

## **Interview with Eliot Cutler by Andrea L'Hommedieu**

*Summary Sheet and Transcript*

### **Interviewee**

Cutler, Eliot

### **Interviewer**

L'Hommedieu, Andrea

### **Date**

April 12, 2002

### **Place**

Cape Elizabeth, Maine

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### **Biographical Note**

Eliot Raphael Cutler was born in 1946 in Bangor, Maine. His father was a physician and his mother was an economist. His father was responsible for the reorganization of the Maine university system and the Cutler Health Center in Orono, Maine is named in his honor. As a sophomore in high school, Cutler transferred from Bangor High School to Deerfield Academy. He attended Harvard University and Georgetown Law School. While at Harvard he was involved with the Harvard *Lampoon*. He worked as a legislative assistant and clerk for Muskie from 1967 to 1972, and was a senior staff person at the O.M.B. during the Carter administration. He is on the Board of Visitors of the Muskie School for Public Service at University of Southern, Maine in Portland, Maine. He is also a member of the law firm of Akin, Gump, Strauss, Hauer & Feld, LLP.

### **Scope and Content Note**

Interview includes discussions of: 1968 vice presidential campaign; environmental protection; Republican Party in Maine; community history of Bangor, Maine; and Cutler family history.

### **Indexed Names**

Abbott, Berenice  
Billings, Leon  
Billings, Pat  
Boyden, Frank  
Cabot, Jane Fenderson  
Coffin, Frank Morey  
Cory, Gayle  
Cutler, Kay  
Dingell, John D.  
Dubord, Dick  
Gibson, Susan  
Goldberg, Rube  
Hussey, Frank  
Jackson, Henry M. (Henry Martin), 1912-1983  
Kennedy, Edward Moore, 1932-  
Kyros, Peter N., Jr.  
McCarthy, Joseph, 1908-1957  
McGlynn, Bob  
Merriam, Bob  
Muskie, Edmund S., 1914-1996  
Nicholas, Susie  
Nicoll, Don  
Nicoll, Hilda  
Reed, John H. (John Hathaway), 1921-  
Sarton, May, 1912-1995  
Shepherd, Bob  
Spencer, Dick  
Stevenson, Adlai E. (Adlai Ewing), 1900-1965  
Stockford, Chip  
Thomas, Norman, 1884-1968  
Tukey, Philip E.

## **Transcript**

**Andrea L'Hommedieu:** This is an interview with Mr. Eliot Cutler at his home at 1172 Shore Road in Cape Elizabeth on April the 12th, the year 2002. This is Andrea L'Hommedieu. Could you start just by giving me your name and spelling it?

**Eliot Cutler:** Eliot Cutler, E-L-I-O-T, middle initial R, C-U-T-L-E-R.

**AL:** And what does the 'R' stand for?

**EC:** Stands for Raphael, R-A-P-H-A-E-L.

**AL:** And where and when were you born?

**EC:** I was born in 1946 in Bangor, Maine.

**AL:** And is that where you grew up?

**EC:** That's where I grew up, until I went away to school when I was about fifteen or so.

**AL:** And what was the Bangor community like when you were growing up?

**EC:** Well, it was probably not a lot different than it is today. It was, well, there was one big difference, it was a city then that in most respects was like it is today in terms of its size and its functioning, its role in the Maine economy. It was a services center, a retail center for northeastern Maine and for the Maritimes. But, and there were still some manufacturing in the area of pulp and paper and shoes in particular. Much of that is now gone.

But the big difference is that when I was growing up, Maine was, Bangor was dominated by the presence of a big Air Force base, Dow Air Force Base, located at what is now the Bangor International Airport. And it was the largest, or one of the largest strategic air command bases on the east coast of the United States. And when we were growing up in Bangor, we all prided ourselves on the notion, the knowledge or the notion, that we were probably one of the prime targets for a Soviet warhead. That gave us a certain distinction, we thought. And, and, but I grew up on the east side of the city and most of the kids, the dependents at the Air Force base, of the Air Force base personnel lived on the west side of the city. So the schools that I went to had relatively few Air Force dependents, they were just mostly kids from Bangor, I mean they were kids from Bangor, and it was a great place to grow up.

I went to Abraham Lincoln elementary school which has since been rebuilt, but which was then an old brick building about a quarter of a mile from my house, a real neighborhood school. And I then went to what is now called the William S. Cohen Middle School, what was then known as Garland Street Junior High School, and that was maybe a mile and a half walk from my house. And so it was all, it was a real neighborhood. We, my parents took us to Hancock Point in the summer, which was about thirty miles away on the coast and we had a little place on a lake called Hatcase Pond near Bangor, which is now actually owned by Donald and Hilda Nicoll. And it was a terrific time and place to grow up.

**AL:** Was it ethnically diverse?

**EC:** Was it ethnically diverse? No, I don't think it was any more ethnically diverse than it is today. (*Interrupted by barking dogs - pause in taping.*) It was certainly, it had to be less ethnically diverse than it is today. It was, there were probably three or four hundred, I may be overestimating, three or four hundred Jewish families in Bangor; we were one. There were three synagogues in Bangor, all Orthodox. One was the big one, one was the middle-sized one, and one was the small one. The small one was really small, tiny, and it was the most Orthodox. And it, they were less Orthodox as they got bigger, but there was, it was, you know. I went to Hebrew school in Bangor, there was a strong though not huge Jewish community. Most of my

friends now are surprised to even hear that there are Jews in Maine, much less that many in Bangor. But it was a strong Jewish community.

Obviously there was in Bangor, as there is throughout Maine, and northern eastern Maine in particular, a lot of French Canadians, some Irish, a lot of Irish I suppose, very few African Americans. I remember one who was a friend of mine, and I frankly can't recall more than a couple of other families. And in terms of the kind of ethnic diversity we know today, Asians, et cetera, there were very few. I mean, there were some Filipinos who had come to Bangor I suppose after the war, and a few other Asians, but that was about it. And I don't remember any Hispanics at all. So it was, you know, in terms of the kind of ethnic diversity that I encountered later, or that we have in Maine today, particularly in Portland, no, it was not at all diverse.

**AL:** When you were growing up in Bangor, socially, did you stay mostly within the Jewish community, or was it -?

**EC:** No, I didn't. I mean, I had several friends who were Jews, but most of my, I suppose at least as many if not more of my friends were not. And there was no pressure certainly from my parents to be, to maintain most of my friendships with Jews. And if I had done that, or if they'd asked me to do it, it would have been a very restrictive experience. So, you know, I mean I felt very much a part of the larger community.

**AL:** What recollections do you have of your parents' occupations and involvement in the community when you were a child?

**EC:** Well, I suppose that's really a dominant, that was certainly a dominant part of my life growing up, and a huge part of my memory of growing up. My father was a physician. He was chief of the medical service at the Eastern Maine, now the Eastern Maine Medical Center, then Eastern Maine General Hospital, and I think he may have been the first Jew admitted to practice at that hospital, if not the first, one of the first. He had grown up in Old Town, his family had been, his father had been in the clothing business in Old Town, a retail clothing business in Old Town. Gone to Old Town High School and then the University of Maine, and then to Tufts Medical School, and then he came back after and practiced in Bangor for a while before the Second World War and then went to the Pacific for three and a half years in the Second World War, and came home to Bangor after that to practice medicine.

