ORAL HISTORY OF
JAMES W. DYKE, JR.

Second Interview – May 4, 2010

This interview is being conducted on behalf of the Oral History Project of the Historical Society of the District of Columbia Circuit. The interviewee is James W. Dyke, Jr. The interviewer is Erin Louise Palmer. The interview is taking place at the offices of McGuire Woods in Washington, D.C., on May 4, 2010.

(TAPE 1)

MS. PALMER: Before I ask you anything specific, is there anything that you want to go back to from the last time? We covered a lot of ground last time and is there any specific period in your life that you want to focus on during this session?

MR. DYKE: Well I'm not sure. We could talk about the White House years or the Secretary of Education years. Both had a significant impact on my life. Whatever you think people might have an interest in hearing about is what I'd like to focus on.

MS. PALMER: It's all interesting. I guess, let's talk about the White House years.

MR. DYKE: Okay.

MS. PALMER: Let's start there and then I'll have some more specific questions. I'd like to start a little bit broader and then just kind of get you warmed up.

MR. DYKE: The White House. Okay. Working at the White House was a wonderful opportunity and a pretty heady experience for me. I had never even been in the White House before I worked with Walter Mondale. Having been his Political Advisor from immediately after the 1976 Democratic Convention and during the election, I clearly had the opportunity to get to know him, the people around him, the policies and the issues very well. At least, I came into the White House with some solid foundation on where the Vice President stood

on many issues and what his priorities would be. I actually worked with people who had been with Mondale much longer than I had. I first met him in 1976 when he interviewed me to be his Domestic Policy Political Issues Advisor on the campaign. Whereas, most of the people that I worked with in the White House were people that had worked with him when he was in the Senate or had some Minnesota connection. I realized quickly that they had significantly more background with him than I had, but the three intense months on the campaign with him, literally living with him, helped me develop a fair idea for how he felt about issues and, specifically, which ones he was passionate about. My lack of long-term experience with the Vice President did not become an obstacle for me in the White House. As I think I said before, Mondale had basically three advisors for domestic policy. We split up the field, giving each one of us a fairly big portion. One of us focused on budget matters and one of us, from the Vice President's Senate years, focused on agriculture and some of the bigger issues. Pretty much everything else, including the Justice Department, education, civil rights, and the District of Columbia, fell in my lap.

I mentioned earlier that within the first month or two of the Carter/Mondale administration, a meeting was held with key District officials, including Walter Washington, the Mayor of the District of Columbia. As a result of that meeting, I became, in essence, the liaison between the White House and the District of Columbia on a range of issues including judicial appointments, because the President appointed local judges for the District. I spent significant time working on those appointments. I would gather nominations from the Justice Department. Then the FBI would do a background check on each of the nominees. Me and someone from the President's Office of Legal Counsel would review all of the materials and make recommendations to the President on who he should appoint. I would then deliver the Proclamation from the President to the judges' installation ceremony at the District of Columbia Superior Court, where

they would take their oath of office. Many of these judges I had already known from growing up in the area.

One such judge was Henry Kennedy, who is now a federal judge. Henry's father and my father had been friends in the District of Columbia Post Office many years before. When President Carter appointed Henry, it was really a personal honor for me to represent the President of the United States and present Henry to the court for appointment and swearing-in.

It was also very special for me to have had real input into the District achieving home rule, when I had been born and raised here at a time when the District had virtually no authority. My part in the process for achieving home rule and full voting representation for the District on Capitol Hill was exciting and put me in contact with some very exceptional people. Just the other day, I had occasion to look at a picture of myself in the Vice President's office on Capitol Hill with the Vice President, Vernon Jordan, Martin Luther King's father, Coretta King, Benjamin Hooks of the NAACP, who just recently passed, Joe Lowery, who replaced Dr. King at the Southern Christian Leadership Conference, Carl Holman, and Dick Hatcher, who was Mayor of Gary, Indiana. These people were the key leadership of the civil rights community and made home rule and full voting representation a civil rights cause. I got to know them and work with them, which was amazing for me, and, at the same time, accomplish some good for the citizens of the District of Columbia, which was a major accomplishment for the administration.

At the White House, we also worked on a number of other significant domestic issues. The creation, for example, of the Department of Education was important to President Carter, as evidenced by it having been a campaign issue. We spent a lot of time working with the President's staff and with then Secretary of Health, Education and Welfare, Joe Califano, to decide which programs were going to be placed into the new Department. All three areas, health,

education, and welfare, were lumped under one Cabinet Secretary. Califano was not anxious to give up the education portion of his jurisdiction. The President clearly wanted to make education a priority by placing it in its own Department. For me, watching Secretary Califano's maneuvering was a lesson in how federal politics is played. I remember sitting in the White House with Stu Eisenstadt, the President's Domestic Policy Adviser, and listening to Secretary Califano testify to Congress about the Department of Education. Obviously, he had to be supportive of the President, who had appointed him to his position, but he also had his own little agenda. He basically testified that the new Department could be very far-reaching in its authority. He then listed all of the various education programs that could be transferred to the new Department, each of which had its own constituency within the Congress. He knew full well as he mentioned them, the elected officials who had a stake in the programs would be upset and not permit them to be transferred to the new Department; thereby preserving, as much as possible, Secretary Califano's authority and creating a fairly narrow Department of Education. It was quite a learning experience for me to watch politics being played by a master.

We also dealt with issues related to affirmative action. It was during the Carter/Mondale years that the United States Supreme Court issued its significant civil rights decision in the *Bakke* case. In essence, the Court upheld the validity of properly tailored affirmative action programs designed to promote diversity, but struck down racial preferences based on quotas. I and others made suggestions to the Justice Department for its consideration with respect to its position on affirmative action. I count it as one of our great successes that the Justice Department took a strong stand in favor of affirmative action. Through the President's appointment authority of federal judges, President Carter embarked on a mission to bring more diversity to the Federal Court System. How fortunate I was to have had a chance to play a part in

achieving that goal. The White House years were unbelievably fascinating to me, because of the myriad of significant issues on which we dealt on a daily basis. In fact, it was extremely difficult to plan my day, because, at the White House, my work for the day was determined, for the most part, as a result of the emergency de jour.

