

Profiles in negotiation: The public lands deal of 2014

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INTRODUCTION

The federal government owns [more than half the land](#) in the West, and that makes Congress its real estate agent. If you want to mine, drill, graze, log or build on federal land, you have to ask Congress. The same is true if you want to add new wilderness areas, parks, or wild and scenic rivers.

Clashes have always been inevitable, given the competing priorities of conservatives and liberals, developers and environmentalists, Westerners, Indian tribes and many other interests. But the atmosphere grew particularly fraught during President Obama's tenure. Two statistics tell the story: For five years, from March 2009 to March 2014, Congress did not add a single new wilderness area. And that stretch included the entire 112th Congress of 2011-2012, marking the first time a Congress had not created a wilderness area since passage of the Wilderness Act in 1964.

A convergence of pent-up demand, urgent deadlines and personnel shuffles on Capitol Hill created a window for discussions in 2014. But this was never going to be a simple process of putting a couple of lawmakers in a room and directing them to hash it out. Hundreds of bills had piled up during the five years of inaction. Scores of senators and representatives wanted them passed or, in some cases, blocked, in states and districts all over the country.

The challenges ranged from choosing what to include, to Republican anger that had festered over the five-year period, to a Congress divided between GOP and Democratic control. The division meant that GOP and Democratic demands were pitted against each other and all "four corners" of the Hill—House Republicans, House Democrats, Senate Democrats and Senate Republicans—needed to be part of the process. Months of talks

commenced among a circle of aides who knew their bosses and their subject matter well, and who patiently jiggered and rejiggered dozens of moving parts.

“It was one of the smaller packages I ever worked on, and by far the most difficult,” said a Democratic aide involved in the horse-trading.

In the end, [169 pages of energy and public lands provisions](#) were tucked into a must-pass defense bill as 2014 drew to a close. It was like Christmas morning for conservationists and developers alike—except that in many cases they had to accept lumps of coal along with their gifts.

The package created nearly 250,000 acres of wilderness in Colorado, Montana, Nevada, New Mexico and Washington state, and protected about 140 miles of rivers. It added or expanded more than a dozen national parks and put mineral development off limits on hundreds of thousands of acres of federal land. But it also streamlined permits for grazing and oil and gas drilling on federal land and opened 110,000 acres of federal land for economic and commercial use—including logging in part of Alaska’s Tongass National Forest and mining in Arizona, Nevada, and Montana.

This was not one of those heralded mega-deals announced by proud lawmakers at a triumphant press conference. It was a collection of mini-deals affecting people and places in 36 states in myriad different ways. One example, cited by Alaska Sen. Lisa Murkowski to illustrate the minute real estate transactions that require an act of Congress, was the conveyance of one acre of federal land to a school district in Minnesota. The overall package, she said on the floor, is “fair and balanced, bipartisan, bicameral, revenue-neutral—which is exceptionally important—and also addresses the need for conservation on one end and economic development and jobs and prosperity on the other end.”

After all that time, what made it work? A classic mix of the circumstances determined by the American Political Science Association to be conducive to negotiations, starting with multiple deadlines. The political dynamic was changing due to a wave of retirements and the approach of midterm elections that seemed likely to put the Senate in Republican hands. Senior members of Congress with long-gestating projects saw the moment as an opportunity to achieve their own goals and those of their colleagues.

The aides doing the negotiating had to trust that they all sincerely wanted a deal and would not wreck its chances by spilling details outside their tight circle. Privacy and a relative dearth of press attention helped them keep outside pleaders to a minimum and maintain a rough balance between the demands of competing regional, economic and ideological factions.

Fortunately for the lead lawmakers and their aides at the table, as they were closing the deal in late 2014, most of Washington was consumed by a frenzied push for a [\\$1.1 trillion “CRomnibus”](#) funding bill to keep the government open for the next nine months. “I kept expecting it to get out there in a

big way,” a Democratic aide said of the lands package. But it flew largely under the radar until it was a *fait accompli*.

AN INAUSPICIOUS HISTORY

Years of tensions preceded the breakthrough moment, starting in 2006. Democrats held a narrow Senate majority and that year, after 12 years in the House minority, they won back a majority. Now running both chambers, they passed a modest public lands bill in 2008—the last year of George W. Bush’s presidency. A second, larger bill was planned, but Democrats ran out of time.

