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Interview with Donald E. Nicoll by Andrea L'Hommedieu

Donald 'Don' E. Nicoll

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George J. Mitchell Oral History Project

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Don Nicoll

(Interviewer: Andrea L'Hommedieu)

GMOH# 005

April 9, 2008

Andrea L'Hommedieu: This is an interview for the George J. Mitchell Oral History Project at Bowdoin College. The date is April 9, 2008. I'm here today in Portland, Maine, with Donald E. Nicoll, and this is Andrea L'Hommedieu. Don, could you just start by talking about when you first knew who George Mitchell was?

Don Nicoll: It was in 1963, when we were looking for a staff person to fill the role of executive assistant in the senator's [i.e. Edmund Muskie's] office, and John Jabar, who was field representative for us—John was a lawyer in Waterville and was a part of the Lebanese community, if you will, in Waterville—and he knew George, who was somewhat younger than he. And he knew the Mitchell family and knew George as part of that family. John thought George would be a good candidate, and I suspect that George had indicated to John that he had an interest in moving into Senator Muskie's office.

He was at the time in the Justice Department, in the anti-trust division, working on banking cases. And so John suggested the possibility of hiring George for that executive assistant position, and we asked John to tell him to get in touch with us. And I interviewed him and then he was interviewed by Senator Muskie, and we decided to hire him. And that was the beginning.

AL: And did you have any sort of observations of him during the interview? What was it you liked about him?

DN: Well he was obviously a very bright young man, and very eager to please. And at the same time, he was very serious and low-key, and we needed someone who could handle a range of responsibilities in the office.

I might pause and go back here to talk about how the office was organized at the time. I was the administrative assistant, and as such generally in charge of how the office ran, and advising the senator on the policy issues that would come up, deciding essentially on the work flow within the office. And the executive assistant was generally responsible for day-to-day operations: overseeing the clerical staff, making sure that things were functioning.

At the same time, we split up the workload, particularly for legislation, so that members of the staff, starting with the administrative assistant, had—in addition to their general office—specific topical responsibilities or issue responsibilities. I, for example, oversaw the work of the subcommittee on air and water pollution, and, in fact, at that time was directly involved as a

virtual member of the staff of that subcommittee. The chief clerk of the Public Works Committee, the legislative assistant to Senator Boggs of Delaware, Bill Hildenbrand, and I constituted the staff of that subcommittee because Senator McNamara refused to provide extra money to hire staff.

So for the period when George was with us, I had that on my plate and thus was responsible for work, staff work, on air and water pollution legislation, and environmental legislation generally. And I also oversaw the work of the subcommittee on intergovernmental relations, which had its own staff, and that meant working with the staff director of that subcommittee.

Then in banking and currency, I was responsible for the housing and urban development portion of their responsibilities. George was the logical person to take over all of the banking and financial regulation aspects of the Banking and Currency Committee. He also oversaw justice, armed services, and economic development programs that came to our attention. And within the office, other members of the staff had very specific working responsibilities, usually for case workers, the areas that they dealt with, whether it was Social Security or Veterans' Affairs, post offices, you name it.

So George had talents and skills that were important to us, particularly in the arena of justice, armed services, and banking and currency and financial regulation and taxes; that sort of thing. And he also had the qualification of being a person from Maine, and at that time we placed a heavy emphasis on having staff members who were from Maine, understood the state, could relate to constituents in the state. And, except for clerical staff, we didn't tend to hire people from outside the state.

AL: I was going to ask you about that—putting so much emphasis on the talent of Maine people.

DN: Yeah, it was, in those days—it's less true today, I think—but in those days we were not, not *particularly* interested in hiring people who were passing through while pursuing their career. We felt that we had Maine people with talent who could do the work extraordinarily well, who would be committed to the interests of the constituents in Maine, and loyal to the senator and interested in enhancing his work and his performance as a member of the Senate.

