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Interview with

*Terry Lenzner*

Conducted by Alan Houseman

September 4, 2002

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Interview with: Terry Lenzner (**TL**)  
Conducted by: Alan Houseman (**AH**)  
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**AH:** Today, Wednesday, September 4, 2002 we will be interviewing Terry Lenzner is our interviewee. Terry was the first director of OEO Legal Services in the Nixon administration and we will explore with him the tumultuous period of time in that era during which he was director. Terry also has another very distinguished career which we also go over. Terry, before we turn to your time as director of OEO Legal Services I think it would be helpful to provide some background information about your, where you grew up, where you went to college and law school, what your career has been over the many years that you've been involved in practice of law and other activities. So why don't we start with that.

**TL:** Okay. Well I born and grew up in New York City and I went to Harvard and Harvard Law School. It becomes relevant later that I was captain of the Harvard football team and it's relevant because in 1963 I clerked at Paul Weiss, Rifkind, Wharton and Garrison at the end of the summer Mr. Garrison, who was a wonderful man, and a grandson of the abolitionist, said we're going to make you an offer when you graduate from

law school but I think you ought to go down and see my friends at the civil rights division Burke Marshall and John Dewar. And I said well Mr. Garrison that's very thoughtful but I don't know anything about civil rights and he said well just go down and talk to them. So I did and they basically offered me a job that day again I think because they wanted a football player for Mississippi and they said we will send you to Mississippi it's going to be a very exciting summer it's going to be the freedom summer of 1964. I arrived here in Washington after graduation from Harvard Law School and about a month later I was on a plane to Philadelphia, Mississippi for the first case I ever worked on graduated from law school was the kidnapping and murder of Schwerner, Chaney and Goodman. And from there I did various civil rights cases for the department, school integration and ended up running the federal grand jury into the Selma to Montgomery march that was stopped with force by Governor Wallace. At the conclusion of three years I applied for the U.S. Attorney's Office Southern District of New York, was there in organized crime again for three years. The school crisis came along in the New York Board of Education John Dewar was then president of the Board of Ed asked me to take a leave of absence and become his special assistant because the city was polarized between blacks and whites and religious groups and it was a very perilous situation. So I did that for six months and

we were able to de-centralize the school board system which is what John's goal was but in exchange for that the state legislature abolished the board and I was headed back to the U.S. Attorney's office and John said my good friend Don Rumsfeld has just been appointed director of OEO. Why don't you go down and talk to him, he needs help. I did the same thing I said I don't think I'm particularly interested in working for President Nixon and he said just go down and talk to him. So I became Don's special assistant as a consultant for three months and at the end of three months he offered me three jobs, one of which was director of OEO Legal Services. I

**AH:** When was this anyway?

**TL:** This was the summer of 1969. As a matter of fact Cheney replaced me as Don's special assistant. Frank Carlucci was the head of community action and Bill Bradley was a summer intern and Dick Blumenthal now the Attorney General of Connecticut was also in that group.

**AH:** Quite an interesting group in an historical sense.

**TL:** In hindsight . . . Jim Leach was my special assistant now a congressman from Iowa. I talked to John Kramer and Edgar Cahn and a number of other people who knew a lot more about the program than I did and they encouraged me to accept that position. It was a very, very interesting program and a very challenging program.

**AH:** Just one second, who was John Kramer. We know who Edgar Cahn is but

**TL:** John Kramer was a professor of law at Georgetown Law School but he was heavily involved in legal services and food for the poor. He worked for Adam Clayton Powell up in the House and became a strong advocate for a variety of issues involving people living in poverty. And he was a very good friend of mine and a very smart man so I thought he and Edgar would be the best people to talk about this with me. And I did accept that position.

**AH:** Why did you accept this position? Why did you come to OEO? You've explained a little bit of the background but was the motivation from the civil rights work or were you talked into it by Don Rumsfeld or John or Edgar or?

