EDWARD M. KENNEDY ORAL HISTORY PROJECT

INTERVIEW 2 WITH SHARON WAXMAN

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Interviewer
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TRANSCRIPT

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May 11, 2009

Young: This is May 11th, a follow-up interview with Sharon Waxman, in the Senator's office in the Russell Building. We've had a long talk in advance, and the more you've said, the more fascinating it has become to me. It's clear that we have a considerable agenda yet to cover. We'll see how much we do today. We have three subjects that we've talked about, and you can begin with any one.

Waxman: You're in charge.

Young: OK. Why don't we talk first about the Cultural Bridges program, the Kennedy–Lugar initiative? Tell us what that is and how it came about.

Waxman: Cultural Bridges is a program that [Edward] Kennedy and [Richard G.] Lugar started after 9/11. You should know that the State Department calls it the YES Kennedy-Lugar Program. The idea of the program is to bring high school students from Islamic countries to the United States for an academic year of study. The thinking is that these are people in their formative years and there's no better way to teach people about America than to give them an opportunity to spend a year here studying in our high schools. The idea for the program started in January, 2000.

After the attacks on 9/11, we spent some time preparing for and debating the war with Afghanistan—in September, October, and November. In January, the Senator, as you know, has a tradition of speaking every year at the National Press Club. That year I wasn't writing his speech, although I did later write some of those speeches. I was asked for some ideas for the speech, and it seemed to me that—

Young: He asked you?

Waxman: Yes. One of the ideas that we talked about including was calling to expand people-to-people contacts to Islamic countries. I asked someone who was doing some research for me to take a look at exchange programs and analyze what they look like at the federal level: where we're sending people, where people are coming from—Asia, Africa, Europe. I just wanted to see an overall pattern.

A wonderful Congressional fellow, Louise Woodruff, who went on to get her PhD and is now at the State Department in the Historian's Office, put together a very comprehensive analysis. What really jumped out at me when I looked at the data was that most of our exchange programs were

with countries is Europe and Asia, and when I looked at the section on the Middle East, there was virtually nothing. I thought, *Ah-ha. Let me try to include it in this speech*, because obviously it is important for him to have something broad to say about the topic. I don't even remember if it was ever included in the speech. But from that document that Louise put together, it was very clear to me that this was an area that was really ripe for some sort of policy initiative.

Young: And we were in Afghanistan.

Waxman: We were in Afghanistan. You remember what it was like in this country. We were at war in Afghanistan. The Patriot Act was being signed. People were really fearful. They didn't understand Muslims, they didn't understand Islam, and fear was the operative word in the Capitol and in the nation.

So we started to look for some ideas. I knew there was a program that brought high school kids over to the United States from the former Soviet Union, and looked at that program as a model. It seemed like it would make sense. I sent a note to the Senator and I said, "I want to talk with the State Department and some Ambassadors from the region, but conceptually, what do you think about creating a program that parallels the program with the former Soviet Union, for Islamic kids? There are a hundred reasons not to do it. People are going to argue that they're all terrorists, that we should be closing our borders, that this is not the time, that the curriculum is not going to match up, and you're crazy to think about bringing what will be identified as young Muslim terrorists, into the country." Obviously, all of that would have been hyperbolic. That would have been the argument on the other side.

He said, "Great idea." I said, "Maybe we should see if Lugar is interested," and he said, "Great idea." I went to Lugar's staff with a precedent of the established program with countries from the former Soviet Union, and they were very interested. We subsequently had a meeting with the State Department, but they were very lukewarm.

I should also say that I had talked to our immigration counsel, who identified a way to try to give some comfort to those people who would be concerned about the immigration side of the equation. She walked me through the existing procedures for screening out would-be terrorists. You have to be careful, obviously. As I said previously the State Department was pretty lukewarm. Then I had a meeting with a group of retired American Ambassadors who had all served in the Middle East, and I asked, "What do you think of this idea? The State Department is kind of lukewarm, but here's the argument for it." They thought it was fantastic and they said, "If you build this program, people will come. There is enormous demand for it, and it's really useful." They believed there's no better way to help people understand America and American culture and values and ideals than by bringing them to this country, particularly when they're 16, 17 and 18.

I went back to the Senator and I said, "Here's the reaction. The State Department is lukewarm. The Ambassadors are very supportive." He said, "I'm going with the Ambassadors. Go for it." We spent a couple of months putting the legislation together. The Democrats were in the majority then. We went to Senator [Patrick] Leahy, who was the chairman of the subcommittee that funds the State Department. His staff thought it was a great idea. Leahy thought it was a

great idea, and he put money in the Foreign Aid Appropriations bill for the State Department to manage the program, and that's how the program got started.

I had another [Congressional] fellow from the Department of Defense—We use a lot of fellows in the Kennedy office—working on this proposal. This wonderful woman, Barbara Teraji, had to source everything and outline and rebut every possible argument against the proposal. To prepare, we told her, "You need to envision a situation where the Senator is on the floor having a debate over this bill. Even if it never comes to fruition, you need to anticipate every argument that could be raised against the idea. Make sure we have every single document from the State Department on the existing program, because you only get one shot when you're on the floor with members arguing against the proposal. We need to be able to cite the specific provision of the Immigration Act that screens out terrorists. We need to be able to cite the regulations for the existing program to show it can be done—that there is a precedent. And most importantly, we need to put together a document outlining every argument against the program, and rebutting these arguments." She kind of looked at me stunned—It was a tall order but she did it. And it was a good thing we were prepared.

In the conference meeting on the foreign aid bill that year we had to get the House Republicans to accept this Kennedy provision from the Senate bill. It was right after 9/11. The House Republicans were really giving Leahy's staff, Tim Rieger, a hard time. "How can we do this? Terrorists-this, that." Tim took the document that my fellow had put together—I don't remember how many pages it was, probably 15 pages of arguments and rebuttals—and he threw it across the table, and said, "Sharon has already thought of all those questions. Here are the answers." I'm told—I wasn't in the room—that the Republicans on the House side, who know me because I used to work for a member on that subcommittee, sort of shrugged and said, "OK, we'll take the language." And so the program was funded.

The point is—and Kennedy knows this and everyone on his staff knows—that you really have to be prepared. There's so much that happens in the Congress that never enters the public debate. This is a good example of that quiet—and essential—preparation.

Young: Did this come as a separate legislation or did it come through being put in another bill?

Waxman: It came both ways. We were working with Senator Lugar on the Foreign Relations Committee to get the authorization approved, but we have this dynamic in the Congress where the Appropriations bills go through every year even without authorizing legislation, so we dual-tracked it, and we ended up getting the funding in the Appropriations bill for the program without authorization. Lugar's support was essential to accomplish the goal.

Young: Was there significant opposition on the Foreign Relations Committee?

Waxman: No. I don't even know if the Foreign Relations Committee as a whole was particularly aware of it.

Young: Was there any significant fight on the floor?

Waxman: There was not a fight on the floor, but there would have been a fight on the floor if Leahy hadn't included funding in his bill. I assume some of my colleagues have talked about

this. It's always easier to put the burden legislatively on the opposition to strike something from a bill than it is to add it. It's much harder to add it on the floor of the Senate. On the floor it's very hard because everyone's looking and watching. The Parliamentary rules are tricky. Money needs to be cut from another program to fund the initiative. So the best place to be is having a provision included in the bill when it comes to the floor, and that's where we were. The Democrats were in the majority.

Young: How were the students selected?

Waxman: They were selected by the State Department. There are lots of organizations, NGOs [Non-Governmental Organization], who work with the State Department on cultural exchanges, and they're very carefully vetted. We did not want to just bring over the elites, so those who needed a little more English language training could get some training over the summer before the program started so they would be up to speed. They were selected very carefully. It's very competitive.

We're in the sixth year of the program, and already about 3,000 kids have participated. Senators Kennedy and Lugar meet with them every year. We have a big reception for them, and it's just an incredible moment. It's hopeful. These kids are smart and eloquent, and the Senator really believes that these are the future leaders. You can see that. And they really learn about this country. We had one kid from Afghanistan who was in Boston for the year.

Young: You sent me his picture.

Waxman: Yes. He is just one of 3,000. He came to Boston, and I remember the meeting he had with the Senator. Here's this kid from a village near Kabul, and he's going on and on and on about the Boston Red Sox. He loves America, loves the Red Sox, didn't know what baseball was before he got here, and now he just can't get enough of baseball. So the Senator went back to Boston and got him tickets to a Red Sox game. Afghan President [Hamid] Karzai also was in Boston speaking, the year that this student was in town, and the Senator got him invited to meet President Karzai while he was in Boston, which speaks to Kennedy's personal touch.

