

Can we afford the continued destruction of this priceless natural resource? Or are we to act at last with Hoosier conscience, and say "No" to further ruin of this place \* \* \* financed by the very taxes we pay?

#### ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, is morning business concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

#### THE WILDERNESS ACT

Mr. MANSFIELD. Mr. President, I ask that the unfinished business, Senate bill 4, Calendar No. 88, be laid down and be made the pending business.

There being no objection, the Senate resumed the consideration of the bill (S. 4) to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum; and I would advise the attachés on both sides to have Senators come to the Chamber, because this may well be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the role.

Mr. ALLOTT. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, when hearings were set on S. 4, the wilderness bill, request was made to witnesses to confine themselves to new material. The hearings, accordingly, do not involve as much material as heretofore.

The measure has been before the Senate 6 years. We have held 10 hearings on it and accumulated 2,825 pages of printed record. It passed the Senate by a 78 to 8 vote on September 6, 1961. Nearly everything which can be said about the measure has been said several times in the Interior and Insular Affairs Committee and repeated a time or two here on the floor. The report on the bill makes available to the Senators a section-by-section analysis and explanation.

In presenting the bill today I am seeking to impose on myself the same rule we proposed to witnesses at the hearings, and will try to confine myself largely to a statement on what is new.

The effect of the bill is to provide for setting aside, for preservation in their primitive condition, areas in the national forests, national parks and monuments, wildlife refuges and game ranges which are already being administered to preserve their wilderness character, as a national wilderness preservation system.

The bill sets criteria for their management to preserve their natural character and has two practical effects: It provides that areas finally and fully accredited for wilderness preservation shall have been reviewed both by the executive agencies in charge, and by Congress. It provides that once designated, the areas

shall be protected against disturbance or exploitation except when one of the two highest authorities in the land, the President or the Congress, determines that other use is in the greater public good.

Because these areas are public lands already restricted as to commercial exploitation, the bill will cost nothing and cause no economic disturbance to communities, counties, States or private enterprises. Private rights, a half dozen mines, some grazing and a few inholdings, are not disturbed.

The net effect is essentially increasing the degree of protection given to existing wilderness. It becomes a statutory requirement with congressional approval, not just a bureau policy that can be set aside with a stroke of someone's pen.

Two years ago one of the principal points of attack made on this bill was that it was hasty—that the Outdoor Recreation Resources Review Commission was making a \$2.5 million study of recreation facilities, including wilderness needs, and that we ought to delay action on a wilderness preservation bill until that report was filed.

But the minority report on the bill—then S. 174—said:

We feel that the "sense of urgency" that lies behind the drive for enactment of this legislation is artificial and fictitious.

The minority continued:

We do not attempt to challenge the motives of our colleagues who sincerely support this legislation, but we firmly believe that the "problems which will make the enactment of (such) legislation even more difficult" in the event of further delays are among the following:

The minority, speaking in 1961 before the ORRRC report was issued, then listed as the No. 1 problem which would make enactment of this bill more difficult this year as:

1. An analysis of the 1962 report of the ORRRC may well disclose that the 7 million acres presently classified as wild, wilderness, or canoe will be more than adequate to meet the recreation needs of those rugged few who seek the solitude of these areas.

The report of the Commission created under a bill which I introduced and on which I had the honor to serve with many fine Members of the Senate, is now available. It was filed in January 1962. The minority's question is answered, and one of the bits of new material which I can submit on this subject today is just what the Commission said in regard to wilderness.

On page 131 of the Outdoor Recreation Resources Review Commission's report is the Commission's recommendation 8 to 6, which reads:

Congress should enact legislation providing for the establishment and management of certain wilderness areas as primitive areas.

Primitive areas satisfy a deep-seated human need occasionally to get far away from the works of man.

Prompt and effective action to preserve their unique inspirational, scientific, and cultural values on an adequate scale is essential, since once destroyed they can never be restored.

Portions of national forests, parks, monuments, wildlife refuges, game ranges, and

the unreserved public domain meet the basic criteria of primitive areas. The natural environment has been undisturbed by commercial utilization, and they are without roads. Some of these areas are managed for the purpose of wilderness preservation under broad statutory authority. Certain areas of more than 100,000 acres in the national forest have already been set aside by the Secretary of Agriculture as "wilderness areas." Others between 5,000 and 10,000 acres have been set aside by the Chief of the Forest Service as "wild areas."

