



## **EDWARD M. KENNEDY ORAL HISTORY PROJECT**

### **INTERVIEW WITH LOWELL P. WEICKER, JR.**

June 19, 2009  
Charlottesville, Virginia

#### **Interviewer**

Janet Heining

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## TRANSCRIPT

### INTERVIEW WITH LOWELL P. WEICKER, JR.

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**Heininger:** This is an interview with Lowell Weicker on June 19, 2009. I want to start at the very beginning. When did you first meet [Edward] Kennedy? Did you know him when you were in law school here? Had you met him before that, or not until later?

**Weicker:** No. I have to search my memory for this, maybe Ted has an even better memory than I have, but I don't think we interacted here at the University of Virginia. I came to know him as soon as I joined the United States Senate in 1971. He was already there, as was John Tunney, who had also been here at U.Va. John, Ted, and I hooked up some way very early on in my Senate career, and I'm sure it was over issues on which we put our heads together, not so much socially, at the beginning. In other words, we weren't *personal* friends—We were certainly Senate friends, but not personal friends—until a bit further down the line, after we shared some pretty heavy battles on different issues.

**Heininger:** From when you were both in law school here, did you have a sense as to what his reputation was?

**Weicker:** No, not really. After I graduated from Yale, I went immediately into the Army and was gone for about two and a half years, and then came to the law school. I was married and had a family, so I was pretty well occupied.

I barely, I might add, got through law school. As a matter of fact I was the last—everyone under me in the first year was kicked out. [*laughing*] The only reason I managed to stay in was that, for the first time, they allowed students to make up credits in summer school. I had nowhere to go, as a veteran and with a family, raising them down here, so I took those courses and managed to *just* stay in law school, and then graduated somewhere in the middle of my class by the time it was all over.

But no, I did not have any close social contact with the Senator, nor would I be able to comment on what his reputation was down here at that time.

**Heininger:** What was your impression of him when you came to the Senate in '71?

**Weicker:** Very early on, the first impression I had of Ted is the one that still lasts, in that I don't think there was a harder-working Senator in that body, and that included myself. Never mind all the notoriety and the name and all the rest of it, Ted Kennedy really applied himself to the issues, not in a light way but in an *understanding* way, and also had the perseverance to follow through

on those issues to their conclusion, one way or another. Mostly I'd say they were successful conclusions, but the impression, right from the beginning, right to when you and I are talking now, is that *nobody* works harder than that man and his staff, nobody.

**Heininger:** Did that surprise you?

**Weicker:** Yes. Yes, it did.

**Heininger:** It was at variance with his public reputation?

**Weicker:** Yes, there's no question about it. That's why it's hard for the public to understand what I came to know, but only came to know by being next to him, firsthand, for a long time. It's interesting; I've seen a change in the last several years. For a long time the Republicans tried to promote that image of him as somebody who was just there for a good time and didn't do any work, and in many ways, because of many of the outside incidents, that stuck. Even now, Republicans who have worked with Ted Kennedy—We're talking here in 2009, so I'd say at least for the last three or four years—have come to admit that this guy does his homework.

**Heininger:** You developed a friendship with him.

**Weicker:** Yes, and that came to pass over the issues that brought us together.

One thing that was profound for me was that in 1978 my wife and I had a child with Down syndrome, which brought me into the world of special needs and special kids. I wasn't foreign to that world, because when I'd been a state legislator in Connecticut we had a Governor by the name of John Dempsey, and Dempsey had made it his project to focus attention on the men, women, and children who had special needs. We had two institutions in Connecticut, Mansfield and Southbury. John did something that was later emulated in a different way by Eunice [Kennedy Shriver]. He had televised, to the state, the Christmas pageant at Southbury Training School. It was a very emotional event to observe, but it brought the public into contact with a constituency that they didn't even know existed.

Why didn't they know it existed? Because these people were put behind closed doors; they were warehoused. I say this was similar to what Eunice did because she—There are two things that are high on the popularity list in America: Christmas and athletics. She used athletics to bring this constituency together, to have the world see what they could do, given the opportunity. Make no mistake about it, there would have probably been no legislation for a much longer time had it not been for Eunice. Somebody had to create the demand, as far as feeling or concern out there in the public as a whole, in order for legislation to be passed that would impact favorably on that constituency. That's the background as I went into 1978.

I had a Down's child, but that did not *start* my interest in legislation, because that happened much earlier, under John Dempsey, who I very much admired, even though I was at that time a Republican and he was a Democratic Governor. That interest had started at an earlier time, but that being established, that brought Sonny [Davidson Weicker], my Down's child, into the world of the Kennedys in terms of Special Olympics, et cetera. Probably under that broad heading would be all the health legislation and the special needs legislation, all these things together that

brought Ted and me into the room on many more occasions than would have been the case otherwise.

Then there were the unique moments, such as the apartheid battle and other matters where we teamed up together—and we will get into that, I'm sure, later in the interview—where when the Republicans took control—when [Ronald] Reagan tried to turn the whole country upside down—we teamed again and had to really fight together. It's *those* battles that made us really close.

**Heininger:** There are working relationships in the Senate and then there are the few personal friendships that developed. Yours, I presume, became a personal friendship.

**Weicker:** Yes, it did. It was still far more about working; the personal side of it was that we would meet and play tennis in the morning.

