

Legislating the Landscape:

The Battle for a Federal Wilderness Bill for Montana, 1979-1988

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Fall 2021

Introduction

In 1964, Congress passed unprecedented legislation which mandated the protection of 9.1 million acres of America's federally owned lands as wilderness, permanently excluding them from settlement or development.¹ Since then, the question of protecting additional lands as wilderness has been the source of fierce political conflict. This was certainly the case in the state of Montana in the 1980s, as Congressman Pat Williams (D-MT) fought to pass the Montana National Resources Protection and Utilization Act (H.R. 2090). As Williams outlined in a statement introducing the bill to Congress in 1987, H.R. 2090 had "four basic purposes."² First, it reserved 4.1 million acres for "multiple-use," including logging, mining, oil and gas development, and various types of recreation. Second, it designated 1.3 million acres of "some of Montana's most fragile lands" as protected federal wilderness areas. Third, the bill preserved 350,000 acres as National Recreation Areas (NRAs), based on the value of their scenery and wildlife. NRAs also allowed for a wider range of recreation than did wilderness lands. Finally, the bill set aside 378,000 acres for further study.³

H.R. 2090 was the culmination of nearly a decade spent by Montana's congress members trying to create legislation to determine the future of the state's federally owned lands. The effort had proven to be an extremely fraught, complicated process, in part because almost thirty percent of Montana's total land was owned by the federal government.⁴ The geographical scope of the legislation combined with the extent of public involvement made the bill particularly difficult to craft. As historian James Morton Turner notes, the legislative process around land use was

¹ Wilderness Act, 16 U.S.C. § 2 (1964).

² Williams, Pat. "The Montana Natural Resources Protection and Utilization Act of 1987." *Congressional Record*. Vol. 133, No. 5 (April 8, 1987). Box 144, folder 1, Pat Williams Papers, Archives and Special Collections, Maureen and Mike Mansfield Library, University of Montana, Missoula, MT (hereafter cited as Pat Williams Papers).

³ Ibid.

⁴ "Public Lands 101," Wild Montana, DOA 26 October 26, <https://wildmontana.org/public-lands-101/>

personal for those in the rural west. “For many rural communities,” Turner writes, such bills were “about public lands that they considered to be extensions of their backyards and important to their local economies.”⁵

Land use issues have historically defined Montana’s politics. Lobbying and vocal involvement from interest groups and concerned citizens in Montana, as well as parties beyond the state, made the matter of roadless areas and wilderness designation a signature issue for Representative Williams, whose congressional district in the western half of the state covered nearly all the lands in question. In a statement to Congress in 1988, Williams reflected on ten years of unsuccessful attempts to resolve the status of Montana’s public lands. “No national issue,” he said, “has been more heatedly debated or considered at more length by Montanans than has this issue...the process, frankly, has taken far too long.”⁶

The groups that were the most extensively involved in the debate over the question of land status were environmentalist and preservationist organizations, the timber, mining, and oil and gas industries, the Blackfoot Tribe, and recreationists, who used Montana’s public lands for a range of activities, including hunting and fishing, hiking and skiing, and snowmobiling and mountain biking. Throughout the 1980s, these groups engaged their congressional representatives through letter-writing campaigns, calls to Congress, petitions, and by testifying at hearings. Their agendas, while not always diametrically opposed, still clashed in numerous ways. In particular, those advocating from an environmentalist or preservationist perspective found themselves directly challenged by – and challenging – the interests of the timber, mining, and oil and gas industries.

⁵ James Morton Turner, *The Promise of Wilderness* (Seattle, WA: University of Washington Press, 2012), 192

⁶ Statement by Congressman Pat Williams of Montana for S. 2751 Before the U.S. House of Representatives, 20 October 1988, box 144, folder 1, Pat Williams Papers.

Many of the conflicting interest groups represented in the debate over Montana’s public lands were also battling for influence on other wilderness and environmental issues on a national scale. Land use – especially of federal lands – was an important issue for all the groups involved. Starting in the 1980s, opposition to wilderness designation grew, largely in response to the increasing radicalism of some parts of the environmental movement,⁷ and as a rejection of an increasingly powerful federal government.⁸ As such, the fight over H.R. 2090 in Montana during the late 1980s serves both as an example of and a contributing factor to the rise of conservatism and decline of bipartisan collaboration on issues of environment and wilderness protection during that same time.

National Wilderness Legislation, 1964-1979

Contrary to the bitter partisan division that would later come to define issues of wilderness and environment in American politics, the 1964 Wilderness Act passed the House and the Senate with only one and twelve votes against it, respectively. This broad consensus, however, did not mean that the bill went uncontested. “Opposition to the Wilderness Act was substantial,” writes Turner. “Meeting the concerns of the federal agencies, rural westerners, resource industries, and their representatives in Congress required eight years of negotiation.”⁹

The Wilderness Act was championed by the Wilderness Society – a national organization which had formed in the late 1930s in response to widespread development of public lands as tourist destinations. Its founders created the Wilderness Society out of a desire to protect these

⁷ James Morton Turner. “‘The Specter of Environmentalism’: Wilderness, Environmental Politics, and the Evolution of the New Right.” *The Journal of American History*, no. 1 (June 2009): 123

⁸ James R. Skillen. *This Land is My Land: Rebellion in the West*. (Oxford, England: Oxford University Press, 2020), 53.

⁹ Turner, *The Promise of Wilderness*, 29.

federal lands from the perceived threat of this development.¹⁰ These founders had been employed by agencies including the Forest Service, the Bureau of Land Management, and the National Parks Service. The Wilderness Act's primary author and most fervent advocate was Howard Zahniser, who had left his job with the Department of Agriculture to become the Wilderness Society's executive secretary in the late 1940s.¹¹ In the years between the founding of the Wilderness Society and the passage of the Wilderness Act in 1964, the organization had shored up significant support, including "a respected place in the nation's capital...strong ties to conservation groups across the country, and...a growing membership."¹² As historian Ellen Griffith Spears highlights, Zahniser and the Wilderness Society exemplified a new approach to preservation. The approach was, "more directly political...more assertive...[and] combined energetic organizing of supporters with an aggressive lobbying campaign."¹³

The modern idea of wilderness as something that deserved preservation and protection had begun to take shape as early as the end of the nineteenth century. Historian Ted Steinberg asserts that Americans' shift from viewing wilderness as "desolate, wild," and in need of civilizing, and towards viewing such lands as, "places of virginal natural beauty," was due to the young nation's desire to have its own iconic monuments, similar to the cathedrals or castles found in Europe.¹⁴ Still, Congress was careful to only designate these natural monuments in areas with little potential for economic development. This approach remained popular in Congress even after the end of WWII, at which point Americans began to see that the natural

¹⁰ Turner, *The Promise of Wilderness*, 23-24.

¹¹ Pennsylvania Conservation Heritage Project. "Howard Zahniser." PA Conservation Heritage. <https://paconservationheritage.org/stories/howard-zahniser/>.

¹² Turner, *The Promise of Wilderness*, 25.

¹³ Ellen Griffith Spears, *Rethinking the American Environmental Movement post-1945*, (New York, NY: Routledge, 2020), 67.

¹⁴ Ted Steinberg, *Down to Earth*, (Oxford, England: Oxford University Press, 2018), 130.

world had its own inherent value, rather than solely being, “something employed in the service of production.”¹⁵

The strategies used by the Wilderness Society capitalized on these new cultural values by pushing for protection of areas which the government sought to develop for economic reasons. Perhaps the most famous example of this is the battle over the proposed Echo Park dam in the 1950s. Howard Zahniser and the Sierra Club’s director David Brower played key roles in a successful campaign to block the dam’s construction, setting a precedent of non-development in America’s national parks. Zahniser used the national momentum from wilderness protection efforts like Echo Park to garner support for the Wilderness Act.

Despite their familiarity with the federal land agencies, the Wilderness Society faced pushback from federal bureaucrats as it worked to pass the Wilderness Act. This was because the agencies “viewed the Wilderness Act as unnecessary or hampering their management discretion.”¹⁶ Resource industries and many rural Americans were also worried about the new restrictions that the Wilderness Act would impose on lands that they depended on for “logging, mining, livestock grazing...hunting, picnicking, fishing, and off-road driving.”¹⁷ Unlike the Wilderness Society’s well-organized campaign in favor of the bill, however, the opposition was “uncoordinated – there was no orchestrated national campaign against the Wilderness Act.”¹⁸ Still, those who opposed what they viewed as a “lockup” of lands which contained valuable resources with potential for economic development had an influence on the final legislation.

¹⁵ Steinberg, *Down to Earth*, 227.

¹⁶ Turner, *The Promise of Wilderness*, 29.

¹⁷ Ibid.

¹⁸ Ibid.

The sticking point in the act's passage was over which branch of the federal government was given the power to designate wilderness lands. Representatives from the Wilderness Society argued that the executive branch be responsible for designation. Representative Wayne Aspinall (D-CO), a strong critic of the legislation, pushed for Congress to have the power of designation. Aspinall was successful, ultimately saving "wilderness protection from becoming the insular responsibility of the federal government and the executive branch."¹⁹

Another important source of conflict was over how "wilderness" would be defined. Those aligned with the Wilderness Society pushed for a broader conception of which lands could qualify as wilderness. On this issue, they got their way.²⁰ The Wilderness Act defines wilderness as "an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain."²¹ As Turner notes, the use of the word, "untrammelled," is less restrictive than a word like "untouched." This "left open the possibility that wilderness areas might have a history of human use...the point of [the] definition was its flexibility...to ensure that the wilderness system could protect a broad range of lands."²²

The Wilderness Act further states that lands designated as wilderness "shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use of enjoyment as wilderness."²³ The idea that federal lands were of value to all Americans, not just the people and industries which were

¹⁹ Turner, *The Promise of Wilderness*, 33.

