EDWARD M. KENNEDY ORAL HISTORY PROJECT

INTERVIEW WITH NANCY KASSEBAUM

April 6, 2009
Washington, D.C.

Interviewer

Janet Heininger

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TRANSCRIPT

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Heininger: This is an interview on April 6, with Senator Nancy Kassebaum Baker. Why don't we start at the beginning? Tell me when you first met Senator Kennedy. What were your initial impressions of him?

Kassebaum: I first met him when I came to the Senate in 1979, at the swearing in. Everybody sort of says hello. But I really didn't know him very well until we got into issues, at that point probably in the Foreign Relations Committee, which I was on. He was interested in Central American issues, El Salvador and the Contras in Nicaragua. But I didn't really work with him until going on the Labor and Human Resources Committee.

Heininger: Did you come in with a view of him, as many new Senators do, as the wild-eyed liberal from Massachusetts?

Kassebaum: Being interested in politics, of course you know all of the Kennedy history, what you read and so forth. I had met Bobby Kennedy when he first announced that he was running for President. He came to Kansas State University to give a Landon Lecture, which my father had started in 1967.

Heininger: Oh, really?

Kassebaum: It was his first lecture after announcing, and it was a huge event on campus, I mean, hundreds and hundreds and hundreds of people. That was my first meeting with any of the family at that point, but I really don't remember him. Later as I worked with him more on the committee—In a way it was like working with the Wicked Witch of the East because people would say, "How can you work with Kennedy?" In his earlier years when I was there, from '79 until I went on the committee in 1992, I really didn't know him very well. In the earlier years when he was running for President, I think he was really more uncertain about what he wanted to do. I just didn't really cross paths with him.

Heininger: It's a special circumstance. You both have come from political dynasties.

Kassebaum: Well, political families.

Heininger: Yes, very political families, very politically prominent families.

Kassebaum: Because of that, you share an interest in history and in politics. When you visited with Ted, he always had a keen interest in the history of the political people involved through the years and he liked to show pictures and talk about it. Eventually his office was in the Senate Russell Building right across the hall from mine, so we would connect, but I didn't really know him very well until getting involved on the Labor Committee.

Heininger: What was it like when you got to know him? How did you go into the committee?

Kassebaum: Senator [Orrin] Hatch was ranking and Senator Kennedy was Chair. After that election, a lot of the Republican side were moving off committee. I knew that Senator Hatch, if it ever opened, wanted the chance to move to Judiciary with a ranking position. He'd like to go to Judiciary. Staff keeping an eagle eye out said, "You ought to leave Commerce," where I had chaired Aviation and been fairly involved in the Commerce Committee. "You ought to leave Commerce and go to Labor because if it should open up and Senator Hatch leaves you to be ranking because of so many leaving—" The vacancies there put me right next to Senator Hatch.

Heininger: That's a very unusual situation.

Kassebaum: It is very unusual.

Heininger: To be able to walk in and be right in the position of—

Kassebaum: Isn't that amazing? Because of that, it really gave me a chance to get involved in issues, too. I cared a lot about education and healthcare, and at that point particularly education. I had decided to run again for a third term, and if I hadn't done that—I really wasn't sure that I would, largely because I had said I was only going to serve two terms—Looking back, that gave me such a great opportunity to get involved and to be able to lead on a committee. Seniority really does matter. You can stay sometimes too long, but you also have to be cognizant of where you have some voice, and it does matter, being able to assume that.

I really enjoyed being ranking member through the debate on the [William J.] Clinton healthcare reform. Senator Kennedy held extensive hearings, which I always said were wise because it was an education on healthcare. They were extensive hearings, and that's when I first gained a real admiration for his willingness, when he cared about a legislative issue, to spend time, to work on it, to really make an effort to achieve some success in getting people together and to understand. It just never really—there was not enough that either of us could do to get enough support. I think neither of us agreed enough, either, to come together in support of that bill as it stood.

Heininger: But neither did any of the rest of the Senate.

Kassebaum: No.

Heininger: Or the House.

Kassebaum: Yes, well clearly not the House, and there was not even that kind of support in the Senate. But it was an important hearing at the time to try to help people understand some of the intricacies of healthcare, and how reform was not going to be just something you could say, "Let's do it," and wave a wand.

That was my first impression. A part of it is that a lot of people said, "Oh, Kennedy doesn't really pay much attention in the Senate. He just has a good time and he goes off and he doesn't care." He really, in my mind—and I feel like I am not a person who could comment that well on it—grew in a seriousness towards the Senate and the legislative process. For those who like history, who have a sense of history and politics, I've come to believe that longevity has a role as well, because once you lose people like that, you've lost an institutional memory. And that's going pretty fast now.

While you could disagree with him, at the end of the day he wanted the institution to succeed and he believed strongly in the importance of three strong bodies of government: the Executive, the Legislative and the Judicial. While you might sometimes hear him rant and rail, he was not going to ever want to see that change. That's my own personal view, and that's what I think guided him on a lot of issues the longer he served.

Heininger: When you came in you said you had a particular interest in education. What catalyzed your interest in education?

Kassebaum: Well, for one thing, I served on a small rural school board.

Heininger: That does it, doesn't it?

Kassebaum: It does. Politically, if you want to see a cat fight, get on a school board.

Heininger: No politics are worse than local politics.

Kassebaum: Isn't that true? I used to really want to be a teacher, actually. I got my masters degree with the thought of going back and teaching at college, because in those days taking in education hours was just—they were so deadly. It was not something you really wanted to do with the education hours. But I didn't go ahead and teach in college either. I had four children fairly close in age and became absorbed in their activities as well as community activities and never really, myself, thought of being in politics.

I helped other candidates. I used to believe in going door-to-door for other candidates, and I'd take my children along. I still do that at home for candidates because I'm a great believer in the local ability in campaigning. That's how you draw other people in, in that door-to-door contact as you go into different areas and different cities and neighborhoods. It gives you a sense of what's happening. Anyway, that was the background of how I've always been interested in education.