And now, Mr. President, comes the answer to the minority speculation about the Commission finding 7 million acres of wild and wilderness area to be more than adequate.

The Commission reported:

There is a widespread feeling, which the Commission shares, that the Congress should take action to assure the permanent reservation of these and similar suitable areas in national forests, national parks, wildlife refuges, and other lands in Federal ownership.

Mr. President, the ORRRC went beyond S. 4, the wilderness bill which is now the pending business of the Senate. After enumerating the types of lands covered by this bill, it reported that:

Congress should take action to assure the permanent reservation of these and similar suitable areas.

It also went beyond S. 4 by suggesting that, in addition to the forest, park, wildlife and game lands covered by S. 4, there should be some areas of the unreserved public domain set aside.

There are no unreserved public domain lands put into the wilderness system by S. 4 for a very good reason.

The lands which are designated as wilderness in the pending bill are all areas already reserved, already restricted, as to commercial exploitation.

There are no such reserved areas in the unreserved public domain.

We cannot be certain, as we are about areas actually covered by S. 4, that if a wilderness area is designated in the unreserved public domain it will not disturb some economic activity or arrangement.

Where designation of unreserved, unrestricted areas are involved, the sponsors of this bill have felt that the same procedure as is followed in establishing a national park—an act of Congress—is the proper procedure. This bill so provides. No unreserved lands, no areas not already restricted as to economic activity, are involved in S. 4. If there is effort to add the additional lands to our wilderness holdings as recommended by the Outdoor Recreation Commission, it will hereafter have to be by an act of this Congress apart from S. 4.

The point of these remarks is that the speculation of the minority in 1961, and I imply no criticism of my colleagues for being careful in their approach—has not only not been sustained by the ORRRC report, it has proved to be rather wide of the mark.

ORRRC found that the wild, wilderness, primitive, canoe, park, and wildlife areas covered in this bill should be reserved and protected as wilderness through prompt and effective action.

Since the findings of the Commission have been released, we have had witnesses before the Interior and Insular Affairs Committee who have contended that ORRRC found that "we do not need wilderness very much." The argument goes that the Commission found that the major part of our recreation problem is within 50 miles of our great urban centers.

The Commission did find that the largest number of recreational activity occasions will be an afternoon or evening walk, a drive, tennis, golf, a swim, or some simple pleasure close to home.

But besides these 1-day activity occasions, there are weekends, and there are vacations of 1, 2, 3, and 4 weeks and even longer on which only 9 percent of the participants stay within that 50-mile radius. Two-thirds travel more than 250 miles. One-third travel more than 750 miles; 27 percent travel more than 1,000 miles, and 10 percent make a trip of 2,000 miles or more.

The erroneous argument that we do not need recreation facilities except close to big cities was used against the Sleeping Bear Dunes proposal, by the Senator from Michigan [Mr. HART], at hearings a week ago. The Public Lands Subcommittee was told that a lakeshore recreation area was not needed in northern Michigan because it was more than 50 miles—240 miles, in fact—from Detroit. The implication was that no one would go there.

I hope that no one in the Senate will make such an argument. We need city playgrounds inside city limits. We need golf links, tennis courts, pools, and general outdoor recreation areas in or close to the suburbs. We need reasonable accessible vacation areas a day or two away from population centers, and we need far away places like our great national parks and wilderness for vacations.

The Outdoor Recreation Resources Review Commission proposed a system of classification of recreational areas illustrating the variety of our needs. I ask unanimous consent, Mr. President, to have printed in the RECORD at this point the Commission's recommendation of a system of classifying recreation lands in six categories to facilitate planning, administration, and understanding in the recreation field. It will clearly indicate the Commission's finding of the range of our needs.

There being no objection, the recommendation was ordered to be printed in the RECORD, as follows:

The following system of classifying outdoor recreation resources is proposed:

**Class I—High-density recreation areas:** Areas intensively developed and managed for mass use.

**Class II—General outdoor recreation areas:** Areas subject to substantial development for a wide variety of specific recreation uses.

**Class III—Natural environment areas:** Various types of areas that are suitable for recreation in a natural environment and usually in combination with other uses.

**Class IV—Unique natural areas:** Areas of outstanding scenic splendor, natural wonder, or scientific importance.

**Class V—Primitive areas:** Undisturbed roadless areas characterized by natural, wild conditions, including "wilderness areas."

**Class VI—Historic and cultural sites:** Sites of major historic or cultural significance, either local, regional, or national.