One such morning, I was scheduled to attend a meeting with President Carter and a group of ministers. We waited for the President to arrive. This morning was the morning when the United States military failed in its mission to rescue our hostages from Iran. The President sent in the Special Forces by helicopter which crashed, causing the mission to abort. Several military personnel were killed. Immediately after the President got word that the mission failed, he came into our meeting. The President of the United States was clearly disturbed as he told us what had just happened. We became part of that piece of history. A meeting for the purpose of setting forth the minister's agenda became a meeting derailed by the hostage situation. That failure had a significant impact on the Administration and was an important factor in the Carter/Mondale reelection loss.

Because the Vice President had a strong interest in education, my position at the White House gave me the opportunity to travel all over the country to work with educators and others in order to find cures for some of education's ills. These experiences would directly impact, for the better, my ability to serve on Virginia's Board of Education and as Virginia's Secretary of Education. In addition, I had the opportunity to get to know some really interesting people.

For example, I got to know Jim Johnson, Mondale's executive assistant. Jim went on to become CEO of Fannie Mae, Chairman of the Kennedy Center's Board of Trustees and wealthy by anyone's standards. As I told you earlier, I met Frank Raines, a member of President

Carter's Domestic Policy Council. Frank went on to become Deputy Director of OMB, Financial Advisor for the District of Columbia while he was at Lazard and the CEO of Fannie Mae after Jim Johnson's departure.

I got to know David Rubenstein, Deputy Director of President Carter's Domestic Policy Council. He went on to become the CEO of the Carlyle Group, the President of the Kennedy Center's Board of Trustees, the head of the Economic Club here in the District and one of the wealthiest people in the world. His personal wealth allowed him to buy the Magna Carta and donate it to the National Archives. David was a true workaholic during his White House tenure. He worked pretty much 24/7. Whenever we needed something on the President's desk early in the morning, David was our guy, because he arrived at the White House no later than 6:00 a.m. David was and is a fascinating guy. Today, he is the same David as he was in the White House. He has that same dry sense of humor and even-toned approach. He usually was the smartest guy in the room or was clearly one of the smartest. He's never really changed from the man I worked with in the White House, even with all of his success and wealth.

I got to know Dick Moe, Mondale's Chief of Staff. He went on to become the President of the National Trust for Historic Preservation. As President of the National Trust, Dick opposed the Disney Company's attempt to build a theme park in Northern Virginia in the mid-1990s. I, on the other hand, was the legislative point person representing Disney at the Virginia General Assembly. It was interesting for me to work again with Dick, but, this time, on opposing sides of an issue.

Working in the White House was a great experience. I really enjoyed it. But, because of the job's extreme pressure it would have been nearly impossible for me to have worked there for more than the four years of the Carter/Mondale administration. The demands of the job

made it impossible for me to take any time off. I got married on a Saturday while I worked at the White House, and I was back in the White House on Monday. We didn't even have time for a honeymoon. There was always something really important going on.

MS. PALMER: It doesn't stop.

MR. DYKE: It was certainly a job in which the country came before anything personal in my life. It was a pretty heady experience. It taught me a lot about decision making, discipline and how to use my time well. I built upon what I had learned in ROTC – to know what my mission was and to know exactly what I was doing at all times.

During the last year of the Carter administration, I had a wonderful opportunity to travel to West Africa on a trade mission with the Vice President and a significant Congressional delegation, including Charlie Rangel, Congressman from New York and soon to be Chairman of the House Ways and Means Committee, Dick Hatcher, Mayor of Gary, Indiana, and Louis Stokes, Congressman from Ohio. In addition, Benjamin Hooks, head of the NAACP, came with us. We visited Senegal, Niger, Cape Verde, and Goree Island. The visit to Goree Island was probably the most sobering experience I had while working in the White House.

Goree Island was the place where slaves were held before embarking for the Americas. I remember the little cell, in the dungeon, where the slaves were kept. I could see the window from where the slaves walked the plank to board the ship. It was very sobering to think that my ancestors probably stood right there, that I could have stood right there. I cannot even express the depth of emotion I felt as an African-American going back to Africa with the Vice President of the United States.

During that year, we were in reelection mode, as a result of which I spent much time campaigning on behalf of the Carter/Mondale ticket. I traveled mainly in the South to carry the

ticket's message. This election came after a very blistering primary season in which President Carter was challenged by Senator Ted Kennedy. During one of my trips, I debated Bobby Kennedy, Jr., who represented his uncle, while I represented the President. That debate created some interesting dialogue and discussion. I remember very clearly Bobby Kennedy Jr.'s statement that Ted Kennedy would be much stronger on civil rights than the President. To me, that statement was astonishing. I countered by pointing out that Senator Kennedy's home state of Massachusetts, now, for the first time, had an African-American federal judge who was appointed by President Carter, not by President Kennedy, and not recommended by Senator Kennedy. I hope I made the point that it was easy to pay lip service to a cause, but it was far tougher to get something done. President Carter appointed more African-Americans to the federal bench and promoted more African-Americans to the rank of General in the Army than all previous Presidents combined. The debate was a lesson in hard ball politics.

In 1984, I worked with Walter Mondale on his campaign for the presidency against President Reagan. The Vice President and his team knew his candidacy was a long shot, and the only time we ever really thought that he had a chance to beat President Reagan was after the first presidential debate. At the end of that debate, President Reagan appeared to be unraveling on stage right before our eyes. I believe that his erratic performance in that debate was one of the first signs of his ultimate Alzheimer's disease. In answer to a question, he started rambling about driving down Route 1, and he became clearly confused. I remember when we got back to the campaign plane after the debate, Mondale, rather than gloating about President Reagan's difficulties, actually just felt sad for the President. Mondale shared with his advisors that Reagan's difficulties were cause for concern. This was a moment when the depth of Mondale's character and compassion was clearly visible for all to see. It would have been so easy for

Mondale to jump all over the President, but it was not Mondale's way. At that moment, I knew Mondale would have made a terrific, caring, and compassionate President.

Bill Daley was another person who I got to know on the campaign and who remained my friend after the campaign was long over. Bill comes from the Daley political dynasty; his father, Richard Daley, being Chicago's past Mayor, and his brother Richard Daley, being Chicago's current Mayor. Bill was a political advisor to Mondale, and he traveled with me throughout the campaign. Bill subsequently became Bill Clinton's Secretary of Commerce. Interestingly, this past weekend, Mayor Richard Daley spoke to an open session of the McGuire Woods partner's retreat.