And my mother, whom you've interviewed, grew up in Bangor. Her name was Katherine Epstein, and she was one of three daughters of Ari and Ida Epstein who lived on Essex Street in Bangor. And they were the only grandparents whom I knew, my father's parents had died before I was born. And he had, he, her father [Ari], had come to Maine in the 1880s as a twelve-year-old boy from what is now Lithuania, was then the Russian Pale, and had been sent here by himself, by his parents at the age of twelve, to escape conscription into the czar's army. And he was, he became a peddler as soon as he arrived, he spoke no English, and he used to walk from Bangor to Calais each week and back, peddling stuff. And he later went into the clothing, retail clothing business and that went bust, I guess. And then he eventually became a wholesale distributor for National Confectionery Sugar Company and actually became reasonably successful in that business. Along the way he'd been, you know, taught English by people in

Bangor, and sort of taken it in. And there was, and he had some distant relatives who'd come to Bangor which I guess why he came.

My mother is the oldest of three daughters. She went to Wellesley College, and then, she was a real radical in her youth, she was a Wobbly and, you know, demonstrated, you know, marched in picket lines around textile mills in Massachusetts when she was in college. And she became an economist and she got a master's degree in economics and then came back to Bangor. Well she, I guess she met my father and they got married in 1937 or 8 or so. And she had worked, I guess in New York for a while, but then she came back. But anyway, they got married and they lived in Bangor and he went away to the war. And while he was in the Pacific, she went back to, she went to Washington and worked for the War Labor Board as an economist. And then she came back to Bangor after the war with him, and I was born.

And they were both extremely active in the Bangor community and really throughout the state. My father was, while I was growing up and in school, and while my brothers, certainly my middle brother was in school in Bangor, dad was the chairman of the Bangor school board, which I don't remember as being as uncomfortable as it probably should have been for me. I guess I was never as sensitive to it as I should have been. It certainly meant that I got a lot of attention from teachers. I suppose I probably thought that was my due, whether or not my father, regardless of who my father was. But in retrospect, I'm sure that's why it happened.

And then he was appointed to the board of trustees of the University of Maine by Ed Muskie when he was governor, when Muskie was governor. And he became chairman of the board of trustees of the University of Maine and the University of Maine system. And he was the fellow who really was responsible for the creation of the whole University of Maine System at the time. It was, you know, there was the University of Maine in Orono, and there were state teacher's colleges in Gorham and Machias and Farmington and all these other places. And it was under my father's leadership that the whole reorganization of public higher education in Maine took place, and it became the University of Maine System. And he, I can't remember for how many years he was president of the board of trustees at the university, but it was for many, many, many years, and he was a remarkable guy.

He was a real leader who exercised leadership in a very quiet way, something I could certainly never emulate. And he was a terrific doctor, worshiped by, you know, nurses and patients, and a marvelously intuitive guy, and gentle, but very shy and really not gregarious in the way you might expect of a, sort of a politician. He wasn't that, he was just, he was a leader of a very quiet sort, very highly regarded, and extraordinary integrity and ability. And his office, his medical office, was in our house so, well it was in part of the house, attached to the house.

But we grew up on 33 Grove Street in Bangor and, so, you know, dad was always around which was terrific for us growing up. Even though he was often out in the evenings at meetings and the like, he was always there during the day. And if we came, and when we came home from school for lunch, he had lunch with us. And he, you know, he would come in off and on during the course of the day and just sort of be there. And it was, I didn't realize how unusual that was at the time and, you know, my life today is probably as different from that as any life could be in terms of my being around the house. I'm simply not, I mean I'm not even in the same city and

often not in the same country. And I was very lucky. I wish my kids had had an experience more like mine than theirs has been in that respect.

He also, our vacations in the summer were unusual. I only went to summer camp I think for one month one summer. And we, except for one trip we took when I was twelve, we never, we never went away on trips the way some families do now. You know, there was no Disney World then, but there was Disneyland, I mean, but we never went anywhere. We went to Hancock Point, my father would take off four to six weeks every summer, or at least two or three weeks and we'd be there for four weeks or six weeks. And weekends he was seldom occupied with anything, so we spent weekends here going to Hatcase or going to Hancock Point, we spent summers at Hancock Point, and that was our life. And it was a wonderful life growing up, terrific.

And my mother, I'm not sure there's anything she didn't do. She threw herself into a variety of social welfare organizations and causes when she came to Bangor, principally mental health care and women's education. And she had a career which was just as remarkable as my fathers, if not, in that time, more so. She started, I guess, by leading the charge to, well one of the first things she did was to lead the charge to, statewide, to, to separate the Department of Mental Health from the Bureau of Prisons. At the time, state government mental health care and prisons were in the same department, it was the Bureau of Corrections and Mental Health or something. I mean, it was, it relegated mental health care to a status at best equal to prisons and corrections. And she led the battle to give it its own department in state government and attention.

She was, she founded the Eastern Maine Guidance Center, which was the first organization in eastern Maine to try to pull together social services for dealing with families and mental health care and so forth. And she led the Family Service Society and various and sundry other . . . . I mean she was a, she was the leader in organizing and promoting better family services and social welfare and mental health care in, certainly in northern and eastern Maine and to a great degree statewide. She helped start Spruce Run, which is the center for abused women and children in Bangor and eastern Maine, she was on the founding board of the College of the Atlantic. She and my father did a lot of this together which was interesting, particularly the Eastern Maine Guidance Center was something that they did together.

She, and then sometime in the sixties, she decided that women needed more help in finding their way back into the workforce. Now, the women she was concerned about at the time were women of her own, her peers, who, you know, who had come back, who after the war had raised their, the first kids like me from the post war generation. And who, by then these kids were teenagers, mid to late teens, and these women who were, many of them, highly educated or well educated, couldn't figure out how to get into or back into the work force. And so she got a grant, I think from the Department, U.S. Department of Labor, and set up something called the Women's Information Center in Bangor. And she spent two or three years counseling and training women all over the state in work force opportunities, in work opportunities, and how to get, how to deal with your family and how to get back into the work force and so on and so forth. Really, you know, twenty years ahead of her time. She was really out in front on that and made enormous contributions in eastern Maine, in that area particularly.

You know, she was one of the first three winners of the Hartman Award at the University of

Maine in Orono, she and May Sarton and the photographer [Bernice Abbott], you know, the great photographer in New York, my memory's failing me. Anyway, she really had a remarkable career, at least as remarkable as my father's. And uh, she lived in Bangor until three years ago when she moved here, and had lived in the same house in Bangor for fifty years when she sold it. So she is and was a remarkable lady.

**AL:** To go back to your father for a moment, where do you think he acquired his aspirations for the interest in medicine and higher education? Did that come from his family?

**EC:** I have no idea, I don't have any idea. I mean, I doubt it. At least I've never heard any reference to it. I don't know why he decided he wanted to become a doctor. You know, it's interesting, I never had those kinds of conversations with him. I'm not sure any of us did.

