

**DANIEL K. INOUE
ORAL HISTORY PROJECT**

**Daniel K. Inouye
Distinguished Lecture Series
YEAR TWO
“Protecting National Security and Civil Liberties”**

NORMAN MINETA & ALAN SIMPSON

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**DANIEL K. INOUE INSTITUTE,
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HONOLULU, HAWAI'I**

00:01:00

INTRODUCTION: Ladies and gentlemen, Mr. John Van Oudenaren, Director for Scholarly and Educational Programs at the Library of Congress.

[APPLAUSE]

00:01:30
OUDENAREN: Good evening, [APPLAUSE ENDS] Secretary Mineta, Senator Simpson, members of Congress, acting Librarian of Congress now, Miss Compton, distinguished guests, good evening. And aloha to the students and faculty of the University of Hawaii who are watching via live-stream on the University campus, and at the Japanese Cultural Center of Hawaii, and also a special greeting to the Aloha Boy Scout Council. On behalf of the Library of Congress, it is my pleasure to welcome you to this evening as we continue a wonderful five-year collaboration with the Daniel K. Inouye Institute to commemorate the life, legacy, and values of the late Senator Daniel Inouye.

00:02:00
Before we commence the program, I ask you to take a moment and silence your mobile phones and electronic devices so that they do not interfere with our speakers. I'll also make you aware that this event is being recorded for future placement on the library's website. I'll take a few minutes to introduce the program and the speakers, and then we'll turn it over to the substantive discussion. Daniel K. Inouye was a lionessque figure in Washington and

00:02:33 in his home state of Hawaii. Born September 7th, 1924, in
Honolulu, Inouye graduated from high school not six
OUDENAREN: months after the United States entered into war against
Japan. Coming out of the University of Hawaii, as a pre-
med student, Inouye volunteered and was the youngest
member of the famous 442nd Regiment of the U.S. Army, a
00:03:00 unit of Japanese-American soldiers who fought gallantly in
the European theatre of operations. On April 21st, 1945,
Inouye was wounded in battle and lost his right arm. He
returned home with a Distinguished Service Cross, Bronze
Star Medal, two Purple Hearts, and 12 other medals and
citations. From there, Inouye graduated college and law
school and entered into public service. Elected into the
00:03:32 Territorial House of Representatives, when Hawaii became
the nation's 50th State, Inouye became Hawaii's first
Representative to the U.S. House followed by his election
to the U.S. Senate as America's first Japanese-American
senator. In his near half a century in Washington, Inouye
served as a member of the Senate Watergate Committee,
Chairman of the Senate Iran-Contra Committee, and a
00:04:00 long-time member of the Senate Appropriations
Committee, which he chaired from 2009 to 2012. Inouye
passed away on December 17th, 2012. He was awarded
the Congressional Medal of Honor for his military service
and was posthumously awarded the Presidential Medal of
Freedom becoming the first Senator to receive both the
Medal of Freedom and the Medal of Honor. Tonight, the
00:04:30 John W. Kluge Center at the Library of Congress and the
Daniel K. Inouye Institute, present the second in a five-

year Distinguished Lecture series, to commemorate Daniel Inouye's commitment to bipartisanship, moral courage, public service, and civic engagement. Our first lecture, last year, featured Madeline Albright and Colin Powell, and addressed bipartisanship and the U.S. engagement with the world around us, exploring how leaders have cast aside political differences at home in order to act in the best interests of the nation, abroad and how they might do so in the future. This evening, our speakers will consider the delicate balance between protecting civil liberties and safeguarding national security. They will consider historical precedents from World War II and explore some of the issues created in the wake of the events of 9-11 by the passage of the Patriot Act. The event is made possible by a generous donation from the Daniel K. Inouye Institute and we are privileged this evening to have the Senator's widow and the driving force behind his legacy, Mrs. Irene Inouye in attendance. I ask you to please join me in recognizing her.

[APPLAUSE]

00:06:00

OU DENAREN: I now would like to introduce our distinguished panelists who, tonight, will address the protection of national security and civil liberties. Throughout his career, the honorable Norman Y. Mineta served as U.S. Secretary of Transportation, U.S. Secretary of Commerce, and as a member of Congress. In 1942, when he was 10 years old,

Secretary Mineta and his family were among the 120,000 Americans of Japanese ancestry forced from their homes

00:06:30

OU DENAREN: and into internment camps by the U.S. government, following the attack on Pearl Harbor by Japan. They would remain interned for the duration of World War II. Secretary Mineta and his family were interned in a camp near Cody, Wyoming. It was there that Mineta, a Boy Scout, met Al Simpson, who visited the camp with his local Boy Scout Troop. This marked the beginning of a life-long friendship.

00:07:00

Returning to his hometown of San Jose, California in 1945, he graduated from the University of California at Berkley and served as a U.S. Army Intelligence Officer, during the Korean conflict. In 1967, he became the first Asian-Pacific American member of the San Jose City Council, becoming the city's Vice Mayor in 1968. In 1974, he was elected to the U.S. Congress where he served for 20 years.

00:07:30

Throughout that time, Mineta was a constant advocate in the area of civil rights. He founded and served as the first chairman of the Congressional Asian-Pacific American Caucus. He served as the principal author and driving force behind what became the Civil Liberties Act of 1988 which officially apologized to Americans of Japanese ancestry for the internment. In 2000, President Bill Clinton appointed Mineta Secretary of Commerce, making him the first

00:08:01

Asian-Pacific American Cabinet Secretary. In 2001, President George W. Bush appointed Mineta Secretary of Transportation where he served until 2006, one of the very few Americans to have served in the Cabinet of Presidents

from two parties. Following the terrorist attacks of September 11th, 2001, Mineta guided the creation of the Transportation Security Administration, an agency with more than 65,000 employees, marking the largest mobilization of a new federal agency since World War II.

