipating in a traditional sense to continue on as Secretary of the Senate until he retired or until the parties changed, which looked very unlikely. So when I deliberately, actively challenged Frank to an election, it generated a campaign which required soliciting votes, getting supporters, and the same thing on his side.

As I mentioned, he had as his campaign manager Senator Harry Byrd of Virginia, not the old, old Harry Byrd, but the younger one. It was interesting, Harry Byrd said to me after the election was over that when he realized that I was the other candidate, he immediately regretted that he had made the commitment. But when he made a commitment, he had to do it.

So I think from that election forward, it has all become an anointing process, although they do go through the pro forma, at least on the Democratic side, in caucus, of nominating. I am sure there was a caucus where Daschle had Jeri Thomson nominated. Then they brought her nomination to the floor. It was also traditional at that time that even though you knew who would be elected, that the minority would propose another name. Then there would be a voice vote by the full Senate for election of the leadership and the Secretary. As I say, I think that even though they go through the pro forma motions, it would be very unusual if any staff person of the same party would challenge a Secretary or a Sergeant at Arms or a Secretary for the Majority or a Secretary for the Minority. Or even if, hypothetically, a chaplain came along who wanted to challenge the chaplain, it is so extremely unlikely that would occur. I don't think it ever will occur again, which rather pompously I look back with a degree with propriety on that event.

It may not be too long, as I tell the incumbent, until I will be knocked out of the box on longest serving Secretary for the Majority. I had it for eleven plus years. I think Marty is up now to seven, eight, nine. I keep telling him, you are going to break my record. And he will, if he is here, if the Democrats stay in.

Just by coincidence, I had breakfast with Jeri Thompson this morning, just the two of us for no purpose, just rapping back and forth. We went into the prospects for November 4. Of course, she has her finger right on the pulse of what is going on. I was interested to have her say to me that she could make a very logical case, right now today, for the Democrats picking up five seats. "But," very wisely she said, "I could make an equally positive case for the Republicans picking up five seats." She said that Charlie Cook recently, maybe last week, said that less than 20,000 votes nationwide, could decide which party is going to control the Senate when you start looking at these razor-thin races. Now, if the Democrats, God forbid, lose the Senate in November, then Marty's string would be broken as Secretary and I would retain my exalted position.

RITCHIE: Because that election was so unusual, I wondered about how the outgoing and incoming majority leaders feel about it. Did you get any sense from Senator Mansfield and Senator Byrd what their reaction was to the fact that there was a challenge?

KIMMITT: I maybe didn't make this clear. Maybe didn't even mention it in the earlier

interviews and this may be redundant, but I will give it again. We can knock it out later. I think I pointed out earlier in the interview that Frank Valeo was kind of a square peg in a round hole. He was apolitical. He had very little political sense, nuance or political understanding. Whereas, as an individual he could be excused, as primarily and almost totally loyal to Mike Mansfield, the Majority Leader. Once he became Secretary of the Senate, that loyalty had to be broadened to the entire Senate and every Senator on a bipartisan basis in order to perform the functions and the duties of Secretary of the Senate.

I don't think Frank transitioned into that mode well enough, as was later demonstrated when the Federal Elections Commission came into being. Elections came under more scrutiny and campaign tactics, financial, came under more scrutiny. One of the provisions of law, was that when an allegation was developed, it would be addressed to the Secretary of the Senate, who in turn would review the situation and if it merited further action, it would be referred to the Justice Department.

I wish I could remember the man who was working for Frank at that time, very astute, well-known name on the Secretary's staff, good writer, had a lot to do with changes procedures in the Secretary's office at that time. Potter's allegation came in on one or two Democratic Senators, as a matter of fact one of them was Dee Huddleston. It is just common sense that if you are of the same party as a staff person of a Senator who had an allegation referred to him, that even though you are not legally required to do it, or directed to do it, that you would quietly let that Senator know personally that this allegation had been received and after study, may have to be referred to the Justice Department. That is the way this institution works.

Frank didn't do that. He received the allegations, reviewed them and referred them to the Justice Department without the Senators being aware of it. The first time they knew that there was an allegation, it had already been at Justice and that cast certain doubts on Frank, not his loyalty, but his political judgment.

