

An Oral History Interview

with

JOHN ANDERSON (part 2)

Tucson, Arizona

conducted by
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August 7, 1998

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JF: In the following year, on May 8, 1973, you and Mo introduced H.R. 7612, which called for an independent federal election campaign commission. (JA: Yes.) What was the response in the House to that bill?

JA: Well, it was certainly not universally approved, and as I recall it, one of the important reasons for coming up with that proposal, was that the office, it was the clerk of the House that was the functionary, as I recall it, who under the 1971 act would receive the reports of expenditures. And also required under that act, contributions. And also, the House Administration Committee, which I'm pretty sure at that time--I don't know whether Wayne Hays had taken over. (JF: I believe so.) I'm pretty sure he had. And if there was ever, ever a person, of course, who was opposed to any vestige of campaign finance reform, and of changing the system, he fought it tooth and nail. He was maniacal, almost, in his opposition--the idea that members of Congress should have some group, like an independent federal elections commission, sitting in judgement on what members of the House might be doing with respect to the way they received and disbursed campaign funds. He was just livid, and he was a very caloric individual to begin with, terrible temper. Really. I don't very often speak ill of my fellow man--not as much as I used to, now that I'm closer to my Maker--but he was really bad on this issue.

JF: And he was chairman of the....

JA: House Administration Committee.

JF: Which the Subcommittee on Elections was under, is that correct?

JA: That's right.

JF: So he was in a position to really....

JA: He was in, as they say, the catbird seat. And he was determined to use it to block any real meaningful campaign reform, and he saw the commission idea as the House losing control of its own business. "It's the business of members, how they get elected and what they do. We don't need some functionaries sitting out here in a commission or in some other extra-congressional bailiwick, monitoring our conduct!" Oh! I'll never forget the run-ins we had with him. He was insulting! I mean, he disliked me intensely, he hated Mo Udall. I mean, one of the few people that did! I mean, even the people that disagreed with Mo, you know, loved him for the great human being that he was. But I don't think there was much love lost on him by Wayne Hays, because he was just too virulent. His hatred of the whole idea that we were stirring up people like--Anderson and Udall were stirring up the pot, you know, and getting everybody excited about the need for change and reform. "Leave it in the Election Subcommittee and leave it in the House Administration Committee--that's it!"

JF: It would appear from his fate that he had good reason not to want oversight! (laughs)

JA: Oh, of course. God, he was.... I guess he's passed on now. One should not maybe

speak ill of the dead. He went back to Ohio after he resigned his seat, finally, after the Elizabeth Ray scandal. And he did run, I think, and was elected to the Ohio Legislature (JF: Really?!) for a term or two, and then he got beat, I think, in that, finally. And now I think maybe he's gone to his reward.

JF: On July 30, after.... Let's see, it was May 8 that you and Mo introduced the Federal Election Commission Bill. (JF: In 1973.) Right. On July 30, the Senate passed a campaign reform bill sponsored by Senator Pastori. (JA: Yes.) In October-November, the House considered Pastori's bill and your bill together. As I understand it, it wasn't until the next year, 1974, that the bill came up again. (JA: I believe.) Was that because of Wayne Hays just stalling in committee?

JA: Well, in part, yes, he was laboring tirelessly and behind the scenes to derail any campaign reform legislation. But there were some substantial objections to the format of the Pastori Bill, as far as it allotted, I think, so many cents per vote to be expended for radio and television and so on. It had some fairly specific provisions, to which I didn't personally object, but which I think did bother some of the people who otherwise certainly would not stand in the way of the disclosure provisions of the bill that Mo and I had come up with. Nor would they necessarily fight to the bitter end against the partial public financing, which was in our bill, by matching small contributions of \$100, I think--maybe it was \$250 or \$100, I forget--or less, with money from the federal check-off fund that had been established, where the taxpayer checks off the square on the income tax return and makes a contribution that otherwise would go to the IRS, to the fund. And that had been established by earlier legislation, and that was going to be the source of the money that we would use to pay out in matching funds, and reward candidates who went out and concentrated and had the incentive, by these matching funds, to concentrate on raising money in small amounts, from small contributors, rather than thousand-dollar contributions, and \$5,000 PAC contributions and so on.

