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Interview with Leon Billings by Brien Williams

Leon G. Billings

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George J. Mitchell Oral History Project

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Leon G. Billings

(Interviewer: Brien Williams)

GMOH# 049

November 17, 2008

Brian : This is an oral history interview with Leon G. Billings for the George J. Mitchell Oral History Project at Bowdoin College. We are in the Liaison Capitol Hill Hotel in Washington, D.C., today is Monday, November 17, 2008, and I am Brien Williams. Let's start. May I ask you to give your full name and spelling, date and place of birth, and your parents' names.

Leon Billings: Leon G. Billings, L-E-O-N, G-as in Gregory, Billings, B-I-L-L-I-N-G-S, born November 19th, 1937, in Helena, Montana. My parents were Harry and Gretchen Billings.

BW: Good. As I just noted, much of your own personal background has already been recorded at the Muskie Oral History Project at Bates College, so we'll overlook that for now. And I'd like to start by asking you about your coming to Washington in 1963 and what it seemed like for you at that point.

LB: Well, I came to Washington because my father was a, my parents were liberal newspaper editors in Montana, and my father advised me if I wanted to change the world I had to go to Washington, D.C., so I came here as a lobbyist for Public Power, which was at that time a progressive concept and group, and I worked for them for three years before I was hired by Muskie.

Actually, interestingly enough, one of the first people I met from Maine was a guy named Elmer Violette, whose name you will come across in your oral history because he was active in the Public Power movement in Maine and was on the board of one of the two municipal electric utilities there and actively engaged in the effort to authorize the Dickey-Lincoln School Hydro Electric Project on the St. John River in Maine. And it was through that contact that I met Muskie, and I think through that contact that I had met George Mitchell, and that was probably '64, '65.

BW: And what do you suspect caught Muskie's eye in you in terms of you and what you were doing at the time?

LB: Actually the staff director of the Senate Public Works Committee, a fellow named Ron Linton, who worked for then Senator Pat McNamara of Michigan, knew that McNamara was dying of cancer and he felt that Muskie needed to be protected on the staff because Jennings Randolph of W. Virginia was going to take over and he had no faith in Randolph's personal political philosophy or willingness to be cognizant of Muskie's interests. So he asked me to

come up there, and I said well, I said, only if I can be fired by the next chairman, that's not any good. So I actually was hired jointly by Randolph and Muskie, by letter, and implicit in that was that I couldn't be fired unless they jointly agreed to fire me.

I was hired primarily, I came to Washington with some political skills, I'd advanced my political skills and my knowledge of the legislative process, and Ron felt it was important to have political skills and be comfortable with the legislative process more than to be comfortable with the substance of pollution, which was, you know, a pretty, a subject matter on which not too many people were conversant at the time. So I got there because I knew legislative process, but that's a long way of telling a story.

BW: Well, just as a footnote, you mentioned the organization, what was the term you used?

LB: American Public Power Association.

BW: Right, now that was part of a group, and just describe that.

LB: It was, American Public Power Association was a trade association which represented the nation's municipally owned utilities, as opposed to the electric co-ops. You know, we were a pluralistic, we had industry owned utilities, municipal owned utilities and electric co-ops are the basic structure of the American electric industry, and there were about two thousand municipally owned utilities around the country.

BW: So what were your earlier days like on the, the subcommittee, correct?

LB: Well, I mean it was an interesting time; it was a relatively sharp learning curve. I joined the subcommittee in March of '66 – I think by then George had gone back to Maine and I think he was, he may have been assistant U.S. attorney by then. In any event, you know, Muskie was in his creative throes and so my task was to help him write environmental legislation. And you know, we sort of evolved a political and philosophical relationship over a period of several years, starting pretty modestly and then expanding as the politics and political support expanded.

BW: And you were there – correct me if I'm wrong here on the dates – but at the creation of the EPA.

LB: EPA was created formally in December of 1970 by a, there was in place at that time a law called the Legislative Reorganization Act, which allowed presidents to reorganize the government among departments, so long as he submitted that reorganization to Congress and Congress didn't veto it within sixty days. It probably would not be Constitutional under more recent interpretations of the Constitution, and it no longer exists. Muskie had introduced a bill, that I actually wrote for him, to create an environmental protection administration, and Nixon's people, concerned about Muskie's viability as a presidential candidate, quickly came up with this idea of the Environmental Protection Agency and proposed the Reorganization Act in probably September of '70.

But we had already passed the Clean Air Act which, the Senate had, which was the seminal environmental law, and its sister, the Clean Water Act was two years later. But the Clean Air Act was clearly the – and I think to this day – probably one of the most far-reaching federal regulatory statutes ever enacted.

BW: So you stayed on the committee, is this right, from '66 to '78?

LB: That's right, that's right. When I, through a vice presidential campaign, a failed presidential campaign, the energy crisis of 1973-74, much of the early revolt of the conservatives, and we did the Clean Air and Clean Water Act, and then we did the revisitation of both in '76-'77, and then in March of '78 Muskie asked me, this time he personally asked me, to become his administrative assistant so I moved over to his office.

BW: Were you happy to do that?

LB: Yeah. It was sort of, I really was, I told him, I said, there are only three conditions: one is that I get the top pay that is allowed for Congressional staff, two, is that I make the administrative decisions in the office, which was an easy one because he hated that stuff, and number three is I get to go to the Tune In for lunch on Fridays if he wasn't around, and he agreed to all three.

BW: Now, explain the Tune In.

LB: Tune In is a little bar over on Pennsylvania Avenue that, very often on Friday afternoons went over to drink beer and talk to colleagues. And it actually was, I was bored with, you know, having gone around the block with the environmental legislation two complete times, '72 and then '77, and he was bored. And I saw the AA job as a chance to do something different, more interesting, more political.

BW: Did you come in with any particular agenda or, having observed his office prior to your coming in?

LB: Well, in one respect. You know, I had the advantage, most, in those days most people started out in a member's office and then ended up in a committee assignment and then went downtown to lobby, if they ever left the Hill. But committee assignments were sort of the end point for careerists, like I was. So I was going in the opposite direction. But the advantage was that I was able to see, I knew all of his committees and subcommittees and all of his staff, so I had a better handle on the institutional Muskie than otherwise I might have. And my primary agenda was to make sure that everybody recognized that he was senator. Today, that's rare. I mean staff tend to more dominate the system today than they did in the seventies, and Muskie was very protective of his rights, he didn't like people putting words in his mouth, which he proved when he ran for president. He didn't like people making decisions for him, and so he really welcomed the discipline I brought to it.

And then shortly after I got there, I realized that he might not run again in 1982, and he had a twenty-year history as a senator and no, nothing had been about what he would do with his papers. And so I went up to Maine and I met with people at Bates and I met with the people at Orono, and Orono offered a – this is just sort of an aside – offered a really nice deal with an archivist and library space and so on, but he decided that his alma mater, Bates, was the place for the archives. Which is why we got the Archives. And then later I'd become (*unintelligible*) of the Muskie Foundation and finance the oral history for Muskie. It all ties in.

BW: It all ties together. So when were you first aware of George Mitchell?

LB: Well I met George, you know, as I said, when he, I think he was there very briefly, I can't recall exactly when he went to Maine, when he left the senator's office, but I'm pretty sure he was executive assistant when I started lobbying in Muskie's office. Do you have any dates on that?

