

ABA Commission on Women in the Profession

Women Trailblazers in the Law

ORAL HISTORY

of

CAROL DINKINS

Interviewer: Nancy Atlas

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**THIRD ORAL HISTORY INTERVIEW
OF
CAROL DINKINS BY JUDGE NANCY ATLAS**

**Houston, Texas
September 16, 2005**

Atlas: Carol, we discussed briefly the Environmental Protection Committee, the Interstate Oil Compact Commission appointments you had from 1979 for about a year, I think you said you went to one meeting. I wondered how you felt about the other members of that Compact, whether they accepted you or if you ever felt a part immediately of that group? Can you give us an explanation?

Dinkins: I never really got involved enough in the work of that Committee because I was on it for such a short time and only went to one meeting. And I don't recall at this long distance in time having any view one way or the other whether I was accepted by the Committee. At this time, I can't even remember what the meeting looked like.

Atlas: Did you participate in the meeting in any way that you can recall?

Dinkins: Well, I can't. And it's my custom anyway when I'm a member of a group, at the outset, I don't talk very much and I don't ask very many questions because I think it's disruptive for a group that's been together for a while to have a new member do that. And I like to get the lay of the land to understand what the dynamics of the group members are before I start really trying to contribute and trying to clarify when I have questions.

Atlas: Any fun stories about your experiences at that meeting?

Dinkins: No. Only the one about the hotel.

Atlas: Is that the story that is already on our tape?

Dinkins: Yes, it is.

Atlas: Okay. Tell me a little bit about the Governor's Flood Control Action Group. That's an appointment you received apparently in 1980.

Dinkins: Yes, that appointment came after we had three 100-year floods in the Houston area in the space of one year, less than a year. And there was a tremendous amount of flooding in the Friendswood area, southeast of Houston. And there had been projects under consideration to improve the drainage in that area. It was of sufficient importance that Governor Clements came to Galveston and Clear Lake City and toured the area by helicopter. Before he did that though, he decided to form a task force to address the flooding problems and asked that I chair it because one of the things that I also did was work with a lot of communities and landowners and developers in southeast Texas on flood plain land use regulation. That was required if a community was expected to have available the federally-subsidized flood insurance. And that's the only way that you could get flood insurance, or at least at that time, was through the federally-subsidized program. So I after had toured with Governor Clements. I convened that task force one time, but before we could really start work on it, I was interviewed for the post in Washington. And then subsequently withdrew as chairman.

Atlas: Oh. I can't resist asking if you have observations regarding flooding in light of the recent events in New Orleans and along the Gulf Coast resulting from the Hurricane Katrina which hit approximately two weeks ago. Do you see any parallels of development between the 70s and early 80s to now in the terms of government management of these issues?

Dinkins: I think that we have been leaders in this part of the country in regulating flood plain areas, regulating the use of wetlands, regulating levees, and so I have been very interested – not just because of the humanitarian impacts but because of the regulatory schemes and funding and construction activities that I saw close up and worked on for a long time back in the 70s in this area.

Atlas: In Texas, as opposed to Louisiana, Mississippi and Alabama?

Dinkins: That's right. And I always am interested in the fate of a levee and drainage and pumping system because I was involved in getting the permits and other authorizations and approvals, and even participated in creating levee improvement districts for development, particularly along the Brazos River. And our system of levees here is very different from what it is in New Orleans. Theirs are old; we have some that are old, but nothing like that. And we do have levees to protect Port Arthur and Freeport and Texas City. And there are pumps, but I think most of those are a good bit younger, and they are very well maintained.

Atlas: For posterity purposes, I will note that New Orleans was hit almost squarely with the hurricane which caused some damage, but the real devastation was the breaking of the levees which were only built to sustain winds and other impact of

level 3 hurricanes. A level 5 hurricane hit, and so they had total evacuation of almost a million people from that region. The point is, do our levees, thanks to your work and others, have the capability of sustaining the level 5 hurricanes? Or do you think that every municipality and state take certain risks?

Dinkins: I think they all take risks. When we develop in a flood plain area, particularly one where you've got a potential for a storm surge from the hurricane, it's always risky. That's why I would not stay in Houston in a hurricane. I did in 1983 with Alicia, which was a very low-level hurricane compared to Katrina. And it was frightening to sit in the house and watch the trees fall all around us. So I told my daughters then and told them again before Katrina even hit that if we had other hurricanes come along, they should expect to evacuate if they're in Houston. Because I'm going to go get them and the kids, and we're leaving.

Atlas: That's interesting. In 1980 and you're being appointed to various positions, or considered for various positions. Meanwhile, you're still at Vinson & Elkins and practicing law, at least in the late 70s up to early 1980. What was happening in terms of your practice here and most importantly, partnership decisions?