²⁰ Turner, *The Promise of Wilderness*, 37.

²¹ Wilderness Act, 16 U.S.C. § 2(c) (1964).

²² Turner, *The Promise of Wilderness*, 37.

²³ Wilderness Act, 16 U.S.C. § 2(a) (1964).

geographically closest to them, was a pillar of the Wilderness Society's legislative strategy. To achieve these ends, the Wilderness Act prohibited commercial enterprise, construction of permanent roads or structures, and use of motorized vehicles or equipment in wilderness areas.

The initial 9.1 million acres of wilderness designated under the Wilderness Act included roughly 1.6 million acres of wilderness across five areas in Montana. The areas included Anaconda-Pintler, Bob Marshall, Cabinet Mountains, Gates of the Mountains, and Selway-Bitterroot.²⁴ In addition, the legislation provided a framework for wilderness management, and a process by which further lands might become designated in the future. Further, the legislation contained a provision that directed the Department of Agriculture (DOA) and the Department of Interior (DOI) to study federal public lands for potential wilderness designation. These reviews were set to take place every ten years.²⁵

To satisfy this provision, the DOA's Forest Service completed the first Roadless Area Review and Evaluation Process (RARE) in 1972. Its intention, as summarized by Turner, was to "systematically document...undeveloped land remaining on the national forests...to determine their potential economic and wilderness values."²⁶ The forest service made these determinations by evaluating how "pristine," or undeveloped, certain areas were, and assessed the availability of profitable natural resources like timber harvest or mineral deposits. RARE inventoried 1,449 primitive roadless areas totaling 56 million acres.²⁷ In line with the first national monuments of the 1800s, additions to the Federal Wilderness System in the 1960s and 1970s were usually remote, difficult to access, and had little value for economic development. As the Forest Service

²⁴ "Wilderness Areas," Wild Montana, DOA 26 October 26, <https://wildmontana.org/public-lands-101/wilderness-areas/>.

²⁵ Wilderness Act, 16 U.S.C. § 3(b) (1964).

²⁶ Turner, *The Promise of Wilderness*, 114.

²⁷ Skillen, *This Land is My Land*, 53.

wrapped up the RARE process, it began offering contracts for timber harvest in many areas which it had deemed unsuitable for wilderness protection.

Supporters of wilderness criticized the process, arguing that it was “a rushed and superficial effort geared more toward expediting wilderness reviews than actually protecting wilderness.”²⁸ One of the strongest proponents of this argument was the Sierra Club, a national environmentalist organization founded in 1892 by naturalist and National Parks advocate John Muir. The group, which had historically involved itself in political discourse over land use, filed a lawsuit against the Forest Service. The lawsuit claimed that RARE failed both to sufficiently engage with the public and to fulfill the environmental impact statement requirements outlined in the 1970 National Environmental Protection Act (NEPA).²⁹

The case was settled out of court, with the Forest Service agreeing not to issue any new timber contracts until an Environmental Impact Statement (EIS) was completed. In 1973, the Forest Service released the completed EIS, which reclassified 12.3 million acres of nonwilderness areas as in need of further study. In 1977, simmering controversy over RARE’s NEPA compliance led to the order of a second broad study of roadless areas for wilderness suitability. The findings from this second effort, “RARE II,” were released by the Carter Administration in 1979. Although these findings also encountered legal challenges,³⁰ they were the basis of the legislation that would become the Montana National Resources Protection and Utilization Act (H.R. 2090) of 1987.

²⁸ Turner, 114

²⁹ Blumm, Michael C. and Erickson, Andrew B., “Federal Wild Lands Policy in the Twenty First Century: What a Long, Strange Trip It’s Been,” *Colorado Natural Resources, Energy and Environmental Law Review*, Vol. 25, No. 1 (2014): 12

³⁰ Turner, page 191

Pat Williams and Montana's Congressional Delegation

Pat Williams (D-MT) first entered Congress in January 1979. Williams had a history of involvement with issues of education policy and workplace protections, and he brought that legacy into his work at the federal level. Williams had served in Montana's House of Representatives from 1968 to 1970 and gained experience on Capitol Hill as executive assistant to the newly elected Senator John Melcher (D-MT) from 1970 to 1972. He then worked for the Montana governor's office as a member of the Employment and Training Council until his election to Congress in 1978.³¹

In all of these roles, Williams focused on education and labor issues and worked closely with local unions, such as the Montana Federation of Public Employees. His work included "creat[ing] adult education programs, job training, union apprenticeships, and worker retraining."³² Once in Congress, Williams secured a spot on the Education and Labor Committee. Here, he "had jurisdiction over...many congressional bills affecting workplace legislation," and was able to advocate for policies that enhanced worker protections.³³ In a speech to the Montana Federation of Public Employees in 2014, Williams stated that working with unions throughout his career was "one of the prides of my life."³⁴

Given his affinity for labor advocacy, it may seem surprising that Williams' other legislative legacy is his work on wilderness preservation. Although unions had collaborated with

³¹ Williams, Pat and Barrett, Evan, "Biography of Pat Williams" (2016). *Biographies and Photos of Series Participants*. 49.

https://digitalcommons.mtech.edu/crucible_bios/49

³² "On the Shoulders of Giants: MEA-MFT Hall of Fame." Montana Federation of Public Employees. April 9, 2014. <https://www.mfpe.org/2014/04/09/on-the-shoulders-of-giants-mea-mft-hall-of-fame/>.

³³ Williams, Pat and Barrett, Evan, "Biography of Pat Williams" (2016). *Biographies and Photos of Series Participants*. 49.

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³⁴ "On the Shoulders of Giants: MEA-MFT Hall of Fame." Montana Federation of Public Employees. April 9, 2014. <https://www.mfpe.org/2014/04/09/on-the-shoulders-of-giants-mea-mft-hall-of-fame/>.

environmentalists in the 1960s and early 1970s, uniting over mutual interests like regulation of chemicals that were harmful to workers and the environment alike, the coalition had fallen apart by the end of the decade. As the 1980s began, the “alliance floundered...under combined pressures,” including, “economic downturn, government opposition, and industry manipulation.”³⁵

Still, Williams’ congressional district – western Montana – contained the vast majority of the state’s federally owned lands, which made Williams’ involvement in determining the use of the lands functionally inevitable. As he later recalled in a 1997 interview, “in order to be able to be involved in the issues that were so important to the then-Western District in Montana I should strive to gain membership to what was then called the House Interior Committee.”³⁶ Membership to the Interior Committee would mean he could be more directly involved with the legislative process around management of federal lands. To gain a spot, Williams sought the help of Congressmen Morris Udall (D-AZ), Phil Burton (D-CA), and James Wright (D-TX), all of whom held senior positions in the Interior Committee; Udall was the chairman.

It was important for Williams to seek out these allies in Congress, since Montana’s small delegation would struggle to take on the mammoth task of drafting legislation based on RARE II’s findings without some additional support. Other than Williams, Montana’s delegation in 1979 contained Senator John Melcher (D-MT), Senator Max Baucus (D-MT), and Congressman Ron Marlenee (R-MT).

Senator Melcher, Williams’ former boss, represented Montana’s Eastern District in the House from 1969 until he was elected to the Senate in 1976. Melcher’s desire to put his “mark”

³⁵ Spears 151

³⁶ “Pat Williams oral interview number 362-002 conducted by Bill Cunningham, 1997-05-15.” Archives and Special Collections, Mansfield Library, University of Montana. Pat Williams Wilderness Oral History Project. Transcript.

on legislation was occasionally the cause of “delays and consternation among other delegation members.”³⁷ Still, Melcher understood the importance of passing wilderness legislation; he introduced two “RARE II bills” – bills based on RARE II’s findings – in the 1980s: S. 2790 in August of 1986 and S. 2457 in May of 1988.

Senator Baucus represented Montana’s Western District in the House between 1975 and 1978, at which point he was elected to the Senate, where he served until 2014. Baucus “often characterizes himself as an effective compromiser,” which sometimes made him appear, “unable to take bold stances on controversial issues – such as wilderness.”³⁸ Although Baucus rarely took the lead on wilderness, Congressman Williams later recalled, “Senator Baucus and I were more in tune one with the other than either of us were with Senator Melcher.”³⁹ This provided grounds for collaboration between the two.

Ron Marlenee served Montana’s Eastern District from 1976 to 1993. In 1993, Montana’s eastern and western districts were combined into a single Congressional seat, which Marlenee lost to Pat Williams in the 1992 election. Although Marlenee was involved in the drafting of wilderness legislation in the early 1980s, even co-sponsoring a RARE II bill – H.R. 6001 – with Williams in June 1984, he was never a major proponent of wilderness. By the time H.R. 2090 was introduced in 1987, Marlenee had been “effectively removed from wilderness discussions,” due to disagreements with the rest of the delegation.⁴⁰ Before this rift appeared, however, the members of the Montana delegation worked together to address the future of Montana’s federal lands.

