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The Axe Files - Ep. 222: Sen. Jeff Flake (TV)

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DAVID AXELROD, CNN SENIOR POLITICAL COMMENTATOR: Senator Flake, great to see you. You know, I remember hearing about you when you came to the House and people said, "This guy is going places, this guy is the face of the new conservative." And now you're leaving-

SEN. JEFF FLAKE, R-AZ.: Right.

AXELROD: --and not entirely voluntarily. Do you ever wake up in the mornings and say, "What happened?"

FLAKE: Yes, I do. Yes, I think – it's been 18 years. So, I've been here a while. 12 years in the House and now coming on six or seven –

(CROSSTALK)

FLAKE: Yes, it went by fast.

AXELROD: You posted this video in 2016 of elephants charging your Jeep. And it strikes me that that's sort of a metaphor--

FLAKE: Yes.

AXELROD: --that the Republican is not the Republican party that you recognize?

FLAKE: No, it's not. I have a carved rhinoceros in my office, rhino republican and they've only – I guess, I've just embraced it.

AXELROD: Which is kind of incredible because you were viewed as a staunchly conservative?

FLAKE: Yes and I don't think I've lost that. I just saw that Club for Growth rankings just came out for last year and I scored 100 percent, one of three senators to do so. So, it's not that I've changed much, particularly on the fiscal issues. It's just the party is a different party than it was when I came in the year 2001.

AXELROD: Now, I wanted to talk about that. You wrote this book, in fact, about that called. "Conscience of a Conservative." I read somewhere that you didn't tell your staff that you were working on this.

FLAKE: Right.

AXELROD: It is a blistering indictment of President Trump and Trumpism and the direction of the party.

FLAKE: Right. It's not just an indictment of Trump and Trumpism, although, I certainly don't agree with the direction that the party is going now, under the President. But we were headed

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this direction long ago. I charted through my time in the House, we've, kind of, stopped being the party of limited government, economic freedom, individual responsibility and kind of drifted off to fight the culture wars.

That's when you always know you're in a bad place. When you stop talking, as a Republican, about limited government or limiting spending and you start talking about flag burning or other cultural issues or immigration to try to make up for not being conservative fiscally. You have to emphasize other issues. And, you know, when we started doing that, you know, 2006 Terry Schiavo (ph) issues and what not. I knew we were in trouble and we lost the majority in the House and the Senate at that time.

AXELROD: But, you know, I look at – and you'll hear this from some of your colleagues, but you look at the tax cuts, very strong wave of deregulation.

FLAKE: Right.

AXELROD: You know, I've got my own issues with some of these, I think, conservative judges and – but you don't believe the President is a conservative?

FLAKE: Well no I don't and being a conservative --

AXELROD: You've voted with him a bunch – you're probably in the top five of people who voted with the president in terms of policy.

FLAKE: Well in terms of --- when you look on the policies, most of what the senate does in the first year of a president's time is vote on his nominees. You know the so call executive calendar, it's filling out his cabinet and then court picks as well. I'm a conservative, and so I do vote to put the judiciary in a more conservative direction. Certainly deregulation. I voted some 30 times to repeal and replace Obama care. Why somebody would think that I would change that vote, simply because the president comes along and agrees with our position, I don't know.

So I tend to – a lot of this congress or conservatives driving this reform. But being a conservative is not just being conservative on policy. It's being conservative in comportment and demeanor and manners. And we have any thing but that in The White House right now.

AXELROD: You know and you wrote about this in your book. I sat – I just happened to be in Peoria, you know the (inaudible) play in Peoria, I was in a focus group in Peoria the other day with a group of people who had voted for Trump. They could not be more – they don't like his tweeting but basically they say he's fulfilling his promises and --

FLAKE: Right.

AXELROD: -- on this very issue that troubles you, his sort of lack of decorum. They say you know what, he says the stuff other people won't say. You know and sometimes it's a little rough --

FLAKE: Right.

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AXELROD: -- but least he's authentic. We know he says what he thinks. And it's really an indictment of politicians.

FLAKE: Yes it is. But words matter, words matter. When the president talks about the press as the enemy of the people, for example, and then talks about fake news calling real news fake and fake news real, that has ramifications particularly internationally. When authoritarians everywhere now borrow that language to justify cracking down on decent and legitimate opposition as fake news. When the president talks about Mexicans in a demeaning way -- about a Mexican judge, calling him a Mexican in a pejorative way or talks about Mexico paying for the wall. That has ramifications, long term ramifications. We'll likely see it this year in Mexico -- with their national election.

AXELROD: Yes because they may elect a fervently anti-American --

FLAKE: That's right.

AXELROD: -- president.

FLAKE: And then the gains that we've made in terms of our relationship with Mexico, and the gains that Mexico has made in terms of privatization, rule of law, security and intelligence sharing with us, that goes. And so that's why you know when these Tweets or this language -- it doesn't matter it's just Trump being Trump. It does matter. I just returned from a trip overseas for a week in the Middle East talking to our diplomats, talking to heads of state and others and these things matter, these things matter. And it's not the way a conservative should act.

AXELROD: You know you use the word authoritarian for regimes overseas but you also used the authoritarianism as a concern about what's happening here. In fact you gave a speech on this freedom of the press issue --

FLAKE: Yes.

AXELROD: -- you and I had a little e-mail exchange about it. And you mentioned the phrase that the president uses about --

FLAKE: Right.

AXELROD: -- media called enemies of the people. And you note that it was a phrase that Stalin --

Flake: Right.

AXELROD: -- used. Do you think the president has authoritarian instincts? Authoritarian impulses?

FLAKE: He certainly has a fondness for authoritarians around the world, but I just don't understand. I think a lot of people have a hard time understanding. It is not very healthy in terms of our position in the world. I wasn't comparing the president to Stalin, nobody compares to Stalin.

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AXELROD: Right.

FLAKE: But what I couldn't understand, and still can't understand is why the president would borrow language so identified with Stalin, calling the press the enemy of the people--

AXELROD: I think a fair statement--

FLAKE:--a president should know better.

