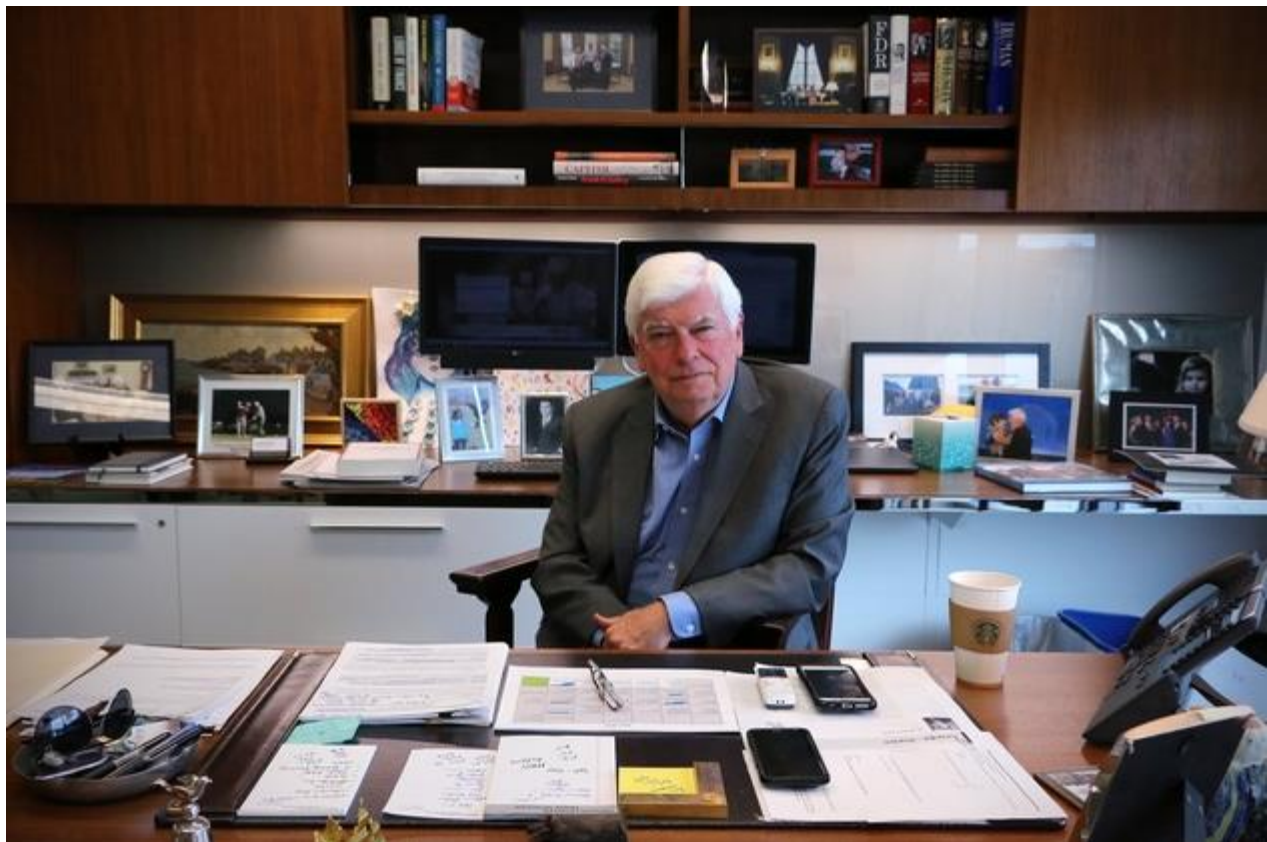


Chris Dodd Talks Dodd-Frank, Nuremberg Trial, Hollywood

By **Randy Maniloff** (July 19, 2018, 12:08 PM EDT)

Chris Dodd welcomed me warmly into his office in Washington, D.C. We were exchanging pleasantries. But my eyes were also darting between the array of unusual objects covering the walls. That's a pen that President Barack Obama used to sign the Affordable Care Act into law, the former Democratic senator from Connecticut said, noticing my attention on it.