00:08:30 OUDENAREN: Alan K. Simpson served in the United States Senate as a member of the Republican Party, in addition to his public service, Simpson taught at the Joan Shorenstein Center on the press politics and public policy at Harvard University's Kennedy's School of Government and served for two years

00:09:00 as the Director of the Institute of Politics at the Kennedy School. Simpson graduated from the University of Wyoming in 1954. Upon graduation, he was commissioned as an ROTC officer. He served overseas in the 5th Infantry Division and in the 2nd Armor Division in the final months of the Army of Occupation in Germany. Following his

00:09:30 honorable discharge in 1956, he returned to the University of Wyoming to complete his study of law, earning his juris doctorate degree in 1958. After serving for a short time as Wyoming Assistant Attorney General, Simpson joined his

00:10:00 father in the law firm of Simpson, Kepler, & Simpson in his hometown of Cody. He would practice law there for the next 18 years. During that time, he was very active in all civic, community, and state activities. He also served 10 years as city attorney. He was elected to the United States Senate in November 1978, and served until early 1997. From 1985 to 1995, Simpson was the Republican Whip, the Assistant Republican leader in the Senate. During his time in office, he was Chairman of the Veterans Affairs

Committee. He also chaired the Immigration and Refugee Subcommittee of the Judiciary, the Nuclear Regulation

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OU DENAREN: Subcommittee, the Social Security Subcommittee, and the Committee on Aging. In early 2010, he was named to co-chair the National Commission on Fiscal Responsibility and Reform, focused on tackling the United States deficit. He was a member of the Iraq Study Group and the Commission on Presidential Debates. The conversation will be moderated by Ann Compton, former ABC News White House

00:11:00

correspondent. Ann Compton joined ABC News in 1973. On September 11th, 2001, Compton was the only broadcast reporter allowed to remain aboard Air Force One during the dramatic hours when President Bush was unable to return to Washington. Reporting for all ABC News broadcasts, Compton has traveled around the globe and to all 50 States with Presidents, Vice-Presidents and First

00:11:30

Ladies. So we're just about ready to begin, a few more administrative notes...regarding questions...we will allot a few minutes for questions at the end of the conversation, index cards and pencils will be distributed, please write your question and hand it to one of the ushers who will bring it forward. We'll ask as many as we are able to do in the time that's available to us. We are Tweeting, the hashtag is Inouye, so tweet away if you are a tweeter.

00:12:00

And now please join me in welcoming our distinguished panelists to the stage.

[APPLAUSE]

00:12:41

COMPTON: Well, thank you all for coming, a very distinguished audience here with us, in the auditorium, and aloha to the students in Hawaii who will be able to not only watch this but ask questions as well, and you are our favorite audience here tonight...and I would like to welcome both

00:13:02 panel members, as a reporter, over an arc of 40 years here in Washington, I have covered both men. I have...I know that they are not only some of the best known names in Washington, and the most respected voices, but I know they are also two of the best liked people in this town and that's no small achievement. [APPLAUSE] I want to start with...I've known Alan Simpson since 1978, when he was elected, and I never knew the story about how the two of you met. And Secretary Mineta, let's start with you...tell us about moving into that internment camp and tell us about the cane that you carry now.

MINETA: Sure...well [CLEARS THROAT] because I'm going to

00:14:00 personalize this, but probably the most seminal moment in my life was December 7th, 1941. We had just returned home from church and we had the radio on and pretty soon, people were calling about what's going on in Hawaii, and how is that going to impact on us...on the mainland...and uh, so, in February 19th of 1942, President

00:14:30 Roosevelt signed Executive Order 9066...and that order delegated to the Secretary of the War and to the

Commanding General of the Western Civil Defense Command, the ability to evacuate persons...didn't say German, Japanese, Italian, said just the ability to evacuate and intern persons...the Commanding General of the Western Civil Defense Command was a General DeWitt and General DeWitt postured that if the Japanese were able to attack Hawaii, they would probably be able to attack the West Coast and then yet, if they attack the West Coast, because there were 120,000 people of Japanese ancestry in Washington, Oregon, and California...he had coined the phrase, once a J-A-P, always a J-A-P...and he figured if the military forces came, 120,000 people would join up with the military forces. So he used the Executive Order 9066 to commandeer racetracks and county fairgrounds, because they had built-in living quarters, namely horse stables. And so, soon after February 19th, the big placards went up in those neighborhoods where there were many people of Japanese ancestry and the big signs just said simply, attention all those of Japanese ancestry—alien and non-alien—and even as a 10-year old kid, as I was reading that I said, what's a non-alien? I asked my brother, who was nine years older than me, and he says, that's you, a citizen. And I said, well, why isn't the government calling me a citizen instead of a non-alien? Now, I'm not sure how many of you have ever stood up and pounded your chest and said, I'm a proud non-alien of the United States of America...

[LAUGHTER]

I don't think you have. And that's why, to this day, I cherish the word, citizen, because my own government wasn't willing to use that moniker on us. So by May of

00:17:02

MINETA:

1942, we uh, were being assembled to move on to the internment sites and we could only take what we could carry, and so we were first put in to a...imprisoned at San Juanita, the racetrack, which is 400 miles from San Jose.

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So for us, it was a big, long overnight train ride to Los Angeles to San Juanita, the racetrack...and I was 10-years old and had my Cub Scout uniform on, a baseball, baseball glove, baseball bat, and as I got on the train, the MPs confiscated my bat...on the basis of being used as a lethal weapon. So I went running to my father, crying that the MPs had taken the bat...he said, that's all right, we'll get it

00:18:03

replaced, but there were no stores in the camps, so it never was replaced, so I did lose my bat at the time...and 1991, I wrote the Intermodal Surface Transportation Efficiency Act and that was considered landmark

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legislation, it was the first re-write of the National Defense Highway Act, and the American Society of Civil Engineers gave me the honor of being a fellow of the American Society of Civil Engineers and a fellow wrote to me from Los Angeles saying, congratulations on becoming fellow and I was very touched by the fact that you lost your bat when you were 10 years old and I want to share with you a bat from my collection, and when I opened the box, it was a bat signed by Hank Aaron, U.S. homerun king and

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Sadaharu Oh, the homerun king of Japan...and so...

[COLLECTIVE GASP]

COMPTON: Wow...

MINETA: Wow...so...

[APPLAUSE]

COMPTON: But that's not the end of the story...

MINETA: So I wrote the fellow a letter profusely thanking him for this wonderful gift and a reporter from the San Jose Mercury News, heard about my getting the bat, so he wrote a story about the bat, being an enterprising reporter, went to a sports memorabilia shop, found out the bat was worth fifteen hundred dollars. Well, the gift limitation for those of us in Congress was 250 dollars. So I had to pack up the bat, send it back to him, explaining to him why I couldn't accept the bat and I sent a copy of that letter to the reporter and I penned on there, the damn government's taken my bat again.