**Heininger:** Well, that's a pretty good basis. [*laughing*]

**Weicker:** That's a very good basis, especially when Ted would always make sure he got the better partner; we always played doubles. More often than not, I ended up starting my day on the losing side. Obviously we had a friendship as far as there being a social context, but the friendship was based much more solidly on what we were both trying to achieve in the Senate.

**Heininger:** Did you hear from him after you left the Senate?

**Weicker:** Oh, yes.

**Heininger:** Have you maintained a friendship?

**Weicker:** Yes, I've talked to him, seen him. Don't forget, I received the Profiles in Courage Award; Ted was at that particular event. This was when I was Governor, and from time to time, either on legislation or on some matter or another, we've talked. Oh, yes.

**Heininger:** Did he stay in touch with you right after you left? That had to have been a tough time, being defeated in '88.

**Weicker:** It was a tough time and I received a very nice letter and a montage of the Connecticut Senators who had held my seat, et cetera, given to me by both Ted and Chris Dodd.

He, in turn—and I can't remember all the circumstances; my wife, Claudia [Weicker], should be here—He had a son in New Haven who had a project going in New Haven. Was it on drugs? I can't remember, but I know he needed help from the state of Connecticut, so we got together on that.

There have been different events throughout our lives: the Special Olympics in Salzburg, Austria; and when the state of Connecticut sponsored the Special Olympics at the Yale Bowl in New Haven, right after I left as Governor. Many events have taken place that have brought us together.

**Heininger:** How did you come to join the Labor [and Human Resources] Committee?

**Weicker:** That I do remember, because I looked it up in my book [*Maverick: A Life in Politics*] last night. [*laughing*] When the Republicans took over—which would have been 1980?

**Heininger:** Eighty-one.

**Weicker:** Yes, '81.

**Heininger:** The election was in '80, so they came in in January of '81.

**Weicker:** Yes. It was pretty clear as to what Reagan's agenda was going to be. Let me say, since we're doing this interview, that the American people, to this day, have this warm and fuzzy image of Ronald Reagan. Well, if he had been allowed to do what he wanted to do, believe me, they wouldn't have that warm and fuzzy image. He wanted to cut the safety net right out from under all the frail elements of our society, and that became pretty obvious even as the Senate was organizing.

I got a call from Bob Stafford of Vermont. Don't forget, I chaired the Appropriations Subcommittee on Labor, Health and Human Services. Bob Stafford came over to me and said, "Look, would you consider coming over as a member of the authorizing committee, because we need one more member"—I had enough seniority that, if I requested it, it would happen—"because if you do, then we can control the authorizing legislation by teaming up with the more moderate Democrats." Otherwise, it was going to be a field day over there for the Reagan policies. Orrin Hatch would have been the chairman. I don't want to cast any aspersions on Orrin, because the interesting thing is that Ted Kennedy and Bob Stafford and I educated Orrin Hatch to where he became a real force for good when it came to the area of disabilities.

You asked me how I got there, and that's how I got there, to purposely give a majority to the moderate voice, the moderate voice being a combination of Republicans and Democrats.

**Heininger:** That was quite unusual at that time too. That didn't happen on any of the other committees.

**Weicker:** No.

**Heininger:** And you were already quite busy with your other standing committees too.

**Weicker:** Yes. I didn't feel the urgency of it that much, only because I belong to the school—to which other Senators would agree, namely your former boss [Robert Byrd]—that believes if you control appropriations, that's it.

**Heininger:** That's it.

**Weicker:** You don't have to do much else other than that, and that's where Reagan came to an end. He got a lot of the authorizing legislation turned around and canceled, but he couldn't do anything insofar as the funding was concerned. I agreed to Stafford's request; I was delighted to

do it. I don't think it was as critical, however, as maintaining control of the Appropriations Subcommittee that dealt with that particular subject.

**Heininger:** There was a big fight under Reagan over budget cuts and trying to move discretionary spending into block grants from the Labor Committee. Tell me about that. That was huge.

**Weicker:** It was, but I don't remember the block grants as much as I remember, for example, NIH [National Institutes of Health]. When I had the directors of the different institutes appear before my subcommittee with their budgets, I asked them if these were the budgets that they had devised. To a man they all said no, that these were the budgets they were handed. These budgets effectively would have permanently crippled the NIH, so I made them come back with the budgets as they originally had presented them, which were two entirely different matters. Then I took those budgets and added to those budgets so that the NIH continued to the point where it is today. Later on, Mark Hatfield, after I left the Senate, picked up the ball and ran with it, having as a slogan "Doubling the Funding of the NIH," which certainly is a good thing for the country.

I remember the individual battles; I don't remember the block granting fight. The person that we should have in this room right now is my wife. She was staff director of Appropriations, so she knew what was going on as far as the block granting.

**Heininger:** You wrote in your book that this was the time when Reagan was massively trying to increase defense funding—

**Weicker:** Yes.

**Heininger:** Massively cutting taxes—

**Weicker:** Yes.

**Heininger:** And the only way that this could even remotely add up, and ultimately it didn't, was to cut the other. The mechanism that he used that particularly affected the Labor Committee was to throw everything into block grants to the states. That added up to a 25 percent cut. The battle that you and Kennedy fought was really fighting the mechanism of turning them into block grants, because putting that over into the Appropriations Committee would have created real problems.

