

Peabody, Rhode, Winston
Interview

Q. How did you first come to run for the Senate?

A. Let me first tell you since you are doing kind of a background, a book that would have some history on other people. I am not one of those that planned for a long time to be in politics or to be a Senator. I have generally been in anything I did in life, whether it was typical high school activities or a ball team or a civic group, I have generally filtered up to being President or chairman of the group or some such thing. That's an ingredient that has been part of my life. I guess I always had a yearning to be something in whatever I did so that happened. My involvement in politics came about almost on a dare. I was not very pleased with local government in my city and used to complain and finally a close friend said you ought to run or not complain. I ran for a city council post, became a mayor and from there ran an unsuccessful governor's race. As a first partisan effort I lost by a few thousand votes. I felt very strongly that I still should be involved in some kind of public elected office. My friends' then began to explore the possibility of a Senate victory and a number of us strated working on it and I won. That's just about it.

Q. One of the things that has really interested observers of the Senate is that it has been said in the past that there are some expectations about how all of the members of the Senate should behave or should carry out their jobs. Did you find that to be the case?

A. Absolutely not. The only two kind of inhibitors and or determinators, in the sense of the question, the only two that exist certainly are the seniority system which in a very real way ranks you for committee assignments ^{and} within the committee itself. The impact there is not so much ~~in~~ being junior in these committees or ever in your being selected for a committee that you might not want. The thing that is bad about that process is that you don't get the staff assistance from the committees. That is a serious regulator of what you can and can't do. The other one that is very obvious is one that is a question of which party you are in. And since a Republican is the minority party you are obviously greatly inhibited in terms of committee chairmanships, you can't have those. So you don't determine how fast the committee goes, what it does and to some extent you are governed by that as a Senator. Other than those two honestly there are none.

Q. Did anyone try to give you some advice? Actually my impression is exactly what you are saying.

A. Let me just put that one into perspective. I think the advice thing is a two way street. I think you have to seek it before anyone will give it to you. There are not any Senators ~~as far~~ that other than as to the procedure in the Senate which is a planned indoctrination of a minor sort. There just aren't any Senators who came around telling me what I should or shouldn't do. On the other hand one wouldn't be in the Senate unless he had a gregarious kind of personality and wanted to go meet and wanted to make friends and unless he had a pretty strong notion of collective strength and the need for other people to help. In that regard, the second part of the street, I had sought plenty of advice and I would say for you that I have found to this point an extreme willingness to give it and I have not found it to be either fecitious and I have not found any body to take advantage of such discussions either way.

Q. Did you find when you arrived here that and since that time that there is pressure on you to specialize to really dig into the areas within your committees? Or not as much as one might expect?

A. Did you say a desire?

Q. Both a desire and sort of constraints on you to dig into those areas. Is it expected that Senator will specialize in a particular area?

A. It is not expected at all. On the other hand it seems that they are pretty perceptive as to whether you do your work on your committees or not. The work on committees and the expectation on the part of other Senators is much different than you might think. It is really limited to the ranking member and the chairman. No one really expects just because you are on an air pollution subcommittee that you really are going to dig into it. The committee system deserves a great deal of attention by you in terms of what you write about it. It has some fantastic problems. In fact it may be that with the complexity that we are now entering into with the National Land Use Planning law and air and water pollution laws for the entire country that the committee system, that it's shortcoming is that the committee staff becoming too strong and becoming really the voice is something we should be watching out for. I suggest that the work of being a Senator is so complicated now that and the tradition of not having to go into so much detail it is delegating enormous power to committee staffs because so much of the new law goes into detail. You can come up with a good idea on land use planning but are you really giving the Secretary of the Interior all the power over the states as determined by the courts four years hence because you didn't understand what you were writing. Did the staff plan it that way. So my response rambles but I think you get something out of it as you analyze it.

Q. I suspect also that it makes a difference in conference committees as well. Congressmen have fewer committee assignments and fewer demands on their time and they can get into the materials a little more.

