

Policy 360 Episode 147 Former Senator Richard Burr

Senator Richard Burr:

I stand here today in awe of the history made in the Capitol complex, the People's House, the United States Senate, the Old House Chamber, the old Senate Chamber, and even the old Supreme Court Chamber.

Judith Kelley:

This is the voice of Senator Richard Burr, Republican of North Carolina, giving his farewell address on the floor of the Senate. "Our nation's history is crystallized here in this building," he said. "Our flaws, our triumphs, our humbling errors, and our breathtaking successes."

Senator Richard Burr:

If you listen closely at night, when all around is quiet, you can hear the echoing voices of the ordinary men and women who became giants in our nation's history.

Judith Kelley:

Richard Burr began his senate service in 2005. But before that, he served 10 years in the house. During his time in office, he chaired the Senate Intelligence Committee among many other roles. He decided not to run again in 2022. Judith Kelley, dean of the Sanford School of Public Policy at Duke University. Senator Burr, welcome to Policy 360.

Senator Richard Burr:

Thank you for the invitation. Delighted to be here.

Judith Kelley:

I'm delighted to have you here. So you've been known to be somebody who could cross the aisle, and make compromise, and enter into bipartisan legislative initiatives. So how did you do that, and do you think that's still possible?

Senator Richard Burr:

Oh, absolutely possible. I think the realization is that the way the Senate rules are written, it requires 60 individuals to move a piece of legislation and force a vote. So for any legislator who's serious about a bill becoming law, their first impulse should be to reach across the aisle and find a great partner that they know is passionate and is willing to withstand a very lengthy process. Sometimes legislation doesn't happen in two years. It may take three or four years. And that requires a tremendous discipline on the part of the sponsors of that legislation. So if you understand the rules, and you're serious about legislating, then it requires bipartisanship.

Judith Kelley:

Right. But that's not happening so much anymore. Do you agree or not agree? Are we just not seeing that? Do you think it is happening? But if it's not happening, how do you think we get back to that?

Senator Richard Burr:

Well, I think there's an attempt. And we certainly saw it in the last two years the big items, infrastructure, an initiative on semiconductors. I think that attracted bipartisanship. If there's not

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bipartisanship on big issues, then the perception, may not be right, is that it's being done for political reasons, and we have a highly charged political divide, not just in Washington but in the country. And I can still remember 28 years ago when I went to Congress. If I came home and we didn't pass a bill, people actually thanked me because their perception was if it's not broke, don't fix it. Now the expectation is we're only measured by how many bills. And I think that to understand the difference between the House and the Senate is just to look at the number of bills in any given session of Congress and see that the House introduces tens of thousands of bills. The Senate probably less than 1,000, maybe today, slightly over it in a two-year period.

As Senator Helms used to say, "The United States Senate is the sauce that cools the coffee before you drink it." And so the Senate was never designed to operate as quickly and to take up as much as what the People's House, the House of Representatives was. And to some degree, they are slightly more immune to the politics de jure because you run in a state and not in a well-defined geographical congressional district, where the movement of several thousand people, one way or the other, can determine the outcome of an election.

Judith Kelley:

So just to stay on the topic, a bipartisanship here, and given the rules of the Senate, there are times that you've gone with... I wouldn't say the other party, but where you have been among a minority of people in your party who have decided to vote along with an initiative from the other side, like Defensive Marriage Act and things like that. What went into a decisions like that for you?

Senator Richard Burr:

I think it's a curiosity to be educated further than I was when I got there. Issues that deal... Social issues. A member is crazy if they don't sense what the next generation believes is right. And I was fortunate, I had two sons. And there were many times I went to my sons and said, "Where are you guys on this?" And in some cases, I think the first one was don't ask, don't tell policy at DOD. And I shocked a number of my colleagues when I came out in support of doing away with it. But generationally, I couldn't ask young men and women to serve knowing that we were excluding some because of either something they believed or a choice that they made.

And it really wasn't my role to tell that generation, here's what you've got to do. I think there are other times where we're taken for granted when we make those great leaps, that we're going to be there on everything. And I think all of us are foundation and influenced by what our parents taught us. And some things are so foundational that they don't change just because your children tell you you're wrong. They have a different opinion. But those foundational things you really do stick with them.