**AL:** Many of us don't have those with our families.

**EC:** Right, I know that. And higher education, once again I don't know where that interest came from. I'm sure it developed from being on the Bangor school board. I think he was on the Bangor school board just because, originally, just because it was a civic duty. He was a Jew and they probably wanted to put a Jew on the school board, and there'd probably been a token Jew on the school board for years and he was, you know, there. You know, he'd become a pretty prominent member of the community. And then I suspect that his interest in higher education came from his experience on the school board. Beyond that, I don't know. It would be an interesting question to ask my mother, and I will ask her. I'll see her this afternoon.

**AL:** The other question I had regarding your father and his appointment by Muskie to the university board -

**EC:** Why?

**AL:** Yeah, do you know any of the circumstances?

**EC:** No, but I'll try, again, I'll try to find that out. I never, I don't know. My guess is that -

**AL:** Your mother had mentioned that Frank Hussey had been involved in (*unintelligible phrase*), did you know him?

**EC:** Yeah, now that I think about it, yeah. Oh yeah, I knew Frank.

**AL:** Tell me. I don't have much of a description of him yet. But he was important.

**EC:** Frank Hussey was, well, I'll answer your question first and then I'll talk about Frank. Where would dad have come to know Frank Hussey? I don't know, I'll find out. But Frank was on the board, and Frank knew Ed and I would guess that that was probably how dad got appointed, but I don't know, I'll find out, I'll pursue that. Frank Hussey was the most remarkable ball of energy I think I've ever known. He was a potato farmer from Aroostook County and, from Presque Isle I think, somewhere near I think Presque Isle, Caribou -

**AL:** Or Fort Fairfield.

**EC:** Fort Fairfield.

**AL:** That area?

**EC:** Yeah, but I'm not sure which one of those cities in Aroostook County he was from. But he was a potato grower and a, and peripatetic, he never stopped moving, all over the state. He would show up in our house, you know, at the oddest times, I mean just to stay, sometimes he'd spend the night, he'd sometimes stay for dinner. He was on his way back up to Aroostook or back down to Augusta or down to Boston or somewhere. And he was always traveling it seemed to me, in his car. And he was always in a good mood, he was always happy, he was always enthusiastic, very enthusiastic. Just sort of, you know, 'go get 'em'.

And he had two or three sons, one of whom was a very successful lawyer in a big firm in Chicago, and may be retired by now for all I know. And Frank must have lived until he was ninety-something, ninety-five. I mean, I remember seeing him when he was well into his late eighties or early nineties and still moving around. He was a Democrat, you know, and one of the few Democrats in Aroostook County in the early years, and was a, you know, a real force in the Democratic Party in Maine and nationally, you know, I mean he was an active, very active Democrat.

Neither of my parents were, my mother was a registered Democrat and she, as I said, that was a compromise for her, she voted for Norman Thomas for president. I mean, she was a Socialist, a Wobbly, she was way out on the left and sort of moved back slowly, but not very much over the years. And she still, she is a dyed-in-the-wool leftist and remains that way, and has always been further to the left of me. I've, I'm not as much to the left as I used to be, but I mean she hasn't budged.

Dad was not, I think dad was a registered Republican, as a matter of fact, because, not because he was Republican or anything, I think he, I mean he voted probably for Democrats almost all the time if not, or most of the time, if not all the time. But he would have voted for John Reed probably for governor I would guess. Maybe not. But he certainly voted in the Republican primaries because he thought that was the only way you could vote effectively in the thirties and forties and fifties in Maine, for the most part.

But I think, I mean they were both, they both were strong Muskie supporters, strong Frank Coffin supporters. They were, you know, they were, my mother even was more of a partisan than my father. And I'll find out about that, I'll get the answers to those questions and we can in the next interview come back to the Frank Hussey stuff and how my father got on the University of Maine board.

**AL:** Now, you said you went away to school at age fifteen?

**EC:** Yes, I went away as a sophomore in high school. I'd gone to Bangor High School as a

freshman. Bangor High School was on double sessions at the time because we were in the old high school and it was terribly crowded, it was the front edge of the baby boom and the school wasn't sized for it. And I went to school, as I recall, from 1:00 until 6:00 or something. They had double sessions, and half the school went in the morning and half the school went in the afternoon. And I suppose in part for that reason, but mostly because I think I wanted to get away, I was itchy to get out of Bangor. I wasn't very motivated, I wasn't, I was doing all right in school but I wasn't working very hard at all, and I was bored I think. I certainly wasn't pressured by my parents to go away. I was the one who initiated it and I can't even remember how I came to know that there were alternatives to going to Bangor High School. I mean I just, I don't even remember. Something else I should ask I suppose.

But in any event, we had, I remember that we'd gone to California, we'd taken the only family trip we took when I was growing up in 1960. We took the train to St. Louis and then drove from St. Louis all through the western United States and back. And I remember, I do remember driving back to Bangor from Boston or New York, wherever we'd left the car when we took the train. And I remember, this is, it's funny, this is a very vivid memory and it's one of the few vivid memories I have from any time prior to the time I was thirty. But I remember sitting in our car coming back into Bangor on outer Hammond Street, and I was in the back seat and I remember saying, "I've decided I want to go away to school." So we started that process and I ended up at Deerfield Academy in Massachusetts. And to this day have a very strong link to Deerfield and feel great loyalty to Deerfield, and it was a great place for me. And my daughter ended up going there, too, so we have a family connection with Deerfield. And that's why I was there as a sophomore, junior and senior.

**AL:** So, what is it that made it so memorable? Certainly some of the people you met, but academically did it stretch you, was that something you were looking for?

**EC:** Yeah, academically I was challenged far beyond any challenge I'd had in Bangor, which is not to say that if I'd stayed at Bangor High School, it wouldn't be challenging, it probably would have been and I probably could have done well. But I don't think I would have had anything like the experience and the training I had at Deerfield. I learned to write at Deerfield. And that's the most important thing that happened to me by far.

I had two absolutely compelling English teachers. One, a fellow from Maine who now is retired and lives in Brunswick named Bryce Lambert, who had grown up in Houlton and was a bachelor and a school master and an English teacher of extraordinary skill, and really more than anyone taught me how to write. He was a very disciplined teacher. And if you, when you got essays back from him, if you used the word 'very', V-E-R-Y, as an adjective, he would cut it out of the paper with his scissors. And if you used too many verys, your paper looked like Swiss cheese. He had a rubber stamp that he used to use a lot, big rubber, big stamp that said 'bullshit', and if your paper came back with holes in it and bullshit stamped all over it, you knew that you hadn't done well. He was remarkable, and I learned to write.

And then my senior year I was in a, what would now be called I guess, an advanced placement English course run by a fellow named Bob McGlynn, another great teacher, great independent school master, who really polished that ability. And so by the time I got to college I really knew

how to write, which not only gave me an advantage from the get go in college, but really led to, as much as anything, led to my career. I mean, my career has in one shape or form been built on writing more than on anything else, and on my ability to write and to write well. So that was certainly the most important thing that happened to me at Deerfield, and I'm not at all sure it would have happened that way or that early at Bangor High School.