Heininger: Had you followed, from the Governor's standpoint, the move in education reform that started under George [H.W.] Bush, and then with the Governors [National Education] Summit, and then Clinton coming in with an education agenda?

Kassebaum: Yes. I was there through all of that. I have to say, if I had been there, I would not have voted for No Child Left Behind [Act of 2001], because my roots were in the belief that education needs to be best addressed at the local and state level, and we're moving further and further away, out of our own disappointments that it isn't being dealt with there.

I even disagreed with Lamar Alexander when he was Secretary of Education. I didn't like some of their ideas. I have not been a believer in merit pay as such because I know from a small school board standpoint in a rural area, you know everybody. How are you going to determine? Parents may not like the teacher their child has because they're giving it a D or a C, but that may be what the child deserves. You get too many people trying to make these determinations.

Now, what the chancellor at the D.C. schools is doing here is very interesting, I mean, the pay scale for those who are willing to adopt some really pretty rigorous standards. You can do extra recognition and pay for teachers who do a bit more as far as mentoring younger teachers, but I think just on merit as such—I don't know.

Heininger: It's hard to define merit. It's hard to set standards for merit.

Kassebaum: It's hard to define merit. And again, a federal initiative is not where you want it.

Heininger: Where did you find yourself agreeing and disagreeing most with Kennedy on education issues?

Kassebaum: Well, he would put more money in than I would have, believing it should be the state, and yet you look at inner city schools that desperately need it. Where I guess I'd put it in is making sure the school was a functioning school that wasn't falling apart. That's where no one else would have done it. Making school a place you want to go, that was not crumbling, not full of graffiti and no discipline. I would give extra pay, what I call hardship pay, to every teacher who served in inner city schools. You could argue that some of your rural communities may need it, but that should be a state decision. That's where I think—Not knowing how to devise legislation, but to encourage a state to have some money. That's where President [Barack] Obama was trying to move some with his stimulus package, which hopefully might prove to be a good thing.

It's like anything else: if you don't have someone there who is consistent, who is dedicated, who will stick with it long enough to see a change take place, the money really won't do it. You've got to have parents willing to invest in spending some time to make it succeed, to assume some responsibility for making sure their children are going to school. It's hard. I have visited some of the schools in the D.C. area. I thought it would have been great if Mrs. [Hillary] Clinton had taken the D.C. schools on as her major project.

No Child Left Behind, though—I guess I am not one for national standards. Children can easily get dropped through the cracks. Now, if we want to have those standards and are willing to put money in to help the children who can't meet those standards be able to improve—But if any teacher is going to be judged on how many in her class can make it, that's not helping the student. I just think if we move too far to the federal level, we lose the stake that a community needs to have to see it succeed.

Heininger: Clearly in the Clinton years that was the beginning of it moving towards the federal level.

Kassebaum: It was, yes.

Heininger: And they began to put in the standards.

Kassebaum: Right. And even a little bit in Bush one.

Heininger: A little bit in Bush one with Goals 2000, but it really started cranking up with the Clintons, and then full bore with No Child Left Behind.

Kassebaum: No one now realizes what a big fat budget the Department of Education has. To a certain extent it has ballooned. I just don't see it as the answer.

Heininger: And if you look at creating problems that you didn't know you were going to have, as with HIPAA [Health Insurance Portability and Accountability Act] and all the paperwork, it's the same thing with No Child Left Behind.

Kassebaum: The unintended consequences.

Heininger: Unintended consequences, right.

Kassebaum: I have visited with Senator [Charles Patrick] Roberts from Kansas, who supports it, but it can be fixed, he said. Well, we'll see, but once you start down that path, unless you're really willing to take it on full bore and say, "Uh-uh, we're starting over," I don't know that you can do it. Where we would differ is putting the money in at the federal level without—It's just a different place to put it, in my mind.

Heininger: There's a disconnect between things like merit and judging—judging schools by how many students meet a certain standard, without the money going in to rectify why they're not meeting those standards.

Kassebaum: Right. And you do teach to the test. A child may have a wonderful musical ability but they're cutting music out in a lot of schools.

Heininger: There's no room for music and arts now.

Kassebaum: And that's too bad.

Heininger: Or P.E. [Physical Education].

Kassebaum: I would make P.E. mandatory. No, there are things there. My children all went to a rural school. I'm grateful I didn't have to pass an SAT, but you do need some guidelines. That's important, but there's where a state should do it and if they care, then they can.

Heininger: Did you find greater agreement with Kennedy on secondary level and college level issues?

Kassebaum: The student loans, the Pell grants and so forth?

Heininger: Pell grants and student loans.

Kassebaum: We disagreed on—There was one big issue with the grants at one point, and loans. It was more again a question of how much we had to put into it. Of course, my reasons sometimes were different. I support the concept, but I also believe we're not doing enough and this is really true today when we're not helping children with better career counseling. We're graduating some children from college who have to take remedial reading and take out big student loans and have such a hard time paying them off. I hope that can change. Taking money away isn't the answer. It's better preparation through junior and senior high school. That's why I would hope that President Obama wouldn't keep saying every child needs a college education. Uh-uh. You need to have strong professional emphasis on your technical colleges, your two-year junior colleges.

Heininger: Besides, our plumbers make a lot more than a lot of other people do.

Kassebaum: Exactly. They certainly make more than a political science teacher. I started out as a receptionist at Hallmark Cards. No, that's just it.

Heininger: And the technical education is a piece that really is being overlooked.

Kassebaum: It is, and that's where we might have differed, although if Kennedy and I could have worked together on something like that, I'm guessing he would understand it. But that's where both the Republican and Democratic parties can kind of get askew, and then it's so hard to get back to a few things that might work. One big issue was on student loans, whether the Federal Government would be involved or there was still a need for some private loan sources. I can't remember but we disagreed on that at first. Probably he was willing to let the Federal Government take it all on, and I was saying—Well, we had a big private company in Kansas.…

Heininger: A lot of the problem at the time was the major default rate that students were having on their student loans. There was a real problem with who those loans were going to.