Young: Sure.

Waxman: He just knows what to do.

Young: This is an ongoing program?

Waxman: It's an ongoing program every year.

Young: And the students are here for how long?

Waxman: They're here for an academic year, nine months. They're placed with American families and they live with the family for a year. Their host organizations, the NGOs, and the State Department keep in contact with them. By all accounts, it's really a remarkable program.

I was in Saudi Arabia last year, and I made a special point of meeting with the students who had participated in the program. It was particularly poignant, not only because I had been so involved

in creating the program, but because the meeting was in Jeddah, Saudi Arabia, which is where [Osama] bin Laden is from. I remember sitting in a café, talking with these Saudi high school students, who were telling me stories about their time in America and how misunderstood they thought Saudi Arabia was. Because Bin Laden came from Jeddah, you know? They told me about young American high school students who think, *Oh, my God, you're from Saudi Arabia where Bin Laden is from. You must be a terrorist.* They were telling me these stories, which were very chilling. It's tough. Now they have friends in cities in America and these American kids have contacts in the Middle East, in Saudi Arabia and in the town where Osama bin Laden is from.

Young: They are here now, some of them?

Waxman: Oh, yes. There's a group of probably 300 who will be leaving. They come in June, and they have a big reception every year and it's really lovely.

Young: So they're coming in, and the current group are going?

Waxman: Right.

Young: They rotate. You tracked down the address of this student now in Kabul?

Waxman: Well, someone asked me, for the oral history.

Young: Yes. I thought, *Why don't we talk to some of the people who Kennedy has helped, who have benefited?*

Waxman: Right.

Young: There are plenty of them in Massachusetts, but I thought, *Why not get some people from abroad?*

Waxman: The group is coming on June 7th, I think, and it would be a large group. Most of these kids probably don't know the history—They don't know how the program was started. They know they had a great year in America. Do they know that Senator Kennedy and Senator Lugar started the program? They will by the time they leave.

Young: I was wondering whether it would be possible to talk to somebody in the group after they've had the experience.

Waxman: Well, this student in Kabul, for sure.

Young: Oh, he's here?

Waxman: He's back in Kabul, but there are kids who are here. We could track a few down for you to talk to.

Young: My wife is an anthropologist, so she has been doing a lot of work in that part of the country.

Waxman: Interesting.

Young: She said, "I'd like nothing better than to go to Kabul."

Waxman: There's a group here now. There may be kids in Virginia. We could make it easy for you.

Young: I wonder if there are any.

Waxman: Well, why don't we talk about that? You can tell me what you want and we'll figure it out. That's what we do here, right?

Young: We have some friends, one of my students, who went with the IRC [International Rescue Committee] when he graduated, from Afghanistan.

Waxman: To me, this program is important—in part, because of the timing, as we were talking about before. At a time when the nation was fearful, Kennedy was reaching out and looking beyond the fear, saying there's a better way, there's a more hopeful way, there's a stronger way in the future. It says a lot about him, to be willing to go out on a limb a couple of months after September 11.

Young: Was he involved in the democracy-building efforts in these countries? Not in the private sector.

Waxman: In Iraq, for sure. Did we talk about this?

Young: No, we didn't.

Waxman: Oh right, absolutely. One of the many ironies of the [George W.] Bush administration's policy in Iraq was that there was not sustained funding for democratic institution building. One of the many rationales for the war was democracy, and yet the budgets did not adequately fund the non-governmental organizations that were working on democracy in Iraq. I remember this clearly. Kennedy put the money in the budget for democracy programs in Iraq. To this day, people stop me in the halls, Republican friends of mine, and say how ironic it is that Ted Kennedy, who opposed the Iraq war with every bone in his body because he believed it was wrong for our national security, is the one who is funding the democracy programs in Iraq. These are people from the International Republican Institute (IRI), which is the affiliated with the National Endowment for Democracy and the Republican Party. It does great work. The National Democratic Institute, Ken Wollock, was also deeply involved.

Young: Madeleine Albright.

Waxman: Madeleine Albright and others. These might be interesting people for you to talk to about that, particularly from the Republican side. This was a floor amendment.

Young: Do you remember when?

Waxman: What year would that be? I want to say 2005. All of the democracy groups were running out of money for democratic institution building. They were about to turn the lights off. I remember calling the assistant secretary in the Bureau, saying, "You've got to release this money," because they're issuing pink slips, they're closing the lights, they're going out of business and we can't let this happen. No one would let that happen to the military. The NGOs supporting democratic institutions are on the front lines too. They were working in the red zone. Things have changed since that time. They've lost some workers and they've contracted a bit, but at that time most of the democracy groups were working in the red zone. They had no more money.

Young: Well, the security situation at the same time just made it very difficult.

Waxman: Well, yes. That was an issue for the democracy groups. But in terms of the policy, the strategic objective from the administration If the goal is to build democracy, it's not possible to do it without properly funding the democratic institutions in the country, and that's what IRI and NDI [National Democratic Institute] and all of the NGOs were doing at the time. I remember I got an email from someone who was in the Republican Institute, who said something to the effect of, "I can't thank you enough for helping us stay in business and do the important work we're doing over here." This is Republicans to Ted Kennedy. How crazy is that? So that was an important part of his work.

Young: How did this come to his attention?

Waxman: That's a good question. My recollection is not clear, but it probably came out of one of the hundreds—what felt like thousands—of meetings I had with people to talk about the war. I remember going over to one of the institutes—NDI or IRI—for a video link, to talk to the people on the ground in Iraq, which we always find very useful in this office. It may have been raised there, but it also may have been raised with one of the staff at one of the institutes. I really don't remember where, but I remember when I learned about it just being struck by how wrong it seemed. You have these moments where you say to yourself, *Someone ought to fix that*. And there you are, in a position to actually fix it, so I did.

Frankly, I remember bluffing a little on that one. Now I can say it on the record. At the time we were trying to get the amendment through on the floor, the Senator was on his way out of town, flying up to Boston. I remember talking to the Republican staff on the Senate floor, saying, "Kennedy's coming down to the floor, so we can either agree to this amendment without a vote, accept it and have it be over with, or we can have a debate and vote on it, and I'm sure we'll win. So it's just a question of how much time we're going to take." He didn't call the bluff. They accepted the amendment without a roll call vote, and I think the Senator was already on a plane somewhere. [*laughs*]

Young: Tricks of the trade.

Waxman: Tricks of the trade.

Young: Why don't we talk about the Iraq refugees?

Waxman: Yes.

Young: Unless you have something more to say on that.

Waxman: I don't think so.

Young: OK. Doing right by the people who helped us in Iraq. There's a larger issue of the displaced people in Iraq, who also have gone to Syria and I don't know whether that's within the ken of this general subject, if there was a specific program for bringing to this country people who want to leave and who have helped our troops and our contractors.

Waxman: Right. That's the program that the Senator created last year. That's the end of the story. It's hard to remember where the story began. I think it began during debate over whether Iraq was in a civil war—which the administration denied—and a sense that if you really want to know what's going on in a country, you need to talk to the refugees. Remember, in the Iraq war we had parallel realities. We had the administration saying one thing, and that was spin, gloss, everything is fine, happy talk, when everyone knew, on the ground, that things were really not fine. The administration said Iraqis were liberated. Yet, millions were displaced and homeless and being killed daily. The administration said there was no civil war, yet violence continued to escalate. That's how some of the interest was spawned.

The Senator was, at the time, the Chairman of the Refugee Subcommittee on the Judiciary Committee. From my perspective, I really wondered what these refugees who are on the ground were experiencing. I also knew that the U.S. was not accepting many Iraqis as refugees. We wanted to talk to them but there were not very many here. The number 1,608 jumps out in my head. That was the number of Iraqis who had come to the U.S. in early 2006.

The more we looked into it, the clearer it became that there was a reluctance and refusal on the part of the administration to bring these people over as refugees, because recognizing Iraqis as refugees would be an admission of a policy failure. The legal definition of a refugee is someone who has a well-founded fear of persecution, and it was hard for the administration to argue that people who were living in a country that was "liberated" from Saddam Hussein's grip were actually persecuted. That was just a really tough pill for them to swallow. You saw it on the ground, on the resettlement side, and also in our response in the region, in terms of assistance. A lot of Iraqis were displaced internally, as you said, and millions were fleeing to Jordan and Syria, yet the administration's response was, "Everything's fine." The Senator thought that was really wrong.