Mr. ANDERSON. Mr. President, I served on the Outdoor Recreation Resources Review Commission and it was a real privilege, for which I am grateful to the Senate, for it was a truly outstanding Commission which did a very wonderful job.

The Commission was composed of four Members of the Senate and four Members of the House, equally divided between political parties, and seven members appointed by President Dwight D. Eisenhower. Mr. Laurance Rockefeller served as Chairman, and he rendered the Nation a great service in that capacity, as he is continuing to do as Chairman of a citizens' group which is pressing for implementation of the ORRRC report.

The members of the Commission, and also of a larger advisory council which assisted the Commission, included conservationists, public officials, and businessmen interested in the use and utilization of the natural resources of our forests and mineral lands.

The report itself says:

After 3 years of research and an aggregate of 50 days of discussion among the Commissioners, the Commission has developed specific recommendations for a recreation program. The 15 members brought different political, social, and resource-use opinions to the meeting table, and proposed recommendations were put through the test of this range of opinions. During the course of the study and discussion, views of individual members developed and the collective opinion crystallized. The final recommendations are a consensus of the Commission.

That consensus, Mr. President, agreed with the policies and programs which would be established by S. 4 in detail.

The Commission recommended, as S. 4 provides, that wilderness areas remain under the administration of the agencies which now administer them. It commented immediately following the recommendation that "this concept is incorporated in pending legislation which provides that wilderness areas shall be administered by different Federal bureaus."

The Commission declared that wilderness areas should "be managed for the sole and unequivocal purpose of maintaining their primitive attributes. There should be no development of public roads, permanent habitations or recreation facilities. Mechanized equipment of any kind should be allowed in the area only as needed to assure protection from fire, insects, and disease."

All of these statements support features of S. 4.

The Commission had an independent study made of the wilderness problem. It discussed that report and the many subordinate problems involved in preserving an adequate area of untouched, natural lands. This discussion covered competing uses and needs for the lands. Those competing uses and needs are not entirely commercial, exploitive users like mining, timbering, and grazing. One of the greatest pressures on the wilderness areas in the national parks,

and on the backlands in the wildlife ranges and refuges, is from the burgeoning number of recreationists themselves, and the pressure for mass recreation facilities.

It was because of this pressure, as well as other use pressures, that ORRRC found that the type of protection given the wild and wilderness areas in the national parks and wildlife lands by S. 4 to be highly desirable.

Mr. President, deep down inside of most Americans is a love of the out-of-doors.

This is the really essential fact one needs to know to pass judgment on this bill, and give it his support.

It is an effort to protect and preserve, unspoiled, just a little bit of the vast wilderness which stretched from ocean to ocean on this continent less than 300 years ago, so that this love of the great, unspoiled, out-of-doors which is a part of us can be gratified.

In September 1961, when this measure first passed the Senate, I was forced to be away and the senior Senator from Idaho [Mr. CHURCH] handled the measure on the floor.

I have a great obligation to him for the splendid presentation of the measure which he made, and the skillful manner in which the bill was handled. He had able assistance from the junior Senator from Montana [Mr. METCALF]; from the Senator from Utah [Mr. MOSS]; the present chairman of the Interior Committee [Mr. JACKSON]; and others.

As I read the RECORD, I felt, as I still feel, a deep sense of appreciation to all of them.

One passage in the debate impressed itself in my mind. That was a passage during which the Senator from Idaho [Mr. CHURCH] very fervently and very eloquently stated the fundamental case for the preservation of wilderness.

It is the one bid of old, not new, material which I shall use in these remarks for it is well worth repeating; it was one of those relatively infrequent but memorable passages in our usually workaday record. It was devoid of statistics, and devoid of legalistic arguments but it got down to fundamentals. The Senator said, and I read from the RECORD:

Have those who seek the sanctuary of the wilderness no right in a country as vast and rich as the United States?

We will deny those people their right if we fail to act in a timely fashion upon a wilderness bill.

Most of the people in the Eastern United States are denied the right now because the wilderness has largely disappeared. It is vanishing in the West. Unless we take some action to establish legislative safeguards around it, within a few years it will disappear entirely. Once it has been dissipated, once roads have been built, once organized life starts, it is gone forever. It is not a renewable resource.

So, if we are to preserve for future generations the uplifting experience which has come to those of us who have known the wild lands, we must act now, else our children and grandchildren will be forever deprived.

