An Oral History Interview

with

TOM UDALL (part 2)

conducted by
Peter Steere

Santa Fe, New Mexico
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PS: Tom, when we left off, you were describing the end of Mo’s political campaign for president. Once that was over, I assume then you continued finishing law school at the University of New Mexico in Albuquerque?

TU: That’s right. I came back after that semester where I think I took six hours, and the following semester I finished up, and then graduated in May of ’77.

PS: Did you then start into private practice in Albuquerque?

TU: The first job I took was as a clerk to the Tenth Circuit Court of Appeals judge living here in Santa Fe, a gentleman by the name of Oliver Seth. I clerked for him from the fall of 1977 until the fall of ’78, just a Tenth Circuit Court of Appeals clerkship. He was the chief judge part of that period of time. And then I took a job, following that, with the United States Attorney’s Office as a prosecutor for the United States Attorney’s Office for three years, ’78 to ’81. I was living here in Santa Fe, but commuting to Albuquerque.

PS: Okay, so when you worked for the U.S. Attorney’s Office, that was working out of their office in Albuquerque?

TU: That’s right, working out of their Albuquerque office.

PS: You worked on, I assume, a wide range of different types of cases. Can you summarize some of your experiences in the U.S. Attorney’s Office?

TU: I was assigned to the General Crimes Section. General Crimes was everything that wasn’t drugs, basically. The Drug Section, and then there were some people that did some banking and tax crimes. But other than that, General Crimes had everything. So we had counterfeiting cases; bank robbery cases; all the immigration cases, either smuggling of people into the United States for a fee, people that had been deported but then reentered. There was just all the cases from the Indian reservations, which in New Mexico we have twenty-two tribes. So all of those cases. The major crimes on the Indian reservations are all done in federal court, and prosecuted by the U.S. Attorney’s Office. So those cases would all....

PS: Tom, during that three-year time period, were there any cases that you were involved with that dealt with environmental law or environmental issues at all, at the federal level?

TU: No. No, I don’t think there was that much prosecution of environmental crimes back in the late seventies and early eighties—at least there wasn’t here in New Mexico. I’m sure there was in many of the larger cities, but there didn’t seem to be that much activity out here, as far as prosecutions.

PS: Were you involved—and I may have my years off—but there was, in New Mexico, a very strong movement for a period of time—and my recollection is that this was starting
in the mid-sixties, but maybe it’s going into the mid-seventies—of Hispanic groups in New Mexico dealing with land rights issues. And there was, I believe, a Mr. Tijerina.

TU: Tijerina.

PS: Tijerina. And there was an occupation of a county office. Is this the same time?

TU: It’s earlier. It’s really before I got into New Mexico, it’s before I came to New Mexico. I got here in ’75, and most of the real conflict and confrontation had already occurred, and had already taken place. Now, we’re still today feeling some of those tensions in New Mexico, but I think the raid on the courthouse, the confrontation with the Forest Service and the other federal officials that were managing the federal lands—that was a big issue back then.

PS: And Tom, just amplifying on that a little bit, because I think it’s an interesting question in terms of New Mexico history, because you had a legal system in this state that was based on the Spanish system, and is of particular interest in regarding how land was set aside, how common areas were set aside, in these small villages that were used as common areas. And it’s very, very different in some ways than English law. And you had mentioned a minute ago, this still persists as a problem today. With the historical perspective of what happened—and I don’t want to get into this in great, great detail—but the history of New Mexico, where Anglos basically stole a lot of land. There’s no question this went on. And the legal system was used against people of Hispanic descent, who lost their land because of it. And you mentioned a minute ago that this is still an issue. In what way is this still an issue, and how do you get involved with this now?

TU: Well, the issue, the hot button issue right now on everybody’s radar screen is there has been a ruling by an Arizona Federal District judge, by the name of Karl Muecke, who’s an old friend of Mo’s and my father’s, and he ruled that the forests in northern Arizona and in northern New Mexico had to protect the habitat of the spotted owl. And so he issued an injunction that stopped all logging on those lands. And not only did it stop logging, but it stopped the small traditional village, the people that live in the small traditional villages, from going out and collecting wood.

PS: Firewood?

