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Interviewee: Pat Williams

Interviewer: Bill Cunningham

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Unknown person: This is an interview with former congressman, Pat Williams, on June 12, 1997 at the Center for the Rocky Mountain West in Missoula, MT. The interviewer is Bill Cunningham.

Bill Cunningham: Good morning, Pat. We left off last time—this is our third meeting now—on the wilderness issue relative to Montana, and of course relative to the country during your participation in Congress. We left off discussing such broad areas as the so-called Wise Use movement. We talked about NREPA, the Northern Rockies Ecosystem Protection Act, and the pros and cons politically of that particular measure vis-à-vis the efforts to enact a state-wide wilderness bill for Montana.

I'd like to get into several areas today, and one thing that I've looked at just this morning is a transcript of a keynote speech that was transcribed by Patty Bornman (?) here. The keynote speech was one that you gave to the Montana Environmental Information Center on September 3...pardon me, September 23, 1995, at their MEIC rendezvous. In that speech which occurred during your last term in Congress, you touched on a whole number of areas directly and indirectly related to wilderness. One statement that you made, I'll read it to you and maybe we could comment on that. You indicated that no issue has taken so much of your time and effort as has water, the issue of water. And I wonder if you could discuss the connection between water and wildernesses as you saw it, as you dealt with it in Congress?

Pat Williams: I didn't realize upon being elected to Congress the critical nature of water in politics and in government. I knew it was critical in people's lives so one should have been able to make the connection that therefore it's a critical element in the government. And that the government spends, or ought to spend, and usually does take a lot of time considering how to protect water and supply Americans with it. In the early years of the West, the federal government was, as we can now see physically as we look around us, a major part of hydrolyzing the West. We, the West, is according to Wallace Stegner, the "hydraulic society" (unintelligible). Some good, some questionable, some not so good. Dams, pipelines, irrigation, canals, trying to make deserts bloom despite the natural intentions. Government has paid a lot of attention to water. The interesting thing to me is that government doesn't seem to know that. If you ask people in government about water and the history, the intense history, of government's application of time effort but legislation that has to do with things water, people look surprised at you like, "Oh did we spend a lot of time on that? Do we have a big role in that?" I don't know why that is. Perhaps it's because not many people spend a lot of time on rivers. Perhaps it's that there aren't rivers everywhere even though we seem to think there are.

In any event, I do want to make the point. I am surprised after discovering myself how much of my time and historically government's time has been taken up with the consideration of water that people in government do not seem to have a greater recognition of that history or of the fact that water is so critically important to people's lives. For my part I've found that—as I said in that speech that you referred to, Bill—I've found that a tremendous amount of my working days during eighteen years in the House of Representatives was consumed in dealing with issues about water. Primarily of course that's because water is so totally critical in the West and here in Montana.

Another reason why I was able to hopefully, productively, and effectively spend my time on issues about water is that I had a seat on the House, then called the Interior Committee. The name was later change to the Natural Resources Committee, and in this Congress has been changed to just the Resources Committee. (laughs) That committee deals with water; and therefore as a member of that committee, I spent a lot of time with it.

Now specifically about the point of your question and that is: How are water and wilderness related? It may well be that in order to have water we need wilderness, especially headwaters wilderness. If we're going to have those things that accompany water—and that is the fisheries, the wildlife habitat, the forests, and of course outside of the wild areas, the cities, the farms, the ranches—then we have to protect the headwaters. And it isn't rocket science. It became clear to me, as it has I'm sure to all of my predecessors, once one makes even a cursory examination of the necessity of water, one quickly realizes that it is the headwaters areas that are vital to preserving the water. And of course the best man-made legislative way to protect those headwaters is almost inevitably with wilderness.

BC: Pat, as you formulated your wilderness proposal for the 1.7 million acres of national forest wilderness in Montana, which areas do you recall that stood most out in your mind as being important for headwater watershed protection in wilderness? Were there some of these areas that you felt were especially critical or especially significant from a either watershed or water quality standpoint?

PW: There were several. There was the Bob Marshall itself and while the Bob Marshall and the Great Bear of course have been declared wilderness prior to my arriving in Congress—that was primarily the work of Lee Metcalf—there were threats. As you remember, Bill, because you were involved in the work with regard to those threats under Jim Watt. There was the threat of exploration for oil and gas within the Bob Marshall. The Bob Marshall and the Great Bear served as headwaters areas and so our work to protect those and to include the Rocky Mountain front as part of the complex, the wilderness complex, was done in large part because of water. The Thompson-Seton area relatively adjacent to Glacier National Park was an area where we were concerned about headwaters and the diminution that the effect of the diminution of those headwaters on bull trout population which is already apparently in decline in the Northern Rockies. The highlight period down in the Gallatin was a headwaters area and concerned us.

One can name virtually every wilderness area and find that (unintelligible) of water was one of the driving forces in trying to create it as wilderness. (paper rustles)

BC: I'd like to turn our attention to the end of 1994. We discussed previously, I think quite a little bit, about history and background which led up to the various wilderness bills, the evolution of those bills over the period of time. Seventeen different bills over the period that you served in the Congress. At the end of 1994 you were successful in getting a 1.7 million acre wilderness bill passed through the House, but it failed to pass in the Senate. As I recall it was right up at the end of that particular Congress.

I'd like to explore with you what really happened here. This was a time when the Democrats were still in control of both houses of Congress. We had, of course, a Democratically-controlled White House and still do. It seemed as though to those of us that were involved at the time that there was at least partial and major resolution of the state-wide wilderness issues very close at hand.

What happened? Why did the bill that you had been able to get through the House, why did the bill fail to pass in the Senate; and why were we so close and yet maybe so far in a sense, in terms of passing the bill at that time?