AXELROD:--hadn't read that history.

(LAUGHTER)

FLAKE: Then his staff should tell it, he should be told you don't-- the problem is that his staff can't tell him much.

AXELROD: That is a problem, that is a problem. How does this White House compare to other White Houses that you've work with?

FLAKE: It's different, it really is. Definitely when you see the cabinet meetings, it's kind of painful frankly to watch.

AXELROD: I mean there's sort of material tributes to--

FLAKE: Yes it is kind of painful, and what's more painful is to hear some of my colleagues in the Congress use similar language. I mean there's -- we ought to have some kind of institutional pride at least, some kind of prerogative here we're the Article I branch. We shouldn't willingly give up the authority that we give up on a number of issues, and that's particularly bothersome to me. It's one thing for the cabinet and others to exhibit that kind of behavior, it's altogether another for Congress to do so.

AXELROD: Yes I wanted to ask you about that, because I watched that speech that you gave. I didn't see a whole lot of people sitting around you as you were giving the speech and I was wondering - - because the speech was not just a chastisement or a condemnation of some of the things that the president has said and done, but it was also an admonition to your colleagues to stand up to that.

FLAKE: Right.

AXELROD: And I'm wondering, when you go back to the cloak room after that, does anybody pull aside and say "I'm glad you said that," or "Why are you embarrassing us?"

FLAKE: I think - - I do get a lot of people saying that, glad you say that and I agree with you, but I do have a few saying we shouldn't poke the bear like this, this doesn't do any good, we've got to work with the president. Certainly we do, the president signs or vetoes legislation, but I had a big problem when our leadership a while ago was saying we can't bring an immigration bill to the floor unless the president agrees with it since when?

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The Congress passes legislation, the president either signs it or vetoes it, it's nice to have a president's support but you can't always say we'll only move - - because when you do bring something to the administration after you've passed it, sometimes they find a way to like it. The Russian sanctions was a good example of that. The president said no don't do it, I don't like this. We passed it '98 to '92 and he found a way to like it.

AXELROD: But he hasn't found a way to execute.

FLAKE: That's true and that's another issue we have with exemptions and waivers.

AXELROD: The - - as I listen to you, it - - in the world of real politics, I come from politics--

FLAKE: Right.

AXELROD:--I agree with you that that's the role that the Senate should play, but it strikes me that they're making real politic judgments which is to say if I vote for an immigration bill--

FLAKE: Right.

AXELROD: --immigration hasn't been stoked up as an issue, the base being very angry about immigration, and the president then cuts the branch out - - off behind us that I may be gone. And you may not be a great messenger for this, because the fact is that you've spoken out on all of these things, and then you made a judgment that you could not win your own party's primary in Arizona.

FLAKE: Right. I certainly couldn't win as a Republican running the kind of campaign that I felt that I needed to run. I couldn't -- I just couldn't see agreeing with some of the President's positions and condoning his behavior, if that was the price to win re-election.

I simply wasn't willing to pay it, and so I may not be the best messenger in terms of how to saddle that, some of these issues, but it's painful to see the Congress defer so much to the press and I should say, this hasn't just been with this president, this has been the trend for decades.

Things like the AUMF or Authorization for Use of Military Force, that's something that Congress should have insisted on doing years and years ago and some of us have been pushing it, but --

AXELROD: But there are two separate issues here, because what seems to be motivating people now is fear. Fear of ending up in a tweet, fear of becoming a target.

FLAKE: Sure and a lot of that is new. That's --

AXELROD: You had a confrontation with the President before he became President, right before the convention last year and you told him that he should tone down his rhetoric and he told you, you're going to lose your re-election.

FLAKE: Yes.

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AXELROD: Basically, I assume that that was meant in a kind of menacing way.

FLAKE: Oh sure. Sure. That's kind of him though (ph). At that time he had made statements when he launched his campaign on Mexican immigrants that was derogatory, then he'd gone after John McCain, says that he couldn't be a war hero because he was captured, and then he made this statement about the Mexican judge, saying that he couldn't judge fairly because of his heritage. That the judge warned (ph) him, Indiana I believe.

AXELROD: Yes.

FLAKE: Calling him a Mexican. It's just -- that's beyond the pay off and that -- I mean when you look at where our party needs to go in the future, if we want to be a governing majority, we just can't do these things. We shouldn't do these things.

AXELROD: You mentioned Senator McCain, and I know that your close, he's a senior senator from your state. At CPAC last week the President went after him, and said "I'm not going to mention his name." We know Senator McCain is fighting a very, very serious illness. What was your reaction to that?

FLAKE: Same reaction I've had before. You can have disagreements with people without going after them like that. I went to see John just a couple weeks ago at his ranch in Arizona. He is working hard and recovering. I hope that we have him back. But he is a genuine hero in terms of (ph) war and peace and to go after him like the President has done on occasions is simply not fair.

AXELROD: But the President does move the base. I saw the other day, I was looking at some polling and Republican ratings of positive ratings of Putin have doubled from 17 to 34, and the ratings of the FBI have dropped precipitously. So isn't this what your colleagues fear?

FLAKE: It is. And I've seen some pollings recently where you test the issues that people are concerned with, and it depends on what's hot at the moment, whether it's the economy or immigration or -- but economy, immigration, jobs, education, those are the things that perennially are at or near the top.

But at the top right now with Republicans, the base, is where you are with Trump, in terms if you're an elected official looking for re-election or looking to gauge where the voters are.

And the most important issue for Republicans that vote regularly in primaries are, are you with the president? And that's something we haven't seen before to this degree certainly. I don't think it's a very healthy position to be in, to be wedded to the President in his positions or his behavior. So I just think long-term for Republicans, that's not a good place to be in.

AXELROD: Yes, you mentioned that. What do you think will-- in this book you suggest that this sort of native is popular.

FLAKE: Right.

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AXELROD: Path that he is charting is a long term disaster.