JF: Yes. During this time, didn't Nixon send his own proposal to the House?

JA: Yes.

JF: What was that proposal?

JA: I think it was largely a disclosure proposal. Certainly there was no public financing in it. (JF: Oh, okay.) No, I don't think there was any public financing. Mo and I were really.... I mean, we quoted frequently the fact that as early as 1908 Theodore Roosevelt, a great progressive in the early part of the Progressive Era, as it was emerging across the country, said, "This is the most important expenditure that you can make from government funds, to make sure that our elections are not controlled by the trusts and the special interests, but are conducted for the benefit of the people, and not for a few. So the public financing "hook," really, the matching was a compromise. If we could have gone for full--we talked about this many times, I distinctly recall--if we could have gone for full public financing of election campaigns, we thought it would be a big bargain for the American people and the honest and uncorrupted government that it could produce. But

we believed that it would scare people off entirely if we made that bold proposal. So this somewhat watered-down idea that at least part of the campaign could be encouraged to be--finance could be encouraged to be in small contributions, with this matching funds idea from the check-off fund. So that was very much a compromise position as a part of our strategy that, well, you know, you have to get these guys to stick their toe in the water. And they aren't going to put the whole foot in, but maybe this is enough to at least get some experience of financing campaigns in this new way.

JF: But the Senate version of the bill that was passed later included public funding for both presidential and congressional elections. (JA: Right.) In the House, in the compromise that ensued, wasn't the congressional funding dropped from that?

JA: Yes, I think it was. It was, you are correct.

JF: It appeared from my research that the House was more conservative on financing campaigns than the Senate.

JA: Oh, I think that's true.

JF: Why is that?

JA: Good question. Nobody ever asked me to think it through.

JF: Might it have something to do with the fact that they have to face the voters more often?

JA: That's probably as good a reason as I could come up with, yes, that House members feel relatively insecure. Two years comes around in an awful hurry. One campaign is no sooner over, than the other one is starting; whereas senators can, from their loftier perch of longer tenure, can be a little less.... Although I don't know, the way the cost of Senate campaigns has escalated since 1974, I don't know whether they'd feel that way anymore. I read all these stories, I get a lot of stuff from Ellen Miller and Public Campaign Organization, which is pushing for public financing, that these senators start immediately paying off the debt that they've racked up to win the office. I mean, they no sooner get to Washington than they're on the phone, "How about helping me get rid of my debt?" And if you're on the right committee, if you're on the Senate Armed Services Committee and you call the PAC from McDonald Douglas--if they're still in business, they're changing all these defense contractors around--you know, you've got a good chance. But back in those days, I think the Senate was not quite as bad in that regard, as it's become. It's dependent on raising money, just nonstop, always, never stops. Perpetual. You have to invent the supposedly uninventable, the perpetual motion machine.

JF: Campaign fund-raising machine.

JA: It's going on right now.

JF: Yes. October 15, 1974, the amendments to the federal election campaign were signed into law by President Ford. (JA: Yes.) Wasn't President Ford, as I understand, an opponent of any kind of federal funding of campaigns? (JA: Yes.) Why do you think he signed this?

JA: Well, I don't know whether he felt that that was politically--after all, he was thinking about running again. I guess he knew that because of the disclosures that had come out of the Nixon campaign, which were pretty awful, about the way they raised money back then, and his role in pardoning Nixon, that he might be especially vulnerable to charges that he was really owned lock, stock, and barrel, by the people who wanted to continue to stuff all this money through the crack and over the transom into the offices of candidates, so that they had them in hock to the point where when the votes were called, they could be sure the votes would be cast the right way. I think it was--I don't say this pejoratively--but I think it was a political calculation more than anything else.

JF: So in some ways we have Nixon and Watergate to thank for a lot of the campaign finance reform.

JA: Oh, no question about it.

JF: By the time the 1974 amendments had been enacted, Mo had already declared his candidacy for president. Do you think that in sponsoring both the 1971 bill and 1974 amendments that he was looking ahead to a future presidential campaign?