BW: Yes, he was in that role from '62 to '65.

LB: Okay, so I, and that's when I was lobbying the office on Dickey-Lincoln School and working with the office. More Don Nicoll than George, but still with George. And I, you know, I'd see him in the office. The offices in those days were much more open and much more collegial than they are today. I mean it wasn't unusual for me to just walk in and just walk right through the office, there was no, and so you know, I'd see George and we'd speak and so on. We were not nearly as close as Don Nicoll and I were.

BW: So you had no occasion to do business with George Mitchell at that point really.

LB: Nothing significant. I really don't know that he was involved much in the Dickey-Lincoln skirmishes. I actually had probably more dealings directly with Muskie at the time than I had with George. The executive assistant role was, I mean, was sort of oriented towards Maine and towards Maine issues and so on, I think that's what George was managing more than – and George really, this is a sense, I always felt that George was more focused on what was going on in Maine than what was going on in Washington. That may not have been true, but that was just my sense. And I wasn't at all interested in what was going on in Maine.

BW: Now executive assistant, does that equal AA, or was there -?

LB: No, most offices had a, it's different. The administrative assistant was the chief of staff; the executive assistant was usually the number two. In the Maine office it meant that he was, that person was more responsible for Maine related matters, and the AA tended to be more on the national policy matters.

BW: And was there some stellar AA during this period?

LB: Don Nicoll.

BW: Now in '65 Mitchell leaves D.C., and somewhere I read, somewhere said, was he gone forever, the assumption being that, you know, he himself headed very happily back to Maine and wanted to pursue a law career.

LB: Yeah, I'm not, I don't know exactly. I know that there was a period where he was assistant U.S. attorney, a position I assume he got because it was during the Johnson administration so Muskie would have been the person who selected the U.S. attorney. So I assume that Muskie got George the job as assistant U.S. attorney, or that it was as a part of that political family.

I guess he did practice law for a brief period of time, and then at some point he becomes U.S. attorney, and I think that was right at the start of the Carter administration, wasn't it?

BW: Yeah, '77.

LB: '71, so between '69 and, or the end of '68 and '77 I expect he was in the private practice of law. Now of course during that period, and where I did get to know him more, was when he ran for governor, which was '74, was it, '74, in one of the most, worst political campaigns that I've ever seen.

BW: Well let's, since we're there now -

LB: We'll come to that a bit -

BW: Well, no, do you want to go there now? Or we can backtrack to some of the other campaigns, the Muskie campaigns, for example, did George Mitchell have much of a role during the '68 [campaign]?

LB: I don't know. I don't recall, you know, the Muskie campaign in '68 was largely people on the plane and, you know, I know a lot of those people - I don't know whether George was on the plane, or if he was on the plane, how much he was on the plane. But the speech writers were on the plane, the baggage handler was on the plane. The sort of the Muskie mafia was on the Muskie plane going around the country. For the most part, I was not involved in that. I was with Muskie in Chicago in '68 when he got the nomination. George was not there. Berl Bernhard and I - Berl's, George became a partner in Berl's firm - Berl and I wrote the first draft of the Muskie acceptance speech before Muskie got the nomination, and he threw it away. Then I advanced a couple things for Muskie right after the nomination, and then I came back and I had to, because I had a major piece of legislation pending, oil pollution legislation, so I had to, I got sent home, told to get off the campaign trail and take care of my job.

So I had very little other, you know, it wasn't, I really didn't re-engage. After the campaign, after the election, I had a discussion with Don, and Muskie was scheduled to make a number of

appearances around the country, and he was very popular, and I said to Don, I said, you know, it's just stupid to have Muskie go out and get in an airplane and go someplace and make a speech and come back with nobody with him, I said. And so, I said, I'll volunteer to travel with him as much as you want. So I began traveling with Muskie as he was making these honorarium speeches and political appearances and so on. And he did that, you know, he did that through June of '69, quit the campaign, decided that he wasn't making it, he was very frustrated, and then Kennedy drove off the bridge and he was back into it. And when that happened, then the, you know, everybody turned to Muskie as the frontrunner, and he began to put together the national campaign, and that's when Berl was made the campaign chair, George the co-chair, they began to build the L Street operation and so on. And I saw George more frequently to the extent that I was involved in the early parts of that campaign, but you know, again, George and I were never close, so it was more staff to staff kind of relationship.

And then, you know, he, after the campaign there was a battle for chairmanship of the Democratic National Committee, and George decided to run for chair and he got very effectively outmaneuvered by Bob Strauss and that crowd, and Strauss ended up chairman, George went back to Maine, and not too long after that he decided to try to make the run for governor.

BW: Why was, what's the importance of your accompanying Muskie, as you said, when you started going on the plane with him? Just state why that was a good idea.

LB: Oh, somebody to write down the names of people, you know, just to keep a record. I mean, he was meeting, even though he, some of these were political trips, some of them weren't, but he was meeting people who were consequently, well I want to help you, senator, I want to help you, and nobody was, you know, he didn't write down, Muskie never took a note in his life. So what I did was, I suggested to Don that we really needed to have a scribe. *And*, you know, somebody to, if he had a problem with a speech, to work on it, to make sure he was getting in and out of hotels. I said, you know, for Christ's sake, the guy's a candidate for president, he shouldn't be checking into hotels and carrying his own goddam bags, so that was the reason. And eventually there were several of us that did that, but I probably did it more than anybody else. Much to my wife's distress.

BW: You described one of the campaigns as being full of paranoia, and I, it wasn't clear to me whether you were referring to both '68 and '72?

LB: No, '68 was not at all, '68 was a very warm and fuzzy campaign. The seventy – I call it the '71 campaign because basically it was over before we got to '72 – we did not know at the time that we were the subject of the dirty tricks, but there were so many things that were happening, there were so many leaks. In the end, the then administrative assistant, John McEvoy, who I assume is on your list to interview at some point, got extremely paranoid, because stuff was coming out – remember, that in '72 there was absolutely no separation between the Senate office and the campaign. There were no limitations on the use of Senate employees, no limitations on their ability to help on the campaign or write speeches or whatever, so we had, you know, Maynard Toll was brought in to do foreign policy, Alan Platt was brought

in to do foreign policy, we had a bunch of bright young people, Ty Brown, Reid Feldman, brought in to do policy, so you never had to worry about policy on the campaign side. All the campaign side was raising money, managing the candidate and doing media, and writing speeches, those were – and the problem was that there were so many leaks and so many mistakes, that both the campaign and the guy that was running the office began to close down in terms of who they would use, who they would talk to, who they would depend on. Because they were not sure what the hell was going on, but they knew something was happening and their only recourse was to start closing doors. And it was very, I mean it was very effective, I mean what the Nixon people did was, it very effectively destroyed the Muskie campaign, and I believe cost him the nomination.

BW: So you said it was virtually over in '71. Explain that?