That turned out to be more of an opportunity for them than a problem. When they came back in early 2009, they not only continued to control the House and the Senate, they had won the White House and a 60-vote, filibuster-proof Senate majority. The newly empowered Senate Democrats promptly grafted a huge environmental package onto a five-page House bill to protect battlefields and other significant sites from the Revolutionary War and the War of 1812.

The result was a [466-page grab bag](#) of some 160 individual bills. It designated more than 2 million acres of wilderness and more than 1,000 miles of wild and scenic rivers, putting the land and water off limits for development. President Obama, signing the new law barely two months after his inauguration, described it as “among the most important in decades to protect, preserve, and pass down our nation’s most treasured landscapes to future generations.”

He called it bipartisan, and [half of the 40](#) Republican senators did vote for it. But only [39 of 179](#) Republican House members followed suit—not surprising in that they were asked to approve a sweeping Senate bill with an environmental tilt after one hour of floor debate, with no amendments allowed. “It was by fiat and dictate. They essentially assumed these people [Republicans] have no power,” said a Republican staffer involved in land issues. “So they assembled a package of their own. They did what they wanted.”

Going full-steam ahead was a no-brainer from the Democratic perspective. “Of course there was no incentive to negotiate that package with Republicans,” said a Democratic aide who helped put it together. “We didn’t need to, so why would we? Republicans may feel resentment about that, but I don’t think anybody could be surprised.”

Democrats lost their filibuster-proof majority early in 2010 and Republicans swept to a House majority that fall. So the GOP was positioned to work its own will—or at least block Democrats’ will—by early 2011. There would be no new parks or wilderness areas unless they addressed the rights of property owners and communities with plans to do more with the land than preserve it. And there would be no huge packages that took months or years to assemble. “We were not going to designate miles of wilderness and wild and scenic rivers,” said one GOP aide familiar with the party

mindset. “We weren’t going to allow ... small land adjustment bills, that had a lot of support, to be held hostage for these big giant wilderness bills.”

Senate Democrats kept having hearings and churning out public-lands bills. Republicans did the same in their own fashion. And very little of anything went anywhere. Washington Rep. Doc Hastings, the new chairman of the House Natural Resources Committee, had a long history of fighting regulations and restrictions that he viewed as hampering economic development. He considered wilderness areas a one-way street in the wrong direction. Democrats, meanwhile, were focused on protection and didn’t like the GOP emphasis on commercial use and property-owner rights.

The mantra for two Congresses in a row had been no package larger than 10 bills, according to a Democratic aide involved in land issues. But given that the bills typically affected only one location each, 10 weren’t enough to provide ideological balance or the yes votes needed to pass. “The larger the package, the more states and districts it hits, the more likely you are to be successful,” another Democrat said. Hundreds of bills piled up during the long pause on land and energy bills.

A WINDOW OPENS

The first hint that a thaw might be in the offing came in February 2014 when Hastings announced that he was going to retire. He had a bucket list topped by a Manhattan Project National Historical Park with locations in Oak Ridge, Tenn., Los Alamos, N.M., and Hanford, Wash. Murkowski, the senior Republican on the Energy panel, also had a special project—a land deal called Sealaska that she had been working on for seven years. “You had Doc Hastings really rolling up his sleeves in the House and Sen. Murkowski ... saying let’s take this opportunity and run with it,” said a Republican negotiator.

You also had a Senate majority leader, Harry Reid, who had his own near-and-dear lands priorities and recognized an opening for a deal when he saw it; a new chairman of the Senate Energy and Natural Resources Committee, Mary Landrieu of Louisiana, who was more conservative than many of her fellow Democrats and more sympathetic to development; and GOP Rep. Rob Bishop, the chairman of the House public lands subcommittee, a practical-minded former Utah House speaker who saw wilderness as currency that could be used to secure items on the conservative wish list. Combining wilderness bills with multiple-use and “pro-energy” proposals, “that’s a win-win. The wilderness bills that we may not love, at least we’re getting something for them,” said Fred Ferguson, a former Bishop aide who was involved in the negotiations.

Two developments in March of 2014 indicated the arrival of “an opportunity for a natural give and take,” as a Republican central to the negotiations put it.

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First, a new wilderness area managed to make it past Hastings and the rest of the congressional obstacle course. Sleeping Bear Dunes in Michigan beat the odds for a number of reasons. It had strong support from local citizens and from Republican Rep. Dan Benishek and Democratic Sen. Carl Levin. Also, it was what one Republican described as “a baby step.” It created a wilderness inside an existing national seashore, so the impact of the wilderness designation would be relatively minimal.

