

Bill Reffalt, interview Oct. 12, 2006, Albuquerque, NM

Interview consists of 4 DVDs, the audio portion of which is copied onto 4 Maxell C120 audio tapes. This transcription was taken from the audio tapes.

The speaker seldom used the term “going to” almost always saying “gonna” and I have used that term throughout unless the speaker clearly said “going to.” Also “kinda” for “kind of” and “‘cause” for “because.” Although the speaker most often left the “th” off of the word “them” I have not used the slang terminology “ ‘em. ” “Gonna” “kinda” and “‘cause” are not usually recognized in most dictionaries as “real” words, but are used so often in everyday conversation that they are well known and are recognized in the spell check of most computer word processing programs. “ ‘Em”, while recognized by many dictionaries as the dative plural of “he” or “him” (Old and Middle English), is less well recognized by computer word processing programs. . If a word or numbers (tape counter notation) appears in “( )” with a “?” or in pink – I could not hear or I’m not sure I heard it right. Words or partial words appearing in [ ] are ones that I put in to clarify the thought. Proper names that I could not verify the spelling of show up in red text.

Others involved with the interview:

Dr. John Cornely --- Video equipment operator

Paul Tritaik – map roller

Christine Enright – Mr. Reffalt’s wife

Mr. Bill Reffalt is the speaker unless otherwise noted.

Start of Tape 1, first set of tapes; Start of Tape 1, second set of tapes

**BR – Bill Reffalt**

**NO – Norman Olson, interviewer**

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Ok, tapes on.

**NO –** Hello. My name is Norman Olson. I’m a retired US Fish & Wildlife Service employee and a volunteer at the Service’s National Conservation Training Center in Shepherdstown, West Virginia. Today is Thursday, October 12<sup>th</sup> 2006, and it’s about one o’clock in the afternoon. My guest is Bill Reffalt and this interview is being conducted during the Fish & Wildlife Service retirees’ reunion in Albuquerque, New Mexico. Bill is also retired Fish & Wildlife Service employee and we are actually filming this interview at Bill’s home here in Albuquerque. Bill, I wonder if we could begin by having you tell us your full name and please, spell it for us; when and where you were born and raised; when and where you went to college; the degrees you received; how you came to work for the Fish & Wildlife Service; and how you first became involved with Alaska Lands issue during the 1970s.

**BR –** Sure, Norm. My name is William Reffault, although I’ve gone by Bill almost my entire life. And the name is spelled R E F F A L T. I was born and raised in Denver, Colorado, and went to high school there. Joined the military from that post, and then came ... when I came back, I went to school at both Boulder – which is the

University of Colorado – and then transferred to Colorado State University and into the School of Forestry and Range Management at CSU. And that's where I got my bachelors degree, and did some work on my masters. But I never finished it. I had a family and three children and had to ... had to get out and earn a living. So, I moved on. While I was in college, at the end of my first year as a matter of fact, I received a ... an inquiry from Region 1 of the Bureau of Sport Fisheries and Wildlife asking me if I would be interested in being a student trainee at the Desert National Wildlife Range in Nevada, during the summer. And I accepted that position; not realizing at the time that I accepted, by the way, that if I preformed satisfactorily, and didn't make anybody mad, that I would automatically continue in that program and be offered a job when I graduated. But I found that out as I got into the program. And so, ultimately, that's why it was easy for me to continue on. Although I did look at state management, the usual conservation officer type jobs, and so forth, and decided that I wanted to be permanently with Refuges.

So I graduated in '63, and went to Deer Flat National Wildlife Refuge in Idaho – as the Assistant Manager. Um ... as I moved through the system, and continued moving around – 14 times in the first 6 years or 7 years I was with the Service – I ended up at Bitter Lake National Wildlife Refuge here in New Mexico. And then I was selected for the Departmental Training Program, off of the station. And after 6 months in Washington, DC, why, they didn't want me to leave Washington. They tried to keep all the Departmental Trainees and put them into jobs up in Washington. And didn't want to stay – and I couldn't afford it, with my three children and stuff. I ... Washington was awfully expensive. So I told them I had to come back to ... to the Region, and they said, well, you can't go back to Refuges. So I got the assignment with Federal Aid, and came back to Federal Aid in Albuquerque; and spent about a year and a half, almost two years, there. And then I transferred back to Refuges in the Regional Office here, just before they dissolved the 8 state Region and recreated the 4 state Region.

And it ... it wasn't very long after that ... I did ... I transferred to Refuges in approximately early '71, and suddenly, in late December of 1971, I get a ... a telegram requesting my presence in Washington, DC, with the ... with the Division of Refuge Management, to work with Larry Means – Robert L. Means, actually – on implementation of Alaska, on a two to three week detail. And so the Regional Office agreed to it, ultimately, and I went in – probably the second week of January 1972, which was a little less than a month after the Act passed – the Alaska Native Claims Settlement Act [\[ANSCA\]](#). And we'll get into what that Act did. But, that was my first involvement.

And between then and ... and about July of 1973, I went back in there about 6 or 7 or 8 times; anywhere from two weeks ... I think my longest stay was four weeks; again working on and becoming more and more and more familiar with what was ... what was being called for. So, it became easier and easier for them to ask for me, and harder and harder for me to say no. Because ... it is a very complicated Act and ... and it requires certain things, and once you learn those things, why, it ... it's harder for them to try to replace that background. And so, it ... it's just like I said.

It's sort of like ... it was a train running down a track and you got on and you sort of stayed on unless you got ... either fell off or they pushed you off.

But that's how I came to be involved. Um ... and ... and I started working, again on assignment, with Larry Means who was ... Robert L. Means – he was with Fish & Wildlife Service for a number of years, Refuge Manager in several stations. I think his last refuge station was the National Elk Refuge in Wyoming. And then he went to Washington in the Planning ... in the Planning Branch of the ... of the Refuge Division; and where he worked for one Harry Crandell. And I bring his name up because it will come up again in this conversation. But ... even before the Act passed, I'm not exactly sure when, but I believe sometime in about 1969 or 1970, when ... when it was clear that if the Alaska Native Claims Lands Act, as they were calling it, was actually passed, there was gonna be a provision in there that called upon the study of all the lands in Alaska with the possible future recommendation for national parks, national wildlife refuges, wild and scenic rivers .... And ... so they assigned Larry to track the legislation; become familiar with what was going on; sort of monitor and keep involved with it. And when the Act actually passed on December 18, why, he sort of was able then to hit the ground running. The Area Office in Alaska, also, was hitting the ground running. And by January of '72, when I ... just shortly after I first went in there – it arrived while I was there, there was an entire package of materials – about 150 pages or so of materials, and I have a copy of it here – that was sent in by the Regional Office, which identified interest areas for the Bureau of Sport Fisheries and Wildlife all over the state of Alaska.

And those interest areas were identified because of the expertise of the personnel of the Bureau of Sport Fisheries and Wildlife who had been in Alaska – some of them for 25 / 30 years. So, they put that package together, running like mad. The Park Service and the Bureau of Outdoor Recreation, neither of which had offices in Alaska, both established offices in January of '72, and ... and turned loose teams of their own. The Park Service had some experience in Alaska that dated back ... I think the Sitka Monument was established around 1909, but that wasn't their main involvement. I think McKinley National Park, which was established in 1917, gave them a presence, and ... and ... and some of their personnel were quite knowledgeable about Alaska. But, in any event, they had to send ... they had to pick people and send them up there and so forth. They were just a little bit behind.

The Alaska Native Claims Settlement Act ... I think we probably need to discuss just a little bit what it ... what it did, and why it did it, as we go on. The ... the Native Claims Settlement Act was destined to happen sometime ... beginning in 1884. At that time, shortly after Alaska was purchased from Russia, the Congress of the United States, in trying to implement and ... and deal with this new territory, or possession as they thought of it at that time, it wasn't even an organized territory, and the Organic Act [\[was\]](#) to sort of make it a territory and treat as a little bit more like a territory, they recognized that there were long standing aboriginal claims to land occupancy, and to the use of the resources of those lands. And they ... they felt they had to do something with it, and so they put a provision into the Alaska Organic Act that said that ... that the Alaska Natives claims would be dealt with by the

Congress of the United States – nobody else ... the territory couldn't do anything about it; the state couldn't do anything about it; or whatever. That they would take care of it.

Well, as is not untypical for our Congress, things then languished for three quarters of a century, and they didn't really do very much about it. The Natives themselves were not an organized entity, because there are four major tribal divisions – some would even say more than that – but there are at least – the Aleut ... or, yeah, the Aleuts in the Aleutian Islands; the Eskimos, broken into two major groups – the Yupik Eskimos and the Inuit, the North Slope; and ... and the Indians, which break into several groups – the Haida, the Kutchin [Gwich'in?], and at least one or two other subgroups, in southeast Alaska. And they had warred, as many Indian tribes did throughout the United States and elsewhere. And weren't terribly friendly, although they did have trade arrangements and so forth.

But, as things continued to press upon them, beginning with the Statehood Act, which was passed by the Congress in 1958, signed into law by President Eisenhower in January of 1959. As that happened, and the state moved forward in ... it's extraordinary Statehood Act, which I'll have to talk about in a minute ... but as they moved forward, they started impinging upon the Natives. They started impinging upon their lands; they started impinging upon the areas that they used for subsistence. This whole modern entity was coming down on the Natives, and they really weren't prepared for it. And they didn't like what they saw at the first. And then, of course, the federal government was pretty heavy handed also – and had been for a long time.

So, the Natives ... I think there were a couple of things that happened that sort of pushed them over the edge. One of them was Project Chariot. And Project Chariot, for those [of you that] don't know or remember it, is one of the peaceful uses of the atom bomb that we tried to work on back in the very early ... late '50s and early '60s. Project Chariot would have exploded an atom bomb just off of Cape Thompson, in northwest Alaska. And by so doing, it would create - in theory - a deep-water port. In case you want to know where Cape Thompson is, it's right up here. Now, normally the sea ice comes down as far as somewhere in the vicinity of St. Lawrence Island – here - sometimes coming all the way down to Nunivak Island, but not as frequently. So, and there is no deep-water ports all along this coast, after ... frankly, after the Aleutians, this all becomes fairly shallow all the way up through there ... and all of this has ... has ... you have to use littering to take goods and services into these ... all of these areas. So, a deep-water port here would have permitted resources throughout the north ... the theory was ... the resources throughout the north ... and there is a huge amount of coal, which is basically uneconomical because there is no way to get it out. And so Project Chariot, I think, was aimed at things like that.

But, Project Chariot as ... as you might imagine also scared everybody. And particularly, it scared the Natives up there. And they found themselves bonding

more and more together; the issues were becoming a common threat and ... and eventually a brotherhood grew out of the Project Chariot ... a Native brotherhood.

There were other things ... there were ... there was a major proposal, after the state had selected some lands over by Fairbanks, there was a major proposal to develop a ... a normal white mans recreation area on that site. And it turns out that the site was ... just considered a vital subsistence area for the village of Minto. And ... and so they started fighting that and they ... they gathered forces and ... and, of course, got some white interest also, but it was mostly a Native kind of thing and ....

And then of course, in 1968 they discovered oil on the North Slope. And the trouble with discovering oil on the North Slope - right up here - is that you immediately have the problem of how do you get it out. And you have to use ice-breakers if you're gonna ... if you're gonna try to do it by ships. And again, you've got all those shallow waters; you've got that ice. You've got 200 miles, or more, of ice. We don't have any ice-breakers in our fleet, and have never had an ice-breaker in our fleet, that could go through that kind of ice - that far. So, ice-breakers were being looked at, but they weren't considered the best option.

The resource, as the oil companies knew but nobody else did, was huge. It was an extraordinarily large field, what they now call a 'super giant field' and ... and probably had somewhere between 20 and 25 billion barrels, in place resource. Primarily oil hydrocarbons, although it also had gas. They were ... they expected initially to be able to recover between 8 and 10. That would be a normal recovery rate. But that's 8 or 10 billion barrels. We don't have any other place in the United States with that kind of resources.

So they had to move a lot of oil. And it was going to be an enormously wealthy kind of thing to do.

So the other option was to look at an overland exit. And that's 800 miles from up there to down here, to the deep-water ports that are ice free. There was another possibility to come down around these mountains and through them and over to the McKenzie Valley. And there was a proposal that might have taken it along the coastline. But both of those would have put our oil shipments into Canada, and there was a bit of unease with doing that. The other route, the one ... the all Alaska route, had the ... had a lot of benefits, including all the jobs to Alaska and so forth. It had the downside in that it was going to have to travel across a huge amount of lands that were claimed by different Native entities. And although, at first, the Natives kind of went along with it, or at least didn't raise huge Cain, before they ever put the first pipe in the ground, the Natives had filed over two hundred lawsuits that threatened to stop the oil pipeline, no matter what the Congress did, for years and years; make it even extraordinarily uncertain, or even stop it - period. And so that pushed the Natives finally over the full edge. They formed the Alaska Federation of Natives. They organized, and they started learning how to get along together. And as they did, they became a stronger and stronger entity among themselves.

So, that's the kind of pressure that eventually came to bear in passing the Alaska Native Claims Act.

Meanwhile, let's go back and take a quick look at the Statehood Act, because in my ... in my personal opinion, and I think it ... I have ... I could give you names of other people that would agree with me, wholeheartedly, the Statehood Act is what tipped and started this whole thing. Yeah, Prudhoe Bay had its role. There's no question about it. But the Statehood Act, which began implementation in 1959 ... by the time this was happening – in 1962 on Project Chariot, and 1968 on Prudhoe Bay, sometime in between there for the recreation site and some of these other things that pushed the Natives together – the Statehood Act allowed the state of Alaska to go out and actually select the lands that would be state lands under the Act.

In our entire history, there's only one other state that had that kind of allowance, and that was Nevada – only after Nevada had gone back to Congress, after its original Statehood Act, and petitioned them to give them selection rights rather than force them along the line of the traditional statehood act land ... land give. Normally in America, from the eight ... 1787 Ordinance onward, the states – the new states as they came into the Union, although they were considered on an equal footing with all the other states – were given, for various purposes but primarily for roads and schools ... the development of roads and schools within their territories ... were given two sections of land – Section 16 and 36 of every township. Wherever Section 16 and Section 36 fell; if it fell in the middle of a lake – that's what they got. If it fell on the top of a mountain – that's what they got. If it was in a dry gully – that's what they got. And that was the way it went.

As we moved to the West, and got into the really arid states, they did get magnanimous in the federal government and up in Congress, and they started giving first three, and then ultimately, four sections. So some states, like Arizona, got Section 16 and 36 and Section 32 and ... I can't ... I think it [was] 22, but I can't remember it for sure. But four sections. Under any of those scenarios – four sections [was] the ultimate. Alaska would have been eligible for about 42 million acres of land.

But, no. That's not what Alaska got. Alaska got 102 and a half million acres selection rights, without ever asking for it. When Nevada asked for it, they had to give back half of their total in order to get pre-selection. So, whatever Nevada's was – it was about 3 million acres – they had to give back about 1 and a half, and they got one and a half of selection rights.

Selection rights were a biggie.

And so, Alaska got 102.5. Plus they already had about a million - slightly over a million - acres of various lands that had been transferred to private ownership, community ownership, etc., over the course of time. And they were given an additional 800 thousand acres – 400 thousand out of the forests - national forests,

and 400 thousand out of the BLM, for community enlargement. When you added it all up, Alaska - at statehood - got over 104.6 million acres.

That's bigger than the state of California – entirely. So, it was a very generous grant.

But that isn't where it stopped. There were – and I won't go into them – but there were, literally, an entire page full of special provisions. Including the provision that allows Alaska to get 90% of the rents and royalties from all federal oil and gas leases. Which is a big deal. And it saved the state of Alaska, at one point in time, they'd become somewhat arrogant with it, and the Congress has ... has cut it back in petroleum reserves, when they opened the petroleum reserve. But, it's still a big deal.

And it ... the rationale that was used was that Alaska was not a 'reclamation state', there weren't going to be any Bureau of Reclamation dams in the state of Alaska. And in the ... throughout the other 49 states, the funding from oil federal land and gas royalties, I don't remember the numbers any more, but some percentage of that - about 37 and a half percent or something, go into the Reclamation Fund, which goes into creating reservoirs, dams, and so forth, for irrigation districts out across the West. And Alaska wasn't going to get that, so they took that 37 and a half percent and gave it to them in money, directly out of the oil and gas rents and royalties. Which is ... it could be extraordinarily sizable. They also allowed them to select lands that had potential – high potential for oil and gas. Other states weren't allowed to do that. States were not allowed to go into a known geological structure and select lands – because they didn't have land selections, to begin with. I think if their lands happened to fall there they got it, but there was no other way for a state to actually go in and ... and take on federal oil and gas. That was kept for all the people of the nation. Except in Alaska. And there was other provisions. Alaska just got one monstrous bunch of benefits.

But there were some caveats in that original Act, and a couple of them have been very important to us, so I will mention them. They had what they called the PYK line, which is ... which stands for Porcupine / Yukon / Kuskokwim line, which starts right here, flows down Porcupine River, hits the Yukon River on the north side - ten miles north of the river, follows it all the way down here - to the 161<sup>st</sup> meridian approximately, cuts across to the Kuskokwim River, goes out to the Bay, cuts directly into Bristol Bay to about here, then cuts directly back east across the Alaska peninsula, and then goes southward – into oblivion, I guess. And, all of the lands to the north and west of that line, in the Statehood Act, required that the Secretary of Defense and the Secretary of the Interior approve any land selections by the state of Alaska.

Now, I can imagine what it did to the Alaskans ego to have that happen to them, but then here they were getting all 104.6 and blahdy blah and blahdy blah. So, I'm sure that they screamed and yelled and kicked and did whatever they did. This was our national defense purposes ... protection, so that the military, if they wanted a piece

of property within that area, they'd be able to make exclusive federal withdrawals, and put in military bases or whatever, and they wouldn't have to worry about conflicting with the state. Ultimately, the state agreed with to PYK line. But it was still very awkward for them. And you note that the whole North Slope was in the PYK line.

Nonetheless, everybody knew that there was high potential for oil up here on the North Slope, and that was why, since 1962, up ... in fact before 1962, in 1942, at the beginning of WWII, the ... the entire Petroleum Reserve – they called it Pet - 4 NR [Naval Petroleum Reserve #4] in the first ... We had a series of petroleum reserves in a ... in the United States, and PET - 4 is a 23 million acre area right up here, on the North Slope. And the reason we had that is because some of the Eskimos in the area had pointed out for the white people that came up there, seeps on the surface of the soil in several places, where you had actual petroleum product coming up and seeping out of the ground. And in 1923 ... wasn't Calvin Coolidge, it was that other president back in '23, that set the whole reserve aside for possible use by the Navy, because we were converting our Navy from coal to oil, and this was going to be a potential reserve for the future. So all of that was over there, and was unavailable to the state. But, there was this other area, and they ... they went ahead and had a tentative lease and exploration going on, which lead to the 1968 discovery.

But all of that pressure also meant that they were out here selecting lands – particularly in and around Anchorage, and down on the Kenai Peninsula, and then some other areas – which were removing lands that the Natives had used for generations – and had used them for everything from their subsistence gathering / hunting / fishing and so forth, to just travel / transportation / interplay between villages. And they were being cut off by all of this state land selection. And they just felt the pressure of a vice sort of coming around them in all these places. So, very much so, the Statehood Act had caused unrest in the Native community. The feeling that if things kept going, there wasn't going to be anything available for them, and they wouldn't ever get their claims, and blahdy blahdy blahdy blah. All of that helped, very strongly, to lead toward this 'federation of Natives.' So, with those two things happening, the pressure on the Congress to do something about the oil transportation system – the pipeline as it turned out to be – which the Congress immediately wanted to do until they found out that it wasn't going to be that simple. There was a petition filed for a pipeline, I think in ... 1969, in July 1969, so it was just about a year after the discovery well was drilled. But it couldn't go anywhere because, by that time, the Natives were very upset, and they had been filing lawsuits everywhere they could.

