
# EDWARD M. KENNEDY ORAL HISTORY PROJECT

## INTERVIEW WITH GEORGE MILLER

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**Interviewer**
Janet Heininger

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**TRANSCRIPT**

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**Heininger:** This is an interview with Congressman George Miller on October 13, 2009, in Washington. I know your time is limited, so I'm going to skip a bunch of things. Why don't we start at the beginning. When did you first meet [Edward M.] Kennedy, and what were your first impressions of him?

**Miller:** I first met him when he campaigned for me back in 1974, when I was first running for the Congress.

**Heininger:** I've seen the pictures.

**Miller:** Yes. He was larger than life at that point.

**Heininger:** How did it come about that he campaigned for you?

**Miller:** I asked and he was nice enough to accept. He was doing a swing through California. I was quite stunned when he said that he would campaign for me. We have a number of mutual friends, and I think that's how it worked out. I was all in a daze in the first campaign, so I'm not a very reliable source at that point, but when he came he was just so incredibly generous to supporters and people. He spent time talking to them and they loved it. We decided we would do almost a free event, tickets only to control it, and then let everybody enjoy him, and he was just fabulous. The place was jammed and he spent time with people and they were just so excited to have him there. It really was the event of the campaign.

**Heininger:** You must have enjoyed it too.

**Miller:** I did. And my kids were very young, but they got to meet him and shake his hand and pin a button on him, and we have pictures of that. Obviously with his death, we've gone back and looked at them again and thought how wonderful it was that we had those pictures when the kids were little.

**Heininger:** What did you think of him when you first met him? Did he live up to the hype?

**Miller:** I think when you're a first-time candidate and someone like Senator Kennedy comes and campaigns for you, the fact that he does it, he immediately meets the test. [*laughter*] But it's hard to be interested and involved in politics and not know what it meant having a Kennedy come campaign for you. Obviously, with my election, and then when I got on the Education and Labor

Committee, in those days the House and the Senate spent real time together in conference committees and I got a chance to watch him. I decided I was going to pay really close attention to how he operates.

**Heininger:** What did you learn from him?

**Miller:** Oh, I learned a lot of things. I learned patience, which I didn't have a lot of at the time, but it was patience with a defined goal. How he listened to others, and very often what he listened to last month he brought back to you this month, in furtherance of his cause. I used to go to the conference committees even before I was appointed to them, because they were appointed by seniority. But I'd go if maybe I had an amendment or I would just go to see what was going on, and he'd say, "What are you doing here?" One time he said, "What are you doing here? That amendment you have is not going to get adopted." And I said, "I'm just trying to watch and see how you get yours adopted. I'm just trying to figure this out." He just laughed and said, "That's something." He was so successful in the way he was able to weave people in those meetings, and sometimes in those days those meetings would start at 4:00 in the afternoon and go on until 2:30 in the morning and he would be in and out. It was a real lesson in legislation.

**Heininger:** Now it's very interesting to hear you say that about that time period, because we hear a lot of that in later years, less of it in this time period, so it's very interesting to get a perspective on it then. This of course, from his standpoint, is when he's still out there looking for systemic change, particularly in the area of health care. He hasn't really made the shift to incrementalism.

**Miller:** Right.

**Heininger:** And recognizing that if you can't get everything in one fell swoop, you can get pieces of it. So it's interesting to see that you were picking up on that that early with him.

**Miller:** And that process has almost disappeared. There are really a very few, if any, serious conference committees. It's like the movie *Twelve Angry Men*. You don't get the dynamics of the jury or the dynamics of the conference committee, because people don't spend that time together. But when you're in a room and you're going through word by word, section by section, and then back and forth on those in sidebar groups, you start to see a dynamic and you start to see, in this case, his ability to keep the account straight on what people wanted and what they said they wouldn't do, and somehow to figure out how you match those two things together so that he would get his way.