FLAKE: It is, I mean when you look just with regard to Hispanic voters. For example, George W. Bush 44% of the Hispanic vote, if you look at every election cycle we are, the country are about 2% less white then we were four years before.

Obviously we've got to find a way to, as a party, to appeal to a broader elective (ph). And we went through this exercise after the Mitt Romney loss in 2012, we had this autopsy and concluded we've got to appeal to a broader base. And then--

AXELROD: You want the Presidential election though and the argument of the other side is, if we had done that we probably would've lost.

FLAKE: No, the problem is you can win an election here or there, but you can't stop the tide. And I think California certainly recognized that in the mid '90s with Prop 187, a hardcore anti-immigrant proposition that was on the ballot. It helped Republicans, it helped the governor win re-election and we've hardly seen a governor -- or I'm sorry a Republican win state wide election since and probably won't for a long time.

So, I'm not arguing that you can't gin up the base, get people excited and win an election here or there, but long-term it's just death for the party. And it's not just with minority voters, its young people. I mean young people have been moving away from the party, walking away for a while now. I think right now they're at a dead sprint when you talk about whether it's gun issues or some of the other issues that we've talked about. They're wanting a Congressman that can actually govern, and that's what troubles me.

AXELROD: You, when you were in the House--

FLAKE: Right.

AXELROD: -- maybe your closest ally there was a Congressman from Indiana named Mike Pence, you voted together, you worked closely together, you come from similar backgrounds in terms of your policy work. Do you keep in touch with him now?

FLAKE: I do.

AXELROD: How do you guys deal with each other? Because he seems to be as committed and as defending of this President as anyone on the planet.

FLAKE: Yes, Mike and I both ran think tanks, conservative think tanks, in the nineties (ph) since we got elected at the same time. We were good friends, still are. For 12 years in the House, very very close, our families are close. And so it's been a little different to him in The White House--

AXELROD: Has he called you after some of the speeches? The book--

FLAKE: Oh yes, we talk, he comes to the senate quite often, I'm glad he does. I'm glad he is where he is I am. He is a good man.

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AXELROD: Is he just trying to survive this? Is-- what is the deal here?

FLAKE: I don't want to say, but I can say he is intensely loyal. He's never uttered one syllable that would lead anyone to believe that he wasn't being loyal to his administration, and this President. And that --

AXELROD: Has he been loyal to you as a friend? Has he asked you to stop doing what you're doing?

FLAKE: Oh, sure I have no complaints, he's a good friend.

AXELROD: You wrote in this book, "this politics was a generation in the making and would force us to our corners from which we would regard those who believe differently from us, not merely as our political opponents but as a sworn enemy, other Americans, the enemy how does one accede the governing with the enemy and will ones base stand for it?"

FLAKE: Yes. Go ahead. That's really, really troubling, we've seen this drift where it's not just those across the aisle that I have a disagreement with, but it's the enemy. I got a real taste of it when President Obama was elected, not long thereafter he invited several of us to play basketball on the court on the south lawn.

AXELROD: Yes.

FLAKE: So CNN, I think, and other outlets were reporting who had been invited, I got to The White House, I was in the basement there putting on my basketball shoes, and I got a call that was patched through from the Capitol floor switchboard or something, a woman who was just hysterical. And she had seen reports that I was playing basketball with President Obama and she was just crying, saying "Don't play basketball with that man." And it was just this vitriol that--

AXELROD: Well you got it when you tweeted something--

FLAKE: Yes.

AXELROD: --nice about Tim Kaine when he got named to be the vice presidential nominee with Hillary Clinton, and you got a lot of feedback from that one.

FLAKE: Yes that was remarkable, I had simply said that - - jokingly I said now I'm trying to find ways that I hate Tim Kaine, but I'm drawing a blank, he's a good man. And I got - - boy the number of e-mails and texts and tweets that were upset at that. And perhaps that when I felt it most was when Gabby Giffords was shot, and we left an empty chair for her at the State of the Union just after the incident, and a year later she came back to Capitol Hill to retire, but was at the State of the Union. And so I sat with her, she's still a good friend of mine and she was unable, given her condition, still to stand up when--

AXELROD: You (ph) wanted her to.

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FLAKE: --and so I would help her up which left me the lone Republican standing to the Democratic applause lines when President Obama spoke, and I immediately got texts and e-mails the rest of the night, "Why are you standing?"

AXELROD: For a simple act of decency.

FLAKE: This is just - - this is out of control.

AXELROD: But you've experienced this in a much more visceral and frightening way, you were on the field last June when the -- for -- with the Republicans practicing for the annual baseball game, Republican-Democrat baseball game and you came under fire, and this was the shooting in which Representative Scalise was shot. Tell me about that day.

FLAKE: You know, I've been doing this baseball game, it's one of the best institutions in Congress bipartisan--

AXELROD: Why is that?

FLAKE: It's just - - you know you play against each other Republicans and Democrats, but it's very much a bipartisan affair. We raise a lot of money for charity and you get 10,000 people on a normal year, 20,000 this past year watching you at the National Stadium.

AXELROD: Yes it's remembering your childhood, every guy had a childhood.

FLAKE: Yes it's just wonderful, but so I've been doing this, this is my 18th year this year, but we were out there and all of the sudden a shot rang out. We were trying to figure out what it was, and immediately thereafter a volley of gunfire. I just remember, of all the memories, whether it was going out to Steve Scalise after having to plug up the wound at his hip and--

AXELROD: You ran over there, and you were trying to tie off the bleeding until the--

FLAKE: Yes, Brad and I got out there first. And then Brad Wenstrup came, he was a doctor, fortunately a medic who knew what he was doing I didn't, but then calling Steve's wife afterwards to let her know that her husband had been shot. I didn't want her to hear it from somebody else in the news.

AXELROD: When you saw him on the ground there did you--

FLAKE: Oh it was awful. We were in the dugout, part of the time applying a tunicate to another staffer who'd been shot. But, not being able to get out to Steve because gunfire was still raging overhead.

