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Interview with Leon Billings by Don Nicoll

Summary Sheet and Transcript

Interviewee

Billings, Leon

Interviewer

Nicoll, Don

Date

January 27, 2003

Place

Washington, D.C.

ID Number

MOH 388

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Biographical Note

Leon Billings was born in Helena, Montana on November 19, 1937. His parents were Harry and Gretchen Billings. His father was an editor and publisher of a progressive newspaper; his mother was a crusading journalist. He graduated from high school in Helena, Montana in 1955, and then attended Reed College for one year in Portland, Oregon. He completed his undergraduate studies and took graduate courses toward an M.A. at the University of Montana at Missoula. Billings worked as a reporter and organizer for farm groups in Montana and California. He met his first wife, Pat, in California. They married in Montana and moved to Washington, D.C. on January 4, 1963. While in Washington, Billings worked for the American Public Power Association for three years as a lobbyist. In March 1966, he was offered and accepted a job on the Subcommittee on Air and Water Pollution on the Public Works Committee. He worked for Muskie helping to coordinate work on environmental policy. From 1966 to 1978, he served as Muskie's chief of staff. He served on the Democratic Platform Committee staff in 1968 and in 1974, was co-chairman of a Democratic National Committee task force on Energy and the Environment. He later served as President of the Edmund S. Muskie Foundation; a tax-exempt foundation endowed with a \$3 million appropriation from Congress to perpetuate the environmental legacy of Senator Muskie.

Scope and Content Note

Interview includes discussions of: 1972 presidential campaign; 1970 senate campaign; staff changes in senate office 1970 to 1971; McGovern and Muskie story about Muskie as vice presidential candidate in 1972; and Tom Eagleton.

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Transcript

Don Nicoll: It is Monday, the 27th of January, 2003. We are at the offices of Billings and Sturbitts, 1625 K Street NW, Washington, D.C., also the offices of the Edmund S. Muskie Foundation. Don Nicoll is interviewing Leon Billings. Leon, when we finished our last interview, we were talking about the 1970 Clean Air Act, and just beginning to touch on the presidential campaign of 1970 to '72. Did you get much involved in that campaign?

Leon Billings: Well, a little bit. The, it's important, I think, to remember that the rules with respect to staff involvement in politics in 1970, '71, and '72 were very different from the rules that pertain today. My recollection is that after the '68 campaign, the senator went out and made a number of speeches. I actually remember traveling with him to Montana in June of '69. And I think I may have mentioned this before, but we were on the plane back and he was reading a *Newsweek* story or *Time Magazine* story about Ted Kennedy. And he pointed out that Ted Kennedy can get publicity advertising his child's dyslexia, but he, Muskie, couldn't get publicity when he made a major policy speech, and that he was disinclined to continue his endeavor. And in essence, I think, instructed you and others to focus him more on making honorarium speeches and getting back to the Senate.

And then, of course, almost immediately thereafter along came Chappaquiddick and he got thrust into the front runner posture. And again, and I believe this may have occurred to you independently, but I believe we had a discussion about the fact that Muskie could no longer be allowed to travel alone. He was just too visible a figure, and too many people with whom he would be dealing would go unknown if there wasn't somebody around taking notes. So a number of us began making trips with him whenever he went off.

I recall that I went off to a speech which he made in Louisville, Kentucky at some Clean Air conference, and so there was a fair amount of that kind of involvement. Not really, not really intense, because I was working a lot on legislation and the extent to which I did things for the

campaign was strictly voluntary and mostly of my own initiative, not at the request of anyone else. And then the, I may be confused on my dates, was there a mid-term convention in '70?

DN: I think there was a mid-term -

LB: Something in Kansas City, but I'm not sure if that was '70 or '74.

DN: I can't remember.

LB: In any event, you know, I was doing some speech writing, he was still making a number of environmental speeches. And by the time you had moved to the campaign, and if I remember correctly the campaign moved downtown, its first offices were, it ended up at 1660 L Street but its first offices were someplace else, and I really had very little involvement at that time. And that's primarily because through the remainder of '70, through most of '70, we were very deeply involved in the Clean Air Act.