He had a wonderful way, a couple of times, of raising an issue on the very first day and people saying. "That's really not going to be in this conference. We can't do that, that's too—that's outside." And he'd say, "I just raise it. I just want to make sure that I have the right to bring it up, because it's very important to me, and I've got to do this." And he'd start moving his hands around, and they would go, "Oh, OK, OK, that's fine." And then, just sure as hell, just as you were getting ready to close the conference, everything's done, he'd say, "Excuse me, just a minute. I told you that I had to do this and I want to bring it up now." And they'd go, "Oh, my God." "You all agreed that I could bring it up now," and of course everybody's heading for the

airplane, the bus home, and they'd say, "Oh, Ted, just go put it in. Go ahead." And I'd think, *This is—*

**Heininger:** This was not accidental.

**Miller:** No. I was thinking, *Now, this is good, this is very good*. Everybody had to agree, "Yes, you reserve the right. We didn't get back to it, but here we are—" "This conference isn't closed yet." "No, you're right, it's not, but we're all done." "But it's not closed. I want to write—" He was great. Put that one away in the vault to remember. You would just see how—and I don't pretend that I'm even close to him, but he would be able to just work individuals and personalities back and forth on the issues. We would bring them up again, and these were contentious issues. Education for handicapped children was the first piece of legislation.

**Heininger:** The first big bill, yes.

**Miller:** We now take it as normal, but it was really controversial. He just stayed after people about what these children should be entitled to and what happens to them when they don't get services, on and on. He was changing people's minds or he was just getting enough room, enough tolerance to get it done. That's the skill of this place, and so to be able to sit there and—what ended up being 35 years, watching this person do it. I think had we continued to have those kinds of—in '94, those conference committees went away, more or less. They're not anything like in the past. He probably would have owned the whole place at that stage, because he was such a force in his last decade, an amazing force on legislation.

**Heininger:** Many people develop skills, but there are few who develop an art as well, and it's interesting hearing you talk, that he had that so early. Granted, he had been in Congress for a decade, but the '60s were quite a bit different.

**Miller:** Yes.

**Heininger:** The '70s, you get this massive explosion of very detailed legislation in a whole bunch of areas, after the '65 plethora of stuff that came out. Could you tell how much of this was Kennedy and how much of this was good staff work?

**Miller:** It was both. He was clearly, as a legislator, as an elected official in the room, almost without exception, he would be the best-prepared person in the room. Again, if it was on something he was defending or something he was trying to change, he was really prepared. And when I say without exception, it would be because obviously the author of the bill might be there or the chair of the House committee. The chair of the committee would maybe have that kind of understanding.

I think a lot of it was staff, there's no question about it. These were a group of people that 25 years later, you still admire their work. And of course now, you saw it in the staff and the alumni of the staff. He had this ability, in a very short time, to reach out and get something started on the outside to help him inside. It was a magnificent alumni of people who were very well-respected in whatever else they'd gone on to do, but they've all remained pretty darn loyal to the Kennedys.

But he was really well-prepared. Sometimes he would be reading from a memo, but it wasn't the first time he read the memo. So he'd be reading it and he was almost buying time while he was collecting what he wanted out of the memo. But you see other people come in and they're reading a memo and they were surprised by the memo, some people who are listening to it. In most instances that was not him. He had been through this before and I think—I don't know if this is accurate, but I think, remembering, that there was a process in the office where they vetted all this. I don't know if that was accurate or not, but the way they really held a mock go-around on some of this, and if that's true, you could see that that was there, because he wasn't scrambling. Again, he would start to take control, because once it became clear to him that you weren't prepared, you were just bait.

**Heininger:** [*laughter*] That's a great way of putting it.

**Miller:** So the people around the opposition would start to peel away a little bit, because if you couldn't defend it—it's not that he won everything, but—

**Heininger:** No, but he could make people look bad for not knowing what they were talking about. You watched him for 35 years. If you had to rank his priorities in education, how would you do so? Did he care more about K-12, did he care more about college, did he care more about preschool, did he care more about disabilities?

**Miller:** I was thinking about this when he died. I was Chairman of the Resources Committee, then I came here. I wasn't the ranking member of the Republicans to go over, so I had more involvement in the IDEA [Individuals with Disabilities Education Act] or children with handicaps at that time, and then early childhood and Title I, and then I had the Select Committee on Children, Youth and Families so I was around these issues.