But, I -- but the most enduring memory that I have of that is when the volley, the first volley rang out, the one that got Steve. I turned to the dugout, to the only place you could run to, and I could see bullets pitching on the gravel around or in front of where I had to run.

But I just -- I still remember thinking at that time, "Why us? Why here? Really?" I mean can somebody look out at a field with middle-aged men playing baseball and see an enemy? It just -

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- I just remember that thought lingered, how, why? And our politics has come to a pretty bad place. Turned out the shooter had a list of Republicans that he didn't like or didn't like policies that the party had adopted, and it's just an awful place we're in right now.

AXELROD: You -- with this discussion of guns and gun violence is very, very ripe now. Again sadly because of the events in Florida and that shooter used a AR-15 on -- a semi-automatic weapon. The shooter who shot at you guys also used a semi-automatic. It was a SKS.

FLAKE: Yes. SKS Russian --

AXLEROD: Style, Russian weapon. Why should these guns -- I mean, you grew up around guns I assume.

FLAKE: Right.

AXELROD: Because I grew up in rural Arizona. Why should assault weapons be readily available?

FLAKE: Well, I don't think that they should be and one thing that we'll be introducing this week, myself and Diane Feinstein is something to lift the prohibition to age 21. This shooter in Florida, 19-years-old, was able to purchase an AK -- or sorry, an AR-15 when he couldn't purchase a hand gun. I don't think you can explain why you should have such ready access to an assault type weapon.

AXELROD: The President has hinted that he'd be for --

FLAKE: He --

AXELROD: He did add that he had lunch with the NRA folks. They're very much against it.

FLAKE: Yes, he may have pulled back a little on that, we'll see as we go through the week. I hope that he hasn't and I hope that he sticks to it. And I'll also reintroduce, with Susan Collins, the no fly, no buy. Something that simply makes --

AXELROD: Explain that.

FLAKE: If you're on a no-fly list where you can't get on an airplane --

AXELROD: You're a security risk.

FLAKE: You're have a security risk, but there's no prohibition right now. That ought to keep you on a similar list not to be able to purchase a weapon, I would think, but we haven't been able to get that passed yet. I hope we're able to. I don't know what we'll be able to do this week. I sense that we may have crossed some kind of rubicon here.

AXELROD: Have these kids made an impact?

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FLAKE: Yes, you bet they have. They're articulate, and they're committed and they have access to social media and that really has changed the game. And so I hope that they keep at it. I talked to one of the victim's fathers just last night and just, just devastated and -- but they're really trying to make something good come out of this, and I commend them for it.

AXELROD: You probably heard Wayne Lapiere's speech at CPAC or read about it, in which he called these efforts -- and I presume yours would be included in that as sort of a socialist wave to make you less free. I thought about you when I saw that, because the word freedom appears in your book probably more than any other. And I'm pretty sure you don't consider yourself a socialist.

FLAKE: No, no and I'm a supporter of the second amendment. I do think that a --

AXELROD: You have a pretty good rating with the NRA.

FLAKE: Yes, so I grew up in a rural area and I don't want to make criminals out of those who sell a .22 caliber rifle to their friend or something like that. I mean but we can have restrictions, we do have restrictions -- age restrictions on handguns for example. We have restrictions on automatic weaponry, you have to have an increased security or go through additional hoops for that. So we have common sense--

AXELROD: Well these bump stocks where you can convert these (ph)--

FLAKE: You bet and that's something that goes sponsoring as well with Martin Heinrich legislation to stop any mechanism that basically makes a semi-automatic act like an automatic.

AXELROD: You know you've mentioned all of these things. They probably all pull astronomically well.

FLAKE: Right.

AXELROD: And we've seen this before after Sandy Hook, another horror. And we should point out that there are people -- there's violence all over the country every single day. The mass murders are the ones and particularly with children that get the most attention, but nothing happened. What will be different now?

FLAKE: I -- you know having these high school kids who can speak and speak articulately and can organize through social media, their parents are very organized as well. That seems to have been the missing ingredient and if it's sustained then it will need to be sustained. Then I think that we can make some of these comments and changes that we should make. So I --

AXELROD: Can you do it without the president?(ph) Does he --

FLAKE: Yes I think the president will come around, but I think we have to move forward recognizing that the president may not agree until it gets to his desk. He seems to have backed out -- back down and we've experienced this on immigration as well. What we talk about on Capitol Hill, is it the Tuesday truck or the Thursday truck?

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The Tuesday truck being very accommodating on DACA for example and the solution there, but then the Thursday truck, having listened to some of the base who say you can't do this, not being as accommodating. And so we may see that play out with the gun issue as well. I hope we don't, but I think -- all we can do in Congress is say "Hey we're the article one branch, we move ahead, let's put something on the presidents desk."

AXELROD: Let me just ask you about the NRA. You know when I -- I mean through most of my life they we're seen as the voices of sports and in hunters.

FLAKE: Right.

AXELROD: And so on. Is that -- what happened to the NRA?

FLAKE: Yes you know I've been a member in the past, the far past. But they're a very powerful organization in terms of organizing during campaigns and republicans recognize that. But I think standing in the way of common sense reforms has really hurt them in the eyes of a lot of people. And I think justifiably so, due to argue everything's a slippery slope and if we do this all of a sudden -- all the guns are going to be taken away and his kind of apocalyptic dystopian view of the future with the government coming in and taking all your guns. I do think that we can have common sense reforms that still honor the second amendment and your right to bear arms.

AXELROD: Very enthusiastic, the president apparently is, about this idea of arming teachers in schools. What is your --

FLAKE: Less so (ph). There are times when you have teachers that qualify or certified or seek such certifications that may make sense, but as a solution to this problem, I don't see it.

AXELROD: Well the question is, could it actually exacerbate things if schools become sort of shooting -- I personally know, I think back to what I was like a student, I think if my teachers were armed, I would have been in great danger. But I mean it just seems like a bad idea, but --

FLAKE: Yes, I think overall, I'm not excited about it. I hope we don't push too far that direction. Local schools and states may want to experiment and do some things, and I think that that's proper, but as a national policy sometimes it's more of an excuse not to do the things you know you should do and distract people's attention. I hope we don't do that on this issue.