Kassebaum: That's right.

Heininger: And there was insufficient follow-up to make sure that the kids were paying their loans back, and the solution ultimately ended up being legislation that federalized the student loan process.

Kassebaum: But there was still partly a private process.

Heininger: There was a partly private, but less than there had been.

Kassebaum: That was a big question, if they were defaulting, and probably is even more true today.

Heininger: Actually much less so now.

Kassebaum: Is that right?

Heininger: It's been amazing.

Kassebaum: That's interesting.

Heininger: The reforms that were put in at that point caused it to drop from about 21 to 24 percent down to about 2 percent, and it has stayed at that level.

Kassebaum: Really?

Heininger: Now part of that is ensuring that there is oversight and enforcement.

Kassebaum: And that's what came with the federal, and that's been good.

Heininger: Now they get their money.

Kassebaum: That's right. And the schools are better about keeping track.

Heininger: Well, there were a lot of schools that these loans were going to that were not real schools.

Kassebaum: That's true, and then some of the private companies were getting a cut for how many—

Heininger: A lot of kickbacks.

Kassebaum: And while I argued for a time there that the private ought to have a major role, too, I look back on it and think, no, not after what's happened after that.

Heininger: There was a problem that took multiple solutions to fix, but surprisingly it was one that worked.

Kassebaum: I'm glad to hear that.

Heininger: It's been kind of amazing. I don't know, perhaps part of it is being able to garnish wages.

Kassebaum: Yes, but it's just tough for these kids. They're lured into it.

Heininger: And a lot of them at that point, which was one of the other problems that was taking place, is that they were lured into—Just as you can argue this was the case with a lot of the sub-prime mortgages, people were being lured into loans for programs that weren't necessarily real programs.

Kassebaum: That's right. I remember the government at some point wanted to cut work-study out and I really think that's such an important program, and I'm sure Kennedy would have felt that way too. I don't remember that we ever got into that, although there were those who wanted to cut it down.

Heininger: My recollection is that you both said, "No, that's good. Let those kids work." And the money that goes into it was actually money well spent.

Kassebaum: Yes, that's right.

Heininger: Did you find that you had greater agreement or lesser agreement on healthcare issues?

Kassebaum: Again, philosophically the big gulf that you would argue with most probably, Democrat and Republican, is where you come from—I would say I do—questioning what the role of the Federal Government should be, and the role of the state government and the local government. That always is a challenge. The Federal Government has tended to step in since the Depression era, where the states or the local government—We'll say the states—aren't doing what they should do. That's become an ever-bigger part of the pie. As a result, the states aren't willing to do what they should do to help their local governments or focus on their state, as long as somebody else is going to help pay.

That's a fundamental difference in our philosophy, and it would be the same with healthcare. I believed, even when we started healthcare, that it had to be universal coverage. We all would pretty much say that, but then how you get it becomes sort of the key. I was really anxious to try to do some modernization of FDA [Food and Drug Administration]. We had some good hearings. Senator Kennedy was very good about coming to a hearing, usually, and staying through. A lot of times, as you know, you get one or two Senators there and they ask a question and leave. But to have a really informative hearing where there's some major exchange is very important to the process, particularly since it's on C-SPAN [Cable-Satellite Public Affairs Network] now, so you've got a public that's listening.

Fundamentally, that would be the difference we had. He was willing to work to try to get some things through, and I was too. You're somewhat hampered by whether you were dealing with your own administration or the opposite administration. On the whole, those were Labor issues that came through. Minimum wage was always big. Senator Kennedy would have gone right to the most he could get and I would be saying, "Well, wait a minute.…" Again, there are unintended consequences. You're talking about your local bus drivers who are impacted, so your school districts are impacted, and everybody else, by what we do here. It isn't just thinking of it in the big scope of things; it's how it affects even smaller entities' budgets. We basically, philosophically, would not have agreed on some of those, but at the end of the day we tried to work out things where it would take a step forward.

On healthcare, we really wanted to try to do something. Orphan Drug [Act]—I introduced that first, simply because a constituent came to the office on something else, and his wife was with him. They were here for some other event, and from a small town in Kansas. She had ALS. [Amyotrophic Lateral Sclerosis] That's Lou Gehrig's [disease], isn't it?

Heininger: Yes.

Kassebaum: He said, "I wish you would introduce the House bill on Orphan Drug." Well, I didn't know anything—Orphan drug? You immediately think of orphans and I thought, *What is this?* He explained it to me and it was really so interesting. Since then I've become a really big believer that was something that's proved to be of some help.

Heininger: There are drugs out there that pharmaceutical companies just really don't want to make because they don't have enough patients.

Kassebaum: It's such a limited—yes.

Heininger: They have a limited population, but for that limited population those drugs can be lifesavers. And without the federal action, pharmaceutical companies would have just never bothered.

Kassebaum: Oh yes, I am so pleased. I met [Woodrow] Woody Guthrie's widow, and people who became real activists for pushing for that. Of course Senator Hatch has kept it and Senator Kennedy supported it and then it's gone on still doing good things. I had talked to him already on that, at the NORD [National Organization for Rare Diseases].

Heininger: Do you think any kind of healthcare reform could have gotten through when Clinton came in?

Kassebaum: I always said that what killed it was the "Harry and Louise" ads. I never will forget, I was out in Kansas and I was sitting with mother, who wasn't well at the time, and I saw that on TV and I thought, *I cannot believe that. That is really going to be a troublemaker*. Because I related. I don't want to be on hold, trying to "Push one, two, three, or four." Nobody wants that.

Heininger: Now we all push one, two, three, four, and all go crazy.

Kassebaum: Yes, we do, and rail against it.

Heininger: Right.

Kassebaum: That was so effective.