I really think that he just built on this core of what we would say, the civil rights, and so it all fit in place, and when the evidence started to mount, we knew Head Start, and that was certainly before me. We knew Head Start and we knew what we thought about it, but we weren't sure. These kids should try to be school-ready and we should try to develop their skills, and they were from impoverished families, if we could get at least mothers involved, and all that stuff.

But as the evidence started to mount that that made a difference—and the evidence really started to mount over the last 20 years of early childhood education and child development, I think—this is just me talking, but we saw it in the discussions—this was just all a continuum now, and he was right. From before birth you've got to pay attention during the pregnancy to graduate-school education. It was a continuum for him, and so whether children with disabilities got to participate or whether children that were poor got to participate or children of minorities or children that had special talents, gifted children. Where did they fit in? It was all the same issue.

**Heininger:** Not a believer in one size fits all.

**Miller:** No. I think this was all a part of whether or not they were going to have an opportunity to take advantage of America and all that it offered. I really think that's what it was, and education was one of those. You could make that same argument for his lifelong involvement in health care. If you didn't have good health, you weren't going to be able to do this, that, or the other, and I just think that's what it was. He would rave about some school in Boston, what they

were doing with poor children and what this school was doing or what that program was doing, what after-school programs were doing, and it was just about trying to improve the chances that any one kid would have the full opportunity to participate in American society. He just beat the drum big-time.

The last iteration was No Child Left Behind and k-12, but once we decided back in the first George [H.W.] Bush time we were going to have these world-class standards and we were going to all have them, then the question was: Were poor schools and poor kids going to have an opportunity? That question was never really answered—

**Heininger:** No, it wasn't.

**Miller:** So No Child Left Behind, in a very strange way, for two liberals you came away with saying, "Let's find out what's going on out there," because people were basically hiding their failures from the public, from parents, from mothers. You kind of laugh about it, you say, "What the hell are we doing here?" We were starting to get evidence that in certain schools, this exact population was learning like we expected and their parents probably expected and they would hope for. So we started this, "Well, then, why isn't it happening elsewhere, what's the ingredients in it?"

I think that's what we did in No Child Left Behind. Troublesome in a way, but again, he turned back to his civil rights groups, and by God, this idea that we would find out how each and every child was doing was not foreign to him. It was a little crazy, you know, because of where it was coming from, with [George W.] Bush and the very conservative side, but when we went through it, it was, "OK, are we going to hold hands and are we going to do this?" He just took it on and obviously got quite a huge amount of cover for me and whatever to go forward with confidence, because with a lot of consultation with the civil rights organizations and others, the fact was we needed this information. We had to find out, because we knew these kids. They were just being ignored, they were being shunned, and there was no accountability for what was happening to them. It was just the latest iteration of getting this disinclusion and getting people to meet their needs.

**Heininger:** What I'm hearing is that No Child Left Behind, from your perspective and from his, was more about "Let's get the data on these schools and hold them accountable, but let's get the data to really find out how these kids are doing."

**Miller:** Education Trust was starting to look at what's happening to low-income kids, what's happening to kids with a series of ill-prepared, ill-trained teachers—and certainly in my state of California, less so in Massachusetts, but to some extent, but maybe in Chicago, we had real problems. That's what it was. It was about getting the data.

**Heininger:** Do you have a sense that that's the way the Bush Administration viewed it?

**Miller:** I don't know. I don't say they didn't view it that way. To some extent, when President Bush talked about the bigotry of low expectations, people were sort of stunned and angry, and no one continued to be angry years later. I think for both of us that's exactly what we were talking about, and therefore if these kids couldn't learn, you had no responsibility to them. They could

learn; you just didn't meet your responsibility to them. We kept thinking and talking about what were we going to get out of this, what was going to happen with No Child Left Behind.

I don't want to speak for the Senator, but in our discussions it really became this is just going to be about turning the lights on and see what you know, sort of the sunshine effect, see what's going on here and try to hold people accountable. Not necessarily agreeing with the way we did it in the law, but holding some people in institutions and making somebody have political responsibility. At that time, Mayor [Richard M.] Daley had started talking about taking over the schools in Chicago, or had, and the question was, "Who was going to be responsible for this?"

