RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY

NEW BRUNSWICK

AN INTERVIEW WITH OMER F. BROWN, II

FOR THE

RUTGERS ORAL HISTORY ARCHIVES

INTERVIEW CONDUCTED BY

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TRANSCRIPT BY

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Shaun Illingworth: This begins an oral history interview with Omer F. Brown, II, on April 9, 2021, with Shaun Illingworth. Mr. Brown, for the record, can you just tell us where you are today?

Omer Brown: Yes, I am talking to you from my house in Vineyard Haven, Massachusetts, on the island of Martha's Vineyard.

SI: Thank you very much for sitting down for this interview. To begin, can you tell me where and when you were born?

OB: Yes, I was born on March 4, 1947, at the Somerset Hospital, in Somerville, New Jersey. My parents at the time were living in Dunellen with my grandparents, so I went from the hospital to Dunellen, which, of course, is nearby New Brunswick.

SI: What are your parents' names for the record?

OB: My father was George Alvin Brown, and my mother was Frances Schnitzler Brown.

SI: Starting with your father's side of the family, can you tell me whatever you might know about the family background, if there was any immigration history there, that sort of thing?

OB: Certainly, yes. First of all, my name is Omer Forrest Brown, II. I was named after my father's brother, Omer Forrest Brown, who was killed in action in France in August of 1944. He was a cavalry troop captain, killed by a German tank. So, I was named after him. My parents met in England during the war. My mother was an Army nurse, and my father was an Army officer. They were married in the chapel at Camp Kilmer, now the Livingston Campus, in February of 1946. My grandfather, Omer Andrew Brown, was an accountant for Standard Oil Company and a member of the Dunellen School Board back in the 1930s. He married Emily Forrest, and that's where we get the name Forrest. They both were from Jersey City, and had moved to Dunellen in the 1910s.

SI: Any idea why Dunellen?

OB: Well, I guess it was close to my grandfather's work with Standard Oil, and that's where they ended up. Then, we moved from Dunellen to Ewing Township, New Jersey in 1949, and stayed in Ewing Township until 1964, when we moved to Sea Girt, New Jersey.

SI: Let me pause for a second.

[RECORDING PAUSED]

SI: We are joined by Edgar Krupczak and Mike Farner. In the break, you were telling us a little bit more about your mother's background and service. Can you restate that and also tell us a little bit about your mother and her time in the service?

OB: Yes, she was a U.S. Army nurse during World War II, stationed in the European Theater. She spent about two years in England living in tents, while she was part of a station hospital treating servicemen. My parents met in England during the war. I think I said earlier, they were married in the chapel in Camp Kilmer in February of 1946. My mother had grown up in Ambridge, Pennsylvania, went to nursing school in Pittsburgh, and joined the Army at the beginning of World War II. She was discharged from the Army shortly after my parents were married in 1946. My father stayed in the Army National Guard until he retired in 1974 as a colonel, and he was the Superintendent of the National Guard Training Center in Sea Girt from 1964 until his retirement as a New Jersey State employee in 1976.

SI: You would have grown up in Dunellen.

OB: We actually moved from Dunellen when I was about two-and-a-half years old to Ewing Township. I went to elementary school at Fisk School in Ewing Township, then Fisher Junior High School and then Ewing High School. We moved to Sea Girt in 1964, when my father got the job as Superintendent of the National Guard Training Center, but I stayed with a friend in Ewing Township to complete my senior year at Ewing High School. I graduated in June of 1965, and then came to Rutgers that fall, 1965.

SI: Tell us a little bit about growing up in Ewing, what kind of town it was, what your neighborhood was like, that sort of thing.

OB: Ewing is right adjacent to Trenton. In fact, I guess we had a Trenton mailing address, but now they're using Ewing Township as the mailing address. It was a suburban community. We lived on a street with a lot of kids, and a number of their fathers had also served in World War II. It was a very tight community.

SI: Before he worked at the Sea Girt facility, where was your father stationed or where did he work out of before?

OB: He worked out of the Trenton Armory, the National Guard Armory, in downtown Trenton. He was there for a number of years, starting at the end of World War II, until we moved to Sea Girt in '64.

SI: Growing up, did your parents tell you stories about their time in the service during the war?

OB: Yes, some stories. My mother, for example, had treated German prisoners of war, and then went into Germany as part of the Army of Occupation. She visited Berchtesgaden, Hitler's Eagle's Nest, and broke a piece of marble off the mantle, which we still have. [laughter] So, she had a lot of stories about her wartime experiences; my father did too. They first met in England, but then dated in France and Germany as the war progressed. My father arrived in Paris the day after its liberation, and my parents later met in Paris and had a date there. So, they had a lot of good experiences during the war.

SI: Going back to your own youth, what kind of things did you do for fun or things that interested you, maybe clubs or if you were in Scouting, that sort of thing?

OB: I was a Cub Scout, never a Boy Scout. I started collecting political memorabilia in 1960, and I have quite a collection of autographed pictures of prominent Americans that I've continued to work on. I was also somewhat active in Democratic politics. I worked on the campaign for Dick Hughes as Governor of New Jersey back in 1961.

SI: I was curious about the state level, but also I would imagine the John F. Kennedy campaign must have been pretty interesting to you.

OB: Very much so. In fact, I was at the inauguration in 1961. My father and I stood outside on the front of the Capitol and saw the inauguration. Then, I had a ticket for the inaugural parade in the reviewing stand directly opposite the Presidential reviewing stand, so it was quite an experience. It was a very cold day, and it snowed the night before. I think there were like six inches of snow in Washington. My mother and my two younger brothers watched the inauguration in Senator Harrison Williams' office, in what was then still called the Old Senate Office Building. We went down there when Kennedy was assassinated; we also went down to Washington to see the movement from the White House to the Capitol in November 1963. Yes, I have a lot of memories of that early time of the Kennedy Administration. Also, I went to the Johnson inauguration in 1965, and have been to a couple more inaugurations since then.

SI: I am curious, in these earlier events, would your father and the National Guard be marching as part of the military review?

OB: He didn't, no. At that time, he was the aide to the head of the New Jersey National Guard, so he was usually with the general in various activities. They did a lot of traveling around the country during that period.

SI: What got you interested in politics? Did your family discuss it much at home?

OB: Oh, yes, I guess my father was always very interested, active in Democratic politics, and I got the interest from him. He had started collecting autographs back in the 1930s, and I built on that collection.

SI: Now, you mentioned you had two brothers. You're the oldest?

OB: I'm the oldest, and then I have one brother who's six years younger and one who's five years younger. They were born in 1952 and 1953. My brother Bill, who's the youngest, was the reason we moved to Martha's Vineyard back in October to be closer to family. My mother died two years ago at the age of ninety-eight. She was still living in her house in Sea Girt. We've since sold her house; and, we sold our condominium in Washington and our home in Saint Michaels, Maryland last year, so we moved up here to the Vineyard in October.

SI: Going back to when you were younger, did your mother work outside the home, or was she at home when you were growing up?

OB: She was mostly at home. She did spend one year working as a school nurse in Ewing Township, and I guess she did some nursing work back in the late 1940s, but for the most part, she was a housewife and in the home. In those days, my father was traveling a lot for work, so that was a reason she needed to be around.