So I say that, in a country which has come to be characterized by the congested life of citysm by the domesticated life of nicely clipped countrysides, let us reserve some places here and there and elsewhere around the country where the land remains as God

gave it to us, and make sure that it stays that way; so that those who want to escape from the banality of beer cans and cigarette commercials will have a chance to do so.

Mr. President, without wilderness this country will become a cage.

This passage from the distinguished Senator's remarks has been reprinted and quoted many times for the reason that it stated what a great many Americans feel and believe but cannot state so forcefully.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be considered as original text for the purpose of further consideration.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 11, after line 18, strike out:

"(1) (1) The Secretary of Agriculture and the Secretary of the Interior shall each, in submitting any recommendations to the President with respect to any area's retention in or incorporation into the wilderness system include with such recommendations the independent views of the Governor of the State in which such area is located with respect to the Secretary's recommendations generally, unless no reply is received from such Governor within ninety days after such recommendations are submitted to him and his views thereon requested."

And, in lieu thereof, to insert:

"(1) (1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to any area's retention in or incorporation into the wilderness system—

"(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

"(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

"(C) at least thirty days before the date of a hearing advise the Governor of each State and the county, or in Alaska the borough, governing board of each county, or in Alaska the borough, in which the lands are located, the United States Forest Service, the United States Soil Conservation Service, the Corps of Engineers of the United States Army, the Bureau of Reclamation, the Bureau of Mines, the United States Geological Survey, the Bureau of Sport Fisheries and Wildlife, the Federal Power Commission, the Rural Electrification Administration, and the Federal Communications Commission, inviting each to set forth its views at the hearing. It shall be the responsibility of each named Federal agency to submit its independent views concerning the designation of an area as 'wilderness', giving an analysis of the comparative values that may be involved as between wilderness and that type of development or uses for which the Federal agency has administrative responsibility."

On page 13, line 21, after "(j)" strike out:

"In any case where State owned land is completely surrounded by lands incorporated into the wilderness system such State shall be given either (1) such rights as may be

necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) vacant, unappropriated and unreserved land in the same State, not exceeding the value of the surrounded land, in exchange for the surrounded land,

And insert:

"In any case where State-owned land is completely surrounded by land incorporated into the wilderness system, such State shall be given either (1) such rights as may be necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) vacant, unappropriated, and unoccupied Federal land in the same State, equal in value of the surrounded land: *Provided*, That if the State does not reserve mineral rights in the surrounded land conveyed to the United States, the United States need not reserve mineral rights in the land conveyed to the State in exchange."

On page 14, line 21, after the word "the", strike out "Congress." and insert "Congress: *Provided, however*, That nothing in this Act shall be construed to confer a right of condemnation with respect to privately owned land within the boundaries of a wilderness area, or to impair any customary right or privilege heretofore enjoyed by the owners of such land, respecting access to it or to its ordinary use and maintenance."; and on page 17, line 14, after the word "where", strike out "well"; so as to make the bill read:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### "SHORT TITLE

"SECTION 1. This Act may be cited as the 'Wilderness Act'.

#### "WILDERNESS SYSTEM ESTABLISHED

##### "STATEMENT OF POLICY

"SEC. 2. (a) The Congress recognizes that an increasing population, accompanied by expanding settlement and growing mechanization, is destined to occupy and modify all areas within the United States and its possessions except those that are designated for preservation and protection in their natural condition. It is accordingly declared to be the policy of the Congress of the United States to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas in the United States and its possessions to be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness.

##### "DEFINITION OF WILDERNESS

"(b) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's works substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) is of sufficient size as to make practicable its preservation and use in an

unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

#### "NATIONAL WILDERNESS PRESERVATION SYSTEM "EXTENT OF SYSTEM

SEC. 3. (a) The National Wilderness Preservation System (hereafter referred to in this Act as the wilderness system) shall comprise (subject to existing private rights) such federally owned areas as are established as part of such system under the provisions of this Act.