There was one other set of actions that are very important here. Stewart Udall, Secretary of the Interior under President Kennedy and President Johnson, was quite sympathetic toward the aboriginal land claims. And very concerned that all of this stuff was happening, and it was removing options for the Congress to come up with a logical settlement for the Natives. So, beginning in 1966, when the state started to lay down a large block of land selections throughout the state, Udall balked. And

... and he had some support up on the Hill. And he put on what was known as the 'land freeze.' Now, of course, in 1966 his authority to put a land freeze, of any wide magnitude and any great duration, was extremely limited. You didn't have the BLM Organic Act. You didn't have a lot of other tools that, today, we look back and think nothing about. But, when he did that, it was ... it was ... he had some limited limitations on his authority. So, he did it in 1966. But then he had to keep renewing it. He had to keep finding other avenues, other pieces of BLM law, some of it very antiquated, to try to continue keeping the state from asking for land transfers and making new selections and so on. And ... but this was irritating, as you might imagine, to the state – quite irritating to the state, and some of its friends in Congress.

So there ... there were ... by the time that the Native Claims legislation actually got started, there was both a great reluctance on the part of many of the key senators, and of course the state of Alaska, and a lot of other people, that said, 'well, you know, if the Natives need a few million dollars, give it to them, but then let's move on.' Well, the Natives didn't want a few million dollars. They wanted land. So they started fighting for it, and especially in 1969. And it got more and more and more; and there were huge pressures brought to bear. And I had one resource that ... that gives a very good account of all that, and that's this book by Mary Clay Berry, which was very well researched, called *Alaska Pipeline: Politics of Oil and Native Land Claims*. And it ... and it's the best source of telling you where all the pressures were and who did what and names all the things and so on.

But it's very important to understanding how the Claims Act kind of forced its way out this little narrow pipe at the end of this huge, big 48" pipeline. And the ... the settlement that they finally got, and the one that we had to deal with, was 44 million acres of land – when you add everything together. The actual Act says 40 million acres, but the Act also recognizes that they could take their previous reservations, which was 4 million acres of land. And then there were a whole series of strictures and allocations. So you had about 22 million acres going to the village corporations, which they ... they positively had to incorporate. They could go non-profit or they could go for profit, but they had to become corporations, which was a thing the Natives had a hard time coping with, mentally. And then they had the regional corporations, which some people insisted would form the economic mechanism ... that after the actual money that was given to them – 967.5 million dollars or somewhere thereabouts, in the Act – part of it coming from the state and part – most - of it coming the Feds – after that was allocated, then they ... there needed to be both mechanisms for investing that wisely - not just handing it out to individuals, but then also they had to have ongoing economic viabilities.

So they're hoping that these regional corporations would become strong, economic bases – similar to the corporate structure outside. With limitations – they ... they couldn't sell their shares and they had to operate within the guidelines of their ... their members were in fact, the enrolled Natives from within certain identified geographic areas. The Natives themselves got 100 shares of stock for each person that was alive on the day of the passage of ... or born on that day, you know, the

passage of the Act ... which was December 18, 1971. And that was to be the shareholders. It didn't deal with any Native born after that date, so they've had to ... they've had to figure out a way to deal with the newer Natives.

But, in any event, they got 100 shares of stock in their village corporation ... that they decided to enroll to, and 100 shares of stock in the regional corporation. If you were a family man and you had a wife and five children, you got 700 [phone ringing] shares of stock – altogether - you know, each member of your family, [phone ringing] in that persons name, got these ... these shares of stock. Well, they didn't know what do with these shares of stock, and they could vote them the same way normal corporate structure, which is very arcane and very complicated. And man, they didn't learn any of that for a while. All of that had to be learned. And they had all that pushed on them.

So the Claims Act, at the same time it gave them what looks like a tremendous lot in benefits – certainly no other Native tribal entity in America got that kind of deal. I mean, even the Navaho Reservation, as huge as it is ... is ... is not like what this thing did. But still, there were all of these arcane provisions. And even when I got involved in 1972, and started talking with Native representatives that were coming in and talking to us on various matters right from the start of my details, it was apparent to me that they didn't even know, really, what land area meant in boundaries, and what package of rights and benefits went with land, and what package of responsibilities. And things like the easements – there were requirements in the Act that called upon the Department of Interior to ... to decide which public easements must be placed on the Native lands, so that people could actually plan on crossing the Native land. Because they ... some of these places ... otherwise, it would stop all traffic at certain points, and they could put toll bridges or whatever. So ... they ... those were arcane principals that the Natives, clearly, did not understand at the time.

So that ... responsibilities that rested with the Natives were awesome, in and of themselves; to learn all of these things. And they were given the charge to enroll, decide which village they wanted to become a member of. Enroll, get all that signed up. Then they had to join together, make land selections for their village. Make land selections for their regions. The regions ... the regions got the subsurface lands under every village selection. So if the village selected there, the region got the subsurface land. The villages got no subsurface land. So they've got that problem of ... of split estate. And it's caused some serious rubs since then.

The regions also got, under the formula, a certain amount of surface and subsurface land, some of it being dictated in the ... in the law, where they used, as we typically did, they used a checkerboarding.

And I might go to the maps for just a little bit of time, here, but ... The concept of checkerboarding goes way, way back. And it's caused problems for America, as far as I know. A ... although it's ... it's had some side benefits, I suspect, but it certainly ... The first major use of checkerboarding that got everybody's attention was when

we ... when we gave land to the railroads, to build railroads from the eastern transportation systems, about the Mississippi River, to our west coast. And there wasn't any money to do the job, and so we couldn't give them monetary incentives. And so they gave five major railroad corporations these huge land grants, on a checkerboard basis, along their rights of way, for 30 miles on either side – which is a huge swath of land, gigantic amounts of land, in checkerboard fashion, on every checkerboarded section, alternating. And they were ... they ultimately sold those. They ... there were land schemes; there was all kinds of things that went on.

And all the evils of checkerboarding were known from that time – which was in the 1850s, forward. So we knew that there were evils of checkerboarding, but they went ahead and used ... and used checkerboarding.

So, let me take a map or two off of here [lots of paper / map noise] and go through them just a little bit. And then put that behind you on the case. [Lots of paper / map noise] Um ... I won't stay up here too long, but this is essentially what Alaska looked like in 1954. Almost no transportation structure, and what transportation structure there was, was all centered in ... in this area. The red lines are ... are roads and the rest of Alaska consisted of all these little red airplanes. The little red airplane figure says there is some kind of an air ... field ... runway, in all of those places.

And, as I said, there about 220 bush villages. There are 220 listed in the Alaska Native Claims Settlement Act, and so there are approximately 220 of these little red airplanes on this map. Ok? And they ... they're all over the place. Now, some of those little airplanes mean that there's about ... a one thousand foot airstrip is what it is, and if you've got a Super Cub you can land on it. Otherwise, you'd better not try it. But, nevertheless, that was the basic infrastructure of Alaska, as we typically look at a ... at a territory or state in 1954.

[Lots of paper / map noise]

Yeah. That's not gonna work quite as well because the map's smaller, but this is the ... this is the state of conditions in 1971 September, which was just immediately before they passed the Alaska Native Claims Settlement Act. So this is what the state land ownership and pattern looked like.

Let me explain a little bit. Here's the Naval Petroleum Reserve #4 [Pet-4 Nr] I mentioned – about 23 million acres. Here's the area across the center of the ... had been tentatively ... it was not patented to the state, but it had been tentatively approved to the state of Alaska. Here's our Arctic National Wildlife Range, which was 8.2 million acres, I believe it was. Then these check ... these cross hatched areas here and here, and I ... and the two yellow areas are BLM lands that were under the classification of Multiple Use Act of 1960 ... had been placed ... '62, I guess it was ... had been placed into ... these were pending classification and these were classified under that Act, which put them into a special category.

This was the other impending project that I forgot to mention. I meant to. I couldn't come up with it when I was talking, but the Rampart Canyon Dam. Ten and one half thousand acres – 10,500 acres – of ... of inundation; would have covered up 6 villages, lived in by 4000 / 5000 Natives; would have generated a huge amount of electricity, for 100,000 / 200,000 people. But they didn't need that much of electricity, so what were they going to do with it? The Fish & Wildlife Service took a very, very strong position against that. But that all occurred in the ... in the 1960s, again. And was another project that scared the Natives, for sure. I mean, that somebody could just come in and flood their homeland – as it would. It would flood the entire homeland that ... two Gwich'in subtracts, up here in the Fort Yukon area and down to Stevens Village. So Rampart was a big deal.

Rampart also meant that this land was classified in a certain fashion at the time that the Native Claims Settlement Act passed, which put it special ... into a special category, which is why I mention it. Then these other kind of browns and taupes are ... are state selections. The greens are various kind of parks; and here's Kenai National Moose Range; and here's the Kodiak National Wildlife Refuge; and Katmai; Mt. McKinley; Glacier Bay. And here's the southeastern forest – the largest national forest in the system at ... well, even today, it's over ... it's about 16 million acres. And then, of course, the Aleutian chain, which starts right here, below Izembek, and runs all the way out to the far end of the Aleutian chain – a 1000 miles – which was set aside in 1913 as the Aleutian Islands National Wildlife [\[Refuge\]](#).

So that's about what the state looked like. Here is the corridor that was hypothesized in 1969, after the permit application came in. And, you can see, it courses through an awful lot of lands. And there were Native villages all up and down along there. And ... and so, there was going to be a real struggle. But this is the conditions of things just before the Native Claims Act passed.

[\[Lots of paper / map noise\]](#)

You know, even though this thing is dated up here – 1971 October – I think it was later than that.

But this shows some of representations of the initial identification of areas of interest. In this particular case, it was the National Park [\[Service\]](#) areas of interest. And so fairly early on, you can see that they were interested in some area here, and ... and Skagway, of course, this was a ... an historic park where the ... where the main gold rush happened; and here was the Wrangle-St. Elias; and additions to Katmai; additions to McKinley; there's the big Brooks Range; and Lake Clark. So these were their initial identifications. There was a similar map for the Fish & Wildlife Service. And I don't know whether I've actually got it. I think our legs giving out on us over there.

[\[Lots of paper / map noise\]](#)

Ok. This one's harder to see, I know, but this one shows the combined Fish & Wildlife Service interest areas and Park Service interest areas. So I ... I'll point to some ... here was a major Fish & Wildlife Service interest area which was associated with the Artic Range extensions. And then of course the ... the huge Gates of the Arctic; the Kobuk Sand Dunes, and Kobuk area in general; the Seward Peninsula; the Yukon Delta; interior basins – which were extremely important for water fowl; the Lake Iliamna / Lake Clark areas – which are ... a huge recreational draw, is what it boils down to. And then the south side of the Alaska Peninsula, which became an interest area for the Fish & Wildlife Service; the Togiak region for Fish & Wildlife Service; St. Lawrence Island was a Fish & Wildlife Service interest area, but it turned out to be a previous Native reservation. So again, you're ... you're starting to see how ... and here's the Lake Clark Park proposal. And there were already starts at identifying island groups that the Fish & Wildlife Service was interested in – from colonial nesting birds and ... and certain water fowl.

[Lots of paper / map noise]

I think that's probably the same thing with the titles of them over here and the areas are numbered. So, it's just a ... probably something a little bit better to be seen (-?-) by the video, but it's essentially the same thing.

**NO** – You're starting to see places like Yukon Flats, Koyukuk, Innoko and ...

**BR** – Yeah this is Yukon Flats. And here's Kanuti; here's Nowitna; and this is Innoko. This is Nowitna, Koyukuk, Selawick, the north side of this ... of the Seward's Peninsula, the huge Yukon Flats, and then this whole region here - were all Fish & Wildlife Service interest areas – plus extensions to the Kenai Moose Range. [Lots of paper / map noise] These maps, by the way, were used in the initial briefings that were being prepared. These are some of the things I worked on when I first went in ... on detail, as information was coming in from Anchorage ...and then, we at ... we were responsible for taking it up to the policy makers. But shortly after the act passed ... the act passed in December of '71 ... and January 15<sup>th</sup> of '72, the Secretary of Interior at the time, which was Rodger C. B. Morton, established a task force, an Alaskan Task Force, of all these policy people that he wanted involved – both in implementing the Act and in making policy decisions as related to the Act. The other thing that the Act did, that I didn't mention, which is important, is it ... in Section 17 ... which contains the language for doing all the studies, and it also contains the authority, and the language for the authorities, to withdraw huge amounts of lands, which we'll talk about very shortly. But in addition to that, it created a Federal / State Land Use Planning Commission for Alaska – which was to be a temporary body of the combined federal / state, to stand off, just a little bit to the side of the Interior Department, and act as an advisor.

And so this ... this body, which spent an awful lot of money, and had at one time a huge staff, because they were given the ... the option of taking people out of the agencies - with the agencies continuing to pay for them, and work as staff to the ... to the planning commission. And the planning commission was a board of about 8

or 10 people that were selected by either the federal side or the state side. And they became an interesting adjunct factor in the whole panoply of movement. They didn't really have any responsibilities per se. They were given some broad charges in the Act, and so they could, within those charges, sort of do whatever they wanted to. And they developed a huge amount of materials; put out a whole bunch of publications. They did some very worthwhile things in terms of inventorying and accessing lands. But they also came up with a fifth system concept of a cooperative land system. Ultimately, that would have been under the charge of a continuing Land Use Planning Commission. So it was also a ... a self perpetuating body.

Ok. This is January 72, so this is just as the Act passed. And there is ... there is some differences in what you've seen before, although a lot of them are subtle. The state had laid in some more land selections, and so they had put in a whole bunch ... these were just selections, they hadn't moved anywhere through the process. But, in spite ... in spite of Udall's land freeze ... Udall's land freeze did keep them out until the Act passed. But, it gets a little bit complicated. The ... the state of Alaska, in its Statehood Act, has a provision that ... that there's a delay for any major federal land withdrawal to take place. There's a little bit of a lag and a delay that ... that goes into place, to give them time to react to it and so forth. 'Cause they had always been worried about these instant land withdrawals by the federal agencies. And there were quite a few, I mean, I can ... I can point out that in ... as early as 1908, the federal government withdrew about 15 million acres on the Yukon Delta, by Teddy ... and Teddy Roosevelt signed the paper that created the first big, huge, bird reservation up there. The state eventually bad mouthed that thing and threatened all kinds of things. And so, in 1921, they un-made it and dissolved it. And we put it back together, and extended it a little bit.

But, in the meantime, Nunivak Island was reserved, the Aleutian Islands were reserved, other places ... other islands were reserved in Alaska; and some areas other than that. And both the state and the Natives were a little bit sensitive about that. But, when the Congress passed the Native Claims law, all these little red squares that you see here with ... you can't see it probably, but they have red square-ish like lines around them. These are ... these are withdrawals that were made in the Act. These are the village selection withdrawals. And so here's the core township - the red square is 23,040 acres in size - that little square - and then there are two tiers of townships surrounding it ... circumference around it. And within those two tiers of townships, there was to be a checkerboarding by the villages and the regional corporations, for their primary land selections.

Now, if they couldn't get enough lands to satisfy their particular eligibility, then there were to be other areas withdrawn, under other authority, as close to these lands as you could get it, on public lands, and from which they would take selections. And those areas were called 'in lieu' selection areas. And they had ... they had to be three times the amount of land that was ... that was ultimately going to be selected, so that the Natives would have a choice. They didn't want to just have the government decide, 'ok, here it is, here's what you're gonna get.' So they gave them three times the amount of land, and they could go in there and select.

What that obviously meant was there was going to be a huge amount of land tied up for Native selections that might – would, in fact, would – not just might – would – go back to the federal government, or be made available for state selection, or whatever. So there was ... that led to a lot of politics, I might ... I might say. So, what you've got here is that plus these red lines which demark the regional corporation's boundaries. There were 12 regional corporations in the state of Alaska, and the allowance for a 13<sup>th</sup> region, which was at the choice of all the people that lived out of Alaska but were eligible Alaska Natives that wanted to incorporate into a 13<sup>th</sup> region. One of the other big deals about the Native Claims Settlement Act, which has come into play over and over and over again, were provisions that ... that tried to work out some kind of a resolution between the haves and have-nots.

Everybody knew that there were certain of these regions that were going to be far wealthier than other regions. For instance, the North Slope Natives were ... were setting up here with this potential oil and gas basin here, and potential oil and gas here. Whereas the Yukon Delta – which was a very low quality, secondary basin for oil and gas, and where there's over one third of the Natives of the state live, out here, in 55 villages – they were probably ... they couldn't even find a Korean company that was interested in coming and making toothpicks out of their black spruce. Their economic possibilities were just pretty minimal, is what I'm saying. So they knew that when they ... when they settled the Act.

And so what they ... what they tried to do in the law, was to figure out mechanisms where there would be kind of a sharing arrangement. So one of the things that's required in the law is that when a corporation - regional corporation - develops its land resources, 70% of what they get from that is shared among all the other regions and only 30% comes to the home region. And boy, that has caused some interesting stuff.

There's also sharing between allocations; between the regional corporations and the village corporations. The money comes through the regional corporations, so they actually get it, and then they allocate it down, according to what the law says. The idea was they wanted to give some amount of money - direct benefit - to the individual Natives, because they do live in ... in pretty severe poverty, according to our standards. I'm not sure they've necessarily felt that poverty entirely. But ... but anytime somebody comes with a greenback, you'll probably take it. So they wanted some money to go down, but they didn't want to burn up the whole 967.5 million. So they had a filtering system there, with some of the money to be invested and some of it to go on down. All that is played out under what you see here.

The other main thing that you see here is that the ... this was considered a very important area both in oil and gas standpoint, and then also, its relationship to the Bearing Sea, which is also believed to be a major oil and gas basin. And so this is where the facilities would be probably be sited. And for that reason the ... the state laid a whole bunch of selections down there at a very early date.

**NO** – We're down to one minute on this first cassette.

**BR** – Ok. Well, I'll end it by saying, in January, right after the Act passed, the state tried to lay down 42 million acres of land selections. And they said they were eligible to do that because this 90 day freeze that the Act put on them had to have a delay. The DOI, of course, argued against that. And it was eventually settled in 1972. But it was settled only because the Department didn't want the state just blowing this whole thing out of the water for years and years as we went through a lawsuit. Not because there was any chance that they were actually going to win it. But they did end up giving them some of the selections that they asked for, and that's what you see ... that's why you see some of these new areas show up. Ok?

**NO** – Ok.

End of Tape #1, first set of tapes.

[Although the interview on the second set of tapes is identical for the most part to the first set, there is a small amount of conversation on the tail end of second set of tapes that is additional to what was on the first set. It is included here. This conversation blends into the start of Tape #2 of the first set.]

**BR** – How is that going? Is that the sort of thing you want?

**NO** – Exactly! It's perfect.

?? – Well, we can keep doing that. You've got ...

**NO** – Oh, yeah. No, this is ... this is exactly what I was hoping for, so ... and you know it much better than anyone else here, that's ...

[indecipherable, far off conversation, map noise]

**BR** – I know that I'm jumping past some of my stuff and then having to come back and try to pick it up. I'll ... I think I've got ... au ... I missed the 900 million dollars. Ok. Well, we've actually changed the maps since ... since the moment ago, but this then is a March 1972 map ...

Start of Tape 2, first set of tapes. End of DVD #1

**BR** – ... which shows one of the things that the Secretary was able to do. As I said, everybody seemed to hit the ground running. The Natives probably had the worst of it, because they didn't really understand a lot of the things that they had to do.