PW: Let me preface this by saying that if either Senator Burns or Senator Baucus were being asked that same question, it would be reversed and that would be, "Why did the bill that passed the Senate, fail to pass the House." Because they sent a bill over to our body that the two of them were able to agree upon, and the House rejected it; and they accepted instead a different bill much along the lines of the Senate bill but significantly different in many ways, which had, as you say, 1.7 million acres of wilderness. The loss of that Senate bill in the House was of particular concern to Senator Burns, and such concern that Senator Baucus really believed that most likely the Senate would not take up the House bill, given that it had passed on its own in the House, and pretty overwhelmingly rejected it.

I guess I'd feel more comfortable if Max and Conrad were here to defend their bill, but being as they aren't and this is my opportunity—I mean, this is my only opportunity to talk about this part of the process—I want to be frank about it. The Senate bill was terrible. It not only lacked in protection of vital, wild areas in Montana, but it was terribly written. For example, it inadvertently amended wilderness in Wyoming. It was a Montana bill that actually inadvertently amended wilderness in Wyoming. It had many, many mistakes that all later admitted and agreed to by both Senator Burns and Senator Baucus. I don't think it was their fault; I think there was very shoddy staff work done on that bill. If the House had accepted that bill and sent it to the president, the president would have had to veto it because it was so shoddy. So the House began to make changes on it, and then the House did what the House—or the Senate in retrospect—would. That is, put their own stamp on it.

The House passed that Montana wilderness bill—not the Senate bill but the one that they put their own staff on—passed it by a larger voting majority than they had passed any of the bills, wilderness bills which I'd previously introduced. They passed it by a majority of 3-to-1. I really believe it was some excellent work. The House members did a great job on it. It deserved to pass the Senate, but two-year terms are in part to blame because by the time that the Senate got it over to us and we made our changes and got it back to the Senate, the term had almost ended. The Senate had other things on its calendar; it couldn't get this bill up. Senator Burns was resisting it. He and Max couldn't come to an agreement on it, and down the whole process went yet another time.

BC: And this was later, an eleventh hour situation then the clock simply ran out...

PW: We got it over to them with—I forget exactly, Bill. We got it back over to the Senate with, I think, some months to spare. But nonetheless, we were at the end of the process. It was an election year as it always is in two years. Demands on people's times are great; the Senate calendar was full; and we just couldn't come up. They had time to deal with it with regard to months, but in any event it was never brought either in the committee or on the Senate floor.

BC: And there was no attempt or hope of getting the bill into conference to try to resolve the differences between (unintelligible).

PW: No, they just wouldn't do it. They wouldn't go for conference, and they just didn't get it on their calendar and deal with the process at all. It didn't work. By the way, Senator Baucus worked closely with the House people and with me to attempt to get the Senate to bring it up. But Senator Burns was resistant, and that's okay because the bill created a wilderness policy with which he didn't agree. That's what government it about—to try to referee these things out—and Senator Burns wouldn't come to an agreement so as a result we still don't have the bill.

BC: Senator Burns, previously, had actually introduced the timber industries bill...

PW: I had said before in an earlier interview, I just want to make the point again because it's so historically important. Senator Burns is the first representative, House or Senate, in the history of Montana to introduce a bill handed to him by one side of this issue. Senator Burns says, in his own words, that timber industry wrote this bill. So he introduced a one-sided bill. No other member of the delegation throughout the history of the wilderness bill process, which started long before I got to Congress, has ever let one side write a bill and then introduce it on their behalf. I think that that's of historical importance that I wanted to mention it twice during this interview.

BC: I think, perhaps of all, it's instructive at this point to go back to earlier statements that you made too, Pat, with respect to the Senator Burn's victory over Senator Melcher in 1988. And the perception, which I know you disagree with, by some Republicans and some other

observers that the wilderness issue is what beat John Melcher and that Burns was then perhaps trying to capitalize on this perception that it was wilderness that beat Senator Melcher and in so doing felt comfortable introducing a one-sided bill.

PW: I would invite some historian who might be reading this transcript or listening to the tape to check my memory on this one, but my recollection of the election night data is this. That is John Melcher didn't lose the election in those counties...against Senator Burns, in those counties which were affected by that wilderness bill. He lost it in the eastern Montana agriculture, farming, ranch counties. Those used to be John Melcher's strength; but those folks, including many moderate Democrats living in eastern Montana, abandoned Senator Melcher. I don't think they abandoned him on the wilderness issue because the wilderness matter has never been a great issue in eastern Montana. It was apparently that they felt its time for a change, and I think it was also that Conrad Burns was the first choice they had had against John Melcher, who actually knew and understood agriculture. So it was the farmers and ranchers of eastern Montana that elected Conrad Burns and defeated John Melcher. I do want to quickly note here a thought that I think that a lot of my progressive friends including environmentalists in western Montana share some of that blame. They sacrificed the good for the perfect. For their brand of politics and their policies, John Melcher was infinitely superior to Senator Burns and yet those people stayed away from the polls, wouldn't vote for John Melcher. And that was part of what helped elect Senator Burns.

BC: I think that history will prove that out, that that was a causal factor.

In going back to causal factors then behind...underlying the failure of resolution of the wilderness bill in 1994 and the disparity between the House-passed bill and the Senate-passed bill and never the twain shall meet, was the part of the reason there in any way connected to what might have been perceived as a schism within the environmental community on the wilderness bill?

PW: To some degree it was. The Alliance for the Wild Rockies created a schism within the environmental community there (paper rustling). In fact it had at different times—I forget whether 1994 was one of the years of not—written, ran op-ed pieces and letters to the editor and even paid ads which criticized not their opposition on the industrial side but their opposition within the environmental movement. It did create a significant rift within the movement, and of course when any given interest can't present a relatively solid front at a critical moment of legislative process then that side has got some trouble. Environmentalists sort of took their shoulder away from the wheel in that period of time, and that too harmed the chances of getting a good solid (unintelligible).