**TL:** I was at a point in my career where I had done a lot of three years of prosecutive work, three years of civil rights work and this appealed to me for a variety of reasons. It was a very, very interesting program. It got me into a world of legal assistance to the poor that I had never imagined I could involve myself in. I liked Don Rumsfeld very, very much. We became very good friends almost instantly and our families became friends.

And finally my wife grew up in Washington and she very much wanted to come back, so that was also a factor as well.

**AH:** When you came to OEO Legal Services soon it was soon after Rumsfeld became OEO director I believe and he had elevated the legal services division out of the community action program and became directly responsible to him. And when you came how did you find OEO Legal Services at that level the federal bureaucratic level?

**TL:** It was hardly staffed at all. There was a skeleton staff. It seemed to me it was a hugely important program and a big program in terms of I think 2,500 lawyers and yet the central core staff was a handful of people, very talented, very overworked. Professor Abe Chayes' mother was in that group and they had obviously been a sort of a side road and Don had in part the description of the job he was going to elevate the office. He was going to make Legal Services a cornerstone of the Office of Economic Opportunity. He thought the program was a great program because it utilized existing judicial processes to resolve some of these major problems and he was going to increase the budget, all of which I think he did. And that sounded very good to me. He also agreed to expand the resources in the central office of OEO and I was allowed to hire new people to supplement the people who

were quite frankly very, very tired and almost worn out although I have to say the political review of my appointments was a very big surprise to me.

**AH:** In what way?

**TL:** The White House was reviewing every appointment no matter how insignificant. Any attorney that I hired was processed from a political standpoint which should have been a signal to me. When I was appointed Don got a call from Senator Javits saying how could you appoint this guy without checking with me, I could have found many Republican lawyers in New York to fit this job. And Don told me about this and said he told Javits well I've already announced it which was not true but it was sort of an omen of things to come.

**AH:** One of the people you hired I think was Frank Jones as your deputy.

**TL:** Correct.

**AH:** Why did you hire Frank and how did you come to know him?

**TL:** I met Frank when I was visiting, I did a lot of traveling in this job. The biggest surprise I had was the number of crises that hit me immediately and everything from confrontation with a Republican governor in Florida over the rural program down there that Mickey Cantor came out of who I later hired, Chicago legal aid we were fighting with the mayor of

Chicago to get the legal aid program out from under the mayor's control, and we finally did and that was our great victory. That's when I first met Frank because he was in that program and I was really impressed by how intelligent he was. He was very eloquent, he had tremendous experience. He grew up in Mississippi and that sort of gave us a common bond in terms of my having spent a lot of time down there. I thought I needed somebody who had been in the program who had the stature to be deputy and ultimately to replace me as director.

**AH:** What other crises did you face in early part of your tenure? You mentioned the Florida rural

**TL:** I had to go to Florida to negotiate a compromise with the governor to allow the rural program to continue. Similarly I had to fly to Colorado for the Colorado legal services program because the two Republican Senators were very upset. I had a meeting with the California rural delegation, the Republicans from the House of Representatives who were berserk literally was the correct word over the California rural legal services program. I had to go to Vermont to see the governor of Vermont because the Vermont legal aid program refused to close down for the moon landing even though the governor had declared it a holiday and they took the position that it may be a holiday for a lot of people but it's not a holiday for

the poor and that's our job to serve the poor, and I had to go up and explain that to the governor, I can't even remember who it was now. I had to go to the Indian program, the DNA program because Senator Goldwater had sent one of his aides down to OEO to ask that the head of the program be fired, it was actually a classmate of mine from Harvard Law School. I had to fly to California to see Governor Reagan's staff people over California rural legal services and then later of course we had the crisis when he vetoed the program and Don, to his credit, overrode the veto.

**AH:** We went through that with Cruz Reynoso in an earlier interview which is not, you should cover it too but for the people watching these interviews the Cruz Reynoso interview talked about the early history and the early override of the veto by Don Rumsfeld and the next stage of the battle which I think occurred after you left.