And George fit right into that. I have laughingly observed that the one deficiency that George had was a result of his education, not at Bowdoin but in law school. And I told him then, and have reminded him since, that when he came to work for us he was capable of, and tended to write sentences that were one page long. And I spent a fair amount of my time in the early days when he was with us editing his material so that we had more than one sentence on a page, and getting him to move away from legalese.

AL: Yeah.

DN: But, oh he was very bright, quick study, and a very pleasant member of the staff.

AL: So he fit in well?

DN: He fit in very well.

AL: And so did his responsibilities expand as he was there, or did they remain about the same?

DN: No, essentially they remained the same; during this period before he went back to practice law in Maine. He had, when he came to work for us he had interviewed, I think, with perhaps a couple of law firms, and had, not a direct and immediate offer but a tentative, longer term offer—no, excuse me, let me correct myself—when he first talked to us about coming to work for the senator, he did not have an offer. But before we concluded the discussions, the firm Jensen & Baird in Portland did offer him a position, and he decided that he couldn't take it then. But they were interested enough so that he promised that within a couple of years he would leave the office and go back to Maine. I'm not sure, as I've looked back, that I was fully aware of that at the time.

AL: Hmm-hmm.

DN: But he did make the commitment, and he's talked about it since, and did in the Muskie Oral History Project discussion.

But during that roughly two-year period his responsibilities were essentially the same, with the exception that in 1964 he participated in the campaign and so got his first taste of campaign work. And there he did everything from writing speeches to driving the senator.

AL: Yes, driving the senator, there are quite a few stories about that. Now, is there also a story about firms that he applied with that turned him down?

DN: Well I recall hearing from him at one time that one firm in Portland turned him down because he was a Roman Catholic.

AL: And that was their policy at the time.

DN: Apparently.

AL: Apparently.

DN: Yeah.

AL: So he went back to Maine in '65?

DN: Hmm-hmm.

AL: And joined the firm of Jensen, Baird, and he came back though, right, was it in '68, on that campaign, that he worked closely with you?

DN: Yes, he came back, and we asked him to come and join the campaign team in '68, and he was our Washington director, if you will, of the Washington office. It was a fairly small office in, during that campaign. The two key people were George and John Martin, and John was the office manager and handled all the logistics, and George was the liaison with the Humphrey campaign staff in Washington.

AL: Yeah.

DN: And the way that campaign worked out, I managed the campaign but from the plane, traveling with the senator, since essentially our job between the end of August and Election Day was traveling around the country and the senator making speeches and doing interviews and interacting with voters.

AL: Hmm-hmm.

DN: The strategy, the overall direction of the campaign, had to be in the hands of the vice president's office, and so we, the logical thing was for the person running the campaign to be with the senator.

AL: Right.

DN: And we needed someone in Washington who knew and had gotten involved with national committee folks to be our liaison there, and George fit that bill very well.

AL: Had you seen changes in him at that point? Had you -?

DN: Oh he'd developed self-confidence, but I think basic personality certainly hadn't changed, and I don't think, I don't think there were any changes in skills, if you will, beyond -

AL: The confidence?

DN: Self-confidence. And he obviously enjoyed that world, of the Washington power brokers.

AL: And I just have to ask this about your being with the senator, Senator Muskie -

DN: Hmm-hmm.

AL: - on the plane during that campaign and going all over the country. How did the senator handle that frantic campaigning, you know, the non-stop, I should say?

DN: Oh, on the whole, very well. As well as one could expect anyone. I think there probably could not be a campaign that was, in many ways, as easy and trouble-free as that one, for several reasons, in spite of the fact that that was an awful year in U.S. history. We'd had the assassination of Martin Luther King and Bobby Kennedy; we had the just outrageous events around the Democratic convention, the anger in the society and the splits between different groups.