00:19:31

[LAUGHTER & APPLAUSE]

COMPTON: Mr. Secretary, I'm going to bring Alan Simpson into this now, because what was it like for you as a kid growing up in Cody, Wyoming, to go out and visit families during wartime who were basically American citizens prisoner in their own country?

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SIMPSON: Well, it was a very confounding time because of the war. December 7th, a beautiful Sunday, suddenly they said the

Japs have attacked Pearl Harbor, no political correctness in those days. One of the cartoons in their

00:20:33

SIMPSON:

interpretive center, a very racist cartoon of the First Order is by Dr. Suess, the most amazing thing to look at, the guy who went on to charm millions...was a time of hysteria, but what it was really time...there was nothing between Powell and Cody but sagebrush...and suddenly in June, May of

00:21:00

'42, don't forget, a Japanese submarine shelled the coast of California in March of '42, and they said how could this possibly have happened unless they're spies...so they didn't gather up anybody in Cedar Rapids or Denver or New York, they just took them right off the coast, 120,000...and 14,000 people came to the sagebrush

00:21:33

between Cody and Powell, about 15 miles from Cody, ten from Powell...and it had the wire the entire enclosure. It was barracks as far as you could see, barracks. No toilets in any of the facilities, just a mess house where they ate and then their toilets in a tar paper shack, literally...and they got off the train...and at each corner were guard towers

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with soldiers and machine guns aimed inside. Now, when you're a kid and you're hearing on the radio every day that the Japs have killed people in Iwo Jima and they were taking us to the woodshed, until Midway Island came up, and we blew up a lot of their carriers. But, it was a tough time. Signs on the door in Cody, Wyoming: No Japs

00:22:30 Allowed...or: You SOB You Killed My Son In Iwo-Jima...and our Scout Master, very advanced fellow said, look they've got Scout Troops out there. I think there were three troops and one was from San Jose, and he said, if any of your parents don't want you to go, you tell me, and only one parent...said no. And my parents said, these are, these are kids. They're just like you. And we went out there and did merit badges and braiding. I didn't have any hair to braid, but we braided other things, and met this cat [GESTURES TO MINETA] and then, it never ended. He said that I tried to drown out a bully in his camp and that I made this hideous laughter, I know that's not true. But nevertheless, it was a great lesson in...in working through the confusion of a terrible

00:23:33 situation and seeing boys just, same merit badges, same little books, same stuff...terrible.

COMPTON: So here we are in 2016, and we've been through, both of you have been through 2001 and September 11th, are there lessons from the interment process, at a time of war, after a time of real attack by a known country, a known adversary, to a time now where this shadowy terrorism and the rise of ISIS, what lessons do you take from this and in the rearview mirror, does the interment seem terribly, terribly wrong? Or understandable at the time? Senator?

00:24:00
SIMPSON: Well, there's a difference, the difference is, after we rounded up 120,000 Japanese-Americans, very few of

00:24:33 them were permanent resident aliens, some were, the Issei and Nisei, there wasn't one single case of espionage by any Japanese American in any one of those camps. It's different this time, because you're dealing with, apparently and vividly, and don't throw anything, of people who like

00:25:00

SIMPSON: to behead people and give women contraceptives because you're not supposed to ever rape a woman who could ever be pregnant. These are not pleasant people. And at some point you have to make a distinction without getting into hysteria and racism that it is a very different thing now, and that's not very politically correct and you're going to have to deal with real refugees and a real refugee is a person fleeing persecution based on race, religion, national origin or membership in a political or social organization.

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The dogs are tracking you and the gunners are aiming at you. That's a refugee. And if that definition isn't met case by case, which was something that Kennedy and I did and George Schutz, you've got a real problem.

COMPTON:

Mr. Secretary, looking back, what should those students who are listening to us right now from Hawaii know about how you look at the internment and how you look at the security threat now?

00:26:00

MINETA:

Well, I was the Secretary of Transportation on 9-11 and I was having a breakfast meeting with the Deputy Prime Minister of Belgium who is also the Minister of Transport

00:26:30 for Belgium, and I had with me, Jane Garvey, who is the Head of the Federal Aviation Administration. The three of us were having breakfast in my conference room. My chief of staff came in and said, may I see you? So, I excused myself, went into my office, and as I went into my office, at the other end is a TV console on the floor and as I come walking in, obviously it's the World Trade Center and black smoke pouring out and I said, what's all this? Said, well, we don't know, we've heard general aviation into the building, we've heard the possibility of a commercial airliner into the building, we've heard the possibility of an internal explosion in the building. So, I looked at the TV for a while, went back into the conference room and explained to Jane and to Mrs....shoots....Dalton, what I had just seen. And so, a little later, he came back in and said, may I see you? So I excused myself and went into my office and he said, it was a commercial airliner that went into the building...and I was standing in front of the TV set and then all of a sudden, I see something grey go across the screen, disappear on the left-hand side of the screen and this yellow-orangey billowy cloud and I said, holy cow, what was all that about? Or words to that effect...and so, I really watched TV for a little while and I finally went into the room and I said, I don't know what's going on in New York, but I know it's going to involve me...Jane, you've got to get back to the operations center at the FAA and we've got to deal with whatever is going on. So I excused myself and went back into my office. By the time I got in there, the White House called and said, get over here right away. So

MINETA:

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00:28:30 I went over to the White House and as we were driving in, people were running out of the White House, they're running out of the old Executive Office building, and I said to my driver and security guy, is there something wrong with this picture? We're driving in and everybody else is running out.

[LAUGHTER]

MINETA: So I went into the White House and Dick Clark from uh...said...or the guard said...

COMPTON: He was the counter-terrorism advisor at the time...