But state certainly hit the ground running. They had been monitoring all their stuff, and they wanted a whole bunch of things. And so, in January of '72, they laid down

a whole bunch of selections. And ... and the ... of course the Secretary refused them. But then the state turned right around and went into court and filed a lawsuit. And the only problem with the lawsuit ... I was ... I was in there and all the conversations and the discussions and the analyses that went on. And there was almost no way that the state was going to prevail in a court of law. The ... the Act was clear. The mandate from the Congress, the power of the Congress to do what it did, all of those things were extremely clear. And there was a 90 day freeze placed on all the lands in Alaska – by the Congress. It was an extension of the ... of the Udall land freeze – the last one he put in place in 1969, which said that there won't be an oil transportation system until the Native Claims Act gets done. And tried to freeze it at just the ... the state selections at that time, which were ... oh, somewhere less than 20 million acres. I think it was somewhere around 16 to 20 million acres, at the time that the Statehood Act ... I mean, the Claims Act passed. Then they came in with [\[End of Tape #1, second set of tapes.\]](#) 42 million acres of selections and were demanding that, or they were going to stop the whole thing.

And so, in the settlement that came out and it took from ... they filed their lawsuit, I think, in April of '72, and it took 'till September to work out an agreement. But the agreement that they worked out took them out of ... of some of the national interest areas that were going to be studied for parks and refuges. It took them out of many of the Native areas that they were to be in conflict. And it allowed them in to some areas that they wanted very badly. So, you see on this map some new state areas in blue.

And there three shades of blue. There's the dark blue, which is 'patented' land. There's the intermediate blue, which is 'Tentatively Approved,' which is one step of movement by the federal government, which accepts the state land selection, goes through and makes a preliminary check of the records and files, at the Bureau of Land Management, and determines that there's only conflict with other land selection rights and so forth, in these specified areas, and therefore moves this into a category waiting only for the state to say 'we want you to patent that block of lands right there.' That's ... and to make a final determination about conflicts with other entries. So TA lands – 'Tentatively Approved' - are believed to be at a stage where the state can actually take certain actions.

For instance, these were 'Tentatively Approved' lands at the time of the oil well was discovered, and that ... the leasing that went on right after the oil well ... there was a huge lease sale, that uses all these dark blue lands up here, in 1969, in which the state ... and here's a state that its total state product - net state product, or gross state product – actually, I think it was the gross state product, for 1968 - was 1.2 billion dollars. In January of 1969, they had a lease sale on the North Slope - up here - that brought in 900 million dollars – in cash.

You can imagine what some of the Alaskans were feeling about that moment in time. So ... but those were only 'Tentatively Approved.' And so there could have been a challenge against whether 'Tentatively Approved' was good enough for them to do all that or whether there was some kind of a residual federal ownership or

national interest or whatever. So they wanted that patented to them. And that's why it went to patent, because of that filing, and the selec... and the settlement. And some of these other lands that they wanted, particularly down in this area, again, were areas that were either of interest for them from an economic oil and gas / fisheries / port siting / on shore support facilities, things of that nature, around the state. And ... and they could have complicated ... again, the lawsuit that they filed could have meant that the entire Native Claims Act had to be delayed for 2 to 4 years. Well, you know, that just wasn't going to work. So the Secretary settled with the state of Alaska.

Also by this ... by this ... all these action that were going on, it was decided that the Secretary had better move quicker, rather than waiting and doing it slower. In the law, he was supposed to take up to 9 months before he needed to identify and withdraw the so called 17 D2 lands, which was shortened in everybody's lexicon to 'D2.' So when anybody says 'D2' in Alaska they all know what it means, but what it refers to is Section 17 (d) (2) of the Alaska Native Claims Settlement Act. And he had until September 18<sup>th</sup> of 1972 to make his decisions, based on what the agencies were bringing forward, and based on policy decisions. And then make the ... the withdrawals. And then the studies could get underway.

And they had ... they had a fairly short time to make the studies, but they had to make recommendations by January 18, 1973. So it was a fairly short time frame. And it covered a huge amount of land – 80 million acres is no small chunk of land. But what the Secretary did was, on March 9<sup>th</sup> 1972, right after ... right before, actually, but the effect ... effective date was the publication date in the Federal Register which was March 20<sup>th</sup> I think ... it was 19<sup>th</sup> or 20<sup>th</sup> ... ok, so it was like ... one day after the freeze was over by the Act, he put a land withdrawal down on 80 million acres of D2 lands, 47.5 million acres of D1 lands, and withdrew all the Native deficiency lands, which was another 45 million acres. So he actually withdrew, in March - he signed the orders on the 9<sup>th</sup>, and it was published in the Federal Register, as I said, one day after the freeze - on about 160 / 170 million acres around the state of Alaska, which just about blew the state ... state away.

But, it gave the Natives the initial deficiency areas identified for them. It gave them an opportunity to discuss that with the Secretary. And there will be adjustments that you'll see when he makes his final adjustments in September. And it ... it meant that the state was gonna have to come to terms with all of that. So, there will be changes, even though, technically, if you read the Act, there shouldn't have been all of this adjustment going on. But the various pushing, shoving, and so forth, was inevitable I think. And in the milieu of all of that, here you have the staffs, very small staffs I think ... it by ... by this time, in Anchorage, you had about 4 people in the Bureau of Sport Fisheries and Wildlife Area Office working, somewhat ad hock, under the Refuge Supervisor.

**NO** – Would that have included Clay ... Clay Hardy?

**BR** – This would have included Clay Hardy. Clay was up there, and had been involved in things like the Amchitka atomic bomb test. And they had people from the wilderness staff – Marv Plenert, who was up there ... and a couple of other people. And then they had people like Dr. Calvin Lensink, who was actually the Refuge Manager at the Clarence Rhode National Wildlife Refuge. And they had Jim King, who was the waterfowl biologist, pilot / biologist for the state ... for the Bureau, and had flown all the waterfowl surveys throughout the state. And these were the kinds of people that they had pulled together to identify interest areas and to put the basic, raw, resource information into ... into packets.

And so, I mentioned that, by January, we had one packet that was about 160 pages. And that was turned into another packet in July. And then it was turned into a third packet by September. So there were three major efforts, each one of them upgrading the information and honing it down a little bit, in preparation for taking the next step.

‘Cause the other thing that had happened ... external force that had happened along the way, was in 1969 ... in the latter part of 1969, the National Environmental Policy Act [NEPA] passed. We’d never had the National Environmental Policy Act before that.

And the National Environmental Policy Act caught a couple of very important projects. And one of them it caught was the pipeline. ‘Cause the pipeline was asked ... they asked for the right of way in July of 1969. Then the Act passed shortly thereafter, and they didn’t want to have to do what was, you know, an EIS. And nobody knew what that was at the time. But they didn’t want to have to do that. They thought they could get around it.

And the first trial they ... they did an 8 page document that they called an environmental impact statement and ... and I don’t think it was that precise document, I think it was the next document after that one was rejected - sort of out of hand, then they went back and did another quick and dirty document. And that was taken to court by the Wilderness Society, by one Mister Harry Crandell, whose name I mentioned to you.

Harry Crandell – I’ll just briefly give you a bio on him. Harry Crandell ... at the time Larry Means went to Washington and the Bureau of Sport Fisheries and Wildlife into the Branch of Planning, Harry Crandell was the Chief of the Branch of Planning for the Bureau of Sport Fisheries and Wildlife. Harry Crandell got very upset with events in 1969, inside the Bureau. Specifically, for the record, he was upset by the way Director John Gottschalk was treated and ousted from his Directorship, and moved aside, and Spencer Smith was put in as Director. And Harry just thought that was an outrage. And he quit. And he went to the Wilderness Society and started working on public land issues at the Wilderness Society. And then shortly thereafter, in the early ‘70s, right about the time this passed ... the Native Claims Act passed ... he went up to the Hill. And worked on first, the Public Lands Committee at the House under Chairman Melcher, and then, when Chairman Udall

put together his oversight and Alaska Lands Subcommittee, he brought Harry on as his Staff Director.

So here is an ex-Bureau of Sport Fisheries and Wildlife, ex-Refuge Manager, ex-planner, very involved with ... and understanding of the Bureaus affairs, setting up there as the Chief of Staff on this important committee.

Now, of course, there's also a jurisdictional thing to take consideration of, because it comes to play over and over again. And that is: the Interior Committee doesn't have jurisdiction over the National Wildlife Refuge System or the Fish & Wildlife Service. Merchant Marine and Fisheries [\[does\]](#), specifically the Subcommittee on Fisheries and Wildlife Conservation ... and John Dingle.

And John Dingle was involved in the Native Claims Act, and in the provisions in the Native Claims Act. Specifically, the provisions in the miscellaneous section that protected refuges, that only allowed the Natives that were within or near a refuge to take up to three townships out of that refuge.

In the parks you couldn't take any land out – no matter what. But in the refuges, originally they were going to be able to take whatever they wanted to. State lands – they were going to be able to take whatever they wanted to. Both of those two land categories, in the final Native Claims Act, were modified so that in the case, as I said, the Native villages in or right adjacent existing national wildlife refuges, depending on population, could take up to three townships of land out of that national wildlife refuge. And the same thing was true about the state. They couldn't take it out of patented land, but out of TAed land, or just selected land, they could take three townships - out of Native lan... state lands. And in the case of the refuges, one of the provisions – again, John Dingle - whatever they took out was to be replaced.

And so there was a provision in Section 22E that said that all lands removed from a national wildlife refuge had to be replaced. And so we were also trying to identify what they called 22E replacement lands through this process. And I'll point them out in a minute. Which was a very unusual thing, and ... and it actually brought down a lot of animosity, both within the Interior Department – other agencies – and in Natives and in some other places, both in limitation and replacement provision. The Forest Service lost land, but they didn't have a replacement provision, for instance. So they were a little bit upset about that. But, all of these laws, the Statehood Act, the Native Claims Act, the resulting Act, these were all compromise situations, and there are provisions in there that you have to wonder sometimes, where did this come from and why. But in this case, I can tell you the where it came from and the why. John Dingle was protecting his turf and his national wildlife refuges, which he feels very, very covetous of, even today, at his advanced age.

So, there were these kinds of things. And when the ... when the bells started moving, and the Congress started getting involved, Dingle made sure he got his oar in the water. In 1972, while this was going on, John Dingle introduced the first bill

making refuges all over the state of Alaska – big huge swaths of areas. Very few people know about, but he had a bill that he put in. He called it a ... the National Wildlife Refuge Act, that included these giant areas in Alaska. And that Act also had an organic provision for the whole refuge system, that moved the refuge system out of the Fish & Wildlife Service and set it all up in a different configuration than what you know of to be today. So Dingle was playing ... playing games. And I can also say that Harry B. Crandell, this little guy that came out of the planning division and went to the Wilderness Society and then went up on the Hill, wrote that law for ... for John Dingle. That's how it got to be so knowledgeable. And ... and Harry had certain ideas about what ought to happen to the refuge system. And he convinced John Dingle that it ought to happen, and so he helped write that provision, too.

**NO** – That's really interesting to know, because, you know, you look at things today, and everything starts with Udall and HR 39, and that's ... no references have I ever seen to this.

**BR** – Yeah. Nah. There were ... there were a number of laws ... bills, not laws ... number of bills put in, and Dingle just happened to get out there first. He wanted to make sure that everybody understood he had jurisdiction over the refuges. So we had ... and we had full knowledge of that. I can tell you that we were constantly reminded, 'cause I would get calls from the Merchant Marine and Fisheries staff all the time. Larry would get calls, and so on. And ... and they were ... they were maintaining that they were going to fight for jurisdiction. And it ultimately became a fight.

Ok. So, the ... the idea was that wherever we had these little red dots next to units like Clarence Rhode ... and that there were 13 villages that were eligible to select lands from within the Clarence Rhode National Refuge alone. So, 13 times 3 is 39 townships, times 22 ... 22 ... 22 thousand ... 23 thousand and 40 acres, is a lot of land, to be taken out of these refuges.

The very dark green, which is darker even than this, which is the D2 land, the darkest green here that you see, are areas that we identified that were to be considered for replacement of 1.8 million acres that was going to be lost to the refuge system to village corporations under the Act. So that was a provision that very few people know about because, the way the thing finally cranked out, ultimately, the 22E lands became somewhat moot. They became very moot. But ... we ... we ... we fought for them. And we did a whole lot of work over the years putting out regulations, and making land withdrawals, and doing all kinds of things.

So the darker green is the D2 lands. That should be similar to those interest areas that I mentioned on the other map.

And then the light green are the so called D1 public interest areas. The light green are ... are actually quite well protected ... in ... in the sense that they ... in both the case of the D1 lands and the D2 lands, they were using brand new authority that was granted in the Alaskan Native Claims Act. It was authority that the Secretary

never had before. And ... and it gave them many unusual features. I don't think I need to go into them particularly, but the D2 lands were timed, that was one thing. The D1 were going to be indefinite. In fact, there are still lands all over Alaska that are underlaying federal lands that had a D1 land withdrawal protective mechanism laying in there somewhere like a ... like a film of a ... of a ... of Mylar on top of the land.

The ... these withdrawal areas that were pink and white were using authority ... the white particularly, are authorities that were in the Bill. Those were general public land laws, and they used those authorities. So they have a slightly different nature to them. Although, I believe that the Secretary put D1 land withdrawals under every one of them in March of ... of a ... of a 1972. So there's even a layer there.

There's this theory within the Solicitors Office in Interior that you never know what's gonna come down the road, so, therefore, whenever you have an opportunity, you don't just put a single land withdrawal down, you put layers of land withdrawals. And then somebody that wants to get in there and do bad things to you, has got to peel each of these layers away. And each one becomes pretty arduous to do. And it was that kind of thing that eventually saved the ... Barrier Islands on the Arctic National Wildlife Range, later on.

And then some of the protection that's been given to the NPRA [Naval Petroleum Reserves Area?], but ... it's very ... it's an important concept, that I never knew anything about before I went in and started working on these things.

Well, back to NEPA. NEPA was ... ultimately they ... the ... the pipeline companies lost. They did ... they hadn't done anything close to what had to be done for an environmental impact statement. And I think they ultimately ended up with a nine volume impact statement. I don't remember how many pages that was, but it was it started out at eight pages in the first submission, and then it kept growing and growing. And after the court case – it got huge. And I don't know how much money they spent on it. But that's what it took to get the environmental considerations. And all I can say is, having looked at it very, very, very, very closely from inside, contemporaneously, and also looking back on it, I sure am glad that that happened, because when they first started testifying on the pipeline, they were making claims that their engineers knew everything that needed to be known about permafrost, about construction, and ... and development, etc. etc., and that there was not going to be any problem.

Well, they claimed, at that time, Norm, that they were going to put this pipeline into the ground. And they were going to bury and insulate this pipeline, except for maybe, about 30 to 40 miles, of the 800 mile corridor. So, if that ... that should tell anybody that knows anything about the final product, or anything about permafrost, and the conditions that they had to go through, and the serious nature of some of the things that had to be done, such as earthquake control, all the stream crossings, body and ... you know, the caribou access, and so forth, that ... they ended up ... I doubt if there is 32 miles of buried pipeline – or much more than that. Because

they really didn't know. And if it hadn't been for the environmental impact statement, where they actually had to go out and deal with experts, and the universities, and outside of universities – USGS, and some other places, they would have never ... I mean, the pipeline would have been a disaster.

In a relative sense, it's worked fairly well.

It's getting a little bit scary now, because it's wearing out.

But ... but in terms of what they actually, finally built with all the monitoring and everything that went on ... But anybody that believes that the environmentalists and the people, the professional biologists and so forth, were scaremongering, only needs to look at the changes that came about from 1969 / '70, when they first went in and testified.

And I have those hearings. And I actually reviewed them the other night, just preparing for this. And, it's almost scary what they were saying that they knew, and so forth, in those hearings, at that time. So, lot of changes came about.

It also caught us, caught all the agencies. We were going to do these land withdrawals, and we were going to do all these parks and refuges and stuff. But guess what, we had to write environmental impact statements. And ... this was early in the game, so, some things got away.

But most of it ... even the Rampart Canyon got caught a little bit. It didn't do a full fledged environmental impact statement, but it put out a huge series of documents that ... that revealed, you know, some of the really dire aspects of what would happen if they went ahead and ... and put that dam in down here, and flood 10,500 square miles of land, put it under water. And what was gonna happen in there with the 4 foot annual fluctuation and ... and so on and so forth. And the devastation on ... particularly waterfowl resources, was awesome. But also, all the subsistence resources that this ... this is a huge subsistence resource, and as I said, 4000 to 5000 people would have their homes and all of their territory and their identity just ... removed from them. So it was a very awesome ... very awesome thing.

Well, to get back a little bit more on track. Here we are in March of 1972 ... that this withdrawal was laid down right at ... the day after the freeze let up. And, again, I think there was ... you'll see through this whole thing, there was a huge effort within the Department of Interior and the agencies that were involved, trying to get this information out – not only to the Natives, but to the state, and anybody else that was interested. So, even the 'map on the floor' gang that was growing out of the ... of the coalition of forces in the conservation community, which started with the development of an Alaska Conservation Society. Of ... it jelled around this whole event, is what it boiled down to. They didn't have one before. And they started up because this thing was in the mill. And ... and even in ... even while we were doing our work, and trying to get ahead of the ballgame, they were up there doing their work. And ... and as early as January, the Alaska Conversation Society actually sent

a team of people – delegation – in to see the Secretary, carrying all this big thick volume of material, saying ‘here’s where you ought to be looking for this Park and here’s where you ought to be looking for that Refuge and this Wild and Scenic River and so on.’

And ... and interestingly enough, at least to me, and I ... and I’m not going to try to ... to second guess, and evaluate the rights and wrongs of it, but, a lot of their sources were, in fact, agency people. Who worked after hours, and on weekends, on their own time, and took their expertise to pour into this Alaska conservation organization, and help them put together another ... another pressure point – another movement if you will – to try to make this huge, one of a kind, never-before-and-never-again, planning exercise into something as meaningful as we could, so that it was really, truly, based on resource values, rather than pure politics. And I think, you know, I’m not even gonna say that politics didn’t get in here, but I will say there was a huge amount of resource values and resource information and judgments based on that, that fought back and forth and over the table and around the corner, to try to make this thing actually be resource based. And I think we ... we won a few victories in that ... in that effort.

[Lots of map / paper noise]

So, let’s go to the next map it’s not quite the ‘map on the floor group’ but there was ... was just slightly above that in elevation. Now I’ve gone and put it back together ....

[Lots of map / paper noise]

The other nice thing about these maps is, you notice they’ve got a little bit more user friendly in terms of tone and the colors and stuff. That last one was kind of glaring. And now, here, they ... they’ve knocked the tones back a little bit. By the way, as an aside, I don’t know how ... whether that thing is picking it up or not but it ... it sees these little squares and they said there’re 23,040 acres - a township. And if you get a little bit closer, you can see the map is just covered with those little squares. There are 2200 of those little squares inside it - the state of Alaska. And the state of Alaska is a huge piece of ... almost a subcontinent unto itself. And if you ... if you actually take the state of Alaska, and lay it on top of the United States of America, at the same scale, this area right here would be right off shore of North Carolina ... South Carolina, right at ... around Savannah and the Savannah River Delta. This area here would be up at International Falls, Minnesota. And this end of the Aleutian Islands, out there, Attu – where we fought the battle for ... in WWII, would be setting right off the edge of California, in Santa Barbara.

So I ... I only bring that up, not to brag about the size of the state, ‘cause I don’t ... I’ve never lived in that state. But I bring it up because the logistical problems that we encountered, and everybody else encountered ... I would say particularly the Natives, because of the lack of resources to do this ... but, the travel - and other logistical things that you had to go through - to even try to understand, and then

cope with, that kind of dimension – 378 million acres: 3 times the size of California; more than 2 times the size of size of Texas. And you try to deal with that kind of magnitude, in a milieu such as I've been trying to describe, and it adds an enormous complexity to the whole situation. But it took ... that's why I say, it took me a while. I started going in, in January of ... '72, and reading the Act, and reading NEPA, and reading the refuge law, and reading all these other things, and becoming familiar with it.