**AL:** And where did you attend college?

**EC:** Harvard College.

**AL:** And law school?

**EC:** Georgetown in Washington. I never really attended law school, I mean I have a degree from Georgetown. That's part of the whole Muskie story, but I went to Harvard College. I believe to this day that I got into Harvard almost entirely by virtue of the efforts made on my behalf by Frank L. Boyden, who was the headmaster of Deerfield. A fellow who had been headmaster of Deerfield, when he retired in 1964 [*sic* 1968], for sixty-two [*sic* sixty-six] years and, you know, was the last of the great headmasters of the great New England prep schools. He was, when he came to Deerfield in 1902, it was a little town grammar school, public grammar school, and he transformed it into what it is today, or into what it was when he left and it became what it is today. And he had developed relationships with a lot of admissions officers. In those days it was certainly less competitive than it is today, but it was still competitive. And I was an underachiever, even at Deerfield. But he thought I, he saw something in me and took me under his wing. And Deerfield was a very interventionist place, I mean they, you were, there were no girls, there was no social life, it was, you know, you wore a coat and tie every day to class. It was regimented, that's how we'd describe it today I think. But it was a great experience and it was a terrific place to grow up. My mother didn't always think so, my mother hated Deerfield for all of those reasons, and it certainly went against her grain.

**AL:** That it didn't allow women.

**EC:** It didn't, no, not at all, but I mean there were other, there were girl's schools and there were boy's schools in those days, and there were almost no coed boarding schools, if any. No, that wasn't what rubbed her the wrong way, what rubbed her the wrong way was that it was conservative, Republican, regimented, everything that went against her grain.

And there was one incident at Deerfield which I will never forget, nor will she. The number two guy at Deerfield, sort of the deputy headmaster, was a fellow named Bob Merriam who was about as tall as you, strong as an ox, short hair, tough, like a Marine. Not a Marine, but sort of a, he was the soccer coach and the hockey coach, and he was, you know, the enforcer. Frank Boyd never really got his hands dirty with the enforcement of the rules, Merriam did. Well, Merriam was a very direct guy.

And sometime, I think it was early in my, yeah, it had to be sort of the end of the first term of my junior year. I'd gone through my sophomore year, I'd done all right, not great, I'd obviously, you know, I was okay but I was, you know, I was getting D's. I'd made the debate team I think by

then, and I was, I don't know what else I was doing but I was smoking cigarettes a lot. And that hadn't gotten me into trouble, but I had to distinguish myself. And my testing, my test scores were always way up high, but my performance never matched it. As I said, I was a chronic underachiever. One of my best friends at Deerfield, I shouldn't use his name, one of my best friends at Deerfield was a kid about half my size, quiet, very smart, who got straight A's and also ended up at Harvard, but not by the skin of his teeth, the way I did.

One day, after the first term grades came out, Bob Merriam called me into his office. And I went into his office and I sat on a couch in his office, and there was a coffee table in front of the couch. And he walked up and he slapped down, on the coffee table, two pieces of paper. We'll call this other fellow Bill, it wasn't his name. He [Merriam] pointed at one piece of paper and he said, "Those are Bill's I.Q. scores," test scores, aptitude, you know, whatever it is. And he pointed to the other piece of paper and he said, "Those are yours." And I looked at it. Mine were across the board at least as good as, and in most cases higher than Bill's. And Merriam looked at me, he said, "What the hell is wrong with you anyway? Get off your big fat ass and start performing," or something to that effect. Well, you know, I mean, I walked out of there and whatever, I mean, I don't know, maybe it was blind luck or what, maybe it was extraordinary skill, who knows, but that lit my fire. I mean, from then on, whew, you know, I performed. And, maybe it was after the second term of junior year, it was probably after the second term.

And I reported this as I reported everything else in my Sunday phone calls home to my parents. Well, my mother drove to Deerfield the next Tuesday or something and confronted Merriam in his office and basically said, "Who the hell do you think you are? What do you think you're doing?" What offended her was not that he told me to get off my fat ass, but that he would have shared this other kid's confidential information with me. And, of course, she was right about that. And, of course, Merriam was right because it worked. So, anyway, that was Deerfield.

**AL:** Let me stop and turn the tape over.

*End of Side A, Tape One*  
*Side B, Tape One*

**AL:** We are now on Side B of the interview with Mr. Eliot Cutler. Just as a side note, could you, do you remember the spelling of the names McGlynn and Merriam?

**EC:** Sure, Merriam was M-E-R-R-I-A-M, McGlynn was M-c-G-L-Y-N-N.

**AL:** And so we talked about, well first of all, when you went to Harvard, what was your major, your interests?

**EC:** Well mostly when I went to Harvard I was interested, at least for the first year or so, in having a good time. Because, and I think this is true of a lot of kids, a lot of boys in particular who come out of boarding school, you know, the first year I spent trying to make up for what I considered to have been three lost years, socially. You know, I dated everyone I could find, I, most of my time was spent pursuing a social life.

And I really didn't have, I mean I did, I mean my academic interests were well defined before I got to Harvard anyway. I mean, I was interested in history and political science and government and politics and stuff, and writing. But writing to me was a tool, I never was interested in writing for the sake of writing. I always wrote, I mean I knew I wrote well and I used it as a means to further whatever other ends I was interested in pursuing. So I certainly spent the first year, year and a half, in avid pursuit of a social life.

I came to Harvard with a group of, I think there were twelve of us from Deerfield, and had sort of a rough time my freshman year in some respects. I was in a dorm with, I think there was maybe one or two other kids from Deerfield in that dorm, but my best friends from Deerfield were not in that dorm. And I was, I went with the, you know, my parents certainly thought that I should not room with anyone from Deerfield, I should put myself in the mix to get roommates. Well, I did and it was a disaster. I mean I got these two roommates, one of whom tried to commit suicide his freshman year. And one of whom was a real nerd, who was a sophomore, who (*unintelligible phrase*) of a freshman and ultimately became a sophomore midway through the freshman year, and.

Anyway, the only good result of all of that was that I ended up with my own three-room, I mean, my own suite. I mean, no one else, I had two roommates and then I had none. And so there was a very unhappy fellow upstairs who I invited to come down and share the suite with me and he did, and he and I became very good friends and so that was a little better. But, and I was in a dorm that wasn't in the Harvard yard, it was outside the yard, so it was a sort of a, it was a rocky freshman year. But I, it wasn't as great as I always thought it should have been or could have been in those respects.

I had a friend who I'd gotten to know the previous summer when I was working on Mount Desert Island in a summer job, who was a senior. He was from Millinocket and he was a senior at Harvard. And he roomed with a couple of other seniors in Quincy House who were, I mean they were a bizarre group of people. One of them was this Ivy League champion discus thrower and he and I became very good friends, and we got drunk a lot together. And one night he got so drunk he thought it would be fun to throw me out of the sixth story window in Quincy House. He was persuaded not to do that, and I was so drunk I was, I think I thought that might be fun. I mean, it was just a, you know, I was a freshman, they were seniors, I thought it was great to hang around with seniors. Anyway, it was a messy, messy freshman year.

