

Robert C. Byrd Legacy Project

Oral History Interview

Senator Thomas R. Harkin

September 17, 2018



Robert C. Byrd Center

for CONGRESSIONAL HISTORY AND EDUCATION

Preface

By Jay Wyatt

Thomas R. “Tom” Harkin was elected to the U.S. Congress from Iowa’s Fifth Congressional District in 1974. In 1984, after serving ten years in the U.S. House of Representatives, Harkin won election to the United States Senate, defeating the incumbent, Republican Roger Jepsen. Harkin was reelected to the Senate in 1990, 1996, 2002, and 2008. He is the first Iowa Democrat to win a consecutive second term in the U.S. Senate and to date is the longest serving elected Democrat in Congress in Iowa history. During his first term, Harkin was tapped by Senator Ted Kennedy to craft legislation protecting the rights of Americans with physical and mental disabilities. The ensuing legislation, the Americans with Disabilities Act (ADA) was passed by the Senate in September 1989 and signed into law by President George H.W. Bush on July 26, 1990. In 2008, Harkin introduced with Senator Orrin Hatch (R-UT) the ADA Amendments Bill, which ensured ongoing protections for all Americans with disabilities. Harkin served on the U.S. Senate Appropriations Committee with Senator Byrd and on the Senate Health, Education, Labor, and Pensions (HELP) Committee, to which he was named chairman in 2009.

In this interview, Senator Harkin discusses his twenty-five-year relationship with Senator Byrd, which began with Harkin’s election to the U.S. Senate in 1984. Harkin describes Byrd’s interest in their shared roots as sons of coal miners, Byrd’s response to Harkin’s appointment to the Senate Appropriations Committee as a freshman senator, and how Byrd’s studious and serious nature compared with their contemporaries in the Senate. Harkin also reflects on his own career and how the Senate changed as an institution during the late twentieth and early twenty-first centuries. Harkin details his leadership of the Americans with Disabilities Act and highlights the importance that gaining wide bipartisan support played in securing its passage into law.

About the Author: Jay Wyatt is Director of the Robert C. Byrd Center for Congressional History and Education. He is the curator of the traveling exhibit *Robert C. Byrd: Senator, Statesman, West Virginia*, co-curator of the digital exhibit, *The Great Society Congress*, and co-author with Katherine Scott of “Robert C. Byrd: Technician and Tactician” in the edited volume, *Leadership in the U.S. Senate: Herding Cats in the Modern Era*. From 2015-2019, Jay served as the President of the Association of Centers for the Study of Congress. He holds a Ph.D. in American History from Temple University in Philadelphia.

Robert C. Byrd Center for Legislative Studies

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Dr. Jay Wyatt,
Interviewer

WYATT: Today is Monday, September 17th [2018]. My name is Jay Wyatt, and we are at the Robert C. Byrd Center for Congressional History and Education with Senator Tom Harkin, retired senator from Iowa, and we're going to do an oral history as part of the Robert C. Byrd Legacy Project. So the way that this will work is I'll ask you a couple questions, Senator, and you can feel free to answer in whatever way you see fit.

HARKIN: Understood.

WYATT: My first question has to do with how you encountered Senator Byrd when you came into the Senate in 1984. Certainly, Senator Byrd was a national figure. Most people knew of him. Had you had any interaction with Senator Byrd prior to coming into the Senate, and if not, what were your first interactions with Senator Byrd like?

HARKIN: No, I never had any contact at all with Senator Byrd. I was not on the Appropriations Committee in the [U.S.] House [of Representatives] or anything, so I never had any conferences with him or anything like that. So, no, I didn't know him, don't remember that I'd even met him.

I'd had some brief dealings with Senator Jennings Randolph (D-WV) in the past, but not with Senator Byrd.