A. Perhaps.

Q. When you first got here what committees did you want to be on?

A. Interior which I did get, other than that I had two or three choices which weren't really, Public Works which I got on was second or third. I perhaps knowing what I know now would like to have been on Armed Services or Judiciary. Of special interest to New Mexico is the Joint Committee on Atomic Energy. But since one of our congressmen also of my party got on I wasn't near as upset about not getting on. My choice was Interior because it has a great impact on New Mexico and it had many new areas of applicability.

Q. How did you make your feelings known?

A. We were asked by our leadership and we then wrote, in addition to letting them know we wrote to the Republican Policy Committee and put our priorities down in writing. When we got here we talked among different Senators that would have to make some choices, about how the committee assignments would effect us. But just generally speaking it was done very much on an expected manner or traditional manner of advising Senate leadership.

Q. Well you are on Public Works and also I guess Aeronautics and Space. Could you compare the way those two committees work? Are they very much different in their operations?

A. Much different. The Space Committee has obviously in the past contrary to the popular thinking has been very much a professional managed committee. The pros in Space have run that committee not the Senators. There are no subcommittees to speak of. It is kind of a budgetary thing and the bills generally concern themselves with the budget not with specifics. But my impression of it might be somewhat affected by the fact that there is no effort on the part of the U.S. Senate to determine conflicting committee hearings so that I missed many NASA meetings because Public Works was meeting. This is certainly something you should address yourself to because it is a deplorable situation. To be held responsible for the idea that you should go to committees and do your work when as a matter of fact the committees themselves make it impossible. One ingredient of NASA that is tremendous, NASA itself will really furnish you with the information. They are professionals that are willing and ready to gather it up and they just don't beat around the bush. They will bring it to you and they will bring an expert to explain an earth's program in detail and answer your questions. It is much easier to deal with them, it is almost as if they really belonged to the committee instead of in some of the other committees the Federal bureaucracy is very far away.

Q. How about Public Works?

A. I'm on four subcommittees there. I would only say this. The chairman and the subject matter seem to make each one different. My only feeling is that the public hearings are somewhat of a sham, they are really so well prepared in advance that I don't know if we are really getting to the substance or if we are getting what a smart staff thinks you ought to get. That is a tough one. We will just have to have an ongoing observation of it as I said. We would be awful mad if they just let people come up at random and waste our time but it is quite obvious that in the area of air and water pollution and roads and the like they were pretty managed hearings. This tends to greatly limit in my opinion the innovativeness of legislation that can come out of the committees. On the other hand they are to this point in my short term here principally dealing with existing laws which they are either further implementing the second year on, oversighting or the like. Our disaster subcommittee which is a new one we go out into the field and listen to the people that have had disasters. It is one of the most significant kinds of efforts I have been in because there is a direct relationship between the testimony and what you are trying to do. They have of course gone through disasters that are supposedly being attended to under law. You can ask them whether the law that is attending to their needs is working or not. That is a very, very one on one yet complex relationship. You don't find that very much in NASA as another comparison.

Q. I take it that the chairman of the full committee is not overly powerful, compared at least with others.

A. That is probably true in most committees but I would prefer to tell you what this one is because I don't know the others. The chairman of Public Works seems very, very determined to and makes it seem like it is almost a tradition that he is involved with the subcommittee work. He comes to many of the hearings and listens and sits in. It is obvious that through the chief counsel who seems to be pretty much responsible to him and that is

the order of things around here that he has his finger on all the subcommittee work. So the answer to your question is negative.

Q. You are the ranking member of one subcommittee which is disaster. Do you get a staff person for that?

A. No. You get a half of staff person. I think I'm finding that staff assistance is, while we complain about it belonging to other people, I think maybe what we are doing is maybe we are not going to the staff people and asking them to help. I will give you this observation. In Public Works maybe it is because I'm enthusiastic and I am responsive and I treat them very much like truly friends that are working on a problem together. But I have found now that I can go ask public works staff for assistance in research or drafting a bill in an area of the subcommittee that they are working for and they will do it regardless of where I am. They don't go to the ranking member and ask. So what I'm suggesting is that maybe the tradition of belonging to or relating to the member of the Senate might be more fiction than real. The Senators ought to explore utilization of committee staff on more of a broad base than they heretofore have.

Q. I suspect that that is something that is changing. If ^{you} were to go ask someone 10 years ago I suspect that a Senator especially a minority Senator would not have dared to do something like that.