**TL:** Yes. We had a, I had to go St. Louis to see Governor Hearns because the head of the St. Louis program, Denny Rey in a public meeting was asked would your program represent a Communist and Denny said yes if the Communist met the poverty guidelines and that created another political uproar. And there were occasions when I was hearing from the White House about specific suits. There was a suit by the Western Center on Law and Poverty, a wonderful guy who ran that, and they were suing the

police department over police brutality issues and basically the White House called up and said well fire that lawyer. And I said I didn't hire him and I can't fire him. By the way, they won that suit. That is what we are supposed to be doing. Well we're getting really bad mail about this program and Don told me once that at cabinet meetings Nixon would start the meetings by saying everybody who was sued this week by Legal Services raise your hand. And half the cabinet would raise their hand and eventually all the cabinet raised their hands.

**AH:** Never heard that anecdote before.

**TL:** Never heard that one? It's a true story. I was 29 years old so this was a tough situation. The other one we had, Alan, was when the hurricane hit Mississippi, the governor called Don and said could you get some lawyers here to represent people who are being hustled by the insurance companies, trying to get them to sign off releases and Don authorized me to give them an emergency grant which I did. I flew down to Biloxi and went around with the governor who looked at what had happened down there and then gave him a check as an interim emergency funding for lawyers to represent people who were then homeless and it became a political controversy because it wasn't given directly to the Mississippi legal aid program, it was given to the governor and of course he must have given it to

the Mississippi bar association to staff out so that became an internal political problem.

**AH:** When you came to OEO and after you saw sort of what was going on, what was your own sort of efforts what were you trying to accomplish there? What was your vision of what you could do there?

**TL:** My vision was first of all to strengthen the support for the program both in terms of funding and in terms of stabilizing it so it wasn't swinging politically all over the lot. To evaluate what was the best kinds of programs that we had so that we could use that as a standard for the evaluation of the other programs. There were clearly programs that were aggressive and creative and there were clearly programs that were simply doing case work as it came in. There was no analysis of the community to see what their problems were, there was no efforts in some places to identify what the clients' needs were so that was another goal of mine was to get input from the clients in terms of what they thought legal services should be doing and how could we, I wanted to make sure also that because it suddenly occurred to me when I was getting these cases in from different programs that were significant cases but it looked like some of these programs were reinventing the wheel because they weren't aware of the research done at the backup center or other significant cases. There was no real communication

and coordination between the programs, and I wanted to make sure that we weren't reinventing the wheel all over the country.

**AH:** Did you have when you entered the program particular views about civil legal assistance, aggressive advocacy, a term you just used, law reform which is a term that was sort of coined by Justice Johnson and the second OEO legal services director. Did you have views one way or the other on these issues?

**TL:** I didn't. I was really I was the Latin phrase . . . I was really open on it but I hadn't any preconceived notions. I know that the administration while Don favored the program it wasn't clear that the administration favored the kind of aggressive law reform efforts that some of these programs were doing and basically the early crises, Alan, were a reflection of something I hadn't realize which was what a hot political issue this program was. One of the earliest crises we had was the Murphy amendment, all our friends on the Democratic side were out I think watching the World Series when that was passed and that gave an absolute veto, that came very early, that came up I think in the late summer or early fall of 1969, and that was approved by the Senate and then approved by the House. If it had been approved by the House it would become law and it would have allowed governors in every state to line item veto the whole service legal program in

the states. They could have eliminated lawyers, they could have eliminated backup centers, they had absolute control over it. It would have really just destroyed the program in my judgment. Don authorized me to go up on the Hill and lobby hard to save it and I got a lot of help from Bill Steiger who was a Republican congressman from Wisconsin, a great guy. Actually Cheney came out of his office. And I spent endless hours going from one office to another. I got to the point where if there was a donkey on the table I had once pitch and if there was an elephant on the table I had another pitch. And I had backup materials but after a while it just got to be I must have seen 200-300 congressmen. I bought Mickey up to help run that, Mickey Cantor because I needed some political help and we got huge amounts of support from newspapers and editorials. It came to the floor one night and Bill Steiger came off the floor and said there is the Republican farming contingent wanting an amendment that says the legal services program can't represent farm workers and I said Bill that's impossible. He said just write me a strong language amendment that doesn't hurt the program but will make them feel good about this. So I literally laid down on the floor outside the House and there four groups going by and I wrote in long hand legal services lawyers cannot represent farm workers except in accordance with

the canons of ethics and Bill looked at that and said that's great, Bill liked that and it passed. So we beat that