TU: Firewood, in the forests. And many of these people, that’s what they heat their houses with in the winter. And so there was this burning of environmentalists in effigy, a whole series of articles where some of the activists on these forests, forest issues that had pressed the lawsuit—some of them are New Mexicans that are over there in Arizona, suing on this issue, and joining those lawsuits. They have really pushed the issues to the extreme. And it’s very much divided these traditional northern New Mexico villages, and the environmentalists. I don’t think that should occur. I don’t think it has to occur.

I’ve tried to do what I can to try to build some kind of consensus, and work with both of the groups and talk to them. I’m not involved in any of the lawsuits, but
through—there’s a group here called the Community Building Institute, which seeks consensus on these kinds of issues. Some of the parties have come in, and I’ve participated in those kinds of discussions, and tried to move the issues along. But it’s a very sticky issue. And it just seems to me that there is a way out of it, as long as we get everybody together, rather than sitting on both sides of the fence and throwing rocks at each other, and throwing insults and accusations, which [is] what it’s broken down to.

PS: Tom, hasn’t that injunction been lifted now?

TU: The injunction’s been lifted as far as the gathering of wood. The injunction’s still in place on some of the logging. And there’s a piece of the logging that a judge here has allowed to go forward. And there’s some controversy on that. But I think the main.... There was an article last week in the paper, on Judge Muecke’s lawsuit, and most of the injunction is still in place. And what he has focused on is that the Forest Service just hasn’t done their work. They haven’t gone out and come up with plans to show how they’re protecting the habitat of the Mexican [spotted] owl, and so he says he feels he has no other choice. And he’s not trying to obstruct things, he just thinks that under the law, they haven’t followed the law, they haven’t come up with their plans, and so he doesn’t have any choice but to say, “Stop, until you come up with your plans and show a way to protect this critical habitat.”

PS: So these families are now, in the smaller traditional villages in the northern part of the state, who heat with wood, cook with wood, they are now able to gather their fuel?

TU: I believe they are. I believe they are, but because they were stopped for a period of time, I think that they’re very worried that it might occur again in the future, and there’s still resentment out there.

PS: I’ve not read the decision of the judge that handed the injunction down, but I’m assuming that the destruction of habitat from large logging operations is considerably different than a grandfather and grandchildren walking out and collecting dead wood to haul back for a fire. It’s too bad that there couldn’t have been a distinguishing aspect between this at that point, because obviously a large logging operation is much more destructive.

TU: Clearly there was a real understanding here. I’ve never gotten to the bottom of it, but all of the sides are blaming one another. The Forest Service says they never intended it. And the environmentalists say they never intended it. And the local people say, “Well, we don’t know what anybody intended, but we were told not to do it.” And the judge says he never intended it. So you can’t quite get to the bottom of why it was halted, why they weren’t able to collect wood. They’re now back to a position where they can. And in fact, some of these groups took wood up to them, and were trying to do everything they could to patch things up. Some of the individuals from environmental groups, I think, were trying to reach out, build some bridges there.

PS: You, as a representative for the State of New Mexico, New Mexico itself, as a state,
was not involved in these suits?

TU: New Mexico has not been involved in the suits.

PS: Directly or indirectly?

TU: Right.

PS: Tom, I think we left you—you finished your time in the U.S. Attorney’s Office. Is that the point where you went to work for New Mexico Health and Environmental Department?

TU: Yes. I actually went into private practice. In 1981 is when I left the U.S. Attorney’s Office, it would have been. I joined in the fall of ’78, so the fall of ’81 I left. And I went into private practice here in Santa Fe—shared some offices with some attorneys downtown. And I started practicing, but aside from practicing law, I was also organizing a political campaign. I ran for Congress in 1982 in the Democratic Primary. And because of the census in 1980, they created a new congressional seat in northern New Mexico. Up until that time, there were only two seats. And so Albuquerque in the north, and the southern portion of the state: those were the two seats. With the third seat, Albuquerque became its own seat, with a few other small counties. Southern New Mexico was another seat, and the north was a seat. The northern seat was the seat where no incumbent would be running.

PS: This is a new district?

TU: Brand new district, no incumbent running, 1982.

PS: This is the Third Congressional District?

TU: Third Congressional District. So I was practicing law, I was working with my father on some of his cases. We were doing, I think during that period of time, some depositions and some traveling. We were doing a variety of either the downwinder cases with the uranium mine cases.