And, you know, the, we, the environment subcommittee, and I think more so the Intergovernmental Relations Subcommittee, was trying to use the senator's position to get publicity focused on his various legislative initiatives and his, you know, get, and using hearings to around the country on various issues. I think, didn't he go to Mississippi? And I think that was under the aegis of IGR. And he did a whole series of events on Earth Day, I think that was '70, it was '70. We started out on Mt. Desert Island [Maine] and watched the sun rise, and eventually ended up on the Mall in Washington after I think stops in Philadelphia and someplace else. So, you know, to that extent, speech writing issues and events that are related to his legislative responsibility, I was involved.

DN: Did the nature of your work and working relationships change at that point? I moved out of the office, as you said, there were changes in the Senate staff, and you were continuing as the director of the subcommittee.

LB: Well, lots of things changed. I mean, it would be, the campaign staff took over the Senate office and, you know, without getting into the specifics of timing, in '71 and '72 efforts were made to purge the staff. And an effort was made to, I think the most, least successful efforts were trying to replace me and trying to replace Gayle Cory, you know, Gayle Fitzgerald Cory, who was the executive assistant. They failed in Gayle's case because they had no appreciation for the long standing relationship she had with the family. And they failed in my case because while Muskie had hired me, they didn't have the authority to fire me; I wasn't on a separate budget. But the, so there was tension.

The office wanted to focus on the campaign, they wanted to focus on other issues, they wanted to be more involved in foreign policy, and they most of all wanted the campaign and the administrative assistant, John McEvoy, wanted to be in complete control of the senator's schedule. And to a degree, the subcommittee was an impediment to that, and it was an impediment to that for two reasons. Number one, the single most visible issue Muskie had was his involvement in the environment, thanks to Nixon's refusal to bring him to the signing of the Clean Air Act in '70, and for a variety of other reasons, because Walter Cronkite was talking

about the environment every night on his, on the *CBS Evening News* because it was sort of a focus of national attention because of Earth Day and so on. He had opportunities for publicity in this area that he didn't have anywhere else.

And the second reason was that, I think, and this is retrospect, I think he found a good deal of comfort in being able to go and hide behind public policy. He didn't particularly like the campaign trail. That was my impression. He didn't particularly like, he distinctly did not like being told what to say. He had, I think probably his single most significant limitation was he never liked to say the same thing twice. He always wanted to have a fresh reach and a new idea. And, you know, I would argue with him, you know, that you've got to say things over and over and over again, you've got to have messages that just repeat and repeat. And he said, "Well I'm not going to do that." And so he would come back, you know.

Here's an interesting statistic: in 1971 and 1972, the subcommittee of which he was a chair, and the committee of which he was a member, spent forty-five days of hearings, excuse me, forty days of hearings and mark ups on the Clean Water Act, and then held forty-five conference committee meetings, many of which preceded New Hampshire. So he was, he was in 1971 when, or under today's rules senator's would have disappeared from the United States Senate, he was spending his working week in the Senate and campaigning more or less on weekends. And that frustrated enormously, the campaign staff, made me somewhat of a *bête noire*, and made him very happy. So anyway, I mean, it was an interesting phenomenon.

And the other, another interesting thing is the, that his colleagues, Republican and Democrat alike, knew what he was doing. And especially the Republicans, they all knew he was the front runner, they all knew that they had a Republican president that they wanted to reelect, and yet they did nothing in that entire time to impede his effectiveness as a legislator. And, and taken in today's context, that's quite mind boggling.

DN: Did you get a sense of that when you were working with him on the legislation?

LB: Well, it was clear to me that there was no change in the relationship he had with people like Senator [John Sherman] Cooper of Kentucky, and Senator [Howard] Baker of Tennessee. And I don't really think it occurred to me until I have seen in more recent years the development of partisanship in the Senate that didn't exist before, that members of the Senate were able to separate the political ambitions of one of their colleagues from the legislative responsibilities that they shared.

And frankly, you know, I think part of that was his willingness to show up and attend meetings, and he never grandstanded. If he was front runner for the Democratic nomination in 1971, his colleagues knew it but they never knew it from anything he did or the way he performed, which, you know. And part of that, too, was he didn't have the press pursuing him like they would today if he were a front runner. And I think that might have changed his colleagues' attitude a little bit if they had seen the, if they had to compete with the press in the way that they might have.