But I never went to the state of Alaska. I, you know, everything I had was all there in paper, in front of me, and so forth. But I did get a mental image that I was talking about a big area, I can tell you that. But, it ... in terms of just travel ... and, of course, at the time, you know, we were working on this, Alaska had time zones that we don't have up there today. So, at the time the only area in Alaska that was on the same time zone as ... as a southern 48 state, which was Pacific Standard Time, was here at ... at Juneau. Anchorage was 2 hours behind Pacific Standard Time and Bethel, Alaska was 4 hours behind. And Attu was actually in an Asian time zone. So, there were the time zone problems. I can remember getting up at midnight / one o'clock, when I finally did go up to Alaska, when I was trying to call back in and check into my office, getting up in the Bethel hotel and ... at midnight, both because it took them to get to the phone, because the phone ... was only one phone there and you have to get into this big long queue to get to the phone, but then ... so I could call back to the DC office early in the morning and get the early morning events and so forth.

And then, the time to travel and ... and the cost and the type of travel equipment that you had to have in order to do it. You don't just get in an automobile and go zip around these little refuge proposals and say 'well, well, we'll do this and we'll do that.' You fly over them for hours at a time and then ... and then you go back and try to put it together, mentally on a map, and figure it all out. It ... we did put teams on the ground. And that was what we were working toward as each one of these exercises went its own way. But, by the time they got out there, we knew we were talking about areas that were known to be very important to the various kinds of resources that we were intended to protect.

And the debate ... and debates between the agencies, because we found, right from the start, that the Bureau of Sport Fisheries and Wildlife was interested in a number of areas that the Park Service was also interested in. and then when the Forest Service put its teams together, we suddenly found ourselves faced with, in fact, 42 million acres of national forest interest areas that overlapped with ... I don't remember what our total was, but we had various totals at various times that went as high as 80 million or 90 million acres of interest areas for the Bureau of Sport Fisheries and Wildlife. And then we also conflicted with the Park Service on about 40 million acres. And they conflicted with the Forest Service on a certain amount area. And then, there was the Bureau of Outdoor Recreation and the Wild and Scenic Rivers, which wasn't really a conflict, because if they were inside of another one ... another agencies proposal, it was going to be managed by that agency. If it

wasn't, it was going to be BLM managed. So, they were the only ones that didn't really have any conflict resolution to take care of.

But, it meant ... it meant my first exposure to ... to really serious, confrontational level, disagreements and bantering between individual agency people. Not necessarily at the upper most levels, 'cause they've got a little more civil. But at the staff level, it got pretty intense at times. And I think as a result of that, as well as a desire on the part of people like Assistant Secretary Nathaniel Reed and his staff, and even Secretary Rogers Morton, to try to ... to end up with a ... with a recommendation package that ... that had the muscle of multiple agencies going forward with linked arms, saying 'we all agree to this and this is what we want.' Rather than having the Park Service go up and say 'we want all these areas,' and then have the Bureau go up and say 'we want all these areas.' And then have the Congress and their staff say 'wait a minute, there's all of this area that you both want ... what ... how are we supposed to make the decision.' They wanted to try to do it at home before they went up there; and ... and also because we were going to have to do these environmental impact statements [EISs]. It suddenly became recognized that there needed to be mechanisms put in place to allow some coming together in some early resolution. There was going to be fights, but they would be resolved at a fairly early state.

So, although the agencies went pretty much their own way throughout 1972, by January of '73 it had gotten to the point where it fairly obvious there were serious discussions and disagreements. For instance, the Fish & Wildlife wanted the north side of the Seward Peninsula; and the Park Service wanted the north side of the Seward Peninsula. and ... and it was causing consternation and ... and frankly, it was keeping us from getting on doing some of the work that needed to be done as we were trying to do these battles. Each time we went in to make a presentation to a policy level person, you know, there was this shoving with the elbows ... this sort of thing – mentally, if not otherwise.

So, in January of 1973 Secretary Nat Reed, Assistant Secretary Nat Reed, established within his arm what he called an Alaska Planning Group. And Alaska Planning Group was comprised of the US Fish & Wildlife Service, which had not by six ... it didn't become Fish & Wildlife Service 'till '74, but I'll use it starting here, it was still the Bureau in '73, but Fish & Wildlife Service, National Park Service, and Bureau of Outdoor Recreation. Later ... even later that year, it also took on adjunct teams from US Forest Service, the Bureau of Land Management ... but not anybody else. So we ended up with 5 agencies trying to work together at one time. But, by then we had been working together, in one form or fashion, at least in coordinating our presentations and putting together various kinds of paperwork. And the policy makers kinda wanted to see things that were done similarly. So they didn't want to see a particular format used by the Park Service and then suddenly have to deal with something completely cockeyed and different from ... from the Bureau of Sport Fisheries and Wildlife. So they forced us into unifying our materials and so on and so forth.

This actually caused more consternation in Alaska than it did down in DC, 'cause up there the offices did work separately, in their own offices. They did go talk to each other and stuff, but when it came to deciding that there were going to be materials submitted in a certain exact format and this is what it was going to be, and it used elements that they knew came out of the Park system, it cause the people in Fish & Wildlife to get a little bit upset about it. And the same thing happened over in the Park system, where it used a lot of stuff out of the resource value columns of the Fish & Wildlife Service. So, you know, we went through all those things. I ... you know ... just clear and deadly ... there were ... there were serious confrontations in the first couple of years. But, it started resolving itself as we worked our way through.

By middle year 1973, I had been in and out of Washington, DC, somewhere between 6 and 8 times. Each time for a minimum of two weeks and a maximum of about 4 weeks. So, I had spent a considerable amount of time. My job was Regional Biologist for the National Wildlife Refuges in Region 2, Albuquerque. My boss ... bosses were very lenient, because they kept getting calls from the then Directors of the Fish & Wildlife Service saying 'we've got to have this ... we've gotta ... I mean he's read the law and he's done this, and he's done that, and so we can't start somebody new, you've got to send him back.' But I had pretty heavy duties in that Regional Biologist job that I was also responsible for, and I was trying to fill them back and forth. But, frankly, the ... you know ... as you continue down the pathway, you become kind of caught up in it, because here was an opportunity that you could see wasn't going to happen anywhere else in a lifetime or career. So, here was something that was really worth trying to do something good about it – and an opportunity to do it. So I wasn't ... I wasn't totally kicking and screaming, but, you know, I also wasn't always happy to ... at the time that they said they needed me, to go in there to do it. But, I was doing it.

By mid-July they said look 'why don't you just come on in and ... and take this position in the national wildlife refuge division' which was population biologist specialist ... wildlife population specialist ... 'and we'll put you on loan to Larry Means over in Alaska Group until they finish that up sometime this fall, and then you come back and work in refuges.' And I said 'ok, I think I can do that.' And my personal life allowed that to happen about that time. So, in a ... July ... mid-July ... July 18<sup>th</sup> I think, I reported for duty in Washington, DC, full time, GS 13 biologist ... Fish & Wildlife biologist.

And ... and low and behold, I think within a week, I was told that I was going to become what they called the Coordinator for the K Street Environmental Impact Statement Operation. They had decided, after getting in some preliminary draft EIS's and materials from each of the agencies in Alaska, and reviewing them on proposals as they were evolving at that time, the policy group, both in the Task Force - Alaska Task Force - at the Secretary's level, and with Nat Reed and his Alaska Planning Group, had decided this is not going to work. There is no way that we can have these things prepared: in Alaska by those teams; mailed down here; presented; nit picked; and so on and so forth.

And I might add, this was a time before technology. When we ... when I first got into this and all the way through 1973, all of this material was being prepared on IBM Selectric typewriters. And the most technology we had was you could change the little ball and get interesting fonts. But other than that ... and the Xerox machines were somewhat limited. And they had almost no fax capability at all. There was one fax machine on ... in US Fish & Wildlife Service, and that was it. And some of the Reg... the Area Offices didn't have ... the Area Office in Alaska didn't have a fax machine. And the telephone was ... worked the old fashioned way. And so on. So, this stuff would often times come in with a lot of typographical errors just because of the pressure of ... of the business and stuff. And ... and that meant that the whole thing had to be retyped – completely. And then that had to be reviewed, and edited again. And sometimes it would take two or three times to get all of the errors resolved. 'Cause sometimes you'd take it to a tired typewriter ... typist and they would give you more errors that you got ... than you took to them. In the new version. So, anyway, this got bad. But, anyway, I was supposed to become the Coordinator of K Street, which meant that I was supposed to go up to an office outside of the Interior building, right in the middle of 'Lobby Town, USA,' on K Street – 1717 K Street.

There was a federal commission that was going out of business, being dissolved, and they had a bunch of office space up there. And the Alaska Planning Group had a high enough priority, by this time, that they ... we took over the space. We actually almost pushed those poor people out of their offices. 'Cause they had a few remaining staff trying to tie up business and we were flooding in there with all of our maps and pieces of paper and everything. But I ended up ... I was directly supervising the core staff for the creation of 28 environmental impact statements, 28 initial master plan / development plans, and some brochures and other documents, to use to portray what these recommendations were all about. I was responsible for the typing staff, the graphics staff, the support staff necessary to do the printing and publishing. And I dealt with all contracting and general services, and the printer operation down in the Department of Interior, and several other departments. By the time we got 28 impact statements going, we were using printers in every department we could get into.

And then I had, not really reporting to me, but sort of dependent upon me and these office spaces, a Fish & Wildlife Service team, and Park Service team, a Forest Service team, the BLM and the BOR never actually put a team up there, but they did put individuals up there from time to time. And they each had their own little spaces, down around these corridors. And they had their own groups of writers. And they had ... they varied from three or four writers and some editors ... and I had an editorial staff too, that reported to me ... three or four writers, all the way up to, at times I think the big teams would get up to 15 writers, sitting in there working away.

The operation almost immediately became a 24 hour a day, all the time operation. The offices were always open. People could come whenever they wanted to work

on things. some of these guys would write and work for 8 or 10 hours, go get two or three hours of sleep, and then come back to K Street, and write and write and write. And I was also responsible ... that's where I grew some power ... I was responsible for taking these things ... they would send a person with me from the writing staff, but I was the one that negotiated with the Environmental Project Review Office in the Department of Interior, which gave us direct support of editing, and reviewing, and clearing, each of our environmental impact statements. And we started that operation the first part of August of 1973 and the deadline was December 18<sup>th</sup> 1973, wherein the Act said you have to send proposals to the Hill.

They had actually selected a Coordinator 10 days before I got to Washington, from the National Park Service. And from ... he was from their Anchorage office. And he came in and spent a week looking the situation over, and then resigned. He didn't resign from the Park Service, but he resigned from K Street. And he said 'there is no way on earth that ... that that can be done, and ... and I am not gonna take ... subject my career to that kind of failure, good by.' And so he left. I didn't ... I didn't actually know that until I'd been up there for 3 or 4 weeks. And God, I wish I was smarter. Anyway, I sort of looked at it and said 'well, you know, I've never done anything, and never seen the Fish & Wildlife Service take on anything, that they couldn't find a way to get it done.' So, I told them, I said, 'one caveat – you get me the policy level decisions on these documents in a timely fashion, and I will get them delivered as you ... as you want.'

Now that's ... that sounds fairly simple, but gets a little more complicated, and we'll get into that.

But, nevertheless, they didn't get me very timely decisions, I will say that. Some of the decisions were, in fact, still being made on ... on the 1<sup>st</sup> of December, or a week before the 1<sup>st</sup> of December. And then some of them got changed on the 2<sup>nd</sup> or 3<sup>rd</sup> of December, or something like that. But, anyway, starting from scratch ... we started ... the teams could write the materials, but, I mean ... here were biologists and economists, geologists, park planners, landscape architects, river specialists, foresters, engineers ... you know, really talented, bright people, working their little buns off. Who were trying to learn what an environmental impact statement required, in the way of writing and analyzing and ... and visualizing impacts. And our team, for instance, the Fish & Wildlife Service team, started off saying 'look, we wear white hats, we do nothing but good things, I mean, the impacts are all rosy, hunky dory, wonderful things.' And they went up to the Environmental Project Review with some documents that kind of said that, and the Environmental Project Review put big red X's all over the paper and sent it back down and said 'this won't do.' So ...

**NO** – Is this John Ferrell and his group that was ...

**BR** – This was John Ferrell. It was ... John was the Project Officer. He reported to a fellow by the name of Bruce Blanchard. Bruce Blanchard was the equivalent of an Assistant Secretary, really. He was the Director of Environmental Project Review,

but that was a big post when they set it up. So, yeah, I dealt with John and ... and I dealt with Bruce, whenever I wanted to appeal John, which I tried a couple of times. And ... and I tried to remain ... in my job, I couldn't afford to get too territorial, because I had parks, and I had all these other people. We had to get this stuff through, in some timely fashion. I had a lot of other things going on, I can tell you, trying to get the printers all lined up and the contracts written and so forth.

And again, we were stuck with the Selectric typewriters. And I only had three secretaries setting in K Street Operations. I had three secretaries, I had three editors, and one of the editors was a very senior Park Service editor, fellow by the name of John **Bosberg**. When he first went up there, they gave him the job of senior editor and advisor, and they put him in my office. Right in my office. His desk was right in front of my desk. And this developed ... what ... within two weeks, developed into a near catastrophe. John would set there and listen to my telephone conversation with a wide variety of people and things, from dealing with the Area Office in Alaska to dealing with the Park Service down in DC, or the Forest Service, or the printing office, or whatever. He would set there and listen to my conversation, and this conversation, on the telephone. Not having any idea what was coming from the other end of the line. And then run down to the Interior Department and report on that to the Chairman of the Alaska Planning Group.

And, I don't remember what the specific thing was, but at ... at one point, he went down and reported a conversation I'd had with the Area Office in Anchorage – Fish & Wildlife Service, that seemed to indicate that I was just undercutting the Park Service every step of the way, and that, you know, that I was favoring the Fish & Wildlife folks, and so on and so forth. I think I was probably trying to solve a spat and I was trying to sound like I would go try to smooth it over and stuff. I don't remember. But, in any event, he went down and reported that, and suddenly I'm on the carpet in front of the Chairman of the Alaska Planning Group. Who was, by the way, a wonderful man, truly knowledgeable about Alaska, and he was an Assistant Director for Planning in the National Park system, GS 16. I was a GS 13 – barely.

Fish & Wildlife component at the APG [[Alaska Planning Group](#)] consisted of Lynn Greenwalt, who was, at the time he was put on the Alaska Planning Group, Chief of Refuges for the Fish & Wildlife Service. Larry Means – Robert L. Means, was his Alternate. Did all the work. Suffered all the slings and arrows. And had me as sort of on detail from now and then, and some other people who would come in from various places, including Alaska, to work with him on trying to get all the work done. The Park Service had a team that I added up the other day and there were 9 people at one time in the Park Service Washington team. It was sort of an uneven balance of power there. And BOR had one person working on it. BLM had a Division of Lands that was responsible for all of this land stuff in Alaska. And ... and ... and they were pretty bitter because they were losing all this land and they wanted an oar in the water and it wasn't being given to them. And then the Forest Service got into it, and they felt like we were going to just screw them. So they didn't even want to come to K Street. But they finally did.

Anyway, the upshot of it was, after they had read me the riot act, I sat down and told them 'look here's what happened, here's what was said. I want John out of my office.' I said 'I ... I can not work with somebody setting there listening to one half of a conversation and ... and then coming down here and having you get all upset, when there's noth... you know, it was innocent.' But I said, 'I don't want to have to come down here and defend myself two or three times a week. I just refused to do that. So, if you want me to remain as K Street Coordinator, John gets out of my office.' And he said 'well, you'll have to talk to John about that.'

So I ... I didn't talk to John. John went home on Friday night, as he usually did, at five o'clock. We picked up his desk and moved it. And we moved it in ... we moved it in with the other editors, where he really belonged. And when he came back to work on Monday, his desk was down there. And he was upset. But, he couldn't pick up the desk and move it back, so, therefore, I finally got him out of my office.

But that was the sort of expediting that needed to be done if we were gonna continue to move ahead. I was in there ... my ... my normal day at K Street started at about 4:30 and it would run until about 10:30 that night. What was I doing at 4:30? At 4:30 I would come through the Department of Interior main building, and go to about a dozen different offices in the Interior Department, and pick up these little stacks of paper, that were sometimes 2 inches and sometimes 1 inch, whatever, because we had an entire work force of women in the Department who would serve as typists. What was I doing at 10:30? At 10:30 I was picking up all the written materials from all the teams and carrying it down to Interior – sometimes earlier than that, 8:00 / 7:00 – and handing it out to all of these typists, and finding out how much they thought they were going to be able to work that night, and giving them all this material. So I would then collect it the next morning and take it back to the writers and hand it back to them. Then I could start my day of phoning and so on and so forth. But, as I said, K Street was open day and night anyway, it was a around the clock operation, so that we could .... 5 minutes?

**NO** – We got 5 minutes and a low battery, so, if you got a place to stop soon we can do that.

**BR** – Ok, I ... I'll find a place very quickly. The ... that was the kind of intense operation it was. And it was also just a matter of ... I did ... I just didn't have the luxury to go through a big negotiation with John, back and forth, to convince him. So, that was a really nasty thing to do. I did a couple of other nasty things over the course of the next couple of years, but they were because of this expedited – crazy – situation I was in. Dealing with the staffs, the teams, the writing staffs, and stuff, was the big issue. And then dealing with policy people, and trying to get decisions, so they could actually know what they were supposed to write into their proposal. And I'll talk about that much more after we get back on again. We'll cut off for a while.

End of Tape #2, first set of tapes. End of DVD #2

Start of Tape #3, first set of tapes

Start of Tape #2, second set of tapes

**BR** – Ok. Well, during the brief recess there, necessary break, I did look up a couple of ... of statistics that I will put into the record here. The initial identification by Fish & Wildlife Service, Alaska staff in Anchorage Area Office, that was sent in to Fish & Wildlife headquarters in January of 1972, they completed that work in December of '71, within weeks of the passage of the Native Claims Act. They identified 135 million acres and ... and ... of potential int... of interest to Fish & Wildlife interest, and 145 rivers that might be eligible for consideration under the Wild Rivers provision. So, those folks knew their business up there, there was no question about that.

And ... so, back to the ... back to the mid-July and beyond of 1973, K Street Operation, and so forth. The big ... the big problem was getting policy decisions out of Alaska Task Force. And ... and I was constantly going down and giving briefings, and carrying forward various kinds of statistics, and lots of slide shows. And Park Service was doing the same thing. BOR [was] doing the same thing. And ... and ... and I'm sure that the that the Forest Service, though they have had a little bit easier job over in Agriculture, still had to go through something over there. But in Interior, there was this back and forth, and we had ... we had to deal with also the fact that the Forest Service wanted, and had mostly an overlap, on interest areas of the Fish & Wildlife Service. For instance the ... the entire upper reaches of the Yukon Flats, and up into some of the additions that we wanted for the Artic National Wildlife Refuge, because it had timber on it, they ... they had some interest in them.

One of the big fights – characterize it as a battle, fight, whatever – at the time, was the concept – and this is the kind of thing that the policy group was ... Task Force ... and ... and Nat Reed's group was trying to deal with – and that is: there were two major concepts of land management available under the ... under the law. The law ... the Alaskan Native Claims Act, which originally only had parks and refuges but grew during the process of passage to have the wild rivers first added, and then, at the very last minute, the forests were added to that law. So that there was consideration for these things, which meant that you had to play off between the multiple use land systems represented by Bureau of Land Management and DOI and multiple use system of Forest Service.

And it's somewhat complicated because the Forest Service had the principle fire fighting operation for the state of Alaska. Although BLM, at the time, was ... was the major fire fighter ... federal fire fighter, in interior Alaska, they still had supervisory and consultative and coordination stuff out of the Forest Service. And the Forest Service kind of wanted to bring their ... their fire fighting expertise, but they also wanted to bring their brand of multiple use up into interior Alaska. The BLM, in this case, was ... was adamant with the policy group saying if ... if, in fact,

you don't put one of these parks or refuges there, the land ought to come back to us. We are multiple use, and ... and ... and we want to have it for our management.

