

George J. Mitchell Oral History Project

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L. Joe Wishcamper
(Interviewer: Mike Hastings)

GMOH# 118
July 10, 2009

Mike Hastings: The following is a recorded interview of the George J. Mitchell Oral History Project, an activity of Bowdoin College. The date is July 10, [2009], a Friday, I'm in Portland, Maine, at 3 Canal Plaza, at the offices of the Wishcamper Companies. The interviewee is Lyndel Joe Wishcamper, I'm Mike Hastings, the interviewer. If we could begin, please, could you state your full name and spell your surname. This is multi-directional, so you don't have to -

Joe Wishcamper: Sure, well, this feels a little bit like a witness in a court now. It's Lyndel, L-Y-N-D-E-L, Joe, Wishcamper, W-I-S-H-C-A-M-P-E-R.

MH: Okay, and your date of birth and your place of birth.

JW: All right, August 18, 1942, I was born in Amarillo, Texas.

MH: And your father's full name and your mother's full name.

JW: Oh, my goodness, Joe Henry Wishcamper, good Texas farm boy. My mother's name was Mildred Louise Pierce.

MH: P-I-E-R-C-E?

JW: P-I-E-R-C-E, she was born in Ponder, Texas.

MH: Can you tell me a little bit about your father and mother?

JW: My father was a son of a German farmer in the panhandle of Texas, grew up in a really hardscrabble kind of Okie type setting, and he was born in 1913, so he lived through the Depression, and prior to that, or about the same time, there was the Dust Bowl, and they were right in the Dust Bowl. His father's farm was not far from the Oklahoma border, so they barely survived it. My mother was essentially born into a migrant worker family and moved around a lot and lived in a railroad boxcar for nine years – you can see the picture on my wall of her and her family. And they were a struggling couple who had aspirations for their kids.

MH: How many kids?

JW: Three. I was the eldest.

MH: The eldest, so do you have brothers or sisters?

JW: I have two sisters.

MH: Two sisters, so are they still in Texas?

JW: One just died this year, in Dallas, the other still lives in Texas, as does my mother.

MH: Now, where did you grow up?

JW: Well, I grew up in Amarillo until I was ten years old. My father worked for the telephone company and we moved to Wichita Falls for two years – Wichita Falls is a really sophisticated metropolis on the Oklahoma border, I want you to know.

MH: *The Last Picture Show.*

JW: *The Last Picture Show*, you may remember it, that's right. Cybill Shepherd in the nude, diving in a swimming pool in the big city of Wichita Falls.

MH: Ground breaking film.

JW: That was a great film, you're right, yes, that's right. Ben Johnson was a great actor in that film, do you remember that?

MH: Oh yes.

JW: Yes, that was great. So anyhow, we moved to Fort Worth when I was twelve, and I finished high school in Fort Worth and then went, as was said in those days, went east to school.

MH: Okay, now what was it like growing up in Amarillo, in Wichita Falls, first of all?

JW: Well you know, Mike, I'll just say quickly, it was culturally pretty spare, and I was always a dreamer and it was a pretty limited type of culture and environment, and there's a lot of Texas still in me but I also knew that I needed to get into a bigger world.

MH: And what about Fort Worth?

JW: Well, Fort Worth, in the five years that I was there, was still a western town. And so the culture was what you think of when you think of the Dan Jenkins novels. It was about football and it was about church and being saved, and everybody was, post-WWII, the families that we were associated with were lower middle class families that were striving to move up, get their kids educated. So it was a culture of people not having known affluence, who were just kind of getting semi-affluent, or aspiring to becoming affluent. So there was a lot of material striving,

and at the same time there was a lot of the fundamentalist religious stuff going on.

And so I grew up in a fundamentalist family, and my family wanted me to go to college, they wanted my sisters to go. I started working, throwing papers when I was thirteen years old, and as far as I can remember I worked every summer from the time I was thirteen years old doing construction, or something like construction.

MH: Was, during that five-year period, was there a construction boom in the Fort Worth area?

JW: Oh, as you may remember, there was a post-war boom that lasted until probably, at least the early '60s, and so yes, there was definitely, the city was just expanding, blowing up.