Young: So there were two kinds of populations that we're talking about here. One is the people, individuals and their families, who had helped as translators or whatever, who had been with the troops or with a contractor, and who had helped military operations.

Waxman: Right.

Young: Another were the displaced people. That was another target population, beneficiaries, the people who went across the border. We were not admitting them either.

Waxman: Right. In many cases it was all of the above. There were Iraqis who might have been associated with the United States, who would have either worked in the Embassy or with the military as a translator, who would flee to Jordan or they would flee to Syria. At the same time,

there were Iraqis in Jordan and Syria who may have felt they had a fear of persecution, who may have never worked with the American military. And then there were people who might not have been working for the military but maybe had been a driver or carried water to the military. Anyone who touched the American military was a target.

The Senator felt strongly that the U.S. had an obligation to all of these people. If it hadn't been for the war, the massive displacement probably wouldn't have occurred. There had been some displacement before the war, to be sure, but the massive displacement really was a result of the war. The U.S. had an obligation to all of them, but we had a particular obligation to those who the Senator always said had a bull's-eye on their back because of their association with the American military and government.

This picked up speed after the 2006 election and reflects the classic Kennedy approach, where he's way out in front on an issue. On the war, he was really out in front taking what at the time was a pretty gutsy position, although refugees obviously are not in that category. He had staked out another position in 2005, arguing that we needed to have a timetable for withdrawal. We needed a political strategy, a military strategy, and if we wanted Iraq to succeed, we would have to loosen the grip a little bit and let the Iraqis begin to make decisions. Without a timetable that would not happen. I think the line in the speech was that, "We can't forever be the potter that sculpts their future." Again, at that time, people were just very worried that he would press for a vote on a timetable before the election, and they did not want to vote. *Oh, God, there he goes again*.

Young: The pot is broken and the thing is to fix it.

Waxman: Well, I think that was the line. You know, "We broke it, but they need to fix it." Once the Democrats won the election, and the Senate was controlled by Democrats, they were moving toward the timetable he had outlined and which no one wanted to discuss. Obviously, Kennedy was now going to be involved in all of those discussions.

Young: This is the last midterm?

Waxman: The 2006 elections. After that, in 2007, the Democrats were in control and we started the negotiations over the language that the Democrats were going to put forward calling for a timetable for withdrawal of U.S. troops. The Senator was obviously very involved in those discussions, but he could look beyond it. this is when he started to really push the refugee issue.

Because it really was a crisis. The Samarra bombing had happened in February, and it resulted in massive displacement. It was an issue that really needed leadership, and there was no one better than the Senator because he had decades of experience on refugee policy. He was the Chairman of the Refugee Subcommittee, and he was willing to take the time to devote to the issue.

Young: The State Department was sort of sitting on its hands.

Waxman: It was just not a priority. Shortly after the election, I remember feeling really frustrated by this issue because it was something that just was crying out for attention and leadership, and no one was doing anything.

Young: The UN [United Nations]?

Waxman: A little bit, yes. The UN would be the one that had the burden on them.

Young: They would run some of the refugee—

Waxman: In December I talked to the Senator and he agreed that we ought to start focusing on this. We came up with this idea of having an international conference through the UN to focus attention on it. a conference could not solve the problem, but it could elevate the issue, and he said, "Great idea."

Before he went public on it, my advice was to test its feasibility. We went up to New York, met with Ban Ki-moon, and gave him a memo outlining what the parameters could be. Kennedy talked to Secretary [Condoleezza] Rice. He talked to the High Commissioner for Refugees, who said, "I want to talk to the host governments, the Jordanians," because it's all very sensitive. The High Commissioner for Refugees works in these countries as a guest of the Government, and they have to be very careful. Anyway, long story short, it took several weeks, and then everyone started to coalesce around "yes, this is a good idea."

Some time in late December, very late, December 29th, the Senator had an op-ed in the *Washington Post*, which argued that we have a moral responsibility and a strategic interest in addressing this issue. It called for a high-level conference and for the U.S. to explore this issue and dialogue with Syria.

I've been to Syria twice and I have had meetings with the Vice Minister of Foreign Affairs. We have had a dialogue. It's complicated, to be sure, but we work well on refugee issues. I've been in the Ministry of Education, and I've been in the Ministry of Foreign Affairs. I've been in the schools, and I've been in the country, and I see what the situation is like on the ground.

Young: Was it refugee business that took you over to Syria?

Waxman: Oh, yes. Syria and Jordan on the first trip, and then the second trip I went to Iraq to oversee the in-country refugee program the Senator's legislation created and to see how it was working. Ambassador [Ryan] Crocker invited me to come over to see how things were going. Ambassador Crocker was an enormously helpful ally.

Young: He was very strongly for this.

Waxman: This wouldn't have happened without Ambassador Ryan Crocker. He was very strongly for it.

Anyway, in January, right after the Democrats took control of the Senate, the Senator was working with the leadership, with [Harry] Reid, on the timetable strategy, the big Democratic strategy, and we had a hearing in the Judiciary Committee on refugees. The context was years of hearings in the Congress with the Republicans in charge, so all of the witnesses were—It was all stacked. It was all administration officials and there was never any alternative voice. Before we set up the hearing, we had a meeting with Ken Bacon and Jean Kennedy Smith.

Ken is a brilliant advocate, and she had been out to the region talking about the crisis. I remember thinking, *Boy, wouldn't it be spectacular to make the point and to underscore what Senator Kennedy always says about how refugees vote with their feet?* If you really want to know what's going on, talk to the refugees. Wouldn't it be really interesting for the American public to have an opportunity to hear right from these people? So I looked at Ken Bacon, who is the head of Refugees International, and I said, "Ken, can that be done?" And he said, "Oh, yes, of course." He probably, at the time, had no idea if it could be done.

Anyway, Janice Kagyutan, who works on the Judiciary Committee, worked with a group and we got a refugee who came and testified. The refugee wanted to do it in a way that wouldn't put his family back in Iraq in jeopardy, so he was testifying behind a screen and it was fairly dramatic.

Young: This was after the UN report?

Waxman: This was before the UN conference.

Young: Oh, so you were building attention, elevating attention?

Waxman: Right. We had the private meetings, which is sort of classic Kennedy, with the Secretary, the UN Secretary General. In that meeting we spent more time talking about President [John F.] Kennedy than anything else, which is a whole other story. We found—and framed—a picture of the Secretary General meeting President Kennedy when he was a student in the U.S. We met with the High Commissioner for Refugees, and then placed the op-ed in December sort of laying the groundwork, and then held the hearing in January.

The other person we had testify at the hearing, also to make the case, was a soldier, [Zachary J.] Zack Iscol, who had served in Iraq, and who was passionately devoted to getting his translator out of the country. It may not sound so dramatic, but we had had years of colorless, faceless hearings, with administration officials saying everything was fine, and then Kennedy brought in real people who could talk about their experiences in a human way. We also had Ellen Sauerbrey, who was the Assistant Secretary for Populations of Refugees and Migration at the State Department at the time. So we had the administration perspective and then the human perspective, and it was very powerful.

After that, the Senator introduced legislation. The first challenge was to increase the number of translators who could come to the U.S. as special immigrants. There was a program that existed, but it had been capped at 50. We raised the cap from 50 to 500, and even doing that was incredibly hard. The next big proposal that the Senator introduced was legislation to require an in-country refugee processing program in Baghdad, which was fairly cutting edge. Refugees are usually not processed in-country, because if you're fleeing persecution as a refugee, you're over the border outside your country of origin. But the Senator said that this specific category of people, those who have an association with the U.S., should be processed in country. That's where the U.S. Ambassador to Iraq, Ryan Crocker, was very helpful. He agreed. This was all done quietly. He and the Senator spoke several times.

Gordon Smith, who is no longer in the Senate, agreed very early on to cosponsor the legislation, so it was bipartisan, which made an enormous difference. I don't remember if I talked about this the last time, but I remember at one point we had a press conference with Senators Kennedy,

Gordon Smith, and Joe Lieberman. Senator Lieberman, who supported the war, was a huge help on this legislation. David Keene, who was the President of the American Conservative Union, and Grover Norquist joined too. Having all of these people in a room together working together on an issue was pretty incredible.

Young: Yes.

Waxman: Especially when you realize how—If you put it into the larger context, it was a really, really contentious war. Senator Kennedy and Senator Lieberman didn't agree on anything, except that they would usually disagree about the war and now they were together working on this really critical issue. It was actually really a nice thing, that we could find common ground.