So while being Secretary for the Majority, the catalyst for my actions was when Mansfield announced that he was not going to run again. It was well-known that both Valeo and I were proteges of Mansfield. I imagine the question in some Senators' mind was who if either was going to remain. I was approached, as I related before, and it was not my idea, it was Senator Gaylord

Nelson's of Wisconsin and Dee Huddleston's. They suggested that I run for Secretary of the Senate against Valeo, which was a new and unthought concept for me.

I didn't give them an immediate answer, because Mansfield was still seated and he was not leaving until the next January when this event would take place. So after a few days and a few more conversations, I said all right, I will announce that I am going to run for Secretary of the Senate but only after Senator Mansfield and Valeo have been told. I wasn't going to tell him. That would be a sort of self-aggrandizement of walking into your boss and saying "Well, you are leaving, now I am going to try to grab the brass ring and knock Frank out of his job." That was just unseemly.

Then the question was, who was going to tell Mansfield? They asked my advice and I said, "I'm not going to do it." They, being Senators, didn't want to identify with the effort, necessarily. I said, "Why don't you ask Charlie Ferris (who I called the third leg of the troika as head of the Policy Committee) to give Mansfield the word?" Mansfield would then, of course, be compelled to tell Valeo, because they were so close. So that's what they did. Charlie told me later it was a thankless task for him, but when he went in and told Mansfield, he said the old man looked down in his Mansfield mode and said, "Oh, good Lord." It was another thorn in his crown of thorns. It was done. That kicked it off. Obviously, Mansfield had nothing to do with the preliminaries or the campaign. He was not going to bless either one of us, because he was leaving. And certainly it was a distasteful moment for him that he would like to avoid.

Now, more importantly, who were the potential leaders? Well, it was either Byrd or Humphrey. On the other side, Howard Baker and Bob Griffin. Of course, Baker didn't really play in it at that time because it was not anticipated that the Republicans were going to take the Senate. It seemed natural that the next Secretary of the Senate was going to be a Democrat. So Baker really didn't get involved.

But interestingly enough, and I think I related this in an earlier episode, if not, I will clarify it now. Senator Byrd called me in after several weeks of this campaign and asked me how my effort was going. He was down in his state office. I said, "Well, I think pretty well, Senator. I don't know how it will turn out, but I am fairly confident." He said, "Well, you know I am running," (meaning Byrd for leader) "and I have my own campaign to run. I don't intend to get

involved in yours at all. As a matter of fact, I won't even tell you how I am going to vote." I said, "No, and I haven't asked you, Senator."

Well, this conversation turned out to be a great blessing. Because when I was elected, and you remember the case when I was elected, Frank was given ninety days to clear out, sort of a transition period. Once I took office and was sworn in, Senator Byrd never directed me, and Senator Baker never directed me in a daily sense. I didn't report to them daily like they do now. I am sure Jeri is in Daschle's office two or three times a day, as she should be because he anointed her. As Hildenbrand was with Baker.

But I was permitted because of that circumstance to be the Secretary for the entire Senate, knowing that I would report, first of all to the Majority Leader, unwritten and understandable. But at the same time, I would be equally responsible to the minority leader and through them to the whole one hundred Senators.

So for four years I had without question in my mind the best political job in Washington. I didn't think the Democrats would ever lose the Senate. I was going to retire here. I didn't have to run for reelection. I didn't think I was going to be challenged. I didn't have all the problems of a Senator, with constituents and issues. My turf was a comfortable turf and I was permitted to run it, redesign it, work it and keep it going. On very few occasions, once in a great while, either leader would ask me to do something, which I would do, of course.

One of them, which I think I related, if not, I will now. Murray Zweben the Parliamentarian, I think I told you, fell into disfavor because of some of his rulings, vis a vis the Republicans. Between the time that the Republicans were voted into the Senate which was November and when they took over the Senate, which was in January, it was obvious that Baker would be the Majority Leader. He sent word to me through Hildenbrand that Murray needed to go, and would go, but Baker wanted to make it as smooth as possible. He would rather that I move him out before the Republicans took over, when he would have to do it and it would be more of a cause celebre type affair. Well, when I got the message I called Murray in and Murray, of course, ended up resigning which was inevitable.