A. Perhaps.

Q. In the 92nd Congress there were 955 roll call votes. From the looks of things now you will exceed that record. Obviously with all of these votes no individual can know everything about all of them. When votes come up that are in areas outside of your committees, what you do? How do you go about getting the information that you need to make a decision?

A. We have a system and as in all systems we are constantly trying to perfect it which means that it doesn't work all of the time. But our system is such that somebody is assigned by our legislative department will put a pro and cons in the file even on a bill that I have nothing to do with. They will put the Republican position which doesn't mean an awful lot because we don't know where that is coming from now. If there was really a Secretary of Interior who could tell you a Republican Secretary of Interior's view that would be one thing but what we have been getting is just another piece of information. I would have some idea of it through that procedure that I just described. There would be certain Senators that I would already know either because they are on the committee or because I trust their judgment or I know that their states are similar or that they would consider similar problems I would inquire of them. So I would use both methods.

Q. How long did it take you before you reached the point where you could say well here is a man I can trust. Did that come fairly quickly?

A. I came knowing one that I had a lot of confidence in from
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Q. Also how many people do you have on your staff that work on legislative matters?

A. About 6. Two at home, they split their time.

Q. What do you do with amendments, some of them are not printed?

A. Our staff tries to get an idea of what is going on on the floor. There is a miserable part of this process. Mistakes of huge proportion can be made there. Yet it is the political part of the Senate that you are not going to change. A senator makes his particular issue felt easiest. That is the way a particular
It is political, the process is not really used for bona fide well thought out process of amending. In other words the minority view and majority view on a bill and that is really the way to do it to amend it to the minority point of view and vote on it. People use it to come in with philosophies to build their reputation and the like. It makes life very difficult to know what is going on. But frankly much the same way, when the staff can get something on it they do, if they can't I go down there soon enough to talk to a few /Senators on the issue and you will generally, if you studied the bill a little bit before the maneuvering started than you will have an idea.

Q. Does debate ever make a difference?

A. To this point only on one occasion, two occasions was debate of any significance to me. So I would say generally negative. I would not minimize though the full scope of effectiveness of good floor presentations.

Q. What were those two occasions?

A. The laws on the National Banks was on the floor and there was an amendment proposed limiting the right of mutual savings and loan organizations to use checking accounts as part of their service. Third party certificates or contracts that were in existence in the state of Massachusetts and the basic bill had chosen to ignore that. It would have permitted them to continue. The amendment would have limited them to Massachusetts and requested that a certain arm of the Administration or executive department report with a study on it. I knew politically and perhaps ideologically where I stood. I favored the amendment. But I don't know how they ever vote purely on that. It also has to be rational. Or I don't feel very comfortable. On the other hand usually there is a significant rational to a concept like orderliness on a wide scope. I was listening and trying to find out why there was any justification for doing this. A Senator from Utah in the floor debate was trying to answer a Senator from Wisconsin. In that debate I clearly got the idea that I would vote for the amendment. Not to limit a kind of service that an institution or bank was going to give but rather to give us time to determine whether or not we were premitting an institution that had unfair competitive advantage because they were not governed by the same rules and regulations which went along with some of the privileges. It did not come out until I heard it precisely explained. The other one was on the last Presidential appointment to the Federal Power Commission. It is an amazing vote. Someone should analyze it.

Q. You know I spent about 20 minutes looking at that vote. To determine some sort of a pattern.

A. You see what happened was that many people went to the floor at the start of the day saying well you've got to be against this fellow because he obviously is an industry man. Well it turns up on the floor that you got a Republican on the minority side presenter through Ted Stevens who is oil and gas orientated. So you are listening to see make sure that we really aren't getting a total industry man and all of a sudden you find