So when I came into the Senate—kind of a strange story—usually a person, when you come to the Senate, to get on one of the exclusive committees, Appropriations, Finance, or, Foreign Relations, those were the three exclusive committees, before you could get on one, you had to be there at least one term, and then maybe in your second term you could get on those committees. What happened, I had spent ten years in the House of Representatives, and when I came to the Senate, Tom Eagleton (D) was a senator from Missouri, a friend of mine. I was one time in the airport in St. Louis, and he'd already announced that he was only going to serve two more years and then he was going to retire. I saw him in the airport, and just chitchatting, he knew I was running for the Senate, so this would be 1984. He said, "Well, you know after this election, I've already got it set up." He said, "I'm leaving the Appropriations Committee to go on Foreign Relations for my last two years." He said, "I've always wanted to be on it, and I'm getting off of Appropriations." And he said, "You know, you ought to maybe try for that." Because [you are] a Midwest Democrat. If you get elected. [laughter]

So I wrote all these letters to all the Appropriations Committee members, Democrats, saying I was running for the Senate and I would like to seek a seat on the Appropriations Committee. I never heard back from any of them except for Senator [Daniel] Inouye (D-HI), who wrote me a letter back and said, "Dear Congressman Harkin, I received your letter. Please get elected first." [laughter]

Well, I got elected, and I *immediately* started going to members of the Steering and Policy Committee that put you on committees, saying, you know, "Eagleton's leaving. He's still in the Senate, but I'd like to take his seat."

Well, I got it all wrapped up, and I just had the votes for it, and I got on the Appropriations Committee my first term. The chair of the Appropriations Committee then was not Robert Byrd. It was John Stennis (D-MS).

So I went to see John Stennis. After that, I went to see all the other members of the Appropriations Committee. Of course, the second person I saw was Robert Byrd, because he was next in line. He was the next highest up. So I went to see Senator Byrd, and I remember it well. I remember it because I went in to see him, he congratulated me, said he either couldn't remember or it was very odd that someone would get elected to the Senate and get on the Appropriations Committee right away, and he thought even just saying that was pretty good. He didn't ask me how I did it. He said, "That was quite a thing, however you pulled that off." [laughter]

But here's what I remember about it. I remember saying—I knew that he—obviously from West Virginia and a coal mining family, and I said, "I just want you to know my father was a coal miner."

And he was interested in this. He said, "Where?"

And I said, "Iowa."

And it's about the only time I ever thought he looked puzzled to me, because to him, Pennsylvania, West Virginia, maybe a little bit of Ohio, those were the coal fields.

WYATT: Right.

HARKIN: And so I had to instruct him that, yes, Iowa at one time was the third largest coal-producing state in the nation, and that my father had worked for about twenty years in the coal mines in Iowa. And I said, "I still have some of his coal mining equipment." My father had

passed away before this time. “I still have some.” And I said, “Senator Byrd, anytime you’ve got issues come up on coal mining, you just count me in, okay?”

He reached over and patted me on the shoulder and said, “That’s good, that’s good.” He said, “I’ll remember that.” [laughter]

So from then on, every time, even up to the last time I saw him before he passed away, on the [Senate] floor, he was there and he grabbed my hand, he pulled my hand towards his chest, he says, “Coal miners’ blood. We have coal miners’ blood.”

WYATT: Oh, that’s really interesting. So your signature piece of legislation is the Americans with Disabilities Act (ADA).

HARKIN: Exactly.

WYATT: And you’re talking about getting appointed to Appropriations, and that was something that didn’t happen for a first-term senator.

HARKIN: Correct.

WYATT: And it was Senator Kennedy who tapped you to lead the initiative that would ultimately become the Americans with Disabilities Act. Could you talk a little bit about how that happened? Because that seems like a big piece of legislation to give to a freshman senator to create.

HARKIN: Well, yeah. Again, just being in the right place at the right time, I guess, but I had a history of working on disability, even in the House. That was my connection with Jennings Randolph at one time.

