



MISSOULA
Independent
Free Thinking

Google™

Web

News Arts Events Dining Best of Classifieds Personals Archive

Issue

09/11/08

GO

EVERY WEEK

etc

After following with magnifying-glass precision the topics discussed and points raised at last week& ...

Flash in the Pan

Anyone can eat locally during summertime. Even if your garden sucks, like mine; even if your friends ...

Viewfinder

Logging continues on the Rattlesnake Recreation Area's Sawmill II Fuels Reduction Project Wedn ...

Ochenski

It's an election year in Montana, and we have two Democratic U.S. senators, one Republican rep ...

Writers on the Range

Behind daily headlines about bigger and more costly wildland fires, the firefighting community has b ...

Mountain High

This past weekend, your Comrade Calendar twice came within a chin whisker's breadth of our cul ...

The Walter Ego

Nobody knows what the governor's brother does, but everyone in Helena knows if they want something done, they've got to go through Walter Schweitzer.

By: John S. Adams

Posted: 10/19/2006

Mention the name "Walter" in Helena's political circles and there's no question who you're talking about. Walter Schweitzer, the imposing, bearded, overbearing younger brother of Gov. Brian Schweitzer, is simultaneously Helena's 800-pound gorilla and state government's elephant in the room. His regular presence at the state capitol is an open secret that politicians whisper about at cocktail parties, and goes largely ignored by the state press. That's partly because nobody, including high-ranking Democratic legislative leaders, seems to know much about him, other than the fact that he's got the run of the governor's office.

What politicians, industry executives and special interest groups do know is that if you want to get to the governor, you've got to go through Walter first.

Montana's nepotism laws make it illegal for the governor to hire his brother as an official policy adviser or member of his cabinet, but the fact that Walter's not on the state payroll doesn't deter him from playing a key role in the administration. That same fact leaves him exempt from what politicians like to call the sunshine of public scrutiny, or the press. But multiple elected officials, lobbyists and bureaucratic staffers confirm that Walter is Brian's front man on many policy and political matters. One elected Democrat reports that Walt "sits in on almost every important policy decision meeting that takes place, and he's not just an observer, he's a full participant."

Another Democratic legislator said Walter "has the power to mess with policy," but legislators don't complain because, "if you want the governor to help at election time, you certainly don't want to be talking trash about his brother."

As Schweitzer enjoys sky-high approval ratings in the polls, fellow Democrats are clambering to hitch their wagons to his political horse. Many are hoping to ride Schweitzer's popularity to victory in close legislative races, but at the same time, some Democrats are concerned about Walter's role in Helena and fear he's political dynamite with a short fuse.

"The overall concern of Democrats is that there's going to be a scandal that's going to hurt Brian," one Democratic lawmaker told the Independent. "There's a lot of people who have a lot of hope for this administration, and this relationship Brian has with his brother is the one thing that is just weird. If Brian Schweitzer is going to have a problem, it's going to be around Walt: Who's paying him and what's his accountability?"

Walter is known, in Helena if not beyond, as the governor's enforcer, firewall and political bully. Most of the lobbyists contacted by the Independent told the paper they're afraid to talk about him for fear of political retribution. Lawmakers refused to go on the record about Walt for fear that he and the

E
T
e

S
C

I
P
S



MOST POPULAR STORIES

Viewed | Commented

- Soup to nuts
- Bigger game
- Mountain High
- Ochenski
- etc



governor would make it impossible to pass their bills in the upcoming legislative session.

"I can't cross these guys," one said, "or I'll never get anything done this winter."

With the 2007 session starting Jan. 3, the question everyone in Helena wants answered, but almost no one is bold enough to ask, is this: how is it that a rancher from the Hi-Line with no known political or policy experience has become the most politically influential Montanan outside of elective office?

Grumbles about Walter's influence on state politics began almost as soon as his brother was elected. Senate Minority Leader Bob Keenan repeatedly complained during the 2005 legislative session that Walter was improperly operating out of the state capitol and using state-owned equipment at taxpayer expense to raise money for Schweitzer's inaugural ball.