SI: Was he just going to learn from other National Guard units?

OB: Yes. Well, his boss, the Chief of Staff of the New Jersey National Guard, was actually the President of the National Guard Association of the United States, so he traveled all over the place to go to meetings and my father would go with him as his aide.

SI: Going back to your early education, what did you think about the schools you attended and your teachers? Looking back, did you think they were helpful to you?

OB: Oh, I think so. I remember my high school history teacher, Bill DiGeorge, was a particularly good guy. I remember him fondly. I was in the forensic club, and went around to other schools in New Jersey for speaking engagements, extemporaneous speaking mostly.

SI: Were there other activities that you were involved in?

OB: That was the main thing. There were some political things. I didn't participate in any sports teams. I'm not very athletic.

SI: Were you involved in student government on the high school level?

OB: No, no. I started that at Rutgers, when I was elected as the Junior Class President and then the next year as the Student Body President. That was a very good experience. I remember those days fondly.

SI: This may be a long shot, but I was just listening to a podcast about the McCarthy era. It reminded me of how much focus there was on Fort Monmouth during the Army hearings. I was just wondering if your father ever talked about that period. He probably didn't talk to you at the time, but did he talk to you about it later on?

OB: No, I don't really recall any discussion of the McCarthy era.

SI: Okay. In general, do you remember, growing up in the Cold War, how or if that affected your life at all?

OB: I remember we had the duck-and-cover exercises in elementary school. [laughter] Then, there was the Cuban Missile Crisis, which was also something that I remember well. In fact, during the Cuban Missile Crisis, we played hooky, and went up to New York to try to get into the United Nations, where Adlai Stevenson was giving his famous speech. We were standing on the steps of the U.S. Mission to the U.N. when Stevenson walked out. Photographers took pictures of it, and the next day, one of the guys who was with me had his picture on the front

page of *The New York Times* standing behind Adlai Stevenson. So, we kind of blew our cover about playing hooky to go to New York. [laughter]

SI: That is pretty interesting that you would go in to hear that. Are there any other events like that that stand out in your memory? Obviously, the Cuban Missile Crisis is very unique, but were there other times when you went to hear somebody speak or went to an event, before you went off to college?

OB: Yes, I remember going, actually, when the John Foster Dulles Library was dedicated at Princeton, I remember going up to hear Eisenhower's speech. Adlai Stevenson was there, and I remember shaking hands with Stevenson. Then, Eleanor Roosevelt spoke at the War Memorial in Trenton, and I went to see that. John Kennedy came to campaign for Governor Hughes in his first election, outside the War Memorial in Trenton. I was there that night. Also, I guess Kennedy came to Trenton in 1960, and I saw him speak in front of the State House. I went to a lot of those kinds of political events back in the day.

SI: It sounds like you were a lot more politically aware than most people we interview, before they go off to college and adulthood. Along those lines, would you read the paper frequently, listen to news on the radio, that sort of thing?

OB: Oh, yes, all of the above. I was a big *New York Times* reader. I guess it was my eighth grade English teacher, Mrs. Strother, who used *The New York Times* as a teaching tool, and I started reading it, even at that age. Also, I read *Time Magazine* every week, and I even had a letter in *Time Magazine* back in the early '60s.

SI: Do you remember what it was on?

OB: Oh, it had to do with the first space shot and the fact that the Alan Shepard's space shot was on Karl Marx's birthday. I made note of that, and they published the letter. [Editor's Note: American astronaut Alan Shepard became the first American in space, achieving suborbital flight in the Freedom 7 capsule as a part of the Mercury-Redstone 3 mission, on May 5, 1961.]

SI: Mike, Edgar, I want to open questions to you. Do you have questions about the pre-Rutgers years?

MF: I do not have any questions about pre-Rutgers.

OB: There were a lot of political events in Sea Girt, when my father was the Superintendent of the National Guard Training Center. People like Vice President Hubert Humphrey and U.S. Attorney General Ramsey Clark and Ted Kennedy and Pete Williams and others all came through, so we got to meet all those figures. They all came to our house, back in the '60s.

SI: Wow. You were coming of age, junior and senior year in high school, as the War in Vietnam was just picking up. I assume you must have been aware of what was happening in Vietnam, but was it something that you thought about much?

OB: Well, yes, of course, we all did in those days. I was in ROTC, so otherwise I probably would have been drafted, because the draft was still in place at that point. I went through the four years of Army ROTC at Rutgers, and got commissioned.

SI: Before coming to Rutgers, did you follow what was happening in Vietnam?

OB: In 1965, it wasn't as active as it became afterward. I mean, that was sort of the beginning of the war. But of course, my years at Rutgers, it was a constant issue.

SI: Absolutely. You came to Rutgers in the fall of 1965. That spring, the spring before you came, was when the Eugene Genovese controversy started.

OB: Oh, yes, I remember that very well. Actually, I knew both of the parties in that. I knew Wayne Dumont who was the state senator who was running against Dick Hughes and raised that issue as a campaign issue, and I remember talking to other students about it at the time. Yes, I remember that whole episode very well.

SI: I was just curious if that changed your view or your family's views towards Rutgers at all. Did it create any hesitancy about coming to campus?

OB: Oh, no, not at all. I remember Governor Cahill was at our house one time. It was at the time he was having his big fight with Mason Gross. His Secretary of State was with him, and they walked out into our den and saw that I had a big Rutgers plaque. The Secretary called the Governor out to show it to him and was being critical, and Cahill kind of corrected him and said, "Oh no, it's a good university," blah, blah, blah. There was the big fight over the medical school, everything that was going on at that time. So, yes, I knew about all those issues.

SI: Before we get into Rutgers, I want to ask if you ever had part-time jobs either in the summer or during school.

OB: I did, actually. Four summers, I worked for the State Highway Department, doing maintenance work on the roads along the Jersey Shore. I did that for four summers in a row.

SI: Tell us about coming to Rutgers and what those first few days and weeks on campus were like for you.

OB: I started in September of 1965 and I was in the Davidson dormitory up at the Heights, which was kind of inconvenient because most of the classes were on the other side of the river. So, that was a little bit of a hard adjustment. Then, they made a decision that freshmen could have cars if they lived at the Heights, so my parents got me a car, and that made things easier going back and forth across the old Landing Lane Bridge to classes. We had a good group of friends at Davidson, some of whom I'm still in contact with. There's an interesting guy who lived down the hall from me freshman year, Siegfried de Rachewiltz, who was Ezra Pound's grandson. He later went to Harvard, got a Ph.D., and I understand is now teaching at the Sorbonne in Paris. So, that was interesting to be able to spend time with him back in those days.

SI: During that freshman year, was there any kind of adjustment to being in college, or did you feel well prepared coming in?

OB: I think I did, yes. I made the mistake of starting out by taking biology and then having to compete with all the pre-med students. [laughter] The next year, I signed up for geography, which was a much easier course to take. I was a history major, so I was more interested in those things than the sciences.

SI: Did you decide that you wanted to major in history right away?

OB: Actually, I took a lot of political science classes as well. I could have had a dual major right up until the end, because I had enough credits in both history and political science. I tilted in favor of history, because I liked the professors better.

SI: You said you went right into Army ROTC. I know it was not mandatory at that point, right?