LB: Well, after, in 1970 Muskie made the famous Cape Elizabeth speech on the eve of the election, in which he essentially called Nixon a liar. And that speech generated a huge amount of communications, telegrams, letters and so on. To my knowledge, no effort was ever made to take those communications and use them in the campaign. Don Nicoll, who was basically running the Muskie campaign – this was before George or Berl were involved – and Muskie had decided that Muskie should run a national campaign. Neither of them, interestingly enough, because they had built the Democratic party in Maine, you would have thought they would have known this, but neither one of them appreciated what I described as the nymphomaniac nature of Democratic activists. They wanted it, they wanted it all the time, and the more the merrier. And so while Muskie was running this highbrow, intellectual, making policy speeches, you know, drawing in endorsements, getting broad support from elected officials, George McGovern was out there organizing the grass roots, dealing with the nymphomaniacs. Well, Nymphomaniacs always win, you know, so by the time that George and Berl and those guys really got fully into place, a lot of that structure had already been stolen by McGovern. And by the end of '71, the, we didn't have a base, and by the time we realized that McGovern was a real threat and that Scoop and Hubert and those other guys were getting into this thing, it was too late. And I saw it, I told a guy named Bill Simon, who was later the secretary of treasury for Nixon that, he asked me if he should get involved in the Muskie campaign, I said not if you want a government job, and he went over and started raising money for Nixon.

BW: What was the role of Jackson and Humphrey at this point, what were they doing?

LB: You had, Jackson and Humphrey both got into the late primaries.

BW: As candidates.

LB: As candidates, yeah. And, you know, you had Wallace out there running from the right, and you had McGovern and you had Muskie, and then Humphrey and Jackson got into it.

BW: You mentioned earlier that in entering Muskie's office you would sometimes see George Mitchell in passing. Did it ever occur to you that you were looking at someone that potentially

was going to be the majority leader of the United States Senate at that point?

LB: Never. And you know, I said earlier that George Mitchell ran one of the worst campaigns ever run when he ran for governor and lost to Jim Longley. And it has nothing to do, I have no special expertise on that campaign, but anybody who would lose to Jim Longley obviously ran a lousy campaign. But he, I think the Republican guy was a guy named Jim Erwin, and Longley was a guy who was sort of a shirt-sleeve, tie pulled down street brawler, and Mitchell and Erwin were wandering around Maine in their striped suits and ties and talking intellectually to the people of Maine. And Erwin came in worse, I think he came in twenty percent, George came in thirty-nine, and Longley came in forty. But there was no reason George should have lost that campaign, except he was stiff as a board and just boring as he could be. And it was, I mean, and I mean I contributed to that campaign, I tried to help in any way I could, as we all did. But he, the interesting thing about George is not how bad he was in '74, but how good he became in '82.

BW: So he learned a lot from '74?

LB: He must have. You know, George is not a stupid man, and I don't know, I have no idea what the educational process was because I had no contact with George, except occasional social, see him in Muskie's office, whatever, for most of that period of time.

BW: When he was running for governor, were you working on the campaign at all, or you just weren't there at all?

LB: No, no, just I contributed and stuff.

BW: And what about Muskie, was he highly supportive and visible?

LB: I think Muskie was highly supportive, yeah. I don't know how, you know, remember that in '74 I was still running the subcommittee so I had no idea what Muskie was doing when he was in Maine, but my suspicion is, because he always became engaged in especially the general election campaigns – he had a tendency to stay out of primaries – but I'm sure he gave George a lot of support.

BW: Then you had the role to play in Mitchell's appointment to the bench, is that correct?

LB: Sort of.

BW: Want to talk about that?

LB: Well, I was AA, and Severin Beliveau, Hal Pachios, the, sort of the Democratic lawyers who were a part of the Muskie mafia up there were strongly supporting George. And Muskie and I were in Maine, and I believe, it was probably '78, and Severin demanded, and I mean demanded, a meeting with Muskie to talk about George. So we went I think it was to Severin's

house and there were a half a dozen of the lawyers there. Hal was there, a couple others, I don't remember who, and basically they told Muskie that he had to appoint George to the bench. It was one of the more offensive meetings I've ever been in, because it was so beyond the pale, you know. I'd been with Muskie for a long time and I don't think I ever told him to do anything except, you know, I may have suggested.

So when we left the meeting, which as I said was infuriating, Muskie was just beside himself, he was so mad, and actually controlled himself pretty much in the meeting but he was, it was sort of a, you know, who the hell do those people think they are, telling me. Well, I came to find out – and this is how the circle of the world is – a judge in the Maine judicial system was Elmer Violette. Remember, I mentioned Elmer. Elmer was one of Muskie's closest friends, and there were a group of people who wanted Muskie to put Elmer into that judicial seat. And Muskie was really, really torn by it, and so we got back to Washington and he said, you know, he said, I just have no way of knowing whether these accusations about Elmer not having, quote, the judicial temperament required for that job are people who just want to help George, or whether in fact it's true. And he said, you know, I don't want to make that choice. And I said, well, I said, why don't you just sort of let me check this out. And then he decided to put together, I'm pretty sure he put together a group of people to just screen for that judgeship.

When I, I talked to – a friend of mine who actually now is on the Supreme Court, the law court in Maine, was then an attorney and I asked him about, to do some checking for me on Elmer. And it turns out that Elmer was pretty tedious and took a very long time to make decisions, but beyond that there was nothing that disqualified him, and certainly that didn't disqualify him. But Muskie put together this commission and the commission came back and unanimously recommended George for the job, and that's what Muskie went with. I think that, I believe, on the basis of just body language and emphasis and so on, that Muskie, one, thought George was much more qualified for the judgeship; two, didn't want to make the decision not to appoint his friend; and three, was extremely happy when he could say, well this commission, committee, whatever it was, decided that George should get it so I'm going with that committee.

BW: How do you account for this ardent support of George Mitchell, like at this hardball (*taping cuts off abruptly at 35:23*) -.

LB: (*Resumes at 36:24*) . . . selected to be AA, they gave me a lot of crap because I wasn't from Maine. And, I mean, and I suppose, you know, as I said to them one time, you know, if any one of you had stepped up you probably could have gotten the job, but you didn't want to give up your cushy law firm. But they were provincial, and George was their buddy and they wanted him to be the judge, and so, I mean I think that's what motivated it, and Severin had a history of being pretty, you know, a pretty direct guy, some people would say heavy handed.

BW: So George gets the judgeship in '79, and lo and behold, in '80 you're attending another meeting where his name is coming up for a different kind of appointment. So let's, I think in your Bates oral history you talked a lot about Muskie's move to State Department and I just have one question about that before we go on. Was he counting on Carter's reelection when he

accepted that appointment?

LB: No.

BW: So he knew that this was likely to be a short term.

LB: He knew, he knew that he could not, he did not take the job assuming that he would have five years, he, you know, he said, if it works out, fine, if it doesn't – I think I told this story in the Bates interview. Muskie and I were sitting in his hideaway having a drink one night, and he was bemoaning the fact that he, that, we were talking about how he got gracefully out of the Senate, you know, he said, you know, you can die – this, we had been to a fund raiser for Warren Magnuson. Warren Magnuson was too old to be a senator and he was in terrible shape, didn't know anybody there. Muskie came back to the car, I was waiting for him, and he looked at me, he said, don't you ever let me do that, and explained to me what he meant. So a few days later we were sitting, talking, it was an evening session so we were down having a martini in his hideaway, and I, he says, you know, I think I brought it up and he says, well, he says, you know, I said one thing, I said, you could take an appointment in the Carter administration. He said, oh shit, they want me to be OMB director, and I wouldn't want that, and he belittled it. And I said, well you know, maybe they'd want you to be secretary of the treasury, and he said, well, that's feasible, I could do that. Then I said, or secretary of state. He said, now I could do that. So I went about finding out whether – I'm sure you read that story.