**Weicker:** Right.

**Heininger:** You very effectively fought that block grant process, because then it was going to be completely up to the states, with the money cut all over the place. Tell me about what you did about your views and Kennedy's being in sync with how you went about dealing with Reagan's budget cuts.

**Weicker:** It was just clear—Again, the entire safety net in this country was being gutted, or they were *trying* to gut it, and both Ted and I just stood up against it wherever that was necessary.

Fortunately, for me, I had great people—like Bob Stafford, like Mark Hatfield, like Mark Andrews—who teamed up with me to form a bloc that, in conjunction with Kennedy and a few other Democrats, would prevail. It was one fight after another.

The other areas that we tend to forget, but on which I again had Senator Kennedy's support while this was going on, were the great constitutional battles: prayer in schools and the court stripping. This was the beginning of the rise of Jesse Helms and the far religious right of the Republican Party. We had to fight those battles also, which meant for us many, many times standing out there on the floor just burning up hours and then days, filibustering constitutional legislation. It certainly was probably both the most exciting and the most wearing time of my Senate career, because there was no rest in terms of the issues that both Senator Kennedy and I had to address.

**Heininger:** How would you characterize what his values were toward the issues that were at the heart of the Labor Committee? What were his top priorities; what were the lesser priorities?

**Weicker:** To me, his top priorities have always been health, disabilities—Let's do it by way of elimination. Do we hear much about Senator Kennedy in the area of defense spending? No, not really. You certainly did hear from him on his opposition to the Iraq War, but I'm talking about on defense issues in the Senate. No. On interior policies? No. On education? Yes. Health? Yes. Disabilities? Yes. Those are the areas that define the man.

**Heininger:** What about mental illness?

**Weicker:** Yes. I include that in disabilities.

**Heininger:** In disabilities?

**Weicker:** Yes, sure. These are the areas that define the man. He stood up and brought these issues to the fore. I'll give you a personal example of what he *didn't* do. I also chaired the Small Business Committee. I never had any real contact with Ted on small business issues; the contact was entirely in terms of Labor, HHS [Health and Human Services], authorizing, and obviously spilling over into Labor, HHS, appropriations.

**Heininger:** Tell me about some of the big issues that evolved, particularly toward the end of your Senate career, like the AIDS [Acquired Immune Deficiency Syndrome] crisis, and about working with him on the AIDS crisis. You were recognized as one of the Senate's experts on AIDS.

**Weicker:** Oh, yes. I was very sensitive to the AIDS problem, through my contacts in the NIH, which I was protecting from Reagan's cuts and from the ideology of the right, where AIDS was "God's punishment," all that nonsense.

Where the rubber met the road, though, was when we were about to deliver an appropriations bill. I can't remember the exact date; again I'd have to consult with Claudia. On the day that I brought the bill to the floor—and this was when the Republicans were in the majority; Bill Proxmire was the ranking member—I was in my office about 7:00. No other staff were there. The phone rang and a young man on the other end said, "Senator," this is so-and-so of the gay men's coalition, I forgot what their exact name was, "Is there any chance you would talk to us

this morning before you go to the floor?” I said, “Sure. If you want to come up right now, come up, because nobody’s here.” I left the door open to my Senate office and these three individuals came in and said, “Did you know that there’s a potentially positive development on AIDS medication that is lacking money for clinical trials? It’s called AZT [azidothymidine], and many feel that this might be the real first step in helping those who have AIDS.”

I called Tony Fauci—he also arrived early—over at the NIH, and I said, “Tony, I’m told by a group of men here that AZT needs funding. Is this worthwhile?” And he said, “If you’re asking me, it is.” I said, “What’s the cost going to be?” “About \$46 million for the clinical trials.”

Here’s a lesson in how things used to work and how they don’t work anymore. I made a point, when I was the chair of Appropriations, to listen to everybody’s requests, and I didn’t run the committee in favor of Republicans against Democrats. If it was a good idea, I’d accept it, and if it wasn’t, I wouldn’t. The net result was that the Democrats benefited as much as Republicans did when I was chairman, and that included Bob Byrd, your ex-boss, which is where he and I became close.

I went to the floor, turned to Proxmire, and said, “Bill, I would appreciate it if we could get this \$46 million amendment for the clinical trials of AZT, and get it through on unanimous consent”—There was nobody in the Senate when we presented the bill; there never is—“because if we don’t, and it goes to a regular vote, we’re going to have Jesse Helms down here and be off to the races and there goes the whole bill.” And Bill said, “You’ve always treated me decently. I’m going to help out; I’m ready to go.” We did and that’s the start of what has been the only cure to this date. Granted, it’s mixed in many other cocktails, but it still is the basis. There’s no vaccine and there’s no cure in terms of any other type of injection.

That gives you an idea as to where we got started on the AIDS issue. Then there were many, many bills, both in the funding sense and the sense of ideology, that required Senator Kennedy and me and a few other hardy souls to push them through.

**Heininger:** When you get to the AIDS Awareness Act of ’88, which was the first big authorizing bill, how did AIDS start to become treated as a public health crisis rather than as a gay issue? Because that’s ultimately how it got through.