PS: So Tom, you ran as a candidate in the Democratic primary in the fall of ’82?

TU: That’s right. Well, summer. From the fall of ’81, and it probably really got geared up about the first of the year. So from January of ’82 until June—our primaries here are in June—for that period, I was running in the primary. Then I lost that race in 1982 to—it was a four-way primary race—and I lost to Bill Richardson, who’s the congressman from this district. He’s been there ever since.

PS: So this new congressional district, there were four people, including yourself, who were running in the Democratic primary against each other, and Mr. Richardson emerged as the victor?
TU: In the primary, and then won in the general. He’s been reelected every time since.

PS: Once that election was done with, then, I assume that was when you went to work for....

TU: I continued practicing law and working on some of the cases with my father. And then in the fall we had the gubernatorial election. If I had been the nominee, I would have been running, but I lost in the primary. That’s when we elected a new governor. The governor took office in January of 1983, and I joined as the general counsel of the Health and Environmental Department. I believe it was in February of 1983.

PS: I’m assuming the New Mexico Health and Environmental Department, by its very title, is the department of New Mexico government that deals with a lot of different environmental issues and health and health-related....

TU: It had all of the major environmental issues except some of the ones involving the parks. There was a natural resources department that had parks in it—the state parks. And then there was an oil conservation division, which had some of the supervision of the oil and gas industry. Aside from that, all of the other environmental activities: Clean Water Act, Clean Air Act, RICRA, Superfund, radioactive monitoring. All of that was in NMHE. And the inspection of all the restaurants for food violations. All of that was within the environment department.

This was the largest department in state government—had, at the time, 3,600 employees. I was the general counsel, so I was the supervisor of a thirteen-attorney office. It was divided into a group of attorneys that would represent the department, the health side of the office, which that was all the state hospitals and the programs that were providing mental health services and other drug treatment services. And then the other side was the environmental side.

PS: Tom, what kind of environmental issues, when you moved into this office as the chief counsel—what types of environmental issues were you having to deal with at this particular point in time in New Mexico?

TU: Well, because of the breadth of the department, it was almost everything. It was, as far as the legal issues that were coming across my desk, there were administrative enforcement actions that were being taken in front of the Water Quality Control Commission. These are administrative actions. If somebody has a permit and they’re violating their permit, we would take them in front of that regulatory board. The Environmental Improvement Board is another environmental board that was responsible for air, for all the nonwater areas. And they would be promulgating regulation.

So the staff of the Environmental Department would, in conjunction with my legal shop, develop regulations, and then we’d go before the board and have hearings, and get the regulations adopted. For a period there, the cabinet secretary fired the head of
the Environment Division, as it was called, within this department—the Environmental Improvement Division. And I went down to that office and spent two-and-a-half months as the acting director of the Environmental Improvement Division, along with my general counsel responsibilities. And in that position, I was actually signing off on all these administrative actions, and supervising the people that were working in the department on a day-to-day basis.

PS: Tom, at this time, did your work bring you into contact with environmental activist groups in the state?

TU: Oh, sure.

PS: And could you talk a little bit about some of your interactions with them?

TU: At the time, I don’t think our environmental groups were nearly as sophisticated as they are now. But clearly we had a solid group of Sierra Clubbers, Audubon. There’s always been a very active movement on the nuclear issues in the state of New Mexico. There’s a group called Concerned Citizens for Nuclear Safety. They hadn’t started then, but there was another group called Southwest Research that was monitoring this huge nuclear project we have in New Mexico called the Waste Isolation Pilot Project. It’s supposed to be the first of its kind nuclear repository in the world.

It was moving along, and the governor was particularly interested in that, and he was handling a lot of that, although I think we were giving legal backup on some of the legal issues. He had the scientific group, the independent group of scientists, that was funded by the federal government, attached to his office, giving him advice on each step of the development of this nuclear waste repository.