"It's absolutely an in-kind contribution by taxpayers for his brother to have an office in the governor's office—and I don't mean just a little office," Keenan told the Independent in February 2005. "He's got the nicest office outside of the lieutenant governor and the governor."

According to Keenan, Walter was given the office previously occupied by Tom Beck, chief policy adviser to former Gov. Judy Martz.

"That office is about 25 feet deep and about 18 feet wide," Keenan recently told me.

The governor has so far brushed Keenan's complaint aside. In a 2005 meeting with legislative leaders he reportedly told Keenan he sees no problem with what he calls his brother's "volunteer work," given that Walter isn't on the state payroll. According to an Associated Press account of the meeting, when Keenan pressed the governor on the issue of Walter's use of state office space, Schweitzer cut him off by saying, "We'll look into it. Thank you."

Gov. Schweitzer told me Monday that Walter never had an office in the governor's office. He said that during the transition period between administrations, Walter was one of a group of volunteers operating "in the capitol rotunda on card tables."

"It wasn't just my brother, Walt," the governor said. "I had volunteers from across Montana in here helping us."

In 2005, the only time he's ever spoken publicly about his work with the governor's office, Walter told the Associated Press he'd been advising his older brother ever since Brian's failed U.S. Senate run in 2000.

"It's advantageous that I am here helping and it's not costing the state any money," he said.

The AP article went on to report that once the 2005 session was over, Walter intended to head back to his ranch in Geysers, where, the governor said, "he raises black cows who have black calves and when they get big enough he sells them for a living." Walter's also, his brother said, "in the gas business," which, the governor clarified, means he "owns some mineral rights" on his ranch.

But by many accounts, Walter never went home. He instead remained in the capital city (where he lives a short distance from the governor's mansion in a house he purchased in 2005) and continues to be active in Democratic Party politics (he recently hosted fundraising parties at his Helena home for U.S. House candidate Monica Lindeen and Public Service Commission candidate Ken Toole). He's also, according to many knowledgeable sources, taken a leading role in shaping state policies.

After initially answering calls and agreeing to arrange an interview, Walter subsequently ignored all requests for comment on what role, if any, he plays in state government.

The majority of the approximately 30 sources contacted by the paper would talk about Walter only on the condition of anonymity. Nearly everyone interviewed is a state employee, elected official or registered lobbyist, and nearly all of them said they feared for their careers—or at the very least their ability to do their job—if they said anything about Walter on the record. A lobbyist without access to the administration is useless to industry clients, and legislators need the governor's support if they hope to pass any of their bills.

When called by this reporter, one source contacted an attorney before declining to speak to me. Another asked me to destroy a facsimile cover letter bearing his name and phone number for fear that someone in the administration might find out he communicated with me. When I contacted one source and told him the subject of my story, he said he'd have to get back to me. When he did, he told me he had talked to friends in Helena who believed I was working for Walter, and that I was "trying to ferret out Walter's enemies."

Due to such reticence—along with the fact that Walter rebuffed repeated and persistent requests for an interview, citing his need to get back home to Geysers to complete ranch work before winter—details about Walter Schweitzer remain, in large part, a mystery.

The main question asked by the people I talked to is this: Given that he seems to spend most of his time at the capitol, and given that he isn't employed by the state, how does Walter make his living in Helena?

Since Walter wouldn't talk to me, I never got a chance to ask him.

Without an answer, many government employees feel frustrated by their lack of a clear understanding of Walter's role.

"I will tell you there's an upside and a downside to Walter's presence in Helena," one high-ranking Democrat told me. "The upside is...that there's value in having somebody there that the governor absolutely trusts in an unvarnished way."

The downside, the source said, is that the presence of the governor's brother at high-level policy meetings raises concerns for some about his influence on policy decisions.

"I think it's perfectly fine if the governor wants his brother to be involved...but then I think that his portfolio and job description, and what he does and doesn't do, ought to be defined. I think that would be good for the governor and good for the Democratic Party."

One of the issues Walter is very much involved in is the state's energy policy.

"You know, I rely on Walt a great deal," the governor told me. "He's got pretty good expertise. He's a scientist and he has good expertise on energy issues, and so oftentimes I call on his advice, and so do a lot of other people that work for me."