OB: Oh, no, it was never mandatory. It was a voluntary thing, but I signed up for it because of the family's military background and because it was a way to not get drafted and still serve and have the option of becoming an officer, if and when I was going to have to go on active duty.

SI: What was the training like in those years?

OB: We had two classes a week, and there was drill Wednesday afternoons. We'd march around Buccleuch Park in drill formation, and that went on for the first two years. Then, you had to be accepted into the advanced program for the last two years, which I was, and then we went to six or eight weeks of summer camp in Indiantown Gap, Pennsylvania between junior and senior years for our basic training. Then, we were commissioned at the time of graduation in June of '69. Then, I was on a delay to go to law school, thinking I was going to have to go in for two years of active duty, following law school; but, by the time that I was graduating from law school in 1972, the war had wound down and the Army didn't need as many second lieutenants. So, I wound up just getting called up for three months of active duty for training at Fort Benjamin Harrison in Indiana. Then, I transferred into the New Jersey National Guard, and spent the next couple of years with a National Guard unit in Trenton and ended up as a captain just before I left to move to Washington in 1975.

SI: Going back to your training in Indiantown Gap, does anything stand out about that summer? I have heard they can be extra tough on ROTC cadets. Is there any truth to that?

OB: I don't know if they were extra tough, but I guess the worst duty was kitchen patrol. If you got assigned to that, that was the hardest thing to have to do because you'd have to get up before everybody else and then clean up the mess and stay late. I got assigned to that twice, which I guess, alphabetically, Brown came early to get the second assignment. It was a hot summer. We were living in an un-airconditioned barracks, and it was pretty miserable.

SI: Were you with just Rutgers cadets?

OB: Oh, no, they were from all over the East Coast. I forget how many places they did come from, but we had people from the whole East Coast, different schools.

SI: I am curious, you were in ROTC during a period when opinions were shifting against the war, against military service. Was there any discussion of that within the ROTC circles?

OB: Not so much in the ROTC circles, but just on campus in general. Of course, there was opposition to ROTC and to the war, of course, so there was some resentment. You'd get comments if you were wearing your uniform between classes, that kind of thing.

SI: Were there ever protestors at the ROTC marches at the park?

OB: No, there were never then, but there some incidents. I forget at what point the ROTC building was firebombed. I think that may have been after I graduated, but there were certainly incidents on campus and then attempts to ban ROTC from the campus a couple of times. I don't know how active it is now, but I think there's still a unit there. [Editor's Note: In December 1969, it was reported that two Molotov cocktails were thrown at the Rutgers Army ROTC Building, but they caused little damage. A fire in April 1972 caused severe damage to the building.]

SI: Oh, yes, there is still a thriving unit. I do not think it was anywhere near as big as it was, but that is the case all over the country.

OB: Yes. With no draft, there are different incentives to serve.

SI: Going back to the academic side of college, do any professors stand out as very interesting or very helpful or maybe the opposite?

OB: Oh, yes, there were a number of history professors that I really liked. Lloyd Gardner, who was a revisionist historian, taught a seminar on the origins of the Cold War, which I took. Dick McCormick, the history professor and University Historian, was very good U.S. history professor. Warren Susman--I was actually quite close to Warren Susman, who was a history professor and was the author of the so-called "Susman Report" on restructuring the college that he gave me an opportunity to review for him before it was released. So, I spent a lot of time with him. I'm trying to think who else. Henry Winkler was another very good history professor that I remember well. So, there were a lot of very good history classes. Professor Charanis was a Byzantine historian, kind of an eccentric guy who was well liked. So, I have fond memories of all those history professors.

SI: Well, talk a little bit more about Susman, because he comes up quite a bit. What made him, in your eyes, such a special professor?

OB: Well, he was a very charismatic fellow and very accessible. I remember spending a lot of time in his office in Bishop House just talking to him and then when he did the Susman Report. He also had gone to Cornell, and when I was applying to Cornell Law School, he wrote a letter of recommendation for me. I remember talking to him about Cornell before I went up there. So,

it was a very good experience to be able to work with him. He died young. I think he was on some lecture circuit, and had a heart attack and died. [Editor's Note: Warren Susman served as a history professor at Rutgers from 1960 until his death at the age of fifty-eight in 1985. He died of a heart attack while addressing the national convention of the Organization of American Historians in Minneapolis.]

SI: Yes, some time in the '80s.

OB: Yes, it wasn't too long after we graduated.

SI: Did you get involved in student government right away when you came on campus?

OB: No. I guess it was in my sophomore year, I started, and then in the spring of the sophomore year, I was elected to be the Junior Class President for the next year and then ran for Student Body President and was elected the following year. That was a very good experience, because I got to spend a lot of time with the school administrators, from President Gross on down.

SI: What was your view of Mason Gross?

OB: Oh, I very much admired him. He was a great guy. He and Professor Schlatter, who was the Provost at the time, taught a course on western religious thought, which I took senior year. Then, I also just had a lot of opportunities to meet with him in his office, or Student Council would have a couple of dinners a year that he always came to. I had a lot of interaction with him. His son contacted me recently, because he's writing a biography of his father, and I gave him some notes of some of my recollections. I hope he includes some of that in the book. He should be coming out with it fairly soon, because it's been about a year or so since I gave him the notes.

SI: What kind of issues would you deal with in student government back then? Do you remember any of the major issues that you either ran on or tried to deal with?

OB: Well, it was everything from dining hall requirements for fraternity members to positions on the war to issues of racism. Martin Luther King was assassinated just after I became Student Body President, so a lot of things were going on on campus as a result of that. There was a teach-in in the College Avenue Gymnasium that I presided over, and Mason Gross was there. I remember he sat next to me, and a number of other people, Joel Jacobson from the Board of Governors, Professor McCormick, were all on the platform. [laughter] I remember Dr. Gross leaning over to me as the thing was starting and said, "Don't let this get out of hand." [laughter] I wondered just how I was going to accomplish that requirement, but fortunately it went smoothly. Everybody got a chance to speak their piece, and we went back peacefully about our business.

SI: Well, that teach-in comes up quite a bit. First, do you remember anything about what you said, and do you remember how you reacted to some of the other speakers?

OB: Well, I remember the big thing was the fact that there were very few black students in the school at the time, and that was the main focus, of increasing black enrollment. I remember

meeting with Dr. Gross the next day up in his office in Old Queens. He was very much in favor of increasing enrollment, but he made the point that we also need to protect the integrity of the degree and we can let students in, but we can't just give them a pass if they're not performing. I think that there were attempts to get more students in at that point.

Then, there was also the issue of coeducation, which I guess my class was the last all men's class at Rutgers College. We had a straw poll at the time, and a slight majority of the men voted against going coed. My feeling was that we shouldn't go coed if Douglass didn't. It needed to be done New Brunswick-wide, if it were going to happen. It was also interesting that the main proponent of going coeducational at Rutgers College was the Romance Language Department, because more women took romance languages than men, and they wanted to preserve their jobs. So, they were the ones that were leading the charge for going coeducational. That's probably not well remembered, but that's really how the whole coeducation thing got started back in the mid-1960s.

SI: Mike and Edgar, do you have questions about Rutgers during this time?

MF: Did you know previous to Rutgers that you wanted to go into law, or was that after? How did you figure that out?

