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Edward W. Brooke Is Dead

3 01 2015



(<http://naegeleblog.files.wordpress.com/2009/12/dscf29392.jpg>) By Ti D. Naegele (<http://www.naegele.com/attorneys.html#tdn>)[1]

He is gone, and it is sad. He was not a rock star or a celebrity in today's terms; and most Americans have never heard of him. But he should be remembered; and I will always remember him fondly. He was a trailblazer.

Brooke was a black man, and I was a white man, more than 20 years his junior. He hailed from Massachusetts, and my home was California, on the opposite sides of the continent—and seemingly worlds apart. We were both lawyers, and we enjoyed laughing together; and perhaps this is what I will remember most about him. He had a charming, infectious laugh; a wonderful smile; and a good sense of humor. I believe he tried to do his best, and I did too; and our paths crossed purely by chance.

I was an Army captain—fresh out of the Pentagon during the Vietnam War—when I went job hunting on Capitol Hill. Before the military, I had worked briefly for a prestigious law firm in San Francisco, after graduating from law school at Berkeley. They had offered me a job

when my two-year Army commitment was finished; and instead, I wanted to work on the Hill, which I thought would be more exciting and a once-in-a-lifetime opportunity, before I returned to California.

As chance would have it—after having “back-up” offers from the Justice Department and the SEC—I was not hired to work for Senator Alan Cranston of California, which is what I really wanted to do. His staff was headed by someone from New York, who seemingly cared nothing about my love for California, or my connections and credentials, because apparently he wanted to propel Cranston into the foreign policy arena nationally. I even offered to work free for a month, so I could demonstrate my talents and enthusiasm, but it came to naught.

In the process of “pounding the corridors” on the Hill, an acquaintance told me that Ed Brooke was looking for someone to staff him on the Senate Banking Committee, which seemed to be an ideal fit.

In college, I had worked two summers as a relief teller at lots of branches of a Southern California bank. Also, I was in the midst of finishing a second law degree at Georgetown’s law school, the LLM, with emphasis on international trade law that related to the committee’s oversight responsibilities. I never met the senator nor knew much about him before I was hired by his very talented and superb chief of staff—or “Administrative Assistant”—Dr. Alton Frye. He and I hit it off; and the next thing I knew, I had been hired.

Officially, I was on the “minority” or Republican staff of the committee—because the Democrats controlled the Senate—and the senator was one of the committee’s ranking GOP members. Unofficially, I worked for the senator on legislative matters and speeches and dealing with constituents. It was heady work, and I enjoyed it immensely. John Sparkman of Alabama was the committee’s chairman; and he had been the Democratic Party’s nominee for Vice President in 1952, running on the ticket of Adlai Stevenson, when Dwight Eisenhower and Richard Nixon trounced them.

Also, Bill Proxmire of Wisconsin was on the committee, who turned out to be one of the finest public servants I have ever met.^[2] Other senators included Ed Muskie from Maine, who ran for the presidency; Walter “Fritz” Mondale from Minnesota, who became Jimmy Carter’s Vice President and ran for the presidency himself against Ronald

Reagan in 1984; and Charles “Chuck” Percy of Illinois, who had been president of Bell & Howell before he entered the Senate, and whose daughter married Senator Jay Rockefeller of West Virginia.

On the committee staff, where my official title was “Assistant Counsel,” the first thing that I did was staff the Presidential Commission on Mortgage Interest Rates, which was an education unto itself. We met in a room off the Capitol rotunda; and it was a joint Senate-House commission, chaired by Sparkman and Congressman Wright Patman of Texas. Sparkman was 70 and Patman was 76; and both legislators were wily and shrewd like few people whom I had met in my life, up to and including today. Also, both were delightful human beings.

Ed Brooke had been elected to the Senate two years before I arrived, so he was still very junior in terms of seniority. However, because he was the first black U.S. senator since Reconstruction after the Civil War—with Barack Obama being the third—he was afforded a certain amount of respect and responsibility. He had been Massachusetts’ Attorney General, and he was smart and charming; and his colleagues in the Senate seemed to genuinely like him.

I was responsible for the senator’s legislative matters pertaining to banking, securities, international trade, and housing. The committee’s jurisdiction included oversight of the Federal Reserve Board, the Treasury Department, HUD, the SEC, and the bank regulatory agencies such as the FDIC. Among other things, I participated in drafting laws, in addition to assorted bills on various subjects such as Standby Letters of Credit. Most importantly though, I authored the Anti-Tying Provision of the Bank Holding Company Act Amendments of 1970, which remains the only federal antitrust law enacted by Congress that deals specifically with predatory lending practices by banks and other financial institutions.[3]

Also, I authored two pieces of housing legislation as part of the Housing and Urban Development Acts of 1969 and 1970, with respect to which I will always be very proud: the “Brooke Amendment” relating to public housing; and the national “Housing Allowance” program, which morphed into the Section 8 housing program that has helped millions of Americans. Unfortunately, there is scant mention of the first program in the senator’s book, “Bridging the Divide: My Life”—which is contained in one paragraph.[4] No mention of the second program is made at all, yet both have helped enormous numbers of poor Americans, many of them elderly.