Sources report that when they arrive at meetings with Hal Harper, Schweitzer's chief policy adviser, or Mike Volesky, natural resources policy adviser, Walter is often there. Richard Opper, director of the Department of Environmental Quality (DEQ), told me he's talked to Walter on multiple occasions regarding energy policies, most recently involving the state's new mercury air pollution rule.

For nearly half his term in office, Schweitzer has been promoting coal-to-liquids plants as the pillar of his energy policy. Last month the governor announced an agreement with a team of private companies to build one of the country's first integrated gas combined cycle (IGCC) plants to gasify, rather than ignite, coal. Schweitzer touts it as the key to reducing American dependence on foreign oil, and claims the process removes most hazardous pollutants emitted from conventional coal plants. He also claims that carbon dioxide can be removed during the process and later sequestered underground where it won't contribute to global warming. Bob Raney is a member of the Montana Public Service Commission. For more than 18 months he's been involved with a Midwest Governors Association (MGA) working group on coal gasification and carbon sequestration. According to Raney, on multiple occasions when he has tried to get an audience with the governor and his staff to discuss IGCC issues, he's been met at the door by Walter.

"When I go to talk to the administration about this I talk to Walter. That's who they give me," Raney said.

Schweitzer's response is that his brother has the same rights every citizen has to participate in state government. Raney confirmed that Walter doesn't merely observe meetings, but plays an active role in discussions.

"Walter is engaged," Raney said, adding that he's left meetings at the capitol under the impression that the governor's brother was speaking on behalf of the administration.

Raney, who has worked in state government for more than 20 years, both as a Democratic legislator and a PSC commissioner, said he's never had to deal with a figure quite like Walter, whom he describes as "pushy." He said he is willing to talk about Walter on the record because he's retiring in two years and doesn't intend to run for another office.

"I have nothing to win or nothing to lose. My only care is for good government," Raney said. "I just find it extremely peculiar, and I wonder how folks would feel if, say, you went to the governor's office under Judy Martz and perhaps she would have had a sister greet you and run you through things. It's up to citizens to decide if it's good or bad. I just want to understand how come this guy has power, which he obviously does."

Raney's main challenge in dealing with Walter, he said, is that he doesn't know what Walter's qualifications or credentials are, and he's not sure if his message is ever reaching the governor's ears.



"Who is Walter? Why was I talking to him? I wanted to talk to the administration and have them listen," Raney said. "I don't know what kind of government we're getting because I have no idea what his role or position is or what his influence is or who pays him. I just know that I wind up with him."

Anne Hedges, program director for the Montana Environmental Information Center, a Helena-based environmental lobbying firm, shares Raney's concern. Hedges said it's difficult to know how to approach the administration when the administration's frontman is not an appointed functionary, but the governor's blood relative.

That difficulty was magnified for Hedges after the organization's director, Jim Jensen, wrote an op-ed critical of the Schweitzer administration in MEIC's August 2005 newsletter. In the short piece, Jensen wrote that "since the election [the Schweitzer] administration's record on environmental conservation, enforcement and protection has been strikingly similar to that of former Governor Judy Martz." Jensen went on to draw comparisons between the Martz and Schweitzer administrations' respective positions on coal development, mining reclamation, coal bed methane and global warming.

Around that same time, the Department of Environmental Quality (DEQ) and the Board of Environmental Review (BER) were beginning work on the state's new mercury rule. A few weeks after Jensen's criticisms appeared in the newsletter, Hedges approached Walter at an energy conference to talk about the mercury rule.

"I was absolutely dressed down," Hedges said. "Walter's face turned red and he started yelling at me saying 'we could never work together as long as Jim Jensen is in charge of MEIC.'"

Hedges said she told Walter she had no control over Jensen's job and reiterated her desire to work with the administration on the mercury rule, but Walter wasn't having it.

"It was very clear that he was furious and there was no way he was going to listen to me," Hedges said.