Young: What was the opposition? Was there a lot of it?

Waxman: That's a good question. Some of it was ideological, this big question of how can you accept these people as refugees? They are liberated.

Young: Also because they're going to be terrorists?

Waxman: There was clearly a lot of that from the Department of Homeland Security: "These people are potential terrorists and we don't know who they are, and we're not going to let them in because they're Iraqi." Even in Iraq we didn't trust the Iraqis. So that piece of it was very complicated. The Department of Homeland Security had instituted double-layered screening procedures that no other population would receive. Screening is absolutely necessary. People argued that it was excessive. That was the opposition. Others wondered, if all of these people leave Iraq, who is going to rebuild Iraq? Sort of a brain-drain argument.

Some of it was just bureaucratic. It was slow and complicated. But the good part of it is that after a lot of pushing and prodding and kicking and screaming and hearings and newspaper articles and op-eds and legislation and contentious drafting sessions, the Senator changed the law and saved lives. It's hard to think of another significant piece of legislation on Iraq that was approved during the war. There is now an in-country refugee processing program in Baghdad. The numbers of Iraqis coming to the U.S. have increased from 1,607 to thirteen or fourteen thousand each year. Now, those people are not all coming from Baghdad. Some are coming from Syria.

The administration appointed a Special Envoy, Ambassador [Thomas C.] Foley, who really worked very hard to bring those numbers up. It's very challenging to have a processing program in a country like Syria. It's very difficult. We have no Ambassador. Relations between the Bush administration and the Syrian Government were very contentious, and most of the Iraqi refugees were fleeing to Syria.

One of the many ironies of the Iraq war is that Syria ended up being the safe haven for the persecuted, for the million-plus Iraqi refugees, according to the UN. Ambassador Crocker hired a really dedicated Senior Foreign Service Officer, Richard Albright, who was the Senior Refugee Coordinator, a position that was also mandated by the law, to stand up the program. He was in Baghdad. He's since left. It was really an extraordinary effort.

But even with all of that work and the law requiring it so may challenges remain. I was in Baghdad in November, and they've done an incredible job. But you see the conditions that these people working in the refugee program are operating in, and then compare it to the regular facilities for the consular officers in the Embassy, and you just see that it isn't a priority. The refugee staff are working in little offices. They don't have enough staff. They don't have enough interviewers for the refugees. I think it's gotten better, but the [Barack] Obama administration has a lot of work to do to build on this program. It's just not really operating at full capacity.

Young: There were some hearings held, weren't there, on the progress?

Waxman: Yes, there have been hearings. Senator [George W., Jr.] Casey had a hearing. A lot had changed since the early days when Senator Kennedy was in the wilderness on this issue, as a lonely voice, but again this is not as contentious as the war. It was just a hard slog with the Bush administration, which believed Iraqis were liberated, not persecuted.

The UN conference was a good start. It really helped to galvanize world opinion. The diplomats' reaction to Jordan demonstrates how complicated the issue was. I remember being at the conference, sitting around a dinner table afterwards, with Assistant Secretary Ellen Sauerbrey and the senior diplomats. They thought the conference was a success because the Jordanians showed up. The Jordanians at that point didn't want to acknowledge that there was a refugee problem in their country. There were two things: that the Jordanians showed up, and that the Iraqi Government pledged $25 million for the problem, and this was enormous success in their view.

Meanwhile, there was no commitment from any country to resettle Iraqi refugees. There was no clear commitment from the U.S. Assistant Secretary Sauerbrey talked about resettling as many as 7,000 at that time, but there was nothing really firm. A lot has changed since then. When you look back, it seems so easy, but when you're there, you think, *This is a success*? *That the Jordanian Government showed up?* They were so happy.

And these are good, smart, thoughtful people. They're very hard-working and well-intentioned people. It just was a very poignant reminder of how much work really needed to be done. I remember Ellen Sauerbrey looking at me because I was so quiet during the dinner, and asking, "Well, Sharon, what do you think?" I said something very simple: "You know what? The conference was very useful and obviously it's a good start. My concern is that the needs are so enormous and the response is so painfully slow." I didn't think it was anything to write home about. There was so much work to be done. So we did it.

[Break]

Young: We're resuming the Sharon Waxman interview, and we're turning to the topic now of Iraq policy. One question we might start with, if you'd like to, Sharon, is what need the Senator felt for getting more information very early on, once it was clear this was going to be the

administration policy, to go to war. How he got prepared, what he needed, and where he started with informing himself about it.

Waxman: I would say overall that his need for information was really insatiable. He wanted every piece of information before it was available. He was so personally and deeply committed to stopping the war, and later ending the war, that he just had this insatiable appetite for information. He always wanted to shape the policy debate in any way possible.

I said in our last discussion that when we started this no one knew anyone who knew anything about Iraq. That was true not only in this office but everywhere. The Senator said in one of his speeches that our greatest failure of intelligence in Iraq was our failure to understand Iraq. I remember feeling that very personally and poignantly way back at the beginning.

I remember talking to you about the first speech that he asked for, which I wrote over a weekend. He looked at me shortly after I handed him the draft, which he thought solid, and said, "I want to go up to Massachusetts and have a dinner with some experts." I just remember feeling, *We don't even know who to call.*

We talked to some people at the Congressional Research Service. This was because he wanted a more solid foundation.

The Senator had talked to a CRS analyst, Ken Katzman, who had worked at the CIA [Central Intelligence Agency] years ago, and was really concerned about what he was seeing. He had followed Iraq, and he was an Iran expert. Ken was actually one of the first people I brought in to talk to the Senator, and he gave me some suggestions.

I don't even remember how it all came to fruition, but I do remember that I put together a small group of academics for that first meeting at Harvard. It was not *at* Harvard; it was at the Charles hotel in Cambridge, and there were some professors from the Kennedy School and MIT [Massachusetts Institute of Technology] there as well.

There was always this sense from him that he wanted to talk to more people, gather more information, increase his knowledge, build his case. Over the years, we started compiling lists of "experts" and contacts and people we could call on, from people at the United Nations, to the soldiers in the field, to NGO workers. We started with nothing. Now the list is—I'm looking at this document.

Young: The list you have there is a list of the people you consulted?

Waxman: Right. It's the master list of Iraq contacts, and it is 27 pages long.

Young: Could you categorize them?

Waxman: Yes, I could categorize them. We have generals.

Young: Retired generals?

Waxman: Retired generals, and some who were serving at the time, like General [Eric] Shinseki. The Senator only met with him once, and it was very private, no staff. The Senator met with people like Brent Scowcroft, and [Zbigniew] Brzezinski. We went to have a very quiet breakfast with Brzezinski at the Hay Adams, and a meeting with Scowcroft in this office. I remember going up to Massachusetts to talk to former CIA Director John Deutch with the Senator, over breakfast, just to find out from him what the context was when he was in government.

Young: How were these people told what this meeting was about? You set up a contact with Brent Scowcroft?

Waxman: Yes. Again, this is part of Kennedy's genius and wisdom—that he can have a meeting with Scowcroft, who is from the other party, and Scowcroft knows that Kennedy is never going to talk about that meeting in public. I don't remember ever laying out ground rules, but it's just understood that when I call Scowcroft or any senior former official and say, "Senator Kennedy would like to come to your office to have a private conversation about the trends in Iraq," that *A*, Scowcroft is absolutely willing, and *B*, it's just understood that Kennedy is not going to go talking about the meeting.

Brzezinski would be less concerned about that. But with a lot of these people, they don't necessarily want it known. He talked to General [Joseph P.] Hoar, who was the former head of Central Command. I see General [John] Abizaid on here. I don't remember when he would have talked to Abizaid, but I know he did talk to him. General [Wesley] Wes Clark, before he was a candidate. Former Secretaries: Secretary Albright, Secretary [William James] Perry, National Security Advisers Brzezinski and Tony Lake. And then NGOs. He talked to David Albright, who is the President of ISIS [Institute for Science and International Security], ambassadors from the diplomatic community—Prince Zeid Al-Hussein, who is from Jordan.

Just looking through the list here, we talked to Kofi Annan, and Ken Bacon with Refugees International. Here's an official, Jamal Benomar, who was with the United Nations. Jamal was at the first meeting that the Senator had up at the UN. He was someone that I would turn to for information because the UN obviously had a very different perspective and a much bigger and broader reach. Barbara Bodine, who had served in Iraq, a former Ambassador, a woman who has served as a diplomat all over the Middle East. [Frederick D.] Rick Barton from CSIS [Center for Strategic and International Studies].