Several of my friends from Deerfield had gotten involved in the Harvard *Lampoon* that freshman year and that sounded like fun, and so I tried out for the *Lampoon* my sophomore year, first semester in my sophomore year, and made it. And made it only after having been presented to Natalie Wood as the Oscar for worst actress of the year in a huge ceremony that made, that gave me my first national publicity. My picture was in every newspaper in America, painted gold from head to foot, standing like an Oscar and being presented to Natalie Wood.

The *Lampoon* had a tradition, which it still has, of (*sounds like*: promoting) worst awards in presenting awards for the worst picture, the worst actor and the worst actress of the year. Natalie Wood had been in a movie that was so bad that the *Lampoon* decided to retire the award by giving it to her. And her publicist, or her agent, must have been a genius because he or she

decided that it really made a lot of sense for Natalie Wood to say she wanted to come to Cambridge and accept the award personally, which many of them now do because it's a great publicity stunt, but she was the first to ever do it.

And so she came to Cambridge and there was this huge ceremony on the front steps of the Lampoon Castle. And I, in order, I mean I was told that I would be the, what's called the Roscoe I think, and so I dressed in long underwear that had been dyed gold, and then a gold bathing cap and my face was painted gold, and I was . . . . I mean, it should have been much more embarrassing than it was, I thought it was sort of a lark. The person who made me do this and whose idea it was is a guy named Dick Spencer who is a lawyer here in Portland and one of my closest friends now, and that's how I got to know him. Anyway, Dick decided this would be great fun, so we did that.

In any event, the *Lampoon* became really the focus of my, the rest of my time at Harvard, and I edited several parodies of the national magazines, and we had great financial success. It was a great experience and I enjoyed it. And along the way I majored in social relations which, believe it or not, was the name of the department. It was really social psychology, social psych, and I had a dual major, I guess, in social relations and government.

I didn't like the government department at Harvard very much because most of what, most of the, the government department at Harvard at the time was dominated by political philosophy types, and I had less than no interest in political philosophy. I had a lot of interest in government and politics and how things work, but I had almost no interest in the ideals of how they should work. And, what did they call it, the history of political philosophy, I mean, I found that, and found philosophy just boring as hell. And so I didn't want to major in government, which is what that department is called. And I developed a sort of cross major between government and social relations which I thought was pretty interesting, because it was about people and how they behave in groups and so forth. And that was really, I felt, what politics was all about anyway.

And politics was increasingly my real interest, and what, but I had a, my interest in politics was not, I had no interest in campus politics, I had no interest in campus political organizations. I wasn't active in the Young Democrats or the SDS or the this or the that. I had, couldn't care less, I mean I thought it was all, you know, sort of games, I mean I thought it was all kid stuff. I had no interest in it, I had, I thought campus politicians were jokes, amateurs, creepies, or, ugh. So I didn't do any of that stuff, I mean I had much more fun with the *Lampoon*.

My interest in politics was, though, was really very strong. And at the time, you know, I had decided years before that that I really wanted to go into politics. I wanted to run for office, I wanted to be governor of Maine at some point, I wanted to come back to Maine and run for office. And so I had set out on this course by then, I mean I knew exactly what I wanted to do. I mean, I wanted to finish college and I wanted to go to law school, and I wanted to come back to Maine and practice law and go into politics. So, you know, there was no, I wasn't in any kind of state, I never had any uncertainty about what I was going to do, I never, I just didn't have any, it just wasn't unclear to me in the least.

**AL:** So did, part of what interested you a lot, was it the strategizing for campaigns and the

polling and all that strategy?

**EC:** Yeah, and legislation and government and how, you know, yeah, the mechanics of it. I mean, the best courses I took in college, and stuff I liked the most, were courses in bureaucracy and politics and social psychology, the psychology of mass social movements and groups and so forth. And I, you know, I thought I understood a lot of it. And I did, I mean, I had a pretty intuitive grasp of it all. And I, and I was not caught up in the anti-war stuff at all, I mean I sort of had a, I was mildly against U.S. involvement in the Vietnamese conflict, with the war, but I wasn't intensely motivated by it. I didn't, I wasn't, you know, I wasn't demonstrating, I wasn't organizing, none of that interested me. The *Lampoon* interested me, the *Lampoon* was fun, and making money for the *Lampoon* was fun, and so that's what I did.

**AL:** Can you trace that up to the time when you really, your interest was first sparked.

**EC:** In politics?

**AL:** In politics and government.

**EC:** Well, my mother maintains, as I'm sure she told you, that it was when I watched the McCarthy hearings on television. I don't remember watching the McCarthy hearings. I think that, I think I was probably too young at the time to watch the McCarthy hearings on TV, but maybe she has a better memory than I do. I don't know. I don't remember watching the McCarthy hearings.

I remember, the first memory I had is listening to the election returns, I would guess in 1956, although it may have been 1952, when Adlai Stevenson lost to Eisenhower. I say it must have been '56 because by then I would have been ten years old, and I doubt that when I was six I was paying much attention to the election returns, but it's possible. But I remember sitting in our living room and listening to election returns. And ours was not a household where people cried because Stevenson lost, which was the case in many households with people who thought Adlai Stevenson was wonderful. But both my parents certainly were Stevenson supporters.

My mother tells the story, I'd be surprised if she didn't tell you the story about the time she took me to a PTA meeting. And I, this is when I was ten or twelve years old, and they were, it was a PTA meeting at the Abraham Lincoln School. And they were, I don't know what they were talking about but it was something that I felt strongly about and I wanted to speak. And she told me I couldn't speak. And I got angry and said that this was my First Amendment right to speak, and she probably told me I didn't have any First Amendment rights because I was a child. And I probably threw a temper tantrum, which I did in those days at the drop of a hat. And I never stood up and spoke, or tried to. I don't remember. I do know that after the meeting she took me home and she, my father was home, and she basically threw me in the back door of our house at my father and said, "Here, take him. If I stay here I'll kill him," or something. And she went off to drive around Bangor for a while, until she cooled off.

But I was very assertive, I mean, I sort of spoke my mind early on and believed that I knew what I was talking about at an early age. I still say what I think, I mean, I'm still remarkably

undiplomatic and candid. As a lawyer, I mean, as a, in whatever I do, I mean that's always been the way, that's been the way. And, but I don't remember any crystallizing moment when I decided I want to be governor. I know I wanted to be governor from the time I was twelve or thirteen years old, I mean I really wanted to come back to Maine and run for office. I'm not sure how I got motivated in that direction, and I'm not sure when there was ever a moment when it crystallized. Obviously I observed my parents being active and involved with the community and I respected that, and I'm sure I wanted to emulate it. But beyond that I really, I can't, I can't identify any time, any moment when I had an epiphany.

**AL:** So by the time you were down at Harvard, you had decided you wanted to, did you go immediately to Georgetown, or were you sort of . . . . ?

**EC:** Well no, first of all I, the, I had I guess the summer, the summer after my sophomore year at Harvard I spent the entire summer managing the publication of a *Lampoon* parody of *Playboy*, which was great fun. I spent the night at the *Playboy* mansion in Chicago. And I was, it was, and it was a great magazine that we prepared and it made a lot of money, sold out in three days. And it was the first parody by any college publication to have national advertising. And, I mean it was a real, for the time, a pretty glossy piece of work.

