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Interview with Charles Kinney by Diane Dewhirst

Charles L. Kinney

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George J. Mitchell Oral History Project

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Charles L. Kinney

(Interviewer: Diane Dewhirst)

GMOH #125

July 27, 2009

Diane Dewhirst: It is Monday, January, no, it's not January, Charles. It is Monday, July 27, [2009], we are on Capitol Hill in Washington, D.C., and I am here with Charles Kinney, who was a member of Senator Mitchell's staff when he was Senate majority leader of the United States Senate. Thank you, Charles. We are here for the George J. Mitchell Oral History Project for Bowdoin College. Charles, I'm going to ask you a few questions about, kind of like your name, rank and serial number, your full name, your parents' names, where they were from, where you were born, a little bit about your education, and how you got to Washington.

Charles Kinney: Diane, thank you very much for this opportunity to participate in the project. My name is Charles Ludlow Kinney, K-I-N-N-E-Y. I was born in Parkersburg, West Virginia, May 31, 1952. My father was David Whittemore Kinney, born in Malden, Massachusetts, April 30, 1920. My mother is Anne Frances Morton Ludlow Kinney, born in Parkersburg, West Virginia, October 15, 1919.

I was raised in Parkersburg; I came to Georgetown University, undergrad, got a degree in Foreign Service. My senior year at Georgetown undergrad I had a light course load my second semester and determined I should get a job. I had never been to Capitol Hill, I was not political, [and] I was a registered Republican, which is rare in West Virginia.

I dropped resumes at every West Virginia congressional office and nothing happened. I got a job in a political action committee downtown, one of the very first that was [created], worked there one month, and Senator Robert Byrd's office called and asked if I'd be interested in an interview for a position that had opened up in the Senate Democratic Cloakroom. I said certainly, and was told when to show up for an interview with Senator Byrd. He met me off the Senate floor, asked me two quick questions, and I was hired.

DD: What year was that, Charles?

CK: Nineteen seventy-four, it was January.

DD: Before we do your Senate career in Washington, can you just talk a little bit about your parents, what their occupations were, and a little bit about your interests before you came to Washington. The Oral History Project is looking to kind of set you in place and time.

CK: Sure. My father, David, was a mechanical engineer. He served during World War II in

the navy; he was wounded in the Pacific and spent a lot of time in a hospital in South Carolina. My mother, who had met him in New York City, visited him there while he recuperated. She at that point had graduated from what was then the Pennsylvania College for Women, is now Chatham College in Pittsburgh. In 1940 she graduated, [and] the war began after she was serving as a governess for a well-to-do woman in Connecticut. She informed her father that she was going to become a nurse and joined the war effort. He said, "No, you're not, go to Katherine Gibbs in New York City, become trained as a secretary, that's where you will be most useful and that will be less dangerous." She did that, that's how she met my dad. One of her professors at the school was a friend of my father's mother in Boston.

Mother was then sent to the State Department, trained in secret codes here in Washington and shipped to the American Embassy in Madrid and I'm unclear on the years here, it was probably '42 to '43, and she got a letter from my father, presumably from South Carolina where he was recuperating, asking her to marry him. And she was conflicted because she had signed a contract with the U.S. government to serve at the embassy in Spain. She went to the ambassador's wife, explained the dilemma, and the woman looked at her and said, "Don't be ridiculous, Anne, go home and get married."

And so she did, except the war was in full [force] at that point and the only safe way to get back to the States was to fly, and in [1944] if you were flying from Madrid to the U.S., you went to Morocco, Brazil, and several Caribbean islands, it was five landings to get back to Washington. Anyway, that's how my parents met, [and] they were married.

My mother, being quite attached to the mid-Ohio valley, got some sort of a job opportunity for my dad in his mechanical engineering profession and he worked in several large plants for the rest of his career there. My mother raised four children. When we were all out of the house, she informed my dad [that] she wanted to go into the clergy. She went to Episcopal Seminary and became a priest and worked as a curate in our home parish for fifteen or twenty years, until she became too infirm to do it anymore. And that's a bit about my parents.

DD: What are, were you the only -

CK: I'm the third of four children, I have an older brother who is an engineer, I have a sister who is a teacher, and a younger brother who is a medical doctor.

DD: All right, fast forward to Senator Byrd.