Dinkins: The partnership decision was a very difficult time for me at one point and a very joyous time for me at another point. At that time, Vinson & Elkins was considering me for partner after I had been here six years. And I had, as you recall, worked at the law school for the first two years after I got out of school, and I equated that very much like a clerkship such as the judicial clerks that you would be interviewing today. And I never had an agreement with the firm as to

whether it would actually be considered that way to count me for partnership, but I certainly had that impression. And the other environmental associate had gotten out of law school I think a year after me, but who was maybe a couple – a year or two older than me because he was an engineer and had practiced engineering before he went to law school for a year or two. He and I were up for partner at the same time. And the partnership classes were pretty small, and he made partner and I did not. Of course, he had been at the firm a year longer than me. And that was quite devastating.

Atlas: And that was in -?

Dinkins: In 1978. Quite devastating because it was unexpected. And I think that there were a number of partners who were my champions who urged very strongly that I be admitted to the partnership that year. But the firm did not, the management committee did not, at that time take that advice. And when I was not selected for partnership, the head of my section and mentor, Don Howell, came and talked to me afterwards at great length. But I did not know until the day that they actually announced it, and that's why it was such a big shock. I just had no idea, and I gathered that they may have been discussing it until –

Atlas: Moments before?

Dinkins: It was pretty close to when they made the announcement. But the managing partner, A. Frank Smith, who was always the soul of grace and courtesy and consideration to me and probably to everyone, came and talked to me and assured me that I had every expectation warranted for making partner the following year.

Atlas: So they did not give you credit for the two years that the law school, that you were still on the partnership track? They just waited until the sixth year for partner?

Dinkins: I don't know if it was that or just a mix of things, they had too many other strong candidates. They didn't ever make two from the same section. There was actually one environmental partner; we weren't a section. We were part of Public Law at that point in time. Still, in all, a very small practice group. So those I'm sure were main considerations. And I didn't quiz him about it because I was just too distressed, and it was a very unhappy time. I was angry, and I didn't really want to come to the office and indeed had some inklings in the way of me leaving _____ that I hardly came to the office until the end of that year. I think this happened in early December that year. So in time, I got over it, and went on back to being busy and early in 1979, was appointed by Governor Clements to chair the Coastal Management Task Force. And I was hard at work on finishing the permitting activities for a major port project -- deepening and widening of the navigation channels going into the Port of Galveston.

Atlas: Very interesting.

Dinkins: The project was for bringing very large crude carriers into Galveston and Pelican Island. And it was a huge, huge project and an incredible opportunity for someone as young as I was, not even a partner. And I had been working on that for years. And I got all of it finished in 1979 and then got the Coastal Zone Management Program preliminarily approved by the Feds after submission by the Governor. So

'79 turned out to be a very good year. And I was not concerned about making partner at that point. The firm did not have a woman partner then; and the three women who had been at the firm the day that I came to Vinson & Elkins really left within, I think, two years.

Atlas: Who were they?

Dinkins: Marge Caldwell had been the editor-in-chief at the Houston Law Review when I was an associate editor. Susan Lewis, who was a year ahead of me at the University of Texas, and then went to Chappell Hill as a law professor who is just an extraordinary intellect and lawyer. And the third one was Betty – I've got to – I'll fill in her name.

Atlas: Yea, we can fill it in.

Dinkins: Oh – Betty Marks. Betty Marks had been two years ahead of me at The University of Texas. And so I had known all of those women before I joined V&E.

Atlas: And all of them, I assume, had exemplary records?

Dinkins: Oh yes, absolutely.

Atlas: Do you think that if you had been a man with all the other credentials you had, that you would have made partner in 1978? Any indication, one way or another about that, the firm's analysis?

Dinkins: No, no. I really have no idea whether that played a role. One would think that it would have tipped the scales in my favor – being a woman. Because one would

think that even in 1979, the law firms realized that they needed women to succeed over the next three decades and the rest of the century. So I am sure that there were times in my anger that I thought it was because I was a woman and that it was easier to tell a woman no than a man no, but I – that really didn't seem to me to be a factor in the decision making. And then when I did make partner in 1979, the election was in December and then the, I was actually admitted to the partnership effective January 1, 1980. I so fully expected that I would make partner, and I regarded it as a pretty dramatic occasion. At that time, you would sit in your office, and the head of your section would come and get you from your office and tell you that you had made partner and take you to the partner's meeting upstairs in the Ramada Club. We were in the First City Bank building, across the street at that point in time. And so it was quite ceremonial. And if I had done sorority rush in college, I think it would have been like Rush. I don't know. But I went out and bought a red designer suit and had in my mind that I was going to look so different anyway from the rest of the partners, just by virtue of wearing a skirt, that I would make a very bold statement in my red suit. And I had a good time buying that suit, but I had an even better time wearing it.

Atlas: And the timing worked out so you were in the red suit when the partnership decision was announced. And you went to the meeting as planned.

