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Interview with Patrick Leahy by Brien Williams

Patrick J. Leahy

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George J. Mitchell Oral History Project

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Patrick J. Leahy
(Interviewer: *Brien Williams*)

GMOH# 205
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Brien Williams: This is an oral history interview for the George J. Mitchell Oral History Project at Bowdoin College with Senator Patrick Leahy. We are in the senator's Washington office, today is Thursday, March 18, 2010, and I am Brien Williams. I thought I'd start out by just asking you what first thoughts come to mind when you know that the topic of this interview is George Mitchell.

Patrick Leahy: Oh, as a good friend, and I've always enjoyed every time I've been with him. We were friends from the day he first came to the Senate, we've remained that way ever since.

BW: Had you had any contact with him prior to his arrival at the Senate, or not?

PL: I knew who he was, as a federal judge and all, and may have met him once with Ed Muskie, but I didn't really know him. But I got to know him very well once he came to the Senate.

BW: Right, and what kind of an impression did he make on you and your colleagues when he first arrived?

PL: Very solid, very mature, very hard working, and an ability to, one of the best negotiators I've ever seen.

BW: Right from the start.

PL: Yes. He could figure out the position he wanted to take and then convince you it was yours, which I think is wonderful. As a trial lawyer, we always try to do that, all of us who have tried cases will try to – we know the conclusion we want the jury to reach and have to convince them it's their idea. And George would do that all the time. Of course I'd also traveled with him a lot when he was running the Democratic Senate Campaign Committee, partly because we did get along well, and on those trips, they can be somewhat frenetic, you wanted people you can get along well with.

BW: I noticed that you and he both were on the Steering Committee for, I guess you're still on the Steering Committee.

PL: Yes, although now it's more a Steering Committee in name than anything else. After he

was here, it was no longer really used to pick people or do anything.

BW: What about during Senator Mitchell's time, was it more proactive?

PL: He would use it more, but as leader he would always of course try to guide how you might put people on different committees for appropriate balance, geographical and philosophical, and he was good at that.

BW: He came, as you know, in 1980, and called himself a senator with an asterisk because, of course, he was a governor's appointee, and was doing very poorly in the polls actually when he turned that around in '82 and won in his own right. So he had a very fast ascendancy into the upper regions of the [Senate].

PL: Yes, one of the fastest. It's rare to see senators move that quickly. It occasionally happens. We had a former senator from Illinois who left here after three or four years to become president, but maybe he was following the Mitchell precedent. George won over a lot of people, and when he ran for leader I believe I was the first senator to publicly announce for him. As you know, we have a leadership race. Because it's a secret ballot, everybody's for you, even though they may be for the other person, too. I not only announced it publicly, but said if I couldn't be there I'd leave a written proxy with him. And it was part of our friendship.

BW: Can you give me any indication of why Senator Byrd chose to go to Appropriations, to open the opportunity for [a change in the major leader position]?

PL: Well I think being chairman of Appropriations is a lot easier than being majority leader. And I think that Senator Byrd was, he could have been chairman of Appropriations, normally would not be [challenged for] majority leader and I think he felt that, well you'd have to ask him actually, but I think he felt Appropriations far more appealing. With the exception of Mike Mansfield, leaders don't last all that long, and I think he didn't want to be in that position where he was a lightning bolt. He could work in Appropriations, do what he wanted to do for West Virginia, and in some ways he would take a more narrow, parochial view of things. He also became president pro tem. I think to him that meant a lot.

Senator Byrd is one who enjoys having – and I don't want to say this in a way that sounds bad – but he's more appreciative of the lists and the numbers, how many votes he's cast, how many years he's been here, who's been longer serving, who's in this office or that office. President pro tem of course has a significance and, again, Appropriations Committee is not the easiest job in the world, but there are certainly other committees that are more difficult and more demanding, and being majority leader is much more demanding than all of them. I was glad to see George announce. As I said, I'm virtually certain I was the first person to publicly announce for him.

BW: Did you encourage him personally to -?

PL: Well, I knew he was thinking about it, but I did say that I would certainly support him,

but some of the barons of the Senate he was probably more concerned with. But we had a special relationship, we're New Englanders, our states are near each other, I've been to Maine with him and we had done a lot of things together.