Heininger: It was incredibly effective. It is amazing how many people don't remember that.

Kassebaum: I can still just see it, sitting there. The last *Economist* asked, "Are we going to go back and have that again?" Have you seen that piece?

Heininger: The person whose idea it was, [Charles] Chip Kahn, who had worked for Bill Gradison and was the one who came up with the idea, has now said, "No, no, no, I'm onboard. We're not going to do that," because now he's working for the American Federation of Hospitals. We'll see.

Kassebaum: Yes, we'll see. Could it have been done in a different way? Not if that ad ran. It was still pretty new. I thought the hearings were helpful, but everybody still looks at it like, "How will it affect me?" I've said that I thought the best way to figure out what to do now is see what happens in Massachusetts, although personally I think if it's going to succeed this time, one never should go on reconciliation. That will send the Republicans up the wall.

Heininger: As well as Senator [Robert] Byrd.

Kassebaum: That's right. If anyone wants to sink it, do that. Secondly, the administration would be smart—and I voted for President Obama. I just felt it was terribly important to find someone that I hoped could bring people together. We might as well forget that, but he's got to bring the country together. He ought to lead with cost cutting. He's tried to make the case with digitizing and those things that will help, but no one is going to see—

Heininger: That's not true cost cutting; it's cost *savings*.

Kassebaum: Yes, you're right. I guess if I were in a position to make any suggestion, I would look at Medicare and Medicaid and start with the entitlements, and work at it from that angle, because if you can address that, then you could get the bigger framework. Massachusetts has—They're going to have a huge—

Heininger: It's already costing them more than they thought.

Kassebaum: Yes, a lot more.

Heininger: Hawaii has got the same thing. It's gotten less publicity but they've got a similar requirement.

Kassebaum: Do they?

Heininger: Yes.

Kassebaum: California has tried but they've run into trouble.

Heininger: Well, yes, but I was going to find a way to do that.

Kassebaum: You have to. I don't know. I'm sure there are those who believe if you don't do it now you'll never get it, but I'm not sure that that's right. We might have thought that in November or December, but it's not true now. It's got to be focused on, as you say, cost *cutting*. No one wants to say that, but I've always argued that we overuse the system. For those in my age group, many times it's a visit to the doctors five or six times a month that's the big event. And for sometimes very unnecessary reasons, everybody's given pills.

Heininger: It's a very interesting thing. You said something very important that everyone is going to have to deal with, and that is it's very hard for the 85 percent who have health insurance to be willing to make any sacrifices to cover the 15 percent who don't. How do they bridge that gap? Because that's where "Harry and Louise" was so effective, by saying *you* are going to lose to cover *them*.

Kassebaum: And you know at that time it was the AIDS [Acquired Immune Deficiency Syndrome] situation. We ran into that with the Orphan Drug.

Heininger: It was AIDS, but remember it was the emergency room visits by the uncovered. What people don't really understand is that so much of what comes in your bills is to cover those who are uninsured. They don't see that.

Kassebaum: No.

Heininger: They don't see that we who have the insurance are indirectly paying.

Kassebaum: And they never really will.

Heininger: No, they won't.

Kassebaum: I guess that's why I would frame it. I've always believed, and it was true in all these hearings, you can't insure everything. What are you not going to insure? What do you do? What do you do to cut costs?

Heininger: Would the catastrophic health plan that was put in and then repealed a year later have been a better approach?

Kassebaum: No. I always argued that was never going to fly.

Heininger: Really? Why?

Kassebaum: Because there are not enough of us who realize how important catastrophic coverage is, and as you say, "Why do I want to put in?" It's that same old thing. How do you get around it? That's why I wasn't big on health savings accounts. Maybe it's worked, but most people want to be able to have all the tests, they want it close, they want a doctor, and they want—you know? Now my daughter is with Sloan-Kettering. She's a veterinarian but went into comparative pathology and does research, and they lived in England for four years. She became somewhat a believer in the British National Health Service.

Heininger: Really?

Kassebaum: She said, "You may wait two months, but you're there." That's why, to a certain extent, I think [Thomas] Daschle's idea of a Federal Reserve type, where it's limited—And the expensive treatments at the end of life may not be the thing to do.

Heininger: Which increase costs dramatically.

Kassebaum: Yes.

Heininger: Very often with little effect.

Kassebaum: It's a terrible thing to say, but if we're serious, we have to do it. What do you think? I believe in quality care, but it may not be costly care. What I'd hate to see missing in our system is what used to be wonderful care in the community—We call it the county hospital. Good care. We're in the Appalachia area of Tennessee, and maybe three times a year there's a healthcare event with dentists who make time, and opticians, and so forth. It's swamped with people. They line up at 5:00 in the morning until it opens. I cannot believe it. But somebody who is 80 or 85, on dialysis three times a week—is that the best treatment? I drove a lady in our church in Tennessee three times a week, an hour each way, and then she was in there about three hours almost for the treatment. Well, you wouldn't want it any different, but is that the best?

Heininger: The personal need always trumps the greater good, and that's part of the problem because what we all want to have individually makes it difficult for us to make sacrifices for the greater good.

Kassebaum: That's true, for the greater good.

Heininger: There's not a whole lot of incentive to control drug costs when in fact we're not paying them.

Kassebaum: That's right.

Heininger: We're paying our co-pay. We're paying our little co-pay and then the insurance companies are being billed huge amounts. How much does it really cost? No one knows.

Kassebaum: The federal benefits right now, which you and I both have, don't pay for some medicines if there's a generic out there. I think that's good. If I'm foolish enough to think it's still better to have the other and not the generic, then that's my choice.

Heininger: That's been one of the ways.

Kassebaum: That is a good example.

Heininger: The formularies that insurance companies have put in that move people from—"No, use this set, rather than that set of drugs," which the physicians hate because it impinges on their freedom.

Kassebaum: No, I don't think we could have gotten anything in the Clinton Administration. I think it was sunk from the beginning and it can happen this time too if not enough groundwork is done.