DN: In an interview, Senator Baker remarked on two things, in a way. One was the

collegiality of the working relationship generally, but also in retrospect some frustration at being in the minority and never forgetting that you were in the minority, and that ultimately the decisions would be made by the Democrats, and Senator Muskie in particular. Did you get a sense of that during that period?

LB: No, I think that that's a retrospective look that might be colored by more recent events. The, in the first place, if I recall, and I think I mentioned this in an earlier interview, when Jim Buckley expressed surprise that there actually was debate and discussion of issues and that Muskie just didn't come in with a bill, pull out a pocket full of proxies, and vote it out like [Senator Henry "Scoop"] Jackson did in the Interior Committee.

Secondly, to a very great degree, the, the environmental product, the Clean Air Act and the Clean Water Act, key provisions were concepts that were advanced by Republicans. The Oil Pollution Act of, the Water Quality Improvement Act of 1970, which was the oil pollution legislation, if you recall, provided for strict joint and several, and unlimited liability for clean up of oil spills. That whole concept was initially articulated by Howard Baker, who was satisfied that the concept of contributory negligence, which had been the prior law, meant just endless litigation with no assigned responsibility. And so if there, if there's one provision of law today that the Republicans would most like to repeal in the environmental area the, that is one of them, because they don't like the idea of strict joint and several retroactive liability.

And the, I mean it is true that because Muskie got up earlier in the morning and worked a little harder, and was more willing to take risks, that there were ideas in these laws that he advocated. But, not at the expense of alienating his colleagues or anything. John Sherman Cooper absolutely detested the idea of administrative penalties. He talked about bureaucrats issuing tickets, and he thought that there ought to be an intervening judicial process before somebody was penalized, that regulators should not be judges.

And the, I think with the Clean Air Act, when we were getting for the final full committee mark up, the penultimate mark up, Cooper said to his staff person, Tom Jorling, "Have you gotten civil penalties out of this bill?" And Jorling was the principal advocate, his staff guy was the principal advocate of administrative penalties. And Muskie looked at Tom and he said, "I had understood that those were going to be removed at Senator Cooper's request." And Tom says, "They'll be out of there when you see the next bill." And they disappeared. I mean, I happened to agree with Cooper philosophically, and always have. Tom, I think Muskie agreed with Tom, but he was not going to put out a bill that contained a provision which Cooper felt extraordinarily strongly about.

So, and even a better example was, on a particular, Mus—, Howard Baker always gave Muskie his proxy, you know, which sort of challenges Baker's memory a bit. But on one occasion he gave Muskie his proxy, and he admonished me, he said, "You tell Ed that on that Scott Amendment, if Scott is the only person voting for it or against it, he should cast my proxy for Bill Scott." And so the vote came, and it was like twelve to one, Scott being And I leaned over to Muskie and he quickly said, "Oh, excuse me, I'm sorry, I have Senator Baker's proxy and he wants to be voted with Senator Scott." And Scott went nuts, the idea that a Republican would give his proxy to the chairman and the chairman would cast his vote in my favor. It was an

incredible scene, but it was, you know, it was how that committee operated. The divisions in that committee were much more traditional. You had the old line Southern Democrats, [Jennings] Randolph, B. Everett Jordan, you know, like on one side, and then you had Cooper and Muskie and Baker and [Birch Evan] Bayh and [Thomas] Eagleton, and even [Robert "Bob"] Dole on the other side.

DN: During this period, '70, well really '69 to '72, the senator also was up for reelection in Maine. Did that campaign involve much in the way of environmental focus?

LB: Yeah, the, well, let's see, '70, no, '76 had a lot of environmental focus, but I call '70 the anointment election. He was so, I can't remember, did, is that the year [Robert "Bob"] Monks ran?

DN: No, Monks ran in '76.

LB: That's right. Who ran in '70?

DN: Seventy was, that, now I'm -

LB: That's the point. Muskie was so incredibly popular after his '68 performance as vice president, that he was literally anointed for reelection. It was -

DN: I'll tell you, it was Neil Bishop.

LB: Neil Bishop, that's right. And the, Congress came back in session after the, they had a lame duck session. And I don't know that he actually spent more than a few weeks campaigning after the Congress went out, because I don't believe they went out until mid-October, and they were only gone for a couple of weeks.

