

New Mexico's Challenges and Opportunities

- **Retiring Senator Jeff Bingaman offers insights into the future of New Mexico.**

By Jennifer C. Esquibel

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During a Congressional recess in February, Senator Jeff Bingaman was back home in New Mexico and graciously found time to sit down for a brief interview. We met at his Santa Fe office, which manages to appear stately – as might be expected of any Senator but almost certainly of one elected five times – but also unabashedly practical. The conference room is a prime example: while it's decorated with locally-derived beauty (e.g., Native American pieces of art and several large panorama photographs of the Valles Caldera National Preserve), the room also functions as an office, complete with a desk, a separate chair, and a computer.

A native of Silver City, Senator Bingaman earned his undergraduate degree at Harvard and his law degree at Stanford. He returned to New Mexico, first practicing in Santa Fe for eight years and then becoming Attorney General. In 1982, he defeated incumbent Jack Schmitt in the race for one of New Mexico's Senate seats and has been serving in the Senate since then.

Less than a week before the interview, Senator Bingaman had announced he will not be seeking reelection to a sixth term. When asked about retiring, the Senator drew a distinction between retiring from the Senate and retiring completely. "Well, I'm going to be living here in New Mexico, and I'm retiring from the Senate. I haven't decided to retire totally. I'm going to just still find some things to do, [though] I don't know totally what they are." Without ruling out any possibilities, including being a consultant, writing his memoirs, or becoming a ski bum, Senator Bingaman said of his future plans, "I'm going to decide that after I get out of the Senate."

What were some of the skills you honed or developed as an attorney that you feel have served you very well as a senator?

Most of what we do in the Senate is to try to understand how we can use the enactment of legislation or the oversight authority of the Congress to affect public policy. That's pretty much what we do 24 hours a day. I think training as a lawyer is a very useful thing to have if you're going in to that.

Do you find that your colleagues who are not lawyers, or who were not trained as lawyers, do you think that they perform their job differently than the folks who are?

Well, I think it varies from person to person. I think that there are some very capable and effective members of the Senate who aren't lawyers, and they ...I think the main thing is, that I think sort of impacts on the person's ability to be effective, is real interest in delving into the

detail of legislation.... Yeah, it's hard to be as effective as you'd like to be in the Senate, I think, if you're not willing to delve into the detail of legislation and try to understand the detail, and that's something that some of the non-lawyers do very well, and some of the lawyers do it very well, and some of the lawyers don't do it very well, and some of the non-lawyers don't do it very well.

I understand you have a bit of a reputation as a policy wonk, wanting to delve into those details quite a bit yourself. This kind of leads to a question I have. I know, when I was practicing, I found that striking that work/life balance is always difficult. Especially if you're busy delving into the details, your work becomes vast very quickly. What were some of your strategies for trying to strike a work/life balance, particularly when your son was younger?

Well, my wife and I don't do a lot of social activity and, I think when I got to the Senate, you learn a little about some of the folks who have been there for a long time. Mike Mansfield had been famous—he was not still in the Senate when I got there but he, as the majority leader, as the Democratic leader in the Senate—had been famous for having a rule that he did not go out to events on weeknights in Washington. Now, we don't stick to that religiously, but generally, I try to stay home on weeknights and on weekends, too, if I can! Unless, of course, I'm in New Mexico or traveling.

Do you work at home, or do you leave work at the office?

No, I usually, take some work home, but I wind up doing most of my work at the office.

One of the things I think most Americans hear a lot from the media is that there's a lot of gridlock in Washington and things may be different than they once were. Over your time in the Senate, do you feel that the collegiality of the members of the Senate has changed or been affected either by the media or just any other influence?

Oh, I think on a personal level, people are still collegial and civil, and there are good relations in the Senate. I do think that all of our politics, nationally, has become much more polarized in the time I've been in the Senate and that's not just in the Senate. I think that's nationwide. I think our media has become more polarized. TV stations used to [be different]. If you wanted to know what the news was, you got a fairly unbiased presentation of the news; that's not easy to come by anymore. You have to sort of pick and choose whom you're going to believe, more than you used to have to, and I think that people who are elected to public office are under pressure, by people that have supported them, to adhere to particular points of view much more strongly than perhaps they were when I first was elected.