BW: How important was his role in Iran-Contra, do you think, in bringing him to the forefront?

PL: I think it was very important, because he was somebody who has great credibility. He appeared more as a judge than a senator in that, and was a persona that reflected his earlier career. I've known very few, if any, people who could lay out a point as succinctly as Senator Mitchell, and do it in such a way that it went from point A, point C to point D to point E, to the conclusion. And I've seen him do that in negotiations, certainly during the negotiations in Northern Ireland, he was tremendous, he was unflappable. And when people would debate he'd say, "Well let me state what the debate is," and would do so, then everybody would be agreeing on at least what the basic questions were, and they decided how they would go with it.

He also has a great sense of humor. It's a very quiet, New England sense of humor, but it's wonderful. He's also just a very good friend. I think of one time in the last couple of years, I was in New York with my wife. My wife is a cancer survivor. We had a significant milestone checkup we were both very concerned about, and we decided to take the train up and back as being less anxiety, came back to get on the train early evening. Two things happened – we walked in, when the cell phone rang from the hospital with wonderful news. The other was, we saw George Mitchell, so the three of us could sit, talk about old times and have a glass of wine, have a wonderful trip back to D.C.

BW: In terms of his leadership, what were his strongest pluses, would you say?

PL: I think bringing people who are - Two things: one, to bring people who are probably diametrically opposed, at least philosophically, bring them together; but also [two,] the reputation he had, if he made an agreement, he always kept his word. The reason he and Senator Dole got along so well, both old school, they made an agreement, that was it. Senator Dole once said about him, he never did anything to surprise Senator Dole, or vice versa. The Senate ran a lot better than it does today as a result. Didn't mean that we didn't have difficulties, because we had health care, we had a number of other things, and he worked very hard at it, and he faced strong opposition as a Democratic leader might on some issues, but he did it in a way, everybody had a great deal of respect for him, both Republicans and Democrats.

BW: I don't know which verb to use here but I'll try one on you, how did he run the caucus?

PL: Well, we'd have our caucus meetings, he would call on different people, make sure that people got heard, but then would use that same negotiating ability, he'd say, "Well now here's the situation that we have," point A to B to C to D. And, "don't you think we should do..." tell them the conclusion, and usually have agreement. Now, he did used to tell us that what he enjoyed the most was recess, because we'd all get out of town, he said, "This is a really good job

if you're all gone and I don't have to be taking care of the needs of all of you." I think it was said only half in jest.

BW: Any minuses to his leadership style?

PL: No, everybody's got a different leadership, I'd give him very high marks for the fact that he could make deals or make agreements with both Democrats and Republicans, and you know they would stay. And again, we could use that today.

BW: Under Dole, were the Republicans marching in lock step like they do today, or was he dealing with a more -

PL: Oh, I think there was a very great desire to march in lock step, but Senator Dole would also tell them, there are certain things we have to do as senators, both for the country and the Senate. I can't imagine Bob Dole every countenancing these endless filibusters, 120 filibusters this year. Filibuster, one of the things I look at a lot, filibuster of judicial nominations for weeks and months, and then you have to have a cloture vote, and then the person gets a hundred votes. I mean, non-controversial things. He was probably more interested in getting rid of the non-controversial stuff and moving on, focus on real things. And they were very close friends, which helped.

BW: What about his working with his colleagues, did he have sort of an intimate team that were his (*unintelligible*)?

PL: I think if anybody was close to him, probably as close as anybody to him, was Tom Daschle. But he would make it a point to come down two or three times a week, to the senators' private dining room, so if he ate lunch there, a whole lot of other people would show up and have lunch, both Republicans and Democrats. After he left, that became less and less a habit, until today, it's virtually always empty, which is unfortunate because there'd be only senators, no staff, you could let the vice president come in as president of the Senate, but both parties might talk about a baseball game or football game, talk about whether your kids got into college or not, and then you talk about what should we do to get this thing moving along. And that was important.

Or more often see him in the gym, was a great place to just joke around and get things done. He was very good at that ability to take things out of the normal course. And just because I've done it, again, I think a great talent to make you come to the conclusion where you would actually think it was your idea of doing what he wanted done. He was very effective, I thought, he was one of the very, very effective leaders.