Dodd offered me a seat. It had wheels on it — I quickly realized. It was the desk chair he used during his 30 years in the Senate. Dodd was sitting in his father's Senate desk chair. What a coincidence, since it was the first U.S. Senator Dodd about whom I had many questions. Before entering politics, Thomas Dodd had been an instrumental prosecutor in perhaps the most important trial in the nation's history.



Former Sen. Chris Dodd at his Arnold & Porter office in Washington, D.C. (Annie Pancak | Law360)

I was visiting Chris Dodd at Arnold & Porter, the law firm he joined at the beginning of this year. News of

the retirement of Justice Anthony Kennedy had broke just before my arrival. There was a computer screen over Dodd's shoulder. CNN was on. The sound was muted but the images were all Kennedy. Dodd had participated in the confirmation of numerous Supreme Court justices. I was two minutes in and on my second coincidence.

Dodd left the Senate in 2011. The 74-year-old was now back at a law firm for the first time since 1974. Fittingly, the man who hadn't lost his Hollywood good looks had just finished a seven-year tenure as chairman and CEO of the Motion Picture Association of America. In his three decades in the Senate, he served as the principal author of such major legislation as Dodd-Frank, governing financial reform following the 2008 crisis, the Class Action Fairness Act of 2005, the Terrorism Risk Insurance Act, the Private Securities Litigation Reform Act and the Family and Medical Leave Act.



(Annie Pancak | Law360)

But I didn't take the train to Washington to go over Chris Dodd's Wikipedia page with him. I was interested in things I couldn't learn using Google (like the original name for the Dodd-Frank bill; an obscure tidbit he shared). And I was fascinated by the elder Sen. Dodd's significant role in causing a dozen Nazis to be executed for atrocities committed during World War II. Chris Dodd was a gracious host, in no rush to shoo me out, even after an hour, and a gifted raconteur. His memory for names and dates from decades gone by — even down to the month — was remarkable.

My Old Kentucky Home

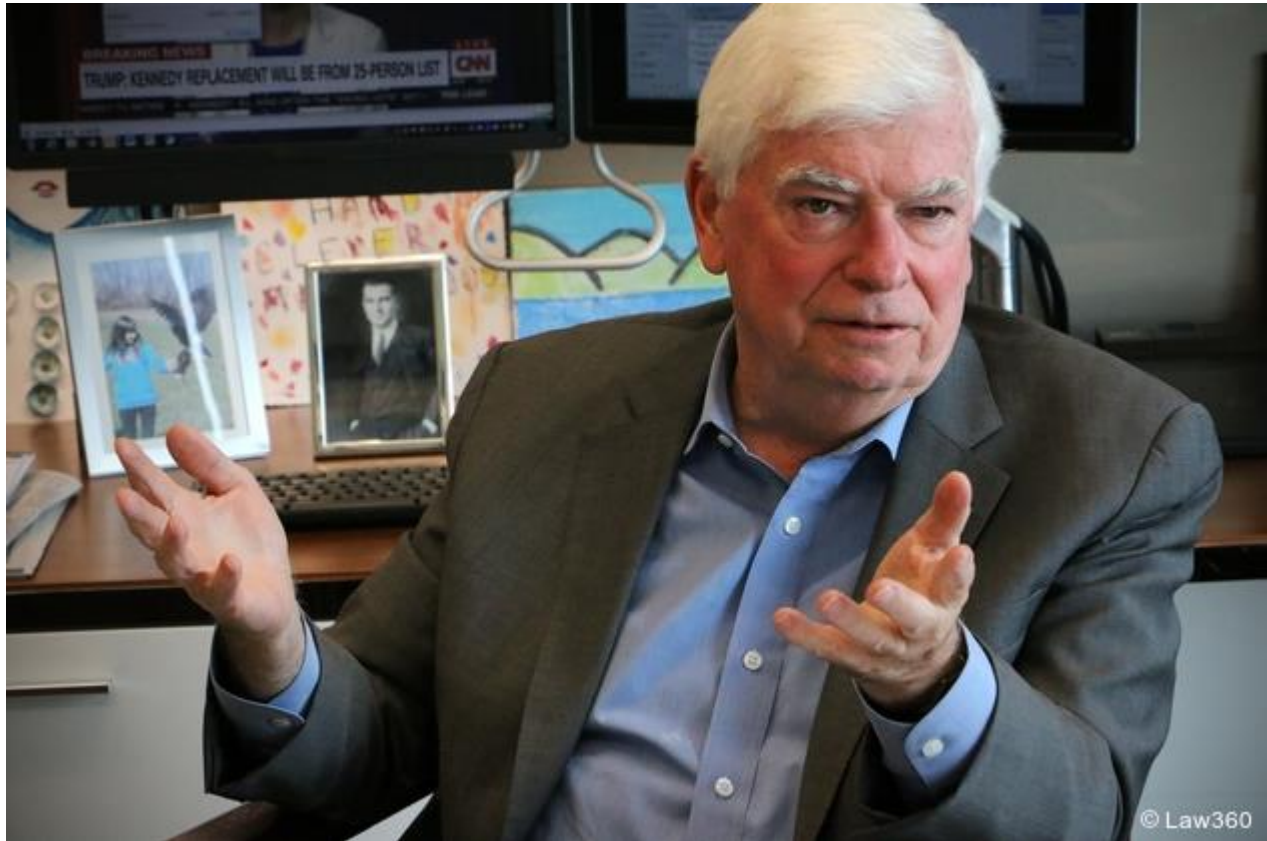
Chris Dodd graduated from the University of Louisville Law School in 1972. He was in a two-year program. "Way ahead of their time," Dodd noted, referring to some chatter of late about cutting out the third year of legal scholastics. But how did the son of a Connecticut senator end up in Kentucky?