Ambassador [R. Nicholas] Nick Burns—I remember Senator Kennedy and I were talking before a speech he delivered at Johns Hopkins the second time around, the one from July. I only remember it because I had just come back from maternity leave. I was hiding in the Senate, hoping no one would realize I was back. All I could think was, *Oh, my God, I have to write another speech when they know I am back.* We were talking about a policy idea that I proposed involving a larger role for NATO, and Kennedy asked, "Is that feasible?" I said, "I think so. Why don't you call Nick Burns, who is U.S. Ambassador to NATO [North Atlantic Treaty Organisation], and ask him?" So we called Nick on the phone immediately and they talked about it. The speech was given shortly afterwards.

Les Campbell, who was with the National Democratic Institute, is on the list. He's their regional director for their Middle East program. USAID staff are on here. The point is that no person is too small. There are a lot of really big names on here and a lot of less well known people, and he talked to everyone. Every conversation informed his understanding and was intended to shape the policy debate.

Young: Most of these, not the initial one in Boston—Were most of these one-on-one?

Waxman: Usually three-on-one or two-on-one. In Boston, the dinners would be two or three people, no more than four. The Senator really likes an environment where you can have a dialogue and back and forth, and he likes it when people disagree with each other very much.

That's part of the strength that Carey Parker brings to the office. Whether he believes what he's arguing or not, Carey will always take the opposite view so the Senator will know what argument is going to come at him. He's brilliant at it. He's so good at it, you never know if he really believes what he's arguing or if it's just a great mind.

Anyway, the point is that Senator Kennedy likes disagreement and dialogue and back and forth, and when you get more than three people in a room, it's too much. You tend to get one person who dominates. He's always very clear: *Let's keep it small*. So we would have small dinners. And he's very punctual. Dinner starts at 7:00 and it's over by 10:00. At 10:00, *boom*, you're done. For the dinner I would do a book for him, always with articles that our guests had written, their views, and questions. I would usually start it off with a question, suggest topics to discuss. But he knows what he's doing.

We'd have office meetings as well, and the same rule applied. There's no food at the table, and no more than two or three people are invited, so you can get some back and forth and a really good exchange. The meetings usually last about an hour and they're usually topical. We'd bring in people who may be experts on Iran, for a conversation about Iraq through Iranian eyes. The academic meetings tended to be more general, people who are experts in international relations who could give the big strategic overview, or we had some discussions on the United Nations.

Young: Were you at all of these meetings?

Waxman: Every single one of them. We had a dinner over in the Capitol. Who was there? It was [Morton H.] Mort Halperin, Jessica Mathews, and Tony Lake. Boy, that was a lot of fun. This for me is brain candy. It's fun to sit around listening to really smart people go back and forth, and to be able to participate and ask questions and watch the Senator interact. I was at every single one. I would be participating in the policy discussion and taking notes.

After each event, I would write up the notes and keep a log of it—I've got books, binders six inches thick, each of them—I just kept a record of it because I never really knew when I would need it again. Some of it was for hearings that we would have in the Armed Services Committee. Remember, the Senator is a senior member on the Armed Services Committee. He's junior only to the chairman, [Carl] Levin, and most of the hearings on the war over the years were in the Armed Services Committee.

We had Pentagon officials and the military testify frequently. The Foreign Relations Committee held hearings, but we got all the military officials. All the CENTCOM [United States Central Command] Commanders, and civilian leaders—[Paul D.] Wolfowitz, Doug Feith, [Donald] Rumsfeld—all came to testify in the Armed Services Committee. There were times when we had two hearings a week.

So the Senator was always learning and gaining information through these meetings with experts, phone calls when he could, with an eye toward using it somewhere, somehow, to shape the policy—in a floor speech or in a hearing, or for macro-policy speeches that he would deliver around town. It was always, always, gathering information for the next policy debate.

Young: So he starts out with a need, but few resources—not a big list.

Waxman: In this case, absolutely.

Young: In this case.

Waxman: The need was driven by events, by an administration that was getting ready to go to war, a Democratic Party that was deeply divided, and a leadership that was going to go along with the administration. The Senator, who really believed that the war was wrong and wanted to stop it, needed ammunition to articulate an alternative policy. This is again part of what Kennedy is so good at. It's not enough to go to the floor and rant and rave. He really is grounded in solid arguments, in facts and reason and logic. He is obviously driven by passion, but it's always reasoned and informed by conversations with generals and soldiers and academics and former administration officials on the left and the right, just really grounded in the facts. A lot of people don't understand that about him.

Young: In this case, as well as many other interviews here, that comes out very clearly. You don't see it so much in the public.

Waxman: That's what I mean. There is just—the steady and quiet accumulation of information to shape good policy.

Young: Evidence-based.

Waxman: Yes. Evidence. Arguments. You asked how he gets his information. I don't have it with me here, but my file drawers are filled with Iraq memos. We would send memos in daily filled with evidence. They would cover everything from—

Young: Daily? For how long?

Waxman: Years, still.

Young: Beginning?

Waxman: Beginning in the summer of 2002. We were slower then and everyone was caught off guard, even though it was fairly clear that war was coming. But the administration really rolled it out pretty quickly and aggressively in that summer. You could sense it in the op-eds in the last

part of the summer, with [Richard] Cheney going to the Veterans of Foreign Wars, and Brent Scowcroft, who was the Chairman of the Intelligence Advisory Board at that time, coming out with op-eds in major publications. But you really had to be piecing things together to see what was going on. It wasn't explicit yet. It was like reading the tea leaves.

Young: You referred to in this case—this was from the very beginning—a Kennedy trait of getting the experts in, getting to know something, wanting to know at least as much about it and probably more than anybody else on the floor.

Waxman: And he does it.

Young: Because it was the facts that gave him the authority to his argument.

Waxman: That's right.

Young: To me, the oral historian, having done a lot of other interviews about earlier periods in his life, this is nothing new, but this one is special. I think you said that this was different. You put it that way in a chat we had just before starting this segment of the interview, that this time he had to know it from the ground.

Waxman: He had to know it from the ground, and he had to know it really quickly, because the Democratic Party, for the most part, was going along with the war, and there was no organized institutional momentum against. He really was the only one. The first speech he gave on this was covered live by CNN [Cable News Network], and maybe by one of the networks. I don't remember. I'd like to say it was so brilliantly written that they covered it live, but the point is that there was really a void and a no clear alternative voice on the war. He had to be really quick and really thorough and really smart, so there were not any sources that we didn't turn to.

I quickly went through transcripts of hearings from the Intelligence Committee, and found George Tenet on record talking about the threat from Afghanistan, not Iraq. I found all the quotes in transcripts and the newspapers from officials saying Saddam was contained. I wasn't creating history; I was just culling all of the sources and putting an argument together to show how the administration was changing the narrative. The record showed a narrative of, "He's contained. The threat is elsewhere." Then it just suddenly changed and became about Iraq, and no one was pointing out the arguments on the other side.

I remember reading newspaper articles in the *New York Times*. Unidentified intelligence analysts were talking to us through the newspaper, saying, "We're getting pressured. There's no threat from Iraq." I remember feeling, *It's pretty dicey to use those kinds of sources*. At the same time, that was all we had, unnamed analysts. These people were trying to talk to us through the newspapers, so we went with it and used their information. We went with what we had.

Young: What did he get out of this? Was it to test the bona fides or find out about what the administration was doing? What was it? Very early, I guess, he began to suspect that it may not be about Afghanistan; it may be about Iraq, and the administration is behind it.

Waxman: Right.

Young: Do you have any recollection, other than the stuff in the newspapers, about people saying the pressure is on?

Waxman: It came late in the summer, as I mentioned before. Vice President Cheney gave a speech at the Veterans of Foreign Wars, and Scowcroft wrote an op-ed about Iraq.

Young: Scowcroft's op-ed was about not being unilateral, wasn't it? Which suggested, Why is he saying this?

Waxman: Right. In the summer, Senator Kennedy was up at the Cape on vacation. Who knows who he was talking to? He has friends at the UN and in New York. That's how it all came together. Early in the summer, we were not tracking this. By late summer, I saw the op-eds. It was percolating, but I don't think any of us realized how quickly it was coming.

Young: And it was very fast moving.

Waxman: It was very fast. All of us had a sense that war with Iraq was something that was possible, that the President might approach. But I don't think any of us saw that it would be rolled out this way, so quickly and so politically, being so close to the election—and so cynically. At least I didn't, although there was this sense that it was a possibility. The Senator wasn't focused on it until late that summer. He was focused on domestic issues.