BC: Switching subjects a little bit but not too much because I think it's related, I wonder if you could explain what led up to the order by Secretary of Agriculture, Dan Glickman, to place the 1.7 million acres of wilderness that was proposed in your bill off-limits to Forest Service development activities. What's sort of the story behind that, and what led up to that?

PW: The two things that prompted it were a speed-up of the consideration of oil and gas leases in wild areas in Montana and that was done by the Forest Service. So these areas came into jeopardy more quickly than we had thought they would; and by these areas, I mean these yet unlegislated, undesignated roadless lands, these (unintelligible) lands. We knew that they were going to be under some oil and gas jeopardy eventually, but the speed-up of the process suddenly created new awareness on my part and our part that those lands were in jeopardy sooner than we thought.

The other thing that happened was that the Congress of the United States passed what became known as the salvage sale rider, the bill that sort of did an end run-around some of the environmental laws and standards and moved dramatically and quickly—or attempted to—to harvest supposedly dead, dying and diseased timber. So that threat then came to these wild lands as well.

Now the dilemma was this. Only a few months before, the House of Representatives had voted 3-to-1 to protect 1.7 million acres of these very lands that were now in jeopardy. It's true that didn't pass, but it was also clear that these two unusual pieces of regulation—on the one hand with regard to oil and gas, and legislation on the other with regard speed-up of salvage sale law—was going to not only jeopardize the 1.7 million acres of land, but it was going to remove the congressional prerogative (paper rustles) which the House had said by 3-to-1 they wanted to adhere to, to protect these lands.

I talked to President Clinton about it, Vice President Gore, former congressman and Secretary of Agriculture Dan Glickman, and Secretary of Interior Bruce Babbitt, and kept talking to them until together we found a way to reach in and lift these 1.7 million acres away from potential danger. President Clinton was supportive of it, of course. Secretary Glickman was given the order to reach in and lift them. The question that the Secretary always had was, "Under what authority am I doing this?" And I posed a different question to the Secretary and that is, "What authority prevents you from doing it?" They couldn't find anything that prevented them from doing it, so they did it. And by the way, no one challenged. The industry challenged it on the front pages, but nobody challenged it in court. So the Secretary was apparently...and the Secretary's lawyers later decided the Secretary was within his legal right to do what he did. That lift expired at the end of the year, at the end of December, in 1996. Now the salvage sale writer has also expired. So at least that part of the threat is no longer there. The oil and gas part is; however, Secretary Glickman, just the fact that he lifted it for that period of time, has sent a signal to the Forest Service to be very careful about intruding on that area. It's sort of in limbo, but kind of a semi-protected limbo at least while we're speaking here in the spring of '97.

BC: There is (unintelligible).

[End of Tape 1, Side A]

[Tape 1, Side B]

BC: I think it might be noted here that there is some precedence for Congress directing the agencies to hold off and to protect congressional prerogative, and I'm thinking of the so-called Bumpers Agreement [Amendment]. When Senator Bumpers (unintelligible) the same concern that other legislation (unintelligible) holding off...

PW: And the Bumpers Agreement [Amendment] is, you know Bill but for the purpose of those using this transcript or listening to the tape, Bumpers is Senator—currently Senator Dale Bumpers of Arkansas, former governor of Arkansas, a long-time conservationist both in the governor's office and now in the United States Senate—and in order to protect congressional prerogative, Senator Bumpers came up with proposal that the Forest Service and administrations, Democrat and Republican, abided by, accepted and abided by, and that was whenever a wilderness bill was introduced in the Congress of the United States, if the member introducing that bill...And some say it's a member of the state affected by that bill, that that member will so inform the Secretary of...will so inform the administration and then if that letter is followed by a letter from the relevant committees, the resource committees and the chair saying, "Yes, this bill has been introduced and we ask that this land be, in effect, protected until Congress can decide," then the administration follows and does that. So the mere introduction of the bill, followed by letters, has been enough to protect the congressional intent. By the way, in the long twenty-year history of the Bumpers Agreement, it has never been abused. Members of Congress have never put in bills just to protect the land without believing that that bill can actually pass and has a good opportunity to pass. In other words, there's been no game playing with the Bumpers Agreement. Had there been, had there been helter-skelter bills introduced simply to stop development anywhere, administrations would not have abided by the Bumpers Agreement. And there were a lot of Republican administrations through those years, and they all abided by the agreement.

Now the agreement is not operable anymore because under the new majority of Republicans in the Congress, the chairs of committee will not notify the administration in a letter and ask them to lift this land. Therefore, that critical part of the Bumpers Agreement is never put into place; therefore, the Bumpers Agreement is now mute.

BC: That's why 1995 during what was the Republican-controlled Congress, you were able to come up with this sort of unique modification of the concept of the Bumpers Agreement.

PW: Right, it was a Williams Agreement [Amendment]. Brought up probably only once but it was a (unintelligible) agreement.

BC: (laughs) Definitely historic and precedent setting, no question. It certainly commanded the respect of the administration and that was the idea to protect that prerogative. Maybe the heat has diminished to some extent hopefully on these 1.7 million acres now that the expiration of the Salvage Rider.

I'd like to continue (paper rustles) discussion of what transpired in conjunction with the Glickman order on the 1.7 million acres. Correct me if I'm wrong about this, but as I recall, that was about the time that you actually reintroduced in late 1995 the exact same bill?

PW: I reintroduced the 1.7 again, and the reason I did that was sort of (unintelligible) with the process of the Bumpers Agreement. The administration felt they would be on firmer ground if they could say, "Well, the bill has been introduced in the Congress and the sponsor of that bill had pointed out to us that because of us,"—us being the administration which hurried the oil and gas leasing orders, and the President who signed the salvage sale logging bill although it was wrapped within the whole budget of the United States so we couldn't get at it. We didn't have line-item veto. But they said, "Because of us, these lands are in jeopardy, and therefore we'll enact a kind of Bumpers Agreement here but with this lift." So to do my part of that, I reintroduced the 1.7 bill so that the administration could say, "Well at least a piece of the old Bumpers Agreement is still in place and the bill has been introduced."