Others contributed to the writing of Ed's book; I did not. Presumably they had no idea about the origins of the Brooke Amendment, nor how many Americans were helped by it and Section 8. The senator told me one day that he was concerned about the plight of public housing tenants in Massachusetts, especially the elderly.[5] Hence, I went to work and tried to determine what could be done. One person who was central to my efforts was a wonderful black man, the late Tony Henry, who headed a group called the National Tenants Organization.

Tony gave me the idea of capping the rents that public housing tenants paid at 25 percent of their incomes, with the federal government picking up the difference; and providing other financial assistance to the crime- and poverty-stricken projects. This became the Brooke Amendment; and in turn, the Housing Allowance program was an outgrowth of that—without tying the government assistance to particular projects, but providing “vouchers” that allowed the poor to choose. Literally millions of Americans have been helped; and without the senator, it never would have happened. Indeed, I used to read handwritten thank you letters to Brooke from the elderly, which moved me to tears.

Members of his personal staff and I established a summer program for disadvantaged kids in Massachusetts—on behalf of the senator, in conjunction with the Pentagon—which involved underutilized military facilities in the State, such as the Boston Navy Yard and Otis Air Force Base. This wonderful idea came to me from Bob Goralski of NBC News; and the program served approximately 100,000 kids during its first year alone, which was impressive. The senator and I traveled to Massachusetts with then-Secretary of Defense Melvin R. Laird to review the program and its progress.

Prior to his reelection campaign in 1972, the senator asked me to head his Senate staff, as his Administrative Assistant, which I did—even though I was a Californian. However, he never really had any serious challengers, so our elaborate campaign plans were truncated, and the job proved to be boring. I was not happy, because I wanted to work on substantive matters; and it turned out to be a mistake. The senator was gracious as always; and as we had agreed, I left the Senate in January of 1973 following his reelection, to join a Washington law firm as a partner.

Thereafter, I represented all of the banks in Massachusetts, the Prudential Insurance Company of America and other clients, and came in contact with the senator and his staff on a regular basis. He was helpful and kind; and I always wanted the best for him. He had been mentioned as a possible vice presidential candidate at times, but it never came to pass. He divorced and remarried; and from all accounts, his second marriage was happy and fulfilling, to a wonderful woman, which pleased me greatly.

In the final analysis, how would I rate the man, based on my years with him—and being around other important figures in contemporary history? He never reached his full potential politically, although he achieved a great deal. Among other things, he was honored with the Presidential Medal of Freedom and the Congressional Gold Medal.

The courthouse in Boston bears his name; he is the only African-American reelected to the Senate; and a school was named in his honor.

[6]

Perhaps the most important comparison might be to Barack Obama. In a sense, Ed Brooke paved the way for Obama's presidency. There is no doubt about the intelligence of both politicians. However, Obama was elected to the *presidency* when he was 47, while Brooke was elected to the Senate at the same age. Obama shot into the stratosphere politically, while Brooke never had that chance. I believe he knew it, although he was flattered when people mentioned him for the national ticket.

Brooke did not try to change America because of any hatred of whites or our capitalist system. After reading Obama's "Dreams from My Father," most Americans will have few if any doubts why he associated with and befriended Weather Underground co-founder Bill Ayers and Rev. Jeremiah A. Wright Jr. Their radical views seemed consistent with his.[7] Ed Brooke was *not* a radical, or even close. He grew up on the American mainland; whereas, Obama grew up in Hawaii and Indonesia, and never set foot on the American mainland until he attended Occidental College in Southern California.

Brooke was an American, and proud to be one. He did not engage in class warfare like Obama has. He did not have deep-seated racial anger, nor exacerbate racial tensions and violence. And he was not a Narcissistic demagogue like Obama is. Brooke grew up with a stable family life; Obama did not. I have zero doubts that both men faced unbelievable discrimination because of their skin color, especially

Brooke—because of the times when he grew up. However, I never experienced *any* racism on his part. Because he was a U.S. Army officer in Italy during World War II, where he saw combat, there was no anti-military hostility or prejudice like Obama has.

If Brooke had an Achilles' heel or more than one, they involved women and possible links to the Mafia, which were unsettling. His affairs with white women such as Barbara Walters have been documented. However, most disturbing were his affairs with young white women on his Senate staff, before I arrived in his offices.^[8] Many of their lives were changed forever by the experiences.