CK: I was hired, I worked in the Democratic Cloakroom from 1974 to 1979. I went to law school at night during that time and got my degree completed in December of '78. [I] took the Bar in early '79, was offered a different job by Senator Byrd to join the Democratic Policy Committee as part of his floor staff, and bought a house and got married all in a three month period. [I] started working on the Democratic Policy Committee in 1979 and met all of the great, great people that are contributing to this history, including Abby Saffold and Marty Paone and others.

DD: When did you first meet Senator Mitchell? And I realize this is a long time ago so you can, whatever recollections or impressions you have, and what were your impressions with him at the time as a very junior, or the most junior senator?

CK: I was there when the senators from Maine were Ed Muskie and Bill Cohen. Senator Muskie was appointed secretary of state by [President Carter].

DD: Carter.

CK: Carter, and that's when Mitchell came in. Getting my decades right here...

DD: It was when Cyrus Vance had been secretary of state, and there was a unfortunate failed rescue attempt of the Iran hostages, and there was a helicopter sand storm -

CK: It was 1980 -

DD: In 19-, in April of 1980, so then -

CK: Ed Muskie became secretary of state, presuming they would win reelection and he would have a job to keep going to.

DD: Well, I can't speak for Muskie, but yes, he then beca-, Muskie was the secretary of state, there was an opening, and Senator Mitchell was appointed.

CK: Right, 1980, I was there then. I don't have a clear recollection of Senator Mitchell that particular month, but the man I know, I feel confident in saying, was quiet, studious, focused, intent on learning everything he could about the place. And my recollection is he, hadn't he been exposed to Congress? Hadn't he been part of the Senate in some capacity? Yes.

DD: He'd been an aide to Senator Muskie in the early '70s. [Mitchell's earliest U.S. Senate exposure/experience occurred as a member of Senator Muskie's staff from 1962-65].

CK: Exactly.

DD: (*Unintelligible*) It wasn't completely new to him.

CK: He did not need to learn the floor plan, he knew a lot about how the place worked and operated. But then the amazing thing about the man is just his remarkable growth throughout the 1980s, and in such amazingly short order, partly due I expect to his terrific chairmanship of the DSCC, and having such a wonderful outcome in 1986, he just quickly rose to the top.

DD: After '86 the Senator was a senator from Maine, and Iran-Contra came along and then Senator Byrd decided to take over his chairmanship of the Appropriations Committee in '88,

which would open up the majority leader's race. If you can talk about that, and then when Senator Mitchell became majority leader, elected in '88, started in '89.

CK: I always had the sense that Senator Mitchell was very interested in the majority leader position and seriously considered going for it in 1987. Senator Byrd, I know, was very interested in being majority leader once again as the culmination of that part of his career, and I don't know whether they had an explicit understanding or whether it just worked out to each man's benefit. Senator Byrd served for two additional years as Senate majority leader from 1987 to 1988, and at that point he [graciously] sidestepped into the chairmanship of the Senate Appropriations Committee and, interestingly, asked me to join his staff.

And Senator Mitchell – and I think it was immediately after I had gotten the first offer – asked if I would remain on the Senate floor staff and work for him. I was very flattered that Senator Mitchell had taken cognizance of the folks that did the floor work and knew that he wanted to keep us. We were a good team, we were a very good team. Senator Byrd was unable to say what the position he was offering me would even consist of, and I finally decided there wasn't enough there, and I was glad to accept Senator Mitchell's offer.

DD: Describe a little bit what the floor staff team did and what you did within that team, and what your impressions were or your interactions were, just in general, with Senator Mitchell. I know, having been there, you dealt with him every day, if not every hour, if not every fifteen minutes, so just talk about your impressions there, and then we'll talk about a few specific issues and what you recall.

CK: The floor staff consists of three individuals and others that are adjunct as well. You have the secretary for the majority, who is the top staffer for the majority leader, and several others. Senator Mitchell appointed me as his chief floor counsel, which was a [] newly created title that didn't really change what I had been doing but it sort of encapsulated the position. We were in charge of helping him consider what legislation needed to be considered in what order, who had problems, who had amendments, which senators wanted things done in what order. We were the information network to the Democratic senators and their staffs. We were also the link to Republicans. We really served quite a bipartisan function letting our leader know what they were thinking, what concerns they had, what might make things go smoother all around. Senator Mitchell was very hands-on; he wanted to know all details all the time, and [he] made the decisions. And we tried our very best to synthesize the information, make it so he could distill it very quickly. He was constantly talking to senators himself, obviously, in his own office, on the phone, as he was coming in and out to vote, but running the Senate is a very, very complex operation and he did it masterfully.