³⁷ Lorna Mae Naegele, “Impasse Over Montana Wilderness: An Environmental Perspective,” *Graduate Student Theses, Dissertations, and Professional Papers*, (University of Montana, 1992): 35.

³⁸ *Ibid.* 36.

³⁹ “Pat Williams Oral History Project,” interview 362-001

⁴⁰ Naegele, “Impasse Over Montana Wilderness: An Environmental Perspective,” 39.

History of Montana Wilderness Legislation, 1970-1983

In the 1970s, the Montana delegation had taken a piecemeal approach to wilderness protection. These efforts were spearheaded by Senator Lee Metcalf (D-MT), a strong advocate for wilderness. He also worked closely with John Melcher, who was a member of the House at the time. Between 1972 and 1978, Congress added eight wilderness areas in Montana to the federal wilderness system, totaling just over 1.9 million acres. These areas included Scapegoat in 1972, Mission Mountains in 1975, Medicine Lake, Red Rock Lakes, and UL Bend in 1976, and Absaroka-Beartooth, Welcome Creek, and Great Bear in 1978.⁴¹

Williams, Marlenee, Baucus, and Melcher used this same single-area based approach to add two more wilderness areas to the federal wilderness system while they started on the larger task of creating statewide RARE II legislation. Their legislation established the Rattlesnake Wilderness in 1980 and the Lee Metcalf Wilderness in 1983. The Mission Mountains Tribal Wilderness, designated in 1982, is also notable. This wilderness covered 89,000 acres on the Flathead Reservation in the far west of Montana, and was designated not by Congress, but by the Confederated Salish and Kootenai Tribes. It was, “the first such designation by any tribe on its own.”⁴²

After their successful collaboration on the Rattlesnake and Lee Metcalf bills, the Montana delegation turned their full attention towards the creation of a RARE II bill for the state. Even though RARE II’s findings were met with dissatisfaction among wilderness advocates, including the so-called “Gang of Four” (influential environmental activists Doug

⁴¹ Wild Montana. “Public Lands 101.” Wild Montana. <https://wildmontana.org/public-lands-101/>.

⁴² “Timeline of Wilderness Legislation in Montana,” Wild Montana, DOA 26 October 26, 2021, <https://wildmontana.org/public-lands-101/wilderness-areas/>.

Scott, Tim Mahoney, John Hooper, and John McComb),⁴³ many other states were still using RARE II as a basis for statewide wilderness bills. In fact, it was the Gang of Four who spearheaded the push for this legislative – rather than legal – remedy to what they saw as the shortcomings of RARE II. Instead of a lawsuit about RARE II’s NEPA compliance, the legislative approach would, “lead to negotiations with the timber industry, Forest Service, and state congressional delegations...to resolve the stalemate on a state-by-state basis.”⁴⁴ This effort was also a response to a timber industry-backed attempt by Republicans in Congress to pass the RARE II Act of 1981, which sought immediate release of all lands recommended for nonwilderness use by RARE II and for development to be allowed on any potential wilderness lands which had not yet been designated as wilderness by 1985.⁴⁵

The Gang of Four found support for their state-by-state approach in the House Interior Committee, which began pushing more wilderness-friendly bills through Congress throughout the early 1980s. Bills for California and Oregon, then Florida and West Virginia, then Vermont, New Hampshire, Wisconsin, and North Carolina all moved through Congress thanks to the Interior Committee’s efforts. In total, Reagan signed eighteen state RARE II bills into law. However, because of the immense acreage of roadless areas in Montana, crafting a bill for that state proved to be a challenging task. Williams later recalled how important Montana’s statewide bill felt at the time, stating, “very early on [I] recognized the consequences of no Congressional action or delayed Congressional action in trying to get what Montanans have come to know as the wilderness question behind us. So I decided to take it on.”⁴⁶

⁴³ Turner, *The Promise of Wilderness*, 195

⁴⁴ Ibid. 199.

⁴⁵ Ibid.

⁴⁶ “Pat Williams Oral History Project,” interview 362-001.

For Williams, the first step of taking on the wilderness question was organizing a public hearing at Western Montana University in Dillon, with the help of Representative Udall. The hearing took place in 1979. According to Williams, most people at the meeting “had no concept of what RARE II was.” He remembered the crowd as “raucous,” and that those who opposed wilderness designation “outnumbered the pro-wilderness people...by 3 to 4 or 5 to 1.”⁴⁷ Despite this, Williams and Udall treated the hearing as an opportunity to educate the public about RARE II and the meaning and value of wilderness designation. Williams recalled that for months after the meeting, attendees would contact him to say they had come around to support the idea of wilderness. Thus, Williams described the meeting as, “historic...in the life of environmentalism in Montana.”⁴⁸

Rising Conservatism and the Sagebrush Rebellion

The prevalence of voices in opposition to wilderness at Williams’ and Udall’s hearing in Dillon was no anomaly. After several major legislative successes in the 1960s and 1970s, the pace at which environmental advocates had been advancing their agenda was slowing. As the environmental movement had grown, so too had its critics. Many believed that wilderness preservation only served the interests of an urban elite, ignoring poorer, more rural populations who depended on the land to make a living. Others began to resent the strains of radicalism that had cropped up within the environmental movement. EarthFirst!, one of the most prominent radical environmentalist groups of the 1980s, drew much negative press from their strategy of

⁴⁷ Ibid.

⁴⁸ Ibid.

“ecotage,” or ecological sabotage. EarthFirst! activists often meddled with logging equipment, staged tree-sits, and caused other disruptions to prevent the development of natural areas.⁴⁹

In response, “opposition to federal land authority increasingly became a plank in the conservative platform. This alignment...emerge[d] during the Sagebrush Rebellion.”⁵⁰ The Sagebrush Rebellion was loosely organized, but focused around the central idea that control of federal lands in the west should be returned to individual states. The movement started in 1979 with a bill in the Nevada legislature – The Sagebrush Rebellion Act – in which the state claimed that, “all public lands in Nevada...are property of the state.”⁵¹ Other states, including Arizona, New Mexico, Utah, Washington, and Wyoming, passed bills laying similar claim to federal lands within their borders.⁵²

For so-called “Sagebrush rebels,” the idea of adding land to the Federal Wilderness System was particularly objectionable. Already fed up with the increased regulation and restrictions on land use brought on by the 1964 Wilderness Act, these people saw the passage of the Federal Land Management Policy Act (FLPMA) in 1976 and the Public Rangelands Improvement Act in 1978 as further encroachment by an already powerful federal government. Both laws were seen as a threat to local grazing practices, and the FLPMA included a mandate that required the Bureau of Land Management (BLM) to review additional lands – beyond those included in RARE – for potential wilderness designation.

Sagebrush rebels opposed wilderness because, in their view, it stymied economic growth and prevented states from determining their own futures. Although the Sagebrush Rebellion “occurred before western land issues had been fully integrated into the national conservative

⁴⁹ Spears, *Rethinking the American Environmental Movement post-1945*, 156.

⁵⁰ Skillen, *This Land is My Land*, 64.

⁵¹ Cannon, Lou. “Sagebrush Rebellion Challenges U.S. Grip on Western Land.” *Washington Post*, April 9, 1979.

⁵² Skillen, *This Land is My Land*, 60.

platform,”⁵³ many conservative politicians embraced the Sagebrush Rebellion’s ideas about individualism and scaling back the power of the federal government. Ultimately, as environmental scholar James Skillen contends, the movement was, “more...a political challenge than a true legal challenge.”⁵⁴ The states never took concrete action to enforce their claims on federal land, but their ideas were politically and socially influential, especially during the 1980 election, during which presidential candidate Ronald Reagan declared himself a “Sagebrush Rebel” and promised to implement policies that aligned with the Sagebrush rebels’ ideals if elected.

Throughout the west, conservatism rose in conjunction with the rejection of federal land control policies. Western voters increasingly turned to Republican candidates. As Turner writes, “The West played an important supporting role in the consolidation of Republican political power in national politics.”⁵⁵ This was a major shift for many western states, which had spent decades sending Democrats to represent them at the federal level.

A major victory for the rising conservative movement was the election of President Ronald Reagan in 1980. Reagan’s appeals to concerns about federal overreach, over-regulation, and desire to develop land for economic gain were compelling for western voters. Turner writes, “In many respects, the Sagebrush Rebellion seemed to align neatly with the surge of modern conservatism in the 1970s that came to be known as the New Right and helped propel Reagan into office.”⁵⁶ Once there, Reagan continued to appeal to western voters who were hoping for less federal regulation. The President even went as far as sending a telegram to members of the Sagebrush Rebellion, which promised, “I renew my pledge to work toward a ‘Sagebrush

⁵³ Ibid. 42.

⁵⁴ Ibid. 61-62.

⁵⁵ Turner, “The Specter of Environmentalism,” 225-226.

⁵⁶ Turner, *The Promise of Wilderness*, 231.