But remember, all this was still slightly ahead of the passage of the BLM Organic Act so they still didn't have an organic charge like the Forest Service had. They were at a ... somewhat of a decided weakness in that regard. And I might add, that the ... the frankly, the ... the refuge system was at a decided disadvantage during this period of time, in a number of areas. It had a ... a great weaknesses in its authorities. And ....

And ... so, anyway, those ... those kinds of weaknesses, boy, they just became ... chains around our neck. Because, I can vividly remember going into some of those policy task force meetings - briefings - and getting hit right between the eyes with, 'well, what capability are ... do you suggest the Fish & Wildlife Service actually has to take care of this kind of resource ... or to do that?' I had one guy get up and say very equivocally ... unequivocally, you know, 'the reason the Fish & Wildlife Service is call the 'Coo Coo Clock Service' is because your interests have been confined to ducks, and little beyond that. So why should we be thinking about giving you areas that are so comprehensive and vast and blahdy blah and blahdy blah, because you haven't demonstrated that you have that technical ... or otherwise ... or will ... capability.' And ... and here I am, a GS 13, low level biologist, with some apparent responsibilities far beyond that, and ... and scrambling - literally scrambling - to try to find responsible answers to those kinds of statements.

And I ... and I ... and I wasn't going to back down. I mean, I ... I realized that maybe the ... maybe that the Fish & Wildlife wouldn't have backed me 100%, but I barked back at some of those people about, you know ... it was an advocate for the Forest Service that made the statement about ... in fact it was the Assistant Secretary for the Forest Service in the OMB meeting that made that statement. And it really irritated me. But it was true. At the time, I don't think we could have denied it very strongly. But I denied it anyway, and ... and ... and made some disparaging remark about Forest Service. But, in any event, the ... this is in front of ... of OMB ... agencies ... all the ... all the federal agencies were sitting there around this room and I was standing up, sort of toward the front, and they were shooting these kinds of statements and questions and stuff, from all over the room. It was ... it was trial by fire in those days. So ... so you ... you had to learn.

I did want to mention that ... that we ... we ultimately got the decisions, from the policy groups, in time. That ... that by about the first week of December of 1973, I had 23,000 volumes - printed volumes - of 28 environmental impact statements, plus a host of other documents. What we called ... what we called master plans. And I have an example here, I think ... let me get it out and show it to you ... some of the documents that we had to prepare ... I don't have a copy of the draft environmental impact statements but I do have ... I do have ... the ... the first master plans that we did, in concept. And then we put out in conjunction with the ... the office put out a series of brochures which were explanatory, feel good kinds of things, for each one of the proposals that we were involved in. And ... and some of

those I was responsible for having to have the writers do them and print them and so forth. Some of them I wasn't.

The original 28 EIS's, though not massive, I mean ... added up to 7000 pages of ... of cleared ... what was believed at the time to be ... not the best quality ... I think John Ferrell withheld his highest praise for our ... for our final environmental statements. But, even here, he felt that these were really responsible environmental impact statements. They did a good job. My office, my staff, me the Coordinator, I was responsible for the mailing of these things. So I had ... and for protecting them, by the way. So, we were getting them printed, in the various printers. I was collecting them and putting them in a building, which was right next to the Forest Service office, over in the Department of Agriculture. They had a warehouse type building. They never knew that we were there. But, we had all these volumes stacked all over this place, 23,000 volumes in boxes. And so, we finished the documents, and had them all printed.

The Secretary had a news conference in a ... in the Department of Interior. The night before the news conference in Interior, OMB finally came back with their final decisions. They had been dickering and dick ... dithering and so forth, and they came back and made changes.

And their changes were like ... this proposal down here was Harding Icefield - Kenai Fjords they called it - and right adjacent to it, there's some little islands that we had fought over with the Park Service, and finally said they would go into the Alaska Coastal Refuge package. And Park Service wanted those. They wanted to have all the way out and take the little islands off of there, and I ... and I refused to accept that. And Fish & Wildlife said 'look, managing coastal islands ... marine birds ... marine mammals ... that's our bag. And the Park Service is gonna want to put guide services out there, and get visitors out there, and that's not good for those rookeries. And therefore, the ... if you want protection ... if your goal is protection, then you want to put it in the refuge system. The Park Service can point at it, but they can stay off shore, and they can leave the animals alone.' And low and behold, they let us do that - sort of.

Morton's proposal said 'we'll cooperatively manage this area, have Fish & Wildlife and Park manage.' And they did that with a couple of areas. And they let the BLM into two areas. They let the BLM into Lake Iliamna and Noatak, which they wanted to get into the management scheme, so they were going to be cooperative management - like game ranges. This was before the game range settlement. And so we were going to have co-management by BLM and Fish & Wildlife Service of those two areas. And there was a couple of others like that, where there was an ... an effort to grow bigger, if you will. And OMB said no. They allowed one or two minor proposals ... [Phone Ringing] Just let the tape get it. [Phone Ringing] Wonder if it's them. Can we cut it off?

NO - Yeah. Sure.

## Break in taping

**BR** – So we had these 23,000 volumes. We had the decisions. We had OMB make these changes the night before the press conference. And I was to deliver a full range of EIS's in the back of the ... of the press briefing, while the secretary was on the stage making the presentation. And we had gotten these ... these OMB decisions the night before. not only was there no way to reprint the documents before the press conference, but I had a bigger worry, what was I gonna do to illustrate these changes that they made ... or to take care of them, 'cause I couldn't go rewrite the EIS's, get them cleared, and go to the printer and stuff. So, my big ... my big decision ... unilateral decision again, was I will use errata sheets and addenda sheets to cover every little contingency. So I typed these things sometime during the night. Printed up enough sets. So the next morning, while they were up talking on the stage, I was in the back shoving these sheets into these documents. And ... and some of it was pretty wild. I mean, when you say, 'no, this area isn't going to be managed by both BLM and the Fish & Wildlife Service, read this to ... to mean alternative' ... whatever it was ... 'was adopted.' We always seemed to have an alternative in the document that covered what the OMB decision was. And so, we just said, 'this was a ... this was an error. It should show that alternative as the preferred alternative, and it doesn't. So, read it that it does. And all the impacts that go with that alternative.' Or, in a couple of cases, it was 'add these things here and there.' Still pretty far out.

Anyway, I got them all stuffed in there before the reporters came and got their sets. And then, I had 23,000 volumes to stuff – before they got mailed. First of all, I had 525 sets to stuff, because we were responsible ... and they were going to be hand delivered, on to the Hill, December 17<sup>th</sup>, the day before the deadline. They had to be on the Hill, by the law, and our proposal, had to be on the Hill by December 18<sup>th</sup>. First of all, think about it: Congress is never in town on December 17 or December 18<sup>th</sup>. But this was when the deadline was. So on December 17<sup>th</sup>, we carried – me and my ... my ragtag staff of secretaries and editors and, you know, the guys that were there assigned to K Street – were carrying these boxes all over the Senate and the House. We delivered sets to every single member of Congress. And, almost invariably, why, we were lucky to even ... if there was anybody in the office, to hand them in to. And then they would set there in the foyer until somebody came back and knew what to do with them. But, they got delivered. It included all of the environmental impact statements for every office, plus those plans, plus draft legislation that was ... that was sent up there. And we made our deadline. I was very, very proud of that. Still am.

But, anyway, the other thing that happened in late ... in late 1973 that had a great effect on my life, and on the whole situation, was that Robert L. Means, who had been kind of a mentor to me since I'd been in there, since he knew so much about Alaska, was a GS 13 also. And we were dealing with a lot of GS 15s and lot of GS 16s, in other agencies. we were dealing with large staffs of people that ... that ... the Park Service had a GS 16, a GS 15, two GS 14s, two GS 13s, and a bunch of 11s in their ... in their group.

And Larry Means had been carrying the whole burden. 'Cause Lynn Greenwalt had started as Chief of the Division of Refuges, but then during this time period, he was first pulled up to a ... to the Assistant Director's Office as Assistant Director for Fish & Wildlife Management, and then after a couple of months they moved him on up to Director. So he was ascending through this, and he had a very full plate, trying to do all of that. And he was 'the representative,' you know. And he started out as a GS 14, and moved his way up through until he was executive – GS 18 level.

But, he was busy and we weren't going to be bothering him and he could only make some decisions. So, Larry tried to get the Service to give him a pay raise ... grade. And they just wouldn't do it. So, he had an offer from the BLM to become Assistant Chief of their Division of Wildlife, and he took it.

And so in November of 1973, just shortly before this other stuff happened, Larry left the Service. And there wasn't anybody in that position. In January of 74, just shortly after I took all those EIS's all over the place, the Acting Chief of Refuges, who was Jim Pulliam at the time, called in to his office one day and with almost no ... no hesitation, no preliminary anything, no discussion, he said 'Bill, we've decided that you know how to spell it, so you're it.' And I said 'I'm it?' He says 'that's right, you're replacing Larry.' And I said 'what do I do about K Street?' He says 'well, K Street's done' and I ... 'or, almost done' ... and I said 'well, not exactly. We've got the drafts about done, but we're responsible for doing finals, and we're going to be taking comments, beginning next week there are going to be people sending in statements and comments and criticisms, and we've got to analyze them. We've got to have the writers back down and make changes in the document. We've got to go through this whole exercise all over again.' He said 'oh, my goodness.' He says 'well, we'll talk about that later. Right now, you are it. So keep up the good work and good luck.'

And ... so, somewhere in the middle of this ... I, you know, I was up there at K Street, as I said, most of the time from 4:30 until about 10 or 10:30 and ... and I had no choice, I mean, I had to do it. So I wrote the staff and said 'look,' it was about two weeks before all this other stuff here happened, 'I've got to go back down to Main Interior, somebody has to be in the Fish & Wildlife Service Office taking care of Fish & Wildlife business that the Alternate was responsible for, and I've been appointed to take over those duties. I can't just stay up here. So, I won't be around as much as I can to help out up here, but I think you guys can carry the ball. And I've got to go do what Larry was doing on ... on other matters – very important.' 'Cause he was doing things like departmental regulations review and editing and ... and a lot of briefings that I wasn't able to do; and he was dealing and wheeling with the folks in Alaska, which I wasn't doing as much of, or at least, mine was confined to the environmental impact stuff; and interacting with a whole lot of other Fish & Wildlife offices. And you know, he had a full plate, he was working many long hours too. So, I moved down to his office and started trying to teach myself about all the prehistory that went on and all the other stuff that he was working on. And I would ... I would go to K Street at 4:30 and work in ... up there, doing that normal stuff

until about 8 or 8:30, and then I would run down to Interior and occupy that desk and office during the day, doing all the things that he had. And then at 4:30 I would go back up to K Street and work there until, you know, whatever, to get out of there. And I would do that 6 days a week, sometimes 7 days a week.

And that went on for about six months, or a little over six months. And they finally gave me a position ceiling, and said if you can find somebody, why, hire him. And I hired a refuge manager who had followed me to Bitter Lake National Wildlife Refuge as the Manager there. Not right away, but I think he was the one after the one after, or something like that. Fellow by the name of Larry Kline, and he had ... he had had some family difficulties that meant he really couldn't stay at Bitter Lake very comfortably and so he resigned from the Fish & Wildlife Service, and ... and he was off somewhere else. And I ... but I ... I had some respect for Larry and ... and I knew that he was kind of wanting to get back with the Service. So I called him, and he was available, and he said he would consider doing it, although he did not want to come to Washington. But the idea of being able to get back into the Service was enough of an attraction that he came to DC. And I put him in charge of K Street, sometime in the middle of the year while we were ... before we finished the final EIS's, but after they were well under way. But it was a heck of a welcome relief to have him come in and start handling that part of it, although he was over his head.

Break in taping

**NO** – Alright, you're on.

**BR** – So, anyway, that was an extra little burden that we ... we just simply had to face and ... and it caused ... it caused some consternation. I ... I was again called on the carpet in Alaska Planning Group right at the very, very end. There occurred some slippage in one of the printing contracts, and it turned out to be a National Park Service Master Plan, not one of these little ones for us. It didn't get done exactly when they thought it should get done, and so I got called down there. And I ... and ... and was told that obviously, I wasn't doing my job as I was supposed to be doing it at K Street, or I would have had that done. And here I was trying to do this other thing. And he knew that, but he was Chairman of APG, and it was his right to do that. So, he kind of barked at me, but we got over it. I told him I didn't think that the slippage was that bad.

The other thing that happened in '74 then, as I was trying to pick up these other duties that were typically the quote Alternate to our Representative, was that there were issues that had been created as I ... as I mentioned at the ... up toward the start, that where the state land selections had created a burden within certain areas of the state where the ... it left very little land available for Native 'in lieu' selection, and even, in some cases, for village selection. And one of those really difficult areas was in the Cook Inlet region, which is centered around Anchorage and down through to the Kenai Peninsula. And ... and almost ... almost 70% of the states patented lands were in this area, all around Anchorage, and then, because the Kenai Peninsula is ... is considered one of the most livable settle-able places in the state,

they had ... they had actually reduced the size of the Kenai Moose Range at one point, and poured in a bunch of land selections all along the eastern side, along the Inlet.

But that also meant that ... that those villages, and would be villages, didn't have a place to select lands. And the Cook Inlet Region and their villages were demanding that the Secretary make available lands in the Kenai Moose Range to solve their problem. They specifically wanted a minimum of 250,000 acres out of ... out of the Moose Range. And of course, you might imagine they wanted it in the Swanson River oil field. But even when you talk them out of the oil field, they still wanted it in places that would really seriously jeopardize that refuge.

So, somewhat out of the clear blue of one day, I get called into Nat Reed's office. And even though I worked on the Alaska Planning Team, and I was the Alternate for the Fish & Wildlife Service, so I was in ... in and out of the Director's corridor frequently, we were also expected to respond pretty vigorously when the Assistant Secretary want us to do something. And that became more and more frequent as we got more familiar with each other, through all these briefings and daily contacts on decision making and stuff. And so they called me into Nat Reed's office, and they said ... and Nat Reed said, you know, 'go to Alaska tomorrow and ... and ... and meet with Kent Frizzell,' who is the Solicitor of Interior at the time, 'and ... and he's going to negotiate a settlement on Cook Inlet and you're ... you're going up there to protect the Refuge. So, don't forget that. Good by.' And the Director wasn't even in town.

So, I went and got a ticket and went to Alaska that night. And ... and this was the most bizarre episode ... one of the most bizarre episodes in my life. They ... it was in a hotel ... downtown hotel ... and I went and reported to Kent Frizzell that morning. And ... and he said, 'go down to the hallway, second door on the right, that's your ... that's your waiting area. And I want you to go there, and I'll send for you when we need you up here.' And then I noticed in the hallway there was a team for the Park Service staff in one door; there were BLM officials in another door; and I was in this door – all by myself, 'cause there wasn't anybody else to assist me. Park Service had 4 people in there, and BLM had 3 or 4 people in there.

The next three quarters of the day was spent, apparently, in trying to decide the shape of the table they were going to use for negotiating this settlement that they wanted to ... and that was because Panmunjom was going on about this time, and the Natives ... the Native corporation leaders had seen and heard all that stuff about the table debate and ... and so they decided that this was very, very important and they ... they spent that whole morning and part of the afternoon debating how that table ... and who was going to set where at the table, and so on and so forth.

Kent Frizzell, who was, as I said, the Solicitor ... the Solicitor at the time -acting - at the Department of Interior, had just come back from negotiating Wounded Knee. Very, very difficult situation. His chest was out to about here. He thought he had solved some major problems. This was going to be candy. He'd be out of there in a

day and a half and had a fishing trip set up somewhere ... I can't remember where, I think it was down on the Alaska Peninsula.

So, they went through this ... this sort of slowed down Kent Frizzell a little bit about spending that much time talking about a darn table. But, anyway, once they got that all settled, they had map displays like this here, and over here, only they had some of the big 1 to 250 scale maps. And then they would call down the hallway, or send somebody down the hallway, and get a resource person from wherever they needed to – BLM, Park Service, or myself. They would call in, and they would present a proposal - a negotiation proposal - from the Cook Inlet Regional Corporation, which had three people – the president of the corporation, the deputy of the corporation, and one or two resource people, that were setting there at the table. And, so, he would tell Kent Frizzell what he wanted here, where, somewhere else, and what he was willing to offer up. And then if the ... if it was lands in the Moose Range they would call me up and say, 'ok, what do you think about this configuration here' and 'give them that land there' and so on, and so forth. And I never knew what they were bargaining on the other side. But then they'd call the Park Service team in.

And this whole thing was that the Park Service wanted Lake Clark National Park very, very badly. It was one of their highest priorities in the whole state. Cook Inlet Region had the capability of helping them get a clear and free lake like nat... Lake Clark National Park or of having so many inholdings in that place, there would never be a really good, great, Lake Clark National Park. And then the state got involved too, by the way. But, at least, at this stage ... so they would offer some changed village selections, or inland selections that allowed the Lake Clark National Park to get freed up a little bit.

And like I said, I wasn't aware, at first, that this was exactly what was going on. I found out after the first day that this was going on. So this went on into the second day. And, you know, it was ... it was my job to go in there and tell them the resource values of the lands that they were trying to get out of the Moose Range, not the oil and gas stuff, but the fish and wildlife, related to the main purposes of the Moose Range - was the moose.

And ... and I knew the Moose Range pretty well by now 'cause I'd been working pretty hard on learning all the resource values of all the refuge areas, but I wasn't yet an expert. I became an expert over the next two years, believe me.

Anyway, this went on for a while, and I was getting very, very nervous. I mean, the ... the seriousness settled on this little old GS 13, that if I made a misstep, or if I didn't do my job well, we were going to suddenly have a proposal that was gonna remove up to 300 thousand acres out of the heart of the Moose Range. And they would all say, 'well, Bill Reffalt gave that away.' Well, who the Hell's Bill Reffalt to [be] giving that away? I was scared.

But anyway this went on for a day and half almost two days and they called me in at ... at one point and they'd ... everybody was getting tired of this whole ... this whole thing. And frankly the ... the Native le ... the Native contingent was getting more aggressive. I mean, they ... instead of ... instead of it setting them back a little bit, to explain all these other values and stuff, those values weren't of great interest or concern to them. They were ... they were interested about a viable Regional Corporation, and they were interested about having their villages have their land selections, and so on and so forth.

And they thought that they had a lot of leverage there, because Lake Clark National Park was the high priority of the National Park system. So they were pretty aggressive. And they called me in. And they had this final ... Kent made it very clear that this was going to be about the final shot. And he laid out this, you know, 25 thousand acres there, or four townships there, and six townships there, and blahdy blah and blahdy blah, all over this map. And every one of them had been areas that, at one time or another in the last day and a half, I had ... I had been called in to explain away. This was more elaborate, and had more components to it, but, they knew all those values. And so I ... I looked at them and I said 'that goes too far.' I said 'you ... you just ... I mean, you could set here and ... and you can dictate to me - resource person nobody - that that's what it's gonna be, and it will go back to Washington. But I'll guarantee you that once this goes back to Washington, and hits the Hill, you're not gonna be able to pull this off.' I'm looking right at Kent Frizzell. I said, 'you know, it's got to go in front of the ... in front of the Merchant Marine and Fisheries Committee, and John Dingle will never allow this kind of thing to happen. This will completely cripple that refuge. And this is one of the great refuges of the north. And you know that, because I've been telling you that for two days, about the fisheries values, and moose values ... the bear values, the Dahl sheep values, blahdy blah, blahdy blah, blahdy blah ... recreational values.' And I said, 'you know the resources that would be impacted. I've told you all that. There's nothing more I can say here except - this goes way too far.'