that he is joined with his promoting by John Tunney of California. John is now saying not only is this a splendid man but let me tell you that the conservationist groups think so too. He starts to name them off and then he ends up saying and besides the principle fear is the regulation of natural gas on his part. I don't agree with him. Let me tell you, you know this fellow may be a corporate lawyer who worked for Standard Oil but he knows enough about it to have a real opinion about it. He doesn't think the regulation of natural gas is good for the country. That left a terror in Moss and that group's plank in terms of had the President appointed a Standard Oil man or had he appointed a very learned fellow who works for Standard Oil. But it also brought Tower to his feet to clarify that the Administration was in fact fooling him. He was convinced by Tunney that the statements Tunney was quoting that in fact this was not a friend of the producer as he put it because he was against the regulation. Well that had done much to me at that point although I had decided to vote for him going in and that convinced me yes I'm right, I'm willing to. Then somebody just pricked my conscience a little bit, my concern. Hollings addressed himself to it. A very simple eloquent argument on credibility. That we are entering a period of time when credibility is so important and credibility of the Federal Power Commissioner as being fair when so many changes in the natural gas prices and all these sort of things were required and that let's don't talk about how good or how bad or how qualified or how unqualified or where he is from that he is a Democrat, all of these things, let's just admit that he made a decision to be a lawyer and that is wonderful and that at some point in time he represented Standard Oil for 8 or 10 or 12 or 14 years and anyone who could do that enters the commission with the consumer feeling that he is not credible in terms of being objective. So on that grounds alone let's vote against him. That is one of the finest arguments made, made far more eloquently than I'm trying to make it. I weighed it all and I was very pleased to resist Tower's statement to me that he is not an oil and gas man so you had better vote against him. I didn't buy that because I had known lawyers who make beautiful criminal defense lawyers who couldn't (end of first tape)

Q. The basic input of my question is really whether or not rules make a difference?

A. Well I've not been here long enough to witness the entanglement or impact of a procedure on the floor to a degree that it caused a confusion or had an effect on the ultimate vote. I did not say that I have not observed the potential for that. And I'm certainly not the smartest guy ~~and~~ around and came in here with no experience at all in procedural matters. So I would say if they have been intelligible in understanding for me they are probably **not** very difficult. I am somewhat amazed at how simple the rules are to be frank with you. I am equally amazed at how certain people make them **easy** and others make them difficult. I've seen that too.

Q. There seems to be a tremendous emphasis on unanimous consent agreements. Do you find that this helps or hinders the operations?

A. I think it is tremendous because it is permitting some real orderliness. On the other hand I think it is doing an injustice when it comes to really passing legislation by unanimous consent. I might explore logging some objection to that. Yesterday we passed three or four bills by unanimous consent. We voted on them all and I was there and hardly had time to know they were coming up. But the other part of setting down the damn format for the day and really agreeing on who has time to do what I think that it really great.

Q. Do you consider your state pretty safe for you?

A. Negative. I don't think a Republican in New Mexico when you are the first one to come along in 40 years with all the court houses being Democrat, a 2½ to 1 ratio against you. In spite of the advantages of being here the franking privileges and the payroll that permits you to have people out i touch with citizens and all, I don't think it is a sure thing.

Q. That brings up an interesting question. In every state there are two Senators who represent the same geographical area. In your instance your colleague is from another party. Could you compare the types of support that you get within the state with his. Is there a large overlap do you think? Or are you supported by different groups?

A. That is pretty hard to say. I think it is pretty obvious that we have two basis of support. Tow special interest groups. ~~I think~~ He has great support from his own culturally aligned people, that is the Spanish Americans. He comes into central New Mexico with a strong majority from them. The other is, he has always been a strong friend of organized labor so when he canpolarize the issues he gets near unanimous support from them. The later group is not terribly significant. Not that big is what I'm saying. I think the former is his bell runner. You get a substantial portion of the Spanish Americans or you don't win. So there is an obvious third group that are the middle of the road and the conservative kind of New Mexicans who are non-Spanish American and non-labor oriented. That is the biggest group but it is also not clearly defined. I have great support in that group. I think his is very questionable. That would be the conservative east side of New Mexico, the cattle man the oil man the business-man and just the generally conservative New Mexican. On the other hand we have a comparable area or an area of comparability and that is the Spanish American voter. They are traditionally Democrats and are probably registered 3½ or 4 to 1. But I have in this past election established a great rapore and kinship with them. I got a lot of traditional Democrat support from the Spanish Americans. I'm grateful for it and I very easily line up on it's side and concern myself with its concerns. But it is also a more difficult natural alignment than his. So I'm smart enough to know that and we'll just have to see how that works out.