During that whole process I did not go to Senator Byrd and tell him, which probably was a mistake at the time. My sense was that Baker was making the decisions. He had asked me as Secretary of the Senate to take an action which was within his purview. It really affected what would happen after January and Byrd would not have a voice in that. Perhaps I even thought at the time that I didn't want to put Byrd in a position of trying to thwart something that had been foreordained. I don't know what my motivation was. Anyway, I did not tell Byrd. Then when Murray resigned, Byrd called me in and said he understood this has happened. In his inimitable Robert C. Byrd style, he said, "Well, I wish you had come to me first." Meaning come to him before I gave Murray the word, which implied that he might have been able to influence and change Baker's mind. So I apologized to him.

Now that is a very long answer about your questions about reactions of Mansfield, Baker and Byrd to the election.

RITCHIE: Well, you said that because you weren't beholden to any one Senator you had a lot more free rein, and that you had intentions to redesign the office. What changes did you want to make or did you make in the Secretary's office when you became Secretary?

KIMMITT: Well, I think, without going off the top of my head, Don, I would refer you to the publication that came out right after I stepped down which was a compilation of floor statements. I think it was [John] Melcher or somebody else put in a document as an addendum which outlined everything that I had done while Secretary of the Senate. Now when I said "I had done," I mean recommendations that had been made to me by staff from everywhere from the financial clerk to Marilyn Courtot, later Assistant Secretary of the Senate. They compiled a list of accomplishments not for the purpose of this last publication, just for the record. I think rather than dwelling on it, you might want to, or I can get you a copy, of what we did. They were mostly administrative things, changes, I wanted to do. Just as Jeri is doing now.

Think what she has had to do since 9/11 and anthrax. Think of the new security provisions that normally fall under the Sergeant at Arms and do, but had to be led by Jeri because the Sergeant at Arms [Al Lenhardt] was new. The Senate was a whole foreign culture to him and she has such a wonderful background of working in the Senate from every aspect; majority, minority, Sergeant at Arms, Deputy Sergeant at Arms. She was in that office and then she was in

the Secretary's office. Jeri Thomson has brought about and is bringing about changes that she hadn't even planned on making. Things happen.

I didn't come into the job with the idea of making a lot of changes. Now Jo-Anne Coe died back about two weeks ago. I went to her funeral. Dick [Baker] was there. When she became Secretary as I had with each succeeding Secretary, I asked to see her and only for the purpose of offering my congratulations and any assistance that I could give. Well, Jo-Anne was an Amazon in many ways and she didn't need a lot of guidance. She had been with Senator Dole all these years. I remember her comment when I said "if there is anything I can do for you or to help you get started in this new job." She gave me the damnedest answer. She said, "Well, if you would help me clean up that snake pit over there, I would appreciate it." That was her partisan imagery of the Secretary's office, that it was all Democrats, a snake pit of partisanship. That is the way Jo-Anne felt. Now she came in, obviously by that comment, with a preordained agenda to make changes. I don't know if she made many or not; it is not important. But I had no preconceived idea of what I wanted to do. I was just so happy to be the Secretary of the Senate.

Over the course of the first year, I continued a practice, which I had some twenty some years before that. In the military, if you are a successful commander—and the Secretary is in a sense a commander—you get out with the troops and listen to them and ask the questions, then often visit their units. They aren't always having meeting in their office with other commanders and subordinates. They go out and learn for themselves. It was kind of ingrained with me, that practice.

When I took over, I followed that by getting around to every sub-element of the Secretary's office, which I think at that time I had about sixteen. Now I did it selfishly to learn what the hell they did and what it was all about. I would go in the office of Public Records and I would drop in there every six weeks, two months, just to see how they were doing. The Historian's Office then was just a little cubicle up in the Capitol and it wasn't really as significant a player as it is today. The Historian's Office of that day gave me the impression of a couple of people with green eye-shades looking up history. Well, it is far beyond that now.