When I came to the Senate—I'm backing up here a little bit now—I said earlier when I came to the Senate, John Stennis was chair. No, John Stennis was ranking member of the Appropriations Committee, because Republicans were in the majority in 1985 when I came to the Senate.

WYATT: That's right.

HARKIN: The chair would have been Mark Hatfield (R-OR). But two years later, in '86, the Democrats took the Senate back.

WYATT: Yes.

HARKIN: And so, in 1987, I could pick another committee now being in the majority. So there's another story—I'm not going to bore you with it here—about how I got on the Labor and Human Resources Committee. Anyway, so [Ted] Kennedy (D-MA) was chair, and Kennedy wanted me on his committee, and John Glenn (D-OH) wanted me on his committee [Government Affairs] because I was a Navy pilot. He and I flew the same jet – an F-8 “Crusader.”

WYATT: Oh, I didn't know that.

HARKIN: And so Glenn wanted me on his committee, and I was intrigued by that. Kennedy wanted me, so I made a deal with Kennedy. I said, “Look, I’d like to come on your committee, but I want to do something in disability work. Could you maybe give me a subcommittee or something like that?” And that’s what he did. He carved out and created the Subcommittee on Disability Policy, and made me chair of it, and that’s kind of how that came about.

Actually, the first person—boy, now you’re testing my memory. I came in in ’85-’86. Did we take the Senate back in ’86 or ’88?

WYATT: Democrats took the Senate back in ’86, because in 1987 and ’88, Senator Byrd returned to the leadership. And then January of ’89 is when he stepped down to become chair of Appropriations.

HARKIN: Okay. See, the first person to introduce this Disability Act was not me; it was Senator Lowell Weicker (R), Connecticut, who was on the Appropriations Committee. That’s it. That’s right. I was his chief co-sponsor, but then he got defeated in either ’86 or ’88 [1988], by Joe Lieberman (D-CT), and then it fell on me then to pick it up and reintroduce it. And then Kennedy made me the chair of the Disability Policy Subcommittee, so I started having all the hearings and developing the legislation and doing all of that stuff in that subcommittee on the Americans with Disabilities Act. That’s how that all happened.

WYATT: So, yeah, right place at the right time.

HARKIN: Just right place, right time, and the Democrats having taken back the Senate. I think Senator Byrd would've been Majority Leader. Yeah, he would've been Majority Leader at that time. Then Kennedy giving me that subcommittee, and he just sort of let me run with it.

And I remember also in those years, especially '89—see, we passed the Americans with Disabilities Act in 1989, September of '89, and I can remember meeting with Senator Byrd about this. Now let's see. When did he step down?

WYATT: He stepped down in January of '89, but he was still Pro Tempore.

HARKIN: It could have been in '88, though, but I remember talking to him about the Disability Act and what we were doing. He was intrigued by it. It was not his area of interest at all, but I think he was interested in it, and I told him what I was doing, because a couple of times he said something to me. We had a march on the Capitol once by the deaf students at Gallaudet [University], and I spoke to them, and he knew about that. He asked me about it. He just said something about it, you know, asked what they were doing. I said they wanted to get a president who was deaf, of Gallaudet. But it was just sort of he was curious. He was curious about what was this all about, what were you doing? He was just curious about it. He wanted to know about it. He was never opposed to it in any way that I can remember. He was, I guess, just curious.

WYATT: One of the things that sort of astounded me as I was looking back at the ADA is how much bipartisan support that bill had.

HARKIN: Yeah.

WYATT: In both the House and the Senate, and even the amendments that you worked with Senator Hatch on in 2008.

HARKIN: 2008, right.

WYATT: Widespread bipartisan support, both signed into law by Republican presidents.

HARKIN: Mm-hmm. That's correct.

WYATT: So for as much as you hear about the partisanship on this particular topic with the ADA, it had widespread bipartisan support.

HARKIN: It sure did.

WYATT: And was that—it doesn't seem like it was a hard sell, but did it require a lot of work behind the scenes to bring on members of the Republican Party?

