

The Mob and the Deputy Chief of Staff

*Meet the White House's Harold
Ickes: Longtime Democratic
insider and counsel to a
mafia-infested union*

BY WILLIAM MCGOWAN

Back in January 1993, after serving as deputy director of the transition in Little Rock, Harold Ickes, Jr., a near-legendary figure in the liberal wing of the Democratic Party, seemed a sure bet for the powerful job of deputy White House chief of staff. But then disturbing allegations surfaced: that Ickes knew about mob infiltration of a labor union he represented as a lawyer in New York, and that he had lied to a federal grand jury in connection with a stock transfer deal involving then-Mayor David Dinkins. In light of the reports, Ickes was forced to withdraw his name. The loss deprived the White House of what its stumbling first year revealed it needed the most: an advisor with deft political antennae who could work closely with both Hillary and Bill Clinton and show the neophytes around them what brass-knuckled politicking was all about.

By January of this year, however, Ickes was brought back from the political grave and given the job he had just missed when the administration opened. Once back on the team, he was to have spent the bulk of his time on the health care initiative. But given his reputation for toughness and for leadership, it wasn't long before Ickes became the point man for Whitewater. "He has the experience of the rough and tumble of New York politics. I just couldn't ask for a better colleague," said Mack McLarty, who put Ickes onto the Whitewater case just a few hours after he walked through the door. Ickes has "the experience of political damage control," noted George Stephanopolous. "That is his ball game."

As last spring's headlines revealed, however, Ickes quickly fumbled. By March, just 10 weeks into his new job, he had been subpoenaed to testify before the grand jury on his knowledge of Roger Altman's so-called heads up briefings about the RTC investigation into Madison Guaranty. He was also in the doghouse over a phone call he and Stephanopoulos made to Altman to get former Washington U.S. Attorney and Clinton detractor Jay Stephens fired as an RTC lawyer.

Such missteps could be explained as bad luck. But those familiar with Ickes' track record in New

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York—many of whom would not go on the record, citing Ickes' reputation for vindictiveness and his formidable powers as deputy chief of staff—were not surprised that he had put himself in a position where he could be charged with obstruction of justice. Although he was cleared of criminal wrongdoing before Clinton brought him back to Washington, Ickes left behind a string of murky controversies in New York.

The good news about Harold Ickes is that he is skilled and has a sense of history and realism missing in the greenhorns who dominate the White House staff. At 54, he is older than most of the staff, too, and unlike Mack the Nice McLarty he is the kind of heavy who doesn't mind cracking the whip or saying no to powerful people. Ickes' storied career in liberal politics adds to his gravitas. Ethical difficulties notwithstanding, he is seen by many as the last of the great crusaders, a prince of the left who has never sacrificed principles for political expediency, remaining true to liberal ideals through the wilderness years when the Democrats were out of national power.

The bad news is that an examination of his record as a New York labor lawyer and a leading Democrat suggests a proclivity for stonewalling and a dread of full disclosure that could be dangerous for the Clintons. The trail Ickes left in New York weaves through the same territory of half-truths, dodges, unsavory associations, and seedy appearances that Whitewater does. His career is strewn with questionable moves that may not have broken laws yet certainly stretched the outside of the envelope of propriety—bad enough for any administration, but worse for one that promised the highest ethical standards.

During the years Ickes developed a reputation and a cult following for his devotion to causes and candidates of the left, he also developed a colorful personal style. Unlike many of his comrades who disdained hand-to-hand politicking and the nitty-gritty of the smoke-filled room, Ickes reveled in it. Hardly the "lightweight weenie" that Roger Ailes called him during the 1989 Dinkins-Giuliani New York mayoral contest, Ickes is of the old school, with one of the most extensive vocabularies of expletives in politics and a taste for confrontation. During Herman Badillo's 1973 bid for the New York mayoralty, for example, Ickes got into a brawl with a fellow

campaign aide and bit the leg of a third aide who tried to break it up. He can conduct himself like a blue-chip lawyer and his friends and many in the press swear he is an affable charmer at heart. But he has been known to explode into screaming fits, which his intense blue eyes and unkempt hair only make more maniacal. Some say this wildman reputation is carefully cultivated to give him an aura of danger he uses to his advantage. Others say it is a function of his narcolepsy and the medication he takes for it.