MH: Now when you say you worked in construction, give me a little more detail.

JW: Oh, well I'll just tell you quickly, the first job I had I think I was thirteen and I was what would be known today as a hod carrier. I was working for a bricklayer and the idea was you had to carry bricks to the bricklayer and hoist them up onto the scaffold, or they would mix the mortar in the little mix-master, and you'd put it on a big board and you'd carry it over to the guy and, I was basically a grunt. And I did that for a couple of summers, and then I was actually pouring concrete for a while and I was working with carpenters and bricklayers and laborers, and it was [hot, hard physical work].

I will tell you this, I never went to an integrated school. Fort Worth was probably, I would guess at that time probably sixty or seventy percent white, probably twenty or twenty-five percent black, and the rest Hispanic. Hispanics went to our schools, blacks did not; so the only contact I ever had until I went to college with black people was on the job, in my construction jobs.

MH: What did you do in high school in terms of organized activities, were you an athlete or a debater or a drama star?

JW: Well all of the above, of course. No, I was none of those. I think that I worked hard, and I did a lot of after school work. I was either throwing papers, or I sold shoes after school, so I was kind of a, I was kind of a grinding type of guy.

MH: Not unlike Senator Mitchell's high school experience, I guess. I once asked him what he did in high school, and he didn't say very much so I called up the Waterville Library and asked for them to read me what was under his high school graduation picture, which he didn't like actually. But I did that, and he later told me it was the fact that he was working most of the time in high school.

JW: Yes, I worked all the time. I would get out of school and I'd take the bus down to, I can remember this, to a department store called Monnig's Department Store, and I sold shoes in the basement. I worked for a guy named John D. Whitehead, and John D. Whitehead would tell me that my job was to basically get the shoes out the door, forget about the customer, get the shoes

out the door. And we would sell these little inserts in the shoes, and I think that they were five bucks and I'd get a dollar commission on every one I sold and I thought that that was big money.

MH: How did you pick Yale?

JW: I was kind of a dreamer, and I wanted to go to an Ivy League school, started writing off for catalogues, and didn't know anybody. And I guess I probably liked the Yale catalogue better than I liked the others.

MH: Was it a good choice for you?

JW: Oh, it was great, it was a turning point in my life, for sure, absolutely, and I've been very loyal to Yale as a result. I went to Yale on a need-based scholarship, and my family paid \$300 the first year that I went to Yale; that was the total for room, board and tuition that the family had to contribute. And as I recall, the total tuition that year was \$2300, that was tuition, room and board. You probably had a similar experience at Bowdoin. And that's the way it went for the entire four years that I was there.

MH: Did you go on to graduate school, or did you -

JW: I did, yes.

MH: Where did you go to graduate school?

JW: I went to Harvard Law School.

MH: Harvard Law School, okay. Did you end up practicing law?

JW: Just a very short time. I sort of knew from the time that I entered law school that I was probably not going to practice law, so I practiced in New York for about five months.

MH: I see, in one of the big firms?

JW: In a big firm, yes.

MH: And then what?

JW: Well I kicked around in the investment industry in New York for a couple of years, and then in Boston in the investment industry, and then in 1970 I went to work for a real estate developer who did subsidized housing.

MH: And who was that?

JW: Well the guy's name was Max Kargman, Max was one of the original developers of

subsidized apartments in a program that goes back to the early '60s called the 221(d)(3) program.

MH: These are federal sub-, federally subsidized -

JW: Federal subsidies, and I was actually reading an article recently about the history of some of these programs, and I think Max did the first 221(d)(3) property in the country, which was a property in, it was called High Point Village and it was located in Jamaica Plain, in Boston.

MH: And these, for those who don't, aren't familiar with subsidized housing programs, what population did they target?

JW: What they did, Mike, initially, these were programs that were interest subsidy programs, so instead of the subsidies going to the residents in the form of rent subsidies, the government would either make a loan or guarantee a loan that would reduce the interest rate from a market rate down to, originally three percent but in the later program one percent, and then the developer in turn was required to keep the rents at a level that would pay this reduced cost mortgage so that the rents would be affordable to people that today we would call more or less lower middle income. In other words, people who couldn't afford market rents, but were not so poor that they [] [qualified for public housing.]