So anyway, it was an offer that he had seriously considered long before it was made, and when it was made he saw it as a very effective way to leave the Senate on his own terms, recognizing that there were absolutely no guarantees that it would last longer than nine months.

BW: So when you were speculating about the administration positions, was that based on a second Carter administration or not, because I mean -

LB: Speculating on what?

BW: Well, that he might be secretary of treasury in a, this was for now?

LB: Yeah, that was for, you know, this was about, this was some months before, like this was in '79, it was probably the fall of '79 because that's when the Magnuson fund raiser would have been, and it was just two guys sitting around, having a drink, talking about how do you get out of the Senate gracefully.

BW: But it was unusual circumstances that the opening occurred at State with Vance's -

LB: Right, yeah. I mean the interesting thing is that Muskie and I had a conversation some years later, after the Republicans took control of the Senate – I'm not sure whether it was the first or second time. And you know, he had pretty clearly decided when he took the State Department job that he wasn't going to run for reelection. And so I said to him, in a context that

we'll deal with later on in this discussion, do you think you really would have quit in '82, with the Republicans in control? And he looked at me, he says, no, I don't think I would have, and I don't think they would have let me.

BW: They being?

LB: His colleagues. Muskie would have been very, very susceptible to collegial pressure from the people he had respect for in that institution, I mean in '82, you know, and things were pretty bad.

BW: So you and he go over to State and someone else has to fill his role in the Senate, so tell the story of how that came about.

LB: Well actually, we hadn't gone over to State and Muskie got, well again, you've read this, but we had the meeting in his office with his accountant, who says that he's made all the honorariums he can that year anyway, and Jane and Berl, and then they leave, and I, he said, I've got to talk to Joe Brennan, who was then the governor. And I said well, I said, let's get a plane. So he picked up the phone and he called the president and he said, I need to go see Joe Brennan up in Maine, can you give me a plane, he said yeah. So the next morning early I picked him up and we drove out to Andrews and got on a Gulfstream and flew up to Brunswick Naval Air Station, met with Brennan, told him he was going to take the job, and he, it was more of a courtesy than anything else, but he wanted Joe to be aware.

Joe and I were very close friends, I was the only person in Muskie's office who really supported Joe for the nod for the gubernatorial nomination when he ran the first time, and most of Muskie's office supported Phil Merrill who was another Muskie person, and so Joe and I were very close friends. And the topic came around to his successor, and Joe said, well what about Bill Hathaway? This is why part of this will not be, the story I'm about to tell you, there are a couple stories I'm about to tell you, but this is the one that is, would be most sensitive to the people around him and so it's (*unintelligible*). But Muskie said, absolutely not, he said, Hathaway was a disaster as a senator and he'll be a disaster if you appointed him.

And so, and that was Brennan's suggestion. And so then Muskie said, well what about Ken Curtis, who had been governor, was one of the Muskie mafia, very close to Muskie. Well, in the campaign Ken Curtis had, for reasons that no one's ever explained to me, made a public statement attacking Joe Brennan in a very hostile and strange way, and Joe looked at Muskie, he said, I could never do that, not after what he did to me when I was running.

So they sort of hemmed and hawed and talked and so on, and I said, well what about George Mitchell? And Muskie said, he'd never take it, I just got him a goddam judgeship, he's only been there for six months, you know, and it was, he just dismissed me. And I said, well, and Joe said, well, are you sure? And Muskie said, well we sure as hell aren't going to find out unless we ask him, and you don't want to do that. And so I said, wait a minute, I said, I think there's a way to do that. And he said, what's that, and – because Joe was obviously interested, and

Muskie became interested after a while. I said well, you know, Gayle Corey, who was Muskie's then executive assistant, long time, had been with him from day one, was very, very close personally and privately with George. So I said, why don't I do this, why don't I call Gayle and ask her to call George and just chat about this, as if it's her own idea. Say why don't, do you want to be senator, and see what he says.

So Muskie and Joe both lay heavy wood on me, oh, don't you make a commitment for me, don't blah-blah-blah-blah-blah. So I said, no, I said, look, this will, George will have absolutely no idea where this is coming from. He'll just think it was his old friend Gayle Corey asking him if he wants to be a senator. And they said all right, if you can do that. But, you know, Joe says, don't, no commitments, you know, you don't tell him you've talked to me or the senator. I said no, no-no. So I go out and I call Gayle and say, you know, when you get around to it, do this. And we left, got on the plane, flew back to Washington.

And I'm not sure whether it was, I think it was after we almost immediately had a meeting of the staff so that they could be told what was going on, because by then it was beginning to leak. And I called Gayle into my office and I said, did you talk to George, and she said yes, and I said, what did he say. And she said, he damn near jumped through the goddam phone. I mean, you know, so I then called Joe and I said, it's a done deal.

Well then, George was calling Gayle all the time, I don't know how frequently, to find out what was going on. Because, you know, what happened was, we left but we left, all but six of the staff people stayed there, on the Hill, and Joe made a decision, and told me it was his decision, that he would not make an announcement on the successor until after Muskie was confirmed. And then he waited a little bit longer after that, maybe as much as two weeks, I'm not exactly sure how long it was, and George was very antsy because he really, he really wanted it, he was calling Gayle all the time. And my – I don't know that George knows this story, I've never told it to him and I don't know whether Gayle ever told it to him. But I will say this, and this where I have great respect, one area where I have respect for George. When he became senator and majority leader, he appointed her postmistress of the Senate. I mean, it was a very handsome reward. I had raised her pay significantly because she'd always been always underpaid, but the Senate always underpaid women, but George gave her one of the plum jobs in the Senate which was very, very good for her in the last years of her life. So the loyalty did pay off.

But anyway, that's -

BW: Taking your mind back to that meeting between Muskie and Brennan, what was your thinking that led you to say, what about George Mitchell?

LB: Well, he'd run for governor, he, I think, my suspicion is that it was because of the prominence of his name. I mean his relationship with Muskie, being a federal judge, I did not believe that he had any history with Joe, any negative history with Joe, so I just tossed it out because they were sitting there like two dufusses, not coming up with any names. I mean these guys were, you know, knew every Democrat in Maine that had graduated from the fourth grade.

They should have been able to figure out who was, you know, they could have said Beliveau or Pachios or, you know, Libby Mitchell or somebody like that. But they didn't, so I just said, what about George.

BW: And you made that suggestion just to sort of fill the void, not advocating it necessarily yourself?

LB: No, I wasn't advocating, I just was, I just threw a name on the table. And then when, I mean the interesting thing was that it wasn't rejected. Muskie didn't reject it, he just said, oh, he'll never take it because he just got to be a goddam judge. And Joe had no negative reaction to it. Joe's reaction was sufficiently positive that I could make the phone call.

BW: So you and Muskie moved over to State, and how did it seem as George took over the office?