Judith Kelley:

Well, you are getting at a deeper issue, which is what is truly the role of a representative. I mean, as you said, as a senator, you represent the whole state for one thing, not just in a smaller district. And then you also said sometimes you've gone to your sons to find out where they're at. So how do you balance your own personal convictions on something with saying, "Well, what the next generation or the people I represent want." We all know that there are issues. I can start to mention some very controversial ones on which we know what the majority of Americans think, and yet that's not what's happening on the Hill. So how have you balanced that, your own personal conviction on a particular issue, not just as a principle, but on a policy versus that of your constituents?

Senator Richard Burr:

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Where I've needed to be further educated, I've reached out to try to do that. But you also have to understand, Dean, that I've had 22 years in the House and the Senate serving on the Intelligence Committee where I have to make choices like that every day based upon the facts that are presented to me. So I'm comfortable with doing it. I've become accustomed to being criticized in some cases, praised in others. But there was never an effort on my part to look at the scorecard and to see where I ranked. It was to call each individual vote based upon when I go to bed at night, am I comfortable with how I voted? And I can honestly say with maybe one or two exceptions, and I can't even think of what they would be today. I've gone through 28 years where I've had that comfort to sleep well.

Judith Kelley:

Do you feel like that is the motive memorandum of your colleagues on the Hill?

Senator Richard Burr:

Well, I think that there's a political separation that's further than we've ever seen. And I think that's indicative of the country. And the only difference from this and really 20 years ago is that the Right and the Left seem to have grown in size. The middle is diminished, but the middle is still the majority. And the majority doesn't seem to control what's entertainment for the news cycle. It's only the fringes. And it would be refreshing to find an outlet that focused on the middle because I think the middle would then grow if in fact it was reported.

Judith Kelley:

Where do you go for news?

Senator Richard Burr:

Since I've retired, since January the fourth, I don't frequent the news channels. And I rely on things that can highlight the news for me. When an issue comes up that I'm not up to speed on, then I'll actually Google it and figure out which sources are covering it and try to determine what I need to know.

Judith Kelley:

So you use some apps that compile news that you've curated yourself, streams? Yes.

Senator Richard Burr:

Yes.

Judith Kelley:

Right.

Senator Richard Burr:

And it's always interesting to me for an app like Drudge to see what is it they perceive is important. That gives me a sense of the stream that's out there.

Judith Kelley:

So you talked about the increasing polarization. And so obviously, you have been pretty clear on your stance on President Trump. And so, after your yes vote on the impeachment, you said, "My party's

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leadership has chosen loyalty to one man over the core principles of the Republican Party and the founders of our great nation." Given that, what are your thoughts as we head into another presidential election cycle?

Senator Richard Burr:

That I truly hope that the American people have choices different than what they're being presented with right now. I think it's not representative of the generational mix that exists. I think it doesn't display the type of global leadership that the world needs right now. And I think the Senate has baffled legislatures in other countries for years. Because they look at the Senate and they say, "Why do you design it that way? We would never do that because you don't get anything done." Our founders looked at it and said, in the absence of a clear majority, it shouldn't get done. And they designed that as the last piece of the cycle.

Judith Kelley:

No, of course. Some of the rules, including the filibuster, were not designed by the founders themselves.

Senator Richard Burr:

They weren't. But the founders in the construction of the Senate chose the Senate makeup to be different. Therefore, you can understand why right then the rules will be constructed the way they are. And there may have been other intents at the time, if you did it purely on population, could you have four or five states that controlled everything that happened in the United States that would be totally against how the country was formed. So there was a compromise then.

Judith Kelley:

Oh, for sure. For sure. Back to your comment about the election, are you saying that you don't currently see anybody in the mix that you are rooting for?

Senator Richard Burr:

I think most Americans would like choices other than what they see as the leader on both sides. I think that there'll certainly be some additional names, whether that's on both sides, I don't know. I struggle at 67 to remember a lot of things over the last 28 years. So I can imagine how I'd struggle at 80. And listen, the president is the most grueling job that anybody could ever imagine in the world. And the requirements to show that unwavering leadership is as tough now as it's ever been. So at the end of the day, we'll have probably two choices and the American people will decide. And that's the beauty of our system.