Dinkins: Yes. Well, there were several partners who had been my champions but were not in our section who just couldn't resist telling me that I had been voted into the partnership. And they started telling me that a couple of days in advance.

Atlas: Oh, that's terrific. You know, in my view, they owed that to you at least.

Dinkins: Yes.

Atlas: That's interesting.

Dinkins: You know, when I went to the meeting in my red suit, the only skirt in the room – and certainly the only red suit in the room, I got a very hearty ovation because you were brought in on the tide of applause.

Atlas: Like a debutante?

Dinkins: I guess. I hadn't thought of it that way, not ever having aspired to be a debutante.

Atlas: No, me either, but I've heard of it. The partnership decision, did it make a difference to you day to day, in terms of your practice or the respect that others gave you within the firm? Or did you see it just as – was it in fact another step along the way, but you still came to work and did your own assignments and dealt with your clients and pretty much, business as usual?

Dinkins: It was very much business as usual. It was anticlimactic, Nancy, because of the trauma of the year that I didn't make partner. And because my expectations were so high. In retrospect, it could've been devastating but obviously that's not what happened. But I went back to tending to business and expected to make partner, and did make partner. And there was no dramatic change. The partners, the difference was the partners referred to me as my partner, Carol, whenever they would introduce me or speak of me. And it was very nice, a warm feeling. And it

was – I guess by that point in time, it was something else just that I had to get done.

Atlas: To check off your list?

Dinkins: Yes, it was just, you know – that was a threshold that had to be crossed, and it was not one that I was carried across but that I trudged across by that point. And the other people had the ability to see it sometimes in a clearer way than I could. The wife of one of the partners on the management committee came up to me at the firm – it was at the Prom – actually the decision came in November that year, not December, because it had already been decided by the Prom, and the Prom of course every year is right before Thanksgiving. And she –

Atlas: The Prom, for the record, is the holiday party.

Dinkins: Yes, thank you. She came up to me at the Houston Country Club and, you know, was just sparkly and so enthusiastic about my having made partner. And she said, how does it feel to be the first woman partner? I think I must have just looked at her, and finally she chuckled and she said, “I bet you just cared about making partner. You didn’t think about it being that you were the first woman partner.” And I said, “Yes, that’s right.” Because, you know, by that point in time, I just, you know, had it in my mind that it was a thing that would be accomplished and it had to be done.

Atlas: Right. Most people who make partner observe that it is the same as before, with a few slight changes, like a little recognition on the letterhead or the greeting, but it

sounds like you still have to do the same things. Go to work, get your clients' work done, _____ in business that is actually a threshold but is not _____. So, let's – let me just ask about your personal life at that point because we want to keep up with where you were and where your kids were. How old were your kids roughly by the time you made partner? We're talking now end of 79. I want to know also because we know you're going to go on and get other appointments in 1980 and -

Dinkins: Yes, they were 8 and 11 when I was voted into the partnership. And they were in school, and I didn't have them in tons of extra activities because there were not as many things easily available then. And I also didn't want to overwhelm them with stuff. I wanted them to be children. As I said earlier, I took them to Sunday School every Sunday and church, of course, and I had them in Brownie and Girl Scout Troops. And they -

Atlas: Were you still trying to chair or lead one of the –

Dinkins: Yes. The Brownie troop?

Atlas: This was at that same time?

Dinkins: Yes, it was at the same time. And so I spent all of my free time with them because I just, I didn't participate in anything that wasn't associated either with my law practice or my kids. Because you just can't do everything.

Atlas: Let's switch gears. You mentioned that you had to withdraw from the flood control action group in 1980 because you were getting, toward the end of that,

because you were getting considered for some federal appointments. I'm not sure if the date is quite right, but can we talk about the first federal public office that you were considered for, and then the first one you actually received.

Dinkins: I would just like to say one more thing about my having made partner.

Atlas: Okay.

Dinkins: And that is that it was such a rare thing for there to be a woman partner in a major law firm in Texas that I was at home in the early part of 1980 and the *Texas Monthly* magazine had come in that day and I was thumbing through it, and I passed a page, and I thought that looked like a familiar picture. And I went back to it, and in the column *Around the State*, there was a paragraph about my having made partner with my photograph from the Firm directory. And it talked about how law firms in the state finally were making a woman partner.

Atlas: And you were the first? Throughout the state, you were the first?

Dinkins: Yes.

Atlas: In the state of Texas. Isn't that amazing?

Dinkins: And -

Atlas: In 1980, I was in New York practicing law. I can tell you that the women partners in major law firms could be numbered. And on maybe one hand. I'm sure there were at least one or two, but it was just a handful. So I don't think that the East Coast was a whole lot further ahead than Texas.

Dinkins: Yes. Only a few in New York, you could see why there were none in Houston or in Texas rather. But I just wanted to add that footnote because it was a very different time than where we are now.