Solution'...my administration will work to ensure that states have an equitable share of public lands and their natural resources."⁵⁷

Reagan delivered on his promise in the form of James Watt, who served as the administration's Secretary of Interior from 1981 to 1983. Although Watt could not reverse the Wilderness Act, FLMPA, or other laws that had mobilized westerners against federal involvement, he did everything he could to undermine the Department of Interior's ability to implement them. Once in office, Watt began making aggressive cuts to the BLM budget for wilderness programs and regulation enforcement, pushing for an increase in oil, gas, and coal leases on federal lands, and attempting to open up already-designated wilderness land for resource development. This last effort was unsuccessful, and ultimately ended up increasing the power of environmental groups; the controversial nature of developing wilderness areas mobilized opposition and aided in fundraising and membership drives.

Watt's other strategies, though, were enough to satisfy the Sagebrush Rebellion. By 1982, the Reagan administration had sufficiently undermined the enforcement of land use regulation and, though few acres were legally returned to the states, westerners regained the feeling of control that they had been after. This brought an end to the Sagebrush Rebellion, but not to the popularity of state-based land rights, or the rising tide of conservatism in the west.⁵⁸

Interest Group Politics

It was against this political backdrop that Congressman Williams and the other members of Montana's delegation attempted to create and pass legislation regarding the future use of Montana's extensive federal lands. Throughout the process, interest groups and constituents

⁵⁷ Reagan, Ronald. "Telegram to the Sagebrush Rebellion Conference." November 20, 1981.

⁵⁸ Skillen, *This Land is My Land*, 69-71.

concerned with the future of Montana's federal lands continued to play a significant role, mustering whatever political, economic, or social clout they could behind their respective agendas. As such, it is essential to understand the positions of the groups and constituencies that were most involved in the debate about Montana's federal lands.

The groups fall into four main camps: 1) extractive industries, including timber, mining, and oil and gas companies, as well as their employees; 2) environmentalists and conservationists; 3) the Blackfeet Tribe, which shared many values with the environmentalists, but had its own unique interests as well; and 4) recreationists, who represented the greatest range of values – some wanted to stop wilderness designation because they use motorized vehicles for recreation, some wanted more wilderness because they enjoyed hiking or skiing. Some recreationists also worked for extractive industries, further complicating their stance on the legislation.

Extractive Industries

In the 1980s, the economies of western states were heavily dependent on natural resource extraction. Many right-wing thinkers and politicians – including President Reagan – argued that western states' supplies of timber, oil and natural gas, and minerals represented a road towards American energy independence, national security, and economic prosperity. These arguments were particularly compelling in the context of oil price hikes of the 1970s, and subsequent price bust of the mid-1980s, which created turmoil and uncertainty. Similarly, timber companies frequently warned about the economic consequences of running out of forests to log. Supply shortages would lead to soaring timber prices, which would damage the small rural economies where loggers and timber mills resided.

These concerns were especially poignant in Montana, where many communities were based around small timber mills. If a mill ran out of lumber to process, the jobs lost would cause the entire community to fall apart. Timber executives pushed this narrative on their employees; with the threat of losing their jobs looming over their heads, countless timber employees and their families wrote to or called their congress members, imploring them to write the RARE II bill in such a way that their livelihoods could be saved.

Bill Crasper, the Resource Manager for a small mill in Darby, MT, voiced his concerns at a Congressional hearing in 1988. The subject of the hearing was Congressman Williams' H.R. 2090. Crasper testified, "We directly employ 150 people. This makes us one of the largest private employers in [the] county...if something does not change very quickly...our company will be out of business by the end of the year...appeals are being misused for the primary purpose of putting mills out of business."⁵⁹ Anthony C. Colter, Senior Resource Manager for the national timber company Louisiana Pacific Corp., made a similar argument at the same hearing. He stated, "We are seriously considering a curtailment and layoff yet this year for approximately one-third of our work force, depending on the outcome of the wilderness legislation."⁶⁰ By rallying their employees to the anti-wilderness cause, timber interests became one of the most influential players in the drafting of Montana's RARE II bill.

Other extractive industries had similar concerns about access to resources. Oil and natural gas companies believed that the Rocky Mountains likely held large, profitable fossil fuel deposits. They were interested in keeping these areas open for exploration. Norm Burnett, the

⁵⁹ U.S. Congress. Senate. Committee on Energy and Natural Resources. Montana Natural Resources Protection and Utilization Act of 1987: Hearings before the Subcommittee on Public Lands, National Parks and Forests. 100th Cong., March 21 and March 22, 1988. 458.

⁶⁰ U.S. Congress. Senate. Committee on Energy and Natural Resources. Montana Natural Resources Protection and Utilization Act of 1987: Hearings before the Subcommittee on Public Lands, National Parks and Forests. 100th Cong., March 21 and March 22, 1988. 432.

Manager of Exploration for Phillips Petroleum Co. testified in 1988, “We believe that House Bill 2090...do[es] not foster a balanced approach to land management, because some of the lands being proposed for inclusion as wilderness may contain exceptionally large and very valuable oil and gas resources.” Representatives from these companies made a direct appeal to fears about energy availability. Joseph R. Keating, General Manager for Exploration and Production for CENEX, argued in his testimony in 1988, “it is grossly premature to lock up this vast area that could contribute to our national energy supply.” Even the Reagan administration took up the point. Secretary of Interior James Watt argued that, according to Turner, “domestic energy production, including that from wilderness areas, promised to strengthen America’s energy independence and its economy.”⁶¹

Finally, it is important to acknowledge the role of the mineral industry in arguing for less restrictive land protections under H.R. 2090. H.R. 2090 protected “valid existing rights” to minerals on federal forest lands; however, “all lands would be withdrawn from further mineral entry,”⁶² according to an October 1987 report from the Committee on Interior and Insular Affairs. This was concerning for companies which believed that lands slated for wilderness designation likely held valuable deposits of minerals. To push their case, they made appeals similar to those made by the timber industry, imploring Congress to protect the jobs of workers in the industry. According to a letter sent to Pat Williams in 1985 by Stacy K. Raymond, president of a mineral company called SK Venture, Inc., “The closing off to mineral claims in

⁶¹ Turner, *The Promise of Wilderness*, 235.

⁶² U.S. Congress. House of Representatives. Committee on Interior and Insular Affairs. “Report 100-369. Report together with dissenting views: designating certain national forest system lands in the state of Montana.” 100th Congress. October 13, 1987.

the National Forests...would force capital investment overseas...I urge you to consider the economic impact to natural resource workers.”⁶³

Environmentalists

As representatives of extractive industry interests were working hard to convince Congress that H.R. 2090 went too far in its proposal for wilderness designation, environmentalists largely felt that the bill did not go far enough. National organizations, like the Sierra Club and the Wilderness Society, had long advocated for greater wilderness protection all throughout the United States, especially as other states were considering their own legislation based on RARE II’s findings. It was no surprise then that these organizations were involved in Montana’s RARE II legislation process.

Jim Posewitz, a representative from the Montana Chapter of the Wildlife Society and the American Fishery Society, testified at a Congressional hearing in 1988. He advocated for the protection of wilderness areas, stating, “We need these places in the wilderness system to preserve the progress of three generations of Montana conservationists.”⁶⁴ A regional representative from the Wilderness Society, Michael D. Scott, also testified at the 1988 hearing. He argued against the idea that Montana’s economy depended on extractive industry, claiming that the future of the economy lay instead in recreation. According to Scott, “Montana’s extractive industries...face an uncertain future directed by global events and changing economic conditions.” He further argued, “wilderness is an integral part of the recreation industry and provides the very basic resources upon which the industry depends... Conservationists

⁶³ Raymond, Stacy K. Stacy K. Raymond to Pat Williams, July 17, 1985. Box 24, folder 3, Pat Williams Papers.

⁶⁴ U.S. Congress. Senate. Committee on Energy and Natural Resources. Montana Natural Resources Protection and Utilization Act of 1987: Hearings before the Subcommittee on Public Lands, National Parks and Forests. 100th Cong., March 21 and March 22, 1988. 367-368.

were...mindful of the needs of the mineral industry...we left out the bulk of the areas with the highest mineral potential.”⁶⁵ This idea mirrors the findings from the 1987 Congressional report discussed earlier.

The argument that the future of Montana’s economy was not in resource extraction was a popular one among conservationists. Chris Marchion, representing the Montana Wildlife Federation, made a similar case for this idea in his 1988 testimony. He said, “Montana is in need of economic development, but the future does not exist in the traditional resource extraction industries...lifestyle is a key factor in attracting new business to Montana.”⁶⁶

While national groups were prominent contributors to the legislative process, so too were more locally based organizations. Steve Kelly, who testified on behalf of Friends of the Wild Swan, described his group as “A local grassroots conservation group concerned with the future of Montana’s remaining roadless lands.” He advocated that of Montana’s 6.5 million acres that qualified for potential classification as wilderness, “We support...protection of all 6.5 million acres.” He further claimed, “The intrinsic values of Montana’s roadless lands far exceed the potential monetary return of development...[designation] represents a small sacrifice today for an enormous future public benefit.”⁶⁷

Multiple conservation groups introduced alternative legislation for Congress to consider. The most prominent of these was Alternative W, which was introduced by the Montana Wildlands Coalition and “proposed 2.8 million acres of new wilderness.”⁶⁸ The Coalition was founded in 1958 “in response to increasing privatization and development in southwest

⁶⁵ Ibid. 148.

⁶⁶ Ibid. 213.

⁶⁷ Ibid. 388.

⁶⁸ “Ten Years of Legislation.” Box 144, folder 5, Pat Williams Papers.