To some extent, we didn't really answer the question, but I think when you look at it today, you find mayors who realize they can't get their city moving if they don't take responsibility for the schools. If they don't get better schools, they're not going to attract families and businesses and people they need, so those test scores mean something. They're not very helpful in terms of, to date, really improving the education. They have focused more attention, more resources, and I think we were thankful for that, and I think the Senator always believed that this was an opportunity to drive the resources that really lagged.

At one point, I was having trouble over here with liberals and he said, "You've just got to get Congressman [John] Boehner—" who was the Chair of the Education Committee on the Republican side—"you've just got to get him to give you the money." Boehner is a very conservative person. He said to the President a couple of times, "These reforms are going to be expensive. You've got to put up the money." The President said to us in at least two of the meetings in the Oval Office, where Senator Kennedy was just emphatic about, "If you're going to do this, you've got to give the schools the ability." He was really worried about the quality of testing, so in a sense he ran ahead of the game.

**Heininger:** Yes.

**Miller:** And the President said to him, "You four, you get me the reforms and I'll get you the resources." And of course he did for one year and then sort of backed out of that deal. But when we just couldn't reach agreement, he looked over at John Boehner and said, "It's just money, put up the money. We're going to get these changes, we're going to get you your accountability. We're going to get you your test scores, we're going to get you your reporting. Put up the money."

**Heininger:** But this was a very different way to put up the money than had traditionally been the case with Title I.

**Miller:** Right.

**Heininger:** Which was simply in essence block grants of a form that went into the—

**Miller:** Local districts.

**Heininger:** Yes. And the poor children in the districts, not in trying to actually pump it into schools to—

**Miller:** Get results.

**Heininger:** Get results, yes.

**Miller:** The idea was you'll know how to use this money best. And in fact what you saw over time, certainly prior to No Child Left Behind, you saw Title I becoming more and more disbursed. More and more suburban districts said, "Gee, you get this free money. If you have to have 80 percent poor kids, what about if you have 70 percent, then 50 percent, and down below 50 percent?"

One of the things I think Senator Kennedy agreed with but had a problem for Massachusetts was the reconcentration of funds, to sort of gather those, as President Bush said, to help the poorest kids in the poorest schools. That was always the intent, but people started dipping into it to pay teachers here and there, and the rest of it. And so we reconcentrated that money, which the Senator agreed with, but he was losing that population too out in Massachusetts, so he did one of his very famous hold harmless provisions, where no state would lose money, da da da. I think Massachusetts is probably still getting more money for fewer kids than anybody. But again, some people just have the ability to do that.

**Heininger:** How important were the [William J.] Clinton reforms?

**Miller:** They were a follow-on to Goals 2000, but they lost their courage. They couldn't take the pressures from the Governors. They were going to withhold money or they were going to do different things, and they just let the Governors run over the top of them and started getting exceptions and waivers. So you got to the Bush administration and things hadn't improved, and in fact, if you look at the progression, Goals 2000, the Clinton, what was it? Improve the Schools?

**Heininger:** Improve America's Schools.

**Miller:** You got to No Child Left Behind, what you're really seeing is what Bush the first and Clinton said, except we meant it, with the publication of test scores and the annual yearly progress and these systems we set up. Now you were on the hook for everything everybody said politically they wanted to do.

**Heininger:** Right.

**Miller:** But they just weren't doing it. They were taking all the money to do it, whether it was to improve teachers or whether it was to reduce classes. They were taking a lot of money, but they just weren't doing it.

**Heininger:** They were dissipating the effects of what that money was supposed to do.

**Miller:** That's what they were doing, and again, that's why I think the Senator saw this. At first, he looked at this and he said, "My God, you're micromanaging this, you're doing this, this is crazy." And then we realized, with the evidence that was being brought to us by big city schools and civil rights organizations and others, we may not like it this way, but the fact is, the money we're sending there isn't going for the purposes that we've intended now for 25 years. It's being

taken off by whatever the power structure to dilute the money that's going there, and obviously the impact of the money we think we're sending there. So I think there was a strong awareness of that.