In that sense it was a good bill to ease Republicans into a different frame of mind. For two Congresses, they had been highly successful at preventing new wilderness areas, and that was their default position. With Sleeping Bear Dunes, “They realized not all wilderness is bad, it’s

not all going to lock up land,” a Republican aide recalled. “It became ‘OK, let me give a little.’”

Like Hastings, Levin was retiring and trying to nail down his legacy. Nor did it hurt the prospects of Sleeping Bear Dunes that Levin was chairman of the Armed Services Committee and thus in charge of the Senate version of the National Defense Authorization Act (NDAA), the vehicle Hastings wanted to use for his Manhattan Project park and most likely the vehicle for a larger deal. “For sure we knew we would need him,” a Republican aide said of Levin, “but that wasn’t sole driver at the time.”

The second development was that Hastings put the new Manhattan Project park about the atomic bomb into the 2014 NDAA. A natural fit with the defense bill, he had included it the year before but it didn’t survive. This time, with his retirement imminent, Democrats seized on the opening. If Hastings was going to get his Manhattan Project park on the NDAA, the Senate Democratic majority reasoned, other members should have similar opportunities.

From the Democratic perspective, Republicans had reached a tipping point. “At some point somebody has to decide, ‘Let’s do it the old-fashioned way, which is ‘one thing I hate for one thing I love,’” said a Democrat involved in the negotiations. “The absolute key was that Hastings was retiring.”

While Republicans don’t go that far, some acknowledge that Hastings was in a different position—“no longer constrained by the larger debate that we were all immersed in,” as one put it. “You had somebody who could now be a little bit more parochial than he could be as chairman of the committee for the long haul. It gives you an opportunity to promote your own state interests a little bit more.”

THE DEFENSE PRECEDENT

The idea of using the defense authorization bill as a vehicle to create parks, protect wilderness and manage public lands is not as strange as it sounds. The military uses federal land for training, for instance, so the Pentagon is accustomed to dealing with agencies like the Bureau of Land Management and the U.S. Forest Service. The overlapping jurisdictions mean it's not unusual for natural resources provisions to end up in the NDAA.

In this case, with the Manhattan Project park and a few other museums and memorials in the House bill, there was already a hook to on which to hang a bigger package. Once each side believed the other was serious about a negotiation, their first task was to set criteria for what to include. Some 500 relevant bills had been introduced. One negotiator described the opening challenge this way: "What's the defensible circle that you can draw around one subset of those 500 bills, that you can then explain to people why they're outside it? You have to have a defensible metric."

The negotiators started with bills that had passed either the House or the Senate, and then added bills that had gone through the hearing and mark-up process in either chamber and were reported favorably to the floor. That was a contrast with the past, one Republican noted pointedly: "In 2009, things that had never seen the light of day suddenly appeared—50 things."

Another bruising 2009 memory was the inclusion of projects opposed by the House member representing the district. Democrats counter that the projects were supported by senators representing the same people. Still, the 2014 bill avoided the in-your-face approach. House members had their say.

That gave Hastings and other Republicans a good case to make to resisters. "People still had reflexive opposition" dating from 2009, said a GOP negotiator. "We told them 2009 was done to House Republicans over their objections. In 2014, they were a party to it. It was done *for* our members."

Broad acceptance across both chambers and parties was an existential necessity. The NDAA was one of the rare legislative trains leaving the station and, at that late stage of the 113th Congress, one of the last ones as well. Levin and Rep. Howard "Buck" McKeon, his counterpart at the helm of the House Armed Services Committee, were willing to tack the lands package onto the NDAA—but only if they could be sure it would slide through without incident. If anyone was going to raise hell about anything in it, the package would be kicked to the curb.

BITTER PILLS

Discussions entered an intensive phase in early fall. One Democrat described it in unvarnished terms: “Here’s a list of what we have to have. Here’s a list of the ones we really, really hate. Here’s a list of ‘if you put this language on page 4 we could swallow it.’ And then you work that list.”