OB: Well, I always assumed I was going to go to law school. That was just sort of a given. Even when I was in high school, I assumed that I wanted to become a lawyer, which gives you flexibility to work in government or private practice or go into politics. That was always my goal.

EK: Your pre-interview survey says that you were part of the Young Democrats. I had a roommate doing ROTC at Rutgers, and he always had trouble balancing it all. Did you have trouble balancing your club, ROTC and your classes?

OB: No. Of course, then I was also Student Body President, which took an enormous amount of time by itself, but, no, it all came together.

SI: What kinds of things would you do with the Young Democrats?

OB: Well, I guess we would mostly organize speakers. I remember Congressman Jim Howard came, and spoke at the library. We would bring other people in to speak. Those were the kinds of things that would be done. Not so much campaigning in those days. The President of the Rutgers Young Democrats was Dick Mahr, who also was Recording Secretary of the Student Council when I was Student Body President.

SI: The Young Americans for Freedom, the group conservative, do you remember their presence on campus? Did the Young Democrats ever debate them?

OB: No, there were never any debates, but I knew them. In fact, Bill Eldridge, who was the person who ran against me for Student Body President and then also came to Cornell Law

School at the same time I did, was the head of the YAF and a big Nixon supporter. He was always handing out Nixon literature in those days.

SI: As you went on in your Rutgers years, the Vietnam War became more and more of an issue. There were more protests on and off campus. What do you remember about that, and would you go to the protests or stay away?

OB: I stayed away. Being in ROTC, it was not something you would do. I guess there was a protest back in '68 or spring of '69, but I remember more protests after I got to Cornell. There was more going on in 1970-'72. There were protests with police using tear gas and that kind of thing. So, I don't remember a lot of protests at Rutgers at the time. Old Queens was taken over the year after I left, so I missed that.

SI: Outside of the history major, are there other subjects or professors that stand out in your memory?

OB: Oh, I am trying to remember who else. It was mostly the history professors. There was Gerald Pomper, who was a poli-sci professor. I remember taking his course. I'm trying to remember who the other professors were. Yes, I can't remember other names at this point.

SI: You mentioned that the Young Democrats would organize speakers, but looking through the yearbook and *The Targum,* there were a lot of speakers that came on campus, a lot of entertainment that came. Does any of that stand out in your memory?

OB: Oh, yes. Well, of course, as Junior Class President and then Student Body President, I was always involved with those speakers, because we would usually have a dinner for them before the speech and I was always at the dinner. So, I remember William Buckley came. Norman Mailer came one time. Ed Muskie. Let's see who else? I'm trying to remember. Melvin Belli, the famous lawyer from San Francisco, was a speaker one time. Professor Janson, who was the art historian, gave a lecture in the gym. Norman Thomas, the famous Socialist candidate for president a number of times, came. I remember having dinner with him. Yes, I was very involved with all those activities during my years.

As the Student Body President, I appointed all the committee members. I appointed the person who was in charge of getting speakers. I named Mike Freeman, who was a year behind me, as the person to be in charge of that. His father was Orville Freeman, the U.S. Secretary of Agriculture, and I thought that Mike would have connections to be able to get us some good speakers. He was instrumental in bringing Ed Muskie to speak. Actually, Muskie was supposed to come during the campaign in 1968, and we were all set with chairs that had actually been set up around Willie the Silent. Then, it got cancelled at the last minute because there were going to be some protests, and I guess the campaign decided they didn't want the bad publicity that might have resulted. But then Muskie came a few months later to make up for the fact that he had to cancel. I remember Mike Freeman and I rode with him back to Newark Airport in Governor Hughes' Cadillac limousine that he had given Muskie to use for the day. So, there were a lot of good opportunities like that that I was able to take part in. [Editor's Note: In October 1968,

Democratic vice-presidential candidate Edmund Muskie planned to speak at Rutgers but canceled in anticipation of anti-war protests that were planned.]

SI: You mentioned how protestors factored in there, but were there protestors at some of these other events that you planned?

OB: I don't remember any real protests going on at any of the speeches. No, I don't remember any significant issues like that.

SI: You talked about the teach-in that followed the assassination of Martin Luther King. Were there other events related to either race relations or increasing the enrollment of black students at Rutgers that stand out in your memory, or issues related to civil rights perhaps?

OB: No, that was the main civil rights issue. There was always pressure to increase enrollment of blacks and others, but nothing really formal.

SI: You mentioned that you worked closely with the administration. Do you remember some of the deans you worked with or other administrators?

OB: Oh, yes, Howard Crosby, who at first was called the Dean of Men and later they changed his title to Dean of Students in anticipation of coeducation, I spent a lot of time with him. As Student Body President, I would have a regular meeting with him every Friday morning to exchange information. So, I saw a lot of Crosby. He used to entertain Student Council at his apartment down by the Landing Lane Bridge, so I spent time with him. Arnold Grobman, who was the Dean of Rutgers College, I would meet with periodically. Another was Earle Clifford, the University-wide Dean of Student Affairs, who had a house on campus where there would be meetings where we would meet with Student Council members from Newark and Camden. I have good memories of Karl Metzger, the University's Secretary. I had a number of meetings with Bob Ochs, the head of the Campus Patrol, and with John Wong, the Director of the Student Center. I'm trying to think who else. I guess those were the main ones that I would see and then other people who worked with Howard Crosby, like Jim Burke and Tom Flynn, who were assistant deans. In fact, I'm still in contact with Jim Burke. We exchange Christmas cards, and talk on the phone occasionally.

SI: Did you get the impression that they kind of let you run your area of being in the student government as the president, or was there any kind of heavy hand or trying to lead you one way or the other?

OB: No, I don't remember any heavy hand, no. I mean, we disagreed on some things. I was opposed to the continuation of the Cap and Skull Society, and Howard Crosby was a big proponent of that. My senior year, we removed recognition of it, and I turned down membership in it. Then, a few years later, I guess Crosby resurrected it. Now, it has its own room in the Student Center. [Editor's Note: Founded in 1900, Cap & Skull is a highly-selective, life-long honor society at Rutgers that inducts new members by unanimous vote of current members. In 1969, Cap & Skull left campus until 1982, when the society was reinstituted through the help of Howard Crosby, a Cap & Skull member.]

SI: Why were you opposed to Cap and Skull?

OB: It had really become a self-perpetuating organization. It was always the same people from the same clubs or fraternities who would get named year after year without any real democratic process. I just didn't like the idea, although, it was funny, Mason Gross talked about that to me at one time because he said that he had kind of valued that organization because he would entertain that group of twelve students occasionally to get their input on what was going on on campus. So, I guess there were some benefits to it, but I didn't see them at the time.

SI: Were there other issues that came up that were more student life-oriented? In interviewing past student government members, it seems like drinking and having parties always comes up as running up against the idea of in loco parentis.

OB: Well, of course, it was still very strict in those days. When I was a freshman, you couldn't have women in the dormitory, or there were certain days you could do it, but your door had to stay open. Of course, there was no alcohol allowed in the dormitories, which we didn't always observe. That got loosened up a little bit by my senior year, but early on, it was still pretty strict.