There had been enough groundwork that was done prior to that No Child Left Behind authorization that I think most people thought, *What are you doing joining up with all of these conservatives?* But what was really happening was that we were making this a child-centered system, and before it had been a school-centered system, but nobody was asking the schools, "What are you doing for the kids?" I think that gave him a comfort level, and his comfort level gave me a comfort level. In the previous reauthorization I had tried to do some things around having qualified teachers in the classroom that were—I just got blown out of the water in trying to redirect the money to individual schools and make sure that they could control it. But none of that was working because there was no accountability for how those particular kids were doing, the Title I kids.

**Heininger:** Would it have gotten through had it not been for you and Kennedy? And I don't say that in a personal aggrandizement sense. I mean didn't it really require both you and Kennedy rallying, getting enough Democratic support to support something that was viewed as being pushed by the right-wing conservatives?

**Miller:** There was no question that we flew cover for this with the center-left crowd—and John Boehner flew a great deal of cover, obviously George Bush, with conservatives who saw this as a massive intrusion, with all of the testing, the reporting.

**Heininger:** A federal role.

**Miller:** Yes, a federal role. Both sides had to fly cover, certainly with the more left or the more right groups, but as the history is here, once Senator Kennedy puts down his mark, that's about as good as it's going to get on the left. You're watching that on health care, the whole question of a public option, the one that he insisted that the HELP [Health, Education, Labor and Pensions] Committee report out, and they reported out. It's not as robust as we would have in the House, but it's a struggle to get beyond what Ted Kennedy said was good enough. He spent his whole life doing this. It was a problem sometimes, but the fact of the matter is in reality, it wasn't, and when I say it was a problem, you think, *If we had held, we could have gotten this—*

It was never that far off the mark, but in that case, when he said that he was going to support No Child Left Behind, it was hard for the left to argue. There were people on the far left who were just as angry as they could possibly be, but that was true on the far right too. I think as it turns out, when you look back at No Child Left Behind, it got us some very important information. We got some improvements in closing the gap, because of the accountability, they were spending more time with poor kids and more resources with poor kids, which is what they were supposed to be doing for 50 years. And so we got some good results for kids, but the information now allows us to shape and allows President [Barack] Obama and Secretary [Arne] Duncan to do something like Race to the Top. They have some way of measuring what's going on, what's taking place. But yes, he could have walked out of those discussions and there would be no No Child Left Behind.

**Heininger:** My guess is you could have walked out and there would have been no No Child Left Behind.

**Miller:** I think I could have, but it would have been George Miller.

**Heininger:** It was an unusual constellation, though.

**Miller:** It was an amazing constellation. John Boehner and Judd Gregg are two of the most conservative people on the Hill, and you're dealing with two of the most liberal people on the Hill.

**Heininger:** Right. Shall we say that's an unusual combination.

**Miller:** That was very unusual. It took people a long time to get over it. Some people have never gotten over it. People realized after the fact that that constellation is what enabled it to pass. Some people remain angry to this day. We can argue all about that, but again, I think he saw this. Once we started looking at this as a child-centered, student-centered system, this all made sense and I think his conscience was clear, his sense of was this liberal or conservative or what have you really was nothing, that this data would speak for itself. It would tell us what these schools have been doing or not doing and how they've been treating these kids.

The kids in single digits were reading at grade level in fourth grade, single digits were reading at grade level and single digits in mathematics. How could America continue that? Well, they could, as long as it was anonymous, and this ended that and I think he knew that. I know he knew it; we talked about it. This was like *Butch Cassidy and the Sundance Kid*, grabbing and saying we were going to jump off this cliff into the river. Is this the smart thing to do? Are we right, are we right, are we right? And I think at the end of the day we decided we need to know what's happening to these kids and nobody was willing to tell us, except for this chance that Bush put forward.

**Heininger:** That's interesting, because I hadn't heard it described that way, but that makes eminent sense to me. You're talking about the changes in education reform over the past, say, 25 years. It's a very logical step from Clinton's reforms, attempting to bring in standards, which had never been there before.

