

# INTERVIEW with ROBERT L. LIVINGSTON

U.S. Representative from Louisiana's 1st district, 1977 through '98

Born April 30, 1943, in Colorado Springs, CO  
B.A. from Tulane U., Juris Doctor 1968 same place

Career: Navy 1961-63, Practicing attorney 1968-77, Assistant U.S. Attorney 1970-73, Chief Special Prosecutor for Orleans Parish DA's office, 1974-75, chief prosecutor for LA AG's office, organized-crime unit 1975-76

Elected to the House of Representatives on August 27, 1977

Taped Friday 2/27/2009. Also see [http://en.wikipedia.org/wiki/Bob\\_Livingston](http://en.wikipedia.org/wiki/Bob_Livingston)

**Anything in italics is by Frank Gregorsky; all other text is spoken by Livingston, and was cleared (with very minor amendments) by him a year later; bracketed words and phrases are editorial inference...**

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*Other than your general law-and-order proclivities, where did your Republicanism come from?*

[Pause] *Atlas Shrugged* [laughter] -- late in college I read it. And now everything that Ayn Rand predicted is coming to pass...

In 1967, I switched from Democrat to Republican. Lyndon Johnson taught me that "in my heart," I knew Barry Goldwater was right. I had voted for Goldwater, as a Democrat, in '64 -- my first vote. And Johnson's Great Society, and most especially his handling of the Vietnam War -- I thought he was holding our troops back -- were things I just couldn't take; and so I switched [parties] in revulsion to him.

Then I started getting active, at a very local level. All in all, there may have been 500 Republicans in the city of New Orleans before 1960, and only a couple of thousand by the time I switched parties.

I had no Washington experience, and had no elective experience [before 1977]. I was a prosecutor for over six years -- in the U.S. Attorney's office, the DA's office, and the Louisiana Attorney General's office [[William J. "Billy" Guste](#)]. I acquired a lot of relationships, but with no intent of running for office at all. I was doing fairly well. Pretty good prosecutor, we had a nice home, and everything was cruisin'.

## **CAMPAIGNS for the HOUSE in both '76 and '77**

In the first election [1976, against [Richard Alvin Tonry](#)], I lost by three points. The only reason I lost was because a guy named John Rarick, a one-term Congressman from the Baton Rouge area, 90 miles northwest, moved into the district at the last minute, and [running as an independent] got about 9% of the vote. He cost me the election -- and in retrospect it was good, because I might not have been able to hold on to the seat. With two major races inside 15 months, I became a better campaigner...

**[Why two races? Freshman Democrat Richard Tonry ended up resigning in May 1977, giving Livingston another crack at the first-district seat. He defeated Ron Faucheux.](#)**

In the '76 race, I kinda took on the unions, and decided that wasn't too smart. The unions were pretty powerful, so I backed off of that [laughter], and actually ended up becoming very close to the head of the Seafarers Union -- which was the strongest union down there. I had the police unions, and a couple others, but the [Seafarers Union](#) -- the SIU -- was the strongest crew and they kept the AFL-CIO off my back. I supported [Jimmy Carter and the unions on] [Cargo Preference](#) -- waterways are tremendous in southern Louisiana, so that was a natural -- and it was an easy alliance for me. When I got on the Public Works Committee, and on the Water Resources subcommittee of Public Works, I spent most of my time focusing on those issues.

*How important were Jack Kemp and the Kemp-Roth three-stage tax-cut plan?*

There were a couple of books. John Rhodes had written [The Futile System](#), so that was my first speech Bible; and then Kemp had *American Renaissance*, which provided my talking points. I had already read *Atlas Shrugged*, and was convinced we needed smaller government.

*Late summer 1977, Carter hasn't made most of his mistakes yet, you are 34 -- what were Washington and especially Congress like?*

Well, I was thrilled to be there. I was the third in a string of four special elections all won by Republicans: [Jack Cunningham](#), [Arlan Stangeland](#), me and [Bill Green](#). That gave us hope. Guy Vander Jagt had restructured the NRCC two years earlier, and it was running well then. Although primarily we won on the local level, we did get a lot of national support. They had a candidate school headed up by Wilma Goldstein, and [NRCC operatives] did a good job of training candidates. They liked New Orleans, because they liked to come down and party -- sometimes they did more partying than campaigning [dissolves in laughter] -- but they were very helpful to me.

*How about Free Congress or any of the independent conservatives -- ?*

Paul Weyrich was very helpful in the early days, and Morton Blackwell -- Morton's from Louisiana. Those were the principal guys.