Atlas: So you raise the subject about women in the law. Were there women's organizations or groups that you were aware of, you know, women's law section of the bar, or any sort of women's networking groups that you were aware of? And did you join them if they existed?

Dinkins: There was a group of women lawyers. I don't recall it ever having been an actual organization. But there were maybe 30 members of that group who would get together at someone's home once or twice a year. And one of them was Beverly Rudy, who when we moved in 1980 closer in to town, lived just a couple of doors down from me. And I had been to a gathering of that group of women lawyers in her home when I was a fairly new lawyer. And then I had gone to another woman's home at least one time when I was in law school. So, they found out who the women were at the University of Houston, and there was an informal network. And those were some wonderful, delightful, women lawyers like Ruby Sondock. And Sybil Belasco, I don't know if you remember her? And there were a couple of women that I had known at UT when I was in law school, one of whom had been in Ted's class and she went to work for the Legal Aid Society, as it was called here in Houston. And so there were just not very many of us. And we could have had a meeting of the women practicing law with all the big firms in downtown Houston if you had taken the top dozen big firms, we could have gotten around my dining table, which wasn't very large.

Atlas: So it was probably 8 or 10 years before womens' groups began to organize, I would think?

Dinkins: Yes, I think so. When we met – at that point, to me, it was so important to try to blend in and not stick out because the skirt was enough of a difference. And I just looked so different from a man. And I didn't talk about my children. And I noticed that the few partners who would take clients to lunch or recruits to lunch, or something like that, they were talking about their children. But I kept quiet about mine because I didn't want to remind them that I had all those activities and responsibilities at home in a way as a mother that they did not as a father.

Atlas: Right. Because you thought the partners would assume you were less serious about the law? Or why?

Dinkins: I think it was my concern that if they thought about the other responsibilities that they might hold back on giving me really heavy duty assignments at the firm. Or hold back on maybe all that I could handle.

Atlas: One of your successes, one of the keys to your success, seems to be that you wound up being able to generate a lot of your own business. Am I, is my perception off on that? It does seem to me that you were out doing a lot of your own things, and so you needed the support of your firm to introduce you to their large clients, but you had that unique specialization and could cross out or otherwise generate your own business through contacts that you had as well as contacts at the firm. I'm wondering if that was the key to your success?

Dinkins: I appreciate your putting it that way, but I think we don't want to short-shrift the firm.

Atlas: No, but they introduced you sometimes to these large companies, I assume, of people.

Dinkins: Well, no the project for the Port of Galveston – that massive piece of work came to the firm.

Atlas: But why?

Dinkins: And the firm – well, it came to the firm because we were the biggest and the best, in my view. And I had the capacity to do what had to be done to get that project permitted. Other people did designing, Nancy, and that sort of thing, but if I could not have gotten those permits, there would have been no chance for that project. The project was never constructed because it was litigated by environmental groups. After I left, they challenged the environmental reviews that we had done under the National Environmental Policy Act. And eventually, the project authorizations were sustained, as they should have been, but it went up to the Fifth Circuit on appeal. By the time all of that had been done, the price of oil – crude oil – had dropped again, and so the economics for the project no longer existed and it was never constructed. But the project itself came to Vinson & Elkins. I don't know how the firm would have done it if I hadn't been here; they would have found somebody who would have learned that area of the law, but I knew about navigation regulation, and I knew the people in the navigation business in Texas. I understood the laws relating to the Corps of Engineers and

authorization of public / private projects like that. So the firm benefited immensely because I had learned those things before I came here and really expanded my knowledge base considerably after I got here. And in the area of flood plain regulation, what happened there was that Don Howell one morning showed up in my office and dropped a newspaper clipping on my desk, and he said, "Here, this is a new program and you need to learn everything you can about it." And it was a clipping reporting that the National Flood Insurance Program had passed Congress, establishing the requirements for local managers, regulations to qualify for federally-subsidized flood insurance. So, seriously, I went about getting the statute, the legislative history, and all the regulations that they passed. And I taught myself that area of the law. I went to the Houston Chamber of Commerce as it was then, committee on flood control and was a very active member in that committee. It was me and a bunch of engineers. And I published articles in engineering magazines about flood plain law, and yes, I did develop a specialty that didn't exist until I really looked at it. And that nobody else had. And so because of our firm client base, and because of my knowledge and, indeed the ambition, it was a very good combination.

Atlas: Right. I guess it was a complementary relationship?

Dinkins: Yes.

Atlas: All right. Let's switch gears into your federal appointments, if it's appropriate.