And the 221(d)(3) program existed for about four or five years, was replaced by something called the [Section] 236 Program. The 236 Program built a lot of housing in this country, and in January of '73, Nixon stopped that program in its tracks, and this is an amazing thing [] [Nixon created in] August of '74, [] a new program [] called the Section 8 Program, and that has been a huge, huge factor in providing housing for lower income Americans. People don't realize it, but that was basically a Republican program.

MH: We don't have time to get into too much detail, but why did Nixon, what were Nixon's, or his administration's complaints about the 236, and why was Section 8 better?

JW: I frankly don't know the answer to that. I don't know why the 236 Program was shut down, and I frankly think that when Section 8 was created, they'd never realized how big a program and how expensive program it might be for the government. But what it did, either by design or accidentally, is it really created a type of housing program that could house people who were truly poor.

MH: Let me ask you, because I do want to get to the Mitchell connection, how did you get to Maine and how did you meet him?

JW: Very simply, what happened was that I was working for a developer in Boston for whom George Mitchell was attorney in Maine. George had left Muskie, had run for governor, had lost, as you may remember, to Longley, and this was in 1976, or maybe '74, I can't remember, but in any event he was practicing at Jensen Baird.

MH: Probably '76. He lost in November of '74.

JW: 'Seventy-four, well this would have been in '75 probably, and I remember meeting George because we were in Maine trying to do several different properties in Maine, and I was assigned as the development project manager for those properties. So I met George, and then subsequently my boss decided that he wanted not to proceed with a property in Biddeford, Maine, that I had been responsible for organizing. It had not quite gotten to the point where it was a real deal, but it was in process, and he called me in one day and said, "I know that you would like to have your own business, I'd like to offer you the opportunity to take this project out and make it happen. It's too small for us."

MH: And what project was that?

JW: Well, it looked like a horse blanket to me, I mean it was a huge thing for me because it was a fifty-unit property in Biddeford, which eventually was called Prospect Manor, and I went to George [] and said, "George, I do have this opportunity, I'd like you to represent me on this transaction," and so that was essentially the project that allowed me to start a business. And when I got that opportunity I made a decision that I wanted to live in Maine and not try to do this type of thing from Boston. And so I came up in the summer of '76, and we actually moved into what is now our home in the summer of '77, so I was essentially commuting back and forth between Boston and Portland for a year.

MH: He couldn't have been your attorney for very long, because President Carter appointed him to be U.S. attorney shortly thereafter.

JW: Yes, and I remember he was winding up his affairs at Jensen Baird. We had closed this property in Biddeford, we closed it in September of '76, and I think we closed one other property when George was still representing me. But we had several on the drawing boards, and he needed to wind up his affairs with his partners, and I remember sitting down with him, it must have been in early '77 or somewhere in that period of time, and tried to take stock of how real all these projects were so that he could make his deal for separating from his firm.

MH: What did you think of him as an attorney?

JW: [] All of the qualities that we all saw in him later, if you were really paying attention, you could see in him at that time. His integrity showed, I mean he was very, very scrupulous about issues of transparency, issues of disclosure, issues of being legally very careful. And the other thing was that he was just very likeable. His intelligence wasn't overbearing, I could go and sit down with him at the table, we could talk about an issue. I'd just say that he was probably honing the skills that he eventually was so successful with, which was to be more intelligent than anybody else in the room, but not having anyone else resent it.

MH: Right. Did you, are you a tennis player, did you end up on the tennis court with him?

JW: I did play tennis with George, but only a couple of times and only doubles, I never played singles with him.

MH: What was that like? This is a really intimate question.

JW: It is an intimate question. Well Mike, I don't know what you have in mind, but I'll tell you, George did not want to lose, he was a winner. We were down at Stage Neck Inn with some friends once, and my friend and I played a lot of tennis together and for some reason I couldn't play at that time, maybe injured or something. And George came wandering across from some house that he was renting down in York, looking for a game, and played with my friend. And I remember, George was a judge at the time, pretty sure, or U.S. attorney, maybe it was U.S. attorney at that time, and my friend and I played pretty evenly. George whooped him six-love, just absolutely crushed him, very pleasantly and in a gentlemanly way, but he crushed him, and my friend was pretty impressed.