Q. In recent years there seem to be a rise in informal groups in the Senate. There is the Wednesday Club and members of a group of freshmen which I gather has now expanded to the last three classes. You are involved in that group quite heavily if I'm not mistaken. Are there any other groups that you know of or belong to.

A. What it the Wednesday Club? That's the liberal group?

A. That's a group of more liberal Republicans.

A. Well,

Q. That's more organized than most of the others. Is there a group for instances of Western Republicans or anything of that type?

A. No. There is another kind of group and I don't really know what it is. But I have gone there a couple of times and it centers around Brock. It is sort of a Duckley group. Let me say that I don't think any of those groups are having a very broad base of impact. I don't know about

the Wednesday Group. I visited with them before I became a Senator, when I was considering running. I do think that they have a good exchange of views. They give you some ideas on legislation that is pending which is a darn good format. The other group I spoke of Roth-Bukley I've gotten together a couple of times and I really think it's more of a gathering about what each of its members think is important. The three classes joined up to fight. That is a meaningful group because it doesn't have any kind of a partisan thing to it. Liberal or conservative but rather the modernization of the, that which the Senate gives to the Senate. It's offices, its technological aids to see what is going on on the floor. Right now I should be able to punch something or open something or turn on a knob and know what is being debated on that amendment ~~on that~~ downstairs. For the biggest and most renowned deliberative body in the world to have to or such a technologically deficient system is incredulous. That three member group is seeking more member clerk hire more flexibility in managing our own clerk hire and those kinds of things. To that extent they are great. Now I don't want to end your chat with a freshman Senator ~~have~~ after five months without telling you what I really think are the two most significant things of a procedural nature that are wrong. We have already explored amendments and you know that I understand that it is not very orderly but we are not going to change that. We have explored committee chairmanship and that, we're not going to change that. But the system of appropriating and funding, budgeting within the Congress as a Congress must be modernized or we will, if we don't lose our power to ~~have~~ Nixon because he had problems we are going to lose it to an Executive that holds the people for eight years. Because we just can't have a budgetary process that permits new bills to go on the floor by way of authorization for 800,900 million dollars with nobody having any understanding of how we are going to fit those into the budget in 6 months. We just can't have a 2 billion dollar ongoing program in HEW with nobody monitoring it to see if it is worth a darn. On this end. We just can't do this kind of thing and keep this country in shape. We did it before we had the expanded notion of the Federal government. With the constitutional inhibitions and prohibitions gone where we can do damn near anything. We can get involved in Land Use Planning under the Interstate Commerce Clause, nobody questions it anymore. We can get involved in any kind of program, alcoholism treatment, 60-80-90-100- million. We can't do that without some mechanism, that is number one. And the second is we've got to figure out a way to make the committee meetings more workable for the average Senator. We've got to eliminate duplicity, we've got to eliminate the confusion of two meetings at the same time, we've got to get committee relationship for the average Senator on a more meaningful basis so that Senators staff is more related to specialities I mean to the Senator and the committee staff is giving the Senator everything he needs. ~~That/does/it/~~

Q. That doesn't seem like too difficult a problem.

A. It sure does not. The latter does not seem. Now there are suggestions that I go 6 months on legislation and 6 months on hearings. Or one year on legislation and appropriation and one year getting ready for it all. I don't think it has to be that drastic. The fact that there are such suggestions point out the tremendous problem of having bills coming in from all over the world. Now there is one other third one that I throw in that's arriving. The fact that legislation is getting very complex and that it crosses the jurisdictional boundaries of committees is becoming a mammoth problem. Where you have disaster relief in three different committees and somebody is trying to draw the bill for disaster relief. Where you have part of a problem coming to the floor to be solved today under a Banking Committee's bill we are 6 months from drawing a bill that is suppose to ~~include/it/~~ do it

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including that mechanism. So the Senate is going to have to continue to look at the jurisdiction of committees. And maybe arrive at more select or ad hoc committees.

Q. I would say that you probably will end up forming a committee like the Bolling committee.

A. Could be.