LB: Well, that was another consideration. When we were talking to Joe, I had made this point very clear to Muskie as the conversation was (*unintelligible*), I said, remember about the staff. And Muskie said, oh yeah, he said, you know, I really would like that whoever you appoint, if they would be as kind as possible because I'm leaving a number of staff people there, they're all good people, they're all from Maine, they're all Democrats, they've served me loyally and they, you know, to the extent that my successor finds it appropriate, I'd appreciate. And Joe said, well, he said, you know, I can't guarantee that but I certainly will make it clear to whomever I appoint that there's a need for – and Joe Brennan was the kind of guy that, he's an Irishman from a good, he had, his mother took good care of his good upbringing, he appreciated that position that those people were in, so I am sure he spoke to George about it. And George then, I mean I took the press secretary, a personal assistant, I took Gayle and I took my secretary and one, I think six of us, to stay with us, but the rest of the staff, which was about nineteen people, stayed there and I think all of them stayed with George for quite a while, I don't think any of them were – and we had ten or twelve people in Maine. I know Joe [*sic*] kept all those people, the Maine operation.

Because, you know, he was moving right into, he was appointed in, what, late March, early April of 1980, and he – this was interesting because if he had been appointed a week earlier, he would have had to run in 1980. But they way the Maine Constitution (*unintelligible*), he was appointed. And my suspicion is Joe knew this and that's one of the reasons he delayed, but he got him into the next election cycle because he was appointed late enough. And that's an interesting question that you ought to note, is to find out if anybody had really thought about the fact that by the time, he would be able to serve for two full years before he had to run.

BW: Right. And I think, as he himself described it, he was pretty vulnerable as, for reelection.

LB: At the time, you know, you know I ran the Democratic Senatorial Campaign Committee the year he was elected, and he was sort of a personal project for me. I got him as much money

as I could and helped him as much as I could. He was running against David Emery, who was the congressman from that southern district of Maine, and he was behind like sixty-five to thirty-five in the polls when he first announced. And he turned that around, and he turned it around, he, I think had the economy been good, he probably would have won fifty-two, fifty-three/forty-seven, forty-eight, but because the Reagan economy was in the toilet he really trounced Emery.

BW: What's your impression of the kind of campaign that he ran in '82? Did he have a big staff and was it a big thing, or did he sort of go it alone?

LB: Well he clearly had a, he had fund raising operation which was significantly greater than anything Muskie had ever done. I haven't, I don't know a lot about his staff in Maine. Larry Benoit would be able to tell you that better. But he, you know, the interesting thing about that campaign was the cow joke. George had some cow joke which he told over and over again, to the point that staff would say, oh no, not the cow joke. But the George Mitchell that ran in 1982 was loose and easy and conversational, he was just a totally different human being than the one who ran in 1974.

BW: Do you think he was coached, or he just got in front of a mirror or something, or had long talks with himself at night?

LB: I don't know, I have no idea. I mean it was some kind of epiphany.

End of Disc One

Disc Two

BW: You have said that you watched him and, quote/unquote, damn close as a senator over many years. What did you see?

LB: Well, you know, he moved into the Public Works Committee and into the environmental area, so therefore (*outside interruption*) – so he was on the environment committee and I, you know, I was the guru of the environment, and the Republicans had initiated an assault on the Clean Air Act in the Senate, which they had control over and, I mean George was one of our heroes and he worked hard, he hired my, one of my assistants to be his legislative director, Charlene Sturbitts, and he worked hard on Super Fund, did a great job, and actually did a great job on Super Fund in his first year in the Senate, in 1980. And, you know, he really stepped up to the plate on this stuff and did remarkably well.

I was publicly a critic of his in, during the consideration of the 1990 amendments, because I thought he gave away more than he had to give away. But that was reflecting my role as an advocate versus his responsibility as a senator. I think he, at the end of the day, actually did pretty damn good, but I never told him that because I didn't want to spoil – but he, you know, he had, he managed to be reasonably effective, especially in a minority. You know, they didn't get the majority back until '86, and by then, you know, then he becomes leader in '87, or was it, when did he become leader?

BW: '88, let's see, sorry, '89.

LB: '89, okay. By the time the 1990 Clean Air Act rolled around, he had to both be advocate and leader, which put him in a relatively difficult position, but he managed to do that quite well. I mean there's no, you know, if you interview Charlene, she'll describe the working conditions in his office. I mean he was incredibly demanding. The Senate was a much more demanding institution after 1980, I mean people worked seven days a week, fourteen hours a day, and George sort of expected his people to be on call all the time. And I don't think he was really asking more of them than he was prepared to give himself, but he was a very demanding boss.

BW: Did you feel that environmental issues were really at the top of his list of issues that he wanted to make his name (*unintelligible*)?

LB: I believe that he knew they were at the top of Ed Muskie's list, and he didn't want to do anything that would in any way allow him to be accused of not being as good on that stuff as Ed Muskie was. And that's why he got so angry at me when I publicly criticized him after the 1990 Clean Air Act, because he thought it reflected on his ability to carry on where Muskie left off.

BW: Was it common, when someone is appointed to replace someone that leaves, to have pretty much the same assignments?

LB: Well, very common in mid-term, because those are the vacancies that are there very often, they change very quickly. He stayed on that committee, and again, I think in part because of the Muskie legacy.

BW: Now he was also on Finance and several other committees. Was he a major player in some of the other areas, Veterans Affairs and so forth?

LB: I have no knowledge of Veterans Affairs. He clearly used Finance very effectively, and he was very much engaged in that.

BW: Effectively for Maine, or?

LB: Well, effectively for fund raising and, you know, but I didn't follow that part of his career closely.

BW: So how do you account then for his so rapidly rising to the leadership position?

LB: One, the Republicans had been in power for six years, so that there were opportunities for fresh leadership. I think Robert C. Byrd stepped down and created a vacancy, and so you had an interest in some new blood. Two, the, this judge-, George Mitchell got more out of less time on the bench than probably any other former judge. I mean his colleagues, a lot of them called him Judge Mitchell, you know, or they referred to him as judge. I mean, and he had a, he, I think

suggested a sense of fairness and he certainly had a judicial temperament in dealing with his colleagues. You know, even though he was viewed by many as being intensely partisan, his temperament was not. That was like Muskie, Muskie was among the most liberal members of the Senate, but everybody thought he was relatively conservative because, if you didn't look at his voting record, he sounded very moderate.

And I think the third thing is that George was incredibly eloquent. He was as good as there was in the institution on thinking on his feet and being able to handle himself in close quarters, and I think those things really attracted his colleagues.

BW: I just haven't researched this yet – did several others run for majority, do you recall?

LB: I can't recall.

BW: Let's talk for a moment about his office compared to Muskie's office. What was it like as a culture?

LB: I think the primary difference was that George was much more engaged with the staff than Muskie was. Muskie was a paper learner, you know, he'd carry these big three-ring binders home with him at night and get up at five o'clock in the morning and read and get prepared for the day. I think George had much more interaction with the staff, was much more, put his staff through – I don't know if the rigors, I don't know if the intellectual rigors were any more significant, but I think the personal rigors were more so because you had, there was much more interaction directly between the staff and the senator. But I always got the feeling that the personal staff in George's office were much closer to the senator personally than they were in Muskie's office.

BW: Do you think that was a generational thing, or just two personalities?

LB: Well, that's funny, I don't know. Muskie, Muskie and I had a lot of fun together, and those who were able to deal with Muskie as I was, and there were not very many, had a very nice personal relationship. His public persona was aloof; his private persona was very friendly. I think George's private persona, I think George was stiff on the outside, but I think he was relatively warm on the inside. That's just, so, but I don't know, I really, I saw George, I had a couple of, well I had one major interplay with George during his term as a senator, other than on environment, and that was over the trying to save a pulp and paper operation in Howland, Maine, Lincoln Pulp and Paper. And, you know, it was pretty clear to me that George really cared about people, you know, and (*unintelligible*), you didn't necessarily see that until you got up close and personal.

