

ARLEN SPECTER-PAUL MICHEL

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Ran into Paul when I was waiting for Arlen. Said he'd been on House side all day. "There's a lot of resistance on the House side--among the lawyers--not specific, but vague, philosophical objections about federal jurisdiction. Why should the federal government get into this? Why not give the local law enforcement agencies what they need? They are the same general arguments we got in the Senate. They just feel uncomfortable with it. Think our chances are less than 50-50. I'm afraid what will happen is that they will say, 'Let's not rush this through. It doesn't feel right. Why don't we have another hearing.' They do that a lot more than in the Senate. Arlen is a lot more optimistic than I am. He's been talking to the members of the subcommittee. He wants to go to their subcommittee markup. He thinks he can make the political argument--trust me on the substantive details--and let's all get behind this bill. We've got to do it. He thinks he can carry them along. That's more likely to work in the Senate than in the House."

He went through the DA's opposition--which he thought would be used as an excuse, not a reason for delaying.

Also Paul says Thursday's subcommittee markup will come after a hearing, so that it won't come along till late in the morning 11:30-12:30. It loses visibility that way.

"Even if we get it through the subcommittee, we have to get it through the full committee and then we've got to get a rule. There are only so many days left for the Rules Committee to meet. We may run out of time."

As usual, Paul is not as optimistic as Arlen. When I talk to Arlen later,

he says "What I hear does not jibe with what Paul is telling me. That's another fascinating thing. Staff to staff communication is not the same thing as member to member communication."

When I go in to see Arlen, Paul says he'll need 5 minutes with him to talk about 1688. Arlen tells him to go ahead, with me there.

Paul says he's picking up some objections, mostly via Ron Wyden's staff. Wyden has the companion bill in the subcommittee. He tells Arlen some of what he tells me.

Paul: "Hughes appears to be still very ambiguous about your bill."

Arlen: He told me he was for it.

Paul. I know that is what he says to you; but when he talks to others, what he conveys is his ambiguity."

Arlen: His exact words to me were 'I'll do everything I can to get your bill through my committee.'

Then he reaches for the phone and says 'get me Bill Hughes.'

He also gets Joe Capp(?) and talks to him a little bit.

He starts talking about 2411. "I've been scratching and clawing with Symms and East and Metzenbaum and Thurmond. East had a hold on the bill and I got him off. Symms wanted anti gun control added and I got him off. Metzenbaum is concerned about prison labor. Thurmond wants to attach the extradition bill to it. Hart is opposed to that. I've talked to Thurmond. I think he will yield. I'm trying to track down Hart now."

Paul says "You may have to give up the entire bail provision if you want Kastenmeir. He has an absolutist position on <sup>preventive</sup> detention. There is no way you can get him with that provision in the bill." Arlen says "I can give that up."

Then Paul says. "You may also have to put something about interstate

commerce in there to establish some connection. Arlen says "OK."  
Paul says "I'll draft some provisions to keep in our pocket just in case.  
If we do those two things we've got a chance. It'll be close."

Arlen says "I called that guy today--~~K~~kindness. That means I've called all the members of the subcommittee myself." Later, I ask Arlen whether the House members resented his calls. "They love it! They are tickled to death when I call. And if they aren't there when I call, they call me the minute they get in. They call me the same way I call Thurmond. (snaps his fingers). In fact whenever any colleague calls me, I drop everything and call him right back (snaps fingers again). Nothing is more important to me. I don't think very many Senators call House members the way I have. You ought to ask them sometime how many Senators they have gotten calls from. They were very very receptive."

He really is a plugger. Jim Range said of Arlen that "He sticks to things." He said that spontaneously. But it fits with my impressions entirely. He is working very personally on his bill and 2411.

Paul leaves and Arlen says "We are getting close, but we are still far away."

He then went through the problems with 2411 and how everyone has something. "It's a balancing act. But, paradoxically, the time pressures may make it easier to get 2411 through than if we had lots of time. If we had time everyone would have something he wanted to get on the bill and would insist on it. Thurmond wants to tack the extradition bill onto it, but Hart won't accept that. If we had three weeks, Thurmond would tell me to go argue Hart out of it. I'd work for three weeks and if I couldn't talk Hart out of it, Thurmond would yield at the last minute. As it is, he agreed not to hold up the bill at all on that account."

Why do you think Thurmond was so accommodating? "Because I have worked out a very good personal relationship with him. And because Ed Meese wants the bill. And because he knows he can't get what he wants. Personal relationships are very important here. Do people like you, do they trust you, are they envious of you, do they think you are trying to push too many balls at once. All the showing up to make a quorum, attending the meetings all that counts, now, at the end. Howard Baker wrote me a letter asking if I would nominate Strom Thurmond for Senate President Pro Tem. I said I would do so with great enthusiasm, wrote to Baker and sent a copy to Thurmond. I don't think he gets many letters like that, do you? I don't think I'll tell Thurmond that my 1688 depends on the passage of 2411. He doesn't think much of my bill. In committee, he said, 'I ran for President ~~against~~ on a state rights platform'."

He gets Hughes on the phone. "Bill, I hear they had to get you out of the steambath. I want to talk to you about your bill and my bill. Baker says we may take up 2411 later this afternoon if the bankruptcy bill falls apart, as I think it will, and if we get through D.C. appropriations. Biden is ready to go on it. (He goes through the Metzenbaum, Thurmond, Hart routine). Metzenbaum was upset when he thought we were putting in a provision on prison labor not competing with regular labor. He says he's for the AFL-CIO but he favors rehabilitation. I told him I didn't care; that we were just putting in a provision that had been left out inadvertently. Is that provision in your bill? No? Well, we'll just leave it out then. Thurmond is on fire over here. He wants to put the extradition bill on it... Of course that will kill it...Hart is opposed to it anyway, and I think Thurmond will yield. About my bill, I hear some rumbles. What's the situation? Is there any precedent--not that I would do it--but could I come over to your markup if I wanted to? No problem? Well, I might come over to be there to

answer questions. When is the markup? I understand you will hold a hearing first. Is that true?" Etc. He hung up shortly thereafter.

He went to the floor to get 2411 going. It was scheduled, but ran into a mini-filibuster by Zorinsky and Exon vs. Radio Marti. So Baker recessed the Senate.

"I think Bill Hughes will push my bill through his committee because he knows how hard I'm working on his bill over here. I would work hard on his bill anyway,, because I believe in it. So there is no deal involved. But he will naturally help me if I am helping him."

"I had lunch with Harold Sawyer yesterday. He has a very different perspective from Western Michigan than I do. He's from a small town, rural area. So is Hughes from a small town rural district. They don't see the need for it that I see. So it's a selling job that I have to do."

I asked about Rodino. "He's in favor of it. He wasn't at first, but he is now. I tried to get in touch with him during the recess and couldn't. His mother died, I sent him a note of condolences, we got together last week. He will help. He's awfully busy."

Kevin Mills says that "Arlen puts 1688 on the same level as his reform of the magistrate system when he was DA in Philadelphia. That's quite a comparison; because he always thought that magistrates reform was the most important thing he did while he was DA." Arlen told Bruce that and Bruce told Kevin.