I would drop around and see them. I would go up to the Printer's, even though it wasn't in my purview, upstairs in the Capitol where your office was co-located with them for a while.
I

would get around the Disbursing Office. That was one area Marilyn Courtot just was infuriated with me. The Disbursing Office was the one place that I would let no other staff person have any jurisdiction at all. Art Kuhl, who was my first Assistant Secretary, understood that. When he died I picked up the former financial clerk Bill Ridgeley. But when Marilyn got working for me she wanted to get into—using a “Jo-Anne Coeism”—that pit. I just kept everybody’s hands off because if there is ever a location in the Senate where a Senator’s personal affairs are concentrated it is in the financial clerk’s office. How he spends his money, officially and otherwise. What personal documents he has and his retirement. It was between me and the financial clerk. I would go over there from time to time and just chat with them, and all around to all the others.

So in that sense I learned on the job and at the same time, I made changes as I went along. One example which I initiated—there weren’t many times, but there were times when the Senate would stay in session for twenty-four, forty-eight or seventy-two hours. Prior to my being Secretary, the procedure was everybody stayed here—all the staff, all through the night. On the floor, people would rotate and relieve each other. The first couple of times that happened I said “Hell, that just doesn’t make sense.” After about forty-eight hours you get rummy, weak, and grimy. So I initiated a practice and had the chief clerk design a system where a round-the-clock session was anticipated to run a roster of who should be here during what period of time and then the others could go home. I think the man who put it together for me was the one who was killed.

RITCHIE: Scott Bates.

KIMMITT: Scott Bates. He came up with a plan for everybody, the Secretary’s office too, for offices that had to be open during that period. It took the requirement off people to just be here for no damn particular purpose. That worked very well and we finally refined that down to where I think it has now become probably standing operating procedure. There were other little things. Nothing momentous, that I can think of.

I can’t think of any big disagreements that I ever had with Nordy Hoffmann, who was the Sergeant at Arms, over jurisdiction. We worked very well together and deferred to each other. Actually, it was probably the best four years of my life. Even though my early military years were more exciting, more challenging. But this was kind of a capstone.

RITCHIE: You mentioned Art Kuhl. Darrell St. Claire had retired as Assistant Secretary and Art became Assistant Secretary.

KIMMITT: There were two people Frank had when he was Secretary. One was a lady named Dorothy Scott. She had been in that office with Skeeter Johnson. She was almost a grande dame of the Secretary's office. She was a tough nut to deal with, too. I remember she used to call me. A couple of times she called when I was Secretary for the Majority and she said, "The boss would like to see you."

And I said, "Who, Senator Mansfield?"

"No, Mr. Valeo."

"Oh, I thought you meant the boss." That used to irritate the hell out of her. When she left, I put Gail Martin in there [as Administrative Assistant]. She had been in Mansfield's office. Art was Chief Clerk of the Foreign Relations Committee. Darrell was the Assistant Secretary of the Senate. I never had any problems with Darrell. I guess he just retired. Anyway I brought Art up and put him in there. He was a nice stabilizing influence on people. Of course, he knew a hell of a lot. I don't think Bill Ridgely was ever happy in that job. He seemed kind of tense. He finally left. Did he leave coincident with me?

RITCHIE: He left when you left. And then Marilyn Courtot took the job when Bill Hildenbrand became Secretary. I think Bill Ridgely most enjoyed the International Parliamentary Union part of the job.

KIMMITT: Which one?

RITCHIE: Bill Ridgely loved going on those IPU meetings. But Darrell St. Clair had turned that position into an administrative officer, a sort nuts-and-bolts person. I wondered about your relationship with the Assistant Secretary. Did you essentially delegate to him the day-to-day administration, or how else did you divide the job up?

KIMMITT: I think in fairness, because of my style which was perhaps was resented, I

delegated in principle everything to the people to whom it should have been delegated. But at the same time, I was so personally involved that I would not, for example, go through the Assistant Secretary and say "Tell Dick Baker to do this and so on." I would go over and do that; I would bypass, because I have never been much of a believer in the ivory tower complex.

Frank was an ivory tower man and as a result, he delegated everything to everybody in the office. In many cases he didn't even know who he was delegating to. I can't recall Frank walking into the full office, which is Senator Daschle's office now. He would go in and out his side door—I am sure I am overstating it—but he did not get involved. That's where Dorothye Scott and the others were empowered to run things. That in my mind causes dysfunctional activities. Particularly with Marilyn Courtot. I liked her as a person, but she was very ambitious, and all the control she could get she would take. I gave her very little and it used to irritate the hell out of her. But I didn't inhibit any of them. Now this is looking at it from my perspective. Other people might give you a different viewpoint. But as I recall I would delegate all the functions through the supervisors in their area. I would come around and double check that their areas were being administered properly without going through the channels. That is a very convoluted answer.