Also, Senator Gary Hart, who Mondale had campaigned against for the presidential nomination in 1984, joined us on the campaign trail. Senator Hart was one of the more interesting and delightful individuals that I got to know during the campaign. Are you familiar with Gary Hart?

MS. PALMER: Somewhat.

MR. DYKE: As you may remember, Senator Hart had womanizing issues, to say the least. On the campaign, Bill and I would interact with the Senator, because Mondale obviously could not spend much time with him. In fact, Senator Hart introduced me to cowboy boots. The Senator was from Colorado, and he wore cowboy boots all the time. He talked me into getting a pair when we traveled through El Paso, Texas. He took me to the local "Tony Lama" boot store and watched while I tried on and eventually bought my first pair of cowboy boots. Actually, I still have them. I should have worn them today.

At the White House, everyday was something different and I really enjoyed it. The idea of not doing the same thing day in and day out fascinated me, and, to this day, I enjoy having a

number of different things going on at once. Being in the middle of many different issues keeps me running and pumping. I believe that the White House years certainly changed me in that respect.

MS. PALMER: So, while you were there, what was the biggest surprise that you faced? I know that you had a lot coming at you but what sticks out in your mind as the biggest surprise or unexpected event that happened? And how did it affect you?

MR. DYKE: Well, I guess, and this is more generic than anything else, I was deeply impacted by the realization that working in the White House wasn't just a job, it was a public trust. People looked to the White House for leadership and for changing their lives for the better. Because I worked in the White House, I was raised a notch in their eyes. It was a kind of awe. They knew, even before I knew, that I could have a real impact on their lives and on their futures. Seeing that awe and recognizing that the decisions I made and the policies I advised others to implement could have such an impact, shook me to the core. I realized that I had to be completely prepared so that, in each instance, I could give learned counsel to those with the authority to change the world. Not only did I need to be well informed, but I needed to recognize and accept my responsibility to do the very best that I could, because of the far reaching affect I could have on others. The bottom line was that what I did was significant. I never thought I would be in such a position, so I never really prepared for the daunting task at hand. I learned on the job, and, I hope I rose to the occasion. I saw some of this shear responsibility at the Platform Committee, but nothing approached the responsibility of working in the White House. It was very sobering. At this moment, I can't be more specific. I just know that there were many big surprises.

MS. PALMER: You had multiple in a day, I am sure.

MR. DYKE: I needed to make sure that I was doing the very best that I could, and if I didn't know something, I had to ask questions and find answers. I had many resources at hand. I could reach out to all the various agencies and Cabinet officials and get whatever information that I needed so that I could give the Vice President the best possible advice and recommendations. I learned that working at the White House is a team job. I cannot stress enough the importance of staff and having smart, talented, and cooperative people to help. In fact, I have found this also to be true in subsequent years when I worked with Governors and Senators and others. It really does take a community of people to do a job effectively. When you don't have that kind of staff, then, more than likely, you will not be at your best. The White House years taught me that I needed to have people around me who knew what they were doing and who also had enough confidence in themselves to give candid advice. It might be contrary to what you think, but there are many politicians who only want to have "yes" people around them, telling them how great and wonderful they are or their ideas are. For example, when Governor McDonnell of Virginia recently issued a proclamation honoring the Confederacy, I just knew nobody around the Governor had the confidence to tell him that it was a very bad idea or to ask him what the hell he was thinking. As I mentioned before, because Governor Wilder asked me to be that person for him, someone to give him candid advice and be straight with him, I accepted a job that took me daily to Richmond. I think that it's the confident individual who seeks opposing views, and that it's a test of that person's character to permit candid discussion. I believe that it is the opposing views that help you make the best possible decisions you can. The folks that only permit those people around them that say only the things they want to hear, I believe are insecure in their own abilities.

MS. PALMER: So what are your personal impressions about Mondale? Do you

have any inside stories?

MR. DYKE: I think that Walter Mondale is brilliant. When we worked together, I realized how much of a quick study he was. During the campaign, my job required me to explain and condense grave issues so that he could grasp their full import quickly. His years of experience in the Senate had given him a wealth of information about most issues. Consequently, there were very few issues on which he did not have background. In a short amount of time, he had to understand the issue, where Carter was on the issue and how it all fit into a bigger picture. He would grasp the situation almost immediately. He was a very quick study, and he was very impressive. Also, Mondale is a very decent person. He was honestly concerned about the people who he served, about the people that served him, and I cannot remember any incident where he didn't try to do the right thing. His heart was always in the right place. Mondale, in private, also had a great sense of humor. Since he felt that the Vice President should not act like a stand-up comic, his sense of humor was not publicly known. There were times on the campaign and at the White House, when we, including Mondale, would all get a little zany, until Mondale, in his humorous way, would say, "Let's have a little dignity here."

I remember once we were flying somewhere in Ohio, and the runway was shorter perhaps than the pilot had thought. As we were landing, the plane dropped pretty quickly. It was a rough landing. Over the PA system, the pilot apologized and said that he may have made a mistake about the length of the runway. Mondale said in a jovial way, "This is Minnesota Fritz, and I think that's bullshit." He was kidding, of course. The press, the Secret Service and the advisors who traveled with Mondale, all knew his sense of humor. That's not surprising, because we flew together, and we stayed at the same hotels. In fact, every time we boarded the campaign plane Mondale sat up front, then his staff and then at least half the plane was press and Secret

Service. The press, the Secret Service, and his advisors all got to see the Walter Mondale that the country rarely saw. He taught me that I could defuse a tense situation by using humor. I try to learn from people that I have worked with over the years, and I must admit that I learned much from Mondale. Mondale was and is a decent and a great public servant. He wouldn't compromise any of his values when he was in office. I have known several elected officials that have made that compromise. I was very blessed to have worked with Walter Mondale. I was lucky to have had that opportunity.

MS PALMER: You've been very involved politically, what role do you see your political experience having in your life, in your role as a lawyer?

MR. DYKE: In dealing with policy issues, I think being a lawyer made me able to bring a different level of analysis to my job. Lawyers learn to analyze situations and figure out what's important and what's not. It enabled me to bring some logic to the situation and to communicate my ideas either in writing or orally. It was easier for me to see the illogic or unreasonableness in the suggestions of others, and it was easier for me to be assured that my own suggestions were logical and reasonable.