And so, they sort of shoved me out the door. And I went down the hallway. And 'bout a half hour later some little gofer came down and said, 'it's over, go home.' That's all they said. So ... I ... you know, I was glad to get out of there. But I ... I didn't know what 'it's over' really meant. And the attorney that was with Frizzell, who became a very close friend of mine over the years, talked to me a little bit afterward. He called and said Kent Frizzell called it off. He had to go on this fishing trip and he ... he had no more time. And he ... I ... I said 'what'd he mean, he called it off?' He says 'he told them no, and it's over.' And ... man, was I relieved, until about 11:30 that night and I get a telephone call and it's the same attorney and he says 'the Cook Inlet people want to meet with you in a half an hour in room # blahbdy blahbdy blahbdy blah.' And I said 'what do they want to meet with me about?' And he said 'they want to reopen this negotiation and you'd better come down here.' So, we reopened the negotiation. All I agreed to was that they could come to Washington, DC, and that we would meet with them down there and in the meantime we would ... we would ... I would take it back. I would talk to the Regional Office or the Area Office and so on and so on and so on. But that they

could come on down and we would ... we ... we ... we wouldn't necessarily say absolutely not, because I knew Nat Reed wanted that park, and I knew that they wanted this thing solved. 'Cause this Region also could complicate things if they if they started filing a lot of land suits and lawsuits and stuff. And it was in a very key area. So, I ... I was aware of all these sensitivities, and I knew that I couldn't be quite so absolute. But I also knew I didn't want to give them an acre out of the Moose Range.

So, anyway, we ... we ... it meant that it was a holdover issue that went back ... it took me two more years of diligent work to negotiate Cook Inlet. Cook Inlet was so complicated we passed a separate law that was about 25 pages long to ... to implement the final arrangements. And they finally got about 30,000 acres out of the Kenai National Moose Range, but it was on the ... it was south of Tustumena Lake, on the corner over there. Very desirable development property, but we put 'no development' zones along the river – the Kasilof River – and along the lake shore. Put them into the heights, where they could build some. We ... we put a clamp on the density of development that could go on in there. And we put a whole bunch of conditions into it. And then we made them agree that that was worth three times the amount of land that they were getting. So I'd saved all that other acreage.

And, at that point, the thing that was so fascinating is the first thing that happened after the Natives went back to their corporation offices and explained the whole thing to their board, they fired the whole group. One fell swoop. The next thing we knew, the group that came back down for Cook Inlet was a ... everybody was brand new – new president, new deputy, new this, new that. They had new people everywhere. And they had a completely different attitude, too. But they just fired the whole darn bunch of them. So ...

Anyway, that was a bizarre episode. I was setting there thinking about some of the dime novels that I've read that wouldn't really match that kind of episode, and intrigue, and so forth.

But that's the kind of thing that the Alternate had to do – in addition to the other things that we had to do. It was totally oriented to these resources and stuff, because the Act is all complicated, and integrated, and the refuges were also pre- ... you know, pre-statehood and pre-ANCSA, and so therefore, they could cause complications, too. So we found ourselves negotiating several outside arrangements with various Native organizations.

I negotiated three separate deals over the course of time. I negotiated Kaktovik, with special deal. And I went out and negotiated the Pribilof Islands, even though that document that you read said it was David Kline. It wasn't. It was me.

But those things in ... in that case – the Pribilof Islands – it was something that we really wanted. And, in fact, that one gets very complicated. I might address it separately in a ... in a few minutes.

But, we've got to move on.

The ... the 1974 / 1975 period was kind of a dead spot in terms of legislative movement. Dingle was still doing his laws. He did two more different bills, slightly different than the one that he introduced in 1972. And ... and I believe it was in 1974 that John Dingle / Merchant Marine Fisheries even held hearings.

And of course, the Administrations legislation went up on the Hill in 1974, in January, and was introduced, as a courtesy, by both the Senate and the House. And then there were other bills started coming in. The state put in a bill. Stevens put in a bill. Mike Gravel, the other senator, put in a bill. Don Young put in the Stevens bill, went with it.

Land Use Planning Commission [LUPC] was talking about different approaches and ... and was ... was counseling with members of Congress on all the committees and ... and drafting, I think, actually, although they never told me, but I think they were actually helping them draft bills. And ... other members of Congress were using other folks ... the Forest Service was up there with ... with John Melcher and some of the other advocates for the Forest system, trying to get a bill in through that. And there were some other bills.

So, then we found ourselves, very definitely, being called upon, on a rather continuing basis, to analyze ... to analyze all these bills, and to give ... and to give them drafting services on the maps to show where the bills ... where the bills would do what. And so we ended up with a lot of these kinds of documents, which are straightforward provisions of the various bills across the top and then comparing all the ... the similar provisions and so on and so forth. And these things will drive you crazy. I mean, depending on how many bills you have. I think we ... we ultimately had somewhere in the neighborhood, over the course of two Congresses, over 30 bills that we had to analyze, draw maps for, and do those kinds of things. And go up and meet with the staff and explain to them what we thought these things meant, and so on. Even though we didn't always know where these things originated from.

But, it was just one of the services that was expected of Interior, and they couldn't send their normal legislative staff, 'cause they didn't have ... they didn't know anything, so they would dip down into the planning group. And what happened, the planning group found itself more and more and more working for the Secretary of Interior, in addition to working for the Assistant Secretary, in addition to working for their respective Directors. And this thing was getting, like, out of hand. I mean, who the heck did we work for? Everybody above us, I guess.

But those were other duties as assigned and ... and they became more and more important. And there were some hearings. And ... and there were briefings on the Hill. So, our staff went up, I went up, and gave briefings on all the different resources and the maps that showed the various boundaries and so forth. And this is an example of a 1973 ... this is a ... this is a one of the bills that was put out in about 1974 / '75, that had a Copper River ... this was probably a John Dingle kind of

bill, because the whole NPRA was suddenly made into a national wildlife refuge. So we had 23 million acres of national wildlife refuge, because when Dingle and John Breaux went up to Alaska, on the 'show me' trip, why ... and I was the gofer that was sent to go with them on the plane ...

And they ... they sent down to the White House and got provision to take the Vice Presidents airplane, because there was ... there was so much fear in the Congress about taking the small planes up in Alaska because there had been two congressmen killed just the year before this all got started. So, John Breaux and John Dingle and the other members of the Merchant Marine and Fisheries Committee were not gonna get on any small planes. So, we ended up on the Vice Presidents ... I don't know what model jet, but it's a big jet, flying, to look at these proposals. The minimum altitude that the Air Force would fly is 1000 feet above the ground level. And so, I had ... I had refuge managers in the cockpit helping the pilots know where they were, and trying to spot anything down there. We saw caribou on the Artic Refuge, for instance, and so forth.

But we went up to Fairbanks and had hearings there and had a big a ... a big dinner with the Alaska Sportsman's group. That was the first time I ate lynx, in my life. And then we flew up over the Arctic National Wildlife Refuge, and across the Coastal Plain, and went to Prudhoe Bay. And it was 52 below zero. And the wind was blowing. And we were out looking at oil rigs and stuff with these congressmen. There were ... there were not a lot of them in the group, but, you know, they were prima donnas.

And we went over the NPRA, and that's when John Dingle asked me about NPRA. And he decided on his own, and he used it the rest of the time, 'I'll give you NPRA for a national wildlife refuge if you'll let me open the Artic National Wildlife Coastal Plain, that ... that ought to pay you back for that.' And I said absolutely not. But, anyway, that's what he thought he could do. So he gave us NPRA from then on, and ... until it didn't work any more, but ... It was one of his big trade offs, he thought. And the Copper River delta ... when we flew out here, he was ... he wanted to give me the Wrangle-St. Elias National Park proposal. And he said, 'what difference does it make if you guys manage instead of the Park Service.'

So, those were the kinds of pressures that you ended up with when you go up with those committee members, I mean. And I really hated those 'show me' trips because, man, there's no way you can win. You know, you can do nothing but get yourself in trouble on those trips. But we had quite a trip around the state. And we had helicopters available to us out of Elmendorf Air Force Base and out of Fort Rich, and we would go see ... we went and saw the Harding Icefield in a ... in a Air Force helicopter, and things like that. It was like first class - sort of - but it was also a pain in the you know what because trying to make some kind of a responsible presentation from the restrictions that we had with those big huge air craft, instead of the small planes that we normally took, and get on the ground and stuff ... And they didn't want a lot of air take offs and landings, because those are where you get

into trouble. There was a lot of fear and trepidation about ... about crashes up there, in that ... in that context.

So ... but, those were other duties, too. And I ended up, overall, in the course of the ... from 1974 – which was my first trip to Alaska, which was a personal ... which was dig ... get acquainted for this new guy that's been put in Larry Means job, sometime in '74, in middle of the summer or early fall, I went up and took a tour. And then, after that, it got very soon to the point where I was conducting the tours for Fish & Wildlife VIPs, and Congressional VIPs, and Departmental VIPs. And I've decided, at the end of it all, I've taken about ... between 20 and 30 trips for 'show me' – where I was 'showing.' And I took about another 10 trips for specific work projects – like negotiating Cook Inlet, and Kaktovik, and going out to the Pribilofs, and ... some other internal work ... fashions and things of that sort. And then one or two emergency trips to get up there because there was a problem. And then when ... when ... ultimately, when the President proclaimed the monuments, they sent myself and the counterpart from the Park Service ... they took the two of us and said 'go to Alaska, explain it to them, and calm them down.' So, those ... I ... I think all together I ... I figure I made somewhere between 40 and 50 trips. I was in the state every month of the year, and probably spent a grand total of close to a year, or slightly more than a year of time, in the state. But I was never assigned to the state. I was never ... I never lived in the state.

But, in the meantime, I also, you know, me and history ... I love history ... so I learned the history of Alaska. To the point, that I could argue with anybody from Alaska – Don Young, Ted Stevens, none of them would challenge me on ... on the ... on ... at the hearing table. They started off by challenging me, and ultimately their staff would lean over and say 'you don't argue with Bill; he's never been wrong.' And so, I can remember one time in a hearing, where I was not at the hearing - I was monitoring the hearing, and I was behind the table - somebody at the table tried to argue with Don Young about something – I don't even remember what it was – and Don Young looked at him and he says 'son, don't argue with me,' he liked to do this teacher thing, you know, 'don't argue with me' he said. 'The only person in this room that I'll allow to argue with me on matters of Alaska is that guy back there in the yellow shirt.'

But, anyway ... The other things were just slowly evolving, but they really weren't going anywhere. The Ford Administration, after the Nixon problems, and the Nixon Administration, just wasn't pushing anything at the end. Didn't have any power. And the Ford Administration wasn't terribly interested in these things. They had a lot of other problems to solve at that time.

So, even though there was a hearing or two, and there was some interest by the Merchant Marine Committee, there wasn't that much going on. But, it was working toward that end. And about three months before the fall elections, Ford discovered that he had this Alaska proposal, so it became part of the Presidential lexicon to talk about doubling the size of the park system and the refuge system, if they were elected to office. And both candidates took that on. And Jimmy Carter talked a

little bit more, he'd do a little bit more than ... than Ford did. And unfortunately, Ford didn't ... for some reason didn't have as good a fix on it as Jimmy Carter did. I think that's because the conservationists got in to Jimmy Carter, and they didn't do much with Ford. So, I think Carter got briefings that ... that gave him a lot more, and ... and he was a little more interested, so he took it better, and he used it more effectively in his presentations.

But when in that ... in the election that took place in the fall of '76, and he won the election, his transition teams came in looking for something to make the big splash, the big environmental project of this Administration, and when they interviewed the Alaska Planning Group, it ... they didn't even walk out the door before they made their decision – this is it. We're gonna to do this. So, from that point on, in late '76, we were top priority. And by the time that all the appointments were made and everything else, we were already running.

But, it meant a whole lot of work, 'cause we had ... they had to have a completely, brand new, decision making process within the Department. We had the EIS's. We had, fortunately, put in a lot of alternatives, and we had used what we called 'areas of ecological concern.' So that every project area – we had boundary actually outside of all project boundaries that are on the map, called the 'area of ecological concern.' And we divined alternatives that took the boundaries out toward that full ecological concern area, which means we had covered a lot of ground. And we could cover all kinds of mixes of proposals, out to that point. Somewhat challengeable in law, I suppose. But, it got us by a lot of things. And so, using that, we didn't have to redo the EIS's. They were still reasonably fresh, and they discussed some of these expansions and stuff. And so, Andrus wanted approximately 90 million acres in his proposal. And ... so there was still this debate and discussion, again, about whether an area ought to be a park or whether it ought to be a refuge. He ... he did us a favor. They ... Morton proposals included 18.8 million acres of national forest in central Alaska. That was partly, or mostly, because Bob Berglund out ranked ... not Bob Berglund ... the ... whoever the Assist...

**NO** – Butts.

... Butts ...

**NO** – Yeah, Secretary Butts.

... yes, Secretary Butts ... outranked Morton. And Morton was soon to leave anyway. But, Butts insisted on a bigger share than what had been offered before, and at the very last minute, Morton gave it to him – 18.8 million acres – most of those were refuge proposals. And ... it hurt. But we decided that we could live with it, if we had to. We still had 30 ... almost 32 million acres in ... in the Morton proposals, for refuges.

In '74 and '75 we stayed there.

But in '76, when we had this opportunity, we made the big pitch again, about dominate use verses ... verses d... ah ... multiple use, and why bring a new multiple use agency, and blahdy blah and blahdy blah. And, low and behold, it caught with the Carter Administration. They kicked the Forest Service out. There was not gonna be any interior forest proposals – at all.

And boy that really ... when that hit over there in the Department of Agriculture, that caused quite a stir. But that still meant that we had some disagreements to have to deal with between the two principle agencies – Fish & Wildlife and Park. And ... and it went through the full range of decision making with Bob Herbst making decisions, and then it would go on up the line. And Cynthia Wilson was Secretary Andrus' key person, with a lot of power.

But anyway, in that particular episode, it was kind of interesting again. By this time, I had learned a lot about all of these proposals. And, you know, the ... the charge was to come in and make your presentation for those areas that you believed the resources were proper for your kind of management – irrespective of what the previous decisions were, which opened the board. And I went in and made my pitches. And when Bob Herbst made his decision, the national wildlife refuges had about 77 million acres in his proposal, and the Park Service had lost two big parks.

And that could not stand. So, overnight, there was this rather substantial lobbying effort from various corners of the Department, saying that that was a totally unbalanced proposal, and it could never go forward. And so it had to be rebalanced with parks coming back up a bit. But, parks never got back up to the same level as refuges.

Refuges, from that point on ... we didn't ... we didn't keep the 77 ... we lost a bunch of land the next day, and the maps got changed again. I still can't ... we had a map that showed that ... what Herbst original decision was, and I can't ... I've never been able to find it. I don't know what happened to it. Someone stole it. But ... but it was quite ... it was sort of a high mark of the Fish & Wildlife refuge thrust, and a ... but I was pragmatic. I ... I understood that this was a political arena at this stage and you had to have ... and parks were the big drawing attraction and the big important thing.

And, by this time, I knew that we would have a lot of input into the nature of the management in those areas, so the Park Service can manage fish and wildlife and other things. The difference in some cases would be they were going to be park preserve, not completely closed to the ... and they were going to have subsistence in them, and things like that. So ... and we weren't as ... quite as adversarial as it seemed that we were. And I ... I accepted it, I think, a little more easily than I might have a couple of years before.

But, in any event, that was another one of those little episodes that ... that we got into.

The ... 1977 became the real start, because the administration went up in 19 ... 1976, before they were inaugurated even, and said look, 'we're gonna have to go through this kind of ... episode and stuff, and it's gonna take some time, but we'll be up there with you at an early stage.' So, when they came into office, they were ... there was testimony, and hearings, and so on and so forth. Everybody was patting everybody, basically, on the back. And ... and the Administration was saying 'give us six months and we'll put together a whole new set of proposals. I want to ... Jimmy Carter wants to make this his own thing.' So all through the summer, well that's what we were doing, was recreating the ... the new set of proposals, which took an enormous amount of work.

Also, by this time, we were all ... we were much more automated. I talked about the IBM Selectrics, and carrying these papers back and forth, and editing and re-editing. And ... and that became a real pain, but ... we negotiated a contract, for instance, for the final EIS's, which the Department considered the pride and joy of the Department of Interior, the ... the icon - the standard - for environmental impact statements - for at least a couple of years - these were considered so good by John Ferrell and Bruce Blanchard. But we actually signed a contract with a computer firm that ... that had the ability to scan our ... our mag tape produced documents. So, if we would produce the documents on mag tape 2, which was a class of machine, they would scan them and give us 95 to 97 % accuracy of scan. I don't know whether they ever achieved that or not. But those documents were in fact scanned into the computer and printed out of that, which gave us a better quality document. Gave us a little more flexibility in the kinds of things that we could do. We looked at other computer-type machinery during that period, but it wasn't, yet, quite ready.

But, you know, those mag tape machines were a lot of work for those secretaries, 'cause they couldn't see the document. It was all ... they had to have everything up here in order to do the ... the thing properly. So, they were still kind of a pain, but once you got it document in there, you could correct it and not have to worry about making more mistakes somewhere else. It didn't ... it didn't require retyping the whole document. And we were moving along this trend line toward more and more and more automation.

By ... by this time we were using more sophisticated magnetic tape machines and doing a better job of it in '76 / '77 / '78. So ... but, we were also having deadlines that you couldn't possibly imagine. We were having people come down in and afternoon and say 'by tomorrow morning we need complete set of paper on this, this, this, and this,' and ... and so the staff would work all night and do it, you know, it was just the way that the office worked. But, we got a reputation for always delivering. So I guess that's the way you end up going.

The implementation of the Alaska Native Claims still was a very big priority, still was a burden. The Natives had made their selections, and so forth. But, there was need for continuing to follow the trend of that. And I'll take a break here, but we'll then talk about some of the things that that entailed.

End of Tape # 2, second set of tapes. End of DVD #3.

Start of Tape #3, second set of tapes

**BR** – Ok. So, in 1977, the committees on the Hill had started getting ....

Start of Tape #4, first set of tapes

... started getting pretty serious, because the withdrawal deadline, for protecting withdrawals on all these proposals and so forth, would run out on December 18<sup>th</sup> 1978. So, they may have been sort of ho hum up to this point, but beginning about 1977, when Morris Udall ended up becoming Chair of the Interior Insular Affairs Committee, the Congress decided that they needed to start addressing this issue. That would give them one full session of Congress – '77 - '78 ... 95<sup>th</sup> Congress, to ... to take it up, and they felt they could deal with it.

But it was, by this time, so complicated, and there was so much power in so many places, that that was easier said than done.

But first of all they ... they took to the field. Partly it was the Alaska Coalition strategy to make it a national issue. So, Seiberling decided to hold hearings in ... in a ... Chicago, Atlanta, Denver, San Francisco, and Seattle – as well as Anchorage and Fairbanks and Juneau. And then he was going to visit about 20 villages around the state and hold what they called 'village listening sessions.' They weren't actually, technically, hearings. And they produced a 19 volume set of hearing record books, all of those presentations. We had to help the logistics on that. And ... and we attended at least some of them – particularly in those areas like the Yukon Delta, that we were so interested in and so forth.

But, Seiberling had gone up the year before and was just immediately turned on to the issue, and was just captured by the whole thing. And wanted to make sure that they were ... that they protected the subsistence needs of the Natives. And that they had a glorious park and refuge bill. This was the ... this was the thing of the century, you know. This was going to be conservation at its very peak.

Merchant Marine and Fisheries also took to the field, but they didn't hold quite as many hearings. They did hold some hearings in Alaska, and ... and did take another tour or two up there. And Land Use Planning Commission held a series of workshops, for committee staffs, mostly for the senate committee staffs. And we were prominent in making the presentations. I went up specifically for that group of meetings, and was able to call the expert resource people for each one of the projects, 'cause I knew it so well. And I gave presentations on my own for some of the areas, for whatever reason.