SI: It is always interesting to me to look at the *Scarlet Letters* during the '60s, where if you look at any four-year period, you see shorter hair in the beginning and then the longer hair and people wearing jackets and then at least the colors becoming more vibrant or maybe no jackets at all. How did you see the way people presented themselves, norms on campus, changing over your time at Rutgers?

OB: Well, that did change. My freshman year, you would wear a jacket and tie to a football game. By senior year, that was going away. I guess I saw the change more when I got to law school. I mean, my class was sort of the last of the alcohol generation, and the next class was the marijuana generation, where there was more smoking than drinking among the class members. When I got to law school, we had a number of returning veterans in the class too, so it was probably an older, more mature class than earlier times.

SI: Were drugs, particularly marijuana, an issue at Rutgers?

OB: No, you didn't hear very much about it in the '60s. It was more alcohol. We used to hang out at the Corner Tavern. It was our favorite drinking spot. In those days, you couldn't buy beer after hours, beer bottles after hours. You could go to Patty's behind the gym and buy beer in a cardboard container that they would take from the tap and you could take that out, but you couldn't take out a bottle with a cap on it. There were different rules in those days. That all changed after we graduated.

SI: Now, at that time, was there a bar in the Student Center?

OB: No, there was never a bar in the Student Center.

SI: Okay. I think the new Student Center opened when you were at Rutgers.

OB: As a matter of fact, I spoke at the dedication, along with President Gross and Rich Levao [RC '70], who succeeded me as Student Body President. There's a picture in the yearbook of us sitting on the front of the Student Center during that dedication, I guess it was in April or May of 1969.

SI: Mike has a question.

MF: You seemed very busy during your Rutgers years, but did you have any types of hobbies or did you go to any events?

OB: Well, I continued to go to political things and collect autographs and other political memorabilia, political buttons and things like that, and I'm still doing that.

SI: Did you work on Dick Hughes' second gubernatorial campaign?

OB: Not as much as the first one, but I knew him quite well. Actually, I knew him and his predecessor, Bob Meyner, the Governor, and they would often come to our house in Sea Girt. I ended up spending a lot of time with him. In fact, it was funny, one time, I guess it was at the ceremony at Rutgers--I think it was probably for the Douglass fiftieth anniversary--and I was standing with Mason Gross. Governor Hughes came up and Gross started to introduce us and the Governor said, "Oh, no, I know Omer. We've been together a lot." So, it was kind of a funny experience.

SI: During your time, there was the two hundredth anniversary, which was a whole year of events. Do any of those events stand out?

OB: Oh, I remember that. I was there. In fact, Hubert Humphrey came and spoke. I still--in fact, I just put it up on the wall last week--have a copy of the program from that that I sent to Humphrey to sign, and Governor Hughes and Mason Gross all signed the cover of it, which I have framed upstairs in our house. Yes, I remember that day quite well. The dais was set up next to Scott Hall, sort of behind Ford Hall, a different location than Willie the Silent. [Editor's Note: Vice President Hubert Humphrey spoke at the Rutgers bicentennial convocation on September 22, 1966.]

SI: I am curious about the Vietnam War and your own view of it. Can you recall what you thought at the time, and if that changed, how it changed?

OB: Well, I guess we all got disgusted with the course of it. It wasn't going well and it wasn't going to go well, so it was time to get out. Then, of course, Nixon said he had the secret plan to solve it, which he never did. My views were pretty sour about the whole thing by the late '60s.

SI: Another issue that we are looking at now is the growth of the LGBT movement at Rutgers. Do you remember hearing about the founding of what was called the Homophile League?

OB: No, no recollection of that. That was not an issue in my time.

SI: When you said you did four consecutive summers working on the roads, was that during college or during high school?

OB: Half and half.

SI: Half and half, okay.

OB: Yes.

SI: You did summer camp one summer.

OB: Yes, Army summer camp one summer, and then I think I had some health problems another summer. The summer after college, I went to Europe for the summer with Larry Kaiser, a classmate, and we toured around Europe for the summer. Then, I went off to law school in the fall.

SI: Where did you go to Europe?

OB: Well, we landed in Amsterdam and picked up a car in Brussels and drove through Germany, Austria, Italy, France, and then took the ferry over to England. We did a lot. We were there for about nine weeks. It was a good experience.

SI: Was that your first time going overseas?

OB: Yes. Since then, I think I've been to Europe 120 times. [laughter]

SI: Wow.

OB: Not in the last year. I haven't been in an airplane since last March.

SI: Does anything stand out as particularly eye-opening about that first trip?

OB: Oh, just the cultural experience and seeing everything, it was a very enjoyable experience. I ran into Archibald Alexander on the Champs-Élysées, who the library is named after. He was a member of the Board of Governors at the time.

SI: He was in the War Department at some point, wasn't he?

OB: He was Assistant Secretary of the Army, back in the Truman Administration.

SI: I was just curious if he was one of the people that you had hosted in your home at some point.

OB: No, I don't think he came to our house, but I knew him from the Board of Governors. Then, his son was a lawyer that I had an interaction with when I was in the New Jersey Attorney General's Office.

SI: Tell us how you feel you changed or grew over your time at Rutgers. How did Rutgers affect you?

OB: Oh, I don't know whether I changed all that much, actually. I mean, I've been accused of being old from early on. No, I don't think I materially changed.

SI: I brought it up earlier, but things like entertainment and places you went or bands or performers you saw come to campus, do any of those stand out in your memory?

OB: No, not really. I've never been very musical. I think The Lovin' Spoonful may have come one time. There were a few other bands of the day that came through.

SI: It may be something that we already discussed, but what do you think was the most difficult or challenging issue that you dealt with in student government?

OB: Oh, well, I suppose it was the racial issue, more integration, more students. That became a key issue following the King assassination. That was a hot topic for the rest of the next year or so. Then, of course, the 1968 election was quite a year. We had the King assassination, then Robert Kennedy was killed, and then Humphrey getting the nomination, so it was a tumultuous time. I remember there was a teach-in, in the fall of that election year, where Warren Susman and Lloyd Gardner said that they were in favor of Nixon getting elected, because they thought that it would change things so much, people would be so disgusted, that things would get better after that. I disagreed with it at the time and I think they were mistaken, but that was kind of a dramatic position on their part. That was in the old Records Hall room.

SI: You mentioned there was a connection to Cornell through Susman. Why Cornell? Was that the reason, or was there something else?

OB: Well, I applied to several law schools and I guess that was the top one that I was admitted to, so that's where I went. I also remember talking to Muskie about it in the car when I rode with him back to Newark Airport after he spoke, because he was also a Cornell Law graduate. So, there were a lot of good reasons to go there. What I didn't know at the time, it was actually the most expensive law school in the country, [laughter] which may have made a difference. Going from Rutgers at about eighteen-hundred dollars a year to Cornell at six thousand a year was quite a jump. Now, the numbers are dramatically higher.

SI: Sure, that is probably the cost of a course today.

OB: Yes, exactly.

SI: Tell us about going up to Cornell and settling in there and making the adjustment to law school.

OB: Well, I started in the fall of 1969 and lived in the law dormitory, Charles Evans Hughes Hall, which was connected right to the law school and, unfortunately, in the last year or so has been turned into faculty offices completely. They've taken away all the sleeping rooms to make faculty offices, which I think was a mistake, but that's what they're doing. It was a different experience. We had just 160 in the class, divided into two sections for most of our first-year courses. I got to know a couple of foreign students who were getting master's degrees. I've stayed in contact with a Frenchman and a Swiss and a German; we've stayed in touch over the years. So, it was a good experience. Then, Rich Levao came the following year.