**AH:** That's actually the second time he tried that but this is the time he succeeded in the Senate.

**TL:** That's right.

**AH:** Do you remember a conference in Vail, Colorado?

**TL:** I sure do.

**AH:** What was that conference all about?

**TL:** When I first heard about that was what I was wondering. The backdrop was that I was invited by the training group, I can't remember who they were now, they were putting on a training program in Vail, Colorado shortly after I got there

**AH:** Right the National Clearinghouse

**TL:** That's right and they said why don't you come out and speak and I had assembled some advisors that were working for me during the summer, Charlie Nesson from Harvard Law School, Walter Slocum who was a brilliant recent graduate of Harvard Law School and Monroe Price who was heavily involved in the Indian legal services programs and other legal service programs and they advised me to go out and to put a stamp on my tenure by basically saying I don't know what you guys are doing out here in

Vail, it may be a good training program but what's happening to your clients. The training program, this is in '69, looked like a literally looked like a training camp for guerilla warfare. The guys wore beards and you know anti-war stuff and it was a pretty interesting group of people. After I made the speech I answered their questions and because I was a Nixon appointee I was automatically perceived as a right wing Republican I guess so they basically revolted. And they ended up on the front page of the New York Times saying I was a bad appointment and I didn't agree with them on everything and I went back out to see them. I said you've got more questions to ask me, ask me. And that started the organization of legal service lawyers that was going to lobby my office on certain issues.

**AH:** Right, Poverty Lawyers for Effective Action, PLEA as it was called.

**TL:** Right.

**AH:** You went back out you say and how did that second session go with them?

**TL:** It went fine.

**AH:** I mean the rumor was that your second session really calmed things down a lot. I had two staff attorneys at that session but I wasn't there.

**TL:** I think the second session clamed it down and I got their attention but they got my attention. So I accomplished something and I think they accomplished something. It was a learning experience because as I said I was 29 years old I was running a program with 2,500 lawyers which I didn't really know a whole lot about. And the other disaster crisis was the Reggie program at the University of Pennsylvania Law School where the people that were running it were absolutely destabilized by what was going on in that program that summer and

**AH:** This is the summer of '69.

**TL:** Right. And there was a revolt against them against them, against Pennsylvania for the way they were running the Reginald Heber Smith Fellowship training program and basically they called up and they begged me the guys who were running it begged me to come to Philadelphia.

**AH:** Let's step back just one second. At that time the Reginald Heber Smith Fellowship training program was a program that brought into legal services the class of '69 was actually 250, class of 68 of 100, the class of '67 was 50 but of some of the top law school graduates in the country in an effort that Earl Johnson started to try to bring new blood into legal services and stir up and get very good people in and try to change programs by getting new personnel in all over the country. And it was run by the

University of Pennsylvania Law School at the time. And this training program that you were talking about was at Haverford College in the summer of '69.

**TL:** That's right. I didn't remember that.

**AH:** I was there so. I was a trainer. I was '68 Reggie so I was there for a couple of weeks.

**TL:** But wasn't there a lot of unrest as I recall

**AH:** Very much. You should tell the story. I'm just setting the context for it.

**TL:** Again I didn't I'm not sure I was ever even briefed on the Reginald Heber Smith Fellowship program until this crisis occurred. And I can't even remember what the issues were. All I can remember is going down there because the professors from Penn who were running it were I must say rather

**AH:** Howard Lesnick was one, I can't remember the other, David

**TL:** David . . . I think they were intimidated by what was going on and so they asked me to come down and meet with the Fellows. And I thought that meeting went fairly well. I mean I took a train up there and actually I had no idea what I was getting into but it was pretty clear when I got there

what was going on. And I think that settled them down. But I can't even remember why they were so upset at Penn.