But we came into the campaign at the end of August. We had not been involved in primaries, and the senator and the vice president had such a close working relationship and mutual respect that the Muskie campaign was on its own, and we did not have to have speeches cleared with the vice president or his staff, or statements cleared. The itinerary was set by mutual agreement so that the two candidates were in different parts of the country on the same day, except for those rare occasions when they came together for a joint appearance that was either a major political event or a recording for a television spot that they did together. We'd come together for that and the occasional working session. And I can remember sessions in Washington, and one in Minneapolis-St. Paul during the campaign, where staff got together, and on occasion the staff and the vice president and the senator.

But we had the plane. It was a self-contained world with everything you needed from food and drink to equipment, and we had staff that took care of all the details as we went. You had - The crew of the plane was all senior training pilots and stewardesses. They were the cream of the crop for Eastern Airlines. And we had Secret Service taking care of everything from security to communications.

AL: Hmm-hmm.

DN: And the plane had been refitted so that the senator had a bed where he could get a rest. And generally speaking, it was scheduled so that there were two hours between stops, that is the flight times were about two hours every time, which was an advantage both for thinking about television markets and an advantage in having some down time.

AL: Hmm-hmm.

DN: And I made one decision in connection with the campaign that was not pleasing to some of our folks. [] I think several people wanted to have radios so that we could—radio telephones so we could communicate when we were between cities.

AL: Oh.

DN: I said, "Absolutely not, that is golden time. And if there's an emergency, the Secret Service and the pilots have communication. We can be reached -"

AL: Hmm-hmm.

DN: “ - in an emergency, but that’s all.” No one’s going to have the equivalent of today’s cell phone on the plane.

But the campaign was not hard on us. It was, it had a beginning and it had an end, and you knew what you had to do, and you were able to focus on doing it.

AL: Well, the comments you just made about the radio, telephone and communications, reminds me of the observation some have made that you were very good at protecting the senator’s time, and interactions with others to save his energy for what you felt were the most important things –

DN: Hmm-hmm.

AL: - and like you said, “Unless it’s an emergency, let him have his down time”—so I think that really illustrates you did your job well. And so tell me if I’m right about this, after that campaign George went back to Maine?

DN: He went back to Maine, and he was—I forget the sequence in his involvements in the state party during that period—but he became more and more involved in the state committee, he was state chairman at one point, and then national committeeman. And he was directly involved in the 1970 campaign, and essentially managed that campaign in Maine. I withdrew from day-to-day involvement in the ‘70 campaign.

AL: Okay, the Senate reelection campaign. Yep.

DN: Senate reelection campaign, and the key people in that campaign, in terms of managing affairs, were George and Charlie Micoleau.

AL: Okay.

DN: And I got involved in a couple of things. The one thing I remember most from that campaign was the debate, or negotiating the debate with Cliff McIntire, the Republican candidate. And, oh no, wait a minute, it wasn’t, yes, I’m trying to, hmmm. I’m misremembering who their candidate was that year.

Well, let’s go back. What I remember is in the campaign of ‘64, when the issue of a debate with Cliff McIntire came up – and this involves George ultimately – the senator was reluctant to debate McIntire. He was way ahead in the polls and he didn’t really see the need to be involved in a debate and give McIntire extra air time, as it were. From McIntire’s point of view, and his campaign manager’s, getting that debate was very important to get him some attention.

Well I got the assignment of negotiating with the Republican managers of the McIntire campaign, and on the first go-round felt that I’d worked out a thoroughly reasonable arrangement

that was consistent with Senator Muskie's approach, brought back the package, and Muskie rejected it out-of-hand and told me to go back, and this and this and this had to be changed. So I went back to them and, in the end, they agreed to everything that we brought back. And the next round, the senator was on the road, and I think I had given him a note, a memo on this, and he came back, I got word back through George, who was driving him, that he rejected the agreement that I'd negotiated on the second round, and he wanted this, this, and this changed.