The state fully adopted the new mercury rule Monday, Oct. 16, and Hedges said the rule the BER approved has Walter's fingerprints all over it. She claimed Walter lobbied DEQ to model the state's mercury rule after the federal Environmental Protection Agency's "cap and trade" policy. (Cap and trade caps the allowed volume of mercury emissions and distributes the rights to allowed emissions; energy firms are free to buy and sell those rights.) The new rule also includes separate standards for sub-bituminous coal and lignite coal, the latter being a dirtier and more mercury-emitting coal. The standards approved by the board in a 4-3 vote allow greater releases of mercury from lignite coal than from sub-bituminous coal. Lignite composes much of the state-owned coal tracts in eastern Montana.

Hedges said Walter played a key role in convincing DEQ to pursue the less-stringent mercury limits for lignite in order to accommodate energy companies eyeing future developments on lignite tracts.

But the governor said Hedges is just upset because a citizen, Walt, is carrying more influence than a lobbyist who is "paid to have a specific point of view."

"I'd rather have citizens walk in here and say, 'you know I was thinking...' than I would have some lobbyist come in here and say, 'you know I've been paid to think,'" Schweitzer said. "So, you know, I'll take the opinion of citizens every time over people that are paid to have a particular point of view."

Asked if he thought his brother's opinion might carry just a bit more weight than the average citizen's, Schweitzer said, "I hope so. I've got other brothers too, and I've got a sister too, and when my mother calls, I listen to her too. Who better than somebody you've known your whole life to say, 'hey, wait a minute here, this might be the wrong deal, let's talk about this?'"

Hedges insisted Walter's influence went beyond brotherly advice when it came to the mercury rule.

"He's telling people what the administration will live with and what it won't live with," Hedges said.

For his part, DEQ's Richard Opper disputes that claim. Opper acknowledged having multiple conversations with Walter regarding the mercury rule, but said Walter did not exert "undue influence" over the process.

"If we gave him deference it's probably because he's got one of the loudest voices I've ever heard. Not necessarily because he happens to be the governor's brother," Opper said, adding that the mercury rule the board adopted is strong and responsible. "I think companies are going to be able to live with it, reluctantly. There are some things about it that make it a stronger rule than most other states in the country. So I would weigh with a grain of salt anything that you might hear that we caved or that it's weak. That's not accurate.

"I'd also weigh with a grain of salt Walt having a whole lot of influence."

Of the seven BER members, only three returned calls regarding the mercury rule. Board Chairman Joe Russell of Kalispell and Gayle Skunkcap of Browning both said they never discussed the mercury rule with Walter, but another member did acknowledge having multiple conversations with Walter in the months leading up to the rule's adoption. Robin Shropshire, a University of Montana-Helena College of Technology hydrologist and Schweitzer BER appointee, said she spoke with Walter on multiple occasions at the capitol.

"I've had several discussions with Walt, but I've also talked with lots of people," Shropshire said. "He's pretty knowledgeable on energy issues in Montana."

Shropshire couldn't say where Walter got his knowledge on the subject. She said she has no idea what Walter's energy background may be.

"I think he's had conversations with energy companies as well. So he has that perspective. Part of it is I'll be at the capitol talking to Mike Volesky or Hal [Harper] and [Walter] happens to be there," Shropshire said.

Shropshire wouldn't comment on whether she thought Walter had influenced the outcome of the mercury rulemaking process. She noted only that DEQ's final proposed rule, which was ultimately adopted, ignored the board's earlier direction, especially on lignite.

"I don't recall from the meeting that we gave them guidance to raise the mercury numbers for lignite," Shropshire said. "They raised a lot of the lignite numbers from July to now...based on our guidance I don't know why they did that. Based on the testimony, I have concerns about those numbers."

Opper's phone records, obtained from the state Department of Administration, reveal that the DEQ director called Walter's cellular phone from his office two times in August and six times in September. He placed three calls to Walter in the two days before the deadline to submit documents for the BER's September meeting, and three calls on Monday, Sept. 18, three days after the board's meeting packets were mailed out. The state's phone records record only outgoing calls from state-owned extensions. Since Walter's cell phone isn't state-owned, there's no way to know if, or how often, Walter called Opper.

The question Hedges and others want answered is, why is the DEQ director calling Walter at all?

Opper replied that it is fair to say that Walter gave him input as to what he wanted to see in the rule, but Opper reiterated his belief that Walter had no greater influence than anyone else.