I think being a lawyer helped me deal with the Press. I was always aware of the need to communicate with the Press succinctly and on point. Studying the law, I developed analytical and communication skills and the ability to get things done, to resolve issues and be a problem solver, all of which served me well. Many of these traits, for better or for worst, are learned to some degree in law school. However, in law school, I really wasn't taught the practical application of what I was learning; for example, how to get a specific thing done and the relation of one issue to another. I taught 2 to 3 years at Howard Law School part-time and fourteen years at The University of Virginia as an Adjunct Professor. At Howard I taught Legal Writing and

Agency and Partnership. At UVA, I tried to mesh the law, politics, and government so that the students could get a real world experience. It's one thing to read constitutional law cases and sit in the classroom and discuss the theories of the cases, and quite another to learn how what is in the case book transforms in the legislative process so that government can actually make decisions and carry out programs based on legal principals. At UVA, I tried an approach that might impart a fuller appreciation of the law, tie disciplines together, relate the law to the people, and methods for solving problems that may or may not include seeking redress in court. For example, one year my class discussed VMI's Admission Policy which excluded women from the university.

MS. PALMER: I don't think we talked about this.

MR. DYKE: Although it's a public institution, Virginia Military Institute did not admit women. My class was a seminar with no more than twenty students and much interaction. I assigned 2 students to represent the VMI Foundation, the organization defending VMI's admissions policy. I assigned 2 students to represent 3 women living in Northern Virginia who had applied for admission to VMI. At a hearing to be held in the Virginia Senate, one team of students would testify for and one team would testify against legislation which had been introduced in the Virginia General Assembly that would require women to be admitted. I hoped that the teams would not only argue constitutional law, but also the practicalities of government and the obligation of government to provide public higher education, among others. I gave the students the opportunity to think and argue about issues happening in real time. That meant that every year the issues were different. They came from the newspaper headlines and not from a course book. They were issues the students could relate to which made the students more engaged and involved and the class more interesting and exciting. It seemed to work, because even though the course was offered at an unusual time, Friday evening, 7:30 to 9:30, and Saturday morning, 9:00 to

11:00, every other week, the course was always full and attendance high. I guess being a lawyer, with my problem-solving ability and result-oriented personality, helped me fashion a class which solved the problems of low attendance and student boredom.

MS. PALMER: I have a few personal questions that are somewhat specific that will hopefully get you thinking.

MR. DYKE: I'll try to answer them as best I can.

MS. PALMER: We talked a lot about your political career, law teaching, and all those things, and I'm wondering if you can tell me something that people don't know about you: something that's kind of unusual or maybe out of character, something that wouldn't be apparent from looking at your biography.

MR. DYKE: Well, my first thought is my interest in ROTC in college. I don't think many people know about my military training background. Basically, I think I'm a pretty moderate to conservative person and most people assume that I'm some flaming liberal. I take personal values and the rule of law very seriously. I don't know if people would know that about me just by looking at my record.

MS. PALMER: What is your passion? What excites you about every day? I know that you had mentioned that you liked different tasks and being stimulated by a lot of different things, but can you articulate something else that drives you in your day-to-day and beyond that.

MR. DYKE: My family is my first passion. I feel very blessed to have a wonderful family, a great wife, four wonderful children, and four glorious grandchildren. I try to do as much as I can for them and with them. A case in point: I was in Chicago at a partners' meeting which was to end on Sunday. Ellen was babysitting for our two grandchildren at home

on Saturday night. I knew there was no place that I would rather be than with Ellen, India, and Jayce. I left the partners' meeting early so that I could be home Saturday evening. I had the awesome chance to say goodnight to the children on Saturday and spend all day Sunday with them. I simply wanted to spend time with them. Because we just do not know how much time we are going to have in this life, it's important to show the people we love the depth of our feelings and to spend as much time with them as possible. I guess my family is my number one passion.

As far as policy issues, education has always been at the top of the list for me. That's probably because my mother was an educator. She and my father made it clear that getting an education would make a difference in my life, and it did.

I also get passionate about policy issues that affect our lives. For example, I am currently the Chairman of the Greater Washington Area Board of Trade, and, as such, I get involved with a multitude of policy issues that impact on the quality of life in this region.

I probably should have had more of a passion for making money. If I had done things differently, I probably could have made a lot more money than I have. Don't get me wrong, I make a good living. Certainly enough to take care of our family and provide for our children, but I probably could have spent a little more time doing revenue generating activities in my law practice. I just like to do the things that interest me and spending time on Board of Trade issues interests me, and they do have an impact on firm clients and potential clients. The firm's clients care about how Metro operates, whether the insurance laws in the District are fair or the impact of legislation before the City Council. There are some people whose only concern is how much money they can make. That's just not me. I don't have a passion for that. I like to make a difference, and I have been able to do that through some of the policy positions I've had over the years. I guess you can say that I have a passion for making a difference.

MS. PALMER: So tell me about the work that you do at the Board of Trade. I don't actually know very much about that.

MR. DYKE: The Board of Trade is the only regional business organization in the Greater Washington Area. It is regional in the sense that the Board of Trade addresses issues that impact businesses in Virginia, Maryland, and the District. On the other hand, the D.C. Chamber of Commerce is focused on D.C. issues, provides assistance to D.C. businesses and helps them grow. The Board of Trade speaks more to issues that impact the entire region. For example, our Metro system, work-force development and Homeland Security and business continuity all affect Maryland, D.C. and Virginia. They are all issues that impact the entire region and the ability to get business done here.

Another example was the Nuclear Summit which was held in D.C. a few weeks ago. The Summit brought together over 40 heads of state and numerous support personnel for 3-4 days. It impacted the region, because all of these people had to navigate throughout the area in which our businesses were operating. If our businesses were to remain effective, they needed to know the logistics for the Summit. The Board of Trade worked with the D.C. Police Department, Homeland Security, and Secret Service to provide information to our members and the business community in general as to the various impacts of the Summit on the business community.

As Chairman of the Board of Trade, I get involved in shaping policies that address the business community. For example, the Board of Trade just surveyed the business community about the state of the economy. We asked if hiring was increasing, what impact the Stimulus Package had on the region, their thoughts about Metro's operations, and the ease or difficulty of obtaining financing in the middle of this economic crisis. In other words, we were trying to determine and gauge which specific items affect the regional business climate. Only

after we have that knowledge can we advocate for business. For better or worse, we're one region, and we have to learn to live and work together. Business issues do not stop at any one border. There are some issues, like rail to Dulles, which are located in only one jurisdiction, but the impact of rail to Dulles will be felt throughout our region which makes this issue ripe for Board of Trade attention. The new Dulles line will be part of the Metro system and will enable residents and visitors to Maryland, D.C., and Virginia to access Dulles airport without adding to road congestion. In addition to addressing regional issues, my responsibility at the Board of Trade, as its Chairman, is to preside over its Board of Directors and to help market this region for business expansion.