**AH:** There were two reasons. One was they were claiming there was not enough minority and women in the class and then they were unhappy where it was being held for the training program. They wanted a less preppy kind of atmosphere I guess as I recall.

**TL:** These were very volatile times you know at times I got the feeling that the whole world was spinning out of control because we had the anti-war movement, there was a lot of unrest in the legal service program about that. I was asked to resign at one point. They asked me and Frank Jones to resign and to protest against the war. And Frank stepped in the middle of that and said that's ludicrous because guess who is going to be the next director and deputy director of Legal Services if we do that. But it was a wild time, it was a very wild time.

**AH:** Well I'm sure there were other crises which you faced which you're certainly welcome to talk about but why don't we at least focus a little bit over the dispute that led to your firing, the regionalization issue and how that sort of evolved in the agency and you should tell the story.

**TL:** Well I wanted to once we got over the Murphy amendment I thought now is the time to have a campaign that basically publicizes the

great achievements that this program was making. And I was hoping for a period of some quietude and I assembled I asked each program to send me the best case that they were most proud of and we had a series of posters made and a series of press conferences held with them to talk about the achievements. We funded the clients council to allow a national group of clients to have input into the headquarters office as well as on a local basis. And I think we even increased the number of clients on the board to I can't remember what the number was. While I was doing all this there was people were obviously organizing a plan to regionalize legal services, take it out, in effect out of headquarters. It was headed up primarily by Frank Carlucci who was the head of community action. And I was beginning to be attacked inside OEO and from the White House for supporting law reform. I made a speech that basically said we're going to go more toward law reform in terms of our evaluations of the programs and there was a message that said we can't keep bailing out the ocean with these individual cases and the only way to have a significant impact is going to be to get major changes, I had this is how naïve I guess I was, I proposed a law office in Washington to represent the poor. We even had a plan, we drew up a plan for it. What kind of people we would hire, how much it was going to cost and presented it to Don. I never got anywhere but I said look if there is always concern at the

White House about litigation then at least let's have somebody here, there is nobody representing the poor in the halls of Congress. Let's staff an office whose sole responsibility is to have input into issues that directly affect the poor that not being heard, that the poor's voices are not being heard. And I tried to pitch it as a first of all I said this is a group that will give you advice Don on how to advocate in White House circles. He was by then special assistant to the President and had an office at the White House. So he was having input and he was asking questions, how should we handle returning Vietnam vets, how should we handle welfare changes and we were writing position papers like crazy for him. And so I took that concept and I said let's have a resource here that is paying attention to the poor and can advocate and articulate their concerns so these laws don't get passed that we then have to sue litigate because they are clearly unfair to people within poverty. So that approach came about the same time as regionalization and it may have been it was partly a political struggle for power because when Don elevated legal services and took it out of community action we became much stronger inside OEO. Regionalization would have put us back under community action because the regional legal services guys would have been working for the head of the regional offices basically not reporting to me. And frankly from the regional heads of the offices that had been appointed

by the Nixon administration and the regional heads that were hold-overs for legal services were not the most impressive group of people I had seen. Most of the regional directors were political appointments and didn't understand the legal service program. They knew less about it than I did, far less. And they were far less sympathetic. So I thought that regionalization was a back door way to get back control of the legal services program.

**AH:** Do you remember the National Advisory Council of OEO and do you recall what role they were playing in this effort to prevent regionalization?

**TL:** That was Jerry Shestack and Bernie Segal and the ABA. They played a very, very strong role. They organized the bar, they organized the legal publications, they lobbied there was a guy from a Republican from Michigan that had really good contacts on the Republican side of things and they brought to bear a huge amount of pressure on the Hill and even to some extent the White House to stop regionalization without the advisory board I think we probably would have been regionalized.