**Weicker:** I know. I wish I could answer that, but I can’t. Probably it was because of the *numbers* who were dying. What Africa is going through now, percentage-wise, we were going through many years ago, before people were educated on the subject. I guess it would have been during my ’82 election, a fundraiser was held for me out in San Francisco by a gay men’s club, a very exclusive club; all the members were gay and quite wealthy. On the point I raised a minute ago, a couple of years later there was no club because there were no members; they were all dead. That’s what made the public understand what was involved here, and made the public also understand that it wasn’t just a few people who had mannerisms that bespoke that they were gay, but a lot of people—who nobody ever suspected were gay—in the arts area: right across the board in music, writing, or whatever. That’s really what motivated the United States to look upon this as a public health crisis. Is it still today? Probably it is.



Obviously, we have managed to push down the mortality rates on AIDS because of better treatments, but it's still, in terms of public health, a concern in terms of advocating safe sex. Don't forget, public health is supposed to be preventive in its nature, and this is a typical scenario where education means everything. On that point, it was again Helms who contested me on a particular piece of legislation. I can't remember, but I know it had to do with sex education. He railed against it as *teaching* sex and promiscuity. I made the point—and I remember this so clearly, on the Senate floor, as did Senator Kennedy—that if you didn't educate, you were condemning people to death. It was the only tool we had. They hadn't even developed the efficacy of AZT. Education was the *only* thing that stood between somebody getting AIDS and not. I clearly remember that fight. We won that fight, but it shows the importance of education and the effect it can have on the health of the nation.

**Heininger:** How important was Kennedy's collaboration with Hatch on the AIDS issue, in both educating the Senate members and in getting the legislation through?

**Weicker:** I don't recall that.

**Heininger:** As you said at the beginning, Hatch did come around.

**Weicker:** Yes, but he came around mainly on disabilities issues. If there was a further collaboration, I didn't know that much about it. I certainly remember Senator Kennedy's support on AIDS matters on the floor or wherever, but I don't think that's an area that drove Orrin out as much as did disabilities, where he certainly was in the forefront of that.

**Heininger:** He did in fact team up with Kennedy to get the AIDS Awareness Act through, which meant going up against Jesse Helms.

**Weicker:** And Reagan.

**Heininger:** And Reagan, and there were very contentious battles on the floor.

**Weicker:** When did that take place?

**Heininger:** Through '87, into '88, into the election year, and it passed in May of '88. It was not a pleasant process, but very contentious.

What did you think of Kennedy's staff efforts on the Labor Committee?

**Weicker:** I don't think there's anybody who would deny that he had—Again, if I call him the hardest-working Senator, and I do, his staff would be the hardest-working staff. He had a great staff. They all worked and they were all knowledgeable, and they still are, to this day. We interact with them a lot because of public health issues—I head up a nonprofit public health advocacy group. They've always been tops.

**Heininger:** Let's talk about disabilities. What issues did you work on with him regarding disabilities?

**Weicker:** Advocacy for the mentally ill. Advocacy for the mentally retarded. In the workplace, a whole group of lesser bills, culminating in the ADA [Americans with Disabilities Act], which was the all-encompassing bill. There were at least five or six pieces of legislation geared toward the mentally disabled, all with different titles. He was as much a part of those as I was and really straightened out the public attitudes toward people with special needs.

Again, you have to take this in light of the times, when special needs people really were segregated from society, from our caring. As it became obvious, both what was being done negatively toward them, and what positive results could occur when they were mainstreamed, the legislation started to flow and the legislation sits on the books now.

Of course he was very prominent—he and Senator Stafford get the main credit here—in the Education for All Handicapped Children Act. Then we went ahead with the amendments to that, which I was responsible for, so that it was pushed back to include younger children, because we understood that early education had an enormous impact on where things went in the future for these kids. With that raft of legislation—whether it was Stafford or whether it was me—these were the golden years of achievement. Then of course along came the ADA, and there you have on one side [Thomas] Harkin and Kennedy or Kennedy and Harkin, either way.

**Heininger:** Well, it started with you.

**Weicker:** I was obviously involved on our side. The interesting thing on that, and it's probably one of the reasons why the [George H.W.] Bush people went ahead and finally got me out of the party, was that at the platform hearings for the Republican Party in the '88 election, I tried to make commitment to the ADA a Republican plank, and [John] Sununu would have none of it; Bush would have none of it. The irony of that is that after the election, Bush asked for a few modifications, then signed it and claimed credit. Well, he fought it all the way down the line, until the very tail end, and would have nothing to do with it on the very platform on which he ran.

What that required and where Ted was especially helpful was—The reason we couldn't achieve, up to that point, an ADA was that, ironically, the disabilities groups couldn't agree among themselves. Talk about a babble of voices! Everybody had their own nation; nobody wanted to give up whatever it was that they had fought for. I suppose you can't blame them for that. We were asking everybody to give up a little bit, so we could all arrive at one common denominator, and that's where Senator Kennedy—I thought that was probably the finest aspect of what he achieved. We worked on our end, also, but Kennedy was key to that, as was Tom Harkin.

**Heininger:** This was one of the most sweeping pieces of legislation that has come through the Congress in 30 years. How do you explain getting from the disabled being warehoused, the way it was in the late '70s, to passage of this incredibly sweeping legislation in the late '80s? That's only ten years.