"Primarily because I was the son of a Connecticut senator," Dodd said. He was starting law school, he explained, at the same time that his father was up for re-election in a "very tough campaign." The matriculating law student believed he'd be better-served avoiding that distraction. "That's not to suggest to you, by the way, that I would have easily been admitted to Yale or the University of Connecticut," he added with a smile.

Dodd returned to Connecticut and went to work for a small law firm in New London. "My first trial was a guy who bought a boat with a hole in it," Dodd said, laughing. But of his legal career, he said he "hardly got the seat warm."

Return of the Page

After two years of writing wills and representing small local businesses, a tightly held congressional seat surprisingly opened up. Dodd was talked into running for it and won. So, at age 30, the boat-hole litigator set sail for Washington.



(Annie Pancak | Law360)

Dodd was young, he acknowledged, to be in the House of Representatives. But the job was not unfamiliar. Pointing to his father's extensive political experience, Dodd said he couldn't "remember a time growing up that there wasn't politics going on. So, I wasn't sort of dropping into an arena without the knowledge." And thanks to seeing his father's wins and losses, Dodd said he didn't arrive in Washington with a "glamorized version of politics." He had, he told me, "a deeper awareness [than] most 30-year-olds running for public office about the vicissitudes of a political life."

In 1981, just six years after his election to the House, Dodd began his first of five terms in the Senate. He joked that he served with members who were there when he was a page in 1962. "I ended up sitting next to people who were snapping their fingers at me."

The Influence of the Nuremberg Trial

In 1945, Thomas Dodd, a 38-year-old assistant U.S. attorney, was tapped to serve on the United States prosecution team for the Nuremberg trial. He spent 15 months in Europe as a participant in the four-country joint effort to bring to justice 21 Germans for war crimes. He left his wife and five children back home in Connecticut, including 14-month-old Christopher.

Dodd's initial role was behind the scenes — conducting pretrial interviews of the defendants. He had

hoped his job would end there as he was very keen to get home. But Dodd's skills came to the attention of the lead prosecutor, U.S. Supreme Court Justice Robert Jackson. Dodd was called on to stay for the trial and Jackson elevated him to second in charge. In the end, all but three of the defendants were found guilty and 12 hanged.

(In yet another coincidence of this interview, Justice Jackson wrote a dissenting opinion in *Korematsu v. U.S.*, the Supreme Court's 1944 opinion that upheld the constitutionality of Japanese internment camps during World War II. *Korematsu* was overruled the day before my discussion with Dodd.)

Understandably, Chris Dodd could have a bias in his praise of his father's role in Nuremberg. But the German magazine, *Der Spiegel*, had none. Sixty years after the Nuremberg trial, it called Thomas Dodd "the star of the courtroom" with the gift of "being able to make the evidence sing."