And I may not have said this, and I'm sure others will have said it, but he had a unique style, which I learned later as his administrative assistant when I traveled with him in Maine. He would go in any given visit to Maine, he would always try to do a partisan event, a public service event, and a media event, whether it was an editorial board or whatever, so that he basically covered all of the bases in the context of a day and a half. He wasn't, unlike today's senator who runs back and forth every weekend, Muskie hardly ever went back and forth except in the summertime. And when he did, it wasn't to go campaign around the state of Maine, it was either to go to Kennebunkport or go to Campobello. And in between I would say we'd have, and I was somewhat at a distance from this, in the '69 to '72 period, that I don't recall that he spent a lot of time in the state on weekends or otherwise. And, of course, there were a lot fewer recesses in those days, and so you, you know, and the, you had August recess and he would go to Maine. He would do some political things but he wasn't, he wasn't terribly, he certainly didn't want to come back here.

DN: In the end, of course, the senator did not get the nomination and he returned to his Senate work. Do you recall his reactions to the defeat, or the non-winning in '72 when he came back to focus on the Senate?

LB: He was pretty depressed. He did throw himself into the Clean Water Act, but he was clearly not a happy camper. I know that we had, he and I had some pretty difficult moments in that period. Actually, in many respects, he was better after the convention. But between New Hampshire and the convention, he wasn't very pleasant to be around. After the convention, the Congress wasn't here very long and he came back, I mean, and he was, you know, he took on the [Richard M.] Nixon veto with a rare vigor.

And the Clean Water Act Conference was a tour de force for him in the number of hours that he was. And he did, you know, he'd go into these meetings with the conferees and he would sit there for hours waiting for a quorum to show up. And I would say, you know, "Why don't you leave?" And he said, "Because as long as I'm willing to sit here and they're not willing to show up, they're the ones who are going to be responsible for its going down if it goes down. And I'm going to be able to say, 'look guys, I've been here. I've been willing to compromise with you, I've been willing to discuss this with you, but if you're just going to, you know, the fact is that I will be here when you're ready to talk'." And whether or not that influenced the ultimate outcome, I don't know, but I know we spent a lot of hours sitting there and, you know, chatting and talking about policies and so on.

But it was a difficult time for him, and he went through this whole metamorphosis where he decided after he'd lost the election, after he'd not gotten nominated, when he came back, that he was going to focus on foreign policy; that had always been his first interest. And I had asked him to become his administrative assistant, because McEvoy was going. And he told me "No", that he didn't want me to be his administrative assistant. He was going to hire Maynard Toll, because I didn't know a damn thing about foreign policy, and he wanted to focus on foreign policy. And those, by the way, this leaves out the fact that McGovern asked him to be his running mate after Eagleton.

DN: Oh yes, we haven't -

LB: I will come back to that in a second, just to finish this point. So the next two years he rose, he rose to the day on, when the Nixon administration was trying to gut the Clean Air Act during the energy crisis. But other than that he was bored, I was bored, it was a pretty dispirited time.

But going back, this is a Billings story, but I had decided not to go to Miami to the Democratic convention because I really didn't want to see him get any more hurt. And I told him I, I actually told him, I said, you know, "I don't know why you're wasting your time going to Miami." And it really pissed him off. I mean he was furious with me for just, as angry as I've ever seen him get with me. And I went off to Montana, and I was up at my folk's cabin with no telephone, and the sheriff came and got me. And he asked my father, "Is Leon Billings there?" And Dad said, "Yeah," he said, "what do you want?" He said, "Well there's a guy named Eagleton on the phone in my office, and he wants you to call him." And so I had to go into town. I called Eagleton and he said, "How soon can you get back to Washington? I've been nominated to be vice president." And I didn't know. So I got in my car and I drove non-stop back to Washington and met with Eagleton and some other people and we started putting together a vice presidential

campaign. And then, whack, Eagleton goes out the door.

And then the rumors started to come out of who McGovern's going to pick. And he, I don't think Muskie was number one, but he may have been number two on the selection list, but he was very high on the alternatives. And my, again, recollection is that Jane [Muskie] very badly wanted him to do it, and that, and this is something, if you're going to do Berl [Bernhard], you need to ask Berl about this, because Berl was in the meeting at his house when this discussion took place, so he can flesh it out. Muskie was, I think, sort of ambivalent to the, you know, never give up hope to be president of the United States, but. And I think Berl was adamant, as were, and there were other people at that meeting, I was not one of them. I mean, I expect McEvoy was there and others. But that was a telling decision in Muskie's life, and it's something that we need to get into this oral history, get people's, because there are people who remember it very well. But -

DN: Was George Mitchell involved in that meeting, do you know?