**Miller:** Right.

**Heininger:** But no accountability. The Republicans being very concerned about accountability but less maybe about the data that they were getting, and yet what's come out of this, and I know because of the reports, is the data. That has never been there before. So where does No Child Left Behind go now? When do you think you're going to get the next reauthorization through? It's been stalled for what, two years?

**Miller:** Yes.

**Heininger:** As usual.

**Miller:** It's been stalled because with Bush still in the White House, we were more or less forced into the same straitjackets, the same mold, and it's pretty evident that that isn't sufficient. But they were, when we tried to do—in the House, we put out a discussion draft. It was bipartisan. The Bush Administration just blasted it and said, "You're just shredding the accountability." Before they left, they did a number of things that we wanted to do; it wasn't accurate, but we were trying to take it to the next place. Now with the new administration and with the Race to the Top, if it's successful in the next couple of months in terms of getting states and school districts to rethink how they're doing this, I guess I would say that there's a very real opportunity to make significant changes in terms of the role of the federal government, because if you do have the data, you don't necessarily need me to be sticking my nose in your business every day. The data will speak for itself, and the public will have to decide, and your school boards and others.

So we're really rethinking, what's the next iteration, what's it going to look like if California just signed the law over the weekend to require the matching of teacher data and student data, to see how teachers are performing and that sort of thing? I think that all is really breakthrough, will lead to better professional development for teachers. I think the emphasis now will be on teachers. We now see what's going on in the classroom and we see the difference between well-prepared, well-educated teachers and those who aren't.

**Heininger:** And the irony from a parent's perspective, it's so easy to understand because we all know who are the good teachers in the school and we all know which of the fourth grade teachers we want our children to be in their class.

**Miller:** People sell their homes and move to a new area, people join the PTA [Parent-Teacher Association].

**Heininger:** Right.

**Miller:** Everybody knows it except apparently the school board.

**Heininger:** It's a much harder perspective from that side than it is from the parent side, wanting to steer their kids into the class where everybody knows that's the best fourth grade teacher, hands down.

**Miller:** No question.

**Heininger:** No question about it. And then of course they tell parents you can't choose your child's—yes, well, some of us got around that.

**Miller:** I think it's set up in a way that you don't get to go back and ignore your obligation to poor and minority kids, and I think people now realize that in fact, the increased attention has made a difference, so they're willing to give them increased attention and resources. They've seen some connection here. Before, it was just the idea that if we spent more and more money, more and more money, and I think that in this case, the fights over money were for a purpose, because as we're now talking about, and what the Obama administration is talking about, and what the Senator always raised was you've got to have real quality assessments.

What we ended up getting stuck with in No Child Left Behind was this sort of multiple choice, true and false, that really doesn't tell you whether a kid understands the concepts or what have you. So I think how you would use some of the resources will echo things that Senator Kennedy was worried about: the quality of the teachers, the effectiveness of the teachers, the assessments on the theory that now is being discussed, that good assessments drive good curriculum, a broad curriculum.

He was always deeply concerned about the loss of the arts and music, that people turned to this rigid teach-to-the-test approach. Neither he nor I ever believed that that was what No Child dictated, and in many schools where people didn't kick out the arts they used music to teach mathematics very successfully, and other examples of that, the "drill and kill." It was just the wrong direction, and schools that started out the first four years drilling and killing started to say this isn't working, we need to broaden it.

**Heininger:** Do you remember the column that Mark Fisher wrote a few years maybe after No Child Left Behind was implemented? He went himself and took the Maryland Standards of Learning Test for, it must have been 11th graders, and did the Virginia one and was shocked at the difference in approach, how one was so much more creative and he really felt tested knowledge and understanding, not just drill and kill, which I thought was a very interesting raising of an issue. It's one thing to set standards, but how do you implement them and how do you assess kids on them?

**Miller:** So you now see this drive for—it would have been fun, I think, to have the Senator here for this question of internationally benchmarked standards, broader standards, because then we see the assessments that go with those standards are more open-ended. There are essays, there are projects, there are demonstrations of your skills, of your understanding. It's students working together to pass the test, to demonstrate their skills and understanding. That's what we see in the European communities, it's what we see to some extent in Singapore and elsewhere. So it would have been fun, because that was his concern and that's why he was so vehement at the President, that for states to develop good tests, good assessments, is really expensive. They're expensive to develop and they're very expensive to grade.