While in Europe, Thomas Dodd wrote hundreds of letters to his wife, Grace. The letters were thought to have been lost in a fire until they were discovered, in 1990, in Chris Dodd's sister's basement. Dodd published many of them in "Letters from Nuremberg," a 2007 book he co-wrote with Lary Bloom.

The letters were remarkable on many levels. First and foremost, historical. The trial was plagued with challenges and its outcome was far from a foregone conclusion. Dodd's letters offered a unique look at the prosecution efforts in real time, something the many post-verdict books couldn't offer. The letters were also deeply emotional, demonstrating a husband's love for his wife. I told Dodd there's no way I could let my wife read the book. She'd ask why I couldn't write such affectionate letters. Dodd joked that his first reaction upon reading the letters was "who's this guy talking to my mother this way?" The letters were also prophetic. In one, Thomas mentioned that, as he was not keeping a diary, the letters could serve as a record of what he saw and heard.



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For Chris Dodd, his father's letters were also very emotional. On Sept. 1, 1945, Thomas Dodd wrote to his wife: "I suppose Christopher is growing rapidly. Did I understand correctly, from a brief sentence in one of your letters, that he is now walking?" When describing the importance of the trial: "Someday, the boys will point to it [Dodd had three sons at the time], I hope, and be proud and inspired by it. Perhaps they will be at the bar themselves and perhaps they will invoke this precedent and call upon the law we make here." Dodd said this was a powerful passage in one of the letters that he had the hardest time reading.

"Around our dining room table growing up, there was a lot of talk about Nuremberg," Dodd said, crediting his influence in Congress to the commitment to the rule of law that his father's work in Germany demonstrated. "We did something no one had ever done. We took this outrageous, corrupt and vicious government, responsible for the deaths of 11 million people, 6 million Jewish ... and we're going to give them a trial with a lawyer to present evidence. That was stunning ... the magnitude of it."

Thomas Dodd died while his son was in law school and never got to see that he followed in his path. "I'd like to think today, given the career over 36 years in the Congress, that he felt that I did continue his work in a way," Dodd said.

Dodd gave high praise to his own wife, Jackie, for her instrumental role in bringing "Letters from Nuremberg" to fruition. As I was leaving, he gave me an instruction: "Make sure you mention that." A wise man.

Legislation Comes From a Story

I pointed to Dodd's walls and the mementos of his legislative achievements that are household names. I asked if there is an achievement people might not know about. The former member of the world's most exclusive club did not need to think long. He said that his sister had been blind from birth and it was an issue that was personal to him. Only 10 percent of the blind knew Braille, he explained, and blindness had the highest unemployment rate of any of the disabilities. Dodd had pushed publishers to timely release textbooks in Braille and lobbied to change the law that prevented the blind from working as foreign service officers.

"When I passed the Help America Vote Act," Dodd said, "I stuck a provision in there that made sure that a [blind person] would never have to vote with someone in the [voting booth]. It was insulting to my sister to have to have someone go in and know how she was voting."

Dodd shared with me the story of a young girl who he met in church who was a quadriplegic. The girl's mother expressed to him the challenges of working and having a child who needed constant care. "That's Family and Medical Leave and that's where it came from," Dodd said. "A lot of legislation comes from a story." The woman lived to be 23 and Dodd gave the eulogy at her funeral.

Dodd-Frank

The Dodd-Frank Wall Street Reform and Consumer Protection Act was passed in 2010, making dramatic changes to financial regulation following the 2008 crisis. The law owes its name to the significant efforts of Dodd, then chairman of the Senate Banking Committee, and Rep. Barney Frank, then chairman of the House Financial Services Committee.

The act, best known simply as Dodd-Frank, was of course on my agenda. But it was 2,000 pages and as dense as a New York subway at rush hour. I gave up all hope of understanding it and simply prayed that

Dodd didn't ask me which provisions I found most interesting.

I joked that every time he sees the name "Dodd-Frank" in print he must say to himself, "Hey that's me." Dodd said he opposed having his name on the law, voting against the motion made by a Pennsylvania congressman to initially call it the Frank-Dodd Bill. "Barney said, 'You can't do that, they'll think it's one person.'"