PS: And I think, Tom, if I’m not mistaken, that repository came about because of a bill that Mo was involved with, in Congress. I guess the question I wanted to sort of go into at this point, you find yourself dealing with some of these issues. Your father has always had a long-standing interest in the history of the nuclear thing that culminated in his book *The Winds of August*, which was published a few years ago. Mo got involved in the aftermath of the Three Mile Island nuclear accident, when he launched his own Interior Committee investigation of the Three Mile Island nuclear accident. And that sort of cascaded into a big interest with a whole variety of nuclear issues, waste disposal, nuclear plant safety. Did Stewart’s and Mo’s interest and involvement in this influence you at all in terms of some of your perspectives on the nuclear problem?

And I want to attach a little rider to this question, because I was just reading it in the paper this morning, *The Santa Fean*. (TU: Yes.) The morning paper this morning, I was reading an article this morning about this huge new contract that Los Alamos is getting. And obviously, Los Alamos is a big thing for New Mexico, in terms of bringing federal dollars in, and projects and stuff. All of this stuff sort of rolled together, and your dad and Mo’s interest in this, did it influence you in terms of your thinking on some of these issues?
TU: Oh, it definitely influenced me in terms of my thinking, because some of the projects I was specifically involved in. A period of private practice I was assisting my father on the cases, and learning about the whole history. The history is just a very sordid affair with how the government behaved and how it treated its citizens. And in a very real sense, I think, treated the citizens like guinea pigs. They were experimented on, they weren’t told about what the real risks were, and whether it was the uranium miners, or the people living downwind of the atomic bomb. The more you learned, you couldn’t help but get more outraged. Then the more you learned, you also learned about the serious dangers of radiation. There are some real problems in terms of humans dealing with radiation and dealing with its effects on man. And developing the structures that you need to have to protect human beings from radiation—it just seems like we seem to slip up quite a bit in that particular area.

So whether it was practicing law and learning about it, or the Environment Department learning more because the State played a role in the WIPP project, or following what Mo was doing with Three Mile Island. It had an influence on my life, and I think it made me very cautious in terms of promises that were being made by the Department of Energy or its predecessor agencies.

PS: Tom, I want to take one step back. When you were running in the Democratic primary for the new congressional seat, did your dad and Mo help you with the campaign? Your father was in this area, but did Mo come out from Washington at all to help you with the campaign?

TU: Well, every campaign that I ran in, Mo was always there for at least one campaign visit, if not more. He was just very good like that. He’d always, when I’d call him and say, “We’re getting near the end and we’d like to do a couple of fund-raisers and a real quick hit around the district on a plane,” he’d just say, “Tell me the date, and we’ll try to coordinate it with coming west.” He’d do it either on the way to a trip to Tucson, or on the way back. Dad and Mom were the same way.

By then, they were back out west, and they came over.... Half the children were here, and then very recently, all of the grandchildren, except for one of them, here. So my mom and dad have been spending more and more time in Santa Fe. They weren’t living here at the time, but I think in ’82 they were spending the summer here, three or four months of the summer. So they probably came over a little early, because I remember them being here for a good chunk of the campaign, helping out. And Mom loves doing card files and that kind of organizing. And Dad would travel, visit with people, give advice.

PS: Tom, you worked for the New Mexico Health and Environmental Department for how long?

TU: I worked for the Health and Environmental Department about fifteen months. The guy that hired me, Bob McNeal [phonetic], who was the cabinet secretary, I really went
to work for him, as his general counsel. And when he moved on, over to the governor’s office, I moved on, back into the private sector. And then eventually in 1985, moved down with a law firm, with some of the people that I’d practiced with at the U.S. Attorney’s Office, and later became a partner with that law firm.

PS: And this is back in Albuquerque?

TU: Back in Albuquerque. I moved down there for five years, from ’85 to ’90, when I was elected attorney general. And ended up as a partner in a law firm.

PS: This law firm, again, was a general practice dealing with a wide range....

TU: It was a forty-person law firm, and aside from the Albuquerque office, three branch offices around New Mexico: Farmington, Las Cruces, and Santa Fe. We did a variety of trial work. I even got a chance to try a jury trial, a plaintiff’s case in southern New Mexico. As you know, most of the civil cases now, they settle, so it’s a great opportunity to be able to try a case and get back in the courtroom, like I was doing in the U.S. Attorney’s Office.

PS: Tom, did this law firm get involved in any environmental cases at all?