Heininger: It was interesting because then you and Senator Kennedy got together and said "OK, let's do something. Let's get something done." Why did you choose the two areas in particular that you focused on?

Kassebaum: Because a lot of people were beginning to lose jobs and there were big changes in employment at that point. Knowing a couple of people—and I'm sure he did too—one was a staffer, not on my staff or his, but she worked somewhere in the Senate. She was afraid to leave because this was what carried their health insurance. A child was covered under hers and she was afraid to leave. That was more a question of her being able to find a job somewhere else because she really wanted to leave and her husband was working someplace else but not covered.

You began to think about why shouldn't a person be able to continue getting insurance if they've had it? That was the genesis of how I got intrigued by it, in that particular aspect of being able to have, like teachers, portable pensions or insurance that would move across state lines. If you've had it, you couldn't be denied for a period of time. There were all kinds of other things you had to work through. One of the biggest things was I think both Senator Kennedy and I would have capped premiums. But we had a hard enough time getting what we got.

Heininger: You also focused on the preexisting conditions—That was such a great out for insurance companies saying, "You've been to the doctor in the last six months so now you don't get to be covered."

Kassebaum: That's right.

Heininger: You've had a cold or asthma or bronchitis or cancer.

Kassebaum: Right, so that's what we did get, and that's what they didn't like. We thought we had somewhat worked out arrangements with regional cooperatives that would help keep some level, but marginally. I don't know how well that worked. Premiums did go up.

Heininger: Why do you think that HIPAA got through when healthcare reform hadn't?

Kassebaum: Senator Kennedy played a huge role in getting that through. There's where I saw him really be able to go to the House side and negotiate. He knew where to make a call and do a bit of joshing to get it done. The House wanted medical savings accounts. We had reached an agreement, Senator Kennedy and I, that once we got it through committee, where we thought we had all the votes lined up on both sides—my side got a little shaky in some instances—that no amendments would be added on the floor, and both of us tried to keep them off, even ones that both of us cared a lot about, like mental health coverage. We were fairly successful. But health savings accounts became a huge issue when we were in conference.

Heininger: Senator [Robert] Dole wanted them too.

Kassebaum: Yes.

Heininger: Did he want them at that point for—This was, after all, close to an election year. Was it simply a factor for him in election?

Kassebaum: I don't know. Some of the Republicans, you know—I don't really know, but I do know that we had some real meetings on the House side. I don't know quite the sequence of it all, but the person who was able to bridge a decision on that was Senator Kennedy with Bill Archer, and that was huge, because Archer was strong. He had a lot of pressure on the House side. Plus, I have always given a lot of credit to Dennis Hastert on the House side, to try to get it moving along.

Heininger: Did the Republicans need to get—In the wake of the government shutdown, did the Republicans need to demonstrate that they could be effective?

Kassebaum: That may have entered in at that point. It should have, let me say.

Heininger: Everybody needed to get something done so that Congress would look effective.

Kassebaum: Yes, that's right.

Heininger: Well, it came in the wake of a time where Congress.…

Kassebaum: Oh, my gosh, and after we got it, the privacy provisions came up right at the last—after we were out of conference. We worked out an agreement that language would be in there that privacy was important and that the Secretary of HHS [Health and Human Services] would have two years to come up with regulations or else Congress would come back and adopt their own, which everybody would have died having to do. I think I'm right on that. That came up and really kind of threw us for a loop right at the last.

I remember when it passed, urging Senator Dole to go out—Senator Kennedy of course made a beeline to talk to the press outside and I urged Senator Dole, who was getting ready to run in '96, to go out and speak in support. I talked to Sheila [Burke] and I said, "Why didn't Senator Dole go out? This would be a good.…" Well, he didn't really want to go, and then sort of reluctantly he did go out, and then I went out. I wanted him to take credit. I didn't care. It seemed to be a good thing to take credit for. Boy, some of the conservative Republicans just raked me over the coals for putting Dole in that position.

Heininger: Really?

Kassebaum: Yes, and I thought, *I can't believe that*.

Heininger: It's good for—it's good electoral politics though.

Kassebaum: They were upset, some of the real conservatives. Then when Trent Lott took over after Bob left, that's when we got into the conference and all of that. This was prior to conference.

Heininger: Yes, it was right in the middle of the conference.

Kassebaum: He really stepped forward to help get the final passage, which was quite late, at the end of '96, in July.

Heininger: Yes, it was July, because Dole left in mid-June.

Kassebaum: Anyway, an interesting scenario. Really, Senator Kennedy did a lot to get that through.

Heininger: Did it surprise you?

Kassebaum: No. I came to appreciate that when he cared, he knew how to really sit down and negotiate.

Heininger: There's a wonderful story that he found out that Bill Archer's mother was nearly 100, and he got a copy of his mother's book, Rose Kennedy's book, and inscribed it to him and gave it to him. Who knows what effect that had, but—

Kassebaum: He knew how to do those things that could really make a difference, because we had a fairly intense conference, with Republicans arguing over medical savings and all of that. As I say, from the Republican standpoint, Dennis Hastert did a lot to stick with it. One of the real roadblocks was medical savings accounts. I thought it was a good idea if it worked but I wasn't

sure. I don't know how well it's worked. That's one thing that I don't know if anybody's ever taken up in oversight.

Heininger: It's not been.

Kassebaum: I don't think it's been enough to make much of a difference.

Heininger: When you did that, you stipulated that it would be a pilot program and it would be limited to a certain number, to test it.

Kassebaum: That's true, and that was never changed? Surely it was.

Heininger: No, but I think it's probably been overtaken by the flexible benefits that are more—

Kassebaum: People's choice again.

Heininger: Yes, they're people's choice because they do it through employers. A medical savings account you had to go out and set up on your own, so it was easier to do the flexible benefits stuff.