Ickes' career, which has been likened to "a Baedeker to the liberal politics of the last 30 years," has distinguished origins. Son of Harold M. Ickes, FDR's highly regarded secretary of interior, Ickes Jr. was 12 when his father died in 1953. Dismayed at the way her friends in official Washington dropped her once she no longer represented access to power, Ickes' mother moved the family to a farm in Maryland horse country, although Harold attended Sidwell Friends School in Washington—the same place where Chelsea Clinton now preps. Choosing to go West instead of Ivy League, Ickes graduated from Stanford in 1964. He went to Mississippi that summer as part of the drive to increase black voter registration. There he was beaten so badly by a gang of whites that he lost a kidney.

At the 1964 National Democratic Convention in Atlantic City, he was part of an effort mounted by the Student Non-Violent Coordinating Committee to force integration of all future Democratic delegations from Mississippi. After returning to New York to attend Columbia Law School, he co-chaired the New York delegation for Eugene McCarthy at the 1968 convention, and then went on to work for Birch Bayh, Morris Udall, Ted Kennedy, and Jesse Jackson.

Ickes also practiced labor law, in emulation of a man he has called his "hero," Joe Rauh. His mentor was Jack English, a Long Island Democratic Party chairman and Kennedy family loyalist whom Ickes met during the 1968 presidential campaign. In 1977, Ickes joined the Long Island labor law firm of Meyer, Suozzi, English and Klein.

With such notable New York political figures as English, and former Suffolk County Democratic chairmen John Klein and Basil Patterson, the firm of Meyer, Suozzi was a political powerhouse in the state. Such horsepower attracted

some dubious clients, however, many of them corrupt labor unions, leading some of its opponents to jokingly refer to it as "The Firm." "They may not be at the level of Armand D'Amato," says one former New York prosecutor, referring to the Long Island influence peddler and brother of Senator Al, "but they are not far behind."

One of the Democrats Ickes stayed close to as he worked at Meyer, Suozzi was Bill Clinton. An FOB since their days at Project Pursestrings, an antiwar organization in Washington, Ickes stayed in touch with the Clintons through the seventies, frequently having dinner with them and his former girlfriend Susan Thomases (another politically influential New York lawyer) when the Clintons came to New York. After serving as special counsel to the Democratic National Committee during Ron Brown's tenure as chairman, Ickes jumped into a leadership vacuum in New York state to manage the 1992 Democratic primary for the Arkansas governor. Coming on the heels of Jerry Brown's upset win in Connecticut, New York was crucial for Clinton. Ickes used his network of personal relationships to keep a fragile coalition of feminists, labor leaders, and liberals together in the face of concern over Gennifer Flowers' still-lingering charges of marital infidelity.

Ickes delivered more yeoman service to Clinton by managing the Democratic National Convention in New York that summer, taking great pains to handle the prickly egos of influential Democrats seeking the spotlight. Although he was self-effacing, he was not unsung. Ickes, said Clinton the day after the convention, "was one person without whom I might not be here."

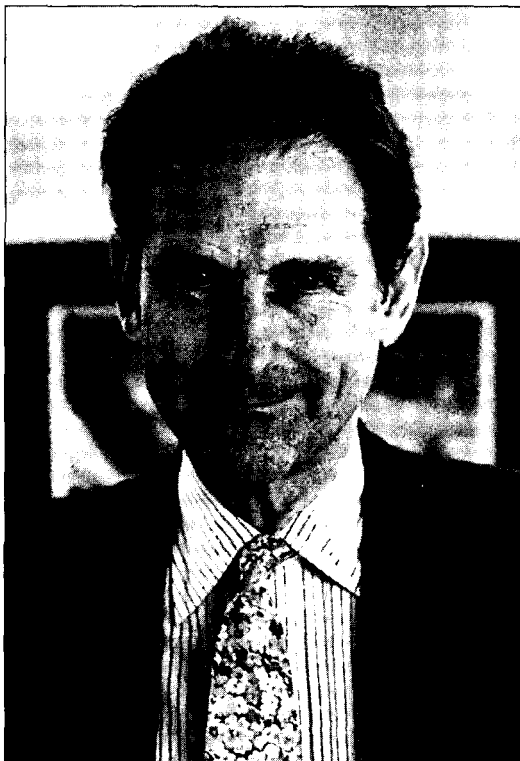
After the election, Ickes went to Little Rock, where he played his pivotal role as deputy director of the transition. During this time he told friends his position as deputy chief of the White House staff was "a done deal." But after a week of negative press reports in January about Ickes'

unsavory clientele and his role in the Dinkins stock transfer, the deal unraveled. With problems over Zoë Baird's nomination to be attorney general and allegations about Ron Brown's questionable ethics, Clinton could little afford the embarrassment. On the night of January 13, 1993, Clinton had an anguished meeting with Ickes in Little Rock. The next day Ickes officially withdrew his name from consideration.