SI: Do any of the professors stand out in your memory as being influential?

OB: Yes, Ernie Roberts, who was the property professor, was quite a character, and Rudolf Schlesinger, who taught conflict of laws, was one of my favorites.

SI: Was there a particular area of the law that you were looking at or gravitating towards?

OB: No, I didn't. You really don't specialize in law school. I mean, there were some students who were getting a combined business degree and law degree, but that was a four-year program. I wasn't in that. I was assuming that I was going to be going into the Army for two years upon graduation, so I really didn't even start looking for a job.

SI: What other experiences during law school stand out in your memory? You mentioned that it was a more politically active campus.

OB: Well, there was a lot of turmoil in those days. I got to Cornell the year after the student center was taken over by armed blacks. That made the front pages of all the newspapers. Then, Kent State happened when I was there, and there were a lot of demonstrations about the war in those days and tear gas on campus. It was a pretty dramatic time. The draft lottery took place, I guess, my first year. I would've been 270-something in the lottery, if I hadn't already been commissioned.

SI: Does anything about your graduation or commissioning at Rutgers stand out in your memory?

OB: No, it wasn't that memorable, I don't think. The graduation was in the stadium, and it was just a mass event. You lined up, and somebody handed you the degree. The Army commissioning ceremony was at Willie the Silent earlier in the day. I remember my parents came up and pinned my lieutenant's bars on me. So, that was what happened that day.

SI: We hear a lot about the Greek system at Rutgers and how a lot of the social life revolved around that, but if you were not in the Greek system, what would you do for socializing? Would you go out with your friends from your dorm or a club?

OB: I also was friendly with a lot of the fraternity members, particular the ones in Zeta Psi and Chi Psi. I would hang out at the Corner Tavern with a lot of the Zeta Psi guys, some of whom

I'm still in contact with and still get together with every year or so. It really wasn't an issue for me.

SI: After the U.S. invasion of Cambodia, there were a lot of moratoriums and student strikes at different schools across the country. Was there any of that at Cornell?

OB: Oh, yes, the law school shut down for a couple of days. There were some teach-ins. Yes, that happened.

SI: Did you get the impression that most of the law school faculty were against the war? Were they outspoken in any way on the war?

OB: I don't remember them being outspoken, but I think that some of them were probably in favor and some of them weren't. So, there wasn't a lot of discussion about it by the faculty members that I remember.

SI: By outspoken, I meant that in the Rutgers History Department, you knew where they stood.

OB: Oh, yes. Well, I would have lunch almost every day in the Hughes Hall cafeteria. One of the Cornell chaplains was Philip Berrigan, the war protestor, and I used to see him in the lunch room a lot. He was one of the ones who was involved in the Catonsville incident, where they trashed a Selective Service office. [Editor's Note: Daniel Berrigan, a Jesuit priest and pacifist, served as the assistant director of the Cornell University United Religious Work (CURW), the umbrella organization for all religious groups on campus, from 1966 to 1970. The Catonsville Nine refers to nine anti-Vietnam War activists, including Daniel Berrigan and his brother Philip, a Josephite priest, who entered the Selective Service Offices in Catonsville, Maryland, on May 17, 1968, removed hundreds of draft files, and burned them with homemade napalm.]

SI: Either at Rutgers or Cornell, were there any divisions between anti-war and more conservative outlooks, or was it just not an issue that came up in your personal lives?

OB: Yes, it was discussed, but it didn't become a matter of great contention. No friendships were lost over the result of it.

SI: As you were progressing through law school, you thought you had a two-year military commitment coming up, but what did you see for yourself in your future law career?

OB: Well, I didn't really know. I thought I would probably go into government, which is what I did starting out. I didn't find out until, I guess, March of my third year that I wasn't going to be going on active duty for two years, so then I had to start scrambling around to find a job. I applied to the New Jersey Attorney General's Office. The Attorney General, George Kugler, had been in our house a few months before that and suggested that I apply if I wanted to, and that's what I did. I was accepted and started there, just after I left the Army in December of 1972. I took the bar that summer and passed on the first try and then was sworn into the bar when I came back in December of '72. I started in the Attorney General's Office at the same time and was initially assigned to represent the Departments of Education and Higher Education. I spent seven

months doing that, going around the state, working with the state colleges. Rutgers wasn't really part of that.

Stockton State College started at that time. I remember going down there. There was a big protest at Stockton, and two of us were sent down to deal with what might happen during the protest. In those days, we had a campus-crisis kit with the home phone numbers of all the judges in case we needed to get injunctions to stop demonstrations. I went down to Stockton. It was interesting because I guess it was the third year of the college, and it was the first year that any faculty member would get tenure if they were kept on. The president at the time wanted to have some flexibility. He didn't just want to rehire anybody, and then be stuck with the entire faculty. So, there was a big demonstration about that, and we went down. We were in the auditorium, and we thought that it was going to turn into a riot. They had a bus waiting for us outside the door in case it did, so they would whisk us away. The chairman of their board at the time was the woman who ran the Miss America pageant. She clapped her hands and said, "We'll have no more of this." I thought, "Oh, God, this is it. This is going to turn into a riot." [laughter] Everything quieted down; they listened to her. They finished the meeting. They didn't rehire half the faculty, and everything went along peacefully after all. That was kind of an interesting experience in the beginning of my tenure at the Attorney General's Office.

I was there about seven months when I got switched over to the Insurance Department, basically as the general counsel to the Insurance Department. I was the only Deputy Attorney General assigned to insurance. I spent the next couple years representing the Insurance Department in all kinds of matters. Then, I thought about moving to Washington and applied to some law firms and was hired by a Washington law firm in 1975 and moved to Washington to start practicing there, and I've been practicing out of Washington ever since.

SI: I know Michael has a class in a minute, but, Mike, do you want to ask a question before you have to run?

MR: I do not have a question.

SI: Okay, thanks, we will keep you updated.

OB: Good luck with your class.

MF: Thank you.

SI: That is the one nice thing about these online classes. Usually, a student would have to leave a half hour before to be able to get to class. Now, they can just switch over quickly on their computer.

OB: Yes, right. [laughter] Yes, I don't know whether that's good or bad. It's a shame not to have the in-person teaching, but it will be back one of these days.

SI: When you were working in higher education in the Attorney General's Office, what other types of issues would you have to deal with, other than reacting to protests?

OB: Well, there were tenure issues. I remember there was an issue at Glassboro State College about whether an adjunct professor should be granted tenure, having spent seven years as an adjunct. We argued that she shouldn't, but the courts ruled against us. Then, the lawyer I was sharing an office with at the time got involved in the Paula Grossman case, which was the first transexual case of a New Jersey schoolteacher. She was representing the school district in that proceeding. I remember that there had been an article in the *Cornell Law Journal* about transsexualism the year before, and I thought, "Oh, this is not going to be a big issue. Why are they writing about this?" All of a sudden, now it became a real issue, and of course it's continued to this day.