AXELROD: You -- tell me about Snowflake, Arizona and we should point out flake --

FLAKE: (Inaudible).

AXELROD: -- I'm sure it is. That the Flake in Snowflake is no coincidence, that's your Flakes, your great-great grandfather came and essentially settled to that area. He was sent there by Brigham Young.

FLAKE: Yes, 1878, he was told to go colonize Arizona. And so he went from southern Utah to northern Arizona. Legend has it he tromped around for six months, went back and told Brigham Young, there's nothing worth settling down there.

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AXELROD: But, he got sent back.

FLAKE: Yes, he said sell all you have and go and look a little harder. And he did, he bought the valley where Snowflake now is and then Erastus Snow, one of the Mormon apostles who was kind of over the colonization of Arizona, came down to look at the settlement, and he asked if it had a name yet. My great-great grandfather said no. He said, call it Snowflake for the two of us.

And so, that's where I grew up and it was a really idyllic way to grow up. I had 10 brothers and sisters, grew up on a cattle ranch, just lost the end of my one index finger, so I've made out quite well actually. It was a good way to grow up and I had a lot of wonderful examples of people like my father, the mayor of Snowflake, who was involved civically in many other ways.

My uncle, Jake Flake, from Snowflake, was a speaker of the house in Arizona. Long tradition of public service, but in such a good way. These were men who -- and women who knew that you had to get things done, you grew up on a ranch.

AXELROD: You were a democrat and half the town was republican by ordinance of --

FLAKE: Yes, in the late 1800's the Mormon church was concerned that we might have too many people in the church in one party or another, and when their administration changed it might put the church in a bad way with the two administrations.

So, they famously went to a lot of congregations in Utah and Arizona and said basically, those cities in the left pews today register democrat, those sitting in the right or vice versa --

AXELROD: So you still help with the Flakes in the democrat --

FLAKE: Oh yes, in Snowflake it was if you (inaudible) with a capital (ph) -- east of main street you were democrats, west of main street you were republicans. So the Flakes were east of main street and so it really held until this last generation, my father. He was a registered democrat. Until my mother, when she was courting him said, Dean I think you're really more of a republican.

But, it didn't matter as much then, and certainly all I ever witnessed was republicans and democrats working together and getting things done and that's been kind of the example I've had. And that's the example, I think, a lot of people have at the state level, certainly the local level and wonder why in the world in Washington we've become so tribal.

AXELROD: I have to ask you this, I read what you wrote that you're -- I think your cousin Stan, is that right? -- was Speaker of the House in Arizona and I read -- you wrote that you're -- I think your cousin Stan (ph), is that right? Was the speaker of the House in Arizona and he wrote this ground water regulation that requires that you have to have 100 years of ground water to -- to -- to start a development. And I thought to myself, well the Flakes are for regulation here. So it made me want to ask you, what is -- isn't there a need for those kinds of regulations, commonsense regulations--

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FLAKE: Oh, sure. You bet. With regard to Arizona, you know, water is king (ph) there--

AXELROD: But there's all kinds of issues like that around the country.

FLAKE: Yes. I would argue that the federal government has moved far too far on some of those regulations. In Arizona for example, dealing with these dust storms that come through. They call them habibs (ph) or whatever that roll through every year and we just haven't been able to get the EPA to recognize for decades that that's a dust storm and it comes through regardless and no to penalize Arizona because we've had a dust storm.

So there are things that the federal government, in particular has gone too far that we've needed to roll back and we have on some of those. But we -- we need to strike a balance particularly with the environment. And I grew up--

AXELROD: You believe climate change is real.

FLAKE: You bet. You bet. And anybody who doesn't hasn't been experiencing the outdoors as much as some of us have over the past couple of decades. You see it and there are a lot of things that need to be done in that regard, but we've got to do it in a smart way.

AXELROD: Let me ask you about that finger -- my -- my buddy Rahm Emanuel who served with--

FLAKE: Yes.

AXELROD: He was missing half of his middle finger--

(CROSSTALK)

AXELROD: Yes, yes. And President Obama went to -- rendered Rahm mute that he lost half of his middle finger. But how did you -- how did you lose your--

FLAKE: Yes, well I always said if you didn't lose at least the end of one digit, you didn't work very hard. My dad was missing these three, my brother this one. And--

AXELROD: John Tester.

FLAKE: Oh yes. But -- but mine, I was only five years old. And we were working on a -- what's called a wind roller or swather (ph) like a combine that cuts alfalfa, they were removing the long blade and I stuck my finger where I shouldn't have, H5 (ph), and it snipped the end right off. I don't remember too much.

AXELROD: You became a rancher at that point.

FLAKE: Yes. But my dad grabbed the finger -- the end of the finger, put it on the end of my finger and wrapped it with a hankie and put me in the truck and finished the job and then drove me to the doctor in Snow (ph) Black (ph) and sewed it back on, only that it fell off--

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AXELROD: It didn't take.

FLAKE: No, it fell off later in the swimming pool. Snowflakes (ph) only swimming pool and I just remembered yelling to my mom who was on the side, 10 siblings around, I said, mom, mom, my finger fell off. My finger fell off. And she looks around, it's only the mother of 11, she said shhh (ph). Don't tell anybody. So it -- but it was a wonderful way to grow up. And I -- I learned a lot. And I learned how to work and I learned how to get along certainly with 10 siblings, you need to do that.

AXELROD: You also worked with immigrants.

FLAKE: Yes.

AXELROD: And you write in your book about that as well. And you -- you in fact talked about being a decoy to try and keep the feds who were flying over from rounding up the immigrants who worked on your ranch.

FLAKE: You know, it's interesting, at that time, I should point out it wasn't illegal to hire them. It was illegal for them to be in Arizona, but there was very little deterrence at the border at all and no -- not even a barbed wire fence in most places. So people would tend to come across the border and then go home for birthdays or anniversaries or -- then the season ended.