JA: No. I just think it was an implicit part of his very progressive view that one of the things that government simply was not facing up to was the need to reform the system, that there had to be a systemic change in the way government functioned. And that even though he was big for Alaska National Interest Lands, and he was big for all kinds of programs that would help people. He had a real vision of how, if we really wanted to get the kind of legislation that we needed, we had to begin--we couldn't hopscotch over the need to reform the political system itself. He was a reformer, he believed that dirty money made for dirty politics, and that the old saying about not watching how laws are made, because it reminds you of how sausage is made, was all too true, because of the insidious influence that was worked into the mixing of the process, the insidious influence of all this money that was coming in through the cracks from the private sector.

JF: Just the other day, the house passed a new campaign reform bill that's been dubbed the most sweeping changes since the 1974 amendments. I was interested in seeing that, partially because Senator John McCain's bill, and Senator McCain had a lot to do with the establishment of the Udall Foundation. (JA: Right.) His bill died outright in the Senate, and then the House passes it. I was interested that it appears that maybe the political climate has changed, and now the House is more liberal on the campaign finance issue than the Senate. Is there any validity to that?

JA: I don't think so. I really don't think that the House is more liberal. I think that Gingrich dug his own grave on this issue when he sashayed up to that farmer's field, or

whatever it was, in New Hampshire, back in June or July of 1995, I think it was, and solemnly shook hands with Clinton, who happened to be there at the same time. You remember that tableau about, "Yeah, I think it would be good to have a commission appointed to work out good, solid campaign finance reform legislation." And after trumpeting that, the commission never got created, they never got closer than this to agreeing on even looking at the problem on a bipartisan basis. And then he was taken into camp particularly by the operatives in the party, particularly those who run the senatorial campaign and congressional campaign committees. "Whoa! I mean, if we can't do what we did in that race that Tim Wirth lost in Colorado, plunk all this dough, soft money, into senatorial and congressional campaigns that may hang in the balance, we're gonna lose the House, we're gonna lose the Senate, and the Democrats will still be collecting their labor money, and we'll be losing these big chunks of dough that we get from corporate heads who either want to maintain offshore tax privileges, or get some other provision that will advantage their company, and they'll cut off our water completely." And I think he boxed himself in, for all of his reputed cleverness. And of course papers like *The New York Times* every day have been pounding out editorials, you know, about how duplicitous he is, and how his tactics really are just incredibly bad-- naming the northeast representatives within the particular purview of their influence who ought to become part of the.... Well, I guess in the first vote it was fifty-one, and in the final vote, I think for passage, I think there were sixty-one Republicans who finally voted for Chase-Mann. And I think they were led to do that.

JF: Now is this in the House, the vote that you're....

JA: This was in the House. That they saw, that with the November elections literally breathing down their neck, that this was going to be a very live issue in their campaigns. And their Democratic opponents were going to be holding them up as real tools of Gingrich, who was not that popular in the country anyway, and they could well lose their seats in a close race over this issue. And I think Gingrich just miscalculated how deeply that bit that argument.

JF: Do you think there's time for something to happen with that bill before....

JA: I'm very pessimistic. This fellow, McConnell! God, he's to the Senate what Wayne Hays was to the House back in the seventies. This guy McConnell....

JF: Where's he from?

JA: Kentucky. He says he'll filibuster it again. But, you've got seven Republicans with forty-five, you're eight votes short. You've got to get eight more Republican senators. And I follow this pretty closely, because I'm interested in this public campaign organization, this nonprofit that's working on reform legislation.

JF: Which organization is that?

JA: It's got a little office in Washington. Ellen Miller, who is really a dynamo, and used

to be head of something called The Center for Responsive Politics--she ran that for eleven years--all the good statistics on how tobacco money is filtered into the campaigns, how money from the oil companies gets filtered in. She directed the staff that does all the computerized work to dig out of the FEC files and their records and collating and putting it all together. Published a lot of good stuff that I used for a law review article I had published in *The American University Law Review* last March.