SI: You spent most of your time in insurance, but I was curious, you were there during the time of the *Robinson v. Cahill* decision.

OB: Actually, I worked on that case, yes.

SI: What did you do with that case?

OB: Well, I did some of the research for the case. I remember there was a case in the U.S. Supreme Court, San Antonio I think it was, that came down first, and then the Robinson case came down a few days later. When we got the slip opinion from the N.J. Supreme Court, they had obviously pulled some pages out of it, because they were anticipating something different in the U.S. Supreme Court. Then, that case went on forever, because they were never able to figure out how to solve it. So, I remember doing some research. I didn't have to lead on it, but there were a lot of people in the office working on it. [Editor's Note: In *Robinson vs. Cahill* (1973), the New Jersey Supreme Court ruled that the state's system of financing public education through local property taxes was not meeting the "thorough and efficient" requirement of the state constitution. The court ordered the state to revamp its system of financing education, which led to the passage of the Public School Education Act two years later. In *San Antonio Independent School District v. Rodriguez* (1973), the Supreme Court ruled that reliance on property taxes to fund public schools does not violate the Equal Protection Clause of the Fourteenth Amendment, even if it results in expenditure disparities between wealthier and poorer school districts.]

SI: Did that shape the course of the office in the remainder of your time there, the changes brought by those cases?

OB: Well, I switched over to insurance shortly thereafter, so I wasn't directly involved in it. But I know the office spent a lot of time on that case because the litigation went on for years, just how to solve it and who was going to pay and what to do.

SI: Were you still living in Sea Girt before you moved to Washington?

OB: Yes and no. I also had an apartment in Trenton that I rented, so I would stay there and then go to Sea Girt on weekends to my parents' house.

SI: What attracted you to the position in Washington?

OB: Well, I always spent a lot of time in Washington, and I just thought it made sense to go down there to practice and didn't see any other great options in New Jersey. I didn't want to go in a law firm and do real estate or trust and estates. I thought it would be more interesting to practice in Washington. I was hired by a firm to do electric rate work, because I had done insurance rate work, representing the Insurance Department. But when I got there, that work in the firm kind of dried up, and I ended up getting involved in nuclear licensing cases, and have been doing nuclear law ever since.

SI: You got into that just before Three Mile Island. Is that right?

OB: That's right.

SI: Okay. Tell us a little bit about your work before that and maybe how Three Mile Island changed things or did not.

OB: Well, when I got there, it was kind of the heyday of nuclear licensing. I worked on a couple of licensing cases to build plants, one in New York. In the Greene County case, we had 113 days of hearings in Albany on siting the plant, which the New York Power Authority ultimately decided they weren't going to build after all. So, I spent a lot of time on that.

Then, I guess it was in late March of '79, the Three Mile Island accident happened, and of course that had a major impact on companies wanting to build new plants. Shortly thereafter, I moved over to the U.S. Energy Department in the litigation section; and, then when the Reagan Administration came in, there was an issue about how to fund the cleanup of Three Mile Island. I started working on that problem. I went up to Harrisburg. The Secretary of Energy's chief of staff and I went up and met with Governor Thornburgh to talk about how to pay for the cleanup and helped him develop what ultimately became the Thornburgh proposal, which was to share funding among the state and federal governments, the utilities, and the insurers. So, I have the distinction of having worked on not only the Three Mile Island accident, but also at Chernobyl and more recently Fukushima, because my specialty has evolved into the liability aspects of nuclear power, mostly internationally. I guess I have spoken on the issue now in about twenty-six different countries and twenty-four U.S. states.

SI: I guess as a general question to get into this topic, has your view of the issue changed over time?

OB: No, I still think there's a role for nuclear power. I mean, the problem is it's just very expensive these days, and new plants are not being built in the United States. There are foreign plants being built, and now there are plans to build these small modular reactors that may be more attractive financially and from a waste point of view.

SI: In that early period with the Department of Energy, working on Three Mile Island and its aftermath was a big issue. Were there others?

OB: Well, the other big proceeding I worked on was the Nuclear Regulatory Commission's "waste confidence" rulemaking. The U.S. Court of Appeals for the D.C. Circuit had told the Commission that it couldn't continue to license power plants unless it made a determination that the waste would ultimately be disposed of safely. The NRC started this big proceeding, and the Energy Department was in charge of disposing of the waste. So, we were the principal party in the proceeding, and I was the leading lawyer for that case. I spent about two years working on that proceeding, and then argued the case before the Commission. It was interesting the Natural Resources Defense Council was our main opponent, but they came in with their statement of position and said that, "No law of physics has to be violated to have a safe disposal system. The whole issue is institutional. Is it going to happen, and who's going to pay for it? Whose backyard is it going to be in?" Basically, they conceded the safety issue, and just made it into an institutional issue. At the time, we thought the Yucca Mountain facility in Nevada would be open, but that remains controversial to this day. The Biden Administration has now decided they're going to abandon it and look for another solution. So, the issue goes on. [Editor's Note: The Yucca Mountain Nuclear Waste Repository in Nevada is a proposed nuclear storage waste facility that has been at the center of legal and legislative battles for years.]

SI: Doesn't part of that have to do with transporting the material through different states?

OB: Yes, it's controversial as to if you have an accident during transport.

SI: Was that something you were dealing with at the time?

OB: Oh, yes, I did a lot of work on that. In fact, when I was with the law firm, we were representing all of the nuclear utilities in proceedings before the old Interstate Commerce Commission on transport of nuclear material by rail, and we argued that it can be done safely, that the canisters are robust. We had some testing done by Sandia National Laboratories in New Mexico that crashed these canisters into concrete walls, et cetera. So, I actually went out to Albuquerque, and watched some of those tests.

SI: You were there during the late Carter Administration and early Reagan Administration. When you were working there, does that make a difference? Was there any change from administration to administration?

OB: Oh, yes, there were differences. Carter, I guess, was more skeptical of nuclear, even though he was a nuclear engineer himself. Then, the Reagan Administration wanted to promote more use, but I'm not sure they were very successful at that endeavor.

SI: Outside of work, did you get involved in either pursuing an interest in politics or working in legal circles through the Bar Association?

OB: Yes, for a while, I was active in the American Bar Association, in the Tort and Insurance Practice Section. I served on the council of the section for a three-year term and chaired various committees, the Energy Law Committee, the Natural Resources Committee, the Governmental Liability Committee, and then a Task Force on Punitive Damages. Yes, I did a lot of work with the American Bar Association. I was on the association-wide Energy Coordinating Committee,

and there was a civil justice reform proposal that I worked on with the President of the ABA. Yes, I did a lot of work with that for a number of years.

More recently, I've just been doing this international nuclear liability work on behalf of a group of the major U.S. nuclear suppliers, and we coordinate with other countries around the world. The International Atomic Energy Agency [IAEA] has an expert group on nuclear liability that I've been a part of since it was first formed, and then I also participate in the OECD Nuclear Energy Agency, Nuclear Law Committee as part of the U.S. Government delegation. That meets in Paris a couple times a year, and the IAEA expert group meets in Vienna. We've run workshops around the world for just about every country now to promote adherence to the international treaties that govern liability issues. [Editor's Note: The OECD is the Organisation for Economic Co-operation and Development.]

SI: You left the Department of Energy in 1983.