And by this time, I'd been through this two rounds and I thought he was being absolutely unreasonable, and that he was ultimately jeopardizing his public image in terms of this. And I also had some sympathy for the poor guy on the other side of the table who was faced with negotiating with me on this. And I got George on the phone and said, "George, tell the senator I'm not going to go back on this. I did what he asked me two times around and got what he wanted, and I *will not* go back and tell them that that's not good enough." And George reported that, he came back from the phone call and, in terror at what Senator Muskie was going to do when he learned that his assistants had refused to do what he'd told him to do, and George gave him the message. And there was a long, long silence, and finally he agreed. But I remember that poor George felt caught absolutely in the middle –

AL: Yeah.

DN: - on that one. But then he did run, essentially run the '70 reelection campaign. And at that point he was becoming more and more involved in the national effort, which had really started up in late '79, early '70 [*sic*: DN misspoke. The correct dates are: late '69, early '70].

AL: Right.

DN: We had talked about campaigning, we had done a few things in terms of public exposure for the senator in late '68, '69.

AL: Hmm-hmm.

DN: But until Chappaquiddick, you couldn't get any attention because everybody was focusing on Teddy Kennedy.

AL: Right. And so you were still Senator Muskie's administrative assistant in '70, when -

DN: Into '71.

AL: 'One. And then you became a special -

DN: Well I went, I left the administrative assistant position and we hired John McEvoy and brought in essentially a new Senate staff in key positions. And I started informally as campaign manager and moved off the Hill, was classified as a special assistant.

AL: Hmm-hmm.

DN: And George, George at that time, I believe, was national committeeman and he was working on the campaign as a liaison and part of the senior team.

And then, there was a lot of criticism of the senator for relying on Maine people who didn't understand the national scene, and he decided that he needed somebody from Washington in charge of the campaign. So I moved off, I was moved off and into the policy arena, managing the research and –

AL: Issues?

DN: Issues and writing, and Berl Bernhard became the campaign manager, and George was his deputy for the remainder of that campaign.

AL: And I want to talk just a little bit about the transition from you becoming a special assistant and John McEvoy –

DN: Hmm-hmm.

AL: - taking over as administrative assistant. Did you work with him pretty closely in that, or was it, you left and he came in, was there a transition period?

DN: I participated in the decision to hire John, who was recommended by Senator Tydings. But, and had a working relationship with him. Because there was competition between the campaign and the Senate work, and this was true from the early 1970. And one has to remember that you had the Maine campaign, you had the effort to mount a national campaign, and you had the senator's involvement, deep involvement, in several important legislative initiatives all going on at the same time.

AL: Right.

DN: And he was, at the same time, doing some speaking to raise money for himself, that is, personal funds. And in those days senators could go out and speak and command honoraria that were personal income.

AL: Right.

DN: And he did that. So it was a very busy time, and that meant a lot of competition over his Senate schedule, Maine campaign schedule, and the national campaign, so there had to be a lot of interaction with the Senate staff, first in '70 when I was still administrative assistant, and then '71 when John came up.

AL: Hmmm. So you worked pretty closely with Berl Bernhard and George Mitchell during

that campaign?

DN: Hmm-hmm. Yeah.

AL: How were the interactions between you, was it a daily thing, were you physically in the same area?

DN: No, Berl operated out of, essentially, early on, Berl operated out of his law office. And we had a fairly small office first—it was two or three rooms—then the campaign found a building that was converted into the campaign headquarters and I moved there. Berl had an office there. That was after I was shifted into the issues arena and not running the campaign, per se, and I would see Berl occasionally, not regularly on a day-to-day basis. I was not involved in most of the campaign, basic campaign decisions.

AL: Because you were more on the research and policy side?

DN: Yeah, yeah.

AL: Now, I don't know if it's a perception or a reality, but a lot of people see Senator Muskie as being a mentor to Senator Mitchell.

DN: Oh, yes.

AL: Is that something - Can you talk about that? In what ways was he?

DN: Well, I don't think it was anything conscious on the senator's part, but you couldn't work for him or work around him without, if you were at all alert, without learning from him. And he, he liked George and enjoyed his company, and so George got to spend a lot of time with him, particularly in that, well in the years he worked in the Senate, the senator was very comfortable with him in the office. He was not always comfortable with some of our staff people, but he was very comfortable with George.