Dinkins: It's really fitting because, as I said, I finished the permits for the deep water port project in 1980. And I had finished the Coastal Zone Management Program and

the Flood Control Action Group didn't come along until kind of late in the year. And I was frankly bored, because I had achieved what my objectives had been and kind of all at once, or in very close proximity time wise. And so it was time for me to find new major projects or pro bono activities. And right after the election in 1980, I started getting calls, as people all over the country did, asking whether I had any interest in a federal appointment. And these are not calls from people in government. They were not calls from people in the transition part of the activities. They were engineers and environmental consultants and people like that that I had worked with. And I said well, I have an interest in some things. I didn't know anything about what I was talking about. I mean, I had been to meet with the Secretary of Commerce and the Secretary of Interior in their offices in '79 when I was at a decision point, at a very difficult decision point, in getting the deepwater port approved. And so we set up meetings with the Secretaries, and I spent a day in Washington with a client going to various offices on the Hill and meeting with Members and going to Commerce and Interior, and it was quite something. So, I had at least been in the Cabinet offices by that time. But I really had no understanding of the process. I never heard of an assistant attorney general until I was out of law school, and so I didn't know what it was. And when I told these friends of mine that I would be interested in an assistant secretary post at Interior, Fish & Wildlife & Parks and Land & Water, that sort of thing. I never thought about Justice.

Atlas: Carol, I'm going to interrupt here one second. Did you have any exposure to the political campaign of President Reagan or of any Republican running for Congress or Senate? Either in 1979 or 80?

Dinkins: I didn't do anything with the presidential campaign, and just by virtue of being a lawyer here at V&E, I would go to fundraisers and numerous gatherings. I remember, for example, going to fundraisers for Tom DeLay because he ran for office, Congress, the first time in 1980. And he had been, he was in the Texas Legislature. Because I was doing lobbying work in Austin. I was in that milieu but not as an active fundraiser. I would just go with the firm's more political people from time to time. I was not somebody that was identified as in political activities with a capital R.

Atlas: All right. So, your friends the engineers, and maybe clients, are asking if you would be interested in an appointment. And you know nothing about Justice, you were thinking Interior? What happened?

Dinkins: Some of these friends told Perry Bass of my interests, and Perry Bass and I had worked on a number of things together. He was very proud of his 45,000 acre island, San Jose, on the mid-coast of Texas in the Rockport area. And I had worked with him on getting some permits for various things -- a dam for a pond and a road, and we worked on just a lot of things. I had lunch with him in his home on San Jose Island on a number of occasions. And we became, I think, good friends. I have felt only, I was very fortunate to have come to know him because he's a very special person. And I think that we developed a very nice sense of

affection between us. So these friends brought me to his attention because, you know, we had worked on things together. Then, he and Governor Clements talked about it. Governor Clements, when he went to meet with the Office of Presidential Personnel – mind you, being the first Republican governor in Texas since Reconstruction, 100 years – and Texas having carried President Reagan’s election very handily, he was well received by the Office of Presidential Personnel, the transition team it was at that time. And he told them that there were only three people that he was concerned about, and one of them was me. He wanted them to find me a good appointment.

Atlas: Hmmm?

Dinkins: I got this from people on the transition team. He never told me. So I’m sitting here in Houston, not real happy, not too busy. And get a call, could I come up the week before Inauguration and interview with the transition team? And I said oh yes, I could do that. I mean, I had to write up a resume because, of course, I didn’t have one and really hadn’t had any need for one much. And I drafted it up. And I’ll never forget, I was in Don Howell’s corner office having him go over my c.v. and review my, you know, resume. And Hugh Wilfong comes in and asked him why he was working so hard on it with this sort of sardonic look on his face. And he finally said something, looking over to Don about him working on my resume. And Don just keeps on writing, never looks up, correcting my resume, and he says, “Well, I just want Carol to invite me to her swearing in when she becomes the Attorney General.” I just roared when he said that because, of course –

Atlas: That just seemed so far-fetched.

Dinkins: That's right. It did seem so far-fetched. So I went up and met with the head of the transition team, Pendleton James, who later became head of Presidential Personnel in the White House. And his people had staff appointments for me with senators and other people. They said that the post of Assistant Secretary for Fish & Wildlife & Parks was not available; I found out later because the man who had headed those activities in California when President Reagan was governor, wanted that post. And well, they said they had an opening for Administrator of EPA and Assistant Attorney General of Lands at Justice and something else that I have now forgotten. And I said well, I don't think that I have the experience to be the Administrator of EPA, and I didn't -

Atlas: Well, I -

Dinkins: Well, thank you, but I didn't regard that - it turns out that I had a lot more than the person they appointed. And I think probably I might not have had such a rocky road. But I believed then, and I believe now, that I did not have enough experience for that job.

Atlas: At least in your ideal.

Dinkins: Yes. And so when I went to interview with Paul Laxalt, he was on the Judiciary Committee at that time, and they were having hearings on William French Smith for Attorney General. And they pulled him out of that hearing to come back and interview me, which he did. Then I had to delay my flight home that night

because they had to wait until the hearings were finished so that the Deputy Attorney General designate could interview me. And that was, he couldn't do that until about 6:00 o'clock in the evening. And that was Ed Schmultz. And Ed was a partner at White & Case, I think, at that time. I went to their offices, and he interviewed me and I told him about the things that I had done.