OB: Right. Then, I went back into private practice, and was with a couple of different law firms and now am practicing on my own.

SI: You mentioned that some of your work dealt with Chernobyl. Was that dealing with claims from areas in the West that were impacted?

OB: Well, what happened was that there were plans by the Energy Department of the U.S. Government to provide safety assistance following the Chernobyl accident. The OECD Nuclear Energy Agency in Paris set up a working group to advise on that, and I was part of that working group. Then, another group was set up specifically for Ukraine by the G7. Since I had been involved in working with the Ukrainians, I was asked to be part of that group as the only private sector member. So, we spent a lot of time in Kiev, advising the Ukrainian Government on how to change their laws, how to improve the safety. We actually went out and visited Chernobyl one time. So, I was imminently involved in working with the Ukrainians.

SI: Was that after the fall of communism?

OB: Oh, yes. By that time, Ukraine was an independent state. In fact, it was interesting. There was a meeting in Paris of a number of the former Soviet states, talking about the Safety Assistance Program. There, I met the general counsel of the Ukrainian Foreign Ministry, and he asked me to help organize a meeting on liability in Kiev, which I did. We had a meeting in Kiev. What year would that have been? '96, '97, something like that. The foreign ministry was in the old Communist Party headquarters building. We had our meeting sitting around the old Politburo table, which Alexander Chaly and I co-chaired, along with representatives of Germany, France, the United Kingdom, the United States, the International Atomic Energy Agency and then some of the nuclear suppliers from the United States and Europe.

SI: Had you done any work on that before the fall of the Soviet Union?

OB: No. Actually, it came about after Chernobyl. I actually was called by one of my American clients who had been asked to do work on the safety cleanup and said, "What are the liability

consequences of us doing this work?" I said, "Well, they're pretty significant, because there's no coverage and the Soviets didn't pay any money for any of the claims. So, we've got to figure out something else." That's what led to the International Atomic Energy Agency negotiating new treaties to address the issue, and I was involved in advising on some of the treaty language when it was being negotiated and then getting the United States to ratify it after it was.

SI: In doing that, would you be trying to talk with lawmakers, or were you dealing with their staff or some other aspect?

OB: Both, yes. We did some of the direct lobbying ourselves. Senator Luger was then the chairman of the Senate Foreign Relations Committee, and I met with him to talk to him about the importance of this treaty, and his staff members. Biden was ranking at the time, and we met with his staff also. There is the domestic law on nuclear liability, the Price-Anderson Act, and the last two renewals, I represented a group of Energy Department contractors lobbying for the renewal.

SI: Do you find Congress to be receptive to what you have tried to get through?

OB: It ultimately passed. It wasn't easy. It took a couple of years and a lot of meetings, a lot of lobbying effort.

SI: It sounds like you were really trying to build a structure to deal with liability internationally almost from scratch.

OB: Well, there were treaties in place, but the United States was never a party to them. They've been improved over the years now. In fact, the Paris Convention, which most of the Western European countries are members of, they negotiated a new renewal in 2004, but it still hasn't entered into force. In fact, we're hoping it will enter into force next January 1st. The European Union has made all of the countries ratify simultaneously, and Italy was the holdout until last October. So, that's probably finally going to happen. It took a long time to get the United States to join what's called the Convention on Supplementary Compensation for Nuclear Damage, which was not in place at the time of the Fukushima accident, but the United States ratified and then Japan ratified after the accident. So, that treaty has entered into force as well, and we're trying to get more countries to join it now that it's in force.

SI: What were some of the other issues involved in Fukushima?

OB: Well, I worked on the liability aspects of it. I didn't get involved in the cleanup, and I never got to that site. I have been in Tokyo a couple times since the accident, but never went out to the site.

SI: You have been in this field for over forty years. What are some of the major developments that you would still like to see happen?

OB: Well, I'd like to get more countries to join these treaties and get that in place, and then we'll see what happens with the economic viability of nuclear. It's very expensive to build these plants and long lead times, but maybe things will change with small modular reactors that can be

fabricated remotely and moved into place more quickly than building an eight or ten-billion-dollar plant.

SI: Again, I do not know too much about nuclear energy, but one of the issues that I keep seeing in the news is that everything is aging and that can create problems as well. Does that change the liability end?

OB: No, not so much. Originally, these plants were licensed for a forty-year period and that forty years wasn't so much a safety measure but because of the financing and the cost of it would be amortized over a forty-year period. But now the Nuclear Regulatory Commission has allowed some of these plants to be extended for another ten or twenty years. We're seeing relicensing to extend the life. At the same time, the costs of these plants have gone way up, and with natural gas prices being as low as they are, the utilities are saying, "Why should we keep a nuclear plant operating when we can burn natural gas cheaper?" That's sort of the situation, although from a global warming point of view, it makes sense to use nuclear because there are no greenhouse gases created. We're seeing countries like China do that. They are continuing to build plants.

SI: Is there anything else about your career that you would like to talk about that we have skipped over?

OB: No, I think I have given you a pretty broad overview of what I've been doing.

SI: I am just curious, in general, how much do you have to get into technical issues or scientific issues, or is it just the principals are the same?

OB: The principals are pretty much the same. I was a history major, and I've been doing this nuclear stuff for forty years now. I guess I've learned a lot on the job, but I haven't needed to know the technical aspects of it.

SI: Okay. Edgar, do you have any questions?

EK: I just have one last question. You said that you are still doing talks and that you do them internationally. Do you speak other languages other than English?

OB: No. We use translators. These international workshops that we've been doing for the International Atomic Energy Agency have all been conducted in English. Fortunately, English is kind of the universal language these days, so we can get by with that. I took two years of French at Rutgers, but that was over fifty years ago now. [laughter]

SI: Is there any aspect of your life or any other period that you want to talk about that we either went through fast or did not talk about?

OB: No, I can't really think of anything specific.

SI: Looking back, how do you think your time at Rutgers shaped you?

OB: Well, I think I got a good education there. I made some lasting lifetime friendships that are continuing to this day and staying in contact with people, including people like Rich Levao, who ended up as the Chairman of the Board of Governors. He and I talk every couple of months, and there are other classmates that I try to see at least once a year, at least before the Covid situation. It's been difficult since that.

SI: Obviously before Covid, would you go back to campus much for any reason?

OB: I usually would go to every one of the five-year reunions. We just had our fiftieth reunion a couple of years ago. I was there for that. I got into the Old Guard. Before I moved to Washington, I was on the executive committee of the Alumni Association and spent a lot of time coming up for meetings during that period, but then once I moved to Washington, it was more difficult to get up there once a month. So, I haven't been to the campus as much as I used to be. Now, that I'm in Massachusetts, it'll probably be even harder.

SI: Were you involved with the Rutgers Club of Washington?

OB: Yes, I went to a number of meetings. They would occasionally have get-togethers for basketball games and that kind of thing. Yes, I did some of that.

SI: If there is anything you want to add, feel free, or you can add it to the transcript.

OB: I think we have gone over a lot.

SI: Thank you very much. This has been really informative, and I really appreciate it.

OB: If you think of anything else, shoot me an email or whatever, and I'll try to respond.

SI: All right, thank you very much.

OB: Well, thank you.

----------END OF TRANSCRIPT----------

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