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McEvoy, John oral history interview

Don Nicoll

Interview with John McEvoy by Don Nicoll

Summary Sheet and Transcript

Interviewee
McEvoy, John

Interviewer
Nicoll, Don

Date
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Place
Washington, D.C.

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Biographical Note

John Thomas McEvoy was born in Council Bluffs, Iowa on April 9, 1937 and grew up in Omaha, Nebraska. His mother was a schoolteacher and later a homemaker. His father worked for the Federal Home Loan Bank System.

He studied at and graduated from Creighton Preparatory School, Creighton College of Arts, and Creighton Law School in Omaha. He obtained a Master of Laws Degree from Georgetown University in 1964.

He served three years as an officer in the Army Judge Advocate General's Corps in the Office of the Army General Counsel and the Office of the Special Assistant to the Secretary of Defense.

He served Senator Tom Dodd as a legislative assistant in 1965 and Senator Joseph Tydings as a legislative assistant from 1966 to 1968. He was Staff Director of the District of Columbia Committee in 1969 and 1970. He was Senator Muskie's Administrative Assistant from 1971 until the presidential election of 1972. After practicing law for two years in Washington, he returned to Muskie's staff as counsel to the Budget Committee in 1974. He became Staff Director of that Committee in 1977. He left at the end of 1980 to resume the practice of law until 1989, when he became Executive Director of the National Council of State Housing Agencies until his retirement in 2001.

Scope and Content Note

Interview includes discussions of: family background; McEvoy's education and the decision to go to law school; the Korean War; Adjutant General's Corps and the move to Washington, D.C.; McEvoy's early legislation work; Dodd's scandal; Tydings to Muskie; Staff Director of the District of Columbia Committee 1969 to 1970; and his decision to work for Muskie.

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NOTE: This interview has been revised at the request of the interviewee.

Don Nicoll: It is Tuesday, excuse me, it is Thursday, the 2nd day of November, the year 2000. We are at 444 Capitol Street, N. Capitol Street, Washington, D.C. in the office of the National Council of State Housing Agencies interviewing John McEvoy. John, would you give us your full name, spell it, and your date and place of birth?

John McEvoy: Okay, it's John T. McEvoy, that's for Thomas, M-C-capital E-V-O-Y. I was born in Council Bluffs, Iowa in, on April 9th, 1937. Council Bluffs is right across the river from Omaha. I was truly an Omahan, my mother's O.B. happened to live in Council Bluffs.

DN: So were you brought up in Omaha?

JM: Yeah, I spent my life until I was twenty-four there.

DN: And where did you go to school?

JM: I went to high school, college and law school through a series of Jesuit institutions all under the name of Creighton: Creighton Prep School, Creighton College, and Creighton Law School.

DN: Did you have siblings?

JM: Yes, I had a, I have a sister who is two years older, and my brother who was three years younger died last year.

DN: And what were your father and mother's occupations?

JM: My mother had been a school teacher before she and my father married in the thirties. She became a housewife after that and never worked again outside the home. My father, for as long as I was alive, worked for parts of the Federal Home Loan bank system, and wound up a vice president of something called the Intermediate Credit Bank in the five state area around Nebraska.

DN: And were they a political family, or -?

JM: Yeah, I'd say I had exposure to politics in two ways, Don. My father in retrospect, much more than I knew when I was there, was deeply interested in current events and it was a frequent subject at the dinner table. I can remember spirited denunciations of the Taft-Hartley Act which I didn't really understand, and certainly during WWII when I grew up there was a lively discussion of events in the world. My grandmother came to live with us when I was about thirteen years old and, you know, I talked about Senator McCarthy just before this interview began. She was from Milwaukee. She was a McCarthy partisan during the years when McCarthy was rampaging on the question of Communists in the government, and she and my father had violent arguments at the dinner table over it. So, yeah, I had a full dose, I think, before I ever got out of grade school, of exposure to politics.

DN: Now was she your father's mother or your mother's?