Judith Kelley:

You mentioned your sons earlier and also age as a factor in our current pool of leadership. It also seems that somehow the issues that we are facing today, many of them are issues with longtime horizons, including such things as climate change that have huge implications, not for us, you and me, in the next 10 years, but for young people. And seems like in some ways the young people, they own the consequences of the issues of today more so than may have even been true before. How do you see us galvanizing interest in that young generation for public service like yourself?

Senator Richard Burr:

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That's a really interesting question because it's pretty tough to forecast what's going to happen next week, much less down the road. And I will tell you that my sons have been replaced by my grandchildren.

Judith Kelley:

Yes. of which you have how many?

Senator Richard Burr:

We're blessed with four grandchildren. And we now understand what many Americans do that grandchildren are God's gift for not killing our children. And all of a sudden they become the primary focus of our lives. I think it's important to understand that as legislators, we do have these hot button issues. But we also have a responsibility to the whole of who we represent, to adopt things that actually have an impact, a positive impact that we're sure there's a reason to do it. Because in many times it requires a tremendous financial backing by the American taxpayer through the government. And I think many times we talk about solutions to problems that are years out, forgetting that we've got to show how that positively impacts it.

And as I've said of late, I'm not against the move to battery powered automobiles. But when you dig down, does that really enhance the future as impactful as anything else would be? So I'm a big one talking about technology. And if 10 years from now synthetic biology can be spread on the ground through a product, and absorb carbon. And you remove the carbon in the atmosphere by new technology, synthetic biology, that would have a much greater impact immediately than would move in from fossil fuels for mobile energy. And these are the types of things that we have to weigh as legislators where the importance of this. And today, I'd be willing to invest as much in things like synthetic biology as I would be in EV technology. Because I don't know which one might make the biggest impact on-

Judith Kelley:

Right. I mean, it's about having a diversified portfolio. I mean, this is a huge problem, and we need multiple-

Senator Richard Burr:

As you've seen of probably the last 10 years, we tend to swing heavily one way and we skip over some of that balance. And I think that's Congress' challenge. And more importantly, it's the leadership's challenge in Washington. These issues that we see as long term and important, they can't be political tools and be taken seriously from a standpoint of how we legislate to accomplish either limitations or remediations for future generations.

Judith Kelley:

You spoke earlier about the importance of Congress getting important policies passed. And when you reflect on your career, is there a particular moment that stands out to you either for better or worse, or one of each?

Senator Richard Burr:

I'm always asked, what's the piece of legislation you look at that's most important to you? And my response is always the same, the last one I passed. But in 1997, I passed the first and only modernization of the Food, Drug, Cosmetic Act. An agency that affects 20 at the time, 25 cents of every dollar of our

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economy. In size, one would look at that and say, that's the most impactful thing I ever did. I would tell you that making the land and water conservation fund permanent versus at the will of the next Congress or the one after that. And the uncertainty of funding where it was designed to be funded off the royalties of exploration on those lands. I've just assured my grandchildren they're going to have access to the protection of that land, not because government decided we're going to protect this, because the people decided they were going to protect it. Because they're the ones that run the land and water conservation.

So moving that outside of government, the responsibility for it, determine what should be protected and why. And then sell it to the people that are in that area. I think we forget about the inclusion of the American people in some of these decisions. I was with Xi-Ja, the COVID director last night, who will probably be departing as they disband the emergency COVID legislation. And here's a fascinating guy, somebody that I accessed on numerous times, even before he was the COVID czar, when I was working on COVID policy in the Trump administration and before he came in. And he turned to me and he said, "Senator, where do you think we failed?" And I said, "We began to lose the American people when we didn't back up the mandates that we placed on them with the facts as to why this was right." And it's really important for us to go in and do an after action review on COVID and learn from our mistake that it requires us.

If CDC gives guidance that everybody should wear a mask, then they should require them to put out the research and the data that says here's why. Here's the lives it saves. And the lack of that transparency, the lack of that willingness by two administrations to share the information, puts us in a situation now where we go into the fall with a lower level of COVID infections. But still, the most at risk population is mine, over 65. And many, over 65 now have the same vaccine phobia that many people in the country have, many people in the world have. Because we never put out the facts to compete against social media amiss about a vaccine, or about the impact of the vaccine, or the lack of effectiveness, or whatever. And had we built the case for it based upon what we were asking the American people to do, it wouldn't be influenced by myth.