MS. PALMER: So something that is very interesting about what you've done is that you've worked very locally within D.C. You've worked at a regional level and you've worked at a national level. Do you think it's more effective to act locally or globally? What are your views on that?

MR. DYKE: There are times when working on all three levels is necessary, but I think because I worked locally, I had a better understanding of how the local environment, the environment which is immediate to our lives, is impacted by the national and global situations. I guess that means that it was easier for me to extrapolate from the specific situation to the more general situation. I also think each level feeds off each other. In other words, if I only had worked on local issues, then I would have had a narrow perspective. Having worked in all three levels, I have a better appreciation for how all levels work together and how what we do on one level impacts each of the others. For example, when I worked on the Virginia Commission on Tax Restructuring, we were charged with restructuring the Commonwealth's tax system, and, to some extent, state and local governmental functions. What I realized early on was that we had to

analyze governmental responsibilities and functions and determine which level of government was better suited to take on specific tasks. Once those determinations were made, we then had to assure that the level of government which was tasked with carrying out these responsibilities and functions also had the tools to be effective. If the local government was given a responsibility, then the local government would also have to be given taxing authority to raise the necessary funds to meet that responsibility. I think having an understanding of the various levels of government helped me make more thoughtful and relevant policy suggestions about how some of these issues ought to be resolved. I don't know if that's an answer to the question, but I think that my having worked on all three levels, helped me identify the issues, understand the level of government that could best resolve those issues and identify how government then could accomplish its tasks.

MS PALMER: You also have an overlap of different areas of interests and the two or three primary ones that I see are business, education, and law. We talked about this to some degree, how law has affected your political activities, and I'm wondering if you see some interconnectedness in those three areas in terms of what you pursue and what your goals are, whether you are trying to accomplish something that's kind of a connection of the three, or, whether you're more interested in pursuing each individually.

MR. DYKE: I think they all blend together. It's almost like the course I taught at UVA Law School. It's hard to separate government, the law and politics from education issues or, for that matter, business issues. All of these various disciplines are interrelated. The law, rules, and regulations affecting education or business, all connect in the political arena. I must have an understanding of the entire arena in order to appropriately and adequately represent my business or education clients. My understanding of these interconnections is what makes me different for many other attorneys who work in my areas of expertise.

Some of my firm's clients have concerns about how the government and political process impact their business interests. For example, I represent a supermarket chain with concerns about how legislation in the District is going to impact its ability to run its District store successfully. In order for me to be of any help, I worked within the political process to impact the legislation. For me, the attraction is that government, politics, and law mesh together so that I don't have to choose one discipline to the exclusion of the others. That makes it easy for me to go to work every day, because I do what I really love to do.

It was like when I represented the Virginia Baseball Stadium in trying to bring Major League Baseball to Northern Virginia. I couldn't believe that I was getting paid to bring baseball to Virginia. Baseball has always been a passion of mine, and the representation required dealing with legislative, political, governmental, and business issues. Talk about enjoying my job. I couldn't wait to get to work in the morning, and I was being paid. This was heaven.

MS. PALMER: Yeah, it's pretty amazing.

MR. DYKE: It's a good thing.

MS. PALMER: What would you describe as your biggest accomplishment?

MR. DYKE: Once again, I have to separate the family from it.

MS. PALMER: You can answer the two.

MR. DYKE: I think my biggest accomplishment was persuading my wife to marry me. Ellen had a son when we married, and within two and a half years, we had our three daughters. If I were to die tomorrow, my legacy of those four children would be one of my greatest accomplishments. I'm so very proud of all of them and what they have accomplished. Plus, as I said, I married the best person I've ever met. To me that is quite an accomplishment. I clearly married above my station. I would consider having Ellen in my life to be my greatest

accomplishment.

I think my biggest accomplishment in my professional life was the contribution I made to Virginia education when I was Secretary of Education. Shaping education decisions meant shaping the lives of our children. I had children in the public school system so that when I was making the school system better for Virginia's children, I was making the school system better for my children. I had an immediate and personal interest in bettering the school system, but it was also what I had been taught – to make our school system the best that it can be and make it available for all our children.

I think my greatest regret was that my mother was not alive to see me as Secretary of Education. That position, more than any other, I believe was a fulfillment of her hopes and dreams for me. I think that she would have been so proud. My father was obviously very proud. When he would come to an event with me, I would feel very special. For example, my father came to several of the ceremonies where I received honorary degrees. It meant a lot to me to have him there, and I guess in my heart I knew my mother was there too.

My second greatest regret is that my mother did not get a chance to see our children grow to be the great adults that they are today. Fortunately, she had a chance to make a difference in their lives even though they only knew her for a short period of time. She passed in 1987. In those short years, her impact on the children was tremendous. In fact, our oldest daughter, who was very close to her grandmother, had a hard time accepting that someone she loved so much was no longer here. I think my mother's death fundamentally changed our daughter Jamie. Because Jamie realized that no one knew how much time was allotted, she had to do or try to do everything she wanted. She became quite fearless. If she were to die young, she wanted to be able to say that she lived a full life. She didn't put things off. She was and is

quite amazing. Whatever challenges she faced growing up, she certainly met them all. She is a great wife and mother of two unbelievable children. While it would have been impossible for my parents to have lived long enough to have met their great grandchildren, I know how proud they would have been. For me, I realize that as I get older, if I am going to have an impact on my grandchildren's lives, I better work quickly. I certainly don't know how much time I have, and I do want to make a difference in their lives.

MS. PALMER: Also, tell me about your wife.

MR. DYKE: Okay. What do you want to know about my wife? I just said that she's the best person I ever met.

MS. PALMER: You talked a little bit about her.