Kassebaum: But it was a good example of how Kennedy worked to get something done, and I'm guessing that when we were doing the Clinton healthcare bill, he finally realized that we had a 400-pound gorilla and that we just weren't going to be able to get our arms around it.

Heininger: How much of a cheerleader was he for the Clinton reform?

Kassebaum: I suppose there would be different interpretations on that. He tried hard in the hearings to make the case for the importance of universal healthcare. I can't go beyond that. I don't know. I'm sure he had Democrats who weren't solid. Within their party, and certainly with Republicans, there was enough uncertainty about it out there. Again, it was hard to get their arms around it, it was so big. Even as we tried to break it down and see where we might try to do something, everybody sort of peeled away on one amendment after another, and I just don't think it was in the cards.

Heininger: You also saw, even though it was enacted after you left but it certainly was set in motion while you were there—the development of the SCHIP [State Children's Health Insurance] Program.

Kassebaum: Right.

Heininger: Why did you focus on children?

Kassebaum: Because I believe that's where it starts, good health. After I left the Senate I was on the Robert Wood Johnson Foundation board of trustees, until we went to Japan. They spent a lot on tobacco, anti-smoking. I said, "It starts right there in preschool and certainly grade school, in so many areas where children see smoking." There's where we ought to focus on health, because if you've started out with an understanding of what can happen—Making sure a child is getting a healthy start is terribly important. It's amazing to me how many college students and high school

students seem to be going back to smoking, and girls particularly. Anyway, that is just my belief—that it does start when they are young.

Heininger: Was Kennedy in agreement on children?

Kassebaum: I don't remember. I would think so. He would agree with almost anything on healthcare. Barbara Mikulski was big on—and she probably—I don't know who essentially carried that on.

Heininger: Well, Kennedy certainly did, but in some ways it was like—For Kennedy, when it got to HIPAA, HIPAA was a change for him towards incremental reform.

Kassebaum: Yes, it was very smart, that's true.

Heininger: And SCHIP, too, was yet another piece of incremental reform. If we can't do everybody, let's at least cover kids.

Kassebaum: Cover the children. And now it's grown.

Heininger: Plus it's a lot harder to vote against kids.

Kassebaum: Sure, of course. I do think it is important, and I think everybody—you're right. You're not taking it away from anybody else; you're adding to—

Heininger: And investing in the future.

Kassebaum: That's right.

Heininger: Let's talk a little bit about South Africa.

Kassebaum: Ah, yes.

Heininger: How did you get interested in Africa?

Kassebaum: To be perfectly honest, as you know, your assignments on committee are where you sit in the committee. I was the newcomer on the Committee on Foreign Relations in 1980, when we became the majority in '81. It got down to my choice was Africa, the Middle East, and somewhere else. I thought, *Hmmm, Middle East, it's interesting, but I think I'll take Africa*. I made the mistake in one of my first visits with the African Foreign Minister who was visiting—What was his name? I can just see him—I said, "I don't know very much about South Africa," and then he launched into this—I never got another word in edgewise, so I learned a lesson: not to admit I didn't really know very much. I saw him later in South Africa and I joked and said, "I'm going to get my speech in first."

I stuck with it. I could have changed and gone into other things. I became very interested in Central America at that particular time. But Africa was my choice and I really didn't know much about Africa. I'd never been. My first trip was that South Africa trip and Zimbabwe at that time. I've been again since. I'd travel fairly extensively but not all that often.

Heininger: Back up for a minute to Central America. Your position on El Salvador certainly wasn't the same as the [Ronald] Reagan Administration's position.

Kassebaum: No, nor on the Iran-Contra or Nicaragua.

Heininger: So you were much more in line with where Kennedy was.

Kassebaum: Yes.

Heininger: That must have made you persona non grata in the White House over that.

Kassebaum: I was asked by the Reagan Administration to head the delegation for the first election in El Salvador, which was still under gunfire. It was [José Napoleon] Duarte who believed it was absolutely essential that—and I never will forget, talk about remembering names—Dr. [Jorge] Bustamante was asked to be in charge of the election. He was an Ob/Gyn, and I was so struck with that, and his determination that an election would take place. It was not on Duarte, it was more for the election of—maybe it was his election. I think it was for the parliament. There was another election that was highly trumpeted. I think Duarte was President and he wanted this election to show everybody could vote for somebody in Parliament. Then his reelection came several years later. I was really fascinated with that election. I went around quite a bit to voting places. People couldn't write but had just an X. And it went off.

Heininger: Yes, it did.

Kassebaum: Partially because of Dr. Bustamante and Duarte really willing to back him. Duarte—I'm not sure. I didn't meet Duarte then. Deane Hinton was Ambassador.

Heininger: Did he come in '83, or was he there in '82? I can't remember exactly when he came in.

Kassebaum: Duarte?

Heininger: No, Hinton.

Kassebaum: Oh, Hinton. He was there when I was there, so it must have been.…

Heininger: It was in that '82–'83 period.

Kassebaum: I think it was '83 when I was in El Salvador. So that's how I got interested in that and I'm amazed they asked me to head it up. It was John Murtha and Bob Livingston on the House side, and myself. I was the only one in the Senate. It was Larry Eagleburger who had a lot to do with pushing that.

Heininger: That may have been why.

Kassebaum: By the time I got to Nicaragua—they weren't about to send me down there, but I went with Chris Dodd and Dan Evans. We couldn't stay even in Nicaragua. We stayed in Costa Rica and flew in and out.

Heininger: It was a tough time.

Kassebaum: An interesting time. In South Africa, gosh, I really had a wonderful opportunity to meet so many different people there: the Black Sash women, and I got to be a very good friend of Helen Suzman, who has passed away, as you may know, and Judge [Richard J.] Goldstone, who asked if I would come deliver a luncheon speech for African women. This was in maybe '86. It was at one of the biggest hotels in Johannesburg. Mrs. [Nontsikelelo Albertina] Sisulu and Winnie Mandela.