RITCHIE: In those days the Secretary had a beautiful suite of offices right off the Senate floor on the second floor. I remember it was redecorated while you were there.

KIMMITT: It's the office Senator Daschle has now.

RITCHIE: Was it a meeting place for Senators during the day?

KIMMITT: Oh yes. I carried that practice from S-309, which was a small office. All the old-time Senators now will say "Why those were the good old days," because there was just an open invitation on a bipartisan basis—repeat bipartisan—that they could come in any time late in the afternoon, particularly if there were going to be an evening session. Only Senators. They knew they should not bring staffers or anyone else. I would have kind of a buffet bar and they would fix their own drinks. I would not use the administrative staff, messengers as waiters.

Even if a staffer wanted to see a Senator who was in there, Gail would call me out and I would talk to the staffer. "Is Magnuson in there? Can I see him?" I would say, "I don't know."

I would go back in and tell Magnuson that such and such a staffer was out there and predictably sometimes he would say, "Well, tell him I will see him later." Or he might say in some cases, "All right, tell him in to come in." Then he would be very quick and out he would go. Very few staff there with the members. It was a common meeting place for members of both parties.

I did it in my office and for the Republicans it was done down in the Republican Leader's office, [Everett] Dirksen's office. He had a similar setup there. It was normal and very well frequented by those who liked to relax and have a drink. Now many of them didn't come in, for good reasons. Scoop Jackson, I don't think, ever came in there. Old Al Gore, I don't think he ever came in and others. But people like [Roman] Hruska? Oh, I can think of all kinds. Sometimes we would have as many as ten, twelve, fourteen in there at a time. But to answer your earlier question, the answer is "yes."

RITCHIE: Just to relax and tell stories? Did they ever do any business in there while they were sitting around?

KIMMITT: It was intended to relax and tell stories, but just by the very nature of the conversation and interplay deals would be struck. I told you the one about Tom Foley and the judge: "Jim, I have this judge" type of affair. That just cut through all of the procedural morass of staff and committees and everything else. If two Senators agreed in there, or three Senators, on something, they would go back out and tell their people "this is what we are going to do."

They would expedite a hell of a lot of things. Very, very infrequently there would a discussion where there would be significant disagreement between them. But once in a while there would. But it would be a healthful, respectful Senator-to-Senator disagreement. There was never anything tension-filled. Everything just seemed to go well. I was so privileged because I had my desk in the corner, one of those big old Senate desks. I would just sit back there and watch all this go on between occasionally going on the floor.

I have said this and will still state it again. One of the things of which I am most proud is that in fifteen years, now that's a long time, eleven years as Secretary for the Majority, four years as Secretary, there was never a quote or leak to the press out of the office from one of those evening sessions. Primarily, because there were only Senators and if there was a comment, it could

only be from a Senator or Senators. There was no staff, there were no servants, per se.

All the members of the media knew there was this gathering. They used to call it the "pump." None of them was ever able to get anything significant out of there. Although there were one or two exceptions, I think I have told you this before, one reporter was in a true sense, a reporter, not an editorial writer. Most reporters today are editorial writers. But this was Spencer Rich of the *Washington Post*. Spencer would write a story and it would be straight news. He was highly respected and I got to know Spencer pretty well. Not down in the big office, but up in 309 on at least two occasions, I said to the Senators in there, there would only be two or three, Spencer Rich is out here, "Do you mind if I let him come in and have a drink?" "No, bring him on in." So he came in and joined in the discussion, but he never wrote anything out of there.

Interestingly enough, Spencer covered the Senate for a long time and he had the respect of the members, in my opinion. Then one day, reportedly, he was called in by the *Post* hierarchy, and was told he was getting too close too the members up there and they were taking him off the Hill and putting him downtown writing Social Security, etc. So they took him off the Hill, because they considered that he was too, I would say, understanding of all positions, but in the *Post's* view, he wasn't being critical enough. Spencer was a good reporter.