BW: You mentioned earlier that when you took over as AA in Muskie's office, you had certain stipulations about how the staff ought to support you.

LB: Right.

BW: And you said it was different than what was before. Does that play into this a little bit, do you think, the way -?

LB: No, I don't think so. I just -

BW: Expand a little bit on that.

LB: Muskie just, Muskie didn't really want to deal directly, he didn't want a bunch of staff people tromping in and out of his office. And I knew that, and I just wanted him to approve it, because that's the way I intended to operate because I knew that's the way he wanted to do it, but I wanted to get a commitment from him, so that people didn't feel that they could just stroll in and chat with the senator. He hated it, and I just wanted to say, that's the way we're going to operate this, and he was very - I don't know, you know, George went through several administrative assistants, I think he had trouble finding somebody he was comfortable with. He had Rich Ehrenberg, and then he had another guy named, oh, I can't remember. Then he had Martha Pope and David Johnson, or David Johnson and Martha Pope. I think he was very comfortable with David, and I know he was very comfortable with Martha, but I don't know how he had managed the office.

BW: But I thought when you spoke earlier you were drawing a contrast between the way staff interacted with members in more recent times than before.

LB: Oh, the role of staff has changed. I mean when I - and it's all about money, it's all about what happened in the, with the Federal Election Reform Act in '74. The senators now spend an enormous amount of time, all six years, raising money. Muskie never paid any attention to it at all, and so he had time to think and to interact with, and attend hearings and to read and to listen to staff and read memos from staff and yell at staff. And, you know, George Mitchell comes along, first thing he has to do is worry about raising two or three million dollars to get reelected. Muskie used to worry about raising a hundred and sixty thousand dollars. And so the senators suddenly became more fund raisers than policy makers, and so, because policy still had to be made, the role of staff changed, the importance of staff changed, the influence of staff changed.

Now, with George, I think he was, I think George was sort of on the cusp. I think that he probably was more engaged in policy than his successors, but I think he had to spend more time being engaged in politics and in fund raising than Muskie did, for sure. And so that just changes what staff does.

BW: Compare Muskie and Mitchell, as senators and as men.

LB: I guess, you know, I would say that Muskie was more of a policy wonk. George, I don't think George - and this may not be fair because, I mean just on the basis of my vision of him - that I don't think he engaged in the kind of creativity the Muskie had. Muskie had very large views of things, Muskie had a concept of how the states related to the federal government, he had a concept of how the Constitution operated, he had a concept of how laws should relate to

the Constitution and the federal-state relationship and so on. I never sensed that George had any of that in him. Not that he even gave a damn, that didn't mean that he was insensitive to it, it was just not his thing. I think George viewed legislation like a lawyer would view litigation, you try each case at a time and you deal with it in the way that you have to deal with it. Muskie would look at each case and see how it fit into the universe and had a very different, very different intellect.

Muskie was clearly a committed public servant. For him, public service wasn't just the beginning of his life, it was the end of his life. Going back to my story, if you would, of running again in 1982. George was not. For George, being a senator was not an end in itself, and they were very, very different in that regard. Muskie, you know, Muskie was married to the same woman for god knows how long, raised a family of five. George had a daughter and was divorced from his first wife, remarried, so they had different personal, very different personal lives.

I think that, I think if I had, Muskie was a public policy wonk who happened to have a law degree, and George Mitchell was a lawyer who happened to dabble in public policy.

BW: Is that the first time you've said that?

LB: Yeah, I think it's the first time I've said that.

BW: It's worth saying. Very interesting, very interesting. What about temper?

LB: I don't, I never saw George Mitchell lose his temper, and I never saw Muskie not lose his temper. Muskie was constantly losing his temper.

BW: Say something about that. Is that something that just goes with the, one of the privileges of being a senator?

LB: No, Muskie was Muskie style, he always contended that he used his temper as a tool, and he'd say, you know, I never really lost it, I was just yelling at people because I was trying to make a point. And I'd look at him and I'd say, bullshit, Senator, you lost it and, you know, it took you a while to regain it. And he'd get, start yelling at me. But Muskie was an incredibly impatient man. He was impatient when you, he used histrionics very effectively, but he also was incredibly impatient with people who he didn't think were meeting whatever his particular needs at the particular moment, whether it was not finding his fishing pole or not providing him with enough white space on his schedule, or whether it was not providing the complete parliamentary analysis of a situation he find himself on the Senate floor. And I have no idea what George was like, because I never worked for him.

BW: Did you as AA have to counsel staff members and whatnot, or bruised egos, or?

LB: Oh yeah, oh yeah. I remember the first time Muskie said the f-word in front of a female

staffer. And I had, I came in, I put my arm around her, I said, you know, I said, don't feel bad, I said, you just got, you just earned full acceptance.

But I, you know, I was, I really was insulation. If you talk to anybody who knows my relationship with Muskie, they'll tell you that, you know, from time to time they'd get angry with me because they thought I was an impediment to their access, but for the most part they began to understand that having me between then and the senator was a very good thing. I mean he liked me, he knew he could yell at me, he knew I'd laugh at him, he knew I'd tell him to go to hell, he knew I'd argue with him.

I remember when he asked me to become AA, I said, you know, I don't really want to do that, why don't you ask Al From, who was staff director of one of his other subcommittees. And he said, because Al won't argue with me. So.

BW: Mentioning wives, one thing that's struck me so far in researching this, that there are very, I get no reference to them. Was Muskie's wife, other than the crying episode, was she a major part of his political life and campaigned with him and so forth? And what about Mitchell's first wife?

LB: I don't know whether Sally was a part of Mitchell's life or not. I know that she steadfastly resisted coming to Washington, and it was my understanding that she wasn't particularly interested in his career.

No, Jane Muskie was very much in it. She was a hugely important instrument in terms of Muskie's relationship with other people. She was the bridge, she was the one who was responsible, you know, she and Gayle raised the children, and she ran the social life, and she overcame most of his social shortcomings. And she was exceptionally well liked by all of us, I mean she was a very warm and wonderful lady and, especially when he was being a real prick, she was great solace. To me and all of my predecessors.

BW: Bill Clinton, of course, wanted to appoint George Mitchell to the Supreme Court, or at least that was talked about. And also secretary of state, wasn't the Clinton administration considering him for State?

LB: Well, I think George wanted to be secretary of state. I don't know exactly how that worked, I was not engaged in that. You know, you never know whether the great mention-er is the person who's being mentioned or somebody else.

BW: How do you think George Mitchell ought to be remembered as a senator?

LB: Well, you know, George wasn't there long enough. I'm now going to tell you the story that is the other reason that this can't be published.

Muskie died – how long ago was that. Anyway, in the nineties, while my wife and I were

visiting Jane and Ed at their home in Maine, and we actually were spending the night there. And the next day - Muskie loved this house and he loved to take people on tours of the house, and he had four different living rooms in this house and we were sitting in one of the living rooms chatting. And I said, we'd got talking about what the Senate was like and so on, and I said, were you, you know, I said, you sort of made a life out of public service, I said, were you, what did you think about George not running for reelection. And he didn't say anything, and Jane said, we were not very happy. And Muskie finally looked at me and he said, I was terribly disappointed, he said. I don't believe, I couldn't believe that this wasn't enough for George.