Young: When he did begin to get focused on it and he talked to the people who knew something about Iraq, or also knew something about what the intelligence was saying, was it to understand, once the administration began pointing the tea leaves in the direction of Iraq, whether there was anything to it?

Waxman: Well, obviously, he wanted to know if there was something to it and what the intelligence indicated.

Young: Is Al Qaeda in Iraq? Is that part of this?

Waxman: Right. He was very suspicious, and the more people he talked to, the more briefings he attended, the more he became convinced that the magnitude of the threat was being overstated. He said, and I was horrified when he said it, that the war was just, "a political fraud cooked up in Texas." At the time he said it, I thought, *Oh, my God, what did he just say?*

Young: You didn't write that speech?

Waxman: No, I didn't write that one. He was in Massachusetts, and he was dead-on, but I did not realize how spot-on he was when he said it. at the same time the administration was pushing the line that Al Qaeda was involved in Iraq and that Iraq was linked to 9/11. Americans were scared. They believed there was a link. He was so criticized for it, so criticized. It was not a part of a speech or a strategy. He was in Massachusetts, and a reporter asked him, and he just said it. He was right. He speaks his mind for sure, but it generated a whole flurry of activity and controversy.

And of course the administration was willing to go after him wherever, whenever they could, to undermine his credibility, because he was such a threat to the narrative and policy they were pushing. Over time he became so smart and educated and able to articulate another view, that they seemed "worried" and they clearly responded. They responded aggressively. Every time he spoke, they went after him. When he gave a policy speech or a statement, the RNC [Republican National Committee] would go after him, or the Vice President would go after him on national TV. Even the President went after him on national TV.

I always believed that he was on track, so I measured progress in the policy debate and the strength of our arguments based on the response from the administration. The stronger the response, the more I knew we were really hitting a nerve. Because of the scrutiny, everything had to be documented and sourced and really carefully researched.

Young: Do you have any examples of a speech, and the kind of briefing you would do for him? I saw a book among your papers there, about—It was probably in one of the daily briefings, or maybe it was a speech preparation book, where you had a very thick resource of statements he was making in the speech. In academic terms, it was like a defense in depth, showing that this was what the person said. It was fact-based. Was that his nature?

Waxman: That was *my* nature. I don't remember ever talking to him about it. his expectation was understood. I remember sitting at my desk, feeling that I'm responsible for every fact that comes out of his mouth, and if there's any question, I'm going to have to defend it, so before I put him on national TV or in the public—On any issue I tend to be this way, but on this one in particular—I wanted to make sure that everything was carefully sourced and meticulously documented. The administration was going to come after him even if his facts were right, and I didn't want to give any opening for them to come after him on a factual error.

What you were talking about was one of our sourcebooks. Jorie Feldman, who works with me, put them together. The Senator always says, if you ever said anything in high school, or want to know about any grade you ever got in high school, Jorie can find it. She's terrific; she can find anything. For every speech, for every factual assertion in the speech, Jorie would put together a book that would cross reference the statement from the speech to the actual document cited from NATO, or from the Joint Chiefs, or from the newspaper. The books had original sources—the footnotes, basically. If a journalist ever called us, we could refer them to the actual document. Every speech was documented this way, and the books are six inches thick, all tabbed. I just had to be really sure that everything was right.

Young: Including statements by the administration.

Waxman: Including statements by the administration.

Young: Because as I understand it, one of your strategies here was to take what the administration itself had said at different times, and turn their words, so to speak, against them.

Waxman: Right, an indictment in their own words. That was the strategy.

Young: Yes.

Waxman: Kennedy delivered a speech on this topic at the Council on Foreign Relations. I got the idea from a report from the Carnegie Endowment. It was a January 2004 report from Carnegie, and it showed how the administration, in some cases, had distorted the intelligence. After reading the report, I showed it to the Senator, and he of course loved it, and I thought, *Wouldn't this be a great idea for a speech on the abuse and misuse of intelligence?*

I constructed an outline of an argument and asked a detailee from the State Department to help with the research. Every speech was an argument. All the rhetorical flourishes were secondary. We outlined the argument about the twisting of intelligence, and Matt Stumpf, the detailee, read through documents to find the quotes from the administration to support the argument. He kept the documents in a box. He wrote on it, "The Box of Lies." And every time he found a quote that supported one of the arguments in the speech, he threw it in his Box of Lies. From the documents and the document from Carnegie, we wrote an indictment of the administration in their own words. It showed how they had cooked up an argument based on intelligence that didn't exist.

Kennedy gave the speech at the Council on Foreign Relations. It was a fairly gutsy speech. Now it seems so conventional wisdom: *Well, of course they twisted and distorted the intelligence*. But at the time, the administration's strategy was to blame the intelligence community. *They* got the intelligence wrong. It's not us. It was that the intelligence community was all wrong.

Young: This was after it was revealed that there were no WMDs [Weapons of Mass Destruction].

Waxman: Right. So they were saying—

Young: The early rationale is that they had—

Waxman: That they had WMDs.

Young: Did Kennedy think that was—?

Waxman: He thought that was all overblown. The big question was really nuclear. No one ever really doubted the Iraqis may have chemical and biological weapons. The real question was about their nuclear capability and how far away they were from developing and acquiring that capability. The Senator, based on what he heard from the UN and [Hans] Blix and all of these debates in the UN and the intelligence thought it was overblown. This goes back to your earlier question about how he got his information—Every day, we were tracking. I had one person following what was happening on the Senate and House floor, writing that up, sending it in to him. One person was following debates in the United Nations, so everything that happened in the UN on Iraq would be sent to the Senator that night in the bag. Information provided in committees, if there were hearings, would go in to him if there was something useful. Forget the newspapers. That was already old news, right? On CNN or any of the network news channels, any report that was coming out from—

Young: What was going on, on the ground?

Waxman: And what was going on, on the ground, which was much, much harder to get. That's what I would get in private conversations over coffee with people who were coming back. He

got some of it from the soldiers he would meet, but it was much harder to get, much, much harder to get, and particularly with so many of the journalists who were embedded not being as critical as they ought to have been, and I think they would admit that now.

Young: There were a number of people in the military, I guess some of them retired or soon to be retired, who were questioning the policy.

Waxman: [Anthony] Zinni.

Young: Yes.

Waxman: Abizaid.

Young: So that would have added to the skepticism.

Waxman: Right. We talked to all of them. They were skeptical, and their views reinforced Kennedy's own deep skepticism.

I thought of another example about the level of scrutiny. It must have been in a speech about the foreign policy "coup" of the neocons in January of 2004. Kennedy quoted Karl Rove saying the Republicans should make this an election issue. We had everything sourced, but we erred. I know I'm going to get this backwards, but we said that Rove had given the speech in a particular city, but we were using the byline of the reporter, who was in a different city, so we got them reversed. Sure enough, someone came after the Senator, saying, "He doesn't know what he's talking about. He doesn't even know where Karl Rove gave the speech."

In fact, the Rove quote was perfect. Everything was correctly quoted but we made an honest mistake about the city where he said it. They came after him not on the argument, not on the substance of the quote, but on where Rove said it. That just underscores how much pressure there is on him and on us as staff to get it right. God forbid we actually got a fact wrong.

And a lot of this stuff happens fairly quickly. He just had an insatiable appetite for information, and also to speak. So I was always looking for new material, for new arguments. Once I got tendonitis from so much writing, and I had to dictate while a colleague typed. Kennedy was very concerned when he saw my hand in a brace. It took weeks to heal.

The Council on Foreign Relations speech was one example, and also the speech he gave in January of 2004, where I would start working on the argument weeks in advance. I wouldn't tell him where I was going and what policy argument I was developing, or what I had. If he wasn't asking me, then I didn't feel compelled to tell him, because as soon as I told him, he would want to use the policy argument the next day. Time was a gift, so the more time I had—this is not months; this is maybe three weeks—the better we would outline the argument, start pulling things together, and then I would be ready. His big January policy speech was supposed to be on healthcare, for example, but he frequently turned back to the war. And often without much advance notice.

Young: Yes.

Waxman: Actually that happened several times. He was supposed to give what they call the "big speech" at the National Press Club, on healthcare or education or domestic policy, and a week before, he'd turn to me and say, "You know what? I want to do it on Iraq." I was always fearful, not in an "Oh, my God, I'm terrified" way, but just fearful that he would turn to me and want another major Iraq policy speech on a moment's notice. And these are not just simply floor speeches that you run down and throw together. These are really complicated arguments that require an enormous amount of research and time and detail, and are worthy of that time. So I would start preparing these arguments—I wouldn't tell him about them—and then when he would turn to me, I would actually have something to give him.