Atlas: _____ fell out.

Dinkins: He was just terrific. I really enjoyed talking to him, not surprisingly. He's just a delightful man and easy to get along with. So I came on back home and the inauguration was, I don't know, a day or two later. This was all just a very compressed timing. They called and asked if I would come interview with the Attorney General. I said, I thought I could fit that into my schedule. So I called someone who had, by that time, become a very dear friend, Mit Spears – the guy who was the young assistant to Governor Clements who had first called me up to talk to him about coastal zone management. And he had more political acumen than I, and he said well, Carol, we've got to track down Governor Clements. And we've got to track down Governor Connally. Governor Connally, remember, was a partner here at Vinson & Elkins. And I said why do we have to do that? And he said, well, we've got to get them to call the Attorney General and tell him that he needs to hire you or appoint you, or whatever. So he spearheaded that for me, and I was sitting in the outer office in the reception area, waiting to see the Attorney General. And Ken Starr comes out – Ken was his chief of staff. And Ken sat down, and he said you certainly have a lot of people -

Atlas: Important people, I bet he said.

Dinkins: Yes, I think he did say important people. And I just, I just smiled at him. And then we had a nice chat, and he eventually took me in to see Bill Smith. And Bill Smith, the patrician gentleman that he was, shook my hand and said well, your friends have been calling me and that's why I'm late calling you in. He had been on the phone first with Governor Clements and then Governor Connally. And I didn't need to remark on that, so we sat down to interview, and I will never forget. We're sitting there and talking, and Ken Starr asks me, well Carol, what do you think about technical defenses? I went through my brain. I checked every file as fast as I could. I couldn't find anything labeled technical defenses. I had no clue what he meant. I said to myself, well, this is going to show him that I'm not really fit to be an assistant attorney general, but I can't continue the conversation, so I said "I don't know what you're referring to." And he said, well, you know, like standings, ripeness, smoothness? And I turned to him and said technical? I think those are jurisdictional. And he was just smiling. We went on with the conversation. He didn't pursue it any further than that. And the next day after I was back in my office in Houston, Ed Schmults called and offered me the position, and I said yes, but I needed to talk to my husband and my partners, and could I call him back the next day. He said that would be fine, he said, we just can't delay any further because Bill Smith is so eager, he almost offered you the job while you were here yesterday.

Atlas: On the spot?

Dinkins: Yes. Well, it turned out that they didn't have probably a whole stack of resumes of people with my experience, and from more or less conservative backgrounds. I think -

Atlas: He could have added some diversity in more ways than one, after that fact.

Dinkins: Well, and that became very apparent because they announced their intention to nominate me immediately.

Atlas: Did you need Senate approval?

Dinkins: Oh yes, PAS - Presidential Appointments and Senate Confirmation. But again, this is a quarter century ago, and they just a day or two after I accepted the position, well, *The Washington Post* had created a federal page when Reagan was elected, and it was on about the third page of Section A, and the top third of it was about the appointments that were underway. And the headline was, "Reagan Names Four New Appointees, and One's a Woman." Then it talks about me in one paragraph and the three men in another paragraph.

Atlas: I see there is some justice in this world. Good press. So I assume you got confirmed? Any interesting stories regarding the confirmation process? I bet they put you up there, and you started work before the confirmation, but -

Dinkins: Yes, that's right. That's right. This all occurred before the end of January. It was so different than what it is now. And I began going to, it was called the Land & Natural Resources Division then, and it was considered sort of a sleepy little division even though we had 18,000 cases and matters. It was, there was a lot

going on there. As to the confirmation process, I had to fill out the FBI form and fill out the financial disclosure form, which was easy because we didn't have much in the way of finances then. And then the White House form for the White House Office of Counsel. And I went to the Old Executive Office Building and met with the Deputy White House Counsel to go over my forms and all of that because they were in a hurry to get me in place – the Attorney General was pushing really hard to get his team in place. And he got to the one about what political activities have you been involved in? And I said well, I was a Young Republican my first year in college at The University of Texas, and I handed out campaign literature for Barry Goldwater. And he looked at me, and he chuckled, and he said “That counts.” And then, when the FBI agent came to my office here at the firm to go over the FBI form and get all of that filled out so that he could start my background checks, he was sitting there and my secretary came in – we weren't very sophisticated. She didn't hand me a note. She came in and she said, “Carol, Governor Clements is on the line to speak to you.” And so I said, “Excuse me” and I pick up and we have a nice quick conversation for him to congratulate me and me to thank him for his very strong role in my appointment. I hang up, and when I turn back to the FBI agent, he's got a big grin on his face. He said, “Can we put him down as one of your references?” I said, no, you can't put the Governor as a reference.