There was quite a bit made of the fact that it was the first time such a large group of black and white women were together at a luncheon. They said there had never been that type of mixed luncheon for men. It was put on by a Jewish program that was very supportive. I'm a great admirer of Judge Goldstone. It was a benefit for them. It was a very moving luncheon. I was so impressed. I really got very involved. The person I will always remember meeting was Nelson Mandela, on several occasions. The last time I visited him in his home in Johannesburg. He made a big impression.

Heininger: Talk about a great man.

Kassebaum: In fact, I took Judge Goldstone and his wife to Kennedy's dinner that he had for the Eminent Persons. "Eminent Persons" is always a bit much.

Heininger: It's actually an official title. They've now got Eminent Persons on a whole bunch of different things.

Kassebaum: Oh, I know. We're Eminent Persons on this U.S.–Middle East project and I said, "Oh please, don't call it Eminent Persons." Kennedy cared a lot about it. I was still trying to see if we couldn't—I did not support local governments taking out of their portfolio stock and companies doing business—I said, "That's not helping South Africa and that's not what we need to do." I supported limited sanctions and voted to override—Of course I had said I would override President Reagan's veto. I remember Secretary [George] Shultz, who I really admired a great deal, coming by the office and he said, "Nancy, it's just going to ruin us." I said, "I don't think so, Mr. Secretary. I think actually it will help us a lot. I think Africans will realize we're not just siding with one side. We've got to show we care about what happens in a bigger arena." We're lucky the first President was Nelson Mandela.

Heininger: I don't think there's any question that the sanctions had an enormous impact on South Africa.

Kassebaum: It did in gathering world opinion. I always told—It wasn't Jesse Jackson. Who was big in leading the protests at the South African Embassy?

Heininger: Randall Robinson and TransAfrica?

Kassebaum: I knew Randall Robinson. It wasn't Roger Wilkins.

Heininger: Was it Andrew Young?

Kassebaum: No. Oh, shoot. No matter what I might have thought of it, that's what got the public's attention, and they were so smart to do it at Thanksgiving because there wasn't anything else happening except showing these arrests in front of the South African Embassy. A lot of people said, "What? What's going on in South Africa?"

Heininger: Timing is all.

Kassebaum: It was amazing and that's what garnered attention and got us all revved up.

Heininger: There are some who argue that one of the most important sanctions, which was not imposed by us but kind of by universal agreement, was the ban on sports participation. The white South Africans really cared about the fact that their sports teams were barred.

Kassebaum: That's true.

Heininger: That was visible to everyone within the country. What was Kennedy's role on the sanctions movement?

Kassebaum: He was strong for all you could get. He and I would have disagreed on my saying it was wrong to consider legislation saying we should withdraw all support from companies that were doing business in South Africa, and so forth. I thought the sanctions imposed were limited. They weren't ones basically that were going to do a whole lot of damage to trade, but it sent a signal that we did care about this. Helen, who was very close to Nelson Mandela and was one of the few allowed to visit Robben Island, was very opposed to the sanctions. I was asked to do a debate at Cambridge on the issue.

Heininger: Really?

Kassebaum: Yes, with Helen. I said, "Uh-uh, no thank you, thank you very much."

Heininger: That isn't a debate I'd want to have, either.

Kassebaum: No, but it was good. Bill Gray and I talked at the time that we were going to veto the President. He said, "You know, if we had just gotten his attention, we were willing to do less to work this out without causing us to reach this point." And I said, "I know, but we tried." I remember Don Regan at that time said, "Well, diamonds are a girl's best friend." I said, "Oh, please."

Heininger: Not only that, they could be gotten from Botswana, too.

Kassebaum: That's right.

Heininger: In fact more of them now come from Botswana than they do from South Africa.

Kassebaum: Anyway, it came out all right and it was good to have those who wanted more, so then when we came up with a little bit less, you could still make the case.

Heininger: How important was Senator [Richard] Lugar's leadership on it?

Kassebaum: It was very important, but I think he was glad that he had my support too. I remember being asked to give a speech on Africa at the Press Club, and I was asked the question afterward, what would I do if President Reagan vetoed the bill? I said I would vote to override the veto. So I was publicly out there at that point. I have a lot of admiration for Senator Lugar and he really helped. I mean, if I were the only one of two people there—And it was hard on Senator Dole, I'm sure. Just from the standpoint of his caring, he hated to be put in a position where—

Heininger: It was a very difficult position for him.

Kassebaum: Yes, it was, and then with me having taken the role that I did, it was even that much harder, but it was just one of the—That's what comes from being Leader. That's why it's a lot more fun not to be.

Heininger: That's right. You have to make the trains run on time when you're the Leader.

Kassebaum: And you have a party you have to support. From that standpoint, that was hard.

But on most issues, Kennedy and I would agree. I was really at cross purposes with my party on gun control issues.

Heininger: What about abortion?

Kassebaum: Oh yes, true, but I was always right up front on that when I ran. I remember my Dad saying, the night before my press conference announcing that I was going to run—I talked to him on the phone and he said, "Well, what do you think you'll be asked?" I said, "I don't know but I'm sure I'll be asked my position on abortion." There was this long pause, and of course Dad at that point was 90, and after this long pause he said, "Abortion? Well, what business of the government is that?" Isn't that interesting? You know, for Dad it was the economy and foreign policy.

Heininger: Interesting.

Kassebaum: I've always said I believe that's an issue between a mother and the family and the church, not the government.

Heininger: There once was a place for social liberals and fiscal conservatives to be in the Republican Party.

Kassebaum: Right.

Heininger: Less room now.

Kassebaum: Particularly though, the most vicious calls I got were on gun control. Some of the strong abortion people really valued my being honest and upfront. That began to change, too, but that was the older leadership. I said, "I realize if that is the issue you base it on, I respect that, and if you don't want to vote for me, that's your right. I'm not trying to talk you into it."

Heininger: But you got more flack on gun control?

Kassebaum: Oh boy, hateful phone calls, particularly on banning semiautomatic assault weapons.