And then in '70, they spent a lot of time together on the campaign trail, and George drew the assignment of driving, sometimes a trip from Washington to Maine, and other driving around. And I confess that I usually managed to avoid the driving assignment and - I had come into the office in 1961, at a time when the then-administrative assistant, John Donovan, and executive assistant Bob Hughes, spent a lot of time grousing about the driving routine, driving the senator from home to work and so forth. And it was obvious to me that that was not a particularly useful way to spend your time, and it was not time that was conducive to carrying on business.

AL: Hmm-hmm.

DN: It's not like having a long drive on a rural Maine road -

AL: Right.

DN: - when you're fighting Washington traffic. And it was a time when the senator wasn't likely to be in a particularly good mood. So I decided early on I was not going to put myself in the position of driving him to and from work, or doing much of the other driving. There were other places I could better spend my time doing work for him.

And George, so George got that part of the deal, as it were, and he did very well at it. He was, as I have said, affable.

AL: Hmm-hmm.

DN: And he learned a great deal from the senator, you know. And the senator gave him assignments over the years, and wanted to see him succeed.

AL: Hmm-hmm.

DN: Thus the court appointment, and ultimately when Joe Brennan refused to name Ken Curtis to the Senate in 1980, getting George that appointment.

AL: Do you know that story in its details, of how that happened?

DN: I do not know it directly, but it's been told by Leon Billings in his Muskie Oral History interview, and I think that probably, the best thing to do is to leave it at –

AL: Right.

DN: - at Leon's telling, because he was there.

AL: Now, after that time, '70, around '72, you left Washington and came back to Maine, is that right?

DN: I came back, well I spent a year in Washington doing consulting work, essentially planning work for the Ford Foundation Energy Policy Project, the German Marshall Fund on an education project, the Corps of Engineers on another environmental planning project, and the New England Land Grant University Presidents on an education planning project. The last one led to my joining the New England universities, heading up a joint planning program office, and then after two-and-a-half years there I came back to Maine to go to work at the [Maine] Medical Center [in Portland]. But during that time I don't think, no, I don't think I had any encounters with George during that period.

AL: Did you later, after you were back in Maine?

DN: Very, only on occasion. I can only remember basically seeing George in connection

with Senator Muskie's 80th birthday celebration.

AL: Hmm-hmm.

DN: And I may have seen him once or twice otherwise but, no, we completely, we were in different worlds.

AL: Yeah. So if we're talking about people who you know were close to George over the years –

DN: Hmm-hmm.

AL: - and can observe his development and successes, first you mentioned John Martin as, in a particular time, Charlie Micoleau -

DN: If you go back—let's go through the list of probables from my perspective. In the Senate office in that '63-'65 period, certainly John Jabar, if John's willing to be interviewed, Jane Fenderson Cabot, and Joanne Hoffmann, those are the three who are still around who would be good sources.

Then in '68, and also earlier, because of work on legislation, John Martin, Berl Bernhard for '68 and the '70-'72 campaign, Shep Lee you've already interviewed. Well, John McEvoy, if John's available, would be a good person. There are a couple of others who were involved in that campaign: Al From, maybe Dan Lewis, I'm not sure. Lanny Davis is another one. That about exhausts it, I think. Jane might, Jane would have some names, too, I think. Eliot Cutler, oh, Eliot Cutler.

AL: Eliot was in –

DN: Yeah, both 1968 and the '70-'72 campaign. Those—and Bob Nelson. Those are the -

AL: Did Senator Mitchell have personal friends that were around, or was it just very separate?

DN: The only personal friend I recall from Washington, D.C., was a fellow who was a lawyer, who was with him in the Justice Department, and later worked for the insurance industry, I believe. His name is McElvey, capital M-C capital E-L-V-E-Y, and I don't remember his first name but his nickname was Smooth, Smooth McElvey. And he helped us at George's recommendation in connection with our daughter Melissa's auto accident –

AL: Yeah.