And the border patrol actually would patrol northern Arizona in the farms and round people every once in a while which was not good for us, the kids because then we had to move all the sprinkler (ph) pie (ph) or milk all the cows. We didn't have much help.

AXELROD: Did you get -- did you get to know the folks --

FLAKE: I did. I did. And I wrote about one, Manuel, in particular. He was a mechanic and worker on our farm for 24 years. And, I talked about how he had come illegally initially. He ended up marrying a citizen and getting his Green Card. He still lives in Snowflake. I last saw his this summer -- this past summer at my father funeral.

A good man. Raised six children of his own in Snowflake who have all participated in the American dream. And, I've always said if you worked with migrant immigrants like Manuel it's tough to look at people who came across illegally as a criminal class. They were just trying to make life better for themselves and in turn they've made life better for all of us.

And sometimes -- I'm all for change on our immigration policy, making sure that we have people who can come here to help with our economy if we need to change family based immigration, tweak it, that's fine. Let's have that discussion. But there should always be room in America for people who's only credential is a strong back or a willingness to work as so many of our own ancestors, including mine, came under that premise.

And, I think if I have a problem with where the party is now is it's that. And, I wrote in the book that when Hillary Clinton picked her running mate Tim Kaine he went soon after that to Florida, I think, for a naturalization ceremony. And there he was speaking in Spanish movingly about the immigrant experience and those who are now getting citizenship.

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And I had the feeling at the time that should be us. That should be republicans. That's where we've been and it just – it made me sick. And, I just think that we've lost something as a party becoming such a nativist group and demeaning immigrants and devaluing immigration.

AXELROD: You are in the middle of this fight right now about DACA.

FLAKE: Right.

AXELROD: We have 800,000 and more if you don't count those who haven't registered for DACA whose futures are very much in doubt and you had this – you voted for the president's tax bill and at that time you said you had an understanding with The White House that they would work this through with you.

Senator McConnell offered you and others a week of debate which you had which failed. Where are we now?

FLAKE: Well, an accordance has just come out –

AXELROD: Yes.

FLAKE: Supreme Court isn't taking it up. So, it –

AXELROD: Gives you a little –

FLAKE: There's a little time which is problematic because we typically don't work unless there's some kind of deadline there. This needs to be fixed. It needs to be fixed on a permanent basis. These kids should be put on a path to citizenship. That's the ultimate solution.

But I've come to conclude after this last debate that the best we can do right now is to offer them at least some assurance. I'm introducing, along with Heidi Heitkamp legislation that would extend DACA or codify DACA for three years. And, provide some border security funding what the president has requested basically three years.

So, we're calling the Three for Three (ph) bill. I think that's the best we can do for legislation that we can agree on and move ahead.

AXELROD: But as you've said earlier that Senator McConnell –

FLAKE: Right. Speaker Ryan have both said we will support a bill that the president supports.

AXELROD: Right.

FLAKE: Meaning, we're not going to make our people walk the plank on an immigration bill and have the President then say that we are abetting a law break. Well I now -- the President was saying, if we're going to give citizenship, a path to citizenship to these kids, then we need to deal with chain migrations versus some of these other things.

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Now, if we aren't now, if we're simply saying we're going to extend DACA without a path to citizenship for a three year period, then I think an equitable trade is say, we'll give the President what he's asked for, for a three year period, in terms of border security funding. So, I hope that's something that we can move on to --

AXELROD: And do you have any indication that The White House would be receptive to that?

FLAKE: No. No. And --

AXELROD: They probably don't talk to you very much do they?

FLAKE: Oh, we do, actually more than people think. But I'm hopeful that our leadership will also say, we don't want this issue hanging over during the mid-terms. This is not good for anybody. If we can punt it and get this dealt with, get some surety for a couple years at least, let's do it.

AXELROD: If the President had blessed this bi-partisan bill, there were 20 something of you in - - democrats and republicans who had a solution and it got 56 votes, I think, in the Senate.

FLAKE: Right.

AXELROD: You needed 60. If he had said this is good legislation, would that have passed?

FLAKE: Yes, I think it would have. It would have. I wished that he had and we had a meeting at The White House where it seemed that he was willing to take what we put forward, what we could agree on in the Senate that could get 60 votes. It's not going to be everything the President want, but it would have met some of his priorities at least.

So, I think it certainly would have and even if we could have changed the order in which these were voted on, because we voted on this and then we voted on the President's preferred approach, which only got 39 votes. Had we had that vote first, then maybe we could have gotten 60 votes on the other approach.

AXELROD: His preferred approach includes cutting back on legal immigration.

FLAKE: Right. That's correct. And I think that that would be a tremendous mistake. I think that the President has made some good moves in terms of making our economy better in terms of regulatory reform, more conducive tax and regulatory structure, which will aid us. Trade policy is another story, but one thing we desperately need is a workforce and we've got to have more robust legal immigration in the future.

AXELROD: We're an aging country.

FLAKE: We are.

AXELROD: And these young immigrants are actually reinfusing energy.

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FLAKE: They are and we just -- our -- we just aren't having big enough families. We're doing our best, but --

AXELROD: Yes, you're doing your part. You're doing your part. Make me feel guilty.

FLAKE: But we need -- we need more legal immigration and we can have a debate on that is structured, how much family based immigration, how much employment based or skill based, let's have those debates that was recognized and we're going to need very robust legal immigration in the future.

AXELROD: You also were strongly opposing the so-called, Muslim ban.

FLAKE: Right.

AXELROD: That the President tried to install at the beginning of the administration.

FLAKE: Right.

AXELROD: I want to read this from your book. You said, when we say no Muslims or no Mexicans, we may as well say no Mormons because it is no different. That kind of talk is a dagger in the heart of Mormons. It's a dagger in my heart. Explain that.

FLAKE: Well, when the President came out in December of '16 and some people have well he really didn't say it. He did. He said, we want a total and complete ban on Muslims entering the country.

AXELROD: Right.