**AH:** So this effort led by Carlucci and . . . I guess that who it was the community action folks, Frank Carlucci of course later became Secretary of Defense and many other positions in later administrations. How did this ultimately lead to your firing? Or am I using the wrong term by firing?

TL: No you're using the right term. Well I think it was a accumulation of we had a congressional hearing on regionalization and Don and I was in California actually doing some things to bolster the California rural legal service program and Don called me and said you've got to come back and testify with me on regionalization. I wanted not to be there because if some congressmen or senators it was a Senate hearing said well what's your position after Rumsfeld said I'm strongly in favor of regionalization I was going to have to take a different position from him and I wanted to avoid that. But I flew back anyway. The whole thing blew up because Don testified and then one of my staffers had leaked a memo to Mondale that was contrary from Rumsfeld to me that was contrary to what Rumsfeld just testified to. And I regret that that was done because it was embarrassing and it was unnecessary. But it certain exacerbated the tensions between Rumsfeld and me and then they put a we knew there were problems because we went to a Nixon prayer breakfast that I was invited to by Don, my wife and I came and at the end of the prayer breakfast everybody came by to shake hands with the President and Don said this is Terry Lenzner he's head of OEO Legal Services. Hi, Mr. President how are you and as I was gone leaving and my wife was shaking his had and Nixon said to who never had a great sense of timing said to my wife, oh you're the guy who is

causing all the troubles at OEO. So I figured hum not a good sign. Then they froze my travel. I couldn't travel without Cheney's permission and then the final straw was NOLAC

**AH:** Explain it.

**TL:** New Orleans legal service program allegedly was although it got the first allegation was that it was in a criminal case but I don't think that was accurate. In any event they sent a group of people down to inspect the program without telling me and they weren't associated with legal services and I took the position that the first decision maker on this had to be the board of directors of the program, can't just usurp their responsibilities and their obligations, that is what they are there for. And there may be issues that are not black and white that they are aware of that your group wasn't. They wanted to shut the whole program down. That is when I'm sure that is when they resolved that they had to make a change at the leadership level. And I went to my last program where they assembled, I can't remember, they had a big dinner or lunch it was a group of

**AH:** The National Legal Aid and Defender Association annual convention.

**TL:** That's it. And I was always invited to speak and at this last conference I made a speech that basically said it's not going to make any

difference who is in my chair as long as your programs continue to be independent and conduct yourselves in a way that meets the purposes of the statute which I frankly felt were being completely ignored by that time by the administration. After that I was asked to meet informally with a group which I did and I noticed that there was a guy from Don's office sort of sitting in the middle of all this and taking notes and I thought ugh now I'm really going to get it. And ironically I had a meeting with the New York Times editorial board and even though I was forbidden to travel I went because I thought it was important to talk to them about this regionalization issue. The night I got back I was summoned to Don's office and was told that I should resign. And I said I would resign if you replace me with Frank Jones. And they kind of laughed and said we're firing him too. We're getting rid of him too. So if you are not going to resign then we're going to terminate you, here are your termination papers, they had already drawn them up. And then they called Frank up and terminated him as well.

**AH:** When was this, do you remember?

**TL:** 1970. It was about actually I know exactly when it was because my daughter was born, it was in November because my daughter was born a week after I was fired. So I at least had some time to spend with her. And the only other event of any significance was for historical purposes, we were