HARKIN: It just took a lot of work behind the scenes and a lot of good people, some really great Republicans that were committed to this, and I don't know how or why President George Herbert Walker Bush (R) got on to this, but it was nice to have the president supporting it. I mean *really* supporting it, not just verbally, but he was really supporting it. The biggest problem

we had was Bush's chief of staff, John Sununu, who was opposed to it and tried everything he could to screw it up.

But we had good Republicans like Steve Bartlett in the House, Republican from Dallas, Texas, who later became mayor of Dallas. Still a good friend of mine, works in Washington, retired, of course; [C.] Boyden Gray, that worked for President Bush; Bob Dole [R-KS]. You know, Senator Dole, when he came to the Senate, in those days senators always gave their maiden speech on the Senate floor, usually after they'd been there for several months or so, and that was true of Dole. He came in '69, and his first speech on the floor was about disability rights.

Fantastic speech, I mean very forward-looking. So we had that kind of support when we were developing it. I think when we started, when I first got there, Dole was Majority Leader, and we were already doing some disability stuff, but then he became Minority Leader in 1987. But even in that role, he was very supportive.

You know, key things happened. We got the U.S. Chamber of Commerce on our side, got the business community. There's another group called the National Federation of Independent Businesses; never supported it, always tried to torpedo it. They're just awful. But the Chamber came on board, supported it. That was very helpful.

We had to work out a lot. The bill that Lowell Weicker introduced, the business community hated it, and it was a little bit of overreach, so we had to go back and develop legislation that was acceptable to both the disability community and the broader business community. But you're right, it was bipartisan, it really was.

WYATT: We've interviewed some former colleagues about Senator Byrd's style as a leader, and he used to frame himself as a cross between Mike Mansfield (D-MT) and Lyndon Johnson (D-TX), and we've heard some people say, "That's pretty accurate." I was wondering, as a freshman senator coming in when Senator Byrd was sort of at the peak of his presence in the Senate, his power, how you experienced his leadership, what his style was.

HARKIN: Well, that's interesting. I never knew Lyndon Johnson, and I didn't know Mike Mansfield. I met Mansfield later, when he was in Japan [1977-1988]. He was ambassador to Japan for a while. But I was so young, I didn't know these people, so I can't compare them.

I would say Senator Byrd, to me, being a young freshman—of course, I had spent ten years in the House, so I'd had some seasoning—Byrd was never a "hail-fellow well-met." He was never someone to crack jokes like Dale Bumpers (D-AR), for example, or [Ted] Kennedy, or others that were always cracking jokes and things like this. He was not into that. He was always serious, not overlording or anything like that, but every time I remember in my mind's eye meeting with Byrd, it was here is someone of substance. He's really smart, he knows a lot of stuff, he knows the rules, and he's basically what I would call—I mean, for his background and being from West Virginia, he was really pretty progressive in his views, certainly his economic views were *very* progressive. Maybe he had some social things that weren't that progressive, but they weren't retrograde. So I think he was serious. I always felt like I had to pay deference to Senator Byrd. You just felt that way about him, that even though as I stayed there term after term, it was still never that I ever considered myself on an equal level with Byrd. He was always here [demonstrates] and I was here [demonstrates]. He was up, and I was just down a notch someplace, and you just paid that deference to him, and it felt natural. I mean, there are other

senators that you'd never—I don't remember giving that kind of deference to others who had been there a long time. I don't remember ever giving that kind of deference to Ted Kennedy—or who else had been there a long time when I was—or Dan Inouye or some of the people that had been there a long time, Alan Cranston, people like that. But Byrd, there was something about his persona that told you that he was not really your equal; he was just a little bit above you in so many ways. *He* would never say that, and he would never do anything. It was just the way he was, the way he carried himself, the way he spoke, the way he dealt with you as a person. He was never condescending. I never felt that he condescended, but you just felt that—maybe it's just me. I just felt that I needed to pay him deference.