The President was yes, yes, yes, but he never fully comprehended what the Senator was saying. I don't believe I comprehended it, except that Massachusetts was already moving with more difficult exams and more comprehensive exams, so they were ahead of No Child Left Behind, and that was probably one of his comfort levels. And he just turned out to be so true, that when it came time to where people had to have the tests, they opted out for a test that cost 50 cents to grade.

**Heininger:** It's much cheaper to grade a multiple-choice test.

**Miller:** So we lost a lot of opportunity in the last eight years under No Child Left Behind, but we got a critical mass of data that now prevents us from denying the opportunity to the kids. It's always hard when you talk about young kids, because five years, if you're a young kid, is 80 percent of your life.

**Heininger:** Where did you disagree with him on it? Were there areas where you really didn't agree?

**Miller:** Nothing major, but we were doing the Longshore and Harbor Workers' Act and he decided he was going to cut a deal, that he was going to exempt the workers on offshore oil rigs from the impact of labor law, which entitles people to higher compensation because it's a dangerous profession. I won actually; I actually prevailed.

**Heininger:** He didn't have any off Massachusetts.

**Miller:** No, of course.

**Heininger:** You've got a lot out in California.

**Miller:** So he was doing something over here, and then if I would give this up, this would work. I'm not even sure I knew this was going on, because this was all about Louisiana and Mississippi. I mean, I don't deal with them. But anyway, I hung tight. I would say this, once he started. You'd get into negotiations and you'd be doing a bill, and sometimes I saw this before I was ranking member or the chair of the committee where I was just a member, and you'd be in meetings, not so much conferences, but in meetings. But once he started to see that the Rose Garden was coming into focus, boy, you'd better get your stuff done quickly, because that's about to leave the station, and then once he said this is it, you lost your ability to get your remaining things in the bill because Kennedy said we've reached that point.

I could argue that sometimes that shouldn't have happened, but it's not an argument of great defining principles. I would just see it sometimes and I'd say to the staffers, "Boy, we've got to accelerate all this, because I can see what's happening. He's now believing this bill is going to the Rose Garden, and now he's not going to let it *not* go to the Rose Garden." So it would change in midstream. He'd be the advocate. First, he'd start talking, going grr, grrr, and then when he got his children tucked away and his amendments tucked away, he starts thinking about that, and you could just sense it and then you'd know you're in a bit of trouble.

**Heininger:** Was he attentive to his allies, though?

**Miller:** Yes, amazingly so.

**Heininger:** Even if that Rose Garden was looming?

**Miller:** Some of that attentiveness was then to serve notice that this train is getting ready to leave the station, you guys, you've been at it now for weeks, so figure out what's important or not important. So there was that benefit to that too, and it would be almost that explicit in some cases, because he knew this could be resolved. Because there was now time, it wasn't being resolved.

**Heininger:** Yes.

**Miller:** So when he sensed that he was moving, that he thought that he and Senator [Orrin] Hatch or whoever had an agreement, forget our big bills, but even in the budget fights or what

have you, it was—you'd say to your kids, "Let's clean up the room because we're going to be going to bed in a half an hour, so let's get this done." [*laughter*] There weren't many people who could do that. Maybe the Speaker of the House or the Leader of the Senate or something. His opposite, his ranking member, his Republican member of the committees, could sense that this game is about to end. That's a tough thing to do around here, because it's hard to get that kind of deference. But he was a Kennedy, he was Ted Kennedy, he was the lion of the Senate.

**Heininger:** Were you fond of him?

**Miller:** Oh, yes. I really admired him. I thought I could always, always learn from him. He would be the first to say, "We should talk about this. I'll come to your office tomorrow at 10:00." I'd say, "With your back, why don't we just—I'll come over there or we'll meet in your hideaway." And he'd say, "No, no, I'm coming." And I'd think, *Jesus, that was a pretty nice compliment.* I know it's a strategy too, and all of that, but he never really stood on who he was or what his power was or what the disproportionate arrangement was.