I'm getting wound up and getting off the track. Anyway, McConnell, we were on him. He's really made that his mission in life. And I just do not see the eight votes on the Republican side of the aisle that are needed to get cloture in time for that thing to come out. I think the Republicans may well yet.... I have been freely predicting a Republican defeat in the congressional elections, but that was before this latest round of scandal, and I don't know how that's going to come out. Maybe that's going to undercut. But I think they are so vulnerable, it almost makes me wish I was running again, and could really go out and debate these issues and see if you couldn't convince people to turn out anybody who stands in the way of campaign finance reform when the need is so obvious, and the idea that a privileged few should have a voice at the table in the councils of government, that nobody else has when it comes to actually writing and passing legislation.

JF: If you could write a bill today--if you and Mo could get together and write a bill on campaign finance reform--what would your biggest wish list be on that?

JA: Well, it would be a bill that has been introduced in the Senate, and it was introduced back in March or April, because I was at the press conference when it occurred, and Paul Welstone is on the bill. Of course, he's probably the most liberal member of the Senate. But John Kerry of Massachusetts is on the bill. Joe Biden, who is kind of a tower of Jello on a lot of things internationally, is on the bill. And the fourth cosponsor.... John Glenn! He wasn't there at the press conference, but I think he put his name on the bill. And it's essentially the legislation that Maine adopted by state referendum in November of 1996, called "the clean money option," that when candidates go into a race, they take a pledge--voluntarily, because of this *Valejo* case that John Rhodes was talking about, that sits like an elephant athwart the track, that's trying to get this express train to reform moving--they would take a voluntary pledge that they would accept no private money, no private contributions, no PAC money, no private contributions of any kind, and then the State would establish a fund that would fund--up to a reasonable level, which each state legislature would have to decided on--a fund that would enable this candidate to buy the television, the radio, and the newspaper advertising, and billboards--some reasonable amount to get his story out, and his campaign across to the voters. And then he would have to agree to a limitation on overall spending, too, in addition to taking the pledge and the public money, he'd have to agree that there would be a limit on that, because the public isn't going to go for spending \$27 million for a Senate seat like this guy in California tried to buy a few years ago, [Michael] Huffington, out in Santa Barbara, California. If his opponent refused to voluntarily take the same vow and make the same pledge, and went out and said, "Well, I'm a rich man, I've got plenty of money. To hell with you, I'm going to spend whatever it takes," then up to a certain level--and again, to be prudent you'd have to have some level--there would be a supplementary payment

made available to the fellow who did take the vow that he would take no private money. He would get a supplementary payment to try to even the expenditure level with that of his opponent, if not entirely give him a little bit of a leg up, as a way of answering this guy who's determined to take private money and spend all he wants. That's called the clean money option. And since it's voluntary, you know, the *Buckley versus Valejo* case shouldn't apply. I mean, if you voluntarily say, "I'm going to curtail my expenditures," although I think parenthetically you can make mincemeat out of the argument that John Rhodes made that this is free speech, that spending all the money you want to buy an office is an exercise of free speech. That argument is so discreditable to me that I gag when I hear it. But, we do have a per curiam decision back in 1976 that came to that incredible conclusion. So anyway, that would be my approach right now, I think. And if Mo were able to still be there....

JF: I think he'd agree with you.

JA: I think he would agree.

JF: Moving on to Mo's presidential race, since you both were presidential candidates at one point: In 1967, in a newsletter to his constituents, Mo complained about the length of campaigns as being one of the problems with the factor contributing to the cost of campaigns, and yet on November 1974, a full two years before the 1976 presidential campaign, he announced his candidacy for president. (JA: Right.) Do you view that as a contradictory move on his behalf? or just one made necessary by the times?