JM: No, my mother's.

DN: Your mother's. And I assume from what you've said that your father and mother were Democrats.

JM: Yes, as a matter of fact, yeah, I'm not even sure my grandmother wasn't, but being from Wisconsin she took the position she did.

DN: Now, what made you decide to go to law school?

JM: Well, I had the basest of motives. *Perry Mason* had just become a television series and it

seemed to me an entirely admirable business to be able to sit around with a good looking secretary to take notes, some law books behind you that you obviously never opened, and investigator to get all the facts of the case, and a total stooge as the district attorney to defeat and then you emerged triumphant in a great dramatic courtroom scene. And that sort of, the image of being a practicing lawyer was not unattractive. It was kind of the early version of what later *L.A. Law* did to get kids into school.

But the other practical reason is that I had an English degree when I got out of college and the Korean War draft was still on and I had no potential for deferment, and, under any circumstances, nor could I make a living with an English degree. So the combination of pursuing a profession, and avoiding the draft for three more years while doing it, seemed not only to be prudent but my only recourse, so I went to law. I knew I didn't want to become a doctor, didn't have much interest in dentistry or pharmacy, and law school was the only other alternative.

DN: So you graduated from law school after your undergraduate work, and at the age of twenty-four you left Omaha.

JM: Yeah, the Army actually was the operative force. The Korean War draft had not ended when I got out of law school and I was draft bait back when, before there was any lottery system, long before it. And I had the choice between going into the Army as a private and going in as an officer if I went into the Army or the Air Force Judge Adjutant General's Corps. And the Army promised me Washington and the Air Force wouldn't promise and tended to send its new second lieutenants to distant places like Thule, Greenland and I thought that the Army made more sense. So that's how I left Omaha and that's how I came to Washington.

DN: And you were in the adjutant general's office here?

JM: No, I was in the Judge Adjutant General's School down at Charlottesville after going through basic infantry training at Fort Benning, when the Army General Counsel, which was a civilian office, had a vacancy. And they used to as a matter of convenience ask for young Judge Advocate General Corps officers because they could expand the office as they needed to and then if they wanted to contract they could simply send them back without civil service complications. And if the person didn't work out, they could let them go without civil service complications. And as it happened I was one of three interviewees for the job, carefully selected by the Army so as not to expose any of their regular officers to this indecent civilian work. One of the other two guys didn't want the job and the third, who was probably better qualified – he had gone to a better law school and he was quite bright – had a very unfortunate physical characteristic of eyes that not only bulged but the pupils went in different directions so it was very distracting to look at him. So between one guy throwing the job and the guy distracting the interviewer, I got it.

And so I spent three years in the Army, two years in the Army General Counsel's Office during which time Joe Califano [Joseph A. Califano, Jr.], who later become secretary of HUD and special counsel to President Johnson became the Army General Counsel. That's when I met Elsie Vance's father [Cyrus Vance], because he was Califano's patron and had become Secretary

of the Army. And later Secretary McNamara asked Secretary Vance to become deputy secretary of defense and the two of them settled on Joe to be their mutual special assistant. And Joe got me up there with him because he offered me the chance to work against Senator Goldwater in the 1964 presidential campaign. So I was a captain in the Army violating, I'm sure, Army regulations and civil service regulations, because I got out of the Army during that period and crossed over to civil service with the same job, doing negative research on Senator Goldwater.

DN: And how long did that continue?

JM: I spent nine, well somewhere between six and nine months in the Secretary's office, in Joe Califano's office, maybe it was closer to a year, and burned out really. Joe worked people very hard. He was very good to work for but very hard. And I was looking for something else to do and was going to go back to Omaha, but really wanted to work on the Hill for a while. And to make a long story short, Matty Matthews, somebody of your acquaintance, Don, when you were up there, put me onto a job with Senator Tom Dodd. And so I went to work in April of 1965 for Chris Dodd's father. I became a legislative assistant.

DN: And how long were you with Senator Dodd?