Heininger: The ones that if you try to use them to shoot a deer, you don't have any deer left.

Kassebaum: After I voted I went out to western Kansas. I was accosted way out in western Kansas, Goodland, I think it was, or Colby. These two guys were waiting for me when I came out. I was speaking at a Rotary dinner or something. And they said, "How could you do that? You don't realize what it's like out here." I said, "Yes, I do. Why do you need a semiautomatic assault weapon to kill a prairie dog?" I thought they were going to go ballistic.

Heininger: They really couldn't see the difference?

Kassebaum: It was a camel's nose under the tent and there wasn't any convincing them.

Heininger: That's just amazing.

Kassebaum: And now here we've got this big problem with our guns going into Mexico, evidently. Well, anyway, that's another issue.

Heininger: What do you think that Kennedy's legacy is going to be?

Kassebaum: I believe his legacy will be that he was truly a man of the Senate as he came to grow in that role, and that he enjoyed politics and he enjoyed people. It was for him a way of life, but it was an important part of his being that you care about that legislative process, and have a respect for government: the Presidency, the Congress, and the Judiciary.

I used to say, "Don't shout, Ted. I can hear you," when he was over on the other side, you know. A funny story—It was in a hearing when I said, "Don't shout, I can hear you." He came back right before a Thanksgiving recess and he said, "Well, we had an interesting Thanksgiving dinner. Eunice said, 'Teddy, you don't need to shout, I can hear you.'" I said, "Well, I'm glad someone was listening."

Anyway, he had a sense of humor. I don't think he took things personally. I told him what Kansans said about the Wicked Witch: "How could you work with Ted Kennedy?" But it wasn't personal. It was a genuineness. He may think I was totally wrong on an issue, and I'm sure he did, but at the end of the day you do what you need to do to help move it along.

Heininger: And he didn't let it get in the way of personal relationships?

Kassebaum: I don't think so. Now I don't know. I don't know that much personally. I do think he grew, and maybe it's that I got to know him a little better, but I think he took on a seriousness that maybe wasn't there earlier. Maybe it had all come a little too easy in the early years. All of us grow in the process. But I was never any real threat, either. I think his legacy will be a real contribution to healthcare and, more importantly, to those issues that did concern the well-being of the country and the people. I'm sure Massachusetts must rail against him in some quarters.

Heininger: Yes, it does.

Kassebaum: But on the other hand, he's become a legend in his own time, and it's because he's larger than life.

Heininger: He is. It would be hard to be Junior Senator to him, too.

Kassebaum: Oh, boy.

Heininger: How has the Senate changed since you left?

Kassebaum: Well, there are not that many there who are sort of larger-than-life personae. And times have changed. There are the bloggers and the internet and fundraising, so you don't sit around and talk in your cloakrooms or back and forth together. Unfortunately, it has changed the Senate. There's not the camaraderie that could be there, that helped bridge over differences sometimes that you had to get across and find another way, compromises. It's become us versus them, and you're either with us or you're against us. As a result, everybody gets their absolutes and it's so hard to find, then, a way to get past that. There's nobody there that you can work with to find the bridge. I personally believe it's because everybody's looking for a 30-second sound bite. In the House and the Senate, everybody runs out to try to find a 30-second sound bite. And you don't have the committee strength you used to have before. If President Obama wants to control the Congress, he's got to get them to step up.

Heininger: What did you think of Kennedy's staff?

Kassebaum: My staff and theirs worked together. It's a strong staff. You know, you've got to be willing to stand up every now and then and speak your piece. They're devoted to him. Your staff is. I don't know well enough what kind of direction he gave them, but when they were told to work things out, they spent time working it out, and you hope that's what your staff will help you do.

Heininger: Who did you see him close to?

Kassebaum: In the Senate?

Heininger: Other Senators, yes.

Kassebaum: Senator Hatch says they're close, I guess. I don't know well enough.

Heininger: Hatch is very fond of him.

Kassebaum: Oh, yes. And he was a good balance to Kennedy. He works hard, too. I don't really know because I don't know him personally that well. He and Chris Dodd went through a period when they were kind of the older gay blades of the Senate. I think his marriage has really helped give him a ballast that's been good, from what I know outside, and I think Vicki [Reggie Kennedy] has been a big help. His staff is very loyal and Ted is just—there's a large family. He cares a lot about family.

Heininger: And he's got a lot of them.

Kassebaum: He's been good at trying to keep an eye on them as best possible.

Heininger: Yes, a lot of them depend on him.

Kassebaum: But I can't say I knew him very well, personally. I don't know that in the Senate—there are probably very few that you do get close to personally. Senator Lugar and I worked closely a lot on issues but I never saw very many Senators socially. I didn't do that much socially. I didn't go to big receptions, hardly any. I don't know how many times people do. I had friends here, but I was home on weekends a lot because my parents were elderly, and I would do things in the state and always stay at home. I would say I was very careful about not doing the social, because I didn't want people to say, "Oh, look who she's hanging around with." So I just didn't do it.

Heininger: You did have him to your wedding.

Kassebaum: Yes, that's true. [*laughs*] By that time I was out the door.

Heininger: Out the door, yes.

Kassebaum: And that was as big a surprise, getting married, as anything. It was sort of like getting in the Senate. I look back and think, *Isn't that interesting. How did I do that?* I never planned to run in the Senate, and never planned to get married again, but then it's been—I would have found it hard. I don't think it's easy being a wife of a Senator, or any politician. Nor would I have ever dreamed of doing it when my children were little. I marvel at the women who do it with younger children, but I wouldn't have wanted to miss going to the football games that they did. They grew up in a rural school and I was a 4-H leader and we had the county fair and all those things. I wouldn't have traded that for anything.

Heininger: You may have had the best of both worlds.

Kassebaum: That's true, I did.

Heininger: Well, this was delightful. Thank you very much.

Kassebaum: Thank you, Jan.