#### "NATIONAL FOREST AREAS

"(b) (1) The wilderness system shall include all areas within the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, primitive, or canoe: *Provided*, That the areas classified as primitive shall be subject to review as hereinafter provided. Following enactment of this Act, the Secretary of Agriculture shall, within ten years, review, in accordance with paragraph C, section 251.20, of the Code of Federal Regulations, title 36, effective January 1, 1959, the suitability of each primitive area in the national forests for preservation as wilderness and shall report his findings to the President. Before the convening of Congress each year, the President shall advise the United States Senate and House of Representatives of his recommendations with respect to the continued inclusion within the wilderness system, or exclusion therefrom, of each area on which review has been completed in the preceding year, together with maps and definition of boundaries: *Provided*, That the President may, as a part of his recommendations, alter the boundaries existing on the date of this Act for any primitive area to be continued in the wilderness system, recommending the exclusion and return to national forest land status of any portions not predominantly of wilderness value, or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value: *Provided further*, That following such exclusions and additions any primitive area recommended to be continued in the wilderness system shall not exceed the area classified as primitive on the date of this Act. The recommendation of the President with respect to the continued inclusion in the wilderness system, or the exclusion therefrom of a primitive area, or portions thereof, shall become effective subject to the provisions of subsection (f) of this section: *Provided*, That if Congress rejects a recommendation of the President and no revised recommendation is made to Congress with respect to that primitive area within two years, the land shall cease to be a part of the wilderness system and shall be administered as other national forest lands: *And provided further*, That, primitive areas with respect to which recommendations are submitted to Congress on the eighth, ninth, and tenth years of the review period herein provided shall retain their status as a part of the wilderness system until the expiration, in respect to each area, of a full session of Congress, two years for resubmission of revised recommendations to Congress by the President, and, if so resubmitted, until the expiration of a full session of Congress thereafter. Recommendations on all primitive areas not previously submitted to the Congress shall be made during the tenth year of the review period. Any primitive area, or portion thereof, on which a recommendation for continued inclusion in the wilderness system has not become effective within fourteen years following the enactment of this Act shall cease to be a part of the wilderness system and shall be administered as other national forest land.

"(2) The purposes of this Act are hereby declared to be within and supplemental to but not in interference with the purposes

for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple Use-Sustained Yield Act of June 12, 1960, Public Law 86-517 (74 Stat. 215).

**"NATIONAL PARK SYSTEM AREAS**

"(c) (1) There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, each portion of each park, monument, or other unit in the national park system which on the effective date of this Act embraces a continuous area of five thousand acres or more without roads. Within ten years after the effective date of this Act the Secretary of the Interior shall review the units of the national park system and shall report his recommendations for the incorporation of each such portion into the wilderness system to the President. Before the convening of Congress each year, the President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the incorporation into the wilderness system of each such portion for which review has been completed in the preceding year, together with maps and definitions of boundaries. The recommendation of the President with respect to each such portion shall become effective subject to the provisions of subsection (f) of this section.

"(2) The Secretary of the Interior shall include, as part of his recommendations to the President under the provisions of this subsection, a description of the parts of each park, monument, or other unit submitted which should be reserved for roads, motor trails, buildings, accommodations for visitors, and administrative installations. Such parts shall be determined in accordance with the procedures for rulemaking under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), except that the public notice required under such section shall be at least ninety days prior to the determination proceedings. No designation of an area for roads, motor trails, buildings, accommodations for visitors, or administrative installations shall modify or affect the application to that area of the provisions of the Act approved August 25, 1916, entitled 'An Act to establish a National Park Service, and for other purposes' (39 Stat. 535; 16 U.S.C. 1 and following). The accommodations and installations in such designated areas shall be incident to the conservation and use and enjoyment of the scenery and the natural and historical objects and flora and fauna of the park or monument in its natural condition. Further, the inclusion of any area of any park, monument, or other unit of the national park system within the wilderness system pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such area in accordance with such Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 and following); section 3(2) of the Federal Power Act (16 U.S.C., sec. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C., sec. 461 and following).

**"NATIONAL WILDLIFE REFUGES AND GAME RANGES**

"(d) There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, such portions of the wildlife refuges and game ranges established prior to the effective date of this Act under the jurisdiction of the Secretary of the Interior as he may recommend for such incorporation to the President within ten years following the effective date of this Act. Before the convening of Congress each year the President shall advise the United States Senate and the House of Representatives of his recom-

mendations with respect to the incorporation into the wilderness system of each area recommended for such incorporation by the Secretary of the Interior during the preceding year, together with maps and definitions of boundaries. The recommendation of the President with respect to each area shall become effective subject to the provisions of subsection (f) of this section.

**"MODIFICATION OF BOUNDARIES**

"(e) Any proposed minor modification or adjustment of boundaries of any portion of the wilderness system established in accordance with this Act shall be made by the appropriate Secretary after public notice of such proposal by publication in a newspaper having general circulation in the vicinity of such boundaries and public hearing to be held in such vicinity not less than ninety days after such notice if there is sufficient demand during such ninety days for such hearing. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recommendations shall become effective subject to the provisions of subsection (f) of this section.