"I don't think he's influenced the process any more than any member of the public has. Yeah, I suppose he has [given input], but mostly he's trying to kind of understand where the department is and what the recommendations are," Opper said.

Rep. Alan Olson of Roundup, a longtime proponent of coal development in Eastern Montana and a critic of what he calls the state's "unstable regulatory environment," must think Walter has more influence than that.

Olson sent an e-mail to BER Chairman Joe Russell at 4:28 a.m. on Oct. 11, less than eight hours before the board was scheduled to adopt the state's new mercury rule. In his three-page e-mail, Olson urged the board to postpone adopting the rule, "thereby allowing the federal CAM [clean air mercury] rules to take effect or to give the DEQ additional time to develop a Montana-specific rule that protects public health without punishing [electric generating utilities]."

Olson's argument against adopting the state's mercury rule was copied to Richard Opper at the DEQ, the other six members of the BER, the state's chief business development officer Evan Barrett, DEQ assistant director Tom Livers, and "Walter Schweitzer, Governor's Office."

I asked Olson why he would include the governor's brother in a last-minute e-mail to try to convince the board to postpone adoption of the rule.

"Well, word of mouth is that Walt would be receptive to some information," Olson said. "He seems to be a shaker and mover in the administration. He's pretty active in working on policy issues with the governor and goes to quite a few meetings, so I thought he should be informed also."

Olson said he thinks Walt is "a key player in a lot of issues."

Nobody I talked to disagrees that Walter is a key player in the Schweitzer administration, but neither did they have answers to their most basic questions: Who, officially speaking, is Walter Schweitzer, what business does he have pushing policy around, and to whom, if anyone, is he accountable?

The answer to the first question is easy, if unsatisfying: he's the governor's brother. But try to go deeper than that and the waters get decidedly murkier. Not a single source I talked to knew anything about Walter's background. Of the dozens of people I spoke to, including high-ranking members of the Democratic Party, not one had any idea where he went to college (the governor told me Walter has a bachelor's degree in agronomy from Montana State University), what he does for a living (he raises black cows and sells black calves, according to the governor), or where his supposed expertise on policy matters comes from (he's a "gas developer" and a scientist with a "curious mind," the governor said).

But everyone agrees he wields a big stick in Helena.

State Sen. Bob Keenan provided me with hundreds of pages from Walter's state-owned electronic mail account from 2004 and 2005 that confirm Walter's intimate involvement in the administration's early doings. Walter was included in invitations to cabinet meetings, transition team meetings and security detail meetings, to name a few. He was sent copies of e-mails regarding board member nominations, including results of background checks.

As one Democratic legislator put it, "There is not anybody that approaches having this much influence that is not paid and is not a part of the administration."

But once Keenan raised a stink about Walter's use of state-owned equipment, the e-mail account was closed and the public paper trail linking Walter to administration activities disappeared. Because he's not a state employee or public official, none of Walter's records or files are open to public inspection.

As a citizen of Montana, Walter is free to attend public meetings, but since he doesn't answer to the people of Montana, Walter doesn't have to return phone calls from the press asking what he does there. He is, in effect, immune to public scrutiny.

Montanans know why they elected Brian Schweitzer as governor. They know how to judge his performance. And they know how to hold him accountable for his actions in office.

But no one elected Walter, and so there exists no baseline for judging his performance, and no means by which to hold him accountable, even if we knew what he was doing

And that, for anyone who works in or around state government—and for anyone with an interest in representative government—seems ultimately to be the issue.

jadams@missoulanews.com

[Email Story](#)

[Post Comment](#)

[Print Story](#)

 [del.icio.us](#)

 [Digg This Story](#)

[Contact Us](#)

[About Us](#)

[Privacy Policy](#)

[One-Stop Montana News](#)

All Montana News in One Place
Customizable + Free Classifieds
www.montananeewsreports.com

[Online School Information](#)

Get information on online degree programs.
Earn a degree from home.
www.Degrees.info

[Montana Public Records](#)

Find Public Records Online Today. Start Free
Trial Now. Official Site
www.Ancestry.ca