WYATT: Several people we've interviewed have described him as a person of substance. Others have described him as formidable. We did an oral history, as I mentioned, with Senator [George] Mitchell (D-ME), and Senator Mitchell was talking about how he generally had a very good relationship with Senator Byrd, but they differed on clean air legislation.

HARKIN: Oh, sure, I bet so, yeah.

WYATT: And there was a big kerfuffle about an amendment that Senator Byrd wanted to get through, and it was Senator Mitchell's bill, and because it was his bill and he was the Majority Leader, he had to stand on the floor and argue against Senator Byrd's amendment. No one else wanted to do it.

HARKIN: [laughs] Of course not.

WYATT: Did you have any bills where you found yourself on the other side of an issue as Senator Byrd and encountered him in that framework?

HARKIN: No, no, I can't—I honestly can't. And I'm sure there are votes where I differed from him. But it was not something that I would say to him, "I can't agree with you." You just vote that way and you go on, you know, that kind of thing. But I can't remember, I honestly can't remember, as I sit here now, having any contention with him on a vote or an issue. As I said, I'm sure there were many times when we didn't vote the same.

But it was just—you vote, you know. You vote your conscience, your state, that kind of thing. But I remember that clean air thing. I remember that. I was not involved in it. If you ask me how I voted, I can't remember. I probably voted with Mitchell, I suppose.

WYATT: And I think with that particular piece of legislation, Senator Byrd thought it was going to adversely impact coal.

HARKIN: Of course.

WYATT: And through that, the coal miners.

HARKIN: Of course.

WYATT: So he was very much invested in that particular piece.

HARKIN: Yeah, yeah.

WYATT: One of the interesting things about you coming in after Senator Byrd, is that you were there when he passed, and I wonder if you noticed a discernable change in the Senate as an institution following his passing, or, really even within the larger context of the passing's of Senator Kennedy [2009], [Senator] Inouye [2012], and Senator [Ted] Stevens (R-AK) 2010, a lot of the older-guard members that passed away pretty closely together.

HARKIN: That's true. The short answer is yes, the Senate has changed, and maybe this is just the conservative side of me saying this, but I don't think for the better. I think Senator Byrd and some of the others you mentioned represented a time when we had collegiality. We would differ ideologically, and we would vote differently, but we got along, and we talked to one another, and we all understood the art of compromise. That's it. And having rules, and you abide by the rules, some unwritten rules.

I can remember when Senator Frist, Bill Frist (R-TN), became Majority Leader [2003], and he'd only been in the Senate one term. All of a sudden, he's Majority Leader, and he was never really much of a senator. I don't say that in a bad way, but he was a doctor and a surgeon, a heart surgeon, that kind of thing, but he had not served in the House or any other legislative body when he came in the Senate, and I don't think he appreciated the history that Senator Byrd appreciated and embodied. And when he went out to campaign against Tom Daschle (D-SD), the Minority Leader, that had never been done before. *Never*. And that just, again, starts to break

down that kind of close working relationship between the Majority Leader and the Minority Leader.

Bob Dole would *never* have campaigned against Robert Byrd, and Robert Byrd would *never* have campaigned against Robert Dole or Trent Lott (R-MS). He wouldn't have done it for a committee either. If you're chair of a committee, you just don't go out and campaign against your ranking member. You just don't do it. But Frist did it, and that just sort of started things downhill. I remember that. That would've been 2004.

But, yes, with the passage of Byrd and some of the others, it's just—people forgot about the rules. I don't think we have one senator today that can even come close to understanding the rules as well as Robert Byrd did, not even close. It's just—they don't even pay attention to them anymore.

WYATT: I've read accounts, particularly in the early eighties when Senator Byrd was the Minority Leader and Republicans had control of the Senate for the first time in a long time, that Howard Baker and Bob Dole would each consult him on the rules—

HARKIN: Sure.

WYATT: And that speaks to that kind of bipartisanship—

HARKIN: That's right, sure.