The have-to-haves started with the Manhattan Project park, pushed by lawmakers in three states but first and foremost by Hastings, who was critical to any larger deal. Other must-do items included the transfer of lands for logging to the tribal-owned Sealaska Corp., a condition of doing business for Murkowski (the senior Republican on the Senate Energy and Natural Resources Committee and, after the midterms, its incoming chairman); a land swap that paved the way for mining by Resolution Copper, of prime importance to Arizona Sen. John McCain (senior Republican on the Senate Armed Services Committee and its incoming chairman); and several Nevada projects sought by Reid (who would be demoted to minority leader in January 2015 and announce his 2016 retirement two months later).

Scores of other lawmakers also had dogs of various sizes and significance in the fight, from the Blackstone River Valley National Historical Park in tiny Rhode Island (“[the birthplace of the American Industrial Revolution](#)”) to an expanded Alpine Lakes Wilderness in Washington state. Sen. Richard Burr wanted to let people drive off-road vehicles on the beach at the Cape Hatteras National Seashore. Sen. Jeff Bingaman wanted to turn Valles Caldera National Preserve into a national park. Hastings wanted to require road access to the top of Rattlesnake Mountain. All of these items had been pre-negotiated, some over the course of many years.

Given the polarized politics of 2014, even small items could be annoying or painful. For instance, House Republicans agreed to the First State National Park in Delaware and a Harriet Tubman National Historical Park with locations in Maryland and New York, even though Obama had already used the Antiquities Act to declare parts of them national monuments. Republicans have been highly critical of what they view as Obama’s overuse of executive powers and now, with local citizens and their members of Congress seeking an upgrade to the more prestigious park designation, they were being asked to fix something “he did by dictate,” a GOP staffer explained. “From a philosophical standpoint, if you don’t believe the president should be out there willy-nilly signing paper to create a monument, are you encouraging him to make more of them if you convert it to a park?”

On the other hand, these were discrete, narrow parks in the East—not parks in the West that would lock up large areas of land. And the politics lined up. The Tubman park was in districts represented by a New York Democrat and a Maryland Republican, and they both wanted it. As for Delaware, its two senators and single House member were all Democrats, so there would be no GOP objections.

Democrats and environmentalists were also making concessions, some much more far-reaching than a town or tribe that wanted to mine or open a road. For instance, the NDAA included a Republican sponsored “Grazing Improvement Act” that streamlined the permitting process and kept

permits in place during lawsuits filed by environmental groups. It affected more than 22,000 ranchers in a dozen Western states. A bipartisan provision with similarly broad reach streamlined the permit process for oil and gas drilling on federal land.

The potential to bring the 2014 talks to a crashing halt lay with seemingly narrower items on the list, none more sensitive than Sealaska and Resolution Copper. Murkowski had been negotiating for years on Sealaska, the Alaska Native regional corporation for Southeast Alaska, to finalize the transfer of land owed to tribes under the 1971 Alaska Native Claims Settlement Act. The compromise she worked out allows 68,400 acres for timber development, 1,099 acres for renewable-energy resources and recreational tourism projects, and 490 acres of Native cemetery and historic sites. She said on the floor that it would “help prevent the collapse of the timber industry in Southeast Alaska.”

Resolution Copper was even more delicate and under negotiation for even longer—“nearly a decade,” according to McCain. The company, part of a multinational giant, had bought up environmentally valuable land in anticipation of a land swap that would allow it to mine a huge copper deposit. But the mine is located on land that is sacred to the San Carlos Apaches, and the swap was opposed by environmentalists and the tribe. The parties finally [reached a complicated agreement](#) that laid the foundation for an economic boon in a depressed area. It had GOP support as well as backing from Democratic Rep. Ann Kirkpatrick (thanked in a McCain press release a few months before she announced she would try to win his Senate seat in 2016).

For Democrats, Sealaska and Resolution Copper were bitter pills. “Those are things we had fought for a long time. It’s difficult to argue that the other little pieces that we got make up for those things,” one Democrat said. “But we had to compare that list to what was likely to happen [after the 2014 election in an all-GOP Congress]. If you’re realistic about that, the deal we struck was actually pretty good.”

The Resolution Copper deal reverberated far beyond Arizona. A public-lands advocate who closely followed negotiations on the 2014 package called the copper mining agreement “the last piece of it. Finally there was some compromise on the way that was going to go. It was added and that made everything work.”

Even so, the path to enactment was rocky from start to finish. From one day to the next, negotiators would go from “we’re making tremendous progress” to “forget it,” according to participants. “We kept blowing through deadlines. A lot of them,” one said.