**AL:** Now, did you benefit financially from working on this?

**EC:** No, I was paid a salary but I didn't, I mean I didn't have a piece of the action, unfortunately. And then the summer of, for the summer after my junior year I was trying to figure out what to do, I decided I wanted to work in Washington. And so I wrote Don Nicoll a letter. Now, I can't remember whether, you know, I would have, in retrospect I should think someone must have interceded on my behalf, that is I must have asked somebody to write somebody and to call somebody. That's certainly the way I'd do it today. And I can't remember if I did or not. I do remember I wrote him a letter and told him who I was and that I was interested in an internship with Muskie for the summer. That was the summer of 1967. And he either wrote back or called me and said he'd be in Boston and would like to meet with me. And so I did. We met, he interviewed me somewhere, Cambridge or Boston, I can't remember where, and then wrote back and offered me a job for the summer, as an intern.

And so I came to Washington, I arranged to sublease an apartment from a friend of mine, my best friend based in Bangor actually, who was at Georgetown University in college. And so I subleased his apartment for the summer. And Dick Spencer who was by then in law school, was also going to be an intern in Washington that summer for Ted Kennedy. And so, and Dick lived in Washington, his parents lived in Washington. His father was, when Washington still had appointed mayors, the president used to appoint the mayor of Washington D.C. when it was a complete colony, now it's only a semi-colony. Dick's father was a lawyer, was one of the, was a mayor of Washington for quite some time actually, head of the board of commissioners I think is what it was called.

And so Dick was there, Dick lived in Washington, and Dick was working for Ted Kennedy and I was working for Ed Muskie. And it was a great, great, great, great summer. I, it really, it confirmed all of my ambitions. You know, that, it was my first real taste of working in politics,

in government. Every, you know, up to that time I had no experience. I'd never worked in a campaign, you know. Peter Kyros [Jr.], you know, had been by that point working in his father's campaigns and Ed Muskie's campaigns in Maine for, you know, for years. Not me. Everything I knew was what I'd read or imagined about politics. And, but I thought I knew it really well nonetheless. And . . . .

**AL:** So how did the reality match up with your -?

**EC:** Well, first of all it was fun, I mean it was great. I started out, you know, my first job was running the signature machine. I mean, I sat, shit, I must have sat at that machine for six hours a day, you know. I sat at that, I don't know if you know what a signature machine is, have you ever seen one?

**AL:** I've heard of it from other sources.

**EC:** I mean, it's this big machine, and there were disks, huge disks, and the disks were like this big (*gestures with arms*), and you put the disks in the machine, there were three disks. There was one disk which made the robo pin, or whatever it was called. There was this arm, I mean this is like Rube Goldberg plate, there was this arm coming out of this machine, this metal arm into which you put a felt tip or pen within it, I think we used felt tip pens in those days, I don't know. But you put a pen within this thing and screwed it in, and then you turn on the machine. And the machine, this disk which had sort of an undulating curve around it, had been made from some of Muskie's real signatures, or these disks had been made from Muskie's real signatures, and they guided the machine, they guided the arm. And so one disk was for Edmund S. Muskie, one disk was for Ed Muskie, and one disk was for Ed.

**AL:** Ed.

**EC:** Very good. And the biggest challenge of the job was to intuit or infer from the tone of the letter and the addressee, which disk to use. Now, you know, it was pretty clear if you were supposed to use Edmund S. Muskie. The real trick was choosing between Ed Muskie and Ed. Right? And I used to sit at that machine and, you know, there was these foot pedals and you, and then you hold this letter in here while it scrawled Ed or Ed Muskie, and then you put another one in it and, from stacks of letters. So that was one thing I did a lot.

Another thing I did a lot was that, well, I graduated to writing, to drafting responses to constituent letters, you know, I mean I was not immediately entrusted with the difficult stuff. I used to, oh, I'd drive the shirts to the cleaners, you know, pick up his shirts at the cleaners, stuff like that, errands. I would drive him occasionally. That was a real thrill. I would go out, take things to the house. I mean, you know, it was a summer job, it was intern's job.

But I, but the girls in the office, I said girls, the young women in the office, were wonderful to me. I mean, all, so was the, I mean I remember, I mean Don was the AA and Chip Stockford was the executive assistant, and the press secretary was Bob Shepherd, and Jane Fenderson was the legislative assistant. And there was Susan Gibson and Susie Nicholas, and Gayle Cory and, I don't know, there were a whole bunch of wonderful women in the office who took care of me. I

mean, Susie Nicholas, she used to iron my shirts, help me do my laundry (*whispers to Andrea - unintelligible*). Anyway, it was a wonderful summer. And I lived in this apartment, which was an awful apartment. Do you know Washington at all?

**AL:** I don't.

**EC:** This is an apartment that was on, it is on M Street right where the Key Bridge comes into Washington from Virginia. And it was on the second floor above a bunch of storefronts and near all the bars in Georgetown. But the principal feature of this apartment was that there was a traffic signal right outside the front room of the apartment, but there were no curtains, there was no, at least not heavy curtains. And so the front room of the apartment alternated between red and green and yellow in terms of the color, the color all came from the traffic signal right outside the window.

Anyway, so I got, but I got a little, I mean I thought my mind wasn't being engaged sufficiently in this job, and Dick had the same feelings in his job with Ted Kennedy. And so Dick and I, I think this was principally Dick's idea, Dick and I decided we'd write a law, that is we drafted legislation. And somehow we persuaded, he persuaded Dunn Gifford, who was Ted Kennedy's AA, I think, and I persuaded Don, to let us draft, I'm not sure how we got to this, we drafted some legislation dealing with fisheries. It was called the Fisheries Protection Act.

And I think both of us, I think Dick and I had independently, I think we were both interested at the time in fish as a source of protein, and the fisheries in the Gulf of Maine needed some help. And, I can't remember exactly, you know, what motivated us in this direction. But we drafted a bill, and Muskie, then Senator Muskie kindly introduced the bill. I mean, we drafted the bill, we wrote the introductory remarks, and they introduced the bill. The extraordinary thing is that the bill actually became law a couple of years later. I mean, and I, it really hit, it was amazing. I don't know whatever happened to it, I don't know what, I don't think it was landmark legislation, but.

**AL:** What was the process like of convincing Don to give you that opportunity?

**EC:** I don't remember. Maybe I just asked him and he said, "All right." I don't know, I can't remember. I don't know if I had to write him a memorandum or what. He probably made me do it, knowing Don he would have made me write him a memo. Don, you know, Don, and I'm speaking not just of that summer but obviously of my later experiences working for Muskie, Don was a real mentor, and Don really continued my training as a writer. You know, if I had to identify the two people who really taught me how to write, it would be Bryce Lambert and Don Nicoll. And Don, you know, Don Nicoll was a great editor and forced you, as a writer, to be clear and brief and to the point. I mean, you know, I learned to write from Bryce Lambert, I learned to write well from Don. I mean, Don really was a great editor. And, you know, I think that summer I was writing letters and maybe introductory remarks, or maybe floor statements of, unimportant floor statements and so forth for Muskie. But Don edited everything. Nothing went out of that office that Don didn't approve, and that was great training.