MINETA: ...had to be briefed in the situation room by Dick Clark, so I went in there...he didn't really tell me much more than what I had already heard on the television. Then he said, you've got to be in the PEOC. And I said, the PEOC, what is that? He said, that's the Presidential Emergency

00:29:03 Operations Center. It's a bunker way under the White House. I said, I have no idea where it is. Secret Service agent standing there said, I'll take you. So I went over there and got there probably about...I think it was about 9:20 or so, the Vice President was in there...so a military aide came in, said to the Vice President, there's a plane heading towards D.C. So in

00:29:33 the PEOC, there's a big long table, probably 30 feet long, 12, 15 feet wide, chairs all the way around, phones between each of the chairs. This phone I set up to my office, this one to FAA, sat there at that desk talking to

both, into both phones. And so, when he said that there was a plane

00:30:00 coming towards D.C., said to the FAA people, what are you tracking of a plane coming towards D.C. And on the...in the credenza behind my desk, I had a monitor with an outline of the 48 States with a whole bunch of dots. If I put my mouse on one of those dots, then a flag would come up and say, U.A. 123, United Airlines Flight 123, and PDX, and

00:30:30 the number of navigational points, ORD...so that meant, it left Portland, it's flying through these points, going to Chicago Ohare...then it would say, B752, Boeing 757 Series 200, it would show the compass direction, the amount of fuel left on the plane and a number of other things, but that transponder had been turned off on that plane and all they were doing was following the blip on the

00:31:01 37 second sweep of the radar. So I said, Monty, where's the plane? It's hard to relate to a radar picture and then try to relate it to the ground, so he said, well, probably in the middle of Pennsylvania...so every so often, I would say, where is it now? So he'd try to guess, probably north of Baltimore now...and...where's it now? Probably near Roslyn...where is it now? Probably between

00:31:31 Roslyn and the National Airport...where is it now? Oops...oops, what? We just lost the bogie, we just lost the target. Where'd you lose it? Somewhere between Pentagon City and the National Airport...and then someone broke into the phone and said, Secretary, we just got a phone call from an Arlington County police officer, who saw an American Airlines go into the Pentagon. So I said, Monty,

00:32:03 that's the third commercial airliner used as a missile today. And we don't know what the heck is going on...the military has something called stand-down...we've got to do our own stand-down and I want to bring all the planes down right now. And Monty said, we'll bring all the planes down per pilot discretion. And I said, screw pilot discretion, because I didn't want a pilot over, let's say, Albuquerque or

00:32:30

MINETA: Phoenix, deciding he'd just fly into Los Angeles. I wanted all the planes down and at that point we had uh, 5,138 planes over the skies and in two hours and twenty minutes we were able to get them all down safely and without incident. But that morning, that Tuesday morning, I pulled three people out of ACS, Aviation Civil Security, and said, start putting together a security regimen that we can allow the airlines to go back up. And uh, so they started working on...pulled them out of FAA and brought them over to my office and they started working on that and it took until Friday for us to get the new regimen out.

00:33:00

COMPTON: Let me ask you to look at it now through the eyes that we have now...where terrorism has now struck softer targets...do you think that the reaction was...the reactions were the right one on September 11th and what do students and the rest of us now, know better, as we look back on September 11th, is there a way to better protect Americans, the broader issue of national security?

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MINETA: Well, I think the fact that the TSA, we established TSA in November of 2001, and since then, there has not been a terror incident of any major magnitude in our transportation system. The thing that...had been before the case was that we allowed the airlines to do their own security and they would put it out to low bid and whoever got the low bid, did the security. Well, that proved to not to be the case. So, ACS started putting together the regimen and

MINETA: what they started out with at the very top was no racial or ethnic profiling and that was the first one that was in there, on the list of things that they wrote about...now on Thursday, September 13th, we had a Cabinet meeting of the House and Senate Republican-Democratic leaders and towards the end of that meeting, Congressman David Bonior of Michigan said, Mr. President, we have a large population of Arab-Americans in Michigan and they are very, very concerned about all this talk about keeping Middle Easterners off of airplanes, keeping Muslims off of airlines, and even talking about rounding people up, putting them into camps...and President Bush said, David, you are absolutely correct, we are equally concerned about the rhetoric going on and we don't want to have happen today, what happened to Norm in 1942. And you could've hit me with a feather and knocked me off my chair.

COMPTON: Wow, yeah...we have so much territory to cover, I want to move ahead...Alan Simpson, when you look back on that

00:36:00 time and of course, then, in 47 days after September 11th attack, the United States Congress passed the Patriot Act, and you were the judiciary Committee during your time in the Senate, do you think the Patriot Act was the right next move? It's been revised, obviously since then, but was that reaction an understandable one in terms of national security?

SIMPSON: Well, it was...responding to hysteria and fear and racism, and, I always love it, I don't love it, I am puzzled when people talk about what happened in World War II, that Earl

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SIMPSON: Warren was right at the forefront of evacuating these people and he spent his life on the Supreme Court trying to expiate his guilt. Franklin Roosevelt, one of the greatest civil literarians of all time, the great tragedy, the Supreme Court of the United States, in a 6-3 decision together with the majority of William O. Douglas, said this was perfectly ok. A military necessity...so people say, oh...how horrible. Well, so what? I mean, it happened. You can't unwind history. There was a dissent by a guy named Murphy, he was a hack, he was a Democrat hack, I hate to say that.

00:37:01

[LAUGHTER]

00:37:31 But, he was...but he should go down in history with the Constitution and the Gettysburg Address, he wrote the dissent, which in Wyoming terms was essentially, military necessity, my ass. This was a total violation of the Constitution of the United States of America based on race and hysteria, we are all foreigners in this country. And it's

00:38:01 big, it isn't that big, it's on the wall of the Interpretive Center that dear Norm raised all the bucks, I took some of the credit.

[LAUGHTER]

00:38:30 But...uh, these things, I mean, it was done...and now, you know, they're talking about your privacy...I mean, I have another twisted view of life, I have no privacy, never did. I wish they hadn't found out about some of the stuff, but you know, shooting mailboxes and being on federal probation and hitting a cop, those are not good things, but...

[LAUGHTER]

00:39:01 MINETA: ...nevertheless...nevertheless, my view is very simple. What do you got to hide? And this thing between Apple and the U.S. is going to get a lot bigger, it's going to be like bear meat, the more you chew it, the bigger it gets, and at some point, you're going to find guys who are encrypted, and not for doing good things in the world, they're encrypting so they can do bad things. And then invent their own coinage for god's sake...and play bit...I mean, the fun and games in my lifetime, in this area, going to be full zone, bullet jacket stuff.