TU: Not very many. Not very many that I.... No, not very many that I can think of. I’m sure there were some there, but I can’t.... At the time, most of my environmental work, I was spending—there was a group called the Rio Chama Preservation Trust. We were fighting for wild and scenic river status in northern New Mexico. And so I got on the board of that organization, and we were trying to influence water issues. So most of my environmental work during that period of time was outside the office. It was either involved with the WIPP project, doing things like that, or up north working on the wild and scenic protection for the Chama.

PS: Tom, you have mentioned a couple of times since we’ve been talking, one of the other questions I wanted to ask you was, did you work with your father on the uranium miners and downwinders cases? I know you’ve talked a little bit, you’ve mentioned that in passing, in some of the other questions. Could you talk a little bit about the work you did with your dad?

TU: Sure. Well, first of all, Dad ran those cases as very low-budget affairs. He would try to associate outside lawyers to help him out as far as the trial part of the cases—especially the downwinder case. He brought in Dale Harrelson from Tucson, and Dale was going to be the lead litigator on that case. But Dad saved the uranium miner cases for himself, and he really was the one that ended up going to trial.

I really served a number of different roles at various points. One was to help him with the research. There was an awful lot of that to do. Then, at a critical point, we had to take depositions, which, for the Navajo Indians, was a very laborious affair, because you had to do it with translators. One of my law school classmates, who’s now the
president of the Navajo Nation, Albert Hale, was a lawyer practicing up in the Four Corners area. And so he enlisted Albert and got translators, went up there with Bill Mahoney, another one of Dad’s friends from Arizona, former ambassador. We went up and did the depositions.

And then I even tried some workman’s compensation cases up in Utah, that revolved around the uranium mining issues, with a young lawyer by the name of Kenley Brunsdale. Kenley worked for Wayne Owens, who later became a congressman. Kenley was Dad’s support attorney up in Utah, in many of the uranium miner cases.

So I worked at a number of different points, when I was in private practice, on those cases, and really got to participate in the overall strategy, the settlement discussions, if there ever were any, get to meet all the lawyers, sometimes taking depositions, sometimes backing up others that were taking depositions. It was really a great, great experience, although it was very disheartening near the end—we just kept losing and losing and losing.

PS: What prompted you in 1990—and correct me if the date’s wrong—to launch a campaign, to become involved in a campaign for attorney general, the present position you hold now? What was the decision-making process? You’re working for a private law firm in Albuquerque, and in private practice, and here’s another Udall jumping back into public service again. What was the decision-making process that went on with you then?

TU: Well, I’d have to jump back two years before that, because in 1988, Congressman Manuel Lujan left the seat, and I believe became secretary of Interior under the president at the time—I guess President Bush or President Reagan. And when he left that seat, and once again there was an open seat in the congressional seat around Albuquerque.

PS: This would be what district?

TU: This is the First District. So I was with the law firm, and I went to my colleagues and told them these don’t come along very often, this is very unexpected. And I asked for their indulgence, and could I take some time and do this, and they said that it would be fine. So then I went out and ran for Congress. It was a very short campaign, because Lujan had tried to orchestrate it for his brother. He waited until the very end to resign, so that the primary period was short, and the general election period was only about five months. I got in a twelve-way Democratic primary.

PS: Twelve?!

TU: There were twelve to begin with. By the time the voting took place in June, two of them had dropped out. I still think all twelve were on the ballot. Two of them had dropped active campaigning, and some had endorsed other candidates. Some had just said they dropped out. So I won that primary with, I don’t think it was much more than 25% of the vote. There were several candidates who were right behind me. Then I went
into the general election against the eight-year, locally-elected district attorney. This was the Michael Dukakis year. Michael Dukakis was running for president. As we all know, in the summer he was up, way up, and all of us were very hopeful that the Democrats were going to do well. By the end, he really pulled a number of people down. I ran 2,000 votes ahead of his voting totals in New Mexico, but that wasn’t enough to get me over the top, and I lost by about 5,000 votes.

PS: To your opponent?

TU: To the Republican district attorney, Steve Schiff. He’s now the congressman.

PS: He’s still in that position?

TU: He’s still in the position in the First Congressional District. So I went back to the law firm, and I’d just run what I felt was a very good race, my name recognition was very high in New Mexico, I was getting all sorts of very positive encouragement from people all over the state, to take on Schiff again. People were saying, “Well, ’90 will be a different year. It’ll turn around. It’s usually those off years where the president doesn’t do as well, and we have a Republican president. And so you’re going to be able to take him on.”