LB: I suspect, but I don't know. I think Berl and McEvoy were, because McEvoy was still AA I believe at the time, I know he was. I wouldn't be surprised if George was, and I wouldn't be surprised if, you know, there may have been somebody else like Clifford or something involved, but Berl will be able to tell you. Aren't you doing him?

DN: Yes.

LB: And that's, you know, there are a number of things that were going on during this period. We had the funny phones incident, when the phones in my office would ring and you would pick up the phone and you would be automatically connected to the, one of the captive nations' embassies, like the Latvian embassy or the Lithuanian embassy. And, I mean, it was very, very strange. And we had, in that period Charlie Lander would, because John McEvoy was by this time seriously paranoid, as was everybody else in the campaign because of all the things that were going on, would come down and sweep the phones in the Muskie office. We called the telephone company when this happened, and we were told later that this was the result of a switching error over at the Southwest Telephone exchange. Of course, that was the building in which the CIA had its principal, had a whole floor in the building.

But on one occasion I picked up the phone and it automatic, as if I'd dialed, it rang John [Anton] Blatnik's office. Now, John was chairman of the House Committee on Public Works, and he was the person with whom we were negotiating on the Clean Water Act. This is all spelled out in the extensive memo and Berl's testimony before the Watergate Commission, but it is, was always pretty clear to me and I think to others that the people who were doing the political dirty tricks for the Nixon administration had tapped our phones. And that caused not just a little bit of angst among all of us. And that got us pretty close to the campaign.

DN: You had gotten the call from Senator Eagleton. Had you worked closely with him on the committee?

LB: Yeah, I actually made Eagleton, convinced the senator to make Eagleton vice chair,

because we knew he was going to be gone a lot and we needed somebody to hold the hearings. And we didn't want to turn it over to some other members of the committee. And Eagleton was very anxious to do it, he was a strong, strong supporter of Muskie, very, very committed to him. And so, and he was, Eagleton was a fascinating guy because he had sort of an Irish terrier approach to inquisitions, and he would go after environmental antagonists with great glee and endeavor. And he also, he did pretty much what Muskie said. He and I became close, and are still close, personal friends. I worked with him on a lot of stuff, and we used to, you know, he came to the Senate after I did and I kept telling him, you know, senator, you got to act like a senator, you don't carry your own bags. He thought he was Jimmy Carter. He and Joe Biden were my two trainees. But he was a very loyal friend.

DN: How did he react to the whole business when he was dumped from the ticket?

LB: It was pretty, he was pretty devastated. He just sort of went to ground and he disappeared for a while. I mean, it was very embarrassing, it was humiliating. But he bounced back remarkably well. I used to tell him, he had a great sense of humor, I used to tell him that he should take comfort in the fact that he was the only a United States senator who could produce a certificate that he was sane. But he, it took him a while, it was, not only was it a bad thing to do, but it was so badly done, just.

DN: And what was your role in that short campaign?

LB: We were getting ready to go on the road, I was going to either take a leave of absence or what and travel with him. And Don Alexander, now Judge Alexander, [Maine] Supreme Court Judge Alexander was one of them, several others. But Don and I were, Don was going to be the campaign counsel and I was going to be speech writer and just take off and hit the road.

DN: Now, how did Don Alexander get involved at that point?

LB: He was working for me as counsel, committee counsel. And so he actually was quite close to Eagleton because Eagleton's style was as an inquisitor, and Don was very much your dog with a rat in its teeth when it came to some of these issues that he and Eagleton were, I mean, I actually had to calm them down from time to time because they were both so aggressive. Don is an incredibly brilliant man who could see things and put them in context that worked very well with Eagleton.

DN: Before we leave this whole period, I wanted to ask you about the staff people with whom you worked up through '72, and then we'll talk about subsequent staff members later. And I'm thinking particularly here of the subcommittee staff because they were an interesting cast of characters, starting with Ron Linton and Dick Royce, [M.] Barry Meyer on the Public Works Committee, [C.] Ann Garrabrant comes to mind, who was one of the staff members.