**Weicker:** That gets back to the point I made earlier, that the reason why nothing had happened was because nobody knew that there was a problem out there. Eunice Kennedy Shriver, with her Special Olympics, all of a sudden had everybody understanding that there was a huge constituency out there that nobody knew anything about. Talk about civil rights—my God! It

was really the last great constituency that had been left in the mud, and that's where it was until this confluence of events, of small legislation and Special Olympics, pushing toward people understanding that there is this huge constituency out there that we as Americans should pay attention to. The ball had to get rolling on two counts: public awareness and awareness within the Senate itself. Then with a couple of hands at the wheel—whether it was Senator Kennedy or myself, Senator Harkin, Senator Stafford—who were determined the laws were going to come to pass.

**Heininger:** In some ways, you can argue that the disabled came out of the closet. I remember so strongly that when it got to the Senate floor debate, everyone had his or her story. They knew someone; there was some family member. All of a sudden it was okay to talk about the fact that you had a deaf brother or a sister or a child who was disabled in some way.

**Weicker:** Because it's the truth of the matter. I added my own two cents worth to that. When Sonny was born and I learned that he was a Down's child—

He was born at Georgetown Hospital. I remember this very kind priest visiting with me and my wife and telling us that we didn't have to worry, that he would possibly make provision for the child and that we didn't have to take the child home. This was 1978, and he did this in a really kindly manner; this was nothing but an offer of kindness. I said, "Absolutely not."

Shortly after that, months at the most, I brought Sonny, in my arms, into the Senate Republican cloakroom. I made up my mind very early on that this wasn't something we were going to hide. More people needed to see this adorable-looking youngster: here's a Senator and here's a disabled child. Many of us felt that, using the Eunice example, if you bring all this out into the open, you'll all understand that everybody's in the same boat to some extent or another. There was a change in how the public viewed disabilities, and then there were some pretty determined United States Senators doing it on the legal end of things.

**Heininger:** Did you ever talk to Kennedy about your son and did he talk to you about his sister?

**Weicker:** No. He knew about him, but on the personal side, not really. I knew what Eunice was trying to achieve and I have supported that. My main support took place when I was Governor of the state of Connecticut. We planned the national Special Olympics in New Haven, at the Yale Bowl, and Claudia and I went over, with our children, to the international Special Olympics in Salzburg. And we still work closely with Tim Shriver.

As a matter of fact, at one time serious thought was given—Tim didn't know whether he wanted to stay in Connecticut or, at his family's behest, go to Washington and head up Special Olympics. In that interim, probably had Tim not decided to come to Washington, I would have been asked to step into the spot at Special Olympics. We've always been close to Eunice and Sarge [Robert Sargent Shriver], and Tim and the family, and have done everything we could with them and for them. Just a couple of months ago we were at Eunice's Best Buddies event.

I know what is required to succeed in politics and government. You just can't do something on your own unless there is some awareness in the constituency as to what it's all about. It always has to be a dual effort of PR [public relations] and legislative ability. One of the reasons I was defeated in '88 was that I'd gone to the mat too many times on controversial issues without

explaining to my constituents what it was all about. Now, some of those issues you never really can explain. You can explain them one on one, but you can't explain them to the body politic.

A good example probably would be prayer in school. I could sit with a group in this room here and get almost 100 percent agreement that yes, the First Amendment has created a situation where *all* religions have thrived in the United States, and no, we don't need prayer in public schools because that's actually government's hand on people's faith. Everybody would agree with me, yet if you go out there and take a poll—God, 95 percent! Oh, this is a great idea! Well, it's not a great idea, [*laughing*] and it's not a great idea because of what ensues. If they will really carefully look at the record and see what has ensued from freedom of religion, of *all* religions, they wouldn't want it. But it's one of those things that has to be carefully explained and it's not very explainable in the course of a quick campaign.

In '88, whether it was AIDS or Supreme Court justices or prayer in school—I can go down a whole list of controversial items—Connecticut said we've just had enough, and the Republicans certainly said that, no question about that. That's why I attach enormous importance to what Eunice and the whole Kennedy family did in terms of bringing these issues to the fore and into the public eye, because once you have that stage set, then you can clear the decks and get the legislation. Then people come out of the woodwork and say, "Hey, this really does apply to me."

One of the problems with the ADA right now is—First of all, it's the same pushback you get with the Education for All Handicapped Children Act. That's a great act, but boy, you can't tell me many boards of education are going ahead and following it. They'll do everything they can to make sure that they don't have to supply that education. "It's too expensive," as if somehow this is a *lesser* group of students that need to be educated.

The same holds true of the ADA. There's been lawsuit after lawsuit, with many people saying we're afraid you're expanding the dimensions of it. We all understand what the ADA applies to and how it's supposed to help, but make no mistake—especially, I'd say, corporate America has never been a great advocate of the ADA; it hasn't. It's still a tough row to hoe.

**Heininger:** It's an interesting issue. It's one of the few things in civil rights where, unlike other forms of discrimination, to level the playing field, you have to *do* something; you have to actively do something. You have to change accommodations. You have to not just *not* discriminate; you have to actually *do* something to level the playing field.

**Weicker:** Right.

**Heininger:** And doing something always involves money.

Has ADA done what you expected? Has it accomplished what you expected it to do?