The Council on Foreign Relations speech began as an op-ed, and no one would print it, and then I turned it into a speech. It was one of the best, I thought. This is the one that, afterwards, Dan Schorr stood up and said, "Senator, that was a very powerful indictment. Are you arguing for impeachment of the President?" That was in the spring of 2004. The Senator, without missing a beat, said, "No, no, no. We just need to elect a new President."

Initially, the press secretary, Jim Manley, didn't think Kennedy should do another speech off-campus, meaning away from the Senate, that people were losing interest, and he said, "Why don't we just put it in the *Congressional Record*?" I remember saying, "Over my dead body. Forget it, we're not going to do that. He's either giving this one live or we're not giving it all. We're going to hold it."

When the Senator read it, he liked the argument a lot—about distorting the intelligence—and he went to the Council on Foreign Relations, which I viewed as him being listened to by the foreign policy establishment. So he went from being really out in left field to speaking at the Council on Foreign Relations on the Iraq War, which was very significant. I don't think most viewed it that way at the time, but I did, having been the person who would get all the phone calls: "What? Is he crazy?" "Why is he doing this?" "Why is he saying this?" "Why doesn't he just go along with the party?" "What are you doing? Don't make us vote on that." To speak at the Council was a pretty big deal.

Young: Did he ever talk to you about the parallels? He made some parallels in one of his speeches, very powerful parallels between Vietnam and Iraq.

Waxman: Yes.

Young: He also said, "It's Bush's Vietnam." He made a very serious comparison. Did that come from you or from him?

Waxman: "George Bush's Vietnam" came from him. I've never really had this specific conversation with him, but I always knew part of his reaction to Iraq was reflective on the Vietnam War and his experience with the Vietnam War, how he came to his position in the Vietnam War, maybe some feeling that he was too late, that he should have been more aggressive and vocal earlier. I don't know. I haven't had that conversation with him, but I always felt, in the back of his mind, always, was Vietnam. It was just looming over him. People that I talked to who had worked on foreign policy in the Vietnam War, military officers who had served in the Vietnam War always spoke of Vietnam. It was there. It was always in the room.

I remember when General Hoar was in the office. I don't remember when, but well before soldiers were on their third and fourth tour in Iraq General Hoar recalled Vietnam saying, "It's really the third tour that breaks the military." People like Tony Lake, who really came into the establishment in the Vietnam War, spoke of the similarities. Truth as a casualty, Hamburger Hill. It was always, always there. I'm too young to really remember all of that, but it was always there. In fact, there are a lot of differences, but in terms of the emotional reaction and the policy instinct—

Young: Well, it was a different context after all.

Waxman: Completely different.

Young: He started out as a kind of hawk. He was very junior in the Senate at that time. After all, it was his brother, President Kennedy, who started the military involvement.

Waxman: Exactly.

Young: But it's also a very different time. This is the first time the President of the United States had been opposed on a key issue, a military war issue. You just didn't oppose the President.

Waxman: Right.

Young: You might disagree but you didn't oppose.

Waxman: But it was just so phony.

Young: It's very hard to come around, away from that position, but then also [Richard M.] Nixon kept going at it. I think it was very much a learning experience. It was for the country, but we didn't seem to learn the lesson of that war.

Waxman: Well, I think that's how the Senator felt. I don't think he concluded from Vietnam that we should never use American military power. It wasn't that. It was more that there was a really powerful lesson from Vietnam. We got involved in a conflict and country that we didn't understand, that we don't understand this either, and that we don't have a policy worthy of the sacrifice. He also just really, profoundly felt that it was completely phony. Al Qaeda was the threat, not Iraq.

Young: What did you sense was his explanation of how President Bush got us into all of this, made these fateful series of decisions? What did he think about it? Was it that Bush himself was flawed? What was it?

Waxman: I think he thought—I'm sure you've asked him this question. I hope you have because it's the right one to ask, so I'm sure you've asked it. You're smiling. Note that for the record. I think he thought that the President was being disingenuous. He thought reasonable people could disagree over the threat that Saddam Hussein posed, but that the President had made a decision to go to war and that he wasn't leveling with the American people about the decision. He made the decision, and everything else was an *ex post facto* rationalization.

He thought the Al Qaeda Iraq connection was completely cooked up to play on fears. Certainly Al Qaeda was a threat, but not in Iraq, not the way the President said. We certainly face all kinds of threats from nuclear weapons, but the idea of mushroom clouds from Iraq just didn't comport with the intelligence he was seeing. He thought the President was wrong. The way the President laid this out to the public was just so dishonest that it infuriated him, especially because Americans were sent to war, to their death.

I remember—I don't know if I talked about this last time—sitting in his office, watching [Colin] Powell at the UN. You know? President Kennedy and [Adlai] Stevenson and the Cuban Missile Crisis were in the backdrop. It was all there. I've heard the Senator say this before. "When President Kennedy said something, people believed him." You know the famous quote from [Charles] de Gaulle. When Powell went before the UN, he was so struck that Colin Powell, of all people, would defend the decision.

Young: Well, there'll be arguments about this.

Waxman: That was the only time I ever saw him, I don't want to say "waver," but he was moved by Powell's presentation. Powell was such a man of integrity. For Powell to go before the United Nations like that and make that presentation was very meaningful for Senator Kennedy, and I think he may have wondered—Again, I'm projecting. He never said this to me, but just reading his face, I think he may have wondered, *Gee, maybe I'm wrong. Maybe I got it wrong*. But then he quickly got his stride back. It was only for a moment.

Young: Of course this will be argued about forever, I suppose, the question being whether Iraq was Bush's agenda and he found the people to push it, or whether Iraq was somebody else's agenda and they put it over on the President.

Waxman: Yes. I don't know the answer to that question.

Young: That will be probably argued about a long time.

Waxman: Right, but ultimately the President made the decision, and there clearly was an agenda. We know that Cheney and Wolfowitz and the others had this agenda from the '91 war. They all thought the U.S. shouldn't have stopped short of Baghdad. There were memos. This is all very well documented. We know the President was influenced, that's clear. But ultimately the President makes the decision, and once he bought into the argument, it's his. He owns it. it wasn't as the administration said in 2004, "Oh, the intelligence community got it wrong." They made mistakes, for sure. But the policy judgments were by far the greatest mistakes.

Young: Yes.

Waxman: The Senator saw all of that intelligence. He saw the NIE [National Intelligence Estimate]. He saw all of the statements. Were they perfect? Absolutely not. Did they make some mistakes? Yes. But it was not so much an intelligence failure as a leadership failure. The Senator really believed that the administration was very cynically manipulating the intelligence to support a decision, a political decision that had already been made, and that it just wasn't honest. He came to that conclusion, as I have said, long before it became conventional wisdom.

Young: Was it a Cheney cabal, a Cheney–Rumsfeld cabal, a sort of neocon cabal?

Waxman: Well, that's what President Bush's first Treasury Secretary, Paul O'Neill says, that they rolled it out at that first NSC [National Security Council] meeting. [William J.] Clinton had finished on the Middle East peace process, and the Bush team was supposed to talk about it at the first NSC meeting. They took it off the agenda, and there it was—It was Iraq, day one. I think I talked about this last time. The Senator was supposed to give a speech making the point that they had an agenda, and it was going to be before the O'Neill book came out. Did I already talk about this?

Young: No.

Waxman: It was supposed to be delivered before the O'Neill book came out. That speech was very provocative because it basically argued that war with Iraq was the agenda from the early days of the administration. It was a foreign policy priority from the get go, and it was cynically timed to put maximum pressure on the Democrats before the election on the heels of 9/11 to ensure approval. We know all of this now, but at the time no one was talking like that. I remember someone in this office saying, "Oh, my God, Sharon, you're crazy! How could you put him out there on this stuff?" It wasn't Carey or Michael. They thought it was great. "How could you? You never question intelligence." I said, "Because I really believe this to be the case."

This was one of the policy speeches that I had been working on without letting him know, and then when he pivoted, most of the research had been done. It turned out the day he was to deliver it, the President was out of the country, so Kennedy held it because he didn't want to give a speech criticizing President Bush's foreign policy while the President was on foreign soil, which was the right decision. So he held it for a couple of days and then the O'Neill book came out and suddenly, there it was. O'Neill was saying the same thing, that the Iraq War was on the agenda from day one.