MH: Now, after he was appointed by Joe Brennan to the Senate seat that Muskie held, you kept in contact in those, in that first campaign when he was working to be elected in his own right?

JW: Yes, here's what happened was, I remember a couple of things. One is I remember going down to his swearing-in, we flew down I think it was in Chuck Cianchette's plane, there were a whole bunch of us who came down together.

MH: Mostly people from Portland?

JW: Yes, well people from Maine anyhow, I remember Chuck and Ryan Fendler, [Juris Ubans,] Tim O'Neil, and myself.

MH: Ryan Fendler, really?

JW: Yes, you remember Ryan?

MH: His son and I were classmates at Bowdoin, his son Chip was a good friend.

JW: And this guy named Snyder and his son, and I think Mr. Locke and his son, I forget, Charlie Locke I think his name was. A number of people, Chuck had a big plane at that time. And here's what I remember about that night, I remember Senator Muskie having us over to I think it was his apartment.

MH: Or his hideaway maybe, his hideaway office in the Capitol?

JW: I think, well it might have been, but I do remember that Senator Muskie was very interested in watching a video, or a television report or something, about Senator Muskie. It was really much more about Senator Muskie than it was about Senator Mitchell at the time, and I had

of course known that Senator Muskie was a pretty self-involved gentleman, so that was kind of interesting. But I didn't really know Muskie, I think that may have been the first opportunity I'd ever really had to be with him in that type of a setting.

You asked me about the subsequent campaign. I do remember trying to raise, or raising some money for George at that time, and I remember it was very interesting to me how many people were still supporting David Emery at that time.

MH: Well Emery was very far ahead in the polls.

JW: Yes, Hugh and Ellie Saunders, I remember calling them and being very surprised that, as Democrats, they were not willing to step up and support Senator Mitchell because, as you know Mike, Emery was a sitting representative at that time.

MH: He was.

JW: And people thought that he was going to win.

MH: Was that your first exercise in fund-raising for a political candidate?

JW: I think I had raised some money for Jimmy Carter in 1980, but it was certainly my first one for a Maine related office.

MH: Now, other trips to Washington to see the Senator?

JW: The other thing I will tell you that I remember that – you may have heard this. I remember hearing from maybe Scott Hutchinson or someone how Joe Brennan made the decision to appoint Senator Mitchell, and maybe you've gotten this on your -

MH: No, I'd be interested in hearing it.

JW: Well here's what I heard, and I'm not a hundred percent sure I've got these facts right, but I think that Ken Curtis was the other person who was being strongly considered, and [] this was a difficult decision for Joe Brennan, but what I was told is that he was with some of his close friends and supporters, including Bob Dunfey, at the Blaine House, and made the decision to offer the job to George, and actually had Bob Dunfey make the call, while they were sitting together. And I think that Bob was the person who got George on the phone and either offered him the job or handed the phone over to Joe Brennan.

MH: Well, I hope to have the opportunity to interview the Senator and we'll ask him.

JW: Well you can ask him, yes, sure.

MH: Who actually made the call.

JW: Well, tell him that there's a rumor floating around that that's how it happened, and I'm not sure if it's true or not.

MH: Very good. What do you think about the way he comported himself as a senator, and his subsequent transformation into a businessman?

JW: Good question. [] Well, I'd say this, it was amazing how meteoric his rise was in the Senate, wasn't it? I mean he entered the Senate, it must have been '79, was it?

MH: He entered the Senate in April of '80.

JW: April of '80, April of '80.

MH: April, May, end of April, it may have been May even.

JW: He was probably Senate majority leader by '87 or '88?

MH: I think so.

JW: Yeah.

MH: Yeah, I think it was '88.

JW: Well let me tell you the one thing I think you'd be interested in, in this interview, and that is the role he had in the low income housing tax credit.

MH: Oh, that would be excellent.