And that, you know, I know it would hurt George's feelings to know how deeply disappointed Muskie was, but this was not, this wasn't casual disappointment, this was deep disappointment. Because, as I said, Muskie held public service ahead of everything, and even, you know, after he was out of politics, when we would, he and I had lunch together about once a month, and he really, really regretted not being there. It was, it's what he did. And he thought that having created this opportunity for George, that George would stick with it. So it was very disappointing.

BW: What do you believe was George's motivations for -?

LB: Money. George remarried, had a much younger wife who - I mean, this is just my assumption, you know - he had other needs that he had to fulfill. But he clear, I mean he clearly, you know, he cost the Democrats a seat, and I think if the Democrats had kept the seat, Muskie would have been less disappointed. But it was a time in which the Democrats were in trouble and, if you recall, it was '94, when Howard Metzenbaum's seat went, Bill Bradley's seat went, I mean, anyway. And I was quite taken by that, by what, I still, I can see it in my mind, Muskie, you know. Muskie, it was, had extraordinarily legs but a very short torso, so if you two were sitting together - he was about six-foot-four, how tall are you?

BW: Five-eight.

LB: Five-eight, so if you were sitting together you'd look the same height. Stand up, yeah, and Howard Baker did that one time. Howard Baker's only about five-six, and he got his picture taken with Muskie and he told his staff, he says, you ever let me take a picture standing up with Ed Muskie again, you're fired.

But, so Muskie was sitting like this, this is the way he'd sit, you know, he had an incredibly long face, and he would ponder things. I don't think he ever gave a quick answer to anything, you know.

BW: Now, when you led into this story it was, it sounded like this was very close to his death, that visit. Is that right, or not?

LB: Well, I'm just trying to think, I was trying to put it into context, it was sometime in the early nineties. It wasn't close to his death, but it was, you know, within, Muskie was eighty-, I

think he must, he was eighty-four I think when he died, so it must have been '98, so it was probably '93, '94 or something like that. No, it was after '94, because it was after George, it was between '94 and his death.

BW: Just a footnote here, but did Muskie spend much time in Washington after he left the State Department?

LB: Oh yeah, yeah, he stayed here. I mean he, they had the house in Maine, they'd go up Memorial Day and come back Labor Day, but they lived in Bethesda. He was in a law firm here, sat in a corner office and stared out the window.

BW: Were there a lot of issues that you and George Mitchell diverged on?

LB: No, not really. No. I don't know that we, you know, we had differences as to some key policy issues on Clean Air. I was very disappointed when George agreed to de-authorize the Dickey-Lincoln School Project, which Muskie fought so hard to authorize, even though it would never have been constructed. But other than that, you know, for the most part I was very satisfied with George's service, I was very proud of him, like most of -

BW: Expand just a little bit on that, because -

LB: Well, George was a good senator. George was a good spokesman. He was the first Senate leader in my, you know, I was a very close personal friend of Mike Mansfield's, and he was my senator from Montana, and he was one of Ed Muskie's best friends. And, you know, Mansfield was a very good leader, but he wasn't a public person. George was a public person, and George was able to lead the Senate. When George Mitchell appeared on TV, it was as if he were speaking to the Democratic Party, which was very different than the undertaker, which is what we call Harry Reid. So George was a very effective spokesman for the Democrats.

BW: And how do you think he worked with his colleagues?

LB: Well, you know, Dole was leader most of the time he was leader, wasn't he? I mean, you'd have to ask Bob Dole, but I suspect that he and Dole got along quite well, and I suspect they respected each other, and I suspect that there were a lot fewer hand grenades thrown from one side to the other than there are today. But I think that, you know, George's judicial temperament made him want to try to reach across the aisle, even if it was too far a reach. But then, he didn't have, you know, he, I mean, you know, Dole had his own problems with Jesse Helms and his right was a lot more vexing than George's left.

BW: What about Mitchell's relations with members of his own party? I mean, obviously he was -

LB: I think it was very good, I think he was really highly regarded and I never heard, I never heard a single, I know a lot of those guys real well, or I did at the time, I never heard a single

person who didn't have good things to say about George. Very highly regarded. I mean not just as a leader but, I mean everybody respected – George is very smart, and he, you know, as I said, he was a lawyer involved in public policy, and he had that sharpness that was really, he could cut through things and get to points, and was very effective at it.

BW: How does a Montana boy become a Maine-lander, or to what extent did you -?

LB: Had nothing to do with it, I just showed up here.

BW: But you must have over the years gotten an affinity for Maine and things in Maine, no?

LB: Oh yeah, I mean I tell people I'm registered to vote in Maryland, Delaware, Maine, Montana and California, but you know, I've got, most of my business I do in California, and I live in Delaware, and how I was in the Maryland legislature, I worked for a senator from Maine, I'm from Montana, so, you just, you know. I mean, I'm, you know, one of the nice things, I'm a historian by academic training, and a politician by avocation, and one of the nice things about being a politician is, especially if you're a national politician, you have to learn a lot about places.

When I was a young lobbyist, when I was twenty-five, twenty-six years old, I knew every congressional district, I knew who represented it, I knew what the principle source of occupation in that district was, I knew what the principle city in that district was. And I could tell you the margin by which that member got elected. And I maintained that for about twenty years and then I sort of gave it up, but you know, I can tell you pretty much the margins in most elections and which ones are still in doubt and what's going, you know, I mean, but that's my thing, so.

And I've dealt with Maine the same way, I wanted to know where Muskie's strengths were, where his weaknesses were. Because even running the subcommittee, and Muskie admonished me time and again, that I was a national staffer, not a state staffer. I was not working for his Maine office, I was working for his Senate office. And he was a senator, he was a national senator, as well as a senator from Maine, and while he often might not appreciate the difference, I had to. He insisted on it. And so, but I still had to be sensitive to, I didn't want to create a situation where he had a conflict, and so I had to know what was going on up there. So I, you know, I stayed fairly close (*unintelligible*).

BW: And you spent a fair amount of time up there, too.

LB: Yeah, yeah.

BW: I think I'm going to, I think we're nearing the end of this. Well, let me just pause here for a moment. (34:43)

Because of your long years of service on environmental issues, I'd be curious to know your general observations about the history of environmentalism over the period of time you've been

involved, and Mitchell's contribution to it.

LB: The, Muskie was in at the creation – I guess that makes him a creationist. He created a regimen of law that was unique, and brand new concepts that had never been seen in a federal statute before. Citizen suits, mandatory performance by government agencies, citizen friendly judicial review, deadlines, statutory standards, things that just were, I mean really revolutionized the relationship between government and the private sector, and to a degree government and the public sector, states and municipalities.

It would have been relatively easy once he left to undo these things, because when we wrote many of these landmark provisions, the lobby against us was relatively less influential simply because campaign financing played a role then, as it does now. So in the twelve years that George was there, fourteen years I guess it was, thirteen and a half, there was an enormous amount of pressure to change the citizen suit provisions, to change the national environmental policy act, to change the deadlines, to change the provisions of the Clean Air and Clean Water Act. And in large part, in significant part, because of George and because of a senator from Vermont, Bob Stafford, and later John Chafee from Rhode Island, basically those three people stood in the schoolhouse door and told business, you're not going to get these changes.