The first links to the Mafia apparently arose during his tenure as Attorney General, and continued when he was in the Senate. I met his “contact”—to whom I shall refer as “Norman”—when he visited the senator on numerous occasions in the Russell Senate Office Building. Indeed, the man advised me against investing with the senator on the island of Saint Martin (also Sint Maarten) in the Caribbean, where the senator owned a home and came to know Anne, his lovely second wife and the mother of his son. I always appreciated the advice, and knew it was for my protection and well being.

Perhaps it is these “skeletons” that prevented him from achieving more—or maybe it was simply the racism of the times. No one may ever know. Most of the senator's professional staff was white; and the only black member who worked for him while I was involved became very dissatisfied because the senator was not more “active” on the issues that concerned their race. However, I will never forget that a black man gave a young white man, *me*, a chance to work at the highest levels of American government; and I will always be deeply appreciative of this.

I am sad that Ed Brooke is gone. He is missed. He was not perfect; no one is. Yet, he made a difference—in Massachusetts, Washington, D.C., and in American politics and life. He was an American leader before Barack Obama was even born; and he was a conciliator, not a rabble-rouser or racist. And I will always remember his wonderful smile and laugh.

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[1] Timothy D. Naegele was counsel to the United States Senate's Committee on Banking, Housing, and Urban Affairs, and chief of staff to Presidential Medal of Freedom and Congressional Gold Medal

recipient and former U.S. Senator Edward W. Brooke (R-Mass). He practices law in Washington, D.C. and Los Angeles with his firm, Timothy D. Naegele & Associates, which specializes in Banking and Financial Institutions Law, Internet Law, Litigation and other matters (*see* www.naegele.com (<http://www.naegele.com/>) and http://www.naegele.com/naegele_re (http://www.naegele.com/naegele_resume.html)). He has an undergraduate degree in economics from UCLA, as well as two law degrees from the School of Law (Boalt Hall), University of California, Berkeley, and from Georgetown University. He is a member of the District of Columbia and California bars. He served as a Captain in the U.S. Army, assigned to the Defense Intelligence Agency at the Pentagon, where he received the Joint Service Commendation Medal. Mr. Naegele is an Independent politically; and he is listed in Who's Who in America, Who's Who in American Law, and Who's Who in Finance and Business. He has written extensively over the years (*see, e.g.,* www.naegele.com/whats_new.html#articles (http://www.naegele.com/whats_new.html#articles)), and can be contacted directly at tdnaegele.associates@gmail.com; *see also* Google search: Timothy D. Naegele (<http://imgtfy.com/?q=Timothy+D+Naegele>)

[2] *See* <http://naegeleblog.wordpress.com/2010/09/24/washington-is-sick-and-the-american-people-know-it/#comment-1799> (<http://naegeleblog.wordpress.com/2010/09/24/washington-is-sick-and-the-american-people-know-it/#comment-1799>) ("When A Giant Named Senator Bill Walked Through Washington")

[3] *See* 12 U.S.C. § 1972; *see also* Timothy D. Naegele, "The Bank Holding Company Act's Anti-Tying Provision: 35 Years Later," 122 *Banking Law Journal* 195 (March 2005); "The Anti-Tying Provision: Its Potential Is Still There," 100 *Banking Law Journal* 138 (1983); and "Are All Bank Tie-Ins Illegal?" 154 *Bankers Magazine* 46 (1971) (http://www.naegele.com/whats_new.html#articles (http://www.naegele.com/whats_new.html#articles)).

[4] *See* Edward W. Brooke, "Bridging the Divide: My Life," p. 177.

[5] Many of these elderly were black; and they were preyed on and intimidated by young black thugs and hoods in the public housing projects and elsewhere. Tragically, this happens all too often today; and Ed Brooke wanted to put a stop to it.

[6] See, e.g., http://en.wikipedia.org/wiki/Edward_Brooke
(http://en.wikipedia.org/wiki/Edward_Brooke).

[7] See <http://naegeleblog.wordpress.com/2009/12/05/is-barack-obama-a-racist/>
(<http://naegeleblog.wordpress.com/2009/12/05/is-barack-obama-a-racist/>).

On most issues, I was politically in tune with Ed Brooke; I am not with Barack Obama.

See, e.g., <http://naegeleblog.wordpress.com/2013/03/01/is-obama-the-new-nixon/>
(<http://naegeleblog.wordpress.com/2013/03/01/is-obama-the-new-nixon/>). (see also the footnotes and comments beneath the article)

[8] One of the women told me that *her* goal was to bed the senator, which was consummated later—many years before he and Anne were married.

See also <http://naegeleblog.wordpress.com/2009/12/05/is-barack-obama-a-racist/#comment-2830>
(<http://naegeleblog.wordpress.com/2009/12/05/is-barack-obama-a-racist/#comment-2830>) (“The Truth About Martin Luther King, Jr. Emerges . . . Finally”)

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