And so I listened to all of that, and then I listened to—mainly it was my daughter and few others. She’s now in a political consulting business, but at the time she was young, but she was very smart, and she thought as the races started shaping up, that the best race for me was the race for attorney general. And the reason was, when you looked at the field, there was nobody on the Democratic side that had been a prosecutor, and most people perceive the Attorney General’s Office, because there’s a major component of criminal experience in the Attorney General’s Office, as criminal, and knowing criminal law, and handling criminal appeals, all of those kinds of things. So as it shaped up, that looked like a good race.

I knew a lot about the Attorney General’s Office, because my wife, Jill, had been in the office for eight-and-a-half years, and she’d been a deputy attorney general. We had visited about many of the issues, it was always a fascinating office for me. I almost took a job there. I was offered a job there, but I took the United States Attorney’s job back in ’1. I could have gone to the Attorney General’s Office—the United States Attorney’s Office I thought was a better job. And so I took the one there.

I eventually decided on Attorney General, rather than running for Congress. And I had a four-way primary race and won that, and then won the general election. I ended up getting more votes than anybody else on the ticket. And then the same thing with my reelection in ’94.

PS: It’s a four-year term?

TU: It’s a four-year term. So I ran in ’90, and then ran in ’94, and was reelected. So
starting out, I couldn’t even get out of primaries. And then at the end here, I’ve ended up getting more votes than anybody else on the ticket—so it’s quite a contrast.

PS: And so, Tom, you’re in your current position then through ’98?

TU: Through ’98, the end of ’98.

PS: The next question I want to ask you, which you may not want to answer, but I’ll ask it anyhow: What are your future plans, in terms of public service?

TU: I would very much like to stay in public service. I’ve enjoyed this job, I’ve enjoyed leading this agency, I’ve enjoyed the interaction with the wonderful staff that I’ve brought aboard to deal with these challenging legal issues. It’s a great job. The longer I spend in it, the more I believe comments that attorneys general have made in the past, when we get together at association meetings, that this is the best political job in the country. Frequently you hear that, that an attorney general’s job is the best political job in the country. I really think it is. It’s where law and politics come together. And that’s where social change is taking place. It’s just an exciting place to be.

PS: Are you involved at all in Mark’s campaign up in Colorado?

TU: Mark and I have spoken frequently on the telephone, and then at one point he mentioned he’d like me to come up, and he would base an event around an appearance I would make in his district. I think about six, eight weeks ago, I went up, spent a day with him. We went to a newspaper, went through the district, met people. We had a fund-raising event that night with a lot of local people from Boulder. We raised some four or five thousand dollars. So it was a good event. I think my father followed-up maybe four to six weeks later, went up also.

PS: Tom, I want to jump back to Mo for a second. During Mo’s long career in Congress, Mo was known for his ability to resolve conflicts, to reach consensus. I won’t go into a lot of examples. The Alaska Lands Act was certainly one where he was able to bring a hugely divergent group of people together for a remarkable vote to pass the final bill over a long, long period of time, actually following up on something that your dad had tried to do in his last year as secretary of the Interior, but President Johnson wouldn’t go along with it. Did Mo’s style or his ability, in terms of reaching consensus, influence you at all in terms of your own politics, your own career, in terms of the things that you’ve had to do?

TU: I think it must have. I don’t remember having an experience where I looked at his style and said, you know, “That’s a style I like and I want to adopt it.” Although when I look now at the ways I think problems should be resolved, I think consensus building is very important. This Community Building Institute that I’ve been a part of here the last year in Santa Fe, the whole thrust of that is collaborative leadership, a different kind of leadership to deal with these complex problems. I think Mo was on the vanguard in terms of that—that movement of trying to bring people together and do things. I think
that really was his mode. It was also my father’s mode of operation—building consensus—because those environmental issues back in the sixties, the things like the Wilderness Bill and some of these other bills, there were major forces on both sides.

PS: Tom, one of the things I talked with your dad the other day, was this group that he’s been involved in organizing, the Mineral Policy Center. One of their goals, which people have been trying to do for some time, is to amend the 1872 Mining Act, which still has a great deal of impact, both in New Mexico, Arizona, and other western states. Are you involved at all with your father’s work in that?