MR. DYKE: Okay. I met her at Howard Law School. She's very bright. The brightest person I've ever known. She loves doing the *New York Times* crossword puzzle. She does them quickly and in ink. I marvel at it. I may have mentioned to you that my one job on Sunday mornings is to hunt down a *New York Times*, regardless of where we are, be it San Francisco or Cancun, Mexico. Ellen is very well-read and what she knows is very eclectic. No doubt, Ellen is very smart, but she is an even better person. I could not find anyone who cares more about family and friends than she does. She will certainly put her own interests aside in order to make sure that family and friends get what they need. She's just a wonderful person. I don't know what else to say other than she must be great, because she puts up with me. I thank God every day that she stays with me. She's just really a terrific person, and I always look forward to seeing her. I look forward to going home. You just started a marriage. One of the things that you'll see is that marriage requires a lot of give and take. There will be good days and there will be bad days, ups and downs. There will be days when you want to scream. Marriage

can be very challenging, and I could not have found a better person than Ellen to meet those challenges with. After thirty-one years, she's still the one. I'm just blessed. I think I married the best person that I've ever met, and I want her to be the last person I see before I die. I just want to make sure that she's always in my life. I guess I'm trying to say that I not only love her deeply, but I like her very much.

MS. PALMER: That's very nice.

MR. DYKE: I am glad that Ellen retired so that she has the time to do the things that she has always wanted to do. Some of those things are just doing things around the house. On the other hand, she went to Paris for a month. Did I mention that?

MS. PALMER: I don't think so. That's great.

MR. DYKE: Ellen had always wanted to rent an apartment in Paris for a month. We had been to Paris twice before, but only for short periods of time. A retired friend of Ellen's also wanted to go, so they started looking for an apartment. Thank goodness for the Internet, and I had acquaintances who helped identify the areas of Paris in which they should be looking. They found this great place in the Marais, right near the Seine and across the river from Notre Dame. Are you familiar with Paris?

MS. PALMER: I'm not very familiar.

MR. DYKE: She rented the apartment for the month of April last year, and I visited her for about a week in the middle of the month. That was something that Ellen had always wanted to do, and I was so glad that she had the opportunity.

Ellen had also wanted to visit Venice. So, in November we took a Mediterranean cruise that stopped in Venice for two days. I remember the morning that the ship came into port at Venice. It was pouring and all of the streets were flooded, but that was of no moment to Ellen.

She was just so happy to finally be there. She actually started to cry. It made me feel so great to know that we had done something that she really wanted to do. One of the things Ellen has taught me is that there is great joy in being selfless. I got more satisfaction from doing something for her, than I could have ever gotten from doing something for myself. Because she was so happy, it made me feel really good. I saw the same phenomena when Barack Obama was elected President. Truthfully, I never thought I would see the day when an African-American was elected President of the United States. I felt great. But, it was a greater feeling to see the excitement and wonder in my daughters' eyes at this totally undreamed of achievement. Because they are mixed-racial themselves, Mr. Obama's Presidency was very personal to them. It meant so much to them. My middle daughter Ashley in Los Angeles is over the moon about the President and his election. To see them so excited was more rewarding to me than my feelings alone could ever have been. Ellen has also taught me to be a nicer, caring, and sympathetic person, not only to our family, but to people generally.

MS. PALMER: What would you describe as your biggest mistake?

MR. DYKE: Biggest mistake.

MS. PALMER: Professionally.

MR. DYKE: Maybe I should have been more aggressive about earning more. If I now had more money, I would be able to provide more to my children. For example, the economy is really a challenge today, and, during these hard times, my children are first starting out in their adult lives and professional careers. Life is difficult for them. I think that if I had maximized my earning potential, I would now be able to give each of them enough money so that their lives would be easier. They would be able to afford the extras and do the things that they dream about doing, without having to worry about whether they are using next month's rent money.

I would have loved to be able to do that for my children. When I think that I could have done a better job in that regard, I also realize that there was a tradeoff that I consciously made. I chose to spend time on things that were meaningful to me, including my family. If I had to do it all over again maybe I would have been more selfless. Instead of spending so much time on things that were meaningful to me, maybe I should have spent some of that time on business generation.

If I have ever hurt my wife and my family, that would be a huge mistake. When I was younger, I was much more self-centered than I am now. I am sure that there were many times when I put myself first to the detriment of my family, and for that I'm truly sorry. I know I am being opaque here. So let me just say, I've never robbed a bank or done anything like that.

MS. PALMER: A taped confession.

MR. DYKE: I don't have another family living somewhere. But, I probably spent more time than I should have doing things that interested me. It took me awhile to learn that I had to put those things aside and put my family first. That is definitely what I would have done differently. Other than that, I can't think of anything. I don't recall making some major policy mistake or messing up a client matter. I really can't think of anything. I'm sure I've made mistakes, but nothing that I've lost sleep over.

MS. PALMER: Great. If you had a meeting with President Obama tomorrow, and he wanted to hear your views on education, what would you tell him?

MR. DYKE: I'd tell him that his education policy is on the right track. For example, paying teachers based on achievement of students and creating charter schools are two right-minded policies. On the other hand, I think that he needs to be more vigilant as far as quality of teachers and teacher training. I believe the administration puts too much weight on whether the unions support a state's application for "Race to the Top" funds. Specifically, if a

state doesn't have the full support of the unions, it won't be rated well. That's a mistake, because the necessary reforms are those which are traditionally opposed by the unions, like teacher education and teacher accountability. I believe that the administration has to hang tough on those issues and not cave in to the unions. There are many great teachers out there, many more great teachers than not. However, the union's prime concern is maintaining its membership and not addressing issues like removing the bad teachers from the classrooms. I think the administration is letting the unions play too big a role in policy implementation especially when the administration's educational initiatives are commendable. I would tell the President to trust his instincts and do what he believes is right and not what might be politically acceptable. I think that we need policies which would result in more students entering the fields of science, technology, math and engineering. I have not heard much about the administration's policies concerning our four-year higher education institutions. I think that's simply because the administration's attention has been elsewhere. So, I really can't speak to those policies, except to say that if they exist the administration should be more vocal about them at least to engender debate. The administration has focused on community colleges, which I think are very important, since the community colleges are a significant component in our educational system.

MS. PALMER: How do you think D.C. has changed in your lifetime?

MR. DYKE: When I was young, D.C. was a sleepy little town whose citizens were mostly African-American. I believe that the racial makeup of the city was a key factor in why Congress did not afford the city home rule for so long. As the city became more diverse, with more mixed neighborhoods, and business expanded, for example around the Verizon Center, Congress began to look more favorably on the city. So, politically the city has come of age, and residential and business development has significantly increased, making the city no longer a

sleepy, little town. Much still needs to be done east of the Anacostia River so that those neighborhoods and the citizens who live in them keep pace with the rest of the city.