And, you know, they so blunted the assault, that the assaults have been fewer and less successful, so you have to give George and Stafford and Chafee tremendous credit. They, it wasn't so much what they created, but what they preserved. So Muskie was the creationist, and they were preservationists, and I think that's, that's the important crossover between Muskie and Mitchell. And I believe Mitchell fully appreciated that that's what he was doing, that he wasn't going to do anything that undid what Muskie did, and he was going to make goddam sure nobody else did.

BW: Were there other creationists alongside Muskie, or was it pretty much -?

LB: No, he had others, you know, it was, I mean Tom Eagleton of Missouri was the guy who was responsible for the concept of deadlines, and in many respects citizen suits, though a lot of credit goes to Tom who was my colleague, my Republican counsel, and Phil Harte, senator from Michigan. The public health standard was Muskie's concept, but Howard Baker was the big advocate of technology forcing, which Muskie manipulated into the concept of statutory standards. So yeah, there was, it was a, you know, it was an era in which ten or eleven men, they were all men, sat around in a closed room and talked about what public policy ought to be, without the influence of lobbyists and damn little influence of staff. You know, there were three or four of us who had a seat at the table and that was it, so you had maybe fourteen, fifteen people who were putting this stuff together, and defending it.

BW: You had an enviable career.

LB: Oh, I did, I was a very lucky man. And I owe it all to Ed Muskie, and that's the, I'm the president of the Muskie Foundation, I've spent, I've spent a good bit of time over the past decade since he died and thirty years, almost thirty years since we've been out of office, I'm a member

of the Board of Visitors for the Muskie School, I'm president of the Muskie Foundation, I financed the Muskie Oral History Project, I did a whole bunch of stuff to help the Bates Archives get themselves organized, gave them a bunch of money, I've given to the foundation. And, you know, and personally support the Muskie Scholarship Program and the Nicolls Scholarship Program at Bates.

And Eliot Cutler, who is, I assume is on your list, Eliot was Mus-, Eliot knows George very well, and he – it's one L and one T – he's chairman of the Board of Visitors in the Muskie School and he would add some rare insights into George for you, because they were closer personally than George and I were, I think. But Eliot's given enormously of himself. Charlie Micoleau, who was Muskie's AA before me, is on the Board of Visitors, has helped and done stuff for Muskie. Don Nicoll, god knows how much he's given to Muskie. But we haven't Jack-shit out of George Mitchell or Madeleine Albright. Nothing. Zero. Zippo. And the two people who more owe their career to Ed Muskie than any other person, there is no one, none of us got the benefit out of the relationship that they did.

I mean, George would not have been a U.S. attorney, would not have been a judge, and would not have been a United States senator but for Ed Muskie. And he mentions it every time he makes a speech that involves Muskie, and he goes on at great lengths about how important Ed Muskie was for him, but he's never done anything to help institutionalize the Muskie legacy, nor has Madeleine. And that to me is a great disappointment, because he and Madeleine were both in the economic position to be very influential in memorializing that legacy. And I don't know why, but anyway.

That's my third story that I don't want to put – I mean Madeleine, you know, Madeleine's unique. And this is in my stuff, too, but Madeleine was a fund raiser for Muskie back in, she worked a little bit on the presidential campaign under Arnold Picker, who was our chief finance chair, and she came to work in Muskie's office to do fund raising when we thought Bill Cohen was going to run against him in '76. And after Bill Cohen pulled out we didn't need it any more, and so Madeleine moved over into a legislative assistant job, and then went, about the same time I became AA, she went down to work with Zbig Brzezinski. And at some point she went back to school and got her Ph.D. and she was – but she was working for the senator for National Policy, and Kirk O'Donnell, who was a lawyer and a former aide to Tip O'Neill, was president of it, and he was resigning and Madeleine called me and asked me if I'd put in a word with her, help her with Ed to become president.

And I told her I would, and it was interesting because within a day or two Muskie called me and said, I want you to come down and be president of the Center for National Policy. And I said, Senator, I just got off running the Democratic Senate Campaign for two years, I'm broke, I've got a daughter at Bates College, I can't do it. Hire Madeleine. Oh, I don't know about that, you know, she's a woman. He didn't say that, but I knew that was what he was thinking. So he hemmed and hawed about it for a couple weeks, and I called him again and I said, have you hired Madeleine yet. He said, well, I'm thinking about it. And I said, well, I said, look, I said, she's smart, she's financially well off, she's incredibly loyal to you, and she'd do a damn good

job. So he hired her.

Well, if Madeleine had not been chairman of the Center for National Policy, she would never have become secretary of state, because that's how she got into the Dukakis and the Clinton campaigns and so on. So that's my other disappointment. They just, I just, I just think that both of them in some way, whatever way that is, should have done more for the – and they both do the same thing, they both talk about how great Ed Muskie was, you know. Anyway, that's my story.

BW: All right.

LB: All right?

BW: Well, thank you very much.

(Taping stopped 45:31 - resumed 45:33)

LB: -presented -

BW: Wait a minute. Start over, okay, go ahead.

LB: In the period, between 1983-84 and 1994, and beyond that for some years, I represented Lincoln Pulp and Paper, which was a privately owned craft mill in Howland, Maine, Lincoln, Maine, and owned by a guy named Joe Torras, T-O-R-R-A-S, who lived in South Hadley, Massachusetts, or Amherst, as his wife called it. And it was a unionized plant, had the, one of the highest wage staff in that part of Maine, and they produced paper using waste sawdust from lumber mills.

And we wanted to get EPA to classify sawdust as a waste so that their paper product would be recycled, and I worked on that for a long time. And I was fairly successful, I got some response out of EPA and I got some response out of eventually the Clinton administration, and there came a point where we needed a legislative solution and so got George engaged. And it was interesting, because I was working with George's staff and, but this was a late night situation, and I got this call from George at home about some legislative language that he was about to agree to. And I said, Senator, I think I'll, I think that'll do it. He said, well, with all due respect, I don't want to hear that from you, I want to hear that from Joe. So I gave him Joe's home phone number, and maybe it was two o'clock in the morning, he called Joe at home and Joe approved the language, Joe called me back, then called him back. And so George did it, and it saved that plant from closing, and saved it for about ten years, but it finally closed.

But George, when he left the Senate in 1994, and he was making – and you'll find this I think in his valedictory, he said that saving that plant was the single most gratifying thing that he did in his career at the Senate. I mean, so you know, I've always been impressed by the fact that he picked that particular thing. But you know, you don't get a lot of chances to do something like that. I felt incredibly good about it, because I had, was instrumental in getting it to that point.

To say that you saved a thousand jobs, you know, and you can put your finger on it. And there are not a lot of things in public policy where you can put your finger on it.

BW: So what's your point regarding George Mitchell on that particular -?

LB: Just that it was, that he did it, and that it said something about core values about George that I felt very, very good about. And so, you know, setting aside all of my criticisms, you know, I've been trying to give a relatively balanced view, so I've got on the one hand the disappointment that he didn't run for reelection, as reflected by me and Muskie and Jane; on the other hand, the enormous feeling, warmth I have for what he did and how he felt about it. Because sometimes how you feel about those things means whether you do them or not. So it's a great story from the perspective of anybody looking at George's history, because it *was* personal, it *was* local, and *was* successful, and it's something he felt extraordinarily good about. Okay?

BW: Great.

End of Interview