**Weicker:** Oh, yes. Obviously, many things it hasn't accomplished, but has it leveled the playing field? Yes, it has. It's always going to have the very knotty problem—let's face it—of excessive expense if you carry the concept to an extreme, but in the main, it's done a terrific job. The same holds true of the Education for All Handicapped Children Act. Look, all these kids are in the mainstream. Don't forget, institutional care is the most expensive kind of care out there, and look at all the places that have been closed. As Governor for the state of Connecticut, we had

Southbury and Mansfield. They closed Mansfield. We don't have Mansfield anymore, so we have one, much smaller, institution left, only for the most severe cases of disability. Maybe someday that will also be closed, but in the meantime everybody, including my son Sonny, is out there in the mainstream and being a real part of life, as they should be.

**Heininger:** One of the problems that ensued from the deinstitutionalization of particularly not just the disabled but those with mental illness, was the necessity—If you're going to take them out of institutions, you have to follow up with facilities and home care and community facilities.

**Weicker:** That's the sticking point.

**Heininger:** How committed was Kennedy to doing the hard work to try to follow up on all of that?

**Weicker:** Ted's always been consistent in anything that he's tackled. In this area, I can't cite to you all the examples as to what he did, but when it comes to disabilities, there are none better.

**Heininger:** Tell me about South Africa sanctions, to switch gears from the Labor Committee—

**Weicker:** No, *[laughing]* this is a good point that you bring up, right at this time, because it reinforces the other point, that to get legislation, you have to have public awareness.

**Heininger:** Public education, yes.

**Weicker:** This time Ted left me the dirty end of the job. He was very much involved with his opposition to apartheid, which occurred by virtue of him and several House members—I can't remember all of them; I think [John] Conyers [Jr.] was one of them—It was determined that the American people should know what it was that he was talking about. The average American didn't have the foggiest idea what the term "apartheid" meant, so there were organized demonstrations every day, in front of the South African embassy in Washington.

**Heininger:** You were there?

**Weicker:** I'm going to make my point as to why this time I got the short end of the stick. Notable persons would go up to the door of the South African Embassy, ask to see the Ambassador, and present a petition to him. Once you got on embassy grounds you were violating the law, so every day some personage would get hauled off to the slammer. My day came; I did it; and I ended up in jail in D.C. while Ted was out on the floor of the Senate, talking about apartheid. But we both knew what we were doing. Again, it raised the issue to a level that the public could comprehend, rather than it being just a dry discussion on the Senate floor about apartheid, when nobody knew what it meant.

The combination of public awareness, of which I was a part, and the legislation to bring about sanctions—Everybody was telling us that sanctions wouldn't do any good, that they hadn't worked in other areas, so they wouldn't work here. You had Reagan; his guy there was Chester Crocker.

**Heininger:** Yes, he was.

**Weicker:** They were calling it “constructive engagement,” and saying that this thing would gradually evolve itself into a free society. [*laughing*] I don’t think there were many of us who felt that that would happen any time soon. We felt it required some pressure and therefore went on to the sanctions legislation, passed it, and then overrode—I think he tried to veto it.

**Heininger:** He did veto it.

**Weicker:** And we overrode it.

**Heininger:** It was the first foreign policy veto overridden in 30 years.

**Weicker:** Well, it happened. Of course, shortly thereafter the whole scenario in South Africa changed and [Nelson] Mandela was out of prison and apartheid came to an end. Ted, more so than anybody else in the world, and I mean that, can take credit for what happened in South Africa. I remember meeting in his office many times. He would have the various leaders—obviously Mandela wasn’t there, because he was in jail, but we had [Thabo] Mbeki and a few other leaders come, and we’d sit and talk to them, but there was Ted, grinding away at this thing and making it happen. I give him 100 percent of the credit on that issue.

For me, the nicest thanks that I got was—I was Governor of Connecticut and all of a sudden I got a call, which had been precipitated by Ted, as I learned later, asking me to join the delegation to go over to South Africa to see the inauguration of Nelson Mandela. I was the only Republican who was in that delegation—or former Republican, because when I was the Governor, I was an Independent. It was a great thrill for me to see that happen, the final act of something that had been started by Senator Kennedy years earlier.

**Heininger:** Why did he care about Africa?

**Weicker:** Because he cared about the whole condition of humankind. It was such an appalling scenario over there, and getting worse, that anybody who had a conscience—The United States is supposed to be the leader of the world, morally. We’ve given up that position of late, but I hope we’re going to put it back together again. It’s hugely important, more important than most Americans can realize, how we view these matters, and that was just too big a sword to have it go unnoticed and un-acted upon. You would have to ask the Senator what, in the final analysis, drove him, but I can see very clearly his total commitment to human rights and to civil rights, how that was something that couldn’t be ignored and that drew his attention.

**Heininger:** Where did your commitment, your interest in Africa, come from?

**Weicker:** I don’t really have an answer for that, aside from the fact that my grandfather fought in the Boer War.

**Heininger:** Did he really?

**Weicker:** Yes. [*laughing*] This is entirely off the subject but he was a British general. He was, I think, a captain or colonel in the Boer War, and then went to India, where he was a general. That’s where my mother was born, in India.