BC: That's understandable then why that was a vital part of the overall package. But were you at all concerned about political consequences of introducing a wilderness bill for Montana in what you've actually described as being the most anti-environmental Congress in memory.

PW: When I introduced the bill, I didn't talk about it. I didn't want that Congress to act on it because they would have watered it down and passed a bad bill. Then we would have had to go through the process with President Clinton to get him to veto it. So I introduced the bill and let it sit. I personally think that given the makeup of the current Congress, good wilderness legislation in Montana is in terrible jeopardy. We may be better off with none than having bad bills which then releases the rest of the land. There's significant jeopardy probably—it depends on elections always—but there's probably significant jeopardy to Montana wild places in the years ahead.

BC: Given the current political climates and the hostility that you referred to in the current Congress which certainly can change.

Let's back up a bit, but sort of keep that thought in mind. You previously mentioned that in Montana wilderness is a backyard issue, that most of us we see wild country from our homes throughout most of Montana. We can see it. It's close to us, and in that sense it's a backyard issue. It used to be that Congress dealt with wilderness in Montana on an individual-area basis, beginning with the Scapegoat Wilderness back in 1972 and through your efforts with the Rattlesnake Wilderness and the Lee Metcalf Wilderness. Individual areas. Looking back over your eighteen years in Congress and the seventeen state-wide bills, is the state-wide approach to wilderness in Montana politically unrealistic?

PW: I don't know. What I found out about passing wilderness bills on a state-wide basis is that I don't know how to do it to be truthful. I tried everything, and I wasn't the only one. The whole

delegation and the state of Montana just couldn't find a way to get it done. Here was our dilemma in trying to pick out individual areas. I think it's kind of a two-pronged dilemma, but it should be of interest to environmental historians and political historians who are trying to sort out why we went twenty years without maybe more or without passing a major Montana wilderness bill to complete (unintelligible). Let's say that we decided to segment out some areas as you described, Bill, had been done previously by other delegations up until about twenty years ago. Then we probably would have taken the most popular of the areas, the most fragile and vital of the areas. Let's say we started with the Rocky Mountain front. We probably could have passed a bill to declare the Rocky Mountain front a wilderness, but there were two questions in that that prevented us from doing so because we never had the answer to those questions.

First question. If you take the Rocky Mountain Front and pass it as wilderness alone in the pre-standing bill, have you not then removed the engine, the popular engine, that could have pulled a state-wide bill through the Congress? That is, if you tag all the other cars on it, all the other areas that also deserve wilderness on the popularity of the Rocky Mountain Front and they all go through at once. We didn't know the answer to that. We thought the answer was, "Gee, you can't take these popular areas and do them by themselves because you'll never be able to pass the less popular areas but nonetheless vital areas in wilderness."

The second question was, "Look we passed the Rocky Mountain Front, how much land are we going to have to release?" because there's always a quid pro quo. One side says, "We'll take a hundred-thousand acres of wilderness," and the other side says, "Okay, we'll give you that, but you've got to release a hundred-thousand acres," or fifty-thousand or a million or whatever it is. That release question always haunted us because you never knew what the other side would demand; although when we'd go to them, they'd demand a lot more release than we ever wanted to give up. So that was the dilemma. It remains the dilemma still today; although I must say, there're very good people in Montana that did encourage us to take these areas one at a time because at least we would have achieved some protection for some of America's most popular and vital areas.

BC: Going back again—and maybe to penetrate into this question a little bit because it's so terribly important—and that is, if we look back, and I might be a little bit off on the numbers here, but if we look back over the history after Rare II, somewhere around thirty-eight different states have been able to pass some form of state-wide wilderness legislation and only Montana and Idaho have failed to do so in the nearly twenty-year aftermath of the Rare II. I guess we just have to ask why and try to get your perception on that. Certainly, Pat, you've touched on many, many of the reasons I think. But if you were going to identify maybe two or three of the crucial reasons why Montana and certainly Idaho—we're neighboring states and connected by the Continental Divide and the Bitterroot Divide, they're really one region here in the northern Rockies—what have been the major obstacles to some form of resolution of national forest wilderness in our region? Whereas the rest of the country has been able to (unintelligible).

PW: Just two states that haven't moved dramatically toward completing their Rare II or virtually completing, Montana and Idaho.

My memory is that we touched on this before so if I'm duplicating something I've said, I apologize to the reader or listener, but there are a number of pedestrian, political reasons having to do with the makeup, the political policy makeup, of the delegations from these regions. But there is a larger reason than just the political makeup of the members of the House and Senate from Montana and Idaho. There's a larger and more important reason, and it is this. The northern Rockies represent the brow of America's last hill, and we're the generation that has to decide what to do with these final, last, remaining wildlands in the continental United States. Boys in the boardroom have an eye on them because there are billions of dollars here in gold and silver and copper and manganese, in timber. The conservationists and others have an eye on it because it is the last of the best, and it's all there is now. So the battle is pitched, and the lines are drawn and no one wants to give up. In America we operate by consensus. We are the world's only great democracy that does it. Believe or not, England or Canada, France, Germany don't operate on consensus. They have governments that govern. We have a government that referees. It's the way the founders intended it. Collaboration and consensus and agreement is necessary on major issues such as what do you do with the brow of the last hill before the Congress will act. In the larger sense, that's the reason that we can't come to an agreement. Now as I say there are more pedestrian reasons that have to do with the political makeup of the members of Congress

But look, the political makeup of members of Congress from other regions have been as varied and as difficult as have ours, and they got it done. It was easier; there was less at stake. And it wasn't the last piece. This is all (unintelligible) and so the trouble continues.