## **THE FIRST CONTRACT -- Capitol Steps Event 9/15/80**

This text is from the preparatory memo: *On September 15, 1980, hundreds of GOP Reps and candidates assembled on the Capitol Steps with Reagan and Bush -- an early version of the "Contract with America." (I was the lead staffer outside of the NRCC.) Although they did relate to long-term governance as opposed to process, the six "pledges" were mush. Even so, here was an attempt by freshman Newt Gingrich to bring parliamentary-style coherence to Republicanism.*

You're right. I do remember it, and had never thought about it [as a precursor to the '94 Contract with America], but I believe it.

## **WRIGHT versus GINGRICH**

Newt got his Ph.D. from Tulane University the same year I got my law degree. We never met but I've looked back and seen his pictures -- he looked like Roy Orbison. I'm about three months older than he is, and we always got along well.

*Fellow southern party-builders?*

Exactly. Newt started the COS [Conservative Opportunity Society] thing -- that was his big idea. They met, and they plotted, and I had nothing to do with it. He progressed on the political front, and I progressed on the committee front -- I was more of a policy wonk and liked being on the Appropriations Committee. And then, when he took on Jim Wright, using mostly newspaper clippings, I tried to restrain him. Being a former prosecutor, I just felt due process was important, and I was trying to advise him on how to do it right, without getting too inflammatory in the friggin' press.

*Did he listen?*

To some degree, but -- not entirely. And I think that the fact that Newt didn't entirely listen was what brought on Dave Bonior and the crew that aimed to annihilate him. They filed complaint after complaint after complaint. The Democrats learned to hate him for what he did to Jim Wright.

*But is that the real reason? After all, Newt was an aggressive partisan on a lot of other issues.*

I'm a person that doesn't mind goin' after a guy tooth and tongue -- if you got the substance. But -- don't take a cheap shot. And I tried to keep Newt from taking the cheap shots. And, clearly, a lot of people took cheap shots at him.

*How strong was the case against Wright? What did he do?*

He didn't do that much. He got the unions to buy his book! -- a book that nobody else read [laughter]. I mean, that's what he did. But Wright had other problems. First of all, he was much more partisan than Tip O'Neill -- not more partisan [in terms of goals], but more heavy-handed. He was the first guy to extend the *Record* for 45 minutes so he could get the outcome he wanted. There was built-in animosity toward Jim Wright.

And the final blow for several of us was when we really could make a case for the [1989] pay raise. He said he was gonna support it; but because he wanted to save his own ass, he pulled out. That was kind of the last hurrah for the poor guy. I don't feel sorry for him. I mean, he did a lot of stuff -- and I never really felt comfortable around the guy. He could quote Biblical passages until the cows came home. I admired his abilities, but I didn't necessarily admire the man.

*I'm trying to isolate how important Newt's crusade against Wright was in making Newt a totally polarizing figure after 1987 or so.*

It was the fact that he did it at all; the fact that it was successful; and [also] the way he did it -- primarily on newspaper clippings, rather than hearings. Newt was the first guy to really circumvent the Ethics Committee. Democrats just hated his guts. People like [Dave] Bonoir and Bill Alexander were ready to take that crusade to the death. You know -- you live by the sword, you die by the sword. That was just one of those things where he raised a flag, and then he got shot at.

## **MEETING on BLACKS and GOP with Ed Rollins in 1985**

From the prep memo: *Ed Bethune reminded me that you, he, Mickey Edwards and Tom Bliley were a unique group of House Republicans that, during the Reagan Era, got more than 25% of the black vote in your respective districts. He recalls a 1985 White House meeting with Ed Rollins, then the Political Director, that was a total flop (apparently black supporters from your districts took part). Do you recall this meeting?*

I know we got together, I don't remember the specifics. Kemp and Bethune and Edwards and I -- we were leaders on getting the black vote, and felt that we as a party could do a lot better. I think Rollins blew us off.

*The people you flew in from your respective districts weren't listened to?*

Right, that's true.

*How had you originally built that support among first-district black voters?*

Initially, in the first election, they didn't vote for me at all -- that's when I lost. So I really went after the black vote. I had African-Americans on my staff. Most importantly, I learned that the African-American community would never vote for a conservative white Republican under any circumstances, unless they really knew him. And so it was very hard to get their attention.

But -- Republicans make the mistake of not asking for their vote. And you gotta work harder, to get their vote. Because they gotta get to know ya. You gotta ask in person, you gotta look 'em in the eye, you gotta show that you don't have horns and fangs, and that you really are concerned. And once I was able to convey that, and I was, we gave 'em great constituent service.

## **SUNDQUIST vs. VANDER JAGT, December 1990**

We had three elections [referring to 1986, '88 and '90], House Republicans lost seats each time, and by the third time we were just terribly frustrated. The NRCC was raising progressively more money. Go back and read the *Roll Call* articles; they indicated something was severely wrong in the management of the NRCC. They were throwing money away, and some people were getting extraordinarily rich -- and all the while Republicans were losing House seats.