Montana’s wild high country.”⁶⁹ It gathered small regional conservationist groups under one name in order to present a more powerful and unified agenda which encompassed a range of local interests. In this way, the Coalition was able to consolidate their resources and wield greater political power, especially at the federal level.

Although the Montana Wildlands Coalition shows conservationists’ capacity for collaboration across groups, advocates for wilderness were not completely unified. The Friends of the Wild Swan, for example, supported blanket designation of potential wilderness areas, rather than engaging with other interests and attempting to reach a compromise.⁷⁰

Blackfeet Nation

The Blackfeet Nation (officially, the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana) is a federally recognized tribe located in northwestern Montana, just east of Glacier National Park. Ostensibly, the Blackfeet Tribe’s values about wilderness designation in the 1980s aligned with that of environmentalists and conservationists – they opposed oil and natural gas extraction, and opposed unfettered development, particularly in ecologically important areas of the state. At the same time, it is important to differentiate their interests and perspectives from those of non-indigenous environmental activists.

First, it is essential to acknowledge that all of Montana’s land – and indeed all the land in the United States – is the historical home of indigenous people. As the modern-day environmentalist group Wild Montana (formerly the Montana Wildlands Coalition) puts it, “Indigenous peoples have lived on, stewarded, and cared for the land that is now the United

⁶⁹ “Our History and Impact,” Wild Montana, DOA 26 October 2021, <https://wildmontana.org/history-and-impact/>.

⁷⁰ U.S. Congress. Senate. Committee on Energy and Natural Resources. Montana Natural Resources Protection and Utilization Act of 1987: Hearings before the Subcommittee on Public Lands, National Parks and Forests. 100th Cong., March 21 and March 22, 1988. 387-388.

States since time immemorial...Montana's public lands and wilderness areas are the traditional and contemporary homelands of many Indigenous nations."⁷¹ Although some of the intention behind legal designation of wilderness aligns with indigenous values, the United States' legal infrastructure around land use shuts Native American groups out from access to resources and continues a legacy of control and suppression of these groups.

Despite these hurdles, the Blackfeet Tribe was engaged with the RARE II process, particularly because they intended to ensure that the legislation would uphold their treaty rights as established in 1896. The Blackfeet Tribal Business Council – a group of leaders elected to deal with relations with the federal government – put forward a resolution that formally outlined their requests for changes and additions to H.R. 2090. In the resolution, they emphasized preventing oil and gas development, protecting their negotiating rights with federal agencies, and ensuring they would receive sufficient legal and financial support for their land stewardship responsibilities. This support would also include language which “directed” rather than “urged” the Forest Service to, “negotiate the management plan with the Tribe.”⁷² Additionally, the Business Council requested “that the plan include a[n environmental] review.”⁷³

Congressman Williams had a constructive relationship with the Blackfeet Tribe, especially on issues like education.⁷⁴ Since the Blackfeet were a part of his congressional district, Williams was sensitive to their interests.

Recreationists

⁷¹ “Timeline of Wilderness Legislation in Montana,” Wild Montana, DOA 26 October 26, 2021.

⁷² Blackfeet Nation. “Resolution No. 4-89.” Box 144, folder 3, Pat Williams Papers.

⁷³ Ibid.

⁷⁴ Williams, Pat and Barrett, Evan. “In the Crucible of Change: Biography of Pat Williams.” Montana Technological University. 2016. https://digitalcommons.mtech.edu/crucible_bios/49/.

Recreationists, as a whole, did not present a united front on wilderness. There were many differences in values and opinions, depending on the kind of recreation being considered.

Additionally, even though many who used Montana's public lands for recreation supported the idea of wilderness protection and would not have had to change their personal recreation habits to comply with the restrictions brought on by wilderness designation, they felt they could not support increasing Montana's wilderness because they were employed by extractive industries.

Recreationists most often wrote to Congress about specific federal lands local to them, which they used for enjoyment or commerce. Ultimately, it does not seem that the input of recreationists tipped the scales for or against Congressional support of H.R. 2090; nonetheless, their contributions were significant, as they partook in Congressional hearings, engaged with interests on both sides, and wrote many letters to Congressman Williams expressing their stance on the question of wilderness designation.

For example, Wayne F. Bequette, a resident living near a section of proposed wilderness land called the Flint Wilderness, wrote to Williams expressing his belief "that the lakes accessible by 4x4 or bikes or ones with dams on them should not be included in the Flint Wilderness. Also... since the mill plays an important part in our local economy, I do not feel that portion should be included either...I would like to see you release the Sapphires for Multiple Use."⁷⁵ Connie Konopatzke, another constituent, expressed a similar viewpoint. She wrote to Williams, "I AM OPPOSED to any more wilderness or restricted areas in northwest Montana. I am FOR EQUAL RIGHTS for the use of state and federal lands for all people. I am FOR THE TIMBER INDUSTRY of northwest Montana."⁷⁶

⁷⁵ Bequette, Wayne F. Wayne F. Bequette to John Melcher, no date. Box 24, folder 3, Pat Williams Papers.

⁷⁶ Konopatzke, Connie. Connie Konopatzke to Pat Williams, Columbia Falls, MT, August 15, 1985. Box 24 folder 3, Pat Williams Papers.

Meanwhile, recreationists who engaged in fishing, skiing, hiking, or horseback riding often supported the designation of as much wilderness as possible. They too wrote letters to Williams, indicating their approval of H.R. 2090.⁷⁷ Chuck Reid, who owned a ranch and outfitting business in rural Montana, wrote: “There’s been an increase of horseback riders, backpackers, and hunters and with the wilderness regulations, this forest has maintained that wilderness appeal of ten years ago...I am very concerned that Montana increases its wilderness areas. It is a vital resource for the State.”⁷⁸

History of Montana Wilderness Legislation, 1984-1988

The constant flood of input from constituents and interest groups only proved to Montana’s Congressional delegation what they already knew: drafting a RARE II bill for their state would be significant challenge. Nearly every Montanan was impacted by land use regulations in profound ways. As Williams later recalled in an interview, “Wilderness to Montanans is their backyard...it is a matter of firsthand experience...That is one of the reasons why so many tens of thousands of Montanans have been directly involved.”⁷⁹

With these issues in mind, the delegation devoted their efforts to H.R 6001, introduced to the House by Williams and Marlenee in June 1984. The bill added 850,000 acres to the wilderness system, placed 400,000 acres under “special management,” and set aside 250,000 acres for further study. As the first and last RARE II bill to be agreed upon by all four members of Montana’s delegation, it represented significant compromise from the Democrats, especially

⁷⁷ Pat Williams Wilderness Papers.

⁷⁸ Reid, Chuck. Chuck Reid to Pat Williams, McLeod, MT, October 2, 1984, box 24 folder 4, Pat Williams Papers.

⁷⁹ “Pat Williams oral interview number 362-003, 004 conducted by Bill Cunningham, 1997-06-12.” Archives and Special Collections, Mansfield Library, University of Montana. Pat Williams Wilderness Oral History Project. Transcript.

Williams, who expressed frustration over how the final bill turned out. In a letter to constituents who were displeased with the limitations of H.R. 6001, Williams confessed, “There are deficiencies in the bill. I quite frankly supported more protection...and I will continue to fight for that goal.”⁸⁰

The 97th Congress ran out of time to vote on H.R. 6001 before the end of the session in 1984, and the bill died. This was seen by many at the time as an opportunity to draft a new and better RARE II bill for the state. Wilderness advocates in particular were eager for Congress to get rid of the “special management” category that H.R. 6001 proposed. Special management areas were somewhat controversial, as they broke from the land use designations historically used by Congress. Instead of being completely protected as “wilderness” or opened up for development under “nonwilderness,” special management areas could be designated for specific nonwilderness uses, such as wildlife sanctuaries, fish management areas, or recreation areas.⁸¹

From the perspective of wilderness advocates, special management areas were undesirable because use of the category could “authorize uses that alter or destroy the wilderness characteristics of a particular area...excluding the area from future wilderness consideration.”⁸² While not every type of special management poses equal threat to potential wilderness areas – a wildlife refuge, for example, preserves more wilderness characteristics than a recreation area that allows motorized use – special management is always less protective of wilderness than pure wilderness designation. In other words, the wilderness and special management categories have “inherently conflicting goals.”⁸³

⁸⁰ Noonan, Art. “Retired Language as of March 2, 1985.” Form Letter. 1985. Box 24 folder 4, Pat Williams Papers.

⁸¹ Faye B. McKnight, “The Use of Special Management Areas as Alternatives to Wilderness Designation or Multiple Use of Federal Public Lands,” *Public Land Law Review* page 64. (1987).

⁸² *Ibid.* 65.

⁸³ *Ibid.* 80.