Judith Kelley:

I mean, what you're talking about is really trust and trust in government. And if we go back, we look in the 1960s, we had trust levels at like 75-77% of the American people. And now as you will know, we're down to about 20%.

Senator Richard Burr:

And I think if you look back, the requirement was not only to come up with a solution, but it was to convey why that solution was factually going to work. Or at least that you had a preponderance of belief that it was going to work.

Judith Kelley:

So how do we rebuild that trust in a media landscape, as you referenced earlier, that is dense with communication, but that communication also in some ways makes it harder to get a clear message out.

Senator Richard Burr:

Well, survival of the fittest is going to force some news outlets to begin to go back to reporting news and-

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Judith Kelley:

And facts.

Senator Richard Burr:

And facts, and not rely on sensationalism. If they don't, they're going to be out of business and they'll be replaced by the social media platforms either that are there today or something else. As I said earlier this morning in one of the graduate courses here, leadership is everything. And when I became chairman of the Intelligence Committee, I believed that we could reach a new level of transparency with all 18 intelligence organizations. So along with the cooperation of Mark Warner, the vice chairman at the time, we restructured the way the committee interacted with those agencies, that we were responsible for the other 85 members of the Senate to verify they do everything within the parameters of what we've given them the tools to do. And what we found was that when we reset that level of trust and we set what the new expectations were of transparency with us, they responded in a positive way. And I think it's built a much more reliant intelligence community because of what the committee and the intelligence community we're willing to do together.

Judith Kelley:

So while we sit around and wait for the mainstream media to start reporting news on facts, is there anything your former colleagues or people in political power now can do to rebuild that trust?

Senator Richard Burr:

Well, I think that there are things they can do to rebuild it. And I think you begin to see that as you see these bipartisan pieces of legislation come out. And they make a very foundational case as to why this should happen. And they get over 60 votes. And that's why, because there is a reason. Is it going to be prevalent? No, probably not. Change happens extremely slow, and sometimes it's generational. And sometimes it's allowing new people to come in and share their life's experiences. And that's why I believed in my case, it was time to leave. One, I wanted to make sure I had a career after Congress. But also I truly feel like I've exhausted all the great ideas that I have. And though constituent service was always the single most important thing to me to make sure that every person in North Carolina got what they needed to from the government. That had no party lines to it. I don't believe his history will criticize me in any way for not treating every North Carolinian exactly the same.

Judith Kelley:

So we talked about trust in government and in public officials. But when we think about broader question of democracy, all our governmental institutions, including the courts, et cetera, what is your level of confidence in our democracy itself?

Senator Richard Burr:

Oh, it's not even a question in my mind. We have a built in checks and balance system that the American people are in control of. And does it disturb me when I get an Iraqi ballot that was sent to me by a poll worker in Baghdad, because this was the first election in his lifetime that he had ever gotten to elect his leadership. And I see people dodge bullets to get to a polling place to vote. And I see Americans that sit at home on their cans and make no attempt, that disturbs me. But it also tells you that we have to increase in their minds the value of participation. I'll never complain about the outcome of an election if a hundred percent of the American people participate.

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Judith Kelley:

So participation is one thing. And one of the things I've personally studied over the years is the United States effort to bring democracy to countries around the world. And so I worked with organizations like the Carter Center, the NDI, the III, and all their efforts on election monitoring and such. And it is not what I ever expected to see some of the numbers of American voters who will say that they don't actually have confidence in our elections. How do we regain that confidence in the elections in the system?

Senator Richard Burr:

Well, listen, historically, we've had weird periods of time. We're in one of those. I think most Americans believe the integrity of the election system. And I think more importantly, when we compare ourselves to democracy around the world, we have to understand that democracy is defined a little bit differently depending upon the piece of ground that you're standing on at the time.

Judith Kelley:

Well, certainly Putin and Shia trying to define their own versions of it right now.