having a National Advisory Board meeting and 30 or 40 Howard Law School students headed by a Reginald Heber Smith Fellow came bursting into the room to demand a grant, they wanted a Reggie program at Howard Law School and Don said well, because the ABA guys were there, take them up to your office so I took them up to my office and we talked for a couple of hours. A lot of them didn't know exactly why there were there and I tried to explain to them you haven't filed an application. If you want us to consider Howard Law School funding you have to file an application, you cant' just come in here and say we can do a better job than what is being done in Pennsylvania. So eventually some of them got hungry and Don came down and tried to drag me out because they had me surrounded and they let him back out but they wouldn't let me out. And eventually they got tired, they got hungry, they said you go upstairs and tell Don he's got to come down here and give us a grant. I said I'll go up and tell him that but I can tell you right now he's not going to do that. We were actually supposed to be at Camp David for an OEO meeting that night and so I went up and Don said just go down and tell them forget it, we're not going to give them a grant. And then they wouldn't leave so some of them were arrested. The Reginald Heber Smith Fellow was Geraldo Rivera and I ended up writing letters for them so they wouldn't have their law careers ruined because they

had a record. So that was kind of the history. It was extremely tumultuous experience.

**AH:** Right. You wrote an article, I don't know if you remember in Juris Doctor about legal services

**TL:** I remember writing it but I don't remember what was in it.

**AH:** Oh well it was about sort of your experiences and your hopes for the future. It was right at the time you were fired.

**TL:** Was it published before I was fired?

**AH:** No, after you were fired. I don't have it in front of me. So if you are just reflecting back how would you what do you think about your experiences OEO Legal Services. What impact if any did it have on your life and you know how do you besides the fact that you were in this tumultuous situation as a relatively young person, what sort of how would you reflect on it at this point in time?

**TL:** I think I have a lot of thoughts on it. I mean first of all I thought I probably didn't handle the political side of things as well as I could have but I may have been too forceful on the law reform issue. That really hurt. I did not realize the depth of distaste that the administration had for that kind of issue and for me to talk about it after we beat back the Murphy amendment was probably a strategic mistake on my part although I did want to get the

message out that that was the program was looking for and I did want to shut down the inefficient programs and I did achieve one thing on hindsight that I think has been a great success. I went to see the Appalachian program and I thought my gosh we've got all these little programs scattered all over Appalachia and they are all striving but they are inundated with work and why don't we have an Appalachian-wide legal services program that is just for Appalachian problems which are fairly endemic to the region. And I got that agreed to and I convinced John Rosenberg who I knew from the civil rights division to leave the civil rights division and take that on and he loved it and he's done a great job there. That was one of my

**AH:** He retired a year ago.

**TL:** That's right he did. But it was probably one of my best achievements. I think my weakness was the political side of things and I didn't understand until I got into Watergate that the people at the White House were was a pretty black and white group of people, you were with them or against them and there was a funny incident. I was into the executive session on John Ehrlichman and he looked at me and looked at his lawyers and said you know who this bastard is he's the guy we fired at legal services and actually the White House tried to get me off the committee.

**AH:** Why don't we for a second just because you got into it and then we'll come back and see if there is anything else we need to cover, why don't you just talk about your later career after legal services. You mentioned the fact that you were working for the Watergate committee but describe your positions and let's go through the rest of your career.

**TL:** The one lesson I learned in Washington, Alan, from that experience was a lot of the people who were cheering me on on the sidelines weren't returning my phone calls after I was fired. The one guy who was absolutely terrific was Edward Bennett Williams who got me a bunch of assignments and actually ended up recommending me for the Senate Watergate Committee. He was a true friend and a really great man. But I got a call from Ramsey Clark would you help us with group of priests and nuns that had been indicted for conspiring to kidnap Henry Kissinger and blow up the heating tunnels and . . . draft boards. I was at a point just going through this series of events that I thought that would be something different, so I ended up doing all the fact investigation work and almost all the cross examination of the government's witnesses in that case and we got an acquittal on all the counts except the sneaking the mail out of a prison. That was quite an experience. The legal team was Ramsey, Leonard Boudin, Paul O'Dwyer and me. There were a lot of speeches in that case in the courtroom.

And then Ellsberg asked me you join this trial team and when met him I decided it was not something I wanted to do. So I was actually running a Nader operation when I was called by Sam Dash to be interviewed for a job and I accepted and of course the poetic justice was I wrote and served the first congressional subpoena ever served on the President of the United States, served it on the man who had fired me, ultimately fired me.