THE DEVILISH DETAILS

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The main problem was trying to maintain delicate balances in a fluid situation. Each change of a number or a lawmaker’s need would have a cascading effect. It was important that spending and revenues balanced out, but they were a moving target. “We would do our math properly only to find out that CBO [the Congressional Budget Office] had changed its mind” because of new information, a Republican negotiator recalled. “This was dead and was revived multiple times in about a week’s period. We thought we’d solved a problem and then another one comes up.”

The negotiators kept a tight grip on moneymaking items that could have passed the House and Senate on their own but were needed in the larger package to offset its costs. They also designated as an offset \$70 million that compensates counties for federal land they aren’t allowed to tax. They spread it across two years in order to keep each year revenue-neutral. “It all added up in the end,” said one person who was at the table.

Balancing ideological wins for both sides was also complicated. There were new parks, wilderness areas and river protections, and those acres outnumbered the land opened for development and recreation. And “development” was defined loosely. For instance, a landlocked Utah town was given federal land to expand its cemetery. “That was a mark on the development side of the ledger,” one Republican said, “but that’s hardly development.”

At the same time conservatives, scoring a big win for property owners, were able to rule out eminent domain as a tool in creating the newly protected parks, rivers and wilderness areas. “They were done in a way that gave Republicans less grief,” said one GOP negotiator. “These were things that were resisted by the Democrats for a very long time, but we all have to give a little to get a little.”

The resistance went both ways. “Wilderness issues with House Republicans were very contentious. They weren’t enthusiastic about those,” a Democratic negotiator said. “The House wanted to have a whole new set of management requirements that were very different from the past.”

Ultimately, the Democrat said, success came down to “you got what you wanted in a version you were willing to live with, and that other thing you didn’t want, we got it to where you could tolerate it.”

Reid—whose Nevada achievements included both new copper mining and new wilderness—praised the end result as “a good compromise” that was “vitally important to America.” Murkowski, finally able to move on from Sealaska-or-bust mode, lauded both the result and what she called a painstaking and traditional negotiation process. “We don’t need to start over, working on the same bills in a new Congress,” she said on the floor. “It’s time to finish this.”

There was no shortage of regional and partisan tensions over how to handle federal lands, yet the atmosphere turned out to be ripe for successful negotiations.

The \$585 billion NDAA, with its unexpected cache of public lands provisions, passed the House 300-119 on Dec. 4 and the Senate approved it 89-11 on Dec. 12. Obama signed it a week later without ceremony. Hastings framed his [crowning achievement](#) primarily in terms of its commercial impact. “This agreement is good for jobs and the economy,” he said.

CONDITIONS RIPE FOR COMPROMISE

There was no shortage of regional and partisan tensions over how to handle federal lands, yet the atmosphere turned out to be ripe for successful negotiations. Many encouraging circumstances identified by the American Political Science Association were present in 2014 as the House and Senate got down to business.

Pressure was a prime motivator, starting with the demands that had built up during the five-year pause on wilderness and parks bills. The imminent retirements of key figures, including Hastings and Levin, added still more urgency. So did the fact that so many leadership figures, including chairmen and senior members of relevant committees, wanted to deliver on pet projects. Landrieu had only a minor personal stake in the lands package and was preoccupied right up through a Dec. 6 runoff with what turned out to be a losing reelection campaign, but she wanted to accomplish whatever was possible.

Reid personally had lots he wanted to get done before the Senate changed hands, as it appeared likely to do, and assigned his staff to participate in the negotiations. “You can tell by the number of Nevada bills included that Senator Reid was front and center in pushing for this,” said Mike Matz, director of U.S. Public Lands for the Pew Charitable Trusts. Reid’s involvement was enormously helpful, he added: “At the end of a session, you’ve got to go with what’s moving and what is going to get past both bodies. Frankly, Harry Reid is a master at this. He’d done it many times previously.”

House Republican leaders were also keenly interested and kept in the loop. With the election approaching, they wanted members to have victories to talk about back home, and they also wanted to make sure the overall package could be sold to their caucus. Whatever deal emerged, one GOP negotiator said, had to “play by the rules of the House and House Republican protocols.”

Murkowski and Hastings did not know each other before this negotiation. Some of the staff negotiators had longstanding professional relationships, but others started off as strangers. The House GOP-Senate majority leader interaction was especially unusual. “House Republicans sitting down at a table with Harry Reid folks. That’s not something that happens often,” one participant said. “We didn’t know them very well before,” said another. “We know them very well now,” added a third.