JM: Just nine months and that's because I, this is one of the more interesting stories of my life, but you don't have time for it on this tape, probably. I learned of the incipient scandal. The job that I got as it turned out was created because Jim Boyd [James P. Boyd, Jr.], his administrative assistant, had left taking with him thirteen boxes of incriminating documents. And I learned of that scandal on the night that Joe Tydings, a senator from Maryland, had offered me a job, provided I was a free agent. The Senate was a more collegial place in those days, so he couldn't offer me a job as long as I was on Senator Dodd's staff.

And I was ruminating with a fellow Dodd employee about the dilemma I had. Tydings wanted me to stay two years. I really had only gone over there for a year or so before I was planning to go back to Omaha, and here I, I wasn't doing anything. Senator Dodd was very generous to me but I wasn't doing anything productive. He wasn't really interested in anything and I felt at sea. And here Tydings, who was an up and comer was offering me this job, but with a two year commitment, and I had to quit the one I had overnight to do it. And this fellow said, "Take the job," and told me of the scandal, which did break six weeks later and brought Senator Dodd down.

DN: It was the deliberation over whether to shift and your conversation with a fellow staffer that revealed the scandal to you.

JM: Yeah, it's actually quite a story though it's not necessarily germane to the Muskie Archives. Senator Dodd had suffered a series of strokes and had a family history of it, and had become a severe alcoholic, and whatever stature he once had was being lost. And he was censured by the Senate for double billing, going to speech events and charging the subcommittee for transportation expenses of which he was chair for giving a speech at that site, and then going across and giving a speech to a lobbying group and collecting from them, too. And that was, but that was the least of the things they really had on Senator Dodd. He was in serious trouble. In

fact, I think that when the Senate let him off, the Justice Department had the rest. And I believe that President Nixon effectively kept him in check for the rest of the time he was in the Senate until 1970 when he lost the primary. But that's how I wound up on Senator Tyding's staff. I quit Dodd the next day and went to work for Senator Tydings, and stayed with him until I went to work for Senator Muskie.

DN: And what were your responsibilities with Senator Tydings?

JM: I began and spent three years from the onset of 1966 through 1968 as legislative assistant. He was a member of the Judiciary Committee and very interested in gun control legislation and I had a lot to do with that at the time. And of course you're well aware because you were a participant, those were the years of the civil rights revolution and we were happily on the right side of that issue when it was going through the Judiciary Committee, so those were exciting times. And then, in 1968, I did a little Public Works work for him.. This is where I might have first encountered Senator Muskie, but did not. I found myself totally bored by the details of environmental legislation. that was never a good beat for me. And Tydings succeeded Alan Bible, a senator from Nevada who retired in 1968, as chairman of the District of Columbia Committee. He was junior on that committee but others didn't want it and so he became the chairman. He asked me to become its staff director. So I was staff director of the District of Columbia Committee in 1969 and 1970.

DN: And then your responsibilities there covered all of the legislation affecting the District.

JM: Yeah, there wasn't much because in those days John [Lanneau] McMillan, from South Carolina, was chairman of the House Committee and it was dominated by southerners determined to prevent the city from having home rule. So the big event of the year always was the Senate passing home rule for the District, and the House refusing to consider it. But two things happened during those years that were actually exciting. One of them was that the interstate compact, the Washington Metropolitan Area Transit Compact, that laid the foundation for the Washington metro subway system. The District of Columbia was the committee of jurisdiction and that was something the House was willing to do, so we got that done.

And the other big issue during those days was that President Nixon, who had been elected in '68, had a D.C. crime bill. The best part of it, and a lasting legacy for the city, was the reform of the court system and its very radical upgrading as it now exists, moving it from basically a police court to a serious court comparable to a state court system. But the controversial part of that bill and the part that everybody remembers was mandatory drug treatments, no-knock warrants, and pre-trial detention. And those were highly controversial issues that Senator Tydings felt strongly that President Nixon was right about, but it was in an extreme minority in the Senate. That legislation was passed, but it was an extremely difficult experience.