But not ... not a lot was done in '77, except sort of staging everything and getting ready to do it. There were several bills that were put into place. The H.R. 39 that

Morris Udall put in, in the beginning of '77, had 75 cosponsors. And it also called for about 110 million acres of Alaska lands to go into the parks and refuges and wilderness system. And also they had Wild and Scenic Rivers.

Wild and Scenic Rivers – they were about 4 or 5 or 6 or 8 rivers, depending on which bill, that were outside of ref ... all the parks and refuges, and so they would be separate corridors that would be managed by BLM. And they generally would take about a million acres to do that. So they always were between 800 and 1000, and 1.2 million acres for the wild rivers. And the rest of the rivers were inside of a park or refuge, and they would be managed by them. So the acreage didn't have to recount.

But that was a pretty strong bill. And it just kept getting stronger, as a matter of fact, as they went through their ... their hearings and so forth. But, in any event it, it kind of upset the ... the Alaska delegation. It was much bigger than they had ever expected to have to deal with.

At the same time, the Alaska Coalition, by this time, had become a very strong, moving force. And they were getting bigger and stronger all the time. And they were sort of at Udall's beck and control. I mean, since Udall agreed to be their basic champion, it ... all he had to do was raise a finger and they would go off and do it. And they ... their lobbying teams just became more and more and more effective. There were very sophisticated lobbying organizations that worked for the oil and gas industry, and mining industry, the logging industry, all of the industries in the ...

And the state was sending forth teams. The state appropriated, usually about a million and a half to as much as three million dollars a year, to fight Udall's proposal and try to get a state proposal. All the state proposals - and Stevens' proposal, and Gravel's proposal – uniformly, had very small parks, and very few if any refuges at all. Many of them didn't have any refuges. And then they would have these huge cooperative land ventures, which would be a fifth system, managed by some kind of a mix of federal / state. But there was always sort of a dominance by the state. And the state could put in some of its lands into the mix, but it wasn't absolutely a requirement. And that's the kind of system that they wanted to see.

In other words, they wanted to use this vehicle to get more control of all the federal lands, because when you think about it, the Alaska ... divvying up of things, it was the final resolution on all these federal lands in Alaska.

Alaska was bought by the United States government for 7.2 million dollars. It owned, at one time, 100%. Then they started giving out lands for private ownership, homesteading, various other kinds of entries. Then they gave the state 104 and a half million acres. That settled the state issue. They gave the Natives 44 million acres.

But it's 378 million acres big. So that meant there was going to be a substantial amount of federal land left in Alaska. And this decision was s'posed to allocate those federal lands differently from all the other western land states. It was s'posed to say what ought to be a park - goes into parks, what ought to be a refuge - goes into refuge, what ought to be a wild and scenic river (fffhrt – sound effect of whistle type sound) into there. If it should be a forest or a wilderness area - that's where it goes.

And then the rest of it goes to BLM, under their authorities - multiple use management and so forth. So – it was going to be federal. The question is – which federal agency? That made up the decision. And ... and that had become kind of ... everybody's ... [Phone ringing] was in the same mind on that, by the time we got there. And that's where they were. But the state [Phone ringing] was still trying to figure a way to get more control over all of these federal lands in their state.

The ... the Administration sent up its ... its new proposal in January of '78. It was an excellent proposal, in my view. And ... and it was fairly well received. But it still didn't quite match up to ... to H.R. 39. And so Udall, basically, stayed with his bill and moved forward with it. And the Administration bill just sort of sat there. We lobbied and ... and tried to convince people that it was better, but, the fact is, that Udall was carrying the Alaska Coalition's water, and he felt comfortable with what he had. And he had gone up there and talked to a whole bunch of people, and made some promises, and he was gonna put it in his bill. So it was in his bill.

The House originally passed H.R. 39 - in an advanced version from what was originally introduced - in May of 1978, by a vote of 277 to 31. And, at that time, it had grown up to where it had 125 million acres in the forest systems. No special, new fifth system or anything like that. And only 2.7 million acres of that 125 was for new national forests. There was acreage for making national forest lands wilderness. But they ... they, too, felt that if there was gonna to be multiple use management throughout the central part of Alaska, it didn't need to be Forest Service coming up there. That BLM could handle that. And the state was gonna be multiple use. And therefore, this is a decision about the dominate use system, it seemed. So that's ... they were into that mode.

The Senate had 11 bills in front of it during 1978. And they were still having trouble really, getting sort of organized. Jackson – Senator Jackson, the Chairman – had ... had been part of the passage of the ... of ANCSA. So he ... he was there when ANCSA passed, and he'd been part of the negotiations, and had his ideas about what was supposed to have come out of all this provisions. And I think he was somewhat taken aback by how some of the provisions had grown in ways that he hadn't pictured in his own mind. And he wasn't quite as ready to accept these really large national parks and national wildlife refuges. He was more of a ... of a multiple use oriented person. And he was very strong states rightist, and felt that the, you know ... Although, by this time, the state was looking more and more like blue-eyed Arabs - with all their oil and gas stuff. Still, Jackson favored the oil and gas interests pretty well.

So the Senate wasn't as ... as comfortable. It wasn't also as friendly, as we went up there to talk to the Senate staff and stuff, it was a different, a colder, arms distance, kind of relationship, compared to where the House had become over the course of ... of three years. We had more ... we had more interaction with the House, which meant ... it was part of that. But also, the Senate was more ... pure professional, and ... and, you know, we'll make the decisions. So you guys come and answer the questions, and we'll make the decision. Thank you. And that's ... that was fine. That didn't bother us all that much. We did get a little bit closer after the LUPC workshops, because we worked very intensively for about a week up there, and got to know each other a little bit better.

But, 1978 – and the Senate was still dickering around. And it was ... it was fairly obvious that we were probably going to come up against a point in time when this bill might not pass. And if that happened, all of these withdrawals were going to lapse – all the D2 stuff was ... the D1 wouldn't. The D1 couldn't protect from everything, and there would be a sense of a land rush up there. And so, Andrus had agreed with us ... the APG actually told Andrus 'we've got to start' ... and this was early summer, 'analyzing your options under administrative law. We believe you have all kinds of authority that you can use to protect these lands beyond this deadline, but it's gonna take really aggressive and ... and bold action to do that.' So he said 'ok, give me the documents.'

And so we started writing a whole new series of documents to analyze the administrative options available to the President and to the Secretary of Interior. By this time, we had a BLM Organic Act, which had ... had really brought authority for making withdrawal of public lands, under an emergency provision, that would put the land away for three years ... and ... or up to three years, actually. And then it had permanent land withdrawals, including withdrawals for national wildlife refuge purposes. Nothing specifically for national parks or national monuments.

But there was the old Antiquities Act from 1906, which gave the President the authority to sign a Proclamation and designate a national park – permanently. Or a national monument – it wasn't a national park, but it was the same as a park. And it had been used by Teddy Roosevelt in some rather elaborate, and broad, ways – like ... the Grand Canyon, which was a fairly large thing, which was far beyond the ... the scope of the people that passed the Antiquities Act, that thought they were gonna have little 100,000 acre or 50,000 acre national monuments to protect archeological resources and historical resources. But over the years it had been used for these larger areas. It had never been used for anything on the scale that we were talking about.

But, when we started looking at the ... at the Antiquities Act, it was clear that that Act didn't have to give administration of the area to the National Park Service. There was nothing in the law that says 'and the National Park system shall manage the area.' And therefore, we made the argument that all the refuges should also be reviewed for national monument designation. And they said, 'well, how is that

gonna work? You guys don't have any historic and blahdy blah.' and I said, 'well, not only do we have an enormous amount of historic, archeological, paleo-ontological, and those kinds of values inside those refuges, but from a scientific standpoint, the refuges often beat the parks for scientific values of ... of the area. And we think we can document that the refuge proposals do meet the criteria of the ... of the Antiquities Act.'

So we evaluated every single refuge in our proposals, and every acre in our proposals, as a potential monument. And we set forward a recommendation within Interior, through Bob Herbst, and I think Sec... I think Cecil Andrus signed off on it also, that said that all the refuges qualify, if you want to designate them. So we had to write all the proclamations. We had to do brochures, and we had to do maps, and ... and everything else. And all of that went over to President Jimmy Carter's desk saying, 'you've got the authority to create all of these monuments by signing all these proclamations – if it comes to that.'

And we had that done by November of 1978, while the Senate was still trying to deal with this issue. And Stevens and Gravel were getting worse and worse about their ability, because they were ... they knew it was up against the deadline. Everybody was scared to death of ... of having all this thing fall to nothing, after all these years. Have all the withdrawals lapse, and suddenly it was a big land rush for minerals, and so on.

We also found that there was some other tricky things about this, that most people don't really know - even today. We found that, for instance, there was probably never any intention that the BLM Organic Act authority for land withdrawals would have anything to do with the National Park system, because, first of all, national parks can only be created by Congress; national monuments by the President. There are other areas of national parks where there may be some public land order kind of withdrawal, but it was very seldom used. And clearly there was nothing in the language of the statuette in the BLM Organic Act contemplating using that authority – other than the ... maybe the emergency authority – but, even that was suspect, for protecting areas that might be national park status and so forth.

So there was an argument within the Solicitors Office that said 'if you're gonna protect the park areas as 'park areas,' you better do it before December 18<sup>th</sup>. You better prepare ... be prepared to do it, and you'd better do it as monuments. 'Cause if you wait after the ... December 18<sup>th</sup>, and then you try to come back and use some other authority, we aren't sure where you're gonna get that authority to try to make it a monument or whatever, or that somebody can't challenge it.' So Carter was primed. There was no question about it.

And sure as heck, after really, intense negotiations, and more ... they got within inches of a deal that wouldn't ... wouldn't really been as ... as well done as what finally came out, ultimately, but was still a lot better than the Senate wanted to do. And then Gravel walked in at the last minute and demanded a whole series of things, including: mandatory road corridors across the parks and refuges in several

instances; one big mining operation had special provisions; and a 'no more' clause that ... there would never, forevermore, ever, be another national monument created in Alaska.

And it just was unacceptable. It was even unacceptable to ... to Senator Stevens. He said, you know, that ... that ... we just can't do that. So, at the ... when that fell apart, and everybody walk... almost was walked out the door, why, Secretary Andrus pulls a document from his pocket and says, 'hey, folks, I've got an extension document here that will extend these withdrawals for another two years and we can get into the next session of Congress.'

And Gravel refused to sign it.

Or actually, he was already gone. And so everybody else agreed to it. Then, when it went to the floor for debate, Gravel walked into the floor debate and started filibustering it. And ... and Byrd pulled the bill.

So there was not going to be any extension. And this was like late November or early December.

And Andrus was primed. We had all the documents done, and everything was setting in Interior. He had already told them that he would do it. And so they put the emergency withdrawals on the lands first. And I have the date but I can't remember it right now. We ... we'll dig it out. And then the ... this was in late November, actually, it wasn't in December yet. I do remember that, because President Carter called a news conference for December 1<sup>st</sup>, 1978, and stood up and said that he had declared 56 million acres of national monument.

'Proclaimed' it ... it's a different slightly different system. There's 'Executive Orders' and there's 'Proclamations'. And the term 'Proclamation' is used, interestingly enough, on the ... it was ... it was used for final Presidential action, in those days, back at turn of the century. So, it was used for the Antiquities Act. It had also been used ... the 'Proclamations' would create the national forests that were authorized under the 1891 Forest Creation Act. Whereas, throughout the 20<sup>th</sup> century, refuges were created - first by 'Executive Order', rather than 'Proclamations', and then later, when the delegation of authority came from the President down to the Secretary, they became 'Public Land Order' source. In a few cases 'Secretarial Orders'. So there's always been somewhat of a distinction. And that's why I keep using the term 'Proclamation'.

But this is the 'Proclamations' that were declared by the President on December 1<sup>st</sup> 1978. You can't see them real well. There were two refuges included with these 'Proclamations' out of ... out of the whole package: the Yukon Flats, including the entire Beaver Creek / White Mountains area; and the Becharof Refuge proposal, south of Katmai on the Becharof Lake.

I was never actually told explicitly why those two areas were made into national monuments. We had tried hard to convince them that some of the refuges deserved that, and even though it was a unique designation, that the Fish & Wildlife Service would learn to live with it. And that they had all the authority they needed to manage national monuments. And it might give a kind of interesting perspective to the way that they manage them, as compared to the traditional national wildlife refuge.

That caused a lot of consternation inside the Fish & Wildlife Service. 'Cause, although Lynn Greenwalt knew about all this, almost nobody else ... except at the very last minute we ... I did brief the entire Directorate. But they hadn't had time to really understand any of this, and there was a lot of uncertainty in the Directorate of the Fish & Wildlife Service over what this might mean.

Nevertheless, the President did that.

Total shock to Alaska.

I ... as I said, Roger Conner and I were dispatched, and told to go to Alaska, and be in Anchorage, and go to Fairbanks. Meet with media, meet with all the development interests, and try to calm them down. Anchorage was ... was not too bad. Anchorage was fairly ... they were still somewhat numb, and they ... they were courteous, and we had pretty good ... pretty good thing. And the newspapers and media came over, and we were on television and all that good stuff. But everybody was pretty courteous about it. By the time we got to Fairbanks, things had changed. And ... and ... and there's more miners up there too. And it became ... through the course of the ... the briefing and ... and the interviews and stuff ... became more and more edgy and confrontational. And by the time we got out of there, it was fairly close to being a confrontation. And we kind of slipped out the ... the back door and got out of there. And got to an airplane and went back to Anchorage. But it ... but it was ... it was getting nasty.

And as you know, maybe, they hung Andrus in effigy; they hung Udall in effigy; they hung President Carter in effigy; they burned their bodies in ... in the time ... in the square ... down in Anchorage and up in Fairbanks; and shot holes in them. And declared it a sneak attack, like Pearl Harbor, on Alaska by the United States government. Claimed that they'd never heard anything about any of this stuff. Although all this material had been made public over the course of the last several months and was in **all** the newspapers, and on TV, everywhere – that we were going to protect those lands one way or the other.

But, Alaska is Alaska. It often times acts like a very ... a very angry teenager. And they sure did this time ... by the time it got all over. But, that meant that we had emergency withdrawals on ... on almost every acre up there. And we had 'Proclamations' that made **permanent** national monuments and these two refuge areas. **Permanent** – nobody could touch them. Except there was a lawsuit filed in Washington and ... and I ended up spending a lot of time being deposed. And the

lawsuit lost. It was against Jimmy Carter for his use of authority to this magnitude. But, it prevailed. No judge has ... no judge has every overturned a national monument designation. The authority is there. If you do your homework right, and we had apparently done it.

So, on November 16<sup>th</sup> is when Andrus used the emergency authority. and he ... he did 110 million acres, plus he did another 11 million acres down in southeast at the request of the Secretary that ... Bob Berglund is now Assistant Secretary ... and Carter used his authority on the first of December of 1978. 56 million acres of monuments.

So, we felt we were in reasonably good position. Secretary Andrus made it clear that we also had additional authority. That he wouldn't hesitate to exercise it, if necessary, to make permanent all of the refuge withdrawals, because the BLM Organic Act **had** provisions –specifically under the 204C provision – that gave authority to the Secretary to use 204C classification withdrawal to create refuges for 20 year period.

And Harry Crandell comes back into the picture. Because Harry Crandell helped write the BLM Organic Act. And Harry Crandell put two ... worked on two major provisions, and parts of ... of the BLM Organic Act. One ... was that they would ... they have these authorities for refuges and so on; and secondly, he removed the authority of the Secretary of Interior to unmake any refuge created under that authority. So the Secretary can create it – national wildlife refuge – it's a 20 year withdrawal. At the end of the 20 years, if he disagrees with continuance, he can send a recommendation to Congress, but he cannot take any action to delete that refuge or to unmake it. And that was Harry Crandell.

At the same time, Harry Crandell put legislation into the Fish & Wildlife Administration Act – at the same time - 1976 – in solving the 'Game Range' issue, that had built up over the years, and put new ... new authority ... new language into the Administration Act saying that neither the Secretary nor the President can any longer unmake a national wildlife refuge. No more. We had ... we had lived under that threat, that at any time somebody could write his name to the bottom of a document, and – no more refuge. And they had done that many times over the years, as you probably know.

But, Harry Crandell was responsible for getting both of those provisions put into the laws, in two different places. He just seemed to be like little ubiquitous person up on the Hill. And he had such credibility with these members of Congress that they allowed him to do those things. And it's an amazing story, because he's a real unsung hero in ... in Fish & Wildlife Service parlance.

But, anyway, we used ... we used that to explain to these folks, and Andrus was very eloquent in saying, 'we want this to be a Congressional finality. But you left us no choice. We've shown you that we are determined. And that we do have authorities. Please, take this thing up and deal with it.'

So, in '79 they started all over again. And Udall came back with a somewhat improved H.R. 39, that was based on some negotiations that actually had taken place between the House and the Senate, trying to improve the Senate bill, that Gravel wouldn't allow to go forward. But, Udall came back with that as his opening gambit for 1979. And ... and in that bill the refuges were at 85 million acres. It was essentially what you saw in that last map.

So ... but, here's ... here was the status of the ... of the D2 proposals, if you will, as we started that ... that 96<sup>th</sup> Congress. And then things just sort of like, you know, you'd taken the two steps forward and it was time to take you one step back, not at your own bidding. Udall went into the vote on the Committee, thinking he could win his Committee bill vote with his new Udall bill, and he lost by one vote. Bang! Jerry Huckaby – fairly new member to the Subcommittee – was able to put together a coalition of forces [cell phone ringing] using ...

?? – Take a pause?

BR – Ok.

Break/pause in tape

BR – So, this caught everybody by surprise. It caught the administration by surprise. It caught the Coalition by surprise. Udall was ... was really surprised. The ... the coalition was not good coalition of forces that defeated him, because it was ... it was all the ... all of the Don Young forces and the Republicans – the development interests and so forth. And ... and one of the first things that was in their bill was to open the Arctic Refuge to oil and gas leasing – for instance. They had a lot of other stuff in there. They had very ... they had taken about 30 million acres of refuges out of the bill. And they had really put upon the parks also.

And the Administration had come into the 9 ... into the new Congress, the 96<sup>th</sup> Congress, saying, you know, we know where we are, we're ... do ... do what you're supposed to do or we'll use this administrative authority. Other than that, the charge [cell phone ringing] that was given [cpr] to us was that we [cpr] should go ahead and basically [cpr] support H.R. 39 Udall [cpr] bill, but stay within the broad guidelines of the Administrations proposal. Don't just embrace Udall's bigger bill. Sort of stay to the more trimmed down, Administration position. But they weren't gonna send a new bill up and I don't blame them. Would have been a lot of work for ... for no utility at all.

But, in any event, there we were. And Udall immediately tried to figure out what his strategies were. In the meantime, the ... the Merchant Marine and Fisheries Committee took up the bill. And John Breaux, who was working with John Dingle, also had their own ideas about how ... how to compromise all these things, and was much more development oriented. And was, frankly, a little bit miffed that they had

always been given short shrift. And so they were kind of out to prove their ... their powers. And so John Breaux had a not very good bill come out of his committee.

And when the bills came toward the floor of the house in May, Breaux works out a deal with Huckaby and they join forces and come up with their own Huckaby / Breaux / Dingle bill, which was ... had a lot of NRA input, because the NRA had been very upset with some of the park proposals. They had become convinced that the parks would unduly shut down hunting on some of the parks [phone ringing] even through ... [phone ringing] even though [phone ringing] there had been a great deal of attention put to the park division lines between national park and national park preserve – the preserve being where you can hunt in the park.