No, deals per se were never designed and struck in there, but the ebb and flow of human relations caused events to come about that would not have occurred in a timely fashion if they hadn't had that opportunity to discuss things quietly off the record and relaxed. Sometimes you get a little more relaxed and agreeable when you have a drink, some become disagreeable, but most become more agreeable.

RITCHIE: You had spent eleven years essentially on the floor and in the cloakrooms as the Majority Secretary. When you became Secretary of the Senate, did you spend as much time, or much time at all on the floor?

KIMMITT: I would always be there when they opened, every day. I would usually be there when they closed. The rest of the time I would amble in and out and around, but I would have no directing purpose in being there. Sometimes I would just come in, go up to where the Secretary's chair is next to the presiding officer, and just sit and listen to the debate for a while.

But I didn't get into the Secretary for the Majority's business. Which, again, made it a very comfortable position to have. It was just a wonderful opportunity to do as I pleased or as I felt was appropriate to do under the circumstances. But I had that great opportunity to just walk around the floor, to talk to Senators at their desks or just ramble, no purpose, but always learning something new every day. Soon you become confident in what you are doing.

RITCHIE: Jimmy Carter was President for all four years that you were Secretary. The Democrats held the majority for that whole period. But it was still a rough time. There were filibusters over gas and oil. There was the Panama Canal debate. Did people come to you about questions about strategies and how to deal with the administration and the Democrats on the Hill?

KIMMITT: Yes, I recall, for example on the Panama Canal Treaty. Because of its importance, Mondale would preside a lot more than usual. I had him call me up several times at the desk, saying "How is Paul Hatfield going to vote on this Panama Canal? It is getting tight and we need his vote." Hatfield hadn't committed. I said, "I don't know. I will try to get an indication, but I'm not going to just ask him how is going to vote." And Mondale said "Well, do what you can to tip him over. We really need him." Then I alluded, jokingly but somewhat seriously, "Well, if he knew what may be in store for him if he leaves here, it might help." "We're not going to make any deals. But you know damn well we're going to take care of all the people where we can."

It turned out later, as know you, that Paul Hatfield was a federal judge. First of all, he voted for the Panama Canal Treaty which was very unpopular in Montana. He was beaten by Max Baucus who never who never had to vote for the Panama Canal Treaty because he was in the House. Had he had to vote on the Panama Canal Treaty and had he voted for the treaty, he might not have beaten Hatfield. But Baucus has been one of the luckiest members in the Senate in many ways. That was one of them. He never had to vote for the Treaty and Montana turned against Hatfield because it is a conservative state. Now, here we have Baucus Chairman of the Finance Committee and practically unopposed for reelection.

RITCHIE: Was there a sense of missed opportunities with the Carter Administration? Jimmy Carter came in with substantial majorities in both Houses.

KIMMITT: Well, he came in as I pointed out in my earlier discussions with you, with

an anti-Washington attitude and he came in having made allusions that he was going to clean up Washington. If you think Bush reflecting on the Senate now is pretty acerbic, Carter and his people, Ham Jordan and that group, were all very disdainful. Remember those were the days when those people were coming to work as Chief of Staff to the President, in jeans and open shirt and tennis shoes, with feet on the desk. You can imagine how Robert C. Byrd and his colleagues viewed that.

Carter and his people had to learn that the Congress, particularly the Senate, was not an adjunct of the administration to just do what they were told. So the going was rough for awhile. He pontificated too much. It is hard for me to recall that era clearly, but I don't recall any real devotees of Carter in the Senate at that time on either side of the aisle.

RITCHIE: That's really the last time a President has enjoyed substantial majorities of his party in both the Senate and the House for his entire presidency.

KIMMITT: And then to end up with, in my opinion, achieving as little as he did. People are remembering Carter now more for what he has done since he left the presidency than what he had done when he was in the presidency. He did have Camp David and he did have a few coups, but it is hard to point out like Lyndon Johnson and his great society or Eisenhower and the interstate highways, it is hard to point to Carter's accomplishments of a significant nature, in my mind.