Do you think that the increase in media pervasiveness in general, but particularly maybe social media, has an effect in terms of different constituencies being more vocal or more, well, getting the word out quickly about what they think about a particular politician's position?

Oh yeah, I think clearly the new media allows for a much quicker response time, and it's much easier for interest groups to mobilize their members, or their adherents, to contact members of Congress. I mean, you know, you get flooded by emails, telephone calls, and all very quickly these days, whereas it used to take longer for folks to really become aware of what the Congress was considering or likely to do.

Do you think the volume of constituent input you're getting these days is greater, or just the speed at which it comes in?

I think more the speed. I think we've always had a pretty good volume of input, but I think clearly the new technologies that are available have speeded the process.

What legislation that you've sponsored are you the most proud of and why?

Well, I'm not sure. I've sponsored an awful lot of legislation. We're going to sort through that over the next months here and the last couple of years I'm there and probably try to make a judgment on that.

I was wondering if your perspective as a Westerner and having come up in the New Mexico legal tradition, in terms of dealing with Indian law or different water rights law than most of the country, if that affects your perspective on those topics in Washington and how so?

Oh yeah, it definitely does. I think that... I did ask to be assigned to the Energy and Natural Resources Committee when I first went to the Senate, and that's how I managed to get to be the Chairman, since I've been there longer than the others, but the reason I went to that committee is that we do have a lot of responsibility over public lands in the West and that includes water and a lot of issues dealing with the environment and energy here in the West. So, all of those issues, I think, are much larger in significance, are much more significant for Senators representing the West than they are for Senators representing the East or more urban states. But if you practice in New Mexico, you become acquainted with water law, to a significant degree, and Indian... the law that applies on Indian land, to some significant degree, and I think that does affect your outlook.

And, I'm guessing, it enables you bring a more informed perspective when you look at legislation that might impact those areas.

Yeah, I think it does. I think you sort of see it through that lens, and you think about, you know, "How will this affect what's able to occur on Indian land? How will this affect the rights of individuals vis-a vis the federal government in the West?"

Over your time being Senator, it seems like New Mexico's really developed a lot; it seems like the population's really expanded. What do you think are some of the major themes that characterized the state's change or how the state has been impacted by changes at the national level over your time as senator?

When I first got to the Senate, New Mexico was very dependent on federal government-funded activities going on in New Mexico. I'd say that has probably increased, even in the time that I've been there, which is in some ways unfortunate. I think we've always had the challenge in New Mexico of trying to find a way to create more private-sector employment. We have the two Department of Energy laboratories; we have the four military installations in the state; we have the Air Force research laboratory. We have a lot of other federal government activity in New Mexico, all of which is doing quite well as far as funding levels these days. But I think that the challenge continues to be how we wean ourselves off of that, on the assumption that that will not be there forever.

What are some of the challenges of the state going forward? You're saying, boosting the level of non-federal jobs?

Yes, that's the central and key challenge that we have economically. How do we create more private sector jobs? How do we nurture the businesses that are here to create more jobs? And then, how do we attract businesses that aren't here to create jobs? We also, of course, have tremendous challenges in improving our educational system. We have tremendous challenges in improving our health care delivery system, and of course we have challenges in preserving our environment and weaning ourselves off of dependence on foreign sources of energy.

I recently read an op-ed you'd written for the New Mexico Business Weekly about green energy and your thoughts about hoping to grow that industry in the state. Do you think New Mexico is particularly suited to that?

We sure should be. I don't think there's any state that would have a better chance of meeting some of its energy needs through use of solar energy than New Mexico. And wind energy. We have a lot of wind energy capability, particularly on the east side of New Mexico.

This is not my area of expertise, so pardon me if this is an ill-informed question, but my understanding is that even when we have the capacity to generate the energy, sometimes one of the problems is linking those sites to the main grid.

No, that's right, that's right.

How long do you think that will be cost-prohibitive? Do you see us achieving that connection to the grid in the near future, or do you think maybe federal funds could help?