BC: And what this is translated into politically is a lot more contention over the allocation of our remaining wildlands here than in many of these other places that you've talked about. Contention often translates into political impasse.

PW: Definitely.

BC: What if we could explore a bit more of this question of release and what is meant by release? You mentioned the quid pro of the wilderness bills, to designate some wilderness you release some other lands to non-wilderness. What does that really mean and in particular why don't we explore a little bit the differences between so-called hard release and soft release?

PW: We're in an area now that I constantly always had to go back to the briefing memos I'd have my staff and others prepare for me, others being the Congressional research service in order to keep clear in my mind what the differences are so I'm not gonna do a real good job for you here. Essentially the matter is this. Once the Congress releases an area to the Forest Service, it means that that wild area which was not declared wilderness but rather was "released" that wild area cannot be challenged in court. In other words, the decision of the

Congress not to make it wild cannot be challenged in court. That's the issue. Now, the question between hard and soft is—I've best been able to understand it being a non-attorney—is the timeline. In other words, let's say my land is released, the Congress has therefore buffered it from itself and its decision from lawsuit saying from those who would say, "No, this land should have been wilderness. The Congress is wrong," ...By the way if we're going to allow lawsuits like that, why do you need a Congress making these decisions if the courts are going to decide what's wilderness and what isn't. So I think that release languages were a good idea.

The question is though, for how long should this land be buffered? What the Congress of the United States has always argued is, "It should only...The Congressional decision should only be buffered." That is, the release language should only last until the Forest Service comes up with their next set of plans and sends those recommendations to the Congress saying, "Alright, now we still have this amount of land out here, which hasn't been made wilderness. We now know different things about this land and the importance of it than we knew before, so we now recommend that a few more thousand acres of this previously released land be made wilderness."

BC: That is so-called soft release.

PW: Soft release, right. Now what those who want the other kind of release would do is say, "No, once the land is released, it's over. Development can go ahead forever on it. The Congress in effect will never come back and reconsider it for wilderness at a later date: five, ten, twenty, one-hundred years." So on the one hand, the Congress wants to protect its decision-making power, but on the other hand it doesn't want to relegate the people of the United States to a group that can never petition for wilderness. And that is the difference between the...as I get it...between the soft and hard release. That's the primary difference.

BC: And if I'm not mistake, Pat, Congress and all of the previous wilderness bills has employed the basic concept that you've outlined in soft release in the released lands. Instead of...

PW: Every bill. Every wilderness bill. Has said to citizens for this planning cycle, the Congress's decision is final; X amount of acres for wilderness, so much released. And the Forest Service during this cycle—these are usually ten to twenty year cycles—is free to plan whatever it deems under the law is correct for the released land. And then once that planning cycle is over, the whole legislative process will start up again, and the land can be reconsidered for wilderness.

Most land that is released has never been placed in wilderness at a later date, most of the land states releases. But the Congress is just saying the process should continue, and we should go through this every twenty years or so.

BC: So that in many cases, land...roadless wild land that's released is developed and is no longer qualified for wilderness designation under the wilderness act. That might be one situation. Or

the other situation is simply that it's accepted to be non-wilderness status and could be managed as roadless or some other non-development category.

PW: The Forest Service does, seems to me, need to be free to manage this land. They manage it under very strict, sometimes duplicative and overlapping laws. There are too many in my judgment. There are too many laws and the result in regulations with regard with the land...I think we need a significant reform of environmental laws in the United States and perhaps the archives want to consider taking some oral history from a former chief of the United States Forest Service, Jack Ward Thomas, who is now a faculty member of the University because Jack dealt excruciatingly with these laws during his time as chief during the Clinton administration and has some very specific ideas about what needs to be done with regard to reforming these duplicative and sometimes counter-mandating laws. It is no wonder that the Forest Service is in the kind of difficulty, and I personally think, policy disarray that it finds itself today. It's the fault of too many laws.

BC: (unintelligible) in perspective because it seems as though the Wilderness Act is the only really clear, straightforward directive on management with very definite and precise as to what is allowed and what is not allowed. Congress has made its intent, I think, very clear on the Wilderness Act that in the eighty percent of the national forest system that's outside of wilderness there is a great deal, as you say, of disarray and confusion of conflicting legal mandate.

PW: Sure and once the land is released, it falls under all the laws. The Forest Service knows precisely what to do with the wilderness-designated lands because that's sharp, clear, definitive, relatively impeccably written. But once the land is released it comes out under all of these other laws, and the Forest Service has all of these counter-veiling ways which they can manage it.

BC: Ironically enough that sometimes leads back for more cries or calls for wilderness to try to alleviate the confusion a bit.

Let's shift gears a little bit, unless you'd like to pursue this question more specifically about reform.

PW: No.

BC: Okay, how much time do we have?

Unknown person: (unintelligible)

BC: All right, maybe we have time to introduce a topic that is, I apologize, is not any kind of chronological order here for the historian attempting to follow chronology. But one major issue

early in your tenure in Congress, Pat, that we've not really talked about in any depth is the so-called "Bombing of the Bob" proposal for oil and gas, seismic exploration within the Bob Marshall Wilderness itself, and the lasers that you took in response to that very early in the Reagan administration when James Watt was Secretary of Interior. I wonder if you could recount that history and what took place with respect to the so-called "Bombing of the Bob" episode? Perhaps describe what was proposed first of all and then go into what actually transpired.