**"EFFECTIVE DATE OF PRESIDENT'S RECOMMENDATIONS**

"(f) Any recommendation of the President made in accordance with the provisions of this section shall take effect upon the day following the adjournment sine die of the first complete session of the Congress following the date or dates on which such recommendation was received by the United States Senate and the House of Representatives; but only if prior to such adjournment neither the Senate nor the House of Representatives shall have approved a resolution declaring itself opposed to such recommendation: *Provided*, That in the case of a recommendation covering two or more separate areas, such resolution of opposition may be limited to one or more of the areas covered, in which event the balance of the recommendation shall take effect as before provided: *Provided further*, That where a resolution of opposition to any such recommendation has been introduced, a hearing thereon shall be held within thirty days by the committee to which such resolution has been referred. Any such resolution shall be subject to the procedures provided under the provisions of sections 203 through 206 of the Reorganization Act of 1949 (5 U.S.C., secs. 133z-12—133z-15) for a resolution of either House of Congress.

**"EFFECT OF PUBLIC NOTICE OF PROPOSED ADDITION TO WILDERNESS SYSTEM**

"(g) Public notice when given by either the Secretary of the Interior or the Secretary of Agriculture that any area is to be proposed under the provisions of this Act for incorporation as part of the wilderness system shall segregate such area from any or all appropriation under the public land laws to the extent deemed necessary by such Secretary. Such segregation shall terminate (1) upon rejection of such proposal by the President, (2) upon approval by the Senate or the House of Representatives of a resolution opposing the incorporation of such area in the wilderness system, or (3) five years after the date of such notice if the proposal to incorporate such area as part of the wilderness system has not been submitted to both Houses of Congress prior to the expiration of such five years.

**"ADDITION OR ELIMINATION NOT PROVIDED FOR IN THIS ACT**

"(h) The addition of any area to, or the elimination of any area from, the wilderness system which is not specifically provided for under the provisions of this Act shall be

made only after specific affirmative authorization by law for such addition or elimination.

**"ADDITIONAL REQUIREMENTS WITH RESPECT TO RECOMMENDATIONS**

"(i) (1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to any area's retention in or incorporation into the wilderness system—

"(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

"(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

"(C) at least thirty days before the date of a hearing advise the Governor of each State and the county, or in Alaska the borough, governing board of each county, or in Alaska the borough, in which the lands are located, the United States Forest Service, the United States Soil Conservation Service, the United States Army, the Corps of Engineers of the United States Army, the Bureau of Reclamation, the Bureau of Mines, the United States Geological Survey, the Bureau of Sport Fisheries and Wildlife, the Federal Power Commission, the Rural Electrification Administration, and the Federal Communications Commission, inviting each to set forth its views at the hearing. It shall be the responsibility of each named Federal agency to submit its independent views concerning the designation of an area as 'wilderness', giving an analysis of the comparative values that may be involved as between wilderness and that type of development or uses for which the Federal agency has administrative responsibility.

"(2) Views submitted to the President under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to Congress with respect to such area.

**"STATE LANDS SURROUNDED BY WILDERNESS SYSTEM**

"(j) In any case where State-owned land is completely surrounded by land incorporated into the wilderness system, such State shall be given either (1) such rights as may be necessary to assure adequate access to such State-owned land by such State and its successors in interest, or (2) vacant, unappropriated, and unoccupied Federal land in the same State, equal in value to the surrounded land: *Provided*, That if the State does not reserve mineral rights in the surrounded land conveyed to the United States, the United States need not reserve mineral rights in the land conveyed to the State in exchange.

**"ACQUISITION OF CERTAIN PRIVATELY OWNED LANDS WITHIN THE WILDERNESS SYSTEM**

"SEC. 4. The Secretary of the Interior and the Secretary of Agriculture are each authorized to acquire as part of the wilderness system any privately owned land within any portion of such system under his jurisdiction, subject to the approval of any necessary appropriations by the Congress: *Provided, however*, That nothing in this Act shall be construed to confer a right of condemnation with respect to privately owned land within the boundaries of a wilderness area, or to impair any customary right or privilege heretofore enjoyed by the owners of such land, respecting access to it or to its ordinary use and maintenance.