DN: - injuries, et cetera. But he's the only person I can recall from that period –

AL: Hmm-hmm.

DN: - who was not connected with the office and was a personal friend.

In Maine, George had a number of friends, still does. Shep is one of the principal ones. Well one person who ought to be interviewed is Mert Henry, who was key, I think, in bringing George into that firm, and a contemporary. Somewhat older, he's older than George, he's a year or so older than I am.

And George's brothers and sister should be interviewed, both for their own family recollections and a knowledge of his friends.

AL: Hmm-hmm.

DN: And there were some folks connected with the [Democratic] Party in Maine who had links to him. Oh, one other person is Harold Pachios.

AL: Oh yes, yes.

DN: Harold is a very important person to talk to. David Flanagan.

AL: Now what was his connection?

DN: David was chief counsel to Senator, excuse me, to Governor Brennan, and of course Joe Brennan is another one. Joe's back in Maine now.

AL: He is? I don't know how to contact him, but I have him on my list.

DN: I think he's living in Portland. We saw him at the Democratic caucus in February.

AL: I'm going to stop just a minute.

(Taping paused. Long pause ensues)

AL: We are now on Side B. And thank you, Don, for giving me all those leads on names. I guess I want to ask you a really broad question: are there things that you've observed or can talk about in regards to Senator Mitchell that I haven't asked you about, that we haven't covered in our sort of general time line as we've discussed it?

DN: No, I think I've pretty well indicated the points of contact, the working relationships. I think that - Oh, this reminds me of another person who should be interviewed and that's Ken Curtis. And that should include the work George did in connection with the sugar beet project, and Ken was involved in that because he was directing the Area Redevelopment Administration office here.

And one of the areas that has not gotten much attention, I think, in George's career was the work he did on both the Dow Air Force Base, and the Presque Isle Air Force Base. He was our staff person working on the conversion of those two bases. And I'm not sure who his local contacts were. The key person on Dow is now deceased – his name was Ross Davis, who was in the Department of Commerce. And, but there would be people here who would know.

Leon is another one who should be interviewed, Leon Billings, he was there and, in the, in both '68 and in the '70-'72 campaign he was not, well he came into the '68 campaign and he came into the '70-'72 campaign some, but he was more of an observer of what was going on, and would be a good, provide a good perspective.

I think, well, number one, in terms of the '70-'72 campaign, George and I did not have any direct clashes but increasingly I had strong disagreements with the way he and Berl managed the campaign, primarily strategically.

AL: Hmm-hmm.

DN: And, I think, probably a key to understanding George, in addition to his intellectual capacity and his affability and his desire to be liked, which were driving forces for him, was his enjoyment of being in the world of the power brokers, and a drive to succeed financially as well as professionally. And that, you can just see that throughout his career.

And in that respect he's very different from Senator Muskie, because Senator Muskie never had a career plan.

AL: Right.

DN: George, my impression is that George essentially had a career plan, and he was positioning himself. And that's not a criticism, it's simply an observation, and to understand him you have to recognize that. And it would be interesting to find out more about his attitudes and his performance as a judge, and why he was so eager to leave, after wanting that judicial appointment, why he was eager to leave. Judge Coffin might be a good person to interview, because he had a chance to observe him when he was a judge.

AL: Oh, he did? Okay.

DN: Yeah, as Court of Appeals judge he would have; a) encountered him, and; b), I don't know how many appeals there were from his rulings, but have had a chance to review some of those rulings.

And you may want to check on other lawyers in the, particularly the Portland area. I think that, that covers it pretty well. I know very little about George's career in the Senate, other than what one reads in the papers.

AL: Right, right. Well Don, thank you so much for this time. I do want to also mention before I end, and I should have put it at the beginning, but we have a lot of biographical information on you from the Muskie interviews –

DN: More than you need.

AL: - at Bates College, and so researchers can look there for further stories about Senator Muskie and those times in the Senate. Thank you.

DN: You're welcome.

End of Interview