Politically, the city is unique. Sometimes it just is really frustrating, because the local politicians tend to stress the petty, personal and irrelevant, rather than focusing on the significant, like home rule and fiscal responsibility. Every jurisdiction has its political problems, but because D.C. is the Nation's Capital, more attention is focused here. Local D.C. gets more news coverage than almost any other locality in the country. Therefore, people know more about the problems of this city than about almost any other city's problems. I think the city has made significant progress. I think it's on the ascendancy, and there will be many more positive things to come.

MS. PALMER: Why do you think that certain areas of the District have been neglected, for lack of a better word?

MR. DYKE: I think some of the answer is race-based. In other words, the predominately poor and African-American areas did not get the same attention other areas of the city got. The city's school system, educating the majority Black student body, needs restructuring and reform so that its students will receive that education which will prepare them to function in our global economy. Because of Congress' power over the city, the city, for a long time, was treated as the Congress' fiefdom, its plantation, so to speak. Congressional favors ensured that positions were filled by either unqualified or unconcerned individuals. For example, a Congressman with some power over the city might request that a relative from West Virginia be hired in a position in the Metropolitan Police Department. More often than not, the person would be hired, and the city had nothing to say about it. At one time Congressman John McMillan from North Carolina literally ran the city like he might run his own plantation. Black

citizens of the District couldn't get the jobs that were given to Congressman McMillan's favorites from North Carolina. Congressman Joel Broyhill from Virginia used to say that the shortest bridge to Africa is the 14th Street Bridge. There was a time when Congressional racism inured unfavorably to the majority Black city and its quest for self-government. Now that I think about it, this is one area in which there seems to have been significant change for the better.

MS. PALMER: It's interesting, because I've never heard these things. I never thought about the issues related to home rule being related to race. That never struck me.

MR. DYKE: I believe that racism was at the heart of it.

MS. PALMER: Yeah, I mean that's before my time and it makes so much sense.

MR. DYKE: It's the same with the issue of voting rights. Some feel that if the District had the right to elect two Senators, those Senators would be too Black, too liberal and too Democratic. It certainly has a racial undertone.

MS. PALMER: Do you think that mentality has ceased?

MR. DYKE: Unfortunately, there are some remnants of it. The city still does not have full voting rights. In addition, racism in politics rears its ugly head every once in a while, and in strange ways. For example, Vince Gray's candidacy for Mayor opened up his Chairman of the Council seat. Jack Evans, a White Council member, was thinking about running for that seat. Some people said that Jack's candidacy was a bad idea, because a White man should not be Chairman of the City Council in a majority Black city. Racism is racism, whether it's against a White person or against a Black person. In other words, there's no difference if you are being told not to run because you're Black or because you're White. The point is that you ought to be able to run for any position, and the people have the right to elect the best person for that position. Race should not be the criteria for making such decisions. We have fought too hard and too long

to have people be judged on their qualifications and on their character and not on their race. To then turn around and use being White as a disqualifier is plain wrong. I just had to say that.

MS. PALMER: So what do you think about the status of the education system in the District?

MR. DYKE: I think it's made much progress. Chancellor Rhee has some good ideas, but because she is not a people person she may have trouble implementing those good ideas. She comes across as arrogant, much like Mayor Fenty. But, no question, the Chancellor and the system have made much progress. However, in order for this progress to continue, Chancellor Rhee must start connecting with people so that they can buy into her ideas and help them succeed. Without a united community, she will not make as much progress as she could.

MS. PALMER: Do you see your imprint on any of the progress?

MR. DYKE: Certainly professional development for teachers, holding teachers and other education professionals accountable and having standards that reflect what students should know and how to be competitive, are all issues that I have espoused in Virginia. I have been a strong advocate of and have given much input into Virginia's Standards of Learning. They reflect what students should know to be competitive in a global economy. In other words, if students only know what is required under the Standards of Learning, then they would be competitive in the global economy. Some jurisdictions do better than the standards. I believe we must keep raising the standards and work toward all students meeting that bar so that they will have the tools they need to be competitive. However, every time we raise the standards, we must put additional money into the system to accomplish the higher standards. There was a time in Virginia when politicians didn't want to make the investment in education, because it might mean that they would have to raise taxes, which usually ran afoul of their campaign pledges. We raised

the standards, found the money and changed the way teachers were trained in Virginia. Now teachers are required to get a Bachelor's Degree in a substantive area, like math or science or the arts. I helped lead that reform when I was on the State Board of Education, and I also chaired the task force charged with reforming teacher training.

I think that I had much to do with Virginia's schools teaching the family life curriculum. That curriculum generally included teaching about family life and getting along in the world, and specifically dealt with health, family, and sexual issues. Every time I brought up family life education, I quickly realized that the curriculum was being misconstrued as only dealing with sex education. The most often asked question was whether the curriculum required teaching young children how to make babies. For this reason, it was almost impossible to get family life accepted in Virginia. The first year of my tenure on the State Board of Education, I worked with another member, Margaret Marston, to get the family life curriculum included in our schools. By the way, Margaret's mother was an original Suffragette and real crusader. The only way we were able to get the curriculum included, to be brutally honest, was because of the AIDS epidemic. Parents became very concerned that their children understand that sexual activity was one of the primary means of transferring the disease. So, we just stressed that the curriculum required teaching abstinence as being the safest alternative. If some of our students were sexually active, then, we argued, they had to be taught about safe sex – taking whatever steps are necessary to protect themselves against this horrendous disease which almost assuredly led to death. The family life curriculum, including the sex education component, was hotly debated at the State Board of Education.