PW: Secretary Watt had an unusual and rather bizarre view of how the public lands should be used and how we should manage them. A viewpoint that was out of sync with the majority of Americans or American tradition. That led him to want to explore the possibility of drilling for oil and gas in America's wilderness areas. One must remember for purposes of getting the sense of this that Ronald Reagan had recently been elected back in this time frame that we're talking about, was extraordinarily popular, and had reached into the West to pick his secretary of interior, Jim Watt of Colorado and Wyoming. But that too was in the beginning a very popular choice, particularly in the West. Riding that wave of popularity then, Watt decided that he would run this risk, political risk, of saying let's explore wilderness areas. Now in that time-frame, we also had a significant, or we thought at the time, a significant shortage of oil and gas in the world. The people wanted to get it no matter where. Then Watt miscalculated. He decided that the place that he would start this exploratory activity was in Montana's Bob Marshall. Singularly the most revered wilderness area in the world, at least among Americans. I had thought he had made a political miscalculation with that, and so I not only believed it shouldn't be done but I wanted to win the political fight as well as the environmental fight.

[End of Tape 1, Side B]

[Tape 2, Side A]

Pat Williams: —resolution. No, because they didn't have to pass an act. All we had to do was one committee act. (unintelligible) It was that one house bill. It was tested by the court, and the court said, 'You can't do this.'

Bill Cunningham: Yeah, because it was a one House veto.

Pat Williams: One committee veto.

BC: One committee veto but temporarily long enough to gain the time necessary to wear out the clock on the '84 deadline on mineral entry (?) in wilderness. Remember there's that twenty year thing, '64 to '84, and you were right at the end of the window.

PW: That's all we were trying to do; we were just trying to cross the chasm.

BC: Exactly, but it was that obscure provision that somehow, you on the committee found in the Federal Land Policy and Management Act on emergency withdrawals.

PW: Right, well we changed tapes here so that the transcribers or listeners may...So as I was saying, I wanted to win this environmentally and I thought it was winnable politically as well. We found within law and procedures the possibility of preventing Watt's action; not by passing a law, but by simply having one committee, the House Interior Committee, reject through resolution, one committee resolution—the secretary's proposal. It was a pitched battle in the committee with at least one, Jim Santini of Nevada and perhaps more. I remember one Democrat leaving us on it, and so we knew we were going to have a close vote, and we did have a relatively close vote. I was a member of that committee as was Congressman Marlenee. Congressman Marlenee lined up and lined his forces, including some Democrats, up on Secretary Watt and President Reagan's side of this. I had as my allies...And by the way, it took a while to get them as allies because initially they did not see the importance of doing this, interestingly enough. But I had as my allies' committee chairman Mo [Morris] Udall and Senate Committee Chairman John Seiberling of Ohio, both since retired.

We prevailed. The committee passed a resolution denying Jim Watt the right to do this. People instantly sued that, saying, "One House veto is a lot more than one committee veto." Eventually they got in the Supreme Court as we knew they would. The Supreme Court had ruled essentially that the opponents of my action were correct, but by then the twenty year window of mineral withdrawal had passed. In other words, the mining companies, including oil and gas, had twenty years of the creation of Bob Marshall to move toward exploration—although Jim Watt was doing it a different way. Nonetheless that twenty-year window expired by the time the Supreme Court acted and so we virtually saved the Bob Marshall from exploration. The exploration, by the way, was to be done seismically and so the term, bombing the bog, blasting the bog, came in vogue.

I received more mail on that issue from around the world than I received on any other conservation issue, and only two other issues surpassed it. One was Persian Gulf, Desert Storm, and the other was the battle some years later to save the National Endowment for the Arts during the controversy that became known as Mapplethorpe censorship controversy. But saving the Bob Marshall created thousands and thousands of letters and phone calls. Almost all of them, I would say ninety percent of them, from people as far away as Nepal and India who wrote or called and said, "Whatever it is you have to do to protect the Bob Marshall, you do it," and to protest wrecking of the front. So it was an interesting time and an interesting issue, and it was the beginning of the end for Jim Watt. Jim Watt's trail was downhill from then on because the bubble broke, the wave went out from under him and he suddenly realized that what he wanted to do—this sort of bizarre notion he had about public land and how to use it—was not popular. It began his undoing and eventually—and I think somewhat related to this first loss—he was driven from the secretaryship [was Secretary of the Interior].

BC: He was labeled, in effect, as an extremist.

I guess it does prove if there's any sacred ground in Montana, it's the revered Bob Marshall Wilderness and all that it symbolizes.

So your mail was running...even this being home to Montana to the western congressional district which you represented at that time, your mail then overwhelmingly was in support of protecting the Bob Marshall.

PW: Years later when Montana went down to one member in Congress and Ron Marlenee and I ran against each other, I heard from people all around Montana say to me, "Pat, I'm gonna vote for you. I don't agree with you all the time and I'm a Republican, but I'm going to vote for you because you protected the Bob Marshall and Ron Marlenee didn't want to." (laughs) Yes, it moved thousands of people; it was amazing. And it moved them off of their political positions on to a different political position simply...not related to politics...but simply because they, to use your term, Bill, they revered the Bob Marshall and thought it ought to be protected.

BC: It was an exciting time. (unintelligible) major picture (?) that many of us considered as being a landmark for Montana and for the nation.

Your discussion about your position relevant to that and former congressman Ron Marlenee is interesting and it triggers a question that goes all the way up to 1992 to the historic run-off election...not a run-off election but the election that pitted you and Ron Marlenee in the general election and which you won and then served the next four years as our congressman at large for Montana. Was that election a sort of litmus test for wilderness in a way?

PW: Of all the elections I've witnessed in Montana and it's an interesting thing being a member

of Congress. You're both a participant and an observer to all of this. At least that's how I always felt, and I know a lot of members of Congress that almost...It's almost as if they're outside their body looking at themselves march through these great issues. As I look at that election as an observer and an accurate observer because after all I was a participant as well, I saw it as an election that wasn't about Ron Marelenee. It was about Montana and Montanans view of the future of this state. What is it they wanted here? So the race became not so much an election but a referendum. In my lifetime it was the largest, most complete, cohesive, understandable referendum about what direction Montana was going to go with regard to its environmental, conservation future.