Kennedy was supporting O'Neill, and O'Neill was supporting what Kennedy wanted to say, so it was a really perfect confluence of events. Kennedy went with his gut, and I tried to document as much as I could. I thought and hoped we were right and when Treasury Secretary Paul O'Neill came out with a book that confirmed it, it was a gift of truth to the nation really.

Young: What did he think of setting up the 9/11 Commission? Was he for that?

Waxman: You know, I don't remember him having a strong view during the debate. I don't remember a lot of discussions about it, though he did support it. I remember when the 9/11 report that came out there were huge fights among the staff for the book, because Kennedy wanted it analyzed immediately. He wanted to know what was in the 9/11 report, immediately. I was the designated recipient for the Kennedy copy as the lead on national security. Every office received one advance copy. It came to my desk. And Jim Flug—you know Jim, of course.

Young: Yes.

Waxman: He came running over to my office and started ripping out sections of the book because he wanted to have the section on something that was very relevant to him, but we could

only get one copy and we were fighting, in a very appropriate way, over the damn book. The Senator wanted all the information all at once. It came to my desk, the press people were calling—Stephanie Cutter, "We have to have a quote from the Senator on the 9/11 report." I said, "I just got it. I've got half the book on my desk. Flug swiped major portions. I haven't read it yet." "That's OK, we need a quote anyway." It was just complete insanity.

It was the same way with all the books that came out on the war. George Tenet had a book. [Paul] Bremer had a book. Kennedy wanted to know immediately what was in the books, so Jorie would go down to the library as soon as the books came out and read and analyze them quickly. We got into a pattern of ordering them from Trover [Book Shop]. We knew the dates they were coming out. There was a pattern. We learned to read the publishers' PR strategy. It was a Sunday rollout on *60 Minutes*, and then a Tuesday release. We would send an intern over to the store at 8:00 a.m. or whenever the bookstore would open to buy the book. Jorie would go down to the library in the Senate where it's very quiet, go through the book, highlight the key parts, write up a short memo for him outlining the key points in the books, and indicating what's new. That's just how he was. He wanted everything all at once, even before the books were published he wanted to know, "What's in it?"

Once—I don't even remember which book. It might have been a [Bob] Woodward book. He said, "We've got to find out what's in the book." I responded, "The book is not published yet." Kennedy insisted, "Well, we've got to get it from the publisher." I asked, somewhat perplexed, "How are we going to do that?" I don't think he was really serious about going to the publisher, although he may have been, but the story gives you a flavor of how much he expected, how important and personal the war was to him.

Young: What about the Iraq study group? Was he consulted by them?

Waxman: They had his speeches, and some of the recommendations in the study group's report were policies that he had advocated, but they did not sit down with him that I remember. I do remember that they had a lot of his material.

Young: They got it on their own.

Waxman: Presumably. They may have talked to Levin, as the chairman of the committee, and maybe Reid was the Leader, but I don't remember them reaching out to a lot of Senators individually.

Young: What did he think of the report when it came out?

Waxman: He thought it was good, and a lot of it supported his instincts, but that it was late.

Young: Did he expect Bush to let himself get bailed out that way?

Waxman: Well, you always hope that something will turn the tide. This is the one thing I'm sure you've heard from everyone you've interviewed, that Senator Kennedy is the most hopeful person. He's always looking for the way to change the debate. He always believes it can be changed. He always believes public opinion can be moved. That's why he does what he does. He wasn't giving these speeches and arguing against the war and introducing legislation and writing

op-eds because he likes to see his name in print. It's because he's always very hopeful that it will change the policy. He always hoped, "If we get this report, that law changed, this piece of information, maybe it will change things." I think it's how he views this Rand report that he's been working on. Did I mention this to you?

Young: No.

Waxman: It's something that took him about a year-and-a-half to get, a little bit overtaken by events now, but he started working on it under the Bush administration. The idea was to get thoughtful people who have experience in logistics and military planning and a political and strategic view of the region to actually put together a withdrawal plan based on what he and others were saying, that the U.S. could withdraw in twelve months, or nine months, or sixteen months.

So he talked to Rand Corporation. As you know, they're a research arm of the Federal Government. Rand has analysts who have very high security clearances and background in military planning and political strategy. They work with the Pentagon all the time. He persuaded them to undertake this initiative, and they said, "You'll have to get us the money." If we got the money, they could prepare a comprehensive withdrawal plan for Iraq that took into consideration all of the military and political factors, based on a nine-month scenario, a twelve-month scenario, a sixteen-month scenario.

Looking back at it, we have a new Democratic President who has made the announcement that we're going to be withdrawing. He's confident that it can be done. But at the time, the Pentagon—I'm sure they had plans, but they weren't sharing them, and everyone was really frustrated. A lot of the Democrats were saying, "The Pentagon has to give us this plan," and Kennedy went in and said, "They will not. So let's just get other people who can work with the Pentagon to give us a comprehensive plan."

Anyway, it took a long time to get it done because it's obviously very controversial. Rand is almost finished with their plan and they're working with the Pentagon. Now they've embraced it. They're working hand-in-glove, and they're helping the Pentagon with the mitigation strategies on a lot of very complicated issues related to the withdrawal. It's not just about removing X number of soldiers in a month. It's this equipment. It's how you deal with the humanitarian situation as the troops begin to withdraw. It's how you deal with the Iranians. So it's a very comprehensive overview. And I've talked to people at the Pentagon who say that it's very helpful and really useful to have a broad analytic frame.

Young: Kennedy started on this tack, developing a plan or wanting to see a plan for what comes after.

Waxman: Right, early. I remember being with him—I don't remember what year it was, probably 2003–2004. The early plans from the administration for post-conflict reconstruction were these power point presentations, maybe ten pages long. I have a clear memory of him, maybe at the convention center. He was speaking to a group of people, I think it was the Black Caucus. He had a copy of the so-called "plan" and it was so maddening if you read the details. It said, "Defeat the enemy. Continue to defeat the enemy." It was so sophomoric, and it was so

illustrative of the problem. The task was so huge and our plans were inadequate. I remember him talking to this group, holding the plan and saying, "This plan is not worth the paper it's written on," and just throwing it up in the air and watching it come cascading down. I have a photo of it.

It was an enormous responsibility, an enormous burden, particularly for the soldiers. Kennedy always talked about the soldiers. It was always about the human lives. We've talked about the blood and treasure, and the up-armored Humvee, and the casualties, and the personal loss for the nation of these precious human lives for a war that really didn't need to be fought. That's not to say you never go to war. Kennedy never argued that. He never argued that Saddam Hussein wasn't a threat. He just really believes that it was profoundly wrong to go to war when we did, the way we did, and as he said, for the false reasons that the American people were given. It was always the soldiers. War should always be the last resort, not the first.

I don't know if I told you about the time he went down to the floor and he read every soldier's name from Massachusetts who had been killed. There was quite a debate inside the office about whether he should do it or not. One side of the argument was that the families would view it as politicizing the war. I argued that as long as the Senator talked about the loss and did not make a broad political statement about the war, it's not only appropriate but required.

He did it. I remember sitting in his office before he spoke. There were a lot of names, and he read through them very carefully. He wanted to make sure he was pronouncing all the names right. He took his time. We went over it several times, and then he went down to the floor and he read the names, one by one. He quoted a [Abraham] Lincoln poem, and he read the names very slowly. It was very powerful, very powerful. He tried to get the leadership to put the names of all American soldiers killed in the *Record*, to have the chaplain read the names of those killed every week. On national television they do it. The newspapers do it. He could not get the Democratic leadership to do it. They were worried that it would be perceived as political.

Young: Of course it would be attacked by the Republicans.

Waxman: I think there's a way to do it, but he could never get it done. So he went down and he did it for soldiers from his state of Massachusetts, and I can't tell you how many phone calls I got from people who said, "Boy, that was really touching. We should be doing more of that." If you do it in the right way—You know this about him. He just knows how to do it in the right way. No hysteria, just a very somber reminder of the human loss, as one part of a very long and complicated story.

Young: I think this was always in him, this feeling for people.

Waxman: I think so.

Young: Particularly the people who got a raw deal.

Waxman: That's right, especially in a case of war. He calls every family. He goes to the funerals. You don't see it in the papers. He doesn't want it in the papers, but he'll call them.

Young: Well, we've overrun our time.

Waxman: Did I put you to sleep?

Young: You certainly did not. Let the record show that my silence is—I was awake and listening. Shall we end it now?

Waxman: Sure.