Immediately before the State Board's vote on the curriculum, *The Virginia Pilot*, which has a large circulation in Hampton Roads, wanted to do a Sunday op-ed comparison of the

pros and cons of the issue. The paper asked a former State Senator, who was opposed to the curriculum, and me, who was in favor of the curriculum, to each write an op-ed piece. In the text of my article, I prophesied that the headline for the article was not going to mention Family Life, but rather would mention Sex Ed, because it was the Sex Ed part that got people pumped up and, frankly, would sell papers. In reality, the sex ed component was only about 10% of the curriculum. When the paper ran the articles, I was right, the headline was *Sex Education.* I believe, on the left-hand side of the page, the paper printed the article against the curriculum and on the right-hand side of the page, the paper printed my article. In between the two articles was a caricature of naked Ken and Barbie dolls holding hands. So much for the newspaper's unbiased approach to the discussion! Notwithstanding the bad press, the State Board approved the curriculum, just before the beginning of the Wilder administration and my tenure as Secretary of Education. What we did to minimize parent concern was to include an opt-out provision so that those parents who were offended by the curriculum could opt their children out of the course. The reality of the situation was always that if you actually taught family life correctly, it would be a part of almost every course. Teaching about life, family, health and getting along with others really should be an integral part of many courses. It is basic to teach our children that humanity, and therefore families, are diverse. There may be families with two mommies or two daddies. We need not condone or advocate for the differences, but we need to teach understanding and tolerance. Interestingly, once I was Secretary of Education, I probably spent no more than seven minutes working on Family Life issues, because once the curriculum was adopted and people realized the importance of it, especially from the AIDS perspective, the curriculum became a non-issue. I believe that the acceptance of Family Life education was one of my proudest accomplishments.

Because in Virginia, the Governor can only serve one four-year term and is not permitted to serve consecutive terms, many reforms, once started, could not be seen through to the end. People, in opposition, would just drag their feet, knowing full well that we only had at most four years. They would just wait us out by stalling. We tried to change this limitation, but did not succeed. However, I still believe that I had a significant impact on education in Virginia, certainly more so than in the District.

MS. PALMER: Do you think there's some spillover between what happens in Virginia and what happens in the District?

MR. DYKE: To some extent. Reforms that work in Virginia have a good chance of being instituted in the District.

MS. PALMER: What do you do in your spare time, what little of it you have?

MR. DYKE: I love to be with my grandchildren. I love sports, and go to some Nationals games. Because our daughter Ashley is an actor and our daughter Lauren is a publicist and loves the entertainment industry, we go to the movies a lot and keep abreast of the Hollywood scene. Ellen makes sure that we travel a little more, but I probably should do more traveling. I just like to hang out with Ellen, go out to dinner, explore a little, especially now that we have an empty nest. We get a chance to spend more time together and enjoy each other.

(TAPE 2)

We live on a lake in Reston and have a pontoon boat. We love being on the water. It's so peaceful and beautiful. We try to go as often as possible. In fact, I took two of our grandchildren on the boat that Sunday when I was supposed to be in Chicago. We had a wonderful time. They blew the horn, looked for turtles, geese, ducks and herons, fished and danced to the music on the boat's disc player and radio. That's always, always fun. I don't have any great

hobbies. I will probably take up golf again at some point. I used to play golf when I played baseball. I kept getting my swings mixed up, so I dropped golf. Ellen plays golf. In fact, she's on the course today. Now that I no longer play baseball, I just know that Ellen will get me back out on the golf course with her. We go shopping, probably more than I'd like. But Ellen wants me to be more involved with fixing up our home and picking out presents for our children and grandchildren. So, for Ellen, I go, and even though I really don't like the whole shopping scene, it is really very rewarding to find the perfect gift. I usually only like to go to the store when I know what I need, so that when I see it, I buy it and I leave. I don't particularly like to shop around. But, it's a small sacrifice, and I'm learning there is joy in shopping for others.

MS. PALMER: You do so much professionally and personally. Do you have any words of wisdom in terms of balance or just life balance?

MR. DYKE: I think you need to realize your priorities and to recognize that on your death bed you will never wish that you had one more day to be in the office. You must spend time with those you love. I certainly have learned that lesson throughout my hectic work life. I really should have done more with my family, because I now know how important they are to the quality of my life. They are what is important – family first. An example of me finally learning that lesson was when I left the Chicago partners' meeting early. I could have spent another five hours talking with my partners about value billing or I could have come home and spent the time with my wife and grandchildren. Easy decision. I think we need to balance our lives a little better. We need to recognize that work is a means to an end, a way of earning money to support ourselves and our families and that work can also enrich our lives by involving us in interesting, rewarding and exciting issues. But, in the end, we only get a chance to live once, and there is nothing more valuable than family. I learned this the hard way. I devoted too much of

my time to work, for example, when I would go on a presidential campaign. If I chose to go on a campaign, then I probably needed to forego doing other things that took me away from home, so that I was not maximizing my time away. I now don't travel for work as much as I could. The time that I sleep away from home is rare. The point is, I didn't just wake up one day with this instant wisdom. It took me many nights away from home to come to realize what my priorities should have been. I have changed my ways, and, hopefully, I can teach some of what I have learned to my children.

One thing I did stress to my children is that they should not wait too long to travel. Our youngest certainly took that bit of wisdom to heart when she spent nine weeks in Europe upon graduating from the University of Virginia. Every once in a while I kid her when I ask if she's traveled to Europe, as if I didn't know. I recommend, to the extent that you can do it, that you travel early in your adulthood and see as much of the world as you can. You cannot get any greater perspective on life than to see how others live. Realizing what is important becomes very easy. Also, you get a chance to see first-hand about many of the things you learned in school. There is no better way to become educated in these far off places then by walking their streets. Seeing France, Spain, Greece and Turkey, for example, gave me a much better appreciation for the reality of these places and for what life and the people there were like. If I could do life all over again, I certainly would have traveled internationally more at a time in my life when I could have enjoyed it to the fullest. I would urge people to just do it.

Balance is really the right word. All the necessary things in your life have to be balanced and priorities set. Clearly, unless someone writes you a check for ten million dollars, you're going to have to work to provide the wherewithal to live. But work should never be 24/7. I cannot stress the importance of spending time with the people you love and doing the things for

which you have a passion. Please keep that in mind as you embark on your young marriage.

MS. PALMER: Yes. I plan to end with that question.

MR. DYKE: Enjoy your husband. Spend time together and do things together. Don't get so immersed in your work that you forget about that special husband of yours. If you ever lose that spark that brought you two together, you may or may not be able to resurrect it. You have to give your marriage all that you can. You do the best you can. You seem to be happy.

MS. PALMER: I am.

MR. DYKE: That's important. Well this is great. I enjoyed talking to you.

MS. PALMER: Yeah this is a great session. It's interesting to see and I'm sure that we'll see this as we began the evolution of the type discussions that we have. It's good for me to get a very broad background last time, it's a little more focused. I think next time it will be equally interesting and different.

MR. DYKE: Whatever you want to throw at me. Feel free to do it.

MS. PALMER: Yeah, I have to do some brainstorming.

(END)