And I submitted 17 rules to clean it up -- for transparency, against conflicts of interest. Things like "if you're on the staff, you can't have a side company selling paper or doing polling" -- stop doing those sweetheart deals. We had a team of about five people. We said, "Guy has done valuable service, but it's time to go." [Don Sundquist](#) volunteered to be the challenger, but any one of us could've run. And we would've won, except that Newt came in at the last second and swayed the team for Guy.

I can't recall what the count was, but Newt made the difference.

## **TWO SHUTDOWNS (one week, then three weeks), late 1995**

Look, the shutdown was important -- both of 'em. We didn't "win." Clearly, Clinton "won" in terms of the immediate political fallout. Yes, he won. But we cut the budget! We balanced the budget! If people think you're prepared to do something disastrous, you can get a lot done! It's the Sword of Damocles hanging over our heads. Looking across the table at Leon Panetta, when he was OMB Director, we had tremendous successes that first year, beating the tar out of him. And when Dick Armey said [early in the second year] "we're never gonna do that again" -- we lost our leverage! He said it within two months after the second one. Damn! Why should you say something like that? You might not even want to [try another shutdown] -- but by saying it you eliminate any restraint.

### **Gregorsky begins drawing from the Liz Drew book *Showdown...***

*It's really a striking book -- and she defends the first shutdown as a win for Newt & Co. -- seven years to end red ink with CBO scoring and Clinton would finally submit his own plan. But she says the second shutdown, which lasted a stunning 21 days, reflected the fact that Newt was (a) not effective in dealing with Clinton during December and (b) was not able to tell the '94 freshmen that the ultimatum strategy had stopped working -- not until the polls were terrible did he pull back. By January 3rd, the shutdown was being blamed on Congress by two to one. The GOP had to sue for peace. But, did our side take polls taken early in the Fall, before you took this big gamble? Didn't you have a sense of how this might play out in the country?*

I don't recall seeing any polls. But I think [the White House] had polled it and I think they knew that they would win. They knew how to do it -- closing the parks -- and they handled it very well. And clearly we got our butts handed to us. In the short term, it hurt Republicans badly.

But -- it kept intact our ability to negotiate. What was our objective versus Clinton's objective? And what does Clinton crow about today? He balanced the budget. He didn't want to balance the budget [until late 1995]. Every time we looked across the table, Leon Panetta was pushing for more spending. They didn't want welfare reform. We passed it three times and Clinton vetoed it twice.

*But wasn't that a separate set of struggles?*

Yeah, but it was contemporaneous -- [and the signing of the third welfare bill] took place after the shutdowns. All of the successes enjoyed by the Clinton Administration in those years were because of the Republican Congress, and because we were



prepared to go to the mat. Did we win all the battles? No. But we ended up with the best balanced budget of the past 50 years -- and now, all of that is blown to hell.

*Stick with late '95 -- the first shutdown lasted six days. Then Panetta immediately began pulling back from what supposedly had been agreed to. According to Drew's book, Dick Morris and Bill Clinton were the only people in the White House predisposed to make a deal and stick to it. Everyone else on the Democrat side opted to stall and fudge. In the end, the strong economy wiped out annual deficits -- within 2 1/2 years, i.e. by mid-1998. Forget seven years...*

Well, I was focused solely on the appropriations. I was handling the negotiations in the beginning. And I believed in the shutdown. As long as you can tell people that there's gonna be discomfort, they'll be more likely to come toward your way at the bargaining table. I still think that the shutdown was effective in helping to enforce some of those cuts that we ended up getting. Our philosophy was not to cut across the board -- 1%, 2% cuts across the board, that was all crap. Instead we went after redundancies, waste, and stuff that didn't work. We had tremendous success in the early days, limited success in the middle, and then less success toward the end of the Clinton Administration. Increasingly toward the end, Newt wanted to meddle, and take over negotiations, and that ultimately led to my disenchantment.

## **CONGRESSIONAL SCHEDULING and CULTURE**

*Is the old cliché right, that traveling on a junket or "fact-finding mission" is the best way to get to know your colleagues, regardless of party?*

Well, these days I think it's the only way. Because they've got an attitude of "if you want to get to know me, read my speeches." Because they're here so infrequently -- they don't come in on Mondays and Tuesdays and they leave on Thursdays -- Republicans don't know Republicans and Democrats don't know Democrats.

And, if you want a simple explanation of why the budget went out of control during the past 10 years, it's because they weren't here and nobody knew what was in the damn bills. All the staff were making the decisions. The Members really don't know each other, and travel now is just about the only way.

The reason all this has happened -- it's a byproduct of Newt saying "leave your families at home." He told us "it's better politics, you can make sure you get reelected." He was right about the politics. The problem is government suffered, and Republicans lost the ability to govern; they lost the ability to control what was happening on Capitol Hill

because they weren't here enough, and they didn't understand what was goin' on; the staff was running everything. Spending got out of control because (a) nobody knew what was in the bills, and (b) because Bush wouldn't veto 'em, and hold their feet to the fire. Spending went out of control, and so did Republicans -- and that's why we lost [in 2006].