And then one of the key areas where this was a big issue was Wrangle - St. Elias. This is ... this is the area that produces about 80% of all the really trophy Dall sheep in the state. There had been a big debate over it for a long time. Park Service had done some fairly careful analyses of the hunters report cards on Dall sheep and stuff, in this area, and had tried to pin down pretty closely where the ... where the Dall sheep were taken, and how many were taken, and so forth. and they had shown that the dividing line between the Wrangles National Park and the Wrangle - St Elias National Preserve left approximately 51% of the ... of the trophy rams in the Preserve, although the sheep moved back and forth, but ... but based on the kills, 51% would be outside in the Park Preserve during the hunting season, and 41% ... or 49% would be in the Park. Nevertheless, there was a lot of debate over that.

And I got into it, again, because of my Alaska Planning Group responsibilities, and had taken up the cudgel and the fight for the parks. And had pointed out that a lot of the statistics that were used by the state and by ... by Stevens, Gravel, and Don Young and everybody else, couldn't be relied upon because they used, not only the Dall sheep's rams – and not only the Dall sheep rams that were legally ... were legal take, which requires three-quarter [3/4] curl in Alaska, which means the Dall sheep has to be ... like, about 5 years old or more, and ... and that cuts down on the number of Dall sheep animals you're talking about in this population, and – but they were counting all of the ewes, none of which would ever be hunted. They are not allowed to be hunted. They never had been allowed to be hunted. And probably never will be allowed to be hunted in Alaska. So, counting the number of ewes in the population and saying they are all being put off limits to hunting was really, you know, a red herring. And then, taking all of the rams - rather than just the trophy rams ... I mean, they were counting all the ... the yearlings and two year olds three year olds and four year olds, which are a large percentage of the population simply because they die as they move along.

And I pointed all this stuff out in a big conference that was debating this issue. And we won. Because, partly because, of that. Because these people at the National Wildlife Federation were in the audience and they said 'god, that makes logical sense.' So they voted for the Park ideal. But NRA didn't necessarily buy on to it. And John Dingle doesn't like the Park Service. So they were back fighting that issue again. Plus some other places in ... in other areas.

But there was a very detailed analysis – and I didn't bring it in to this, but we do ... I do have a copy of it – of all the hunting all through the state and how much the parks would actually take out of the hunting end of things. And it was a small percent. Most of Alaska would still be available to the sport hunter. But the sport hunter was kind of chaffing in Alaska anyway, because the Natives were going to be able to hunt in all the parks, all the preserves, all the national wildlife refuges, on a priority basis. And they were gonna have first priority on all the public lands. And this was starting to chaff the sport hunter up there a little bit.

But that's where Udall was, the President was, the Secretary was, and therefore, that's where I was, in ... in the scope of things.

The ... Udall came back to the floor of the ... of the house with a, quote, Udall / Anderson bill, which was a new version of his bill. And ... and they pulled it off. And so they ... they won on the ... on the House floor. They beat ... they beat out the Dingle / Johnson / Breaux / blah blah blah bill. That was ... that was kinda scary. But they won it fairly handily – 268 to 157. So it showed that when the Coalition really got its act together up there, they couldn't hardly be beat for a lobbying force.

And we still had reasonable arguments on our side. If you got to the members of Congress, and you explained to them what was going on, our arguments were still stronger than the other peoples arguments, as I think about that ... what that shows.

Anyway, then it had to go to the ... had to go to the Senate. And, by this time, Stevens is thinking we can ... we can hold this thing off, and have it go into late 1980, and I'll be able to wheel ... strong powers and stuff. So, you know, all he had to do was figure out a way to delay everything – delay, delay, delay.

In the Senate, the new champion for the Coalition was a junior senator that had just come into the Senate. He had, however, been in the House the previous Congress, in the Udall committee, and therefore, was very familiar with the bill. And very committed to the Udall H.R. 39 type of bill. His name was Paul Tsongas – a Greek from ... from Massachusetts. And so, the problem was that Paul had almost no power, no weight, no ... nothing but persuasion and the Alaska Coalition, within the committee context, 'cause these were all senior members and stuff, and he was the new guy on the block.

They held a number of meetings, and mark up sessions, and on and on and on. Anything that was gonna drag this thing out. And the bill that they finally passed out of the Committee was a terrible bill. And it passed out 17 to one, with Paul Tsongas voting against it. And they thought, 'man, you know, this is the Senate. This is ... we have all the power. We'll do what we ... what we want to do.' It had 40 million less acres of national wildlife refuges in it. I was really injured and hurt, 'cause I thought they'd like us better than that. It allowed oil and gas exploration in the Arctic Range, among other undesirable features. So, ...

But, Tsongas went out with the Coalitions help and put together a Tsongas / Roth substitute, which brought in a Republican, which helped - a senior Republican as a matter of fact. That helped a lot. And it was a much stronger substitute. But, Byrd didn't want ... he didn't need to have anything complicating his floor actions, and so he kept delaying and delaying and delaying.

And then, apparently, he agreed, and Jackson agreed, to a very unusual move. And in February of 1980, Paul Tsongas, in the very dark of night - like 11:30 or 12:00 midnight - Paul Tsongas is called in to Byrd's office and ... and given this option of signing this time agreement.

The time agreement is normally used when there is a difficult problem, to make sure that there are precise limitations placed on a controversial bill, so that the parties will have set amounts - equal, but sets amounts of time, to make their arguments. And then the Senate will move, expeditiously, to resolve the issue. They'll vote on it and make their decisions.

This one was a little bit more than that. It was a time agreement and ... and a limitation on the amendments that each party would have. That's not totally unusual. But this is in February, and the time agreement delayed the whole Alaska thing until July ... mid-July.

Tsongas, junior senator from Massachusetts, looks at Jackson. He looks at Byrd. And ... and, 'is this really all right, and everything?' And they sort of sagely they nod their head, and stroke their beard, and he says, 'ok, I'll go for it.' And bam! You know, the Alaska Coalition couldn't figure out ... the administration says, 'what is going on? We don't ... you know this ... this just gets Stevens and Gravel every tool that they might want.' But, it was too late. They signed it. And, Tsongas was allowed five of the 14 amendments, you know, of the 14 amendments that were allowed in the time agreement, Tsongas got five; Jackson, Gravel, and Stevens each got three amendments that they could come up with. But, supposedly, Stevens and Gravel had ... had, by this time agreement, had agreed not to filibuster the bill, and kill it by delaying tactics, and so on and so forth.

So we moved forward from that point, thinking 'well, even though it's gonna be middle / late July, everybody's agreed that they will take this up and ... and move it.'

And then, again, I'll deviate from ... from the Coalition ode that everybody reads about the history of the Alaskan Lands bill. The Administration actually went back, held intensive discussions, and ... and so forth, about what ... what the options really looked like, and what could happen. And I ... and I honestly believe what my memory tells me, that ... that I came up with the idea that we'll just ... what ... we have five amendments. We'll just do a ... an amendment for each of our major titles. So there'll be one amendment to be called 'refuges title amendment.' There'll be one for parks. One for the wilderness. And I can't really remember what the other two were. And I took that up into this Coalition and task force meeting.

And I said 'this is what we ought to do, is use our five amendments – massive, big, title amendments, and so forth.' And they said 'let's do it.'

And so then they sent their people forward. And [they] talked to Paul Tsongas. And they talked to the Coalition. And that was adopted as the strategy. That came out of the Administration. And not too many people know that. So, from that point forward, we worked up totally new language for each of our titles. We got a champion on the Hill, and in ... in our case - the Refuges case - it was ... it was Gary Hart from Colorado, who, at that time, was fairly powerful. Gaylord Nelson, the senator from Wisconsin, who later went to the Wilderness Society, was the champion for Wilderness. He'd been working on the bill for a long time and had a lot of insight into it.

So, we had picked out these kinds of champions, who were very powerful members of Congress, and thought, you know, this can work against the big time people that we're going up against - Jackson and so forth. And ... and the ... the Coalition thought this was a good way to go, so they were fully behind it, and everything started working together.

Again, Andrus said, 'you guys, do this, but stay, basically, as close to the Administration's original proposals as you possibly can. Although, we don't have huge heartache over some of these extra acres of land and so forth that are in the Udall H.R. 39, we still support that, but, you know, you work for the Administration.' So that's what we did.

The ... thing started on July 18<sup>th</sup>, I think, and ... no it was actually later than that, July 22<sup>nd</sup>, and the first amendment to come up was going to be the Refuge Amendment.

And I was amazed and proud of Gary Hart. This guy ... we had given him a lot of briefings, but man, he was ... he was good. He ... his memory was excellent. His abilities and oration capabilities were outstanding. And he had ... he had no hesitation taking on Ted Stevens, or Gravel, or Byrd, or anybody else. He ... he, you know, he was his own guy, and ... and very ... had a ... had a great presence on the floor of the ... of the Senate.

So he gets up and ... and ... and starts to talk about it. And Gravel demands a reading of the entire Amendment, because he says there's ... he found an error in Page 28, or something like that. And ... and therefore he wants the entire Amendment read. That took up the entire two hour time limit that was available. So that ... that had already been gone, and it was now time to go to a vote.

Gary gets up and gives his ... his speech. Does an excellent job. But then Jackson stands up, and before it even got to a vote, he moves to table the Amendment, which is a test vote to see where the power is. And Jackson thought he would just show everybody that he was gonna control this floor debate. And ... so ... the tabling would have killed that, you know, the Hart bill entirely. But, Jackson was surprised. He lost by 64 to 33 – very strong vote against him.

Senator Melcher stands up immediately and offers another weakening amendment, which dealt with the Forest Service. Second test vote. He lost 66 to 30.

And at this point, Jackson starts getting nervous. And Stevens stands up, no longer setting in his chair up there. And I'm ... I'm in the gallery watching this, as some other people are. And so, Jackson next says he has a sensible compromise bill, and ... that he has worked out with Hatfield and ... and that Stevens and Gravel would probably find was a sensible compromise, as well as everybody else. And so he moved to consider that substitute – total substitute – and lost 62 to 33.

And at that point, you could just see total deflation. Jackson just almost slumped. Stevens turned white. Gravel didn't know what to do. He was sort of dithering around there. But it just took them all right off of their feet. And they knew that if this thing went to the vote, and Senator Hart's bill passed, this could be the start of a total landslide. That all of these amendments were gonna come up, and these votes – 60+ to 33+ – were gonna become the ... the talk of the day. It was just gonna go bang bang bang bang.

And so Stevens, smooth strategist that he is, got up and ... and said 'I want to introduce the first of 18 secondary amendments' which shouldn't have been allowed by the time agreement, but 'eight ... I have 18 secondary amendments. I want to offer my first amendment to the refuge bill.' Hart started debating him over the propriety of that etcetera etcetera, and the parliamentary procedures, and discussions, and it was no resolution. And Byrd got nervous about his Hou... about his Senate floor, and pulls the bill. And says 'go in the cloak room and solve this problem.'

They came back the next day. They had tried to write a ... another compromise bill, in the meantime. But, Stevens still actually pulled it off, because he didn't ... we didn't get the vote. We had everybody primed. Everybody was at their peak. And ... and that was all lost. So, in that sense, Stevens won the day.

The ... the Energy Committee then tried to write, again, a bill on its own that would move it toward the Udall / Anderson bill, and then they would be able to pass it and send it - take it or leave it - over to the House. We wouldn't have time for a conference. And so that was their next strategy. And Stevens thought he was still gonna be able to get his extra power by doing all of that.

So, the August recess was almost upon them. The Senate was still in session. The House had already gone home. And there was the Tsongas / Jackson / Roth substitute bill being prepared to come to the floor. And then Gravel starts delaying, and he starts a ... essentially a pre-filibuster filibuster. And ... and it was so bad, and so blatant, that ... that Byrd said that he would personally offer a closer vote as soon as they came back from recess. And he pulled the bill. And they went on recess. And when they came back, they offered ... Byrd offered his closer vote and it passed - 63 to 25, which was three votes over the necessary 2/3rds. Therefore, Gravel was

closed from any further delaying tactic. The Senate then mov... went on to pass it - an amendment, which was called Amendment #1961. And they passed it on a vote of 72 to 16. Initially as a substitute, and then the next day they accepted it as H.R. 39, and passed it 78 to 14.

So that was the Senate bill, finally being passed out of the Senate. And it had ... it had 44 million acres of parks; 54 million acres of forest ... of refuges; 56 million acres of new wilderness. It's essentially the bill that we're living with today. The bill did allow for a way to explore and open, by act of Congress, the ... the ... it left a little bit of ambivalence in the closure of the Arctic Coastal Plain, is what it boiled down to. Whereas, the Udall / Anderson bill, had ... had closed it.

And that's where it stood as we went into the election. And then, of course, as everybody knows, the election came along. Carter lost; Reagan won. Reagan was completely on the Stevens / Gravel / Jackson / whatever / development side of things. And he came in and his ... his ... his transition team came in with the maddest attitude of anybody I've ever seen. They came in hating all the people that worked in Department of Interior, and looking for firings and oustings and whatever.

The House decided that the better part of valor was to accept the bill after the election and ... to move on. So they went ahead and passed the Senate bill and ... and that bill was signed by President Carter on December 2<sup>nd</sup>, 1980 – that's the Alaska Lands bill.

And ... and quite an ending to quite a saga, for a lot of work.

The implementation phase ... we had been working on, again, these were the things that we were already doing in Interior, and had been working on it for almost a year. And had written an entire, very complex, thick document, delegating all these jobs that had to be done and time frames for getting them done and so forth. And most of that just went – chucked right out the window, when this new team came in. And ... and I had already moved to refuges, so I was not technically part of it, although I was still involved.

And you know, none of the agency staffs were really prepared, and ... and we had intended to have lots of briefings, lots of discussions, openness this kind of thing. And we were closed out from doing all of that. So the idea was 'we don't want knowledgeable people telling these people how to implement this law. We want people that don't know anything about it implementing it. And we'll tell them ... let's ... what the law means.' And so the people that fought the bill all the way through were on top of the administration. And they were saying 'here's what that means; here's what that means; we wrote those provisions; blahdy blahdy blahdy blah.' And things sort of went downhill.

We did get the regulations out in timely fashion. Implementation did move forward. Some of the things that we said had to be done the way we said they had to be done, had to be done that way. But there was a lot of backsliding on that. And they

were trying, of course, to make the bill as weak as they possibly could. But my sense is that, although they ... they tinkered it around the edges, and they made me mad by some of their interpretations, the ultimate ending point is – they really haven't ever invaded the bill completely, and they've never thrown all of its provisions aside. And the planning provisions alone, have been enough to, at least, bring some sanity to it. Although I wish the planning thing had been a little bit stronger, as ... as you know so that's where we are and that's sort of the end of the saga as ... as I will leave it.

**NO** – A couple of things and I'd follow through on. You ... you stayed involved of course, with all this. You eventually wound up, I think, probably in '84 perhaps, you went to the ... is that when you went to the Wilderness Society?

Yeah. I ... in '82 I was ... I was directed – transferred - from Chief of Refuges to Chief of Wildlife Management. Which meant I was transferred from refuge system - - where I'd wanted to spend my career, to animal damage control – where I had studiously avoided spending my career.

**NO** – You changed ... changed places with Jim Gillett essentially. Is that right?

Yeah. And ... and I stayed there for two years trying to implement a very important program of analysis and ... and evaluation of the animal damage control program. And ... and unfortunately, the Director of Fish & Wildlife kiboshed that at ... at a critical stage. And I ... and I said that's it. And I had a chance to go to the Wilderness Society and so I ... and they wanted me to write an organic act for the refuge system, which I was able to do. So, I left.

And another question that you had asked, that I really didn't address, it's ... you know, it's ... I ... I ... I hope by now you see how this thing kind of ... the momentum and everything was moving. It became obvious – five minutes – it became obvious, at some point, that Lynn just couldn't devote any time and attention to this thing. And it was back in about '75, I think it was, or early '76, somewhere in that neighborhood. And so, we first made the change of ... of Lynn dropping out of the Representative for the Alaska Planning Group, and I became the Representative for the Alaska Planning Group for the Fish & Wildlife Service. And Jim Pulliam was put on as Alternate. I still worked for Jim Pulliam, technically. But the Administration wanted more unity within this Alaska Planning Group ... Alaska Coordinating Team. They had all kinds of Alaska teams and task forces and stuff. And they wanted a little more comparability between the staffs. 'Cause Park Service was ... had this big huge staff, and all these grades, and everything else. And the Fish & Wildlife was ... all this big amount of land and responsibility, but they had this little tiny team – and mostly a bunch of graphics artists, and a couple of secretaries, and Christine [Christine Enright – Mr. Reffalt's wife] was on loan from Refuges as a liaison person. But, I only had one other staff position, and that was the one that Larry had been in. So we had a two - three person office trying to do all this stuff. And here was, you know, all these other people running around. And, so, they went over and kind of pushed Lynn a lot saying 'look, let's ... let's get the Fish & Wildlife

team up and running at a little bit higher level, with more positions, so they can do the job.' Because it was just a huge amount of work. We were ... we were putting out just an en... we ... we were putting out, frankly, more staff work in a week than the entire division of refugees put out in two or three weeks. And I told Jim that – three or four times. And he knew it. But there was nothing he could do. And there weren't any positions. And money was bad. But, one of the things they said was 'ok, he's got to be made a Special Assistant to the Director so he has a comparable position to the Park Service,' and the BOR, and where the Forest Service had their staff. 'He can't go up against all these people, in all these arenas, and be a GS 13 wildlife biologist. That just doesn't work.' Which is what I was. So they said 'he will ... the Chief of ANSCA will become a GS 14, and Bill will just be moved into it.' And that was an administrative decision. Lynn signed the paperwork and I was moved into that position. There was no 'green sheet' competition. I don't know that I could have accepted anybody else coming in there that didn't know dodo-ism about it and say 'do all the work that, you know, but I'll be the chief.' I didn't, and I don't, think they really wanted to see that either. So that's how we got to that part of it. And the staff did grow a little bit. And, like I said, we controlled all the mapping, and we controlled a bunch of other things. I always had a small staff, but they did utterly fantastic, an enormous amounts of work.

**NO** – I think, actually, you know, I was just looking over my list of questions that I put together before we got together, and I think you've covered probably almost everything that's on there.

Ok. The only other thing I'll close it out with is that ... started off there was a great tension between the ... the Alaska office in D.C. and the Area Office. As you know, those offices never really get along very well anyway. I would say over the years, and I think Clay and some other folks would agree with me, we grew to be a very effective team unit and ... and that came from a lot of work on part of Clay and myself, bringing the team together, and meeting together as a unit, and ... and in the details those folks would come down and help us out. So by the end of the whole thing, I think the Fish & Wildlife did so well simply because they were able to pull themselves closer together. And the Area Office, I think at the end, felt that we were an effective advocate for what they wanted mostly, knowing that we had some political things to deal with.

**NO** – That's pretty much what Clay told me when I interviewed him a year ago. And he just said I needed to talk to you, to get, sort of the picture from the Washington end, 'cause he couldn't really tell me that. So ...

Yeah, but he was great. And his staff was excellent. And they did an enormous amount of work.

**NO** – Are we about out of time?

Yep.

**NO** – Well thanks a lot appreciate your time.

**Oh, you're welcome.**

?? – Files in Denver? Files in Denver. [Possibly Christine Enright?]

**I told him where the files are.**

?? – Do you want to do it on tape? [Possible the equipment operator?]

**NO** – You can get it on this tape.

**Oh, ok.**

?? – [indecipherable] out there

**NO** – I'll leave this running

**Yeah. I did want to finish it up by mentioning that ... that and I won't go into the entire story, except to say that, after ANCSA was shut down, the ... the ... the left over staff - which at that time consisted of Christine - was moved to the Realty Division of Fish & Wildlife Service. Had all the maps, all the files from the office, you know, all 8 years / 10 years, that we'd been working on it. And the person that supervised her didn't want to deal with all this, and didn't have the file space and so on. And therefore, one nice Friday afternoon said 'when I come back to work Monday morning I want all this out of here.'**

End of Tape #4. End of DVD #4