BW: What issues do you particularly associate with him?

PL: A particular issue, certainly he was concerned about the environment, there's a number of things he helped get through on that front, the environment was significant. And of course the

post-Senate time, with his tremendous negotiating abilities, not only in Northern Ireland, but in companies like Walt Disney. So, he's a very, very talented guy. He has this quiet, owl-like appearance. I don't know if it's by design or by nature, but it works very effectively.

BW: I'm smiling, because I wonder how you'd describe yourself along those lines?

PL: Oh, I'm just a lawyer from a small town in Vermont, I live on a dirt road. There's a picture of one of my granddaughters coming down the road – they're our nearest neighbor half a mile away – coming down because she said she wants to come do a sleep over, she has everything she needs, she's got her teddy bear under her arm. And I don't know what pictures are all up there, at random are, unless I'm in them, these are all pictures I've taken.

BW: Are these some that are going to be on exhibit this weekend?

PL: Oh, you've done your homework. I don't see, these are obviously grandkids playing, that's little Patrick here on his fourth birthday, and there's another granddaughter with my wife. But no, I don't know if any of the ones that are in here – I do have one interesting series which has President Obama not being convinced of a point by Senator Lieberman, and the body language is very good. I was the only camera in the room, all Democratic senators, and the president was standing. Senator Lieberman starts to explain why his position on – and he's waving his arms like this – his position on health care, the fact that he was going to desert the president on it was really for the president's good, and the president's got his arms crossed, looking at him, over a series of about four minutes, in this series of pictures, he's leaning slowly backward, away from him. Ends with a picture of Joe Biden, because he could hear this click-click-click and he's looking around to see what's going on, glanced my way and saw the camera, and this grin on Joe's face and I couldn't resist snapping that.

BW: Were you surprised when Mitchell announced his retirement?

PL: I was. There had been some rumors of it, I talked to him, I was one of the ones he'd called and went up to Maine. It was typical fashion, he went to Maine and announced it, not on the Senate floor as many have. There's no question he would have been reelected, and I hated to see him go, because he's such a close friend. But I understood his reasons, he thought he'd done what he wanted to do here, and he was going to leave. Someone like John McCormack, great Irish tenor – I don't know how old he was, in his fifties I think – and he retired from singing. People asked him why. He said, "I wanted to stop singing at a time when people would say, 'why have you stopped singing,' instead of people saying, 'why don't you stop singing.'"

BW: One thing about his resignation, the timing of it. He announced in March that he was not going to continue, and somewhere right around that time Clinton was talking about appointing him to the Supreme Court, and he said: no, I want to stay and work the health care plan through to the conclusion. Wasn't he a lame duck, and could he still operate effectively after announcing he was going?

PL: Well, no, I think it was more, if anybody was losing on that it was President Clinton, not George Mitchell. The White House miscalculated the level of the opposition and did not respond accurately. But there's no question he gave up the Supreme Court. He would have been nominated and he would have easily been confirmed, and it would have been a race to see who could go on the floor first to announce why they were supporting him, both Republicans and Democrats; he would have very easily made the Supreme Court.

BW: How would you describe him as a Democrat?

PL: I thought the kind, a New England Democrat, basic values, FDR, sensitivity to the people who really needed government help. But then you'd see that he'd seen, of the mills in Maine, he'd seen the needs of people, parents, immigrants. This was America of the great dreams, and I think he wanted to make sure that we were doing things to keep that dream open for anybody, no matter where they came from, or what background they came from, and not just for a select few.

BW: Is that brand of Democrat still a mainstream in the party?

PL: There are a lot of Democrats that feel that way. I think the president does.

BW: I guess my last question, I'm really asking you to repeat yourself I think here, is what I ask everyone at the end, is how do you think history ought to look back on George Mitchell?

PL: Oh, I think they'll look at him and say, especially as some of the things that have evolved in the Senate, they'll say, "How can we get back to an era with Senate leaders like him," in either party. And I've often said the Senate should be the conscience of the nation. He helped make it that way, and he was one of the very last people, as a leader in either party, to do that.

BW: Thank you very much.

End of Interview