FLAKE: A Muslim ban. I thought that that was awful. I don't know how he could stand up and say that that's where we as country has to go, but that is consistent with our constitution and our values, and so I that week actually went to a mosque and gave a talk there talking about the similarities of Mormons and Muslims, I thought yes if you will or the persecution that there's been in the past and just expressing some solidarity with those who were under attack here and one I think it certainly comport with our values but it doesn't comport with our security needs either it's just not smart to have a ban like this and the way it morphed into the travel ban; it may be Constitutional but it isn't wise. And I saw--

AXELROD: Do you think it was still motivated by the same impulses?

FLAKE: It's hard to say, hard to argue that it's not when you look at the countries affected and I've - - look for example with regard to Iran, one thing that bothered me there is we try to say we're with the people of Iran when the protest against the government there and I think we should stand with them, but part of standing with them is to stand with them on other issues as well. And one; we have Iranian-Americans who are -- have contributed to this country and are loyal Americans who now are having their travel restricted and their family's travel restricted from Iran to the United States.

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And - - but it's some kind of narrative we're being tough on immigration or security issues when really in many ways we're simply punishing people that we ought to be helping.

AXELROD: Do you think it creates an - - a more accurate environment in the country? I saw this morning a new study by the ADL saying that acts of anti-Semitism were up 57 percent in the country. Are we becoming a more - - less tolerant?

FLAKE: Yes I do, I think it's - - I mean it's the party that's sliding (ph) like this if you refer to your political opponents as losers or clowns as we've seen, then it - - this polarization spreads as well and you see it among ethnic groups and among people at large and that's not a healthy situation.

AXELROD: You know I want to ask you about your - - a fellow Mormon, Mitt Romney who's running in Utah now and very likely going back to (ph) win. What's striking about what's going on in Congress now is there are some people who have been outspoken. You've been outspoken, Senator McCain has been outspoken; for a while Senator Corker was outspoken and then kind of pulled back as he was reconsidering his political options, but nobody who is actually - - and I hope Senator McCain is there for a good long time, but his prospects are uncertain, he might have been willing to follow through, that's his nature.

FLAKE: Yes.

AXELROD: But what impact will Mitt Romney have?

FLAKE: I think it'll be a big impact, I'm a big fan, a good friend to Mitt Romney and I certainly encouraged him to run. He didn't need my encouragement, but I think that Mitt will be a strong, independent voice here in Washington. I don't think he's going to go out of his way to criticize the president, but certainly not shy away from doing it.

AXELROD: And he has some political insulation too because--

FLAKE: He does.

AXELROD:--he's well rounded and--

FLAKE: He is, he is Utah has been - - I think he'll be just fine there and I'm glad that he's going to be here. He'll come to the Senate with immediate credentials and gravitas, he'll make a difference and on issues like trade and security and America's role in the world; he's going to be a very effective and needed voice.

AXELROD: You -- looking back on your career, there's been an evolution in your career, and you were -- you were very much considered an ideologue when you came passed (ph) and you wrote about that as well, that -- that there are many, many votes, almost all of them on spending, but where Flake appeared almost alone in the roster of no votes.

Do -- do you look back at that with any -- any nuanced analysis, would you say I wish I would have done something differently?

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FLAKE: Yes, I -- I -- I'm still a lonely end of votes here, (inaudible).

AXELROD: At least you enjoy it (ph) (inaudible).

FLAKE: Yes, that's fine. But I -- I do look at a few and I mentioned one in the book with regard of the bail out, (inaudible).

AXELROD: (Inaudible) to -- to prop up Wall Street after the collapse of the Lehman Brothers (inaudible).

FLAKE: Yes, that was an example of me hoping yes and voting no, which is (inaudible).

AXELROD: (Inaudible).

FLAKE: And I -- I like to -- I mean, let me -- let me --

AXELROD: (Inaudible) you wanted it to pass, you just didn't want your name on it.

FLAKE: That's right, that's right, and I -- I mean, some things that I was very glad to be on the lonely end and -- and very vociferously, like the prescription drug benefit, I still think that was an awful thing to do in terms of our long-term physical climate to add that much and unfunded liabilities and on that, (inaudible).

AXELROD: What about now, I mean, this tax bill that you voted for added a trillion and a half and then there was a spending bill you didn't vote for that (inaudible).

FLAKE: Yes (inaudible) I am a supply sider, I do believe that if you have (inaudible).

AXELROD: (Inaudible).

FLAKE: Over that time yes, we've got to have, if we're going to compete internationally. I mean, I would have written this tax bill different, I -- if it were up to me, I would have left the individual rates alone and just lowered the corporate rate because that's where we were really uncompetitive.

If we're going to compete globally, and we have to, then we've got to have a conducive tax environment. And we didn't have it, we have a more conducive tax environment now, but then the spending bill, oh my goodness.

It seems the only thing we can do on a bipartisan basis now is spend money we don't have, if you spread enough around, then -- then you can get bipartisan support. And unfortunately, I think this will come back to bite us over time.

You know, on the tarp (ph) vote, I -- was familiar with it because I was working for Senator Obama at the time, and he was running for president, in the midst of running for president, he tried to help and brought democrats along, which wasn't a popular thing.

Right, I -- I mentioned that in the book, would that happen today? I -- I have a hard time seeing that happening today where -- where John McCain and Barack Obama suspended their political

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campaign, the presidential campaign, to come and actually round up votes on their side, and I talk about in the book John McCain, you know, calling me and calling my colleagues, and rallying us all to the cause there and -- and --

AXELROD: He didn't exactly (inaudible) over the finish line.

FLAKE: He didn't, and I -- that was one vote I regret, because I think I -- basically, you know, relied on my colleagues to do what I knew we had to do. I -- I -- I felt justified at the time, saying I -- I haven't voted for spending or regulatory measures that put us in this bind, and I justified the vote for that reason.

But -- but it's, in the end, we were where we were and it needed to be done. A few months later, the whole mess was dropped in our laps and in President Obama's lap and I remember every day waking up and going to meetings about how we were going to keep the economy from sliding into a second great depression and he -- he -- he activated the second half of tarp (ph) and -- and we had the Recovery Act, which to try and jolt the economy. We didn't get any any real threat (ph) support from republicans.