In any event, I can't remember whether it was at the end of the summer or during my senior year

in college, when Don, when I was offered a job to come back after I graduated. I do know that during my senior year in college I did some work for Muskie, when I was in college. I can't remember what it was or what I did, but I know I did some stuff. And in any case, I had a job offer at the same time that I was applying to law schools. And I decided, or was thinking about applying to law schools, and I decided to take a year off before going to law school to work full time as a research assistant or legislative assistant or whatever I was called in the beginning, in Muskie's office. Somewhere along the way I had to deal with the draft, because I had a lot-, I had a high, relatively high lottery number, and so it was high enough, as I recall, that I couldn't risk anything.

Well, the first thing I tried to do was I tried to get into General [Philip] Tukey's Air Force. General Tukey, I think he died not very long ago, was a National, Air National Guard general in Maine who ran the Maine Air National Guard, and General Tukey's Air Force was the Maine Air National Guard. And I tried to get in and I was put on a waiting list or something, and then I had to take a physical. Maybe I had to take a physical in conjunction with the draft.

The long and the short of it is that I got 4F because I had a skin condition, which many, many, many, many years later developed into a cancer but, knock wood, it's in remission and if you've got to have cancer it's a good one to have. But at the time it was called something like peripsoriasis. And the Army was just scared to death of skin conditions and skin diseases because dermatology, at least then, was such an empirical science that they couldn't prove that they didn't make it worse, that your condition, your skin condition didn't deteriorate as a consequence of you being in the Army, and then it cost them money. So the easiest thing to do was to just keep people who had bad skin out of the Army. Great. So I was lucky, I had a 4F, and so I was free to do what I wanted to do without worrying about the draft.

And, so I came to Washington after my senior year in college and went to work full-time as a research assistant, whatever it was called, in Muskie's office. Or legislative, I think I was, it may have been legislative assistant from the get go. But in any event, I was certainly the low person on the totem pole. Jane Fenderson, who was I guess, yeah, Jane and I, Jane was the other legislative assistant. I guess I was a legislative, I think we were both legislative assistants and she was senior to me at the outset. And she and I became good friends, we used to go, I remember we used to go eat dinner at the Paramount Steak House, we had a terrific time, we were having fun.

And Leon, Leon Billings, had started a year before that as the professional staff member in charge of Muskie's air and water pollution subcommittee, and Don assigned me to work with Leon. So my job from the beginning of the time I worked for Muskie was environmental legislation and environmental issues. And Leon and I, and his wife Pat, I mean, Leon and Pat really took me in. And it was, it was, I used to live out at their house in suburban Maryland and Leon and I spent, you know, two thirds of every day together working, hearings and legislation and so forth, and we were working on the, started, I think that year we started with Clean Air Act amendments, or maybe it was the Water Act. I mean we did, over the course of several years we did a lot, NEPA, the Concorde, I mean just all kinds of environmental issues, just a slew of them.

And pairing me with Leon was brilliant on Don's part because Leon couldn't write worth a damn

and I could, but Leon knew, Leon was just a superb, had a superb political mind and had been around Congress and knew the ropes, and so the two of us worked together. I mean Leon was clearly the senior, but we worked together and we worked well together.

And that, but then that summer, and this was, I came to work in June I guess, and in August was the Chicago convention and suddenly Muskie was the vice presidential nominee. And this all came out of the blue. You know, there had been some talk of Muskie going into the convention over the course of the summer. I remember Jane and I used to watch the airplanes at National Airport taking off and landing, and thinking how much fun it would be to be on a political campaign, national campaign. But I mean it was the most remote possibility, we thought. Well, he got picked, and Don, together with, you know, George Mitchell and Dick Dubord and couple, few other people, they had to staff up for the campaign for Muskie, they had to put a staff together. And I was assigned to the plane, to work on the campaign plane as deputy press secretary. And Bob Shepherd was the press secretary, and Bob, who, have you interviewed Bob yet?

**AL:** I haven't, but he has been . . . .

**EC:** He's been interviewed? Bob now lives in Brunswick, I guess. And Bob was a sort of, I don't know if standoffish is the right word, but he was not someone who easily engaged with a lot of the younger reporters who were covering Muskie. And my job on the campaign plane was really the caring and feeding of the reporters. I mean, you know, taking care of the bags, making sure that they had food, making sure that they have materials, making sure that they have communications, you know, just, you know, "What do you need? I'm here, I'm your gofer," basically.

And I did some writing, I began to do some speech writing that, during that campaign that fall. Not a lot, but some, and statements and stuff like that, but mostly I was consumed with the care and feeding of these reporters. And I got to be very good friends with a bunch of them. And, they were young like I was and, you know, some of them were a couple or three years, most of them were a few years older than I, but we were more or less contemporaries. And I was able to establish relationships with them that I don't think Bob could. We used to go out drinking every night, at the campaign stops we'd go to bars and all, I mean, just, you know, it was a real >boys in the bus= existence and it was fabulous. I mean, it was, you know, we had this 727 airplane and, through Eastern Airlines, and you know, we flew all over the country.

*(Telephone interruption.)*

**EC:** Where were we?

**AL:** The boys on the bus.

**EC:** Oh, the boys on the bus. It was a terrifically heady experience for a twenty-two-year-old, and it was very exciting, you know. The fact that Muskie almost became vice president was almost incidental to my own experience.

**AL:** Were you forming impressions of Muskie over that time?

**EC:** Oh, absolutely, yeah, very much so.

**AL:** What were they?

**EC:** Well, many of the impressions were formed at night, being in the suite with him, The Suite. You know the, where he was was where, we all had rooms and he had a suite in whatever hotel we were in, and The Suite was where he would stay. And every night before he went to bed he'd have bourbon and milk, I'm sure you knew that. He would have a glass of milk laced with bourbon, that was his ritual every night before he went to bed. He didn't drink a lot, I mean it wasn't that he was, you know, I never, ever saw him, I don't think I ever saw him drunk. I don't think I ever observed him having more than a couple of drinks ever, and he certainly didn't drink all the time. But every night before he went to bed, when he was campaigning like that, was bourbon and milk.

He was a, you know, my first impressions of him were that he was, and these had been formed also working in his office, just observing him, I mean he was a, he was distant. This was not, he was not a guy who made friends easily with anyone, and certainly not with people who were working for him. You know, he wasn't friends with people on the staff typically. He was distant. And he didn't like to deal with a lot of different staff people. He liked to, either he liked to deal with staff people through one or two or three people, or some of those one or two or three people wanted him to deal with the staff through them, or both. Certainly if it was both, it reinforced, the two reinforced, the two instincts reinforced each other.