JA: Exactly. It was a concession to reality. He knew that despite his considerable prominence in the country, because of the leadership that he had shown on important legislation, nevertheless he was prudent and practical enough to realize that the history of House members running for the presidency has not been that great. I would prove that six years later when I went down the tubes. But before that, Garfield had [been] the last House member going from the House directly to the White House. And as Mo points out in his book, look what that got him! He got shot! He was assassinated. So I don't think that he was traducing his principles of believing campaigns were too extended, because, after all, he could offer the defense that he had tried to support legislation that would eliminate private financing, and substitute public financing to some degree, and that that would inevitably probably also include some limitations on when money could be spent, that it could only be spent.... Pastori's bill, I remember, you couldn't spend the money that was going to be allotted for radio and TV until after Labor Day of the election year. And he had supported proposals of that kind, that was well known. But they hadn't been adopted, they weren't the law, and he had to run under the kind of timetable that meant campaigns were unduly protracted, whether he liked it or not. Otherwise, he couldn't run.

JF: Was this partially then because he was running from the House of Representatives as opposed to the Senate?

JA: Yes, I think so.

JF: So there was a need to get his name out.

JA: I think so.

JF: You and Mo both ran for president from the House of Representatives, where that's always been deemed that that was impossible to do, just because of the lack of name ID. (JA: Right.) And money. (JA: Right.) Do you think we're any closer now to members of the House being able to run a successful presidential campaign?

JA: No, probably not.

JF: Still there, huh?

JA: I think it's still there.

JF: Did Mo inform you that he was going to run for president?

JA: I'm sure that we must have discussed it. I have no laser-like ability to go back and identify dates and conversations.

JF: Were you surprised at all?

JA: No, no, no. I felt that [Henry "Scoop"] Jackson was a contender at that time, as you know. [Jimmy] Carter by that time was, I think, making it obvious that he was at least available, because his term had expired as governor, and he had made some moves, as I recall it. (aside about thunder) Let's see, 1976, who else was making noises? I don't think Edward--Teddy--Kennedy, I don't think he was.... (JF: No, he wasn't.) He didn't come along until 1980 was his challenge to Carter.

JF: How did you feel about him running?

JA: Well, I guess I felt that the odds were terribly long, and therefore to lose the services of a man who was already a national official in the sense that he had the national view.... Sure, he had the Central Arizona Project, he did a lot of things that he could and should do in behalf of his state and so on, that Johnny [Rhodes] was talking about earlier, but still overall, here was a man with a far greater vision of the role that he could play in public life and in public affairs than simply representing 400,000-500,000 constituents, or even a whole state. He really had this much broader perspective of how anybody, even in Congress, elected from a smaller geographic base, an electoral base, still had the necessity, if he faced up to his responsibility, of being a national legislator. That's the way I felt, and that's what got me in trouble, back in my own district, ultimately, is that the cry went up, you know, "He's playing to the national media. He's more interested in what happens [nationally], and what about us back here in our little pea patch of Northwest Illinois? We need somebody who does yeoman-like work, just lookin' after us." That more parochial view of the office--he didn't have it. (JF: Which is another difficulty.) And increasingly as I went on in the House, I didn't think that was the way

the Congress should operate either. I heard somebody say--was it since I came out here--was it at the table last night? Well, you weren't with us at dinner. Somebody was saying, "You know, if a guy can't bring home the bacon, fire him!" We had a guy who served on the Rules Committee with me by the name of Judge Trimble. I don't know whether he was a probate judge or a county judge or what, but that was his title. And I don't think the man spoke two words in the time I knew him, and that was many years, and he sat on the Rules Committee, but he got elected regularly every two years, and he said it was just because he looked on his job as one of literally backing a truck up to the door of the U.S. Treasury and loading as many goodies and as much cash as he could on the back end of the wagon and hauling it back to the folks in Arkansas, where he was from. But you know, to me, it was such a perversion of what your responsibilities are under the constitution as a national legislator.... Sure you have caseworkers. Sure, if there's a worthwhile project that's going to aid the economy of your state, you should show some interest, but that isn't your main function in life, to see how much dollar-for-dollar you can get back from the government what your taxpayers have put in. This isn't some kind of a swap arrangement that you work out, when you seek to run and hold the office of congressman. You have to have a bolder vision than that, what the needs of the country are.

JF: I remember Mo saying to me that there was sort of an intrinsic conflict between whether you were an elected representative to strictly "bring home the bacon," basically, or were they giving you their trust to go do as you thought was correct?