Well, the cost of producing energy from renewable sources continues to come down. The cost of transmitting it to a grid, to an urban center where it is needed, doesn't come down that much, and so it's hard to predict going forward. There are several reasons why it's difficult to fund and construct new alternative energy projects these days. One major reason is that the demand for electricity is not growing like it once was or like it was expected to be. Some of that's the recession; some of it is improved efficiency in energy use. Another factor, of course, is utilities

are always looking at the costs of alternatives as a way to meet their energy needs. Natural gas is plentiful and it's cheap, and we found a lot of new natural gas in recent years, which we didn't know we had, and we as a country didn't know we had. A lot of utilities are looking to natural gas as a way to meet whatever additional capacity needs that they have.

Do you think there should be some federal influence to steer folks away from natural gas to some of the more renewable fuel sources?

We're all well served if we have a diverse set of sources for energy. Continuing to promote renewables makes a lot of sense, I believe. I think it would be unfortunate if we got more and more dependent on natural gas. I mean, it'd be fine for a while perhaps, but at some stage, I think we will need renewable energy to a greater extent, so I hope we can find ways to adopt policies that will encourage utilities to produce more energy from alternative sources.

I read your statement about deciding not to run for another term, so I'm guessing you'll be retiring here to New Mexico?

Well, I'm going to be living here in New Mexico, and I'm retiring from the Senate. I haven't decided to retire totally, I'm going to just still find some things to do. I don't know totally what they are....

There's such a wide variety—consultant, you could write your memoirs, ski bum.

I'm not sure which of those will work, but I'm going to decide that after I get out of the Senate.

What are some of the things you're most looking forward to about coming home permanently, or maybe some of the things you enjoy every time you return?

We still have our home [in Santa Fe] that we had before I went to the Senate. We're anxious to once again live here in New Mexico, in that home, and it'll be nice not to be on a tight schedule. It'll be nice. But I've got a lot of interests that I want to pursue. I've not prioritized them, as yet.

If you hadn't taken the career path that you did, what else might you have done? Do you think you would have continued practicing law?

Yes, I was enjoying the private law practice [I had] here in Santa Fe. I did that for nine years and then ran for attorney general. If I had not been elected attorney general, I assume I would have been practicing law here.

What pushed you to run for attorney general? What made you seek public office?

Well, I'd been an assistant attorney general for a short period when I first got out of law school. I think probably everybody who has been an assistant attorney general thinks they could do the job of attorney general.

Like assistants everywhere, right?

Yeah, that's right. The opportunity arose to run for the office, so I did.

And then what made you take the next step, to run for Senator?

Under our [New Mexico's] Constitution at that time, I could only be attorney general for four years and then I had to leave that position. Under the Constitution, you couldn't run for re-election to that office and you couldn't run for election to any other statewide office. So, I had to run for the Senate or the House of Representatives or go back to private practice. Those were pretty much the choices, as I saw it. So I ran for the Senate.

Then you moved your family out to D.C.?

We bought a house in Washington. My wife went into law practice there.

What's your favorite thing about being a New Mexican? (Not that you've necessarily known any different!)

About being a New Mexican? Oh, I think this state is still small enough that you can know a lot of people and feel like you're part of something. You're not just a nameless face out there in the crowd. I like the idea that I know people in every community of the state and have things that I enjoy doing in every community of the state—restaurants I want to go to.

What food do you miss the most when you're in D.C.?

Oh, of course, Mexican food. We eat a lot of Mexican food when we're here in New Mexico.

Any particularly favorite dish?

Well, I can't think of...I eat chicken tacos more than anything else, probably.

Red or green?

Well, usually red.

Okay. I think that's ["Red or green?"] the official state question, if I'm not mistaken. I can't promise it'll be part of the write-up of the interview, but is there anything you'd like to say to the members of the New Mexico State Bar?

Not really. There are an awful lot of members of the State Bar that I don't know at this point. When I was first elected to the Senate, I felt I knew most of the lawyers in the state, having been attorney general and having had a lot of opportunity to get around the state, but at this point there's an awful lot of people who have come into law practice that I frankly don't know and would obviously like to know, but just haven't had the occasion.

Is there any advice you would give folks who are in private practice now and who might be looking to serve in public office?

Well, I encourage it. I think we have a long tradition in the history of our country of people in law practice going into public service, and I think it's served us very well. I hope that we have a lot of people in the law practice today who look for opportunities to serve in some capacity—at the local level, at the state level, at the federal level.

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