RITCHIE: You mentioned how unexpected the results of the 1980 election were for the Senate in particular. I think people thought Carter was going to lose, but not necessarily that thirteen Democratic senators were going to lose the election. Was there some sense in the Senate that Carter was responsible for that time?

KIMMITT: Early in the evening even before California had voted, he was criticized for conceding even before the elections in the country were over. Now there was a great deal of resentment about that particularly by the West Coast members.

RITCHIE: Senator Magnuson and Senator Church lost by, I think, only one percent of the votes in their states.

KIMMITT: When anybody loses they look for a reason and Carter was certainly a good enough reason to fall back on if they didn't have any real legitimate reasons. He lost and he took the rest of us out with him.

RITCHIE: Bill Hildenbrand posted a note on your door the night before door saying "closed, open under new management." Everybody took it as a joke, but the next morning when we woke up, the Republicans were in the majority.

KIMMITT: As I told you, I never expected Democrats to lose the Senate. On that election night I was in Montana, because we had a gubernatorial election out there. Keep in mind it is two hours earlier out there and I was at the governor's campaign headquarters and watching the results come in. "Boom" it became apparent that the Republicans had taken the Senate. So I called back to Bill who was in Baker's office, this was 11:00 at night, and at that time Bill liked a little red wine and this was a wonderful night to have it. I congratulated him. Then he uncharacteristically started almost crying and saying "I don't want to be Secretary of the Senate." Bill and I remained good friends.

Even after the election Baker wanted him to be Secretary of the Senate and Bill didn't want it. Jim Cannon who was with the Vice President at that time, but he was working for Baker, too, came to me one day, after the election and everything was all over, and he said "The Leader would like you to talk to Hildenbrand. He says he doesn't want to be Secretary of the Senate." I knew why. He missed the floor action. He liked running things on the floor. "He wants you to talk to him because he has other plans for Howard Greene to become Secretary for the Majority." So I called Bill, he came in the office and I said "God damn it. Get off that kick about not becoming Secretary of the Senate. Baker wants you to be Secretary of the Senate and you owe him. You are not making your own decisions on these things. You owe that man to do what he wants you to do. Now just knock that crap off." Well, time went on and he did. We remained good friends and we still are good friends.

RITCHIE: That December the *Washington Star* published a list of pretty much everybody who worked for the Secretary of the Senate, a whole page they called the "plum list." It contained everybody's name, job title, and salary. The implication was that everybody in the Secretary's office was a political appointment. I remember Bill Hildenbrand calling to say Senator

Baker did not consider them political appointments. Did you have any sense about the Republicans coming in after twenty-six years in the minority that they intended to make a drastic change?

KIMMITT: That was a concern, I'm sure. But I didn't have any preconceived ideas. I had enough faith in the character of Howard Baker to know that he wasn't going to cause a tsunami. And you can't do it. You can't replace all those legislative clerks. You can't turn this place upside down and fill them with political appointees who have no idea what they are doing. Those people at the desk, the official reporters, the historians, these are all professionals who know what they are doing.

Can you imagine if say Senator Daschle were to call up and say "I've got a friend out at the University of South Dakota who I would like to put in as Senate Historian, so I want you to submit your resignation within thirty days." And if you were to ask "Is he a historian?" "No, but he is a great supporter type of guy." To have someone like that come in and take this job. I think it would be ridiculous.

RITCHIE: It's what Newt Gingrich did in the House in '94.

KIMMITT: What are you plans this afternoon?

RITCHIE: Would you like to break for lunch and then pick it up again and talk about what you have done since then?

KIMMITT: I don't know. Sometimes when I leave I think what a ridiculous episode that was.

RITCHIE: Well you know, I came in at the beginning of that history because I was sitting in the gallery the day they announced your election. I watched from the start, so it's really nice to hear it from you.

KIMMITT: In those days I smoked cigars. We were up in S-309, the Secretary for the Majority's office, and it was an unwritten rule that anything that what went on in the caucus you would never speak about until the Majority Leader had made an announcement. Before I went

down for that vote that morning, not knowing what was going to happen, I told Gail that "When I come back, I am not going to be able to tell you what happened, whether I win or lose." But if I have a cigar on the right side of my mouth, I've won. If I have it on the left side, I've lost. So I came upstairs and had my cigar on the right side.

End of the Fifth Interview