He was, you know, one of the first impressions I had of him was something that many people have talked about, and that was that he agonized over all kinds of things, decisions, words, approaches to people and to issues. He didn't make decisions easily, not because he was, I don't think it was because he didn't like to make decisions, it was because he never saw -

*End of Side B, Tape One  
Side A, Tape Two*

**AL:** We are now on Tape Two of the interview with Mr. Eliot Cutler.

**EC:** If you or I would look at a situation or an issue, we'd see black and white and maybe a little gray. He would look at that same issue or situation and see a lot of gray, and a little black and a little white, a lot of different shades of gray. I mean, someone said of him once, his biggest problem was that he saw seven sides to every issue, or maybe it was eight sides. And this impressed me really, it impressed me in the sense that it was clearly an important part of this guy's make-up. And it also impressed me because, like most other people, my instinct was to, was that it was good to make decisions quickly, that it was a mark of skill or expertise or ability to make decisions quickly. But here was a guy who was clearly successful and highly regarded and able who didn't make decisions quickly or easily, and this struck me. Choosing words, word choice, was enormously diffic--, sometimes difficult, and always important to him.

**AL:** When he's speaking in a conversation or when he's trying to write something?

**EC:** Both, both, and I'll give you an example of that in a minute. But, and the other, one of the other early impressions I had of him of course was his temper. You know, sometimes just flashes of anger, and sometimes just extended tirades over matters great and small. I think most of the anger was frustration. I don't think it was *ad hominem*, although it sometimes appeared to be *ad hominem*. It was mostly frustration over the way things were, or his inability to control the way things were.

**AL:** Was it predictable?

**EC:** Oh yeah, about some things it was predictable. I mean, if you were going to tell him that he had to do something that he hadn't known he had to do for some period of time, it was predictable. I later on in my career with him, I became one of the principal recipients of that. We'll come to that later. But going back to the word choice, and this is just a very good example of this, he, you know, the National Environmental Policy Act was, well, this is not the right time to tell this. Well, maybe it is. It's out of sequence.

**AL:** That's okay.

**EC:** The National Environmental Policy Act [NEPA] was enacted by the Congress in 1969, after the '68 campaign. Now, after the '68 campaign we had a bunch of people who were all positioning themselves in the Democratic Party to run for president in 1972. Ed Muskie was one of them, Scoop Jackson was one of them; there were others. Henry Jackson and Ed Muskie didn't like each other, they never liked each other. They were rivals in many, many respects and they were very different people, and they just weren't friends.

Henry Jackson was the senator for the state of Washington, and he was chairman of the Senate interior committee. Muskie was the chairman of the Senate subcommittee on air and water pollution. And Muskie had become known, of course, as the principal champion of legislation to protect the environment. The jurisdiction of Muskie's subcommittee was air and water pollution, air contaminants, water contaminants, legislation to regulate air and water emissions and the like. And Muskie, of course, pushed that jurisdiction as far as he could. The interior committee had jurisdiction over the Interior Department, parks, conservation, the conservation side, the birds and bunnies side of environmental issues.

We, of course, on Muskie's staff thought that those were considerably less challenging and important, and certainly less important to public health. We felt our mandate was public health. And Muskie was clearly establishing the reputation, his reputation, as Mr. Environment. And Jackson was jealous, as were others in Congress including John Dingell, who was and still is in Congress and was then the chairman of the air and water subcommittee, or whatever it was called in the House Commerce committee. In any event, Dingell and Jackson, who were good buddies . . . .

Muskie's approach and Muskie's subcommittee's approach to the regulation, to issues of environmental quality was the regulatory approach. And their approach to regulation was very

precise, his approach to regulation was very specific and very precise. If you look at the Clean Air Act and Water Pollution Control Act and other acts that came out of statutes that emerged from his committee, they are very detailed, prescriptive statutes. And the other hallmark of Muskie's legislation and his approach was to invest in the, or to vest in the agencies that later collectively became the Environmental Protection Agency, EPA, regulatory authority, to create an agency whose mission was regulatory.

Jackson's committee had jurisdiction over agencies like, for example, the Atomic Energy Commission whose principal responsibility was to build nuclear power plants, or to make, or to get them built, and various other emission agencies. And so Jackson, whatever conservation and environmental objectives Jackson had were somewhat confused by his desire to build more nukes. And Jackson took the approach to environmental matters that was marked by sort of policy pronouncements.

So what emerged from the Jackson and Dingell efforts was something, a draft of a bill called the National Environmental Policy Act. Now, this was their effort to make a mark. They wanted to set U.S. policy, to establish U.S. policy in a broad way on environmental matters. And frankly, it was a bill with, as far as Leon and I were concerned and as far as Muskie was concerned, at the time, was sort of an annoyance. But Muskie claimed jurisdiction over it because he didn't want the bill to be enacted without his committee having a chance to monkey with it. And so he got jurisdiction. That was a big fight and Jackson was pissed off about that, but Muskie's subcommittee got sequential referral, meaning that the bill, after it came out the Interior committee, had to come to Muskie's committee before it went to the floor of the Senate.

Now this is a bill which became law, NEPA, and has become, I mean, and nobody at the time ever imagined that NEPA would be as important as it is today. Not important in terms of protecting air and water quality, but important in terms of governing the behavior of federal agencies whose actions affect environmental quality. The bill came to Muskie's committee. And the most important section in that bill was what has become by far the most important section of the statute was Section 102.2.c, subparagraph c of paragraph 2 of Section 102. And Section 102.2.c was and is the requirement in NEPA that federal agencies who were taking a major federal, major action affecting, or having a significant effect on the environment, have to, the law now says, publish a statement about what they're doing. That's what an EIS is, that's what, the reason we had EISs, Environmental Impact Statements, is because of Section 102.2.c in NEPA. And this has become the focus of litigation for thirty, I mean, this is how projects get stopped, this is what, I mean it's been an incredibly important provision in litigation in the United States over the last thirty years, thirty-five years.

When the bill came to Muskie's subcommittee, the requirement was that agencies who were taking a major action having a significant effect on the environment had to issue an environmental impact finding. Muskie fastened on the word 'finding' and he said, "This is wrong, you'll have the fox guarding the chicken coop," this means that the Atomic Energy Commission and other emission agencies whose job it is to go out and build a road or build an airport or build a nuclear power plant will themselves draw conclusions about the environmental impact of the actions they propose to take. That's not what should happen. What should happen is they should disclose the facts about what they're going to do, and others with the responsibility

for making those judgments should draw the conclusions. The one change, I mean there being other changes, the one change, the only significant change Muskie wanted in that bill before it left his committee was to change it from 'finding' to 'statement'.

Now, I will never forget sitting in Muskie's office one day when he confronted Jackson on the phone with what he wanted to do. And as usual their conversation, which began on a fairly pleasant basis, quickly deteriorated into unpleasantness and they were yelling at each other on the phone. And Muskie was yelling, he was so angry and yelling so hard that he had the phone in his hand, he was holding it out here (*Eliot is gesturing with arm extended*), he was yelling at it like this, just screaming at him.

Jackson accepted the change, and that's why today we have Environmental Impact Statements, EISs, the most significant, one of the most significant provisions in U.S. environmental law. Worldwide, all over the world now, you can't do something without an EIS. Other countries have copied it, all because Muskie picked that word. Remarkable, remarkable impact.

**AL:** Yeah. Are we running out of time for today?

**EC:** Yeah, we're at 11:55.

**AL:** This is probably a really good time to stop.

**EC:** Yeah, we'll stop.

**AL:** And I think we'll probably need to come back at some point and talk some more.

**EC:** At this rate, we'll have to come back several times.

**AL:** Thank you.

*End of Interview*