The Wilderness Society, in a statement critical of H.R. 6001, claimed that “no other state delegation has taken the approach of resolving this conflict by creating vast numbers of new management categories.”⁸⁴ This was not entirely true; though not always successful, other states including California and Oregon had, “used or attempted to use special management categories,” in drafting legislation about the use of federal lands within their own states. The idea of special management had also appeared in the Multiple-Use Sustained Yield Act of 1960, which sought to balance grazing, timber, water, recreational, and wildlife needs on federal land, and to outline the role of the Forest Service and other federal agencies for each type designation.⁸⁵ Regardless, most environmental groups shared the Wilderness Society’s position, staunchly opposing special management, no matter the type of use.⁸⁶

Williams defended the special management categories even after H.R. 6001 failed. “In my research on the need for some third form of land use,” he wrote, “I discovered...this need [was] discussed just after the Wilderness Act passed in 1964. Since that time, the special use designation has been used successfully to protect wildlands.”⁸⁷ He continued to include special management areas in later RARE II bills, including H.R. 2090 which contained 350,000 acres worth of National Recreation Areas. For Williams and other legislators in the 1980s, special management categories were a method for reaching compromise. Instead of the many restrictions imposed by wilderness designation, or the broad range of potential development allowed in nonwilderness areas, the category limited Forest Service discretion. It could be used, for example, to satisfy snowmobilers’ desire to run motorized vehicles on potential wilderness areas

⁸⁴ The Wilderness Society. “Montana.” Pamphlet. 1984. Washington D.C. Box 24 folder 4, Pat Williams Papers.

⁸⁵ Multiple-Use Sustained-Yield Act, U.S. Code 16 (1960), § 583 et seq.

⁸⁶ McKnight, “The Use of Special Management Areas as Alternatives to Wilderness Designation or Multiple Use of Federal Public Lands,” 67-71

⁸⁷ Noonan, Art. “Retired Language as of March 2, 1985.” Form Letter. 1985. Box 24 folder 4, Pat Williams Papers.

while at the same time, preventing the Forest Service from opening up the land to timber harvest, which would satisfy some environmental interests.⁸⁸

Although Williams continued to use special management categories in his RARE II bills, his ideas about and understanding of wilderness issues evolved in other ways during his time in Congress. In 1997, Williams described how as he learned more and more about preservation as he sat through hours of Congressional hearings and poured over maps with information about resource claims, wildlife habitats, and recreational opportunities, his understanding of the issue “matured.”⁸⁹ He explained, “I didn’t enter...Congress as a conservationist. But I sure as hell left as one.”⁹⁰ Each new RARE II bill Williams introduced to Congress contained more wilderness acreage than the last.

Despite his record of advocacy for workers, the extent of wilderness designation, especially in later RARE II bills, made Williams unpopular with many who worked in Montana’s extractive industries. In one letter from 1987, a timber employee wrote, “We have long-known that Pat Williams is not a strong ally of the timber industry...your sympathy lies with the environmental community.”⁹¹ This accusation represented the perspective of many who worked in the timber industry during the 1980s. In the face of these competing agendas, Williams remained committed to creating a RARE II bill that struck a balance between conservation and economic prosperity. In reply to the letter from the timber employee, Williams wrote, “I am not an enemy of Montana’s timber industry and I resent being so labelled.”⁹²

⁸⁸ McKnight, “The Use of Special Management Areas as Alternatives to Wilderness Designation or Multiple Use of Federal Public Lands,” 66.

⁸⁹ “Pat Williams oral interview number 362-001 conducted by Bill Cunningham, 1997-05-12.” Archives and Special Collections, Mansfield Library, University of Montana. Pat Williams Wilderness Oral History Project. Transcript. 11-14.

⁹⁰ Ibid. 14.

⁹¹ Olson, Keith. Keith Olson to Pat Williams, Kalispell, MT, June 17, 1987. Box 144 folder 3, Pat Williams Papers.

⁹² Williams, Pat. Pat Williams to Keith Olson, Washington D.C., July 1987. Box 144 folder 3, Pat Williams Papers.

After the failure of H.R. 6001, the RARE II bills that Williams introduced to Congress increased the acreage of proposed wilderness to over one million total acres, while continuing to consider the needs of ongoing timber harvest, mining projects, and recreational uses.⁹³ The bills still included the controversial “special management” areas in the form of National Recreation Areas (NRAs). Under this designation, potential wilderness lands would not be used for natural resource development, but snowmobilers and other users of motorized vehicles would still be allowed on the land.

Negotiations within the Montana delegation, particularly between Representative Marlenee and the rest of the members, had broken down following the failure of H.R. 6001. Each member began introducing their own RARE II bills, starting with Senator Melcher’s S. 2790 in August 1986. In 1987, Senator Baucus introduced S. 1478; meanwhile, Congressman Williams introduced H.R. 2090 in the House.

Although the Democrats seemed to have split off in their own directions, they continued to work together on wilderness as their respective bills went through committees, public hearings, and were put up for Congressional votes. “We are each definitively and publicly stating our positions,” said Senator Baucus in a 1987 speech. “I have introduced a bill. Congressman Pat Williams has introduced a bill...John Melcher indicated that he, too, will introduce [another] bill...We are actually quite close to agreement...It is time to...reach a decision.”⁹⁴ In a letter about his own bill, H.R. 2090, Congressman Williams expressed a similar sentiment. “Senators

⁹³ JF. “Wilderness Bill – Less Wilderness.” Letter. May 13, 1987. Box 24 folder 5, Pat Williams Papers.

⁹⁴ Baucus, Max. Congressional Record – Senate. December 18, 1987. Statement to congress on MT Natural Resources Protection and Utilization Act of 1987. Box 144 folder 4, Pat Williams Papers.

Melcher, Baucus and myself are close to agreement on final legislation,” he wrote, “I’m hopeful that we will get on with it.”⁹⁵

H.R. 2090 was passed in the House in late 1987, before either of the senators could get a bill through the Senate. Melcher and Baucus then turned their attention to making revisions to H.R. 2090, rather than trying to continue pushing their own bills. The bill, “The Montana Natural Resources Protection and Utilization Act of 1987,” was slightly re-worked in the Senate, and returned to the House for a second vote under the title S. 2751. The final bill maintained all 1.3 million acres of wilderness areas and all 350,000 acres of NRAs that were proposed in H.R. 2090. Roughly four million acres were to be opened up for development. This was almost twice as much wilderness as had been proposed by RARE II itself, and was more detailed than RARE II’s suggestions in its classification of nonwilderness lands.⁹⁶ S. 2751 slightly decreased the total acreage of areas for further study which indicated that the delegation was, according to Williams, “moving...closer to resolution of Montana’s land planning stalemate.”⁹⁷

The bill reflected the extent of public input that had been ongoing since Williams and Udall had held the original RARE II hearing in 1979. Although many wilderness advocates were unsatisfied with anything less than one hundred percent of the RARE II lands being wilderness, the acreage protected by S. 2751 was still much greater than earlier propositions.

For the extractive industries, S. 2751 would have freed up millions of acres for timber development, saving “Montanans from an assured collapse of the timber industry,” according to Williams. One major concern for the timber industry during the 1980s was wilderness advocates’

⁹⁵ Noonan, Art. Fairview and Ford Creek Petition. Letter. May 11, 1988. SOURCE, COLLECTION. Box 24, Folder 8, Pat Williams Papers.

⁹⁶ U.S. Forest Service. “Final Environmental Statement: Roadless Area Review and Evaluation.” U.S. Department of Agriculture. January 1979. Appendix J, 1.

⁹⁷ Williams, Pat. “Statement by Congressman Pat Williams of Montana for S. 2751 Before the United States House of Representatives.” October 20, 1988. Box 147 folder 8, Pat Williams Papers.

use of the Forest Service appeals process. When the Forest Service struck a deal with a timber company, allowing logging in certain areas of the national forests, those deals were subject to public input. If an appeal was submitted, the deal was subject to legal review, which could take many years to complete. In the meantime, timber companies could not harvest timber, which significantly disrupted local industry. Importantly, S. 2751 included provisions to dissolve ongoing appeals, thus freeing up millions of acres of land for logging and other natural resource industry development.

Nevertheless, industry groups expressed outrage that the bill did not sufficiently protect jobs or the future of their industries. The Montana Logger's Association, which represented the interests of timber workers and was based out of Kalispell, MT, was one such group. In their September 1988 newsletter, the association claimed that Congress was "hold[ing] the guillotine of wilderness over the head of the timber supply." In another effort to appease extractive industry, S. 2751 did not contain any language that would have prevented ongoing mining operation from continuing. As Williams noted, "the Montana Mining association has never once produced one mine or proposed one operation impacted by this legislation."⁹⁸ Still, from the perspective of many working in extractive industries, any new wilderness was too much.

Among recreationists, S. 2751 received mixed reviews. While Williams claimed that, "no single use of our national forests [has] received more consideration in the preparation of my legislation than did snowmobiling," some snowmobile clubs were still unsatisfied with the legislation. Other constituents felt that the legislation still did not contain enough wilderness, arguing, "this state attracts thousands of tourists and millions of tourist dollars each year. And what do they come to see? Certainly not logging roads, clear cuts, and mining operations."⁹⁹

⁹⁸ Ibid.

⁹⁹ JF. "Wilderness Bill – More Wilderness." Letter. May 13, 1987. Box 24 folder 5, Pat Williams Papers.

Ultimately, S. 2751 could never be formulated to appease every interest. However, as Williams pointed out, “no one is served by lack of direction on the management of these federal lands.” Senators Baucus and Melcher joined Williams in his push to get the bill through Congress; Marlenee did not. By this time, Marlenee appeared uninterested in contributing to the bill. Although he was a member of “the two committees which heard the bill in the house, where he was offered the opportunity to call for amendments when the bill passed the house floor...he chose not to.”¹⁰⁰

Even without Marlenee’s support, S. 2751 successfully passed both houses of Congress in late 1988. The bill then required only a signature from President Reagan to be passed into law, which would have provided a clear path forward for the use of Montana’s millions of acres of federal lands. Although Reagan had signed every other piece of wilderness legislation to come across his desk – more than any other president in history¹⁰¹ – he did not sign S. 2751.