After all on some issues, the difference between Marlenee and I was relatively minor in the overall scheme of things. But on the environment, the issue was defined and impeccably clear. He represented one far side of the issue, I the other. I think it was on that basis that most Montanans made their choice.

BC: The voters have never had a clearer choice between—in some ways—diametrically opposing philosophies and views of world and what's, as you say, the future options that we face in Montana.

PW: I think that's right, a very clear choice.

BC: Perhaps never again will there be such a sharp distinction between philosophies. What were the numbers on that election? It was close wasn't it?

PW: There were three candidates so it was a little muddled. When there are three, it's always a little muddled. I won by three points, which in a race like that was fairly significant.

BC: That was a decisive (unintelligible). Did you notice, as I'm sure you must have, major political differences between representing the western one-third of Montana and then representing the entire state during these last four years? Is it fair, for example, to say that eastern Montana is quote unquote more conservative and therefore you had to temper some of your positions a bit or is that over-simplistic?

PW: The terms, as I sense you can tell, the terms themselves are kind of simplistic, and labels really don't work very well in politics. I don't say that as a cop out; I don't anything to cop out about anymore, right? But labels are overly simplistic. If conservative means you don't want government in your life, then to me, that means well, then you don't want the government telling your kids they have to pray in school or you don't want the government in your bedroom. Is that what's conservative? If it is then why are conservatives for those things? So I don't know what conservative means anymore, but given—for the purpose of this interview—given the current view of what's liberal and what's conservative then eastern Montanan's are more moderate to conservative than our western Montanans. Western Montanans, it seems to me, a somewhat different kind of liberal. They're not like a New York liberal or California liberal

or even a Midwest liberal. Northern Rocky liberals really want government out of their lives, and yet they understand that government is a great referee that brings order to contention and prevents chaos. It's just that people in the Rockies don't like mother-in-law nanny government. They're not crazy about speed limits. They're not crazy about gun control. They're not crazy about signing up or having the government keeping lists. They don't like that sort of nanny government, that's sort of a degenerative term but it does seem to me that's the difference between a Manhattan-New York liberal and a Manhattan-Montana liberal, two different types of liberalism.

When I represented eastern Montana, though, I found that I had to—in order to properly represent them—that I owed it to them to reexamine some of my western Montana notions about government and how to be represented. I decided in my own mind that one of the major differences between eastern and western Montana had to do with government spending. So I reexamined this issue of line-item veto and balanced budgets, and on both of those issues I made a detour from the decision I'd held previously. I didn't change my mind; I didn't flip flop; I didn't take a totally different position on balanced budget or line-item veto; but I found it a politic (?) way to change my direction so that I could say to eastern Montanans, "Look I really am trying to represent you; I'm trying to do something a little different here." On the line item veto, for example, I and some others came up with line-item veto bill, which is today outlawed and before the Supreme Court and that is we decided, "Okay, we'll..." I had opposed the line-item veto previously. My new position after representing all of Montana became this, "I'll be for a line-item veto providing we can construct a line-item veto that gives the president permission to reach in and take an item he does not like out of the bill, but reserves the right for the Congress to override his veto with a two-thirds vote." So that at least preserved...Now it pulled legislative authority back into the Congress. I'm not sure that's constitutional, but that was a change I made.

Then on the balanced budget amendment, I'd always opposed the balanced budget amendments that I saw coming along not because I'm against a balanced budget but because I never thought that was the way to do it. So what I became for, when I represented eastern Montana, was a balanced budget in the federal government using the same accounting methods that Montana uses for its balanced budget. The federal government keeps its book differently than Montana keeps its books. For example, when Montanans build a highway or a building, they amortize the cost of that out over twenty years or the life of that highway or building. The federal government doesn't do that. The federal government does bricks or mortar. It charges all the costs off to the same year that it spends it. If the federal government kept its books the way Montana keeps our books, the federal government would be a lot closer to a balanced budget than it is—just automatically. But nonetheless, what's wrong with that. That's how Montana keeps their books. So what I did was try to amend the budgeting process—unsuccessfully—but tried to amend the budgeting process in the federal government to comport more with Montana's way of keeping its books. By the way, most states do it the way Montana does it, advertise (unintelligible).

On environmental issues I found that I did not...I found that it was unnecessary to shift my view of environmental issues because I found that basically this notion that eastern and western Montanans are totally different on environmental issues to be a myth. Now it's true that some western Montanans want a lot less cattle on every prairie than do eastern Montanans and there are those issues that are important. But on the basic art of conservation in Montana, protecting the fisheries, reserving the big game habitat, the wild animal habitat, setting great areas like the Rocky Mountain front aside, eastern and western Montanans agree on those things.

BC: It's quite interesting because the concern that many western Montana conservationists had when you became congressman at large was, "That's gonna be harder to work with Pat on wilderness because of the resistance that he may encounter in the eastern part of the state on wilderness." Yet quite the opposite happened. It certainly (unintelligible) was the case that he became stronger on the need for a good wilderness bill for Montana and a stronger advocate...

PW: I personally take eastern Montanans support of that. You know I had to run for reelection after all, the proof was in the pudding, and when I ran for reelection I was overwhelming including the counties in eastern Montana.

BC: You had a lot more than three points in (unintelligible).

PW: Absolutely, and I did a lot better in eastern Montana counties and yet I didn't move an inch off of my conservation standards so that's certainly the case.

BC: We've covered quite a little bit of material today, and I don't know that we've probably covered a little over an hour. Is that enough for today, Pat?