WYATT: —because there was a way to do things—

HARKIN: That's right.

WYATT: —and they were working together.

When we talked on the phone, you mentioned having lunch a lot with Senator Byrd and getting to know him a little bit. Do you have a favorite story about Senator Byrd that you'd like to share?

HARKIN: I remember one time he called about wanting to have lunch. I said, "Okay." So I went to his office and we had lunch in his office over in the Capitol, and he had this big boot on his desk. We were sitting having lunch, just chatting about, I don't know, things. He was always interested in my background and his telling me about his background. I asked him about that boot, and he went over, and he picked it up. And it was his grandson's boot, and his grandson had been killed in a—as I remember, he was driving a pickup, he rolled it, and he was burned and killed. And then Senator Byrd went over and opened a file cabinet, and he didn't think that the coroner's report was correct.

He had all the pictures of his grandson that were taken, and he began to talk to me about it, and I could tell how visibly upset he was about this, both about the loss of his grandson—now, this had happened some years before. It wasn't just then. This had happened some years before. But he got so—it's probably the only time that I ever saw Robert Byrd emotionally distraught. He had very good control of his emotions. I never, *ever* saw him emotionally distraught—well, I could see him get upset at something, a Senate rule or something like that.

And sitting there, I could hardly even finish my lunch because he got so emotionally distraught about his grandson and the fact that he felt that the coroner's office had made a big mistake in how this happened, and it was like he just wanted to tell me all about it. I just remember that. That was just one lunch. I don't know why that just sticks in my mind, because I never saw him like that before or after. I really expected him to start crying. I thought—I said, "Oh, my god, is this guy going to cry on me, or what?" And he didn't, but he came darn close.

WYATT: I've heard similar stories, and I think because he was so reserved and so controlled that in those few instances where he did kind of break out of that form, it really showed a different side.

HARKIN: Wow.

WYATT: And it's powerful. It was very powerful for people, same as it was for you.

HARKIN: Like I said, it just burns itself in my memory, I remember it so—it was just so unlike Senator Byrd. We never spoke about it again. He never spoke about it to me again. He kept his boot there, but other times when I'd come in the office, you know, always talking about, "I've got a problem. Can you help me with my problem? I've got a bill. I've got a problem here," usually Appropriations, obviously, but he never, ever said anything to me again about it.

WYATT: Isn't that something.

HARKIN: Amazing.

WYATT: Well, Senator, this has been fantastic. Thank you so much for sitting and doing an oral history with us. We really, really appreciate it.

HARKIN: I just close this by just saying that I just always had the greatest respect for Byrd. Like I said, he was so smart. People underestimated his intelligence. They thought he was some hick from West Virginia or something like that, and, look, let's be honest about it, a lot of people said that he was—He was kind of like acting or—not acting. That Byrd was always acting like he was trying to cover up his background by wearing a suit and a vest and this and that, this and that.

WYATT: Overcompensating a little bit?

HARKIN: Yeah, for his background. But they misunderstood. This guy was really smart, I mean like I said, not smart politically—he was smart politically, but I mean intellectually. I always thought he was a classic example of someone—what if he'd had a different upbringing? What if he'd had the best grade schools to go to, the best teachers, and parents that pushed him and opened up all kinds of vistas for him? Hell, he'd have gone to Harvard and he would've been, you know—yeah, he could have been in the best schools, Harvard, anyplace, and bowled them all over. But he never had that opportunity. I often think about that as a good lesson in never underestimating someone who comes from poverty. Just because they don't look the same

or they don't talk like you or they don't dress like you, they could be intellectually a lot smarter than you are. They just didn't have the same opportunities.

WYATT: And I think he understood that, and he carried that with him, at least from as much as I can tell, he carried that with him every day.

HARKIN: I think so.

WYATT: Well, Thank you so much.

HARKIN: Thanks.

WYATT: We appreciate your time.

HARKIN: All right. Thank you.

[End of interview]