Reagan’s Pocket Veto

The timing of Reagan’s inaction on S. 2751 was such that there was no time left in the Congressional session for Congress to hold another vote on the bill. Had Reagan vetoed S. 2751 immediately, there would have been an opportunity over-ride the veto with a two thirds majority. Instead, Reagan let the bill die on his desk through inaction – a pocket veto.¹⁰²

On November 2, 1988, Reagan wrote a veto statement for S. 2751. In it, he claimed that under his administration, the Forest Service’s plans “already strike the appropriate balance

¹⁰⁰ Williams, Pat. “Statement by Congressman Pat Williams of Montana for S. 2751 Before the United States House of Representatives.” October 20, 1988. Box 147 folder 8, Pat Williams Papers.

¹⁰¹ James Morton Turner, “‘The Specter of Environmentalism’: Wilderness, Environmental Politics, and the Evolution of the New Right,” 136.

¹⁰² Meghan M. Stuessy, “Regular Vetoes and Pocket Vetoes: In Brief.” Congressional Research Service, (2019): i-4.

among competing economic, environmental, and cultural interests in the National Forests of Montana...S. 2751 would have severely disrupted that balance.” He further asserted that, “Enactment of the bill would injure the economy of Montana...cost jobs, and eliminate vast mineral development opportunities.”¹⁰³ Despite these claims, it is widely agreed that Reagan’s veto was intended to boost the popularity of Conrad Burns, a right-wing Republican who was running against Senator Melcher in the 1988 election.

Reports from major newspapers at the time show that most could see straight through Reagan’s version of events. In a November 4, 1988 article for *The Washington Post*, journalist Bill McCallister wrote that although Reagan didn’t travel to Montana to campaign for Burns in person, the veto of S. 2751, “may have offered Burns something better in return.”¹⁰⁴ In a *New York Times* article from the same day, writer Philip Shabecoff stated, “The legislation was vetoed even though it would have...opened four million acres of protected federal land to development.”¹⁰⁵ Montana’s local news outlets have also maintained that Reagan’s move was politically motivated. One article from the *Missoula Independent* written in 2011 references the event in this way: “Burns...had ridden into office in thanks part of President Ronald Reagan’s pocket veto of a 1988 wilderness bill...Reagan vetoed it in order to defeat incumbent...John Melcher.”¹⁰⁶

No matter the reason for or implications of Melcher’s loss to Burns, the veto represented a significant change in the federal government’s approach to wilderness legislation. This was the

¹⁰³ Proceedings of the House Subsequent to Sine Die Adjournment, S.2751 Memorandum of Disapproval, Ronald Reagan, the White House, November 2, 1988, page 2579.

¹⁰⁴ McCallister, Bill, “Montana Wilderness Bill Pocket Vetoed,” *The Washington Post*, 4 November 1988.

¹⁰⁵ Shabecoff, Philip, “Reagan Vetoes Bill to Protect 1.4 Million Acres in Montana,” *The New York Times*, 4 November 1988.

¹⁰⁶ Ochenski, George, “Nada for collaborators: Tester’s Forest Isn’t Sleeping – it’s Dead,” *Missoula Independent*, 22 December 2011.

first time that a president vetoed a RARE II bill,¹⁰⁷ creating a blueprint for future partisan rejections of efforts to add to the federal wilderness system. In Montana, the consequences of this veto – and the political tone it struck – are still felt into the present day.

National Political Changes and Montana’s Wilderness Legislation Since 1988

In the wake of the Reagan veto and Conrad Burns’ election to the Senate, it took two years for another RARE II bill to be introduced. By this time, efforts to create a statewide bill had been largely abandoned in favor of a return to the piecemeal approach of the 1970s and early 1980s.¹⁰⁸ Congressman Williams made one final attempt to pass a statewide bill – The Montana Wilderness Act – in 1994; the attempt failed. In the years since 1988, wilderness bills dealing with Montana’s federal lands have routinely been introduced to Congress, but S. 2751 remains the only major RARE II bill to pass both houses of Congress.

These failures are reflective of changes in national politics in the late 1980s and into the 1990s, as conservative politics and rejection of a strong federal government continued to spread across the United States. Land use became increasingly intertwined with the conservative platform, especially as a new political movement – the Wise Use Movement – began to form at the end of the 1980s. The movement opposed environmental reform and “gravitated toward a political strategy grounded in rights-based claims to property and liberty characteristic of conservatives nationwide.”¹⁰⁹

Western disdain for environmentalists endured through 1990s and beyond. For workers in extractive industries who were facing job insecurity and economic tumult, “the most visible

¹⁰⁷ Williams, Pat. “Speech to U.S. Forest Service Region One Managers and Foresters Retreat, Huntley Lodge.” April 2, 1990. Box 147 folder 1, Pat Williams Papers.

¹⁰⁸ Ibid.

¹⁰⁹ Turner, *The Promise of Wilderness*, 227.

antagonists were the environmentalists with their lawsuits, wilderness proposals, and other challenges to resource development.”¹¹⁰ As a result, many westerners continued organizing against federal land reform and shoring up conservative support for Republican candidates. As conservatism rose across the country, the ideology of Wise Use rose with it, each drawing influence from the other. Newly elected President George H.W. Bush continued Reagan’s approach to land regulation, promising, “not to let environmental protection slow economic productivity.”¹¹¹

Because national politics had become increasingly fraught, state and local efforts were the only instances of success in creating new land use policy in Montana. One important agreement was the Kootenai and Lolo Forest Accords, signed by conservationists and timber workers in 1990. The accords, “end[ed] years of conflict and create[d] a blueprint for collaborative management that’s still used today.”¹¹² Still, these successful collaborations have been limited to private or state-owned lands. Since only an act by the federal government can determine the use of federally owned lands, a majority of federal land in Montana remains undesignated. Lands that have no designation are often called “de facto” wilderness. Since they cannot be developed without Congressional approval, they sit untouched, in the same state they would be in if they had formal wilderness designation. Still, this is unsatisfactory for environmental advocates who worry that without more permanent legal protection, the land will eventually be opened up for development.

¹¹⁰ Turner, “‘The Specter of Environmentalism’: Wilderness, Environmental Politics, and the Evolution of the New Right,” 150.

¹¹¹ Skillen, *This Land is My Land*, 12.

¹¹² “Our History and Impact,” Wild Montana.

Eventually, in 2014, Congress passed the Rocky Mountains Heritage Front Act. This added 67,160 acres to the existing Bob Marshall Wilderness Area.¹¹³ It is the only federal wilderness addition that has been made in Montana since the Lee Metcalf Wilderness in 1983. Wilderness continues to be the subject of intense political controversy in the state.

For roadless areas nationally, the executive branch has advanced a few new initiatives. In May 2001, the Department of Agriculture proposed a “Roadless Rule” that was intended to provide guidance to Congress on further use of federal lands. This rule faced similar backlash to RARE and RARE II; legal challenges cropped up in states including Alaska, Idaho, and Wyoming, claiming that the rule had garnered insufficient input from the public.¹¹⁴ In 2004, the Department of Agriculture presented a new roadless rule for public review, intended to address the problems caused by the 2001 rule.¹¹⁵ This rule also faced public backlash, and efforts to improve roadless area management continued.

More recently, the federal government has still struggled to address the question of federal land use in a way that is satisfactory to the public. Language from the 2001 rule continues to describe the situation: “Roadless area management has been a major point of conflict...particularly on most proposals to harvest timber, build roads, or otherwise develop inventoried roadless areas.”¹¹⁶

Conclusion

S. 2751 represented a turning point in the politics of wilderness designation in the United States. Its passage through Congress should have proven the bill a success – after nearly ten

¹¹³ U.S. Forest Service. “Roadless Area Conservation Rules Timeline.” May 2005.

¹¹⁴ Summary: Roadless Rule litigation – forest service website – May 3, 2005

¹¹⁵ U.S. Forest Service. “Roadless Area Conservation Rules Timeline.” May 2005.

¹¹⁶ Special Areas: Roadless Area Conservation: Final Rule – January 2001, page 3246.

years of debate, a compromise, though still imperfect, had been reached, and Montana's "wilderness question" was finally set to be resolved. Due to Reagan's veto, however, the bill is remembered as a failure. As Williams describes it, "No...political interference...can match the magnitude of the veto...That was the grand-daddy of...raw political manipulations."¹¹⁷

By using S. 2751 as a political tool, Reagan contributed to the start of a now long-standing tradition of partisan division over environmental and land regulation issues. The move was indicative of an emerging conservative ideology, which entailed the rejection of regulation and environmental protection in order to push development of natural resources and the unfettered growth of the national economy, no matter the external costs.

As well, Reagan's veto gave later politicians the green-light to refuse to engage on issues of environmental protection and wilderness preservation. Since 1988, numerous Republican presidents have taken action to interfere with wilderness protection, particularly of still-undesignated roadless lands.¹¹⁸ This is a far cry from the political situation when the original Wilderness Act was passed in 1964. Understanding the history and legacy of the Montana National Resources Protection and Utilization Act 1988 provides important insight into the political changes that the United States has undergone in the years since the Wilderness Act. Such understanding may provide insight into the promises and perils of federal land policy in the future.