My son Mason just got married to an Indian girl, and I met her parents for the first time several months ago in Washington. He's a doctor, Mason's new father-in-law, and a wonderful man, but I decided to be controversial, as I usually like to be, getting any discussion started. I turned to him and said, "Doctor, I want to propose to you that the British should have never left India," having already told him my grandfather was a British general. He didn't blink an eye. He turned to me and said, "Governor, why is that?" And I said, "Number one, they built the railroads." He nodded and said, "Yes, I would agree with that." "Number two, they built the education system in India." He said, "Well, I would have to agree with you." I said, "I rest my case." And he turned to me and said, "You've left out one other thing that they did." I said, "Really, what's that?" "They stopped wife burning." *[laughing]* Anyway, that has nothing to do with what we're talking about.

I really can't tell you, except that I had the same passion for eradicating human misery, or the impediments to people being able to live a free life. I had the same instincts that Ted did on that, and he had brought me in to one of those meetings with the South African leadership, to listen to their story firsthand.

**Heininger:** Do you think his role was more important than Senator [Richard G.] Lugar's?

**Weicker:** On apartheid?

**Heininger:** On South Africa sanctions.

**Weicker:** Oh, absolutely. Listen, I like Dick Lugar—he's one of the last moderate Republicans—but boy, I never saw him in any of the meetings that I attended. I just didn't.

**Heininger:** It had to go through his committee.

**Weicker:** Well, I can't understand that but—

**Heininger:** Do you remember testifying with Kennedy in front of the Foreign Relations Committee?

**Weicker:** No.

**Heininger:** Both of you did, on the South Africa sanctions bill, which is unusual. You don't very often get Senators testifying in front of Senate committees. That's passion.

How would you sum up Kennedy's effectiveness as a Senator? Did you see any changes in him after the 1980 failed Presidential bid?

**Weicker:** No. I don't know anything but a hardworking, effective Senator from the day that I walked into the Senate. I don't recognize any epiphany as far as his work habits or his commitments, none. To me, he's been consistent since I've known him.

**Heininger:** Did you see any change in him from when the Democrats were in the minority on the Labor Committee, in the early Reagan years, to him assuming the chairmanship?

**Weicker:** No. At some point, we all have differing—When we start in politics, if we’re going to be successful, we’re going to mature in politics. I started out, as first selectman of the town of Greenwich, as a very conservative Republican, and even when I was in the state legislature, I might have moderated a little bit, due to my interaction with representatives from the other towns and cities of the state. But when I became a Congressman and all of a sudden I was no longer representing just Greenwich, I was representing Bridgeport, I was interacting with a different set of circumstances. That’s going to be the critical point as to whether you mature in terms of your constituency or whether you’re going to be an ideologue. Then I became the Senator for the entire state of Connecticut, including West Hartford and Greenwich and Bridgeport and Hartford and New Haven, et cetera.

It’s at that point in your career where matters get pretty well set in stone as to who you are and what you’re going to be for. You do go through a period where there’s a change as you sift things out, as you measure your constituency and come head on into different scenarios. But there comes a point where you’re pretty much committed to a certain course of action. That certainly was the case for me.

By the time I had ended my first term in the Senate, which had me preoccupied with Watergate, it was pretty much set in stone as to what would attract me and where I would expend my energies. I made the decision also—and this is important, because it’s a message I try to give to young people at any graduations at which I speak—I said, “Don’t be afraid to lose. Everybody nowadays, after taking this poll and that poll, sticks this finger to the wind and that finger to the wind. If you really want to be the most dangerous person on the field, just don’t be afraid to lose.” If you have the facts on your side, you’ll pull it off with that attitude.

Right after I was elected Senator in 1970, in the summer of ’71, my oldest kid was almost killed in a motorboat accident, and that will set your priorities right very fast in terms of what’s important. I thought having achieved becoming a United States Senator was the most important thing that ever happened to me. Well, the most important thing that happened to me is that my kid lived, and it imbued me with that spirit I just talked about: Right or wrong, do it, do it with everything you have inside of you, and don’t be afraid to lose. That has pretty much been the hallmark of my career, taking on one tough issue after another, and if you lose, you lose. It finally caught up with me in terms of having lost in ’88, but I wouldn’t have had it any other way.

I’m speaking like this because I attribute everything I’m saying to having—I’m only trying to guess—the same spirit that’s inside Ted Kennedy. The biggest compliment I get on the streets of Connecticut is “Senator”—or “Governor”—“I don’t agree with you all the time, but you keep telling it like it is.” That is the attribute of Ted Kennedy that’s been true from day one: he tells it like it is. You can say all you want—“He has a great Democratic state.” “The state is liberal.” “He’s liberal”—to try to explain his success.

I think his success is explained by the causes that he’s taken on and how he’s pursued them, vigorously and right to the end, and he’s done so with his own courage and with the ability to pick a staff that is knowledgeable, that is going to run the same kind of a course. That’s why he’s successful. It has nothing to do with the demographics of Massachusetts or the name Kennedy. Yes, he’s part of a magical aura that surrounds the family, but that isn’t going to get you through



the United States Senate; let me tell you that right now. You'd be dead in the water. That's a very tough audience, the Senate itself, and he's measured up to that.

I like to think that I had the same sort of legacy when I was there. Even Jesse Helms would say, "I always liked you because everybody knew where I stood and everybody knew where you stood and that was it." Nowadays, you can't find anybody out there in the fog for what they are. That's not the case with Ted, that's not the case with Bob Byrd, and it wasn't the case with me. I just hope that things will turn around in that direction. We'll have to measure that more carefully in the future.