## **NOT GETTING the DEFINITION or UPSIDE of EARMARK**

It's a meaningless term. The entire federal budget, submitted by the President, is an earmark! It is the President's perception of how the United States government should be run, and what money should be spent where. Each President will have his or her pet projects, which will go into the budget. Now why should the executive branch have more power over the budget when the Constitution says that it's the legislative branch that has the power of the purse? Why does any White House get to say "no earmarks" in a budget plan that has his pet projects?

*Make your point about the innovation aspect.*

I'm Joe Congressman from New Orleans. I come up here and one of my constituents approaches me and says: "I have the cure for anthrax. It's a chemical compound that you can take in a pill with no side-effects, and it eliminates your vulnerability."

*If it that's good, you should be able to go through a hearing.*

And suppose you know that some group is out there planning an anthrax attack for five months from now? You have that intelligence, or you're hearing it. Why shouldn't that Congressman be able to [back a prospective treatment with money]?

Look, I don't mind submitting to a hearing, but there are many, many instances where people really have a better way. The executive branch "vets" ideas, and if they're institutionally incapable of accepting anything that they didn't figure out, or didn't propose, they're not gonna want it. We've seen that. A guy had an idea for protecting missile silos; it was a hardening approach, where you put cement walls around 'em and sink the cement. Because it wasn't invented by Bechtel or one of the great contractors, they wouldn't even look at it.

*So you're almost defending earmarks as a strategy for R&D?*

Absolutely I am. We have technologies come here all the time. Some are good, some are bad. And sometimes a promising one can't get private investment because they're an upstart nobody. And the Constitution says you have the right to petition your Representative. What we've effectively done -- with all these ethics rules, and all this



ranting about earmarks -- has virtually prevented that. If you have a better idea, something that will really advantage humanity, and you can't get the executive branch to take a look, you petition your Representative and have him propose it. Okay, submit it to hearings, make it transparent.

*But didn't Republicans let what was a workable and sort of backstage method, i.e. earmarks, just go crazy and become a PR disaster?*

Yeah, and the reason is fundamentally what I told you before, about the schedule.

Let's take it incrementally. A lobbyist is an advocate. You have good advocates, and bad advocates, and they know how to make their case, how to persuade other people. Now, you can do that corruptly, or you can do it honestly. The corrupt ones are a small minority. Elected Representatives have the responsibility to weigh the difference between the good case and the bad case. They have the legal obligation to do it uncorruptly.

Most Members of Congress -- 99% -- are there as good, honest, decent, hard-working Americans. They have totally divergent philosophies, but they're trying to do their job, and a good lobbyist has the responsibility to fairly present his case -- not lie -- and the elected official has the responsibility to either agree or not agree. If that official is studious, he won't need an ethics rule to hide behind; he won't reject the case out of hand, he's gonna think it through. "Well, you know, my constituents probably would be better off with that widget." If he likes the idea, he goes to his committee and presents it. If the committee is doing its job, they might hold a hearing -- on that particular deal.

So -- where is the breakdown? Is it the lobbyist's fault? No. Is it the constituent's fault? No. Is it the Member of Congress's fault? Well, wait -- if he's not there on Monday, and he's not there on Tuesday until 6:00 in the evening, and all the meetings of his 27 subcommittees are on Wednesday morning between 9 and Noon, and he's on the floor in the evening, and he might have hearings on Thursday morning but probably not (because he's gearing up to go home that afternoon), how the hell does he know if it's a good idea or not?!

And that's what happened over the past 10 years. These guys didn't know what was in the bills, and so more and more lobbyists developed cozy relationships with the staff --

*And that explains a 10-fold increase in earmarks?*

Yeah. Absolutely.

## THE GINGRICH SPEAKERSHIP

I think we did a lot of good [during 1995-98], and I do give Newt the lion's share of the credit. We had an unfortunate “ending” in that relationship, but in fact it's not ended; we're still good friends. And I admire his qualities. He's a genius -- but geniuses can be mercurial. He has his highs and his lows. You worked with him, you know that.

*I would fear coming into the office: “How much is going to change today?”*

And that's exactly the way I was toward the end of our association in Congress. I told him, “You can't keep doing this to the rest of us.” In one case -- I can't remember what the subject was -- he had said he was gonna do one thing, changed about an hour later, and I went to his room and started yellin' at him, in front of about three or four people. I ran out, slamming the door so hard, I think it vibrated all through the Capitol.

Still, I don't think anybody else could've done what he did [to make Republicans a majority in the House]. Strategy and operations, okay. As for management? [good-natured laughter].

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