Ickes' greatest liability was his work on behalf of Local 100, his chief client from 1983 to 1991. Local 100—part of the Hotel and Restaurant Workers International, which represents employees at such well-

known New York restaurants as Sardi's and Tavern on the Green—has long been reputed to be under the control of the Gambino crime family. In fact, the union was put under federal trusteeship in 1992 after the government charged it with links to the mafia. And according to news reports, federal investigators caught Paul Castellano, head of the family, on tape saying that Local 100 "was my union and I don't want anything to happen to it."

But in November 1993, former Wedtech prosecutor Mary Shannon Little, who was investigating Local 100 as part of a federal action against the union, released a brief statement. "Based on the evidence available to date," said Ms. Little, "there is no evidence of criminal misconduct on the part of Harold Ickes or Meyer, Suozzi." The firm claimed Little's two-line statement was a



Harold Ickes

full exoneration, and it was sufficient to clear the way for Ickes' return to the White House.

The Trouble with Harold

Those familiar with Ickes' work with Local 100, however, found Shannon Little's terse and tepid statement unsatisfactory. Even though Ickes may not have been in bed with a mobbed-up union à la John Gotti's lawyer Bruce Cutler, it's hard to believe his claims that he didn't know about the union's mafia associations and equally hard to understand why he continued to represent it. According to Michael Maroney, a former senior investigator for the Department of Labor, Ickes was present during an official government interview in 1985 when Anthony "Chickie" Amodeo, the union's president before being forced to step down under the terms of a 1992 federal consent decree, admitted that he had known Castellano, then head of the Gambino crime family, for more than 40 years. Later, Ickes was informed by investigators that his client was electronically recorded talking to Castellano as part of a federal probe into organized crime activities. "He certainly knew that the union was controlled by organized crime," says Maroney.

Another wake-up call could have come in 1986, during the successful racketeering trial of union vice president John DeRoss, who was identified publicly throughout the trial as a captain in the Gambino family. In court testimony widely covered in the press at that time, DeRoss and Castellano were caught on tape having a discussion over drinks at a Manhattan steakhouse that presiding Judge John Keenan characterized as involving "the splitting of payoffs and respective jurisdiction over certain unions and payoffs."

But instead of advising the union that DeRoss should be suspended pending the outcome of the indictment, Ickes urged that DeRoss be removed from his union post only after DeRoss was convicted. This, Ickes' critics claim, demonstrated a "see no evil" mentality at odds with the code of ethics embraced by the AFL-CIO. "Ickes should have advised the executive board that they had a duty to investigate public allegations that John DeRoss was a mafia capo, that there were associations with organized crime," says one labor attorney. "As elected union officials they have an obligation to investigate and remove people who

are corrupt and inimical to the labor movement. If there was an article in the paper saying DeRoss was a capo, they should have investigated him. They should have done all this before, not after."

There were still more indications that the union might have been steeped in mafiosi, not least of which was the number of union officers who had mob-related felony records. There were, in fact, so many with mob ties that honest union locals trying to pry members away from Local 100 circulated FBI-style "Wanted" sheets within Local 100 shops, again illustrating the wide availability of information that Ickes must have ignored. Pointing to the convictions of Chickie Amodeo, John DeRoss, and the felony records of other Local 100 officials and business agents, David Wright, a New York labor lawyer, says: "It is inconceivable to me that a lawyer in Mr. Ickes position would not have known that his client was involved in some level of corruption."

Finally, there was the harsh language of the 1992 federal RICO complaint against the union, which under the terms of a consent decree banned Chickie Amodeo for life and put the local into the hands of federal trustees. "Since the creation of Local 100 in 1983, the officers of Local 100 have abused (their) trust and power and have worked with organized crime to reap enormous profits at the expense of the union membership," the complaint alleged. "They have converted collective bargaining agreements into tools of extortion. They have failed to enforce union members' rights. . . the union has defrauded, its members have been deprived of their rights, and membership in Local 100 has fallen from 25,000 to 5,000."

When I questioned him about his work with Local 100, Ickes fell back on an old labor lawyer saw, pointing out that not all clients are saints. "Lawyers typically represent people who are in trouble," he says. "It is the nature of the business." As for the consent decree that forever bars Chickie Amodeo and other union officers from further union work, Ickes quickly points out that the agreement had a "non-admissions clause" which effectively means that Amodeo and the union acknowledged no crimes. Ickes says he may have been aware of *allegations* of the union's ties to organized crime and the violations of labor law these ties were said to have encouraged. But he steadfastly rejects claims that he

was aware of any illegality or any links between the mob and the union hierarchy. "The union had been heavily investigated over the years by the elites of law enforcement," he says, "and no charges were brought against it in the years we represented them."