Atlas: Yea, he wanted to meet the governor.

Dinkins: I think you're right. It was so funny.

Atlas: Yes. He was one of the few FBI agents that sounds like he might have had a sense of humor if that was intended as a joke. All of the FBI agents do not have a sense of humor during that process.

Dinkins: Well, he did. And the one who just was here this summer to do my current appointment. She was here for hours. She was here for like five hours, and when we finally finished and she left, my secretary said well, I figured it was okay because y'all kept laughing. She had a good sense of humor.

Atlas: Yea. Oh yes.

Dinkins: She was just a charming and delightful woman.

Atlas: I know a very nice FBI agent also. Anyway, so, you went up. Now how did you make the transition to Washington? Again, you have the family, the kids. The kids were a year older than what you described a minute ago.

Dinkins: Well, they – I want to go back to the confirmation process.

Atlas: Okay.

Dinkins: Because it was very easy, fortunately. I had laryngitis, and the night before my confirmation hearing, Ky Ewing in our Washington office, who had been Deputy Assistant Attorney General for Antitrust in the Carter administration and came out into the law firm right before I was going through this process, took me under his wing and did everything he could to help me with the process. It was just a great gift. And he knew the career people at Justice, and he wanted to make sure that I

succeeded. For example, he tracked me down at the EPA in Dallas, and I called him back from a pay phone because he wanted me to know that OMB had just cancelled all of the requests for supplemental appropriations and he knew that the Lands Division had a big one pending.

Atlas: Oh my gosh.

Dinkins: And he said, Carol, I've got it worked out where you can get a million dollars transferred from the Antitrust Division to cover your shortfall. And so from the same pay phone, I called the career deputy at the Lands Division who was the acting assistant AG, and said -- and, he's become a very dear friend -- I said, Tony, I understand that we've got some glitches in the budget and I just wanted to let you know that I think if you will contact the Antitrust Division, we'll be able to get some money transferred from their budget. And you could tell that he was dumbfounded that, you know, this very young woman from Texas whom he'd never even met could have this good information. And so, instantaneously also, that helped my standing, I think, with the people in the Department because they could see that I was serious and that I intended to figure out how to make the Division work as well as possible. At the confirmation hearing though, Rudy Giuliani, Ted Olson, Bill Baxter, and Carol Dinkins were the four people up for confirmation at the same time.

Atlas: Rudy, I know, was Associate Attorney General coming from New York.

Dinkins: And Ed had already been confirmed as the deputy.

Atlas: You're in good company.

Dinkins: Oh, the best of company. And they were – they didn't ask me many questions because, as I said, the night before Ky had to take me to the emergency room. I thought I had strep throat. They tested me for strep throat. Thank goodness it wasn't, but I had laryngitis to the point where I just could hardly talk. And so I made sure that somebody communicated that to the Judiciary staff. There weren't very many members there. There were a few – I forget who was there that day, and I – so it wasn't a very big panel. And the funny thing was that when the senator from California started to introduce Ted Olson, he was reading the introduction and someone stood up and tapped him on the shoulder and whispered in his ear. And he very calmly laid the paper to one side and picked up another one and said "Mr. Chairman, I am advised that I have been reading the wrong introduction. I shall now read the correct introduction." And he just went right on. It was so funny. We were all sitting there listening to that first introduction and wondered who in the world he was talking about

Atlas: Hilarious. That is hilarious.

Dinkins: It was funny.

Atlas: But it went smoothly?

Dinkins: Very smoothly. They propounded a number of written questions, and the -

Atlas: After the hearing?

Dinkins: After the hearing, yes. And the staff got all of those answers developed, and we submitted them. And then I was confirmed before the end of March.

Atlas: That's great.

Dinkins: And my oath of office, which is up there on the wall, is actually dated March 30th or 31st. And President Reagan was shot at the Hilton Hotel and Jim Brady was shot, I think, on March 30. So it was, it was just a very, very gripping time. I commuted and lived in hotels during the week until I was confirmed. Then I found a condominium in a brand new set of condos up at Sutton Place right below American University. And I bought a condo and got a decorator hired to furnish it. And I would go up on Monday mornings and then fly home on Friday afternoons. Sometimes I would go up Sunday night, depending on what I needed to do. And the girls and Ted stayed here. He was a partner at Butler & Binion. By that time, I had Gussy Arbuckle working as our housekeeper and driving the girls if they had after school activities; Gussie was a treasure. And she was in her late 50s when she came to work for us. And had never driven a car until her husband died a few years before. And she learned how to drive a car, and she ran an ad in the paper and Ted found it one Saturday morning when I had just fired the woman who had been working for us for two years. And after that, I just – I didn't like the way she had acted when she had gone to the veterinarian. And the vet called and told me that she had, you know, been very abusive verbally. And he thought I should know that, and so I fired her. I don't like people mistreating other people. And so I needed help. This was when I was at the firm. It was several years before I made partner. And so I called Gussie in response to the ad, and she was home