DD: You were also the, just for the untamed ear, so to speak, you were also the conduit between committee chairs, legislation moving, status in the committees, parliamentarian, the operational piece as well as the political piece, not politics as in electoral politics but anyway, but just talk about that a little bit and Senator Mitchell's role in that.

CK: As Diane just alluded, the background of the Senate floor operation is obviously the respective Senate committees. [Most] legislation originates [in] committees, the committees [issue] reports on the legislation, and it was our job to know what the bills did, where the problems were, who was in favor, who was not, make recommendations on which issues seemed to be more critical. And the Senate calendar, the legislative calendar, very quickly gets to be gargantuan. It may be forty to fifty pages of bills yet to be dealt with, perhaps eight to twelve per page. Every one of those bills has a problem. Somebody doesn't like it. Well who is it? How do we take care of the problem? Do we have to have floor time for debating this particular issue? If a bill needs floor time, its chances for enactment get a whole lot dicier.

DD: Because -

CK: Because there isn't that much floor time available, and the Senate is notoriously slow, or 'deliberate.' Every person can debate as long as they want until they are muted by enactment of something called cloture, which stops a filibuster. And it's gotten to the point, and even back then it got to the point, where the threat of a filibuster forestalled ongoing action without the members having to do very much. Now when you got to legislative initiatives that were crucial to the nation or crucial to the leader, he just put his head down and charged. "All right, you want to talk, the floor is yours, have at it, we'll stay here the night." And the cots come out and the blankets come out and the clerks go on twenty-four hour rotations, and eventually the legislative process is wrought.

Mitchell was a creature of Senate committees. He had served actively on Finance and on Environment and Public Works, and probably others, Veterans' I think, Small Business probably, he knew the committee processes, he worked with them to great advantage. And Diane also referenced the Senate functionaries, like the parliamentarian and the Senate Rules. The Senate Rules are more intricate than most anything you can imagine, and the leader has to understand them.

DD: Talk about Senator Mitchell understanding those.

CK: Senator Mitchell understood the Rules, he understood the role of the parliamentarian, he knew the questions to ask the parliamentarian to get to the result he was seeking to achieve. There are many, many parliamentary roots, it's sort of like a maze, and if you don't pick the right avenue you'll hit a brick wall. And to figure your way through the maze you've got to ask the right questions, and Senator Mitchell was a master at it.

DD: You've covered a lot here. There are different relationships that Mitchell had, and I'm just going to cite two for you to comment on, not individuals, but for instance his relationship with the Republicans in general, largely through Senator Dole, and then the caucus and how he dealt with the chairmen.

CK: Senator Mitchell had an abiding respect for any member of the Senate; they were all senators, all equal votes of one hundred. I believe he had [a close] friendship with Senator Dole;

they worked well together, they have a mutual respect that I believe is strong to this day. Senator Mitchell wasn't going to be thwarted by misguided Republican attempts to defeat his initiatives, and [he] used the Rules and processes and procedures to prevail whenever he possibly could. His dealings with the caucus, we're talking Democratic Caucus?

DD: Well, stick on the Republicans for a while. What about his, so he had a good relationship with Dole, how did that affect -?

CK: Well, it's interesting because so much of the effectiveness, or lack thereof, of a Senate operation depends on collaboration between the majority and minority parties through their two leaders, and essential to that is the degree of trust and the degree that they can back up their word with their members. [A] leader, Senator Mitchell for example, [must] depend on the Republican leader's commitment that a bill may be scheduled, or a time agreement can be reached, or we will go out for a recess on this date, by which time we will have accomplished the following objectives. If they can't understand each other, and there have been a number of instances in more recent times where that harmony did not exist, the Senate becomes much more dysfunctional. I think Senator Mitchell and Senator Dole did very well in that regard.

DD: He was sometimes accused through commentary of being terribly partisan and not fair, and I think that many of us who saw him up close might have seen some of that but also looked at his overall record and his, the way he conducted himself. Can you comment on that? Sorry, I shouldn't have done that, that was a leading question. Can you talk about his relationship with the Republicans at large? You talked about Dole, but can you talk about his relationship with the Republicans at large?