DN: What led you to decide to go with Senator Muskie?

JM: Well, that's when you and I first knew each other actually. I mean, I'm quite sure we had probably seen each other, but I don't know whether I had ever met you prior to that time. Joe Tydings lost in the 1970 election. He and Senator Gore, Sr. were the only two senators to lose.

And so I basically had to make a decision then whether to go into private practice or to stay on the Hill, and I'd been there much longer than I'd ever intended, six years. And in the meantime, I had given up any aspiration to return to Omaha. And Joe Califano as it happened was at, was a lead partner at -

DN: Arnold & Porter.

JM: Arnold & Porter. And I had looked at Arnold & Porter. I knew a lot of people there and considered it a good place to go to practice law, before Joe ever went there. He went there after he left the White House in 1968 when President Johnson left. I had almost gone there at that time before Joe got there, and so in '70 I really had a lot of friends who wanted me to come there, but Joe took me as his protégé. And in the meantime, Don, I don't remember now whether it was you or whether it was Berl Bernhard, someone talked, or maybe it was Harry McPherson, talked to me about the possibility, because you had gone downtown to run the campaign, of stepping in as Senator Muskie's administrative assistant. And frankly that was not something I had thought about doing, ever being administrative assistant to anybody. You had a different model. You were there much more involved in substance than a lot of AAs were and I wasn't terribly interested in being the traditional administrative assistant.

And so I'm afraid that it was the third of my, on my list of things to do. The first was to go to Arnold & Porter and make some money and do what everybody else does in this town after a period of time if they're a lawyer, or did in those days anyway. And the second, Tom Eagleton , who became chairman of the District of Columbia Committee, had made clear I could stay there if I wanted to. Eagleton was a lovely guy and I was tempted to do it. The least one was the Muskie opportunity but I decided in the meantime not to stay with the District of Columbia Committee and to leave Senate service altogether.

And it was a late winter night, you will remember this because I saw you, or you may remember it, I do. You were the person I was negotiating with or dealing with. It wasn't a negotiation. I owed you a yes or a no. I was really waiting to, make sure that I was on my feet at this law firm and I'd been neglecting you in that. You were patient with me. And Joe called me up one night, or his secretary did, and asked me to come down for a drink. And it was a cold winter night in December and I thought I knew what it meant. It was the night before the partners' meeting where I was to be proposed. And the problem with me getting into that law firm was I was over age and over paid. That is to say I was thirty-three and I needed, I had been used to more money than they were paying people who were that age and they weren't used to taking people laterally at that age. You should have come up through the firm. So it was going to be not difficult, but unconventional for me to go in.

And what Joe told me that night when we had the drink was the firm had had a bad year, that he couldn't propose me to go into the law firm at all, and he felt very badly about it. He didn't tell me he was bolting the place himself the next month to go over to [Edward Bennett] Williams, [John Bowden] Connally & Califano [law firm] as it became, and I think that may have been what it was really about. But I was devastated. There I was, I had determined I was going to do that and I was going to say no to you. Instead, that evaporates before my eyes and I left that place and walked down to L Street and you were in your office. And I went up and my, as I

recall my words were, “Don, if you’re still interested in me I’d like to have the job.” And that’s how it happened. I’d never met Senator Muskie.

DN: You hadn’t met him at that time.

JM: I may, I, I should take it back. I think I had a fifteen minute interview with him at some point and it must have been preceding that or we wouldn’t have been talking. He must have said it was okay.

DN: And when was the first time you met him after that?

JM: Well, it would have been after. It would have been in January I think probably. I think I probably went to work for him in January. I’d have to go back and look to be sure. And I, when I went to work the first day I believe he was out on the road so he probably came back the second or third day I was there.

DN: We’re going to pick this up later and pursue John’s career with Senator Muskie and then his subsequent involvements.

JM: Be delighted to, Don.

End of Interview