This negotiation hinged more than many on career staffers. Members had informal conversations when necessary, such as to resolve sticking points, but they did not hold formal meetings to hammer out the package. A Democratic aide said that would have been impossible because there were so many moving pieces, and pointless because the pieces—having been through most or all of the legislative process—were well known to lawmakers. “Our bosses trusted us to work it out,” the aide said.

Trust among the negotiators at the table took some time to develop. They shared a mutual bipartisan frustration about their inability to do their jobs—that is, to get their bills to the finish line. At the same time, however, “you doubt that the other side understands what it’s going to take for you to be able to do something,” a Republican said.

The negotiators not only figured that out, they kept their word to stay quiet about what they were doing. That was critical with a package of this size and complexity. Anyone who heard about it would want their bill included, and “you can’t do everything,” as one negotiator put it.

The code of silence was vital for that and many other reasons. “Any one of us could have derailed this had we wanted to by simply saying to the wrong person, and we’d know who that person would be, ‘Here’s what we’re doing’ or ‘Can you believe x bill is in?’” a Republican negotiator explained. “The wrong person could have been a reporter. Or telling a member or someone on a member’s staff, ‘We’re working on this package but guess what, your bill’s not in.’ Or ‘Hey, that bill you really hate? Guess what, it’s in.’”

The process was so private that Utah Sen. Mike Lee and others would later accuse the negotiators of a secret plot. But in some ways they were operating in plain sight, obscured by a crush of year-end business that distracted the press and kept coverage to a minimum. “There’s so much going on that you don’t necessarily stand out,” one aide said. Another called the degree of privacy shocking but also essential.

“Had the press gotten ahold of it, it wouldn’t have worked,” the aide said. “It was pretty crazy—once we had the package together and we knew it was going to be in, even then it wasn’t in until it was in. And we had to lock arms on this because we knew what a lightning rod the whole deal could be regardless of which side of the aisle you were on. If the press started picking it apart ... it had to be this or it had to be nothing.”

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COBURN’S LAST STAND

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Close to [50 unhappy environmental groups](#) pressed to have the lands package removed from the defense bill, but most of the major advocacy groups—also unhappy—accepted it as the best they could do. It was conservatives who were the most incensed and who mounted a last stand on the floor. They objected to both the content of the agreement and its presence as a hitchhiker on the defense bill.

Their standard bearer was the retiring Sen. Tom Coburn of Oklahoma. “A bill that defines the needs of our nation’s defense is hardly the proper place to trample on private property rights,” Coburn had told Senate Minority Leader Mitch McConnell in a November letter. “Nor is it the place to restrict access to hunting, fishing and other recreational opportunities on massive swaths of taxpayer-supported lands.”

In December, Coburn argued on the floor that expanding the national park system was a “disastrous” idea because “our parks are falling apart.” We can have new parks, he said, “but we ought to have a plan to take care of the ones we have now before we add additional national parks and put at risk the most fantastic national park system in the world.”

Coburn allies included Sens. Ted Cruz of Texas, who called the lands package “an extreme land grab,” and Lee, who called the NDAA “a legislative hodgepodge.” Lee added: “Most egregiously, the drafters secretly added 68 unrelated bills pertaining to the use of federal lands.” [Ten conservative groups protested](#) the package in a letter to House members, arguing among other things that the government should not own more land and that a proposed women’s history museum would be offensive to the military.

The American Conservative Union and Heritage Action were among the organizations lining up in favor of a Coburn motion to strip the lands package. But the Senate rejected that idea, 82-18. It was a display of confidence in the deal and in a team of negotiators who had started off as skeptics and ended up as believers. “There was mutual distrust about whether we could get to an agreement,” one Republican aide said. “But by the end, folks thought we had something fair and defensible.”

The principal players went on to new phases of their lives and careers. Levin, McKeon and Hastings left Congress. Reid became the Senate minority leader and a lame duck. Bishop moved up to chair the House Natural Resources Committee, and Murkowski became chair of the Senate Energy and Natural Resources Committee.

In her new role, Murkowski soon announced another sweeping bipartisan deal, this one an [energy policy modernization act](#) in partnership with senior Washington Democrat Maria Cantwell. As it moved through the committee, the Senate, the House and further rounds of negotiations, Murkowski would test the skills she had honed on the public lands deal of 2014. As [she told Alaska Public Radio](#), explaining how that agreement had come to pass, “Finesse. It took finesse.”

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