"GIFTS OR BEQUESTS OF LAND

"Sec. 5. The Secretary of Agriculture and the Secretary of the Interior may each accept gifts or bequests of land for preservation as wilderness, and such land shall on acceptance become part of the wilderness system. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

"USE OF THE WILDERNESS

"OTHER PROVISIONS OF LAW

"Sec. 6. (a) Nothing in this Act shall be interpreted as interfering with the purposes stated in the establishment of, or pertaining to, any park, monument, or other unit of the national park system, or any national forest, wildlife refuge, game range, or other area involved, except that any agency administering any area within the wilderness system shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes as also to preserve its wilderness character. Except as otherwise provided in this Act, the wilderness system shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use. Subject to the provisions of this Act, all such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation.

"PROHIBITION OF CERTAIN USES

"(b) Except as specifically provided for in this Act and subject to any existing private rights, there shall be no commercial enterprise within the wilderness system, no permanent road, nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act, including such measures as may be required in emergencies involving the health and safety of persons within such areas.

"SPECIAL PROVISIONS

"(c) The following special provisions are hereby made:

"(1) Within the wilderness system the use of aircraft or motorboats where these practices have already become established may be permitted to continue subject to such restrictions as the appropriate Secretary deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the appropriate Secretary deems desirable.

"(2) Within national forest and public domain areas included in the wilderness system, (A) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting (including but not limited to exploration for oil and gas), mining (including but not limited to the production of oil and gas), and the establishment and maintenance of reservoirs, water-conservation works, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (B) the grazing of livestock, where established prior to the effective date of this Act with respect to areas established as part of the wilderness system by this Act, or prior to the date of public notice thereof with respect to any area to be recommended

for incorporation in the wilderness system, shall be permitted to continue subject to such restrictions and regulations as are deemed necessary by the Secretary having jurisdiction over such area.

"(3) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou roadless areas in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats. Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act, Public Law 539, Seventy-first Congress, July 10, 1930 (46 Stat. 1020), the Thye-Blatnik Act, Public Law 733, Eightieth Congress, June 22, 1948 (62 Stat. 568), and the Humphrey-Thye-Blatnik-Andresen Act, Public Law 607, Eighty-fourth Congress, June 22, 1956 (70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture. Modifications of the Boundary Waters Canoe Area within the Superior National Forest shall be accomplished in the manner provided in section 3(e).

"(4) Commercial services may be performed within the wilderness system to the extent necessary for activities which are proper for realizing the recreational or other purposes of the system as established in this Act.

"(5) Any existing use or form of appropriation authorized or provided for in the Executive order or legislation establishing any national wildlife refuge or game range existing on the effective date of this Act may be continued under such authorization or provision.

"(6) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

"(7) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

"(8) Nothing in this Act shall be construed to prevent, within national forest and public domain areas included in the wilderness system, any activity, including prospecting, for the purpose of gathering information about mineral or water resources or to prevent the completely subsurface use of such areas, if such activity or subsurface use is carried on, in a manner which is not incompatible with the preservation of the wilderness environment.

"RECORDS AND REPORTS

"Sec. 7. The Secretary of the Interior and the Secretary of Agriculture shall each maintain available to the public, records of portions of the wilderness system under his jurisdiction, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding, pending additions, eliminations, or modifications. Within a year following the establishment of any area within the national forests as a part of the wilderness system, the Secretary of Agriculture shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in such legal descriptions and maps may be made with the approval of such committees.

Within a year following the establishment of any area in the national park system or in a wildlife refuge or range as a part of the wilderness system, the Secretary of the Interior shall file a map and legal description of such area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives. Clerical and typographical errors in such legal descriptions and maps may be corrected with the approval of such committees. Copies of maps and legal descriptions of all areas of the wilderness system within their respective jurisdictions shall be kept available for public inspection in the offices of regional foresters, national forest supervisors, forest rangers, offices of the units of the national park system, wildlife refuge, or range.

"CONTRIBUTIONS AND GIFTS

"Sec. 8. The Secretary of the Interior and the Secretary of Agriculture are each authorized to accept private contributions and gifts to be used to further the purposes of this Act. Any such contributions or gifts shall, for purposes of Federal income, estate, and gift taxes, be considered a contribution or gift to or for the use of the United States for an exclusively public purpose, and may be deducted as such under the provisions of the Internal Revenue Code of 1954, subject to all applicable limitations and restrictions contained therein.