that morning. She answered the phone, and she was running an ad for someone who wanted a housekeeper to do childcare after 2:30 or 3:00 in the afternoon. That was what I needed because they both got out of school at, I think, 2:00 or 2:30. And so I told her that that seemed like something that would work very well, that I needed somebody everyday, that I had two children who were brought home on the school bus at 2:00 or 2:30 or 3:00, whatever it was. She said, well why do you need someone? I said because I'm a lawyer. And she said, where are you a lawyer. I said at the law firm of Vinson & Elkins. It was Vinson, Elkins, Searls, Connally & Smith then. And she said, oh, do you know Mr. Evans Attwell? I said, yes. In fact, his office is on the same floor as mine. He's in the corner of the floor that I'm on. She said, well, that's good because I worked for Mr. Evans' family for 27 years as their cook. So I will come and interview you on Monday. And she did. She came and interviewed me. And she was so funny. She looked the girls over, looked the house over. I don't know whether she checked me out with Evans or not, but she concluded that I was acceptable, and she agreed to come to work for us. And she worked for us, I think, for almost 10 years.

Atlas: Oh, that's great.

Dinkins: And she had to quit because she developed cancer that she died of in less than a year. But she lived only a mile and a half from where we were then. She was at the Jeanetta community off Westheimer and Fondren, and we lived out in Briargrove Park at Westheimer and the Beltway. So she was very close to us. And she came every day, cleaned up the house, took care of the girls, and cooked dinner. And she worked for us until the week that Anne started college. Well,

actually, she died the week Anne started college. She worked for us until right before Anne graduated from high school, and her daughter Rose then started working for us. And Rose worked for us until she became disabled after Bob and I got married.

Atlas: Wow.

Dinkins: And so, I had both those women. Terrific, splendid women for, I guess, about over 15 years. Almost 20 years.

Atlas: That stable childcare, home monitor person is really important, I think, to many of us in terms of making our lives work.

Dinkins: Yes.

Atlas: And the children can really feel continuity with an individual.

Dinkins: It's essential. It's essential, and I was blessed to have Gussie and Rose because they just took such good care of us, and they loved us and cared about us. Gussie saw mail addressed to me as The Honorable Carol E. Dinkins, and amused her and ever after, she referred to me as The Honorable. So, before that, she had called me just Carol. But after that, she called me The Honorable. She just had the most delightful sense of humor, and she was such an intelligent and practical person.

Atlas: Tell me, if she was sick – did she ever get sick?

Dinkins: No, she really didn't. She just didn't. And I don't even remember how we managed it if she did have to miss work, but we just juggled things. And when I started the Justice position, I hired a practical nurse, a nursing student, and we bought an extra used car. And she came every afternoon. By then, we lived on Buckingham; we had moved closer into town, and the girls were in – Amy was in Hunter's Creek Elementary, and Anne was in Spring Branch Junior High. They had soccer, and but again, not too many activities. They were in music and that sort of thing. And the nursing student helped them with their homework and took them various places. And she didn't work for us very long, maybe a year or year and a half. Then, in the summers, I would bring the girls and Gussie to Washington. And Gussie would stay as long as she wanted. Then she would tell me when she was tired, and I would fly her back to Houston. And she went to Williamsburg with us, and New York City and Philadelphia. And I would invite the girls' friends up, and they would spend a week or two with us, and so my three-bedroom condo was pretty well full in the summer.

Atlas: That's great. In the evenings – I ask all these technical questions, but I do think it's interesting to people who are trying to juggle it all. In the evenings when Gussie left, Ted would be home or someone else would be there?

Dinkins: Yes, yes.

Atlas: All right. I think we need to quit for the day, but to be continued.

Dinkins: All right. Thank you, Nancy. I get to where I just drone on and on.

Atlas: Well, it was really interesting. And today, we covered an interesting transition. Because next time what I'm hoping we will do is for you to tell us some of the important things that you feel you accomplished or other challenges that you had at the Justice Department.

Dinkins: The time, yes -

Atlas: You were the head of - I'm going to leave this with you. You were apparently on some task force on the equity for women at about that time. You got my original outline, so you can see where we're going to head. But the, of course, the Deputy Attorney General position. That's pretty interesting. So think about how you want to weave some of those other appointments. I think this may have been your focus, and then moving back to Texas, and then other -

Dinkins: Okay. Thank you, Nancy. I hope I haven't made you too late.

Atlas: No, I'm fine. I'm just doing great. I'm going to run out of here.

Dinkins: Thank you so much. It's such a treat to be able to see you, so I feel very much honored that you are doing this project. Thank you. Bye, bye.