PW: We've got ten minutes more if you have any...if you're going anywhere else. I know you've exhausted most of your—

BC: I've covered some of the key questions. What I'm thinking at this point is that we need to read all three transcripts in context to get this meeting and the other meeting transcribed, go through that and pick up one or two gaps and then if there are any gaps, identify missing areas that we want to make sure that we've covered. Then I think at that point we're in a position to schedule a future meeting. But I think we've covered the major things that I have on my list, but I have no doubt that there are some important areas that we ought to possibly get into. If there's anything that you want to say at this point or that you feel (unintelligible).

PW: I would reiterate something and hopefully without duplicated something that we have touched on before, and that is in Ross Toole's term, out here wilderness is never far from the windowpane. Wilderness to Montanans is their backyard. It isn't some ethereal vision of protecting wild land someplace. Good environmentalism to Montanans means keeping their water clean, their air pure and the places where they hike and hunt and camp and fish and their

toddlers scramble clean. So it is a matter of firsthand experience with Montanans. That is one of the reasons why so many tens of thousands of Montanans have been directly involved in coming to hearings, writing letters, making phone calls about these environmental issues. Montanans can speak more than a modicum of understanding and clarity about the intricacies of environmental legislation and processes. One does not find that in most places in America, but it has to do, again, with our wild areas being our backyards so our interest is riveted on protecting those.

BC: We've had this great long-standing exercise in grassroots democracy that has epitomized environmental issues and citizen involvement in Montana has distinguished the debate and hopefully elevated it to some extent.

PW: One also has to say that a lot of Montanans have made their living working on the land. I will never forget having a fellow say to me, "You're Pat Williams, aren't you?"

I said, "Yeah."

He said, "Do you have a few minutes?"

I said, "I'm going somewhere but I would after that." This was a little town in northwestern Montana.

He said, "If I gave you my address would you come by my house?"

I said, "Sure, I'll be by in about an hour," and I showed up. He took me in the bedroom and he showed me his daughter who was sleeping. She had braces on.

He said, "Pat, she has to have six operations before she's ten years old, and I work in the woods. I'm a timber man. I've got to have this salary. I've got to have these medical benefits, Pat. Not for me, I don't give a damn, for that little girl. You can't drive me out of the woods with this wilderness legislation, these environmental issues." He said, "Look, I want to protect the place too. I hunt and fish in them, and I think some of what we do is wrong but somehow, Pat, you've got to find a way for me to keep the money coming into this house so this little girl can make it." Well, that just rips your intestines right out, and that told me that Montanans are involved in this land in many other than just looking at it, hiking on it, recognizing that it's important for the future life stream of this state. They also work on it. They have a stake in it, and some of the stake they have in it is because of historic mistakes. We tried to harvest too much; we put too many mills in too many towns. But the point is, we hired a workforce that became dependent on it, and it's not their fault. So there's the dilemma for Montanans and it's very really. As one approaches these environmental questions, perhaps this is growing up in Butte and having been a union organizer and worry about working, but as one approaches these environmental issues, you have to approach it with an open heart. The workers who are caught in the system not of their own making, but they have to make a living. The problem is

the damn companies push them out on the table like poker chips, and they say to people like me when I was in Congress, "But Pat, you can't do this to these workers," right? So they use them. They put them out in front, and that too is unfair but it happens all the time.

BC: I don't know if you remember, Pat, but that infamous Dillon hearing on the West Big Hole which you and Congressman Mo Udall officiated that. The opposition to the West Big Hole wheeled in some poor person in a wheelchair onto the platform, and used that person as one of the reasons against wilderness (unintelligible) wilderness and can't get anywhere near it.

PW: Because they were in a wheelchair.

BC: The point being that wilderness discriminates against disabled people and therefore we shouldn't have wilderness.

PW: I may remember this incorrectly, Bill, but Mo Udall either asked that person, I think, or turned and asked me, "Do you get up in there now in that wheelchair? Creating wilderness isn't going to stop a nonexistent ramp to help you get up there. You don't get up there now." That was the point.

BC: That's right.

PW: But nonetheless, they did bring that person up.

BC: Brought him up and a sign draped around his neck. I don't know if he even knew what was going on, and it was very sad.

PW: But there are those...

BC: A good example of being used, I guess.

PW: Yeah, there are those kind of conditions though that one has to consider as one does all this. I guess my greater point here is that members of Congress are representative in a government that does referee. It doesn't impose; it referees. And in refereeing you have to consider the workers, you have to consider the land, consider the future. Think about the little girl in braces sleeping in the little house in the bedroom. You've got to consider all that, and then try to find a way. So this sort of slow movement that government goes through in America that is so infuriating to people—and quite often infuriating to those of us who are involved closely in it—that slow turning has to do with the proper consideration of all of those various elements. But it has that kind of consideration. That slow-moving, plodding legislative process has protected in large measure against mistakes; but more important, it's given everyone an opportunity and the time necessary to get involved in the process and be heard. That's not to say that the Montana wilderness process hasn't taken too damn long because it has. But

nonetheless, it would have been a fairly lengthy process even if it'd been half as short as it turned out to be.

BC: It sounds as though the holding action necessary for the, at least, interim protection of these wildlands is going to have to continue.

Pat, if I may ask, what did you tell the father of that little girl in braces?

PW: You know it all kind of got blurry after he said that to me. But as I recall I asked him where he worked, what part of the woods did he work in and where were they going next, where were the harvests planned. If my recollection of almost twenty years ago is correct, he was in an area that was privately owned by the company he worked for or at least by that company from private ownership. As I remember, he had no notion of whether that was public land or private land, whether it was proposed for wilderness or not. It wasn't, so much of what we were doing, in fact it was not going to affect him. But he didn't know that, and unfortunately his company didn't tell him that.

BC: Interesting. Why don't we conclude then with session for this morning? Thank you very much, Pat.

[End of Interview]