JW: [] Yes, well what had happened -

MH: Because that's something that clearly affected your business and your interests.

JW: Hugely, yes. What had happened was, the Section 8 Program had become by this time a really major program, it had been around for over ten years, had produced several million units of housing, and the way that that program worked was, Section 8 subsidies were allocated through a process going from the federal government to the state government and then out into the field, were allocated to developers who proposed meritorious projects. And so if I had a project, as I did here in Portland, Maine, let's say the North School, North School was an abandoned city property.

MH: Is this the school at the foot of Munjoy Hill?

JW: That's right, yes, available for reuse, same thing with the Portland City Hospital out at

Exit 8, which I also did, it was available for reuse, an abandoned building, city wanted to see it put to a good use, so I made the proposal to the city [that] we'd make it into elderly housing using Section 8 subsidies. City awarded us the right to develop the property, then we would go to HUD, through the state, and say, we want to get an allocation of sixty rental subsidies to build a sixty-unit apartment complex at the North School, or 104 subsidies to build 104 elderly units at City Hospital.

Those subsidies would allow us to receive market rent from a combination the Section 8 payment by the government and a tenant contribution by the residents. Residents pay thirty percent of their income for rent, so if a resident had let's say, a \$6000 income, they would pay in rough terms, let's say, \$2000 a year, which would be, what is that, \$170 a month. The rent on the apartment might be \$600 a month, so the government would be paying \$430 and the tenant would be paying \$170, or something like that.

The point, though, is that for the housing to work, we had to get a market rate of rent. In addition to that, there were tax losses that were thrown off by all of these properties, because you were allowed to, in those days, depreciate the properties very quickly through something called accelerated depreciation, so you actually ended up, even though you were making a cash profit, you would end up with a tax loss, and you could get, you being the developer, could get investors who had income – in those days the maximum federal tax rate was fifty percent, not thirty-five percent like it is today. There was a point, you may remember, when the maximum rate was ninety percent. So [] these investors, mostly doctors, lawyers, accountants, Indian chiefs, they wanted to shelter some of this income with [] paper losses, and they would contribute money toward the development of the properties to become partners in the partnerships that owned these properties.

So it was a great deal for the developer because the developer raised mortgage money from a state agency, raised equity money from these investors, and basically didn't have to pay large cash dividends to the investors because they were getting their dividends through these tax losses. That's where they were getting their returns, was through the tax losses.

Well, like every other program that private industry gets hold of, there were a lot of abuses, and people were basically ginning up losses that shouldn't have existed in order to be able to raise more money, and the government eventually decided that it needed to crack down on those abuses. So they passed what was eventually called the Tax Reform Act of 1986, which essentially eliminated the ability for investors to take these paper losses.

MH: That would have gone through the Senator's committee, the Finance Committee of the Senate.

JW: It was the Senate Finance Committee. And it was a reform that needed to happen, but without George Mitchell, it would have essentially shut down, or effectively shut down a major production program, the Section 8 Program, because the Section 8 Program depended upon both the rental subsidies and also this means of raising equity.

So the Senator had an assistant whose name was Bob Rozen. Bob was a tax guy and he was very, very good, and Bob worked with the industry to essentially, on behalf of George Mitchell, to essentially create what later became known as the Low Income Housing Tax Credit. And so now, beginning in 1986 and continuing right up through today, the big production program for low income housing is the Low Income Housing Tax Credit, and what it does is, it provides a certain allocation of low income housing tax credits, so that the Treasury knows exactly what the cost of the program is going to be, and those tax credits are distributed among the states on a formula basis, so many dollars per capita of population, and the states in turn allocate them to meritorious projects. And because those tax credits credit a tax benefit for an investor, the investor can once again come to the plate, invest in a property, and not receive a cash return but essentially receive a tax return.

The difference between the two is that the tax credit program is very strictly controlled in terms of the generation of credits, so that the ability for, or the opportunity for abuse is virtually nil, in comparison to the opportunity for abuse before. It's a much more efficient type program, it's much less costly to the government, and it's essentially proved to be a generation of, it's probably, well it has lasted longer than any prior predecessor program for low income housing production.