In the meantime, over 6 million acres of roadless land in Montana remain undesignated. The status of these lands as "de facto" wilderness¹¹⁹ is the source of significant strife for many

¹¹⁷ Ibid.

¹¹⁸ Turner, "'The Specter of Environmentalism': Wilderness, Environmental Politics, and the Evolution of the New Right," 123-148.

¹¹⁹ Naegele, "Impasse Over Montana Wilderness: An Environmental Perspective," 24.

Montanans. Without clarity on the future of these lands, loggers cannot plan to harvest trees on them, nor can outfitters be sure of their future value as tourist or recreational destinations.

On the state of public lands in Montana, historians Dylsaver and Wyckoff write, “Montana...is a landscape of preservation still in the making, a piece of unfinished history and geography constituting part of a dynamic and open-ended legacy.”¹²⁰ For decades, this open-ended legacy has meant that huge swaths of Montana’s land have been in legal limbo; with little change in sight for the passage of wilderness legislation for the state, the future of those lands remains uncertain.

¹²⁰ Dylsaver, Lary M. and Wyckoff, William. “Failed National Parks in the Last Best Place.” *Montana: The Magazine of Western History*, vol. 59, no. 3 (Autumn 2009): 24.

Bibliography

Primary Sources

Bequette, Wayne F. Wayne F. Bequette to John Melcher, no date. Box 24, folder 3, Pat Williams Papers, Archives and Special Collections, Maureen and Mike Mansfield Library, University of Montana, Missoula, MT (hereafter cited as Pat Williams Papers).

Blackfeet Nation. "Resolution No. 4-89." Box 144, folder 3, Pat Williams Papers.

Cannon, Lou. "Sagebrush Rebellion Challenges U.S. Grip on Western Land." *Washington Post*, April 9, 1979.

JF. "Wilderness Bill – Less Wilderness." Letter. May 13, 1987. Box 24 folder 5, Pat Williams Papers.

Konopatzke, Connie. Connie Konopatzke to Pat Williams, Columbia Falls, MT, August 15, 1985. Box 24 folder 3, Pat Williams Papers.

McCallister, Bill, "Montana Wilderness Bill Pocket Vetoed," *The Washington Post*, 4 November 1988.

Multiple-Use Sustained-Yield Act, U.S. Code 16 (1960), § 583 et seq.

Noonan, Art. "Retired Language as of March 2, 1985." Letter. 1985. Box 24 folder 4, Pat Williams Papers.

Olson, Keith. Keith Olson to Pat Williams, Kalispell, MT, June 17, 1987. Box 144 folder 3, Pat Williams Papers.

"On the Shoulders of Giants: MEA-MFT Hall of Fame." Montana Federation of Public Employees. April 9, 2014. <https://www.mfpe.org/2014/04/09/on-the-shoulders-of-giants-mea-mft-hall-of-fame/>.

"Pat Williams oral interview number 362-001 conducted by Bill Cunningham, 1997-05-12." Archives and Special Collections, Mansfield Library, University of Montana. *Pat Williams Wilderness Oral History Project*. Transcript.

"Pat Williams oral interview number 362-002 conducted by Bill Cunningham, 1997-05-15." Archives and Special Collections, Mansfield Library, University of Montana. *Pat Williams Wilderness Oral History Project*. Transcript.

"Pat Williams oral interview number 362-003, 004 conducted by Bill Cunningham, 1997-06-12." Archives and Special Collections, Mansfield Library, University of Montana. *Pat Williams Wilderness Oral History Project*. Transcript.

Proceedings of the House Subsequent to Sine Die Adjournment, S.2751 Memorandum of Disapproval, Ronald Reagan, the White House, November 2, 1988, page 2579.

- Raymond, Stacy K. Stacy K. Raymond to Pat Williams, July 17, 1985. Box 24, folder 3, Pat Williams Papers.
- Reagan, Ronald. "Telegram to the Sagebrush Rebellion Conference." November 20, 1981.
- Reid, Chuck. Chuck Reid to Pat Williams, McLeod, MT, October 2, 1984, box 24 folder 4, Pat Williams Papers.
- Rocky Mountain Heritage Front Act, S. 364* (2013).
- Shabecoff, Philip. "Reagan Vetoes Bill to Protect 1.4 Million Acres in Montana." *The New York Times*. November 4, 1988.
- "Ten Years of Legislation." Box 144, folder 5, Pat Williams Papers.
- The Wilderness Society. "Montana." Pamphlet. 1984. Washington D.C. Box 24 folder 4, Pat Williams Papers.
- U.S. Congress. House of Representatives. Committee on Interior and Insular Affairs. "Report 100-369. Report together with dissenting views: designating certain national forest system lands in the state of Montana." 100th Congress. October 13, 1987.
- U.S. Congress. Senate. Committee on Energy and Natural Resources. Montana Natural Resources Protection and Utilization Act of 1987: Hearings before the Subcommittee on Public Lands, National Parks and Forests. 100th Cong., March 21 and March 22, 1988.
- U.S. Department of Agriculture. Final rule and record of decision. "Special Areas; Roadless Area Conservation; Final Rule." Federal Register vol. 66, no. 9 (January 12, 2001): 3244-3273.
- U.S. Forest Service. "Final Environmental Statement: Roadless Area Review and Evaluation." U.S. Department of Agriculture. January 1979.
https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5116928.pdf.
- U.S. Forest Service. "Roadless Area Conservation Rules Timeline." May 2005.
- U.S. Forest Service. "Summary: Roadless Rule Litigation." May 3, 2005.
- Wilderness Act, U.S. Code 16* (1964), § 1131 et seq.
- Williams, Pat. "The Montana Natural Resources Protection and Utilization Act of 1987." *Congressional Record*. Vol. 133, No. 5 (April 8, 1987). Box 144, folder 1, Pat Williams Papers.
- Williams, Pat. "Speech to U.S. Forest Service Region One Managers and Foresters Retreat, Huntley Lodge." April 2, 1990. Box 147 folder 1, Pat Williams Papers.

Williams, Pat. "Statement by Congressman Pat Williams of Montana for S. 2751 Before the United States House of Representatives." October 20, 1988. Box 147 folder 8, Pat Williams Papers.

Williams, Pat. Pat Williams to Keith Olson, Washington D.C., July 1987. Box 144 folder 3, Pat Williams Papers.

Secondary Sources

Blumm, Michael C. and Erickson, Andrew B. "Federal Wild Lands Policy in the Twenty-First Century: What a Long, Strange Trip It's Been." *Colorado Natural Resources, Energy, and Environmental Law Review*, vol. 25 (2014): 12-35.

Dilsaver, Lary M. and Wyckoff, William. "Failed National Parks in the Last Best Place." *Montana: The Magazine of Western History*, vol. 59, no. 3 (Autumn 2009): 20-24.

McKnight, Faye B. "The Use of Special Management Areas as Alternatives to Wilderness Designation or Multiple Use Management of Federal Public Lands." *Public Land Law Review*, vol. 8 (1987): 61-80.

Naegele, Lorna Mae. "Impasse Over Montana Wilderness: An Environmental Perspective." *Graduate Student Theses, Dissertations, and Professional Papers, University of Montana*, (1992): 12-52.

Ochenski, George, "Nada for collaborators: Tester's Forest Isn't Sleeping – it's Dead," *Missoula Independent*, 22 December 2011.

Pennsylvania Conservation Heritage Project. "Howard Zahniser." PA Conservation Heritage. <https://paconservationheritage.org/stories/howard-zahniser/>.

Skillen, James R. *This Land is My Land: Rebellion in the West*. Oxford, England: Oxford University Press, 2020.

Spears, Ellen Griffith. *Rethinking the American Environmental Movement post-1945*. New York, NY: Routledge, 2020.

Steinberg, Ted. *Down to Earth: Nature's Role in American History*. Oxford, England: Oxford University Press, 2018.

Stuessy, Meghan M. "Regular Vetoes and Pocket Vetoes: In Brief." *Congressional Research Service*, (2019): i-4.

Swanson, Frederick H. "Lee Metcalf and the Politics of Preservation." *Montana: The Magazine of Western History*, vol. 63, no. 1 (Spring 2013): 3-23.

Turner, James Morton. “‘The Specter of Environmentalism’: Wilderness, Environmental Politics, and the Evolution of the New Right.” *The Journal of American History*, no. 1 (June 2009): 123-148.

Turner, James Morton. *The Promise of Wilderness: American Environmental Politics Since 1964*. Seattle, WA: University of Washington Press, 2013.

Wild Montana. “Our History and Impact.” Wild Montana. <https://wildmontana.org/history-and-impact/>.

Wild Montana. “Public Lands 101.” Wild Montana. <https://wildmontana.org/public-lands-101/>.

Wild Montana. “Timeline of Wilderness Legislation in Montana.” Wild Montana. <https://wildmontana.org/public-lands-101/wilderness-areas/>.

Williams, Pat and Barrett, Evan. “In the Crucible of Change: Biography of Pat Williams.” Montana Technological University. 2016. https://digitalcommons.mtech.edu/crucible_bios/49/.