LB: Well, we had a, it was an interesting group. Unfortunately Linton managed to get me hired and then left very shortly thereafter because of the death of Pat McNamara. Royce was staff director for quite some time, he had a very, very, very serious alcohol problem. But he was, you know, he was one of these guys who was smart enough to hire competent people, and he

hired Barry Meyer as the committee counsel, and Barry was extremely good. I mean, in terms of representing, Barry was as good as I knew anybody to be at representing the committee position and Senator Randolph's position when they were disparate.

And then, you know, there were a coterie of other people that I think that, a guy named Hal Symes who was the committee printer who we depended on. Hal could find anything anywhere, and get it for us in a timely way. He could get, back in those days before all this computer stuff, we'd send bills over to the GPO and have to get them back in twenty four hours for another mark up, because Muskie insisted on having a printed version in front of him. And Symes would do it, he was a lifelong printer, had been in GPO. Then he was succeeded by a guy named Paul Chimes who was equally as good. On the subcommittee, Ann Garrabrant, I believe Ann Garrabrant came to the committee slightly before I did, and then she left for a year at one point and then came back. And she was, she started out as sort of a secretary and moved herself into a professional staff role. And was very loyal to Muskie, and has been very loyal to me forever, ended up doing a lot water resources stuff.

The interesting dynamic in the period between '67 and '72 was Richard Grundy. Randolph's people were very concerned about Muskie's left-leaning position, and they were more concerned about me, and so they hired Grundy and imposed him upon the subcommittee.

And we had, we had at one time, and remember in those days, because Randolph did not believe that there was such a thing as a woman professional. That all the, so the best you could be was a research assistant if you were a female on the majority side, even though there were lawyers, women lawyers on the minority side. We had Cecily Corcoran, who was [Thomas G.] "Tommy the Cork" Corcoran's daughter, and then she was succeeded by Sally White Walker who was then, well then Charlene Sturbitts joined with Sally, then Sally left. And Charlene went on to law school and became committee counsel, and then the legislative director for George Mitchell. Charlene came on in the summer of '72. But Sally Walker

And we had John Freshman who was a, had worked I think originally for [Robert] Stafford, maybe, and he came over on the majority side to work on water pollution. And we had Karl Braithwaite who came on to work on air pollution, he'd worked for [Frank Edward] Moss and [Joseph Manuel] Montoya. We had Alexander who had worked for the National League of Cities as their counsel.

But all of these people were loyal to me and to Muskie, except for Grundy who was loyal to the chairman and much closer to the coal industry and so on, and to Royce. And he was, it was a constant problem of information leaking out on the one hand, and on the other hand Grundy would take positions that he would assign to Muskie. And you will recall that it was as much as our life was worth to be quoted in the press as saying something that was a Muskie position, or to be quoted in the press at all. We were to be not heard and seldom seen. And Grundy had this, he would talk to press people and say, "Well Senator Muskie believes this," and "Senator Muskie believes that." And he was right across the partition, and I'd go around and say, you know, "You can't say that. You have absolutely no authority to say that." Well, it was a very tense situation for a number of years, and finally he was moved out and took another position.

Then we had Phil Cummings who was committee counsel who I brought in as an intern in '66 who came on, went on to become general counsel of the committee and was there for nearly, more than twenty years. But he, Phil was our legislative drafts person, he drafted most of the stuff that we dealt with. He personally was responsible for the solid waste legislation for years. And then we had a guy named Bill Small, who was somebody that Royce brought on to be a writer. And Dick Wilson, who was somebody I brought on to be a writer who wrote one or two really fantastic speeches and didn't seem to have the wherewithal to write any more. So that, you know, that's sort of the

I tell you, the most fun thing though is remembering the relationships with people like Sandy Poulin and Susie Nicholas and Gayle, and the front office in the Muskie office. They were intensely loyal, but they also had a full appreciation for the, I mean, the people in that office, you know, they were fun, it was a fun office. Jack Whitelaw and Bob Shepherd, but Susie and Gayle and Sandy were the, and we need some time to talk about, did we talk before, I guess we did talk before about -

End of Interview