MH: This is very helpful, and that's exactly the kind of, I mean I, we know that he had something to do with subsidized housing, but that explanation will really give some meat to the accomplishment, and it's obviously, twenty-one years it's been going on.

JW: It's been going on, well it was passed in '86, so it's actually twenty-three years.

MH: 'Eighty-six, so it's more than twenty-one, twenty-three years, wow.

JW: And it's really stronger today than it has been at any point in the past. And in fact, the most recent stimulus bill has essentially focused some of the stimulus effort on low income housing tax credits.

MH: I want to respect, I know that you have a busy morning ahead of you and that we have to wrap this up, but I would like to ask, as I started out telling you before we turned the tape on, that we're as interested in you as we are in your interaction with the Senator. Looking back on your career, what do you consider to be your – I sense that there are many, many housing units out there that you've been responsible for. I looked on your website, I saw some rehabs of a number of Mississippi units that are cited there. How many units are we talking about that you've been involved in over the years, and what do you consider your biggest accomplishment?

JW: Good question. Well, I think my current involvement, or portfolio, I have interests in about eight thousand apartments. If I were to add up the apartments that I've also been involved in that I've subsequently sold, it's probably between nine and ten thousand apartments. I don't keep count like that. I will say we're involved in thirteen states in the eastern part of the United

States, from Michigan and Missouri and Wisconsin on the west, and Mississippi, through to the northeast and the southeast, and I love doing what I do. I love it because it's not only a good business but it's a feel-good business. And we're involved in Mississippi basically as part of the Katrina reconstruction effort, and three years later we're still working on it, and we're hopefully going to be doing two more properties in Mississippi that are post-Katrina type properties.

I think that the biggest influence that Senator Mitchell had on me, I'd say in a couple ways: one is, at the time of the '86 Tax Reform Act, I probably had been involved in maybe two thousand apartments, and since that time it's probably another seven or eight thousand. So the low income housing tax credit has essentially been the engine for the growth of my business, Mike. And fortunately, because of the soundness of the program, we haven't gotten into situations that developers used to get into, which was to build properties and then at some point those properties might fail. We've never had a default and I'm really proud of that, and never had a foreclosure, and my portfolio, with the exception of maybe one or two projects, the entire portfolio is making money, or at least breaking even or better.

The regret that I would have in terms of the Senator and my relationship is that, like all of us, the Senator has moved on in his life, from one level of engagement and relationships to a higher level, and so I found his accessibility to be increasingly more restricted. And so when I see him today, I don't see him the way that I used to see him, which was in an informal and friendly way. I see him more as, it's more of an audience than it is a friendly encounter, and I regret that. But I also understand it.

MH: We have to share him with others.

JW: Well that's right, exactly. And he's doing what he's been called to do, and he's doing it well. And so you can't resent the fact that he has to limit the scope of these older relationships to basically being more, if you will, what's the word, the relationship is a relationship is a relationship that used to exist, and it really doesn't exist in that form today.

MH: I have one last question for you, and I do this as a former staff person for him. How does Maine get more Wishcamper-type companies to headquarter here and do work nationally? I mean, you're the perfect model for Maine's economic development, and how has, you know, has it been difficult to be headquartered here and then, you know, or are there reasons, beside the fact, I know you're living here, but why, why are you here?

JW: Well yes, why am I here? Well, we all ask ourselves that question, in many ways. No, it hasn't been difficult, and you're right about the model, the growth of Maine, to the extent it's going to happen, it's going to be small businesses. I'm here because of the people. I'm here because of the sense of community, I'm here because of, probably the same reason you're here, you know. I'm not here because it's an economically inviting place to be. And in terms of what the problems are, I think that the real problem, Mike, is that we do not have a state administration. This governor and this legislature really are not engaged the way they should be in supporting entrepreneurship and supporting the incubation of enterprise, whether it's people in

agriculture or what I do or business or whatever. And at some point in time I think we're going to all have to come together as a community and realize that we have to have economic growth, we can't penalize economic growth. But that's a long term problem.

MH: That'll be the last word, thank you Joe Wishcamper.

JW: Thank you, thank you Mike, nice interview, thank you.

End of Interview