**AH:** What was your role?

**TL:** I was assistant chief counsel, Senate Watergate Committee. It was actually Senate Select Committee on Presidential Campaign Activities and I was part of the team that did the break-in and cover-up. I did the dirty tricks investigation the infiltration of the primaries and then I did the Hughes Rebozo investigation so I ran all three of those and it was a pretty hectic time but it was a lot easier and I was a lot older, I had learned a lot.

**AH:** Well what else have you done after that ultimately you founded the Investigative Group International.

**TL:** I practiced law with Walt . . . & Ross and later with . . . Hubey and Lenzner from the close of Watergate to 1988. I started the investigative group as part of my law practice in 1984 because I was doing the Alaska pipeline investigation and a whole series of the United Way investigation we did that. We did a lot of hostile takeover work and due diligence. The

company grew and I decided to go full-time with it and run it. And it's been a lot of fun.

**AH:** Right. In addition to running that, I mean you've had other I don't know if this an honor but I think it is you were also on the Harvard University board of overseers for some years.

**TL:** Yes, six years.

**AH:** And I know you've been active in the D.C. Lawyers Committee for Civil Rights.

**TL:** Yes and I'm now actually trying to I'm doing a lot of work for 150 families of September 11 on the issue of the Saudi funding of terror groups and I am trying to take the Lawyers Committee as a model and see if we can get some pro bono law firms to commit some resources to represent these families because it's been an incredible experience working with them and listening to their stories but now we need some legal help.

**AH:** Do you have anything you would like to add to this interview that I haven't covered with you on your time at OEO Legal Services or any reflections about it that we didn't do? I may have left something out and

**TL:** I think that the in some ways it was an opportunity for everybody that as involved in that to have achieved something that wasn't achieved. And part of it was my fault because Evans and Novak wrote a column after I

was fired that said I was politically naïve and they may have been right even though a lot of the information they used was inaccurate. I probably didn't use the bar as much as I should have but I felt constraint I felt loyalty to Don who was my friend and I felt loyalty to the program but I also didn't want I felt ill at ease going around Don's back and getting communication to defeat his purposes although eventually I ended up doing just that. I wish it had been a less boisterous era because I thought there were things that we could achieved and I'm sorry that the corporation that really came out of our Frank and my being fired hasn't worked out better. It certainly hasn't insulated the program from political pressures. It was a great concept and a great program and in some ways it was too effective. In some ways it hit at the pocketbook of a lot of people who were major contributors to political parties mainly at that time the Republicans. And I guess a program that sues mayors and police departments and framers for better working conditions whose constituency is the poor who don't contribute to campaigns obviously because they don't have any funds that's a hard row for a program to pursue and I felt that there were lines over which I just wasn't going to cross. There were a lot of compromises that we could have made but I felt that once you started down that road of emasculating this program getting this lawyer fired it would have been a never-ending series of attempts to weaken the program.

And I thought that we had agreed we were going to strengthen the program, that I what the idea was from the beginning but I didn't see political reality and certainly we had three secretaries of defense come out of that group. One of them . . . and I don't regret that a bit because I think what Frank and I did was the right way to handle the program because it was too important and it's an experience that unfortunately I think failed.

**AH:** Thank you Terry. This has been very interesting.

**TL:** Is that all right?

**AH:** Yes you've covered a wonderful time in the history of legal services that we needed filled in and has not really been focused on very much except in a few articles. This was very helpful, thank you.

**TL:** You're welcome. It's sometimes painful to relive it but I'm glad you're doing it because it's part of my life and it's important. I met some wonderful people in the program, wonderful lawyers and wonderful clients and some of them were difficult. The program seemed to attract, I mean the really good creative lawyers were also the most difficult people to deal with. It's true in society, it's been true in my programs, the most creative people that work for me former journalists and law enforcement people are the most difficult but that is what the program attracted.