That's why he's achieved what he has and why everybody—unfortunately through a difficult time for him—stands up and cheers for him even though they've been on the other side. Yes, maybe there's some sympathy there, I'm sure there is, but more than one Senator gets sick and more than one Senator passes on and the place doesn't fall apart or have an emotional upheaval such as we saw. He's earned every thing, every kudo, that comes to him now.

**Heininger:** In the years that you were in the Senate, and subsequently, have you seen any change in how his colleagues have viewed him?

**Weicker:** Sure, that's easy. To me, he used to be the poster boy for Republican hate. That's the best way to put it. [*laughing*]

**Heininger:** Yes.

**Weicker:** Literally. That's the way you would raise money, just yell the name "Kennedy" to get people all fired up. In the Republican Party, yell "Kennedy." Boy, I don't think that's the case anymore. I think his having stuck to his guns and having picked his issues, one to the other—There aren't many people out there who still—who don't think entirely differently. I think that's certainly true of his colleagues. Oh, you still find the typical nutcase Republican out there saying Kennedy is this or Kennedy is that, but that's down to nothing. There's been a total change in attitude of his colleagues to him.

**Heininger:** Do they like him personally?

**Weicker:** Yes. Again, he's very effective in that sense. The two people—when this comes out they would probably object—who have most influenced Orrin Hatch, who was a hidebound conservative when he came into the Senate, were Ted Kennedy and myself. The one thing Orrin does have is a fine mind, and he'll sit down and listen. If you listen, you can't just toss the facts overboard and say, "I'm going to go in this direction," not unless you're an ideologue. I don't think Orrin is. I think he's conservative; I don't think he's an ideologue.

The matters of which Ted Kennedy speaks can *factually* support the emotional commitment to them. Health care, God! Again, my staff would have to give you the facts—Ted and I wrote the first bill on health care—I'm pretty sure we did—back in the '80s. This has been an issue for him, regardless of any bill that we wrote, since the '80s. Here we are in 2009 and we're still hacking around with it. The greatest loss, I have to tell you right now, to [Barack] Obama on this issue is the inability of the Senator to be out there on the floor advocating for it. Chris has gone a long way; he's doing his best to help with it, but boy, it would be awfully good to have Ted's

voice out there, and his leadership in a public way for this, rather than listening to all these god-damned—excuse me—rantings about socializing medicine: nobody will have a choice, it will cost trillions, and one thing or another. I know firsthand, heading up this public health nonprofit, that if you had a decent public health system in this country—having nothing to do with insurance, but having to do with good public health organizations, each state having good public health, and the national government—that alone would cut your bill by at least a quarter, because you’re talking preventive medicine.

**Heininger:** Yes.

**Weicker:** You’re not talking cure, you’re talking prevention. You’re talking prenatal care, immunizations, obesity, smoking—I could go right down the list. If these things are tended to, you don’t have the health bill that you have.

**Heininger:** You’re right.

**Weicker:** I don’t have to listen to an argument that says this is going to cost trillions. I just wish Obama and his people would—Ironically, they used us as their main information source during the campaign, not in a partisan sense, because the same is available to every other candidate, but his people listened. I wish they’d listen now and get that news out so people understand it doesn’t have to be this bill that he keeps on talking about that assumes that you’re going to do business the same way. That’s exactly what you can’t do.

I don’t mean to deliver my own opinions, but these are very difficult paths to go down and only if you have a spokesman who has made a life of it, which Ted Kennedy has, are you going to have the spokesman that you really *need* in terms of getting public support. He’s greatly missed in this debate, because he has been the first person out there to advocate some kind of health care reform. God knows it wasn’t—Hillary Clinton had a clear field; if you ever want to read a great book that explains how *not* to do something in Washington, read the book written by Haynes Johnson and Dave Broder, *The System*. It’s the anatomy of Hillary Clinton’s health initiative, which crashed and burned and was bound to do that, the way she went about it. The nation right now needs Ted Kennedy on this issue, much more so than any other person out there.

**Heininger:** What do you think his legacy will be?

**Weicker:** Health, in all of its forms: disabilities, health, civil rights. I know I’m poking that one in there, but I still do, because I have the same feeling. I lump these all together. His legacy ought to be his talks on the war in Iraq. God almighty, I’ve never seen such a bunch of stupid people in my life as in the United States Senate, who just sit there and totally ignore the facts. It’s all right for everybody, especially the Republicans, now to say, “We have all this debt and all this additional money that has to be spent,” and blah blah blah. I would hope they would realize that these are the leavings of that conflict, which we’re still in, that it ruined us financially, morally, and militarily, and that Ted Kennedy was out there every step of the way against this conflict. There has to be something in his legacy of that warning on this particular tragic event for this country. But the main answer to your question is that it will be civil rights, human rights, health, and disabilities. Those will be his main legacy.

**Heininger:** This has been very helpful. Thank you very much.

**Weicker:** I wish I could be more helpful in terms of facts.

**Heininger:** The facts are in the written record.

**Weicker:** I want to make sure that we get everything in here that deserves to be in here for this guy. I hope that he has a successful outcome to his present difficulty, although that's pretty tough.