00:39:33 COMPTON: So where are we now in terms of the Patriot Act and then the USA Freedom Act, which came after Edward Snowden, an analyst who had left Hawaii with all the...you know briefcases full of secrets and put them out there to make sure that they were published...what does the United States do now? What should Americans know about their

privacy right now and the balance with national security?
Alan?

SIMPSON: I don't know, as I say, it's going to be, it's a
puzzler...they're waiting for Snowden, they want to
extradite him. He'd love to come home, but he ain't gonna
get home. And then they're, pretty soon, somebody will
say, as we say, button your

00:40:03 shirt, your heart fall out, you know? We should have him
back and all that...well, we will bring him back but we'll do
something in the court system when he comes back. I
don't know...it...the whole thing is shot through with

SIMPSON: political correctness, which...when I taught at Harvard, I
told my class, if anyone's enamored by political
00:40:30 correctness, you ought to get out of here.

[LAUGHTER]

...because we're going to talk about everything...the Irish
troubles, Armenian genocide, abortion, homosexuality, all
of this will be talked about without a muzzle. Because I
think people who say, I've never had a bad thought about
anything, I'm just the sweetest person on earth, never had
any bias or prejudice, certainly...that's just BS, so that's
00:41:01 going to be one and that's why this guy Trump is hitting all
the chords on the Phantom of the Opera...

COMPTON: Trump? Who is this?

[LAUGHTER]

SIMPSON: Oh...he's not my guy...

[LAUGHTER]

COMPTON: Mr. Secretary?

MINETA: Well, the...I was on the Intelligence Committee when we wrote the FISA, the Foreign Intelligence Surveillance Act...in there, there was a requirement that the NSA had to get a search warrant to tap the lines of a U.S. citizen, go to a three judge tribunal to get a search warrant. Now, that was eliminated in the Patriot Act. And so, the

MINETA: protection there about what can the government have access to, wasn't there. And that bothered me. And I remember the administration had asked me to help get the Patriot Act through and I said, no I couldn't help them

00:42:01 because they had eliminated the three judge panel when they rewrote the FISA Act, and so I think there has to be the kind of protection to citizens, even with the national security as extreme as it can be...and uh, otherwise, you know, the whole...the thing I couldn't understand was, on

00:42:30 September 11th, was sort of re-living the evacuation of '42, because here, you had the media, people saying round them up, keep them off planes, do...uh, you know...and so, I mean, even the President said, we don't want to have happen today, what happened to Norm in '42, and then he met with a large group of Arab-Americans, and uh,

00:43:00 Muslims at the Islamic Study Center on Mass Avenue on Monday, September 17th...and he said to them, we know

00:43:30 who did that last Tuesday, they were not loyal Arab-Americans, they were not faithful followers of Islam, they were terrorists, we're going to go after them...and the same thing happened at the end of September, there was someone shot and killed...a man who owned a gas station with a mini-mart, and when they apprehended the killer, they said, why'd you kill him? He said, well, because he looked like the enemy. The fellow was a Sikh...and he had his...

COMPTON: The turban...

MINETA: ...his head gear, he had facial hair, he had leg bindings...said, simply because he looked like the enemy.

COMPTON: Yeah...what part of government really has to take the lead on security? Is it the Executive? Is Congress uniquely unsuited to really grapple with these issues? Should it really be left to the courts? I mean, the ultimate results of the courts? Who in government...
00:44:00

MINETA: Well, I mean, it requires...the Executive...uh...part of our government still requires laws to...on which it gets the authority to do something. So, as in the Transportation Security Act in November 17th, 2001, Congress created TSA and gave us the...there were 37, 36 mandates in the law and um, as to what we had to do. So you still have to have the Congress involved in it. Now, at the time, Congress wanted to have the security done by contractors
00:44:31

00:45:00 and I maintained that the contractors didn't do their job and I wanted them as federal employees so that regardless whether you got on the plane in Chicago, Dallas, Fort Worth, or Des Moines Iowa, you were going to have the same kind of level of security being applied...so, we were finally able to get Congress...

SIMPSON: Well, these things are a federal job...immigration is a federal responsibility.
00:45:31

COMPTON: That's our next topic...we have...

SIMPSON: ...it's not a state-by-state responsibility, but if you have a Congress that won't function, and they're not functioning on the issue, then the President's going to come in with an Executive Order, which is exactly what has happened with immigration. And when we did an immigration bill back in '86, bipartisan big votes, both sides, it didn't work because the right and the left, Grover Norquist rode in on this white horse, I remember, and his robes, kind of like Paul Revere in reverse.
00:46:00

[LAUGHTER]

And then also the ACLU rose in abject anguish and called what we had in there, we had a...gotta have a more secure identifier, to protect the employer...and they took it out because the national rage created by the left and the right was that was a national ID card...boy, that's the way to kill stuff around this joint, invent a flash word...national ID card, now they're talking about retina scans and
00:46:33

fingerprints and nobody's written any kind of an editorial about the slippery slope...I mean, you know, it is madness. But if Congress won't function, any President is going to function, and then if that doesn't work, the Court will function and that's the way that works.

00:47:00

COMPTON: We are going to open to your questions in just a moment, let me get you both, before we take these questions, to focus on immigration because that's the next logical area in the kind of a national security debate that we've had in the United States, and the courts decisions...why, Senator Simpson, were you able to get immigration legislation, landmark legislation, in 1986, and is it ever going to be possible in the early part of the 21st century?

COMPTON: 00:47:32

SIMPSON: Well, when we started, Ron Mazzoli was a Democrat from Kentucky, Ron...Norm knew him well...and he was the chairman of Judiciary and Subcommittee on Immigration. And I said, why are we having a hearing in the House on the issue of whatever it was, security, or whatever, or...amnesty, which we changed the word to legalization, which threw all of them off.

00:48:00

[LAUGHTER]

And you have to learn how to throw them off, you know, before they gnaw a hole through you.