JA: Right. Well, and he thought the latter, and I did too. That's why I was attracted very much to a proposal that never got to first base that Henry Reuss, this Democrat from Wisconsin who was also my good friend, had put in: the ombudsman proposal. There were Scandinavian countries, in addition to having a member in the *Riechstag* or the Swedish parliament, they have somebody called the ombudsman, who was a functionary, whose job is to make sure that people who have certain entitlements--and he stands between them and the government and calls the tune against the government if they are delaying a payment or a check or a benefit that should go to the [person]. But that's a separate function, a separate job. And it seemed to me particularly with issues becoming as enormously consequential in view of our world power status and world responsibility, that was kind of a neat idea, to have this functionary work hard to make sure people got what they were entitled to get in the way of benefits under the law. But the representative himself would then, so the theory goes, be freed up to consider, on a much more detailed and intensive basis, the other things that ought to be legislated and done for the country as a whole. But that never got anyplace. But then there are some congressmen that just think it's the ombudsman thing that's the most important. But Mo never had that concept.

JF: Since you ran for president as well, and I'm assuming you followed Mo's campaign at least as much as reading the papers. You know that he ran in something like twenty-two....

JA: Seven primaries I think he came second to Carter.

JF: Right, exactly, and ran in something like twenty-two.

JA: It hurt me every time I read one of those reports, because I was just so anxious to see him succeed, because I thought the country would be in safe hands.

JA: Which must have been sort of an uncomfortable position for you. You were a friend and colleague of Mo's, and yet you were still chair of the House Republican Committee.

JA: Yes, I was. Well, I wasn't overtly involved in his campaign, but I think some friendships do transcend political boundaries. I mean, you can be so totally convinced that a person is that qualified and his rectitude is that great, and that his contribution could be so meaningful. I just am not the kind of partisan that says, "Well, I gotta fence him off. He's off the reservation." No, I think if there had been a Udall administration-- and I shouldn't say this, because it might sound as if thought that on the basis of my friendship surely I would land something. But certainly the thought must have crossed my mind that I would willingly accept any chore and any position in an administration under his supervision, he might want done, because I was that sold on his qualities.

JF: What do you think he could have done different in the campaign? Do you think it was just destined to come out the way it did? Or do you think there's something he could have done differently?

JA: Hard question to answer, because I wasn't in all the states where he ran in those primaries. I never quite understood the secret of Carter's kind of stealth campaign. I remember--funny I should remember, but I do, forgetful as I've become--a column by David Broder about the time of the Wisconsin Primary campaign, about how totally charming and marvelous Carter was on a one-to-one basis. In a small gathering he had watched him. I think it was in the Midwest, rather than in New Hampshire. That he was literally mesmerizing in his ability to look people in the eye and say, "I'll never lie to you. We're gonna get good, honest, just, government that we are entitled to, finally, if you elect me." He had a spiritual quality about him that conveyed that message so convincingly that people took him on faith and didn't realize that one term as a governor in a one-party state where he had never really dealt with anything approaching the kind of national problems that a guy like Mo had handled. Maybe Mo should have just been a lot tougher. I think his good humor tended for him--again, this is surmised, to some extent, but I think it's valid surmise, based on the degree of my acquaintance with him--he just couldn't bring himself to expose Carter as being really the papier-mâché candidate that I think he was, because it wasn't long after he got in that I thought he demonstrated that he was [in] way over his head.

JF: Did you and Mo ever talk about Carter? since you both ran against him?

JA: Yes. You know, he never was bitter, or never said anything mean or harsh. But I don't think he would reprove me if he heard me saying the same things. I don't know whether I'd put it to him that way or not, and I'm sure we talked about Carter, in view of that similar experience that you've just referred to. But he wanted to be positive, he

wanted to be forthcoming with people. He didn't want to spend his time just knocking down his opponent. That wasn't his style. And maybe that's what it would have taken to kind of break this spell that Carter seemed to weave over people, that he had this almost mystical power to solve all their problems.

JF: I'm going to need to change the tape again.