CK: I'd have to go back and refresh my recollection of who was actually serving in that six-year period of time. I think I can say as a general matter, he respected some of them a lot more than others. He understood he had to work with all of them, and did. He definitely had a partisan mindset on certain issues. He had played a very important partisan role just prior to taking the leadership position. I don't believe that it adversely impacted the judgments he made, the decisions he came to and the legislative initiatives that he undertook. I mean, we were in the middle of two very strongly Republican administrations during his majority leadership, and there were definitely fractious moments in foreign policy that I can dimly recall.

DD: First Iraq War.

CK: Even before that, South Africa was another one. But he understood that it was his role to carry the Democratic mantle, to wear it, and he did it very capably.

DD: What about his relationship within the caucus, his own Democratic Caucus. How did he get consensus, and how would he referee disagreements or differences of opinion?

CK: Again, my recollections are fleeting. My memory is that if there were distinct differences between two or more members of the Democratic Caucus, Conference, that they were not

addressed in the large room setting. He didn't waste his time with that; he would have private meetings with senators in his back office. They would get the issue thrashed through before addressing it to the larger group. My recollection is, when he stood as chairman of the conference he was in charge. There was not a lot of nitpicking or griping. He knew where the members were, he knew what the positions were, he served a largely mediating function.

DD: How did he work with the leadership team? It was at the time Senator Byrd, who had [the] pro tem position, Senator Ford, Senator Daschle, was Mikulski the secretary then?

CK: No.

DD: I can't even remember.

CK: Senator Mitchell began the process of segmenting off portions of the leadership positions, I believe. When Senator Byrd was leader, he was in charge of it all. He was the chairman of the Democratic Policy Committee, and chairman of the Conference, and Democratic leader. Senator Mitchell, I believe, appointed Senator Daschle as chair of the Policy Committee, and then that was segmented to give other senators more of a leadership role and communications and so forth. It was a dispersal of some authority to let more people feel integral in the leadership of the Senate Democratic group, but nobody ever had second thoughts [about] Senator Mitchell [being] in charge. He did not need the titles; the decisions that were made were made by him.

DD: Is there any one issue or one debate, be it Clean Air that he negotiated a lot with the Bush administration as well as the coal states and Senator Byrd, be it the budget agreement out at Andrews with the Bush administration, the stimulus package of '93, that was that last minute vote with Bob Kerrey, or the health care efforts which ultimately were not successful. Any of those, or any that come to mind either just as a reference to give an illustration of Senator Mitchell's leadership characteristics?

CK: I was gone by the time they got to the Economic Stimulus Package of '93. I was gone for the health care discussions.

DD: Okay, so during Bush.

CK: Interestingly, on Clean Air, and it's fascinating for me because I had worked for Senator Byrd who was dead set in opposition to the legislative effort which had been underway for four, five, six years prior, I believe. The House kept trying to send it over, and Senator Byrd got to the point where we, the floor staff, were admonished very sternly to read every word that came from the House to make sure Clean Air wasn't in it, any facet of it. And then comes Senator Mitchell as my new boss, espousing a position that I strongly believe in, and he had his position on the EPW Committee and he had very capable staff whose sole responsibility was to get this legislation enacted. [] [And he devoted an incredible amount of effort to achieve this legislative goal.] At this point in the discussion I would like to just 'free-form' about George Mitchell.

George Mitchell is maybe the most intelligent person I've ever met. I've worked with a lot of very intelligent people, I've met a lot of very impressive people, and I can't think of any I would put higher than he. He has more focus, more intensity of purpose than most anyone you could meet. But he's also friendly and cares about you. In '93, Bill Clinton had been elected president, and I had been in the United States Senate for nineteen years and I thought [to myself], "Kinney, if you ever intend to do anything else with your life, now is the time to start looking. You'll become a fossil around here like some others that I work with every day." And so I tried to get a job at the White House and the job that I was angling for got filled by another. And friends said to me, "Why don't you go to the Justice Department and try to do legislative affairs at that department?" I informed Senator Mitchell at some point, and I can't remember exactly when, and he said, "That's a great idea, I'll help you."

[p/o]

George Mitchell encouraged me, [] [with my legislative options and provided guidance during that time as I pursued career opportunities]. I have seen him only several times since then, but he still cares.

DD: Anything you want to add. You actually did my wrap-up before I did, but that's - Anything?

CK: I think that covers it.

DD: Okay, great. Bowdoin will be in touch with the transcript, and if there's anything else you want to add, I believe that you can do it at that time.

CK: That's fine.

DD: Thank you, Charles.

CK: Thank you, Diane.

End of interview