[LAUGHTER]

So, we...said, let's have a joint hearing, House and Senate together, I'll come over to your shop...we had to go to the

- 00:48:30 Speaker to get that done, because he controls the shop, and Tip O'Neil looked at us both and said, what the hell is wrong with that? And we did, we had 20 joint hearings, covered a lot of ground, Kennedy was my ranking member, Sonny Montgomery was over there in the Democrats, Hamm Fish, good thoughtful people. The vote was bipartisan. And then, I remember very swiftly, it was still in the Senate, and they said, now the Republicans, we need
- 00:49:00 to do a Republican Immigration bill and you're the guy, you're the wizard. And I said, there is no such thing as a Republican Immigration bill and if you think there is, you'll never get one. It has to be a bipartisan bill and that's what they can't get done now and until they realize that this is a national issue that should be handled by a national
- SIMPSON: Congress, bipartisan, good faith people, they're not going to get anywhere, period.
- 00:49:30
- COMPTON: We are going to start with some questions, we still have a lot of area that we need to hit, so please, where would you like to start us?
- OUDENAREN: We'll start with a question submitted from the students in Hawaii who are watching online. One of the students has a question about American values and states that American values are what make us unique and...

SIMPSON: I had a mortar platoon in the Army and I'm not getting that, it's blurry...

OUDENAREN: I'll repeat the question...

SIMPSON: Yes, please...

00:50:00

OUDENAREN: A question about American values which are seen around the world as one of the great things about this country, the question is: how do you each think we are doing in role-modeling our values in the face of threats and what more do we need to do to enhance security without undermining what many internationally find most attractive in the U.S.?

COMPTON: Could you hear part of that, Secretary Mineta? What do we need for national security that doesn't violate our sense of

00:50:30 uh, privacy rights, of the honor...what was the other phrase that the student used?

OUDENAREN: Integrity...

COMPTON: And the integrity of Americans...now, that's a...it's a great question but it's also a very tall order.

MINETA: Next question...

[LAUGHTER]

Well, I think uh, first we start with common sense, but I

00:51:00 think what also is really...is baked into there, is the increase need for the use of technology in terms of being able to do things today, from a security perspective...and I think there are ways of doing that and I think, as Alan has just pointed out, the Apple case is a good example of where you do get into issues involving technology. But I

00:51:30 think uh, what we have done in TSA...and one thing that TSA does is they're looking at that security issue, every day, I mean, in December of 2001, we had to deal with the shoe bomber, and then we had to deal with...usually, explosives are solids, by 2003, we were dealing with

00:52:00 liquids, so now we were dealing with containers of less than 3 point 0 fluid ounces, so but it's something that's just changing every day, and I think that's what is required.

COMPTON: Senator?

SIMPSON: There's gotta be something that you do that has to do with identification, without getting into the horror story, something that would be presented at the time of...it wouldn't be carried on your person, it wouldn't be the

00:52:33 whatever, whatever, all the horror stories, but it would be something that you presented at the time of employment and it would be presented by bald white guys like me as well as others. The issue always comes up but you're just going to ask that of people who look foreign. Well, that's absurd, nobody's for that. But you have to do something

00:53:03 that has a universal...at one time, we talked about having the maiden name of the person's mother on the back of a card. Well, that would cost trillions...well, you know, we've all heard that one...and then to put something like a slide card like you do in Macy's or somewhere, or something that has to be done by everybody, and at that point, it will be intrusive and reported as intrusive, but at some point in time, there will be one of these boobs, of any color or shape or form, that's going to ignite a shoebox in
00:53:32 somewhere in this country and then we'll all stand around and blink like a frog in a hailstorm.

[LAUGHTER]

COMPTON: Next question.

OUDENAREN: There are a couple of questions about refugees and what the United States should do in light of the current refugee

OUDENAREN: situation: Syria, Iraq, Afghanistan, and how we might protect our national security and accept refugees from these countries?

00:54:00

COMPTON: Good question on accepting refugees. Pope Francis came back to the Vatican from a visit in Greece, bringing 12 Syrian refugees. I don't know who vetted them, but they got on a plane and they came back...three families, I believe. There are some American communities that don't want Syrian refugees anywhere near them, there are some

00:54:30 churches and groups and community groups who have welcomed them in, said let us help you. Do you, either of you, worry about the flood of Syrian refugees coming into the United States and since they, the screening would be so hard to do, is that a weak point in the United States security?

SIMPSON: Well, any weak point is a weak point if you don't understand the difference between an economic migrant and the guy who just wants to get the hell out of his country and a refugee...a refugee is something is cherished and then, go to sanctuary, which is a cherished thing. You can't be an economic migrant who just doesn't like his country and decides to hop on a plane and close his shop because his neighbor got shot. That is not a refugee, I know, don't throw anything please...I've been here...so, you have to do this case-by-case, but it's tedious and it works. But the economic migrant is flooding the world, because when you're out of food and water, and you have a lovely family, you're going to start walking.

00:55:01

SIMPSON: 00:55:30

COMPTON: And you've lost your home in Syria because of...

SIMPSON: That's right. But a refugee, a real refugee, the minute their foot hits the next spot out, that's it. You don't get to pick where you want to go. I know that sounds nasty, I know it does, but once you're a refugee, or seeking asylum, that's the same in a sense, where you're there or you're not

00:56:00 there, once you hit that next piece of land where there isn't that oppression, that's it. You cannot then say, I want to go to the United States, I want to go to Germany, I want to go to France, I want to go to Israel, that's not the way it works...and boy, you start playing that and the violin music will overcome you.

COMPTON: Do you want to add in on that?

MINETA: Well, the status of refugee, the investigation that's required of that is very, very intensive, and uh, so it is
00:56:31 very difficult, really, to be vetted as a refugee, and I think to the extent that they are vetted as refugees, I would say they're safe and clear to come in.

COMPTON: Do you think that the current system for vetting refugees and those who are trying to come into the United States is adequate?

00:57:02
MINETA: Absolutely, because I think it requires the personal signature of the Secretary of Homeland Security and um...

SIMPSON: Secretary of State...

MINETA: Secretary of State, yup...

SIMPSON: George Schultz...was very helpful to Kennedy and I on that.

COMPTON: Another question?

00:57:30 OUDENAREN: There are a number of questions about privacy and surveillance, and one of the students from the University of Hawaii actually asked if the surveillance measures employed now by the NSA create a sort of virtual internment camp?

00:58:00 COMPTON: That's interesting...would...do you think that the...the kind of response to Edward Snowden's leaks and the kind of surveillance, the broader surveillance, whether it went through the FISA court or not, almost levies the threat or the feeling of an internment and a restriction that impinges too much on Americans' privacy rights.