(Annie Pancak | Law360)

Dodd stressed that the law was designed to "minimize the next crisis. It doesn't eliminate the next crisis. It just means you can manage it better so you don't come on the brink of a total financial collapse."

There have been recent efforts to roll back some of the law's provisions. "Is it tough to pick up the paper and read that Dodd-Frank is being dismantled?" I asked.

"It's tough to read the stories because they really didn't," he said, chuckling. He acknowledged that "any bill of that size and magnitude" was going to be subject to some changes. "The only perfect piece of legislation I ever saw was the Ten Commandments and we're still debating those things 4,000 years later."

"The recent legislation that was adopted is pretty minor," Dodd added. "There were a couple of things I didn't like about it." But with the profitability of banks today being historic in level, Dodd said he didn't know what the complaint was. "If the complaint is that they're not making money, they'll have a hard time convincing anyone who knows what they're doing."

Dodd then transitioned into some technicalities of the act and rattled off a long list of its major provisions that were still in place. He might as well have been speaking to me in Chinese at this point. I

needed to get him off the subject quickly before he became the interviewer.

Ironically, Dodd told me that he spoke at the Central Bank of China and was presented with a copy of Dodd-Frank translated into Mandarin. He got up, grabbed a book from a shelf and opened it: “That’s Dodd-Frank in Mandarin.” And I thought I was the only one with that book.

The Hollywood Ending

I asked Dodd about gridlock in Washington. “There’s nothing quite like this moment,” he said. In historical terms, he described the country as being “ripped apart” by the fight over the Affordable Care Act.

Dodd was instrumental in the passage of the health care law after becoming the acting chairman of the Senate Committee on Health, Education, Labor and Pensions in November 2008. The chairman, Sen. Ted Kennedy, suffering from brain cancer, had been forced to pass the baton. Sen. Kennedy died in August 2009. Dodd and the Massachusetts senator were very close friends for 30 years.

The health care bill passed in the Senate on Christmas Eve 2009. Dodd was heading home to Connecticut, but he made a stop at Arlington National Cemetery before the airport. He hadn’t yet visited Kennedy’s grave and chose that moment. Dodd said that, standing alone in the snow, he had reflected: “Do you want to do this for seven more years? And the answer was quicker than the question. I said ‘that’s enough.’ ... I’ve never looked back.”

Hollywood and the Preordained Law Firm

How Dodd made the decision to quit the Senate is a Hollywood ending. And not long after, he began a seven-year tenure as chairman and CEO of the Motion Picture Association of America — the trade association that represents the six major Hollywood film studios. The MPAA are also the folks who decide if a film should be rated G or NC-17 or somewhere in between. Dodd’s time at the helm included such challenges as competition from Netflix and Amazon, cyberattacks and ever-present piracy.

But Dodd had no experience in the entertainment industry. So what was Disney CEO Bob Iger thinking when he recruited him? He must have been goofy.

“The job is less about Hollywood than it is about representing the industry globally,” Dodd explained. “More than 70 percent of the revenues of the quote ‘Hollywood business’ come offshore.” People thought “I was spending my time down there with George Clooney,” he said, laughing. He said the reality was that he spent a lot of time traveling and built operations in Brussels and Asia.

Dodd gave me some good advice about the movie industry: The Golden Globes are more fun than attending the Academy Awards. I’ll keep that in mind.



(Annie Pancak | Law360)

Dodd joined Arnold & Porter in January of this year as senior counsel. He has been working in such areas as legislative and foreign policy and financial services. The move felt preordained to him, he said. One of the firm's founders was Abe Fortas, who was a Yale Law School classmate of Dodd's father's. (Fortas would later join the U.S. Supreme Court.) And Dodd's seat in the Senate had belonged to Abe Ribicoff before his retirement. Ribicoff then went to the Kaye Scholer firm in New York, which recently merged with Arnold & Porter.

Dodd touted Arnold & Porter's commitment to pro bono work — saying that no other firm in the country does as much — as well as the public service roles that many of its senior lawyers have held. “The pejorative today of this revolving door has discouraged this and I think to the detriment of the country,” he said.

My time with Chris Dodd came to an end and I packed up my things. He summed it all up simply: “Life is good.”



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