But there is, of course, absolutely nothing in the canons of legal ethics that requires an attorney to represent a crooked labor union. And judging from his performance with cases he handled on behalf of individual members of Local 100, it seems unlikely that Ickes was in it to help the rank and file. As their counsel, Ickes was supposed to take on discrimination and wrongful dismissal cases, pushing those with the most merit before the National Labor Relations Board. According to most attorneys and arbitrators who came up against him in his work before the NLRB, Ickes was a tenacious advocate with such an effective command of the law that opposing attorneys often wilted.

Nevertheless, there were a number of grievance cases Ickes decided not to pursue. Some of them involved the same restaurants that prosecutors have said paid off Local 100 so management could ignore collective bargaining agreements in the union contract, essentially purchasing union inaction at the expense of workers rights. According to David Wright, a New York labor lawyer who has opposed Ickes and restaurant management in court on behalf of these workers, Ickes was "the worst enemy of hundreds of restaurant workers in New York."

Ickes says that these workers had "very

easy" recourse to the NLRB complaint process, and did not even need a lawyer to do so, although many familiar with the NLRB's budget-strapped realities say this is not so. As for critics like David Wright, who pursued the cases that Ickes would not, Ickes says: "Wright has an economic interest in this. He made a lot of

money (on these cases). I am not going to get into a fight with David Wright."

Only slightly less troubling is Ickes' alleged role in covering up a stock transfer deal on behalf of David Dinkins. The core issue here was whether Dinkins lied about stock he once owned but said he later sold in the Inner City Broadcasting Corporation, a Harlem communications company run by his political ally Percy Sutton. The subsidiary issue is whether Ickes, as Dinkins' campaign counsel, might have helped him get away with it. According to Dinkins, he sold the stock—once valued at around \$1 million—to his son in 1985, before he became mayor, for the sum of \$58,000 payable in four years' time. But when asked to produce a bill of sale to verify the transfer, all the mayor had was a note scrawled on a legal pad from his son—subsequently called the "Dear

Dad" letter—raising questions that the letter was part of a scheme to dodge taxes and avoid conflict of interest charges. Prosecutors, citing physical evidence analyzed by the Secret Service, would later say this note was probably written sometime during the campaign in October 1989, not in 1985 as Dinkins insisted. Believing that the case would be too hard to win, they declined to file any charges.

Ickes testified for three days before the federal grand jury in Brooklyn that was impaneled in

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1990 to probe the "Dear Dad" matter. According to certain tabloid press accounts, federal prosecutors were convinced that Ickes had had a hand in the letter's concoction and had perjured himself in his grand jury testimony. Those familiar with the grand jury proceedings, however, say that Ickes did not help concoct the note but did aggressively stonewall prosecutors searching for key campaign documents. "Ickes took a very broad view of attorney-client privilege," said one former prosecutor. "He was withholding an extraordinary amount of material—records, memos—from the inquiry, saying it was privileged."

Asked about his role in the "Dear Dad" controversy, Ickes is cordial, but seems as if he's still in the grand jury mode. Like his responses in the Whitewater matter, his fractional answers conceal as much as they reveal. Noting that anyone who had talked about what went on in the grand jury was doing so illegally, Ickes insists there was "complete cooperation" with the grand jury and that all documents that were subpoenaed were turned over. He also points out that he was not in a position to exert attorney-client privilege—a technical distinction that makes little practical difference in terms of his alleged refusal to turn over what the federal prosecutors wanted to see, say those familiar with his testimony.

Ickes' 30 years of hardball politics have made him more than a few enemies; without a doubt there are a lot of sharp knives out for him. Yet even if the charges against him have gotten wider play because of personal and political foes, there are still reasons to ask whether Ickes is fit for such high office and should be given such a powerful brief. (In addition to Whitewater and health care, after all, Ickes will be supervising the midterm congressional elections.) Ickes represents a conundrum for the Democrats, particularly those on the left: How to square his devotion to the good fight in light of uncomfortable facts about his past, facts that in many instances directly contradict the principles for which the good fight is supposed to be fought. David Wright articulated this quandry and the doubts many feel about Ickes' ethical compass. "It's quite a strange dichotomy, really," he says. "To be out there getting votes for Jesse Jackson one week and the next week rubbing elbows with Tony the Horse. I just don't see how you can divorce the two so completely." □

The Washington Monthly

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