MINETA: Well, when I was Secretary of Transportation, I did ban...not ban, we were not processing any of the

00:58:30 MINETA: applications as it related to drones because the...I thought the...the um...invasion of civil or just privacy was tremendous. In fact, just a month ago, my wife and I and another couple were at a restaurant in San Francisco along the bay and here comes a drone, and it just went back and forth in front of us, and you know, I was thinking...who's drone is that? What are they looking for? And um, I
00:59:00 thought back to 2003 when I was saying, well, not to allow drones...and uh, so...

COMPTON: And now they almost seem...your genie seems out of the bottle, doesn't it?

MINETA: Oh it is...it really is.

COMPTON: Senator?

SIMPSON: Well, these things, these technical things now are quite dazzling for us old coots...Twitter, tweeting, Instagram, you know, it's amazing, and then they're talking about some new thing, I can't remember, they're all new...the point is, the invasion, if anybody believes that there's privacy in America, they're in a dream world. There was a program, I don't remember what it was, and they had a couple from Dubuque or Boone Iowa or Cheyenne and they said, how much do you think we know about you?

00:59:32
01:00:00
SIMPSON: And they said, well we haven't ever done anything important, so you don't know too much. And they ran up on the screen and man, they knew lots about those two people through their media habits, through their buying habits, they're buying stuff on the internet, you're answering those little questions, you're getting that stuff in the mail, and they know everything you would never imagine, you know, about all of us. So, this plea for privacy and then to have it upheld by the media, crying for right of privacy, well they're the greatest invaders of anybody's privacy.

[LAUGHTER & APPLAUSE]

COMPTON: Real quickly for each of you...should Apple have immediately done what it could to help the federal government in cracking that phone?

SIMPSON: You take that Norm, quick.

[LAUGHTER]

MINETA: I think so, but I'm on the minority on that one.

01:01:02

COMPTON: You think that Apple should have...

MINETA: Oh, they should've been much more open about dealing with that issue...but I'm a real minority on that...

SIMPSON: But I think that's the view of older people, what do you got to hide? And who wouldn't want to know what's on the cell phone of a couple of kooks that destroyed 14 human beings and were in contact with people maybe around the

SIMPSON: world? Who wouldn't want to know that? It was like the old Stanford Daily case, you remember that? They had a riot at Stanford and the Stanford Daily paper, the student paper, knew who had been involved, and the cops wanted that information...it went clear to the U.S. Supreme Court and Justice Wizzer White said, you can't have that kind of protection, they want to know who did this. You can't pull this game of, you know, the right of privacy, and protection of source, and all this stuff. And when you have

01:01:33

01:02:02 murderous people in the world, these are the things sound good and they are part of America, but don't think America is diminished when we're trying to wipe out people who hate our guts...I don't know...sick ideas...

COMPTON: I want to make sure we have time for a few more questions from the audience and from the students...

01:02:33 OUDENAREN: Another question from Hawaii, actually, a couple questions from Hawaii...asked about providing military equipment to local police forces...

COMPTON: Providing what to local...

OUDENAREN: Military equipment...to police forces, especially in light of what occurred with Ferguson and on Staten Island with Michael Brown, is how we balance security in those instances with civil liberties?

COMPTON: Well, obviously the...in the cases after Ferguson, Missouri, I know in some of these communities, I

01:03:00 know Baltimore had some riots, some people have objected to what looked like a huge military operation...and isn't that really up to the local community, the local law enforcement? Some day they might need that armored troop carrier and water cannons, sometimes they may overuse it, but should local police departments have access to quite so much military firepower?

SIMPSON: I think that's a...point...both of us were in the military and you know

01:03:33 we weren't trained to hand out daises, we were trained to kill people, and so, I do think that when you have an armored personnel carrier in the midst of a city and you unload a squad from the back of it, if those are things that I knew how to run, I think that's highly intimidating, but that came from that funding source where they said, we

01:04:00 got this leftover stuff and all you have to do is apply for it...and don't think...it has to be rather frightening when you're in the street and alone or with or without arms, I don't know...I think there's real truth to the militarization...

COMPTON: And some of those incidents were racial incidents at the local level, as oppose to a...San Bernadino, where it was clearly an attack by people who had a political or radical

01:04:30 ideology that they were trying to strike at a soft target.

MINETA: Yeah, having been Mayor, I'm not sure that I would want to have a police force with that equipment. The whole issue of policing is really, the...whole issue is how do you

MINETA: relate to the community? When I was Mayor, police were starting to put helmets on, and I finally said to our Chief of

01:05:02 Police, I'm not sure I want our police with these hard helmets on. They don't smile, they can't be friendly looking, just having these hard hats on...and uh, so we were one of the first ones after I...and I negotiated this with our police union, and so we took the caps, or the hard

01:05:33 hats off, off of our police. We were also one of the first departments to require psychological testing of applicants, and this was in 1973, and at that time, the police union really came down on me saying, you think we're all

01:06:00 psychotics? I said, no, not at all...today, every department across the country does psychological testing. And it's really for their own protection...for the same thing with the...the military type of equipment, I don't think it's really necessary. Even in Katrina, when General Honore, came in with the military forces and they were there with their weapons down, out, and he was running up and down the

01:06:33 street, telling people to get their weapons up...not to, you know, point them at the mass...of the people...and General Honore really, I think, did a great service in lifting those...

SIMPSON: But there's this wonderful man that uses common sense. And doesn't get caught up in the grinder of emotion fear, guilt, and racism. Or try to have a press conference every

01:07:00 few minutes to blow your own horn, this is happening and people are so confounded by it...where is common sense? What happened...the most uncommon thing is common sense. And when Norm was Mayor, I happen to know that

SIMPSON: he would gather people together and talk and say, where are we? What are we doing? That's what he did in Congress, that's how he got the restoration...

COMPTON: Does that work in 2016?