TU: I’ve followed it very closely. He gets his faxes from Phil Hocker and the Mineral Policy Institute here at the house, so I read every one of them. I believe, just like he does, that we need to reform the 1872 Mining Law. It’s one of the worst laws that’s on the books right now.

As attorney general, about four years ago, I brought together a group of interested experts, I should say: Phil Hocker with the Mineral Policy Institute, the executive director; Senator McClure from Idaho—we did this up in Sun Valley—and several others, and had a roundtable discussion about the 1872 Mining Law. And then I authored a resolution of the western attorneys general, calling for reform of the 1872 Mining Law. So it’s an issue that’s time has come.

I’m only very sad that the Clinton administration and the Democratic Congress didn’t get that accomplished before the 1994 sweep by the Republicans. I think they lost an opportunity there. They really could have gotten it done. They didn’t, and that was very sad.

PS: Tom, are you currently involved at all in the Clinton-Gore campaign in New Mexico?

TU: I’m on the overall steering committee. I’m one of the co-chairs of the operation. I’m trying to spend time helping them organize the environmentalists. My assignment is to be the lead person for the environmentalists, organize them, and have a press conference, and trying to identify environmental issues between now and the election. And then I’ll be traveling the last four days with the entire Clinton-Gore steering committee, a group of about ten, around the state, a barnstoming, a trip to try to turn out the vote, get the interest up.

PS: Any thoughts, Tom, on the upcoming presidential election?

TU: Well, I really—for me, at this point, we shouldn’t be too confident, but I think the election is over as far as the presidency. I mean, I think President Clinton is going to be reelected. I’m not sure quite what the margin’s going to be. I think the big issue is what kind of Congress he’s going to have. I’m at least hoping that we’ll get the House back, maybe the Senate if he wins by a margin over 10%. And this is going to be the first time since FDR that we’ve had a Democrat reelected to the presidency. I just hope that
President Clinton focuses on history and remembers that this is his last opportunity to really do something good for the nation. If he takes his responsibilities like that, I can’t help but think we’re headed for a pretty good four years.

PS: President Clinton recently has been involved in environmental issues, to the point, with the designation of the new national monuments in Utah, which was—obviously, there’s some political decisions that into this too. I’m not saying he doesn’t believe in it. But there’ve been some highly-publicized things—the Utah national monuments, the compromise reached to prevent the mine near Yellowstone Park—which have gotten a lot of publicity. I asked your dad the same question: Do you think, once we move beyond the fall election, and move beyond where some decisions are clearly driven for political reasons, President Clinton is reelected, he doesn’t have to worry about running again. Do you think there may be a change in the Clinton environmental policies in the second term?

TU: I hope there will be. I hope that he’ll be even more aggressive on environmental issues. I hope he’ll tackle the 1872 Mining Law. If he still has a Republican Congress, I hope he continues to stand up to them on cutting funding for the Environmental Protection Agency. That’s a key agency for making sure that there’s a real force out there to come down on business and governments—cities and counties—if they’re violating environmental laws.

PS: Tom, there’s another question I wanted to ask you. There’s a new book out—I asked this of your dad also—and it’s just out, so you may not be familiar with it—Thomas Power an economics professor at the University of Montana, he’s written a new book called *Lost Landscapes and Failed Economies*. The crux of his argument in this book is that the old extractive economies in the West, based on mining, ranching, agriculture, to some extent is dying. And he feels that economic prosperity will brace only those communities that preserve their landscapes and learn to profit from them respectfully.

This is a brand new book, a book I think personally is going to be an important book. He’s an old professor of mine from a few years ago. This sort of philosophy, and if you look at some of the data that he accumulates, and particularly in Arizona—I assume it’s similar in New Mexico—where the percentage of people involved in gaining their livelihood from the mining industry, from the ranching, has been declining to the point where it’s very, very low percentages of people who actually gain their livelihoods directly or indirectly from that. Do you think he’s right in terms of this, and what kind of changes do you see in that context, as we move into the next century?

TU: I definitely think he’s right. I think we’re moving from economies....

[END FIRST TAPE (#8), SIDE B; BEGIN SECOND TAPE (#9), SIDE A]