[BREAK]

**Heininger:** This is a resumption of the interview with George Miller.

**Miller:** You'd be a fool to try to establish an equivalency, because we all realized that he was one of a generation, one of multiple generations. I mean, he was here and wore so well over that time, but he never established a lack of that equivalency with his friends or people he respected.

**Heininger:** I got you. Yes.

**Miller:** That was to me always amazing because in this place, so many people, the minute they think they can do that, that's what they want to do. He never did. So I probably thought I was a hotter shot than I actually was, but I'm saying you would be a fool to try to think because I'm the chair of this committee and he's—it's just never going to work that way. That's history, son, wake up. But he never did it the other way. He never said, "I'm the Senator, you come over here," and that happens all the time.

**Heininger:** Yes, I know.

**Miller:** Not him. He'd show up and he'd laugh. There was so much to be admired, and to watch him work. He had a lot of resources; he was a Kennedy. He'd go into the hideaway, and the first time he walked John Boehner around, talked about the *Honey Fitz* this, and that and that, and this came from—I'm thinking, *This guy, he's going to own him in another five minutes*. Then he'd come down here and look down the wall and remember this about the family and about his brother, Jack [Kennedy]. And I'd think, *Son of a gun, look at this.* [*laughter*] Oh, God.

**Heininger:** You're going to miss him.

**Miller:** Oh, miss him, believe me, I can't tell you. He's always been there, from my funny little public event in 1974 to his death. You could pick up the phone and you could sound it out, you could scheme, and he could deliver. And you know, when you see all this about what the Senate can't deliver, can't do, and all the obstinacy and the 60 votes, how this has evolved to this position where it's almost paralysis, who would go cut the cords? That's a big deal. It's going to get bigger, too. I don't know who emerges.

I'm not passing judgment on anybody, but this was a force. This was an amazing force of huge—his compassion, his gentle moments, his kindness. It's so well-documented, but it was also present in the adversarial battles here, and I think that's what always—I try to be a good observer and as I say, I used to go to the conference committees when I didn't have to, and he'd say, "What are you sitting here for at midnight?" I did it on the House. I used to go to Congressman Phil Burton's office almost on a nightly basis just to sit and listen. He would bring all of that.

When they had the convention, when he had his night there, his birthday I guess it was, the orchestra, that's the first time I saw that. Then I was thinking that's kind of how he did business—a little more over here you know, on the left, bring up the right, get me the Midwest, and you know. It was just like—and that crazy smile and laugh and fun. He could move that many pieces. Most of us just don't have the ability to move that many pieces in sequence.

**Heininger:** How could you have possibly thought that you didn't have much to add to this project?

**Miller:** I don't know.

**Heininger:** This is absolutely marvelous.

**Miller:** Oh, you're nice, thank you.

**Heininger:** No, this is marvelous. I know your time is very limited. I am very grateful that you—

[BREAK]

**Miller:** This is going to put it all together. Those damn dogs.

**Heininger:** Yes, the dogs.

**Miller:** So we're in this meeting and we're explaining—it's right by the entrance to the Capitol, where you go into the Senate Chamber and there's a room. So the Senator and I are sitting at the table, faced in kind of a U-shape, and then the members of the committee, Senator [Thomas] Harkin and Senator [Hillary] Clinton, [Paul] Wellstone, they sit there, and then Paul Wellstone just decides this has all got to stop. "You guys have gone too far. You're wrong, you're completely wrong," and starts building and he stands up and he starts pointing at the Senator like this, as Paul could do. And Jesus, Splash just charges across the room, jumps up, and starts

[*imitates dog growling*], like this. Everybody looks like this and then there's a little bit of laughter and Senator Kennedy says, "I told you your ideas were no good, and even he knows it." [*laughter*]

**Heininger:** That is, hands down, the best of his dog stories I have ever heard.

**Miller:** Jesus, Wellstone was—because Paul wasn't very tall.

**Heininger:** I know, and he would get kind of agitated.

**Miller:** I thought the dog was—it was just [*growls*] like this, and when Kennedy didn't call him off for a second—[*laughter*l]

**Heininger:** That is just wonderful.

**Miller:** Yes. Thank you for the opportunity.