01:07:33

SIMPSON: Not when you've got everybody stereotyped. I can tell you that here we did this piece of work, don't throw anything, that was called the National Commission on Deficit and Debt, we got five Democrats, five Republicans, and one Independent, that's sixty percent and we had...they say, well who was on it? Well, Dick Durbin vote...Dick Durbin? That commie from Illinois? Is that what you...I said, well, 01:08:00 Tom Colburn...Tom Colburn, that guy from...the Republie from Oklahoma...that's your country today, people don't dislike somebody, they hate 'em. And they got 'em pegged as a Democrat, they hate Obama, they hate McConnell, they hate Trump, they hate Cruz, they hate Hillary, it's not dislike, it's disgusting and hatred corrodes the container it's carried in.

COMPTON: So, tell the students, especially, who are watching from Hawaii, how do Americans bring the country back from that kind of atmosphere? 01:08:32

SIMPSON: Well, they can get off their butt and get in the game.
[LAUGHTER]

SIMPSON: Because if you really want to do something, pick a party and become a precinct committee man, that's the lowest form of amoeba...

[LAUGHTER & APPLAUSE]

Or you could be a precinct...you could be a precinct committee man or woman, you could run for the school

01:09:02 board, I brought Norm to Harvard, I couldn't have gotten into Harvard if I picked the locks, but I told him, get up here because they're protesting the Juan hole thing down in Sandia. He came and he said, anybody can carry a placard, anybody can stand in the street with a poster, use your brain, get in the game...and that's what it's all about, if you're a young person today, you pick your party and start at the lowest level and bring your influence you're your brains to that party, to the lowest level, then the county, or whatever...instead of just carrying a placard or bitchin'.

01:09:33

COMPTON: Good advice.

[LAUGHTER & APPLAUSE]

I think we have two more quick questions. I want to throw one in real quickly...back on security...should Guantanamo be shut down? President Obama argues it is inciting some terrorist attacks against the United States and why shouldn't some of those detainees who are too dangerous to let them go back to wherever they came from, go into a kind of a super-max American prison.

01:10:01

SIMPSON: Go ahead Norm before I get caught again...[LAUGHS]

MINETA: [LAUGHS] Yeah, I, in fact, was at Guantanamo on Thanksgiving Day of 2002, when they were just starting to come in...and I think there were five Al-Qaeda prisoners there at the time...I think there was a great deal of

01:10:33 justification for establishing Guantanamo at the time, and since then, I think we have other ways of dealing with it and I don't think we need Guantanamo as it is, as we know it.

COMPTON: Do you agree with that Senator?

SIMPSON: How many are there now? 80? 60?

COMPTON: It's under 90...

SIMPSON: Well, don't forget, every one of them had a lawyer.
01:11:00 They've all tried hard and failed...and at some point in time...

COMPTON: And no other country wants them either...

SIMPSON: What?

COMPTON: No other country wants them either...

SIMPSON: And any Congressman that will say, well bring them to my State, is not long in office.

[LAUGHTER]

SIMPSON: And they've already shown up, don't bring them to New York. And the President is obsessed by this. He made a promise and he wants desperately to carry it out, but it's never going to happen under his jurisdiction. We sent five

01:11:30 guys off the other day, five went before, and now they're head of the Yemen operation down there, blowing things up. So at some point in time, we say in the west, if your horse drops dead, it's best to get off.

[LAUGHTER]

COMPTON: That's Wyoming wisdom, next question, thank you so much. I think we stumped our questioner with that one.

[LAUGHTER]

No, please, go right ahead.

01:12:02

OUDENAREN: For our final question, from Hawaii again, um, have your political views ever gotten in the way of your friendship?

COMPTON: Have your political views ever gotten in the way of your friendship?

SIMPSON: Of our friendship? Well, I love this guy, and we...when he called me to work on the reparations bill, it was very controversial...

COMPTON: What year was this?

SIMPSON: It was...

MINETA: 19...

01:12:30

SIMPSON: This...but, my colleague was Malcom Wallace. There are people who would remember Malcom, he was violently opposed to it. He said, who's next? We're going to do something with the blacks? How about the Native Americans? Who is next of the aggrieved? And he was...I just finally said, look, I was there and I was in that camp and I know Norm and what they're doing and it was...some people refused the money, they said, it isn't about money, I'm still embarrassed that they threw me in this incarceration. So, friendship is a beautiful thing. We never...I don't think either of us ever, since we were 12, and now we're 84, have ever looked at each other and said, by god, I don't agree with you at all on that issue of politics, and he served two presidents, a Democrat and a Republican. I loved it when Bush appointed him and Norm said, look, if you're looking for a token Japanese guy to go out and campaign for Republican party, you've got the wrong guy.

[LAUGHTER]

And Bush said, I want you...and his loyalty to Bush and Bush's toward him? You don't find that. You don't find...you don't find people who invite other people. Reagan made the White House a social center. And Clinton was the same way, they loved people. But when you don't love people, never invite the other guy over to your shop, you're paying a dear price.

COMPTON: Secretary Mineta, you get the last word on whether politics ever affect that friendship...and on a broader scale, too,

you've lived in Washington through a Republican and Democratic administrations, Republican and Democratic control of the House and the Senate.

MINETA: Not really, I suppose the closest I got to um, thinking that he had gotten off the horse, the wrong horse, was during
01:14:33 the uh, Justice....um Thomas hearings...

COMPTON: Clarence Thomas hearings...

SIMPSON: He did have a comment...on that...wasn't nasty, it was...
[LAUGHTER]

MINETA: But I voiced my opinion, but he told me to [MAKES
GESTURE].
[LAUGHTER]

01:15:00

COMPTON: Gentlemen, what a treat for all of us. Thank you Senator Alan Simpson, Secretary Norman Mineta, and for the kind of perspective that you've shared, not only with friends and neighbors in Washington, but the kind of perspective that you have showed to students who in the Daniel Inouye's Institute, are the positive forces we all hope will be taking over when we get past '84, all the way to '86, or '90...thank

01:15:30 you all very much for coming.

[APPLAUSE]

01:16:00 OUDENAREN: And thank you, Ann, wonderful job in moderating...the uh, Kluge Center and the Inouye Institute will be putting forth three more programs in this series in the coming years, so please watch for the announcements. We invite you to stay in touch with us via social media or email, to learn more about the activities of the Kluge Center and about your Library of Congress in general, and of the Inouye Institute, a video of this event will be posted on our website and the Institute website in the weeks ahead. Thank you again for your attendance this evening and once again, let's give a round of applause to our speakers.

[APPLAUSE]

[END]