AXELROD: That's part of the act of skill (ph) don't think was the greatest idea. I don't think we needed that stimulation, I don't think it was very effective.

FLAKE: Well, we could have a --

AXELROD: Yes, we can. But it seems like policy and strategic policy and Senator McConnell spoke to it that we didn't want to give him any support because that would signify that he figured it out. That he had helped overcome this gridlock in Washington. That would have been --

FLAKE: Yes, yes.

AXELROD: -- victory for him and that was true throughout the eight years the Obama presidency.

FLAKE: Yes, yes. And, that's something that I think all of us -- certainly the -- in this environment with President Trump people will say well if you oppose the president, if you're opposed to some of his policies and his behavior it should be your role to oppose him on everything.

But I don't think that's the case. I think that people criticize Mitch McConnell for making that statement that our role is to make Barack Obama a one term president and to just try to hovel him in that regard. I will still vote with this president when I think he's right and oppose him when I think he's wrong. And, I think that's my responsibility in the Senate.

AXELROD: You mentioned in the book Senator McConnell's blockade essentially on the nomination --

FLAKE: Right.

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AXELROD: -- of a replacement for Justice Scalia. Leaving the seat open for a whole year he said the other day in an interview that it was justified because now there's a republican nominated justice in that seat going to rule on for example a case involving labor unions that's going to be helpful to the Republican Party. What do you think about that? Did the ends justify the means? Are we setting a norm now that will become --

FLAKE: Yes.

AXELROD: -- damaging to the institution?

FLAKE: Yes. I'm very worried about that. I mean if you look over history you could say that he was following precedent in a way. He'd have to go back to --

AXELROD: You'd have to look really hard.

FLAKE: -- to find a known example of the opposition controlling a similar scenario played out. But I do -- I'm very concerned about how polarized this has been. I was in Washington enough as a member of Congress but living here in the late '80s, early '90s during the Clarence Thomas and even the Judge Bork hearings.

And to see how controversial those nominations were you had no center of thought of filibustery (ph) or opposing the president's executive calendar in that way. But then when President George W. Bush was elected a lot of democrats said he's not a legitimate president therefore we can justify blocking his executive calendar, cabinet members, judges.

And then, republicans, when they were in a position they've returned the favor and we've been like this ever since. And it's not a good situation. Republicans may say hey we pulled a fast one here, we got a conservative on the court. I'm a big fan of Judge Gorsuch. I'm glad he is where he is. But what goes around comes around.

And, if we have a situation where we've used these procedural measures to block we can expect democrats to do it as well. And, I don't think over time we're setting very good precedence.

AXELROD: Is there an answer to this sort of spiral that we're in?

FLAKE: I don't know. I don't know that we can change it with rules. It's just got to be behavioral. I do think that this fever will cool. That's my hope. Resentment and anger is not a governing philosophy. And that's what we seem to have now. And, at some point I hope the votes say we want something else. And, it's tough to see how that's going to come with this two party system that we have and the incentives are just all wrong and ...

AXELROD: Because people worry about their own dates and that's ...

FLAKE: Yes, yes, and the way we've been gerrymandered so badly and just the way the media plays now and social media and the kind of (inaudible) chambers that we have around, it's tough to see us getting back where we've been and where we've had to be on some of these -- to solve some of these big problems that we need to, but I think we're going to have to.

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AXELROD: Do you see yourself as part of the solution and could there be a third party or a third way or an independent movement, would that be something that interests you as you go back to Arizona and survey the scene? I -- you don't look like a guys who ready to quit.

FLAKE: No, I've sworn off elected office in the future. I think the fever will have to cool. There's not much place for a republican like me in a party like this right now. I know that.

AXELROD: What about as an independent?

FLAKE: That's -- the thought has always been -- the old thought, that's the future and it will always be the future. But, I think that future may be coming because when you look, this polarization that we've seen on the right is also happening on the left and there has to be this huge swath of voters in the middle that are looking for something else.

Some states have more of a tradition of doing this, Maine for example with Angus King and Bernie Sanders in Vermont. But, I do think that you'll see more of movement, I don't know how quick it will go, but unless the parties realize we have to govern and we have to work together, the voters are going to demand something else.

AXELROD: And as 2020 approaches, you name has been mentioned as a potential candidate for president in some sort of third party or bipartisan fusion effort, is that something that you would consider?

FLAKE: That's not something I'm planning. I'll say that.

AXELROD: That's not what I'm asking. I'm asking if it's something that you would swear off? I mean it's ...

FLAKE: No, no. I wouldn't swear it off. I think we'll see where this goes. I do think the President will have a challenge from the Republican Party. I think there should be. I also think that there will be an independent challenge, particularly if the democrats insist on putting somebody up from the far left of the party. So, I -- two years is a long time in politics.

AXELROD: You are someone who -- you reverence for the institutions of democracy are clear. I mean I share those and we have different views on many things, but the institutions are what makes our democracy great. How -- what's your level of concern about their durability?

FLAKE: I am concerned. I'm really concerned. What will happen with regard to this president if Bob Mueller comes back with something damning. How ...

AXELROD: ... would do anything about it?

FLAKE: That's a concern I have. I do think that, not since our colleagues will stand up when they need to, but right now it is concerning to see so many simply say, let's go shirts and skins on this and ...

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AXELROD: Are you (inaudible) Speaker Ryan who you served with, I'm sure he's a friend of yours, who has been so -- who has been so critical ...

FLAKE: He falls in tough position. He's a good man. I've been really concerned about the House Intelligence Committee and where they've gone and just to really hurt that institution and the kind of agreement we've had over a number of years with regard to the intelligence community and the interface with Congress. So, I -- Paul Ryan has a tough job and I think he's doing his best.

AXELROD: Senator, it's good to be with you. Thank you so much.

FLAKE: It's great to be here.

AXELROD: Thank you.