Senator Richard Burr:

They are that. And quite honestly, it's refreshing to see the Ukrainian people in many cases, commit their lives to the protection of the freedom that they want. And I would imagine that when this country was first started, a lot of people might have thought exactly the same thing. I'm willing to risk the trip across the ocean. I'm willing to risk starvation and everything else because I believe so importantly in the independence. And I think it's America's role to help any country that wants to do that. Independence though, may look different just like we learned in Afghanistan. We think we have the best judicial system in the world and we will work with you. But that's tough in a civilization that three months ago when they found you guilty of something, they cut your arm off. And though we may look at that and say, that's not judicial. It's a hell of an improvement where we got them to from where they were.

Judith Kelley:

Speaking of Ukraine, steadfast support, would you continue voting for support if you were still in the Senate? Continue voting?

Senator Richard Burr:

Oh, absolutely. Absolutely. If for some reason the West didn't support their independence, it would make me terrified as to what would happen if in fact there was a larger incursion. And those people who we have signed a pack with to come to their aid, we didn't respond. And I think one only needs to look at the history of World War II to understand that had America not finally responded, we didn't respond immediately. Had we not finally responded, America might not exist today.

Judith Kelley:

Right. That's a good thought to keep in mind. You mentioned earlier you just came from being with a group of our students.

Senator Richard Burr:

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Yes.

Judith Kelley:

And so you were, I think, with some of our executive masters in National Security Policy program. And I'm wondering what they might have asked you and what advice you might have given them, or more generally, what advice might you have for young people today and the citizens of North Carolina?

Senator Richard Burr:

That involvement is really a requirement. Whether that's to run for office, whether it's to commit yourself to a non-profit, whether it's to serve in our military or our intelligence community, that all of these roles are extremely important. Not everybody has aspirations to work for a tech company, even though all of them are smart and talented, and we need all facets. We need those folks involved in all facets of American society, economy, but more importantly, communities. I reminded them that Martin Luther King's last sermon, I think he gave in Washington, and it was titled, Are You Going to Sleep Through The Revolution? And the third revolution that he talked about was, I can't remember exactly how he phrased it, but that we're in a societal revolution. And he defined it this way, if you're not as concerned with your neighbor's children as you are your own children, you wake up in a community you don't recognize.

So for those that wonder, how can somebody read something on social media and then believe it, look at the community they grew up in and ask yourself if it resembles the same one today. It probably doesn't. And I think what Dr. King told us is that generationally things are going to change. But foundationally, we have a responsibility to show by example why our community's fabric was so strong. So when you look at the last 40 years, we became too focused on ourselves as individuals and as family units, and not as concerned about those that struggled around us. And this is not an advocacy for our larger role for the federal government. Federal government's not going to solve this. We've been trying to solve poverty since 1965. We spent more money than we ever dreamed to solve it. It's when communities take on the responsibility to play some role in this.

And when I say communities, that's not electing somebody and feeling like you can walk away from it. It's actually putting your shoulder to the wheel and helping make it turn. Even though I've been focused the last 18 years on higher education, because that was where the committee jurisdiction was, and we did have jurisdiction over K through 12, but that's run so totally different. The real focuses on has been on higher education.

Judith Kelley:

Which I agree is important.

Senator Richard Burr:

Yeah. Is there a responsibility in the educational process when kids are at that age that talking about this responsibility to give back is really, really important? I'll speak of my oldest son. I remember one day I called home and I said, "I'm coming home early. Why don't you and I go eat dinner?" And he said, "Well, I can't." I said, "Well, what do you mean?" He said, "Well, I've got a board meeting." I said, "You're 31 years old. How could you have a board meeting?" He said, "Well, I went on the United Way board and we've got a meeting tonight." And as disappointed as I was that we weren't going to have dinner, I walked away and said, "Oh, he learned it. He learned that he's got to do these things." So as a parent, that was something that had to transfer. It transferred from my dad to me, it's transferring to them.

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Hopefully they will transfer to our grandchildren, and Dr. King's dream doesn't go away. It gets replicated.

Judith Kelley:

So don't sit on the sidelines. Care about your fellow citizens. You've set the example in your life. So thank you for that, Senator Burr.

Senator Richard Burr:

You're welcome.

Judith Kelley:

And thank you for your time here. It's been wonderful speaking with you today.

Senator Richard Burr:

Thank you.

Judith Kelley:

Thank you once again for coming to campus and especially for speaking with our students. Former Senator Richard Burr. Thank you all for joining me. I'll be back soon with another conversation. I'm Judith Kelley.