"LAND USE COMMISSIONS

"Sec. 9. With respect to any State having more than 90 per centum of its total land area owned by the Federal Government on January 1, 1961, there shall be established for each such State a Presidential Land Use Commission (hereinafter called the Commission). The Commission shall be composed of five persons appointed by the President, not more than three of whom shall be members of the same political party, and at least three of whom shall be residents of the State concerned. The Commission shall advise and consult with the Secretary of the Interior and the Secretary of Agriculture on the current utilization of federally owned land in such State and shall make recommendations to the appropriate Secretary as to how the federally owned land can best be utilized, developed, protected and preserved. Any recommendations made to the President by the Secretary of Interior or the Secretary of Agriculture and any recommendations made to the Congress by the President pursuant to the provisions of this Act shall be accompanied by the recommendations and reports made with respect thereto by the Commission.

"Sec. 10. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

"Sec. 11. Nothing in this Act shall be construed as superseding, modifying, repealing, or otherwise affecting the provisions of the Federal Power Act (16 U.S.C. 792-825r)."

Mr. AIKEN and Mr. CHURCH addressed the Chair.

Mr. ANDERSON. Will the Senator from Vermont permit me to yield to the Senator from Idaho first?

Mr. AIKEN. Certainly.

Mr. CHURCH. I merely wish to say to the distinguished Senator from New Mexico that I appreciate his opening remarks. All of us on the Interior and Insular Affairs Committee know of the fine leadership we have had in him that has resulted in bringing this bill to the floor today. The Senator from New Mexico is one of the most distinguished

conservationists in the Senate today, and no chapter he has written over the course of a long and brilliant career will win for him greater esteem in the hearts of the people, than the leadership he has given to this measure. I just wanted to express my feeling, which I know is shared by many other Members of the Senate.

Mr. ANDERSON. I thank the Senator from Idaho. I yield now to the Senator from Vermont.

Mr. AIKEN. Mr. President, I wish to commend the Senator from New Mexico for his ability and persistence in this effort. This bill, if enacted into law, will enable future generations of Americans to see at least a few wilderness spots in America.

As I understand, very little area east of the Mississippi and north of Kentucky would be eligible for inclusion in wilderness areas. Am I correct in my understanding that the Mount Desert Island area in Maine and the White Mountain area in New Hampshire will be eligible for such inclusion?

Mr. ANDERSON. I think that is correct. A few States have some space that is wilderness area, like New York State, for example, which will be eligible for preservation under their own State system, but not under the national system.

Mr. AIKEN. But it would require additional legislation to put in the wilderness area any tracts which are not now included?

Mr. ANDERSON. Yes, it would. One of the things we made sure of is that it requires positive legislation to add new areas.

Again I thank the Senator from Vermont for his fine leadership. I have been associated with him many times in agricultural legislation, and it has been a great pleasure to be associated with him in conservation legislation. I pay tribute to him.

Mr. AIKEN. I shall support the legislation even though no area of my State would be eligible to be included in the wilderness area. We have other ways, however, of preserving forest reserves and wild areas in Vermont.

Mr. JOHNSTON. Mr. President, I commend the Senator from New Mexico for the diligent work he has given to the bill pending before the Senate. In the Southeast, and especially in South Carolina, we would be benefited very little, if at all, by the bill; but I am mindful of the fact that if something had been done years ago in this particular field, it would have brought much benefit to South Carolina and the Southeastern States. We let it slip through our fingers, so to speak. Today we can do very little about it, but, at the same time, the West is at the present time trying to preserve forests. I am glad to see them do it. I commend especially the senior Senator from New Mexico for his diligent efforts in this field.

Mr. ANDERSON. I thank the Senator from South Carolina for his kind remarks, which are typical of him.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. Have the committee amendments been adopted en bloc?

The PRESIDING OFFICER. The committee amendments were agreed to en bloc. The bill, as amended, is considered as original text for the purpose of amendment. The bill is now open to further amendment.

Mr. DOMINICK. Mr. President, if I may, at this time, I should like to make some statements about the pending bill and my own position on it, and also with respect to possible amendment which might be added to it.

First of all, I wish to say that I had the privilege of serving in the House of Representatives in the last 2 years on both the Public Lands Subcommittee and the Interior Committee, which considered the bill when it came to the House from the Senate last year.

There is little or no doubt in my mind that although I personally would like to see a wilderness system set up under legislative authority, the pending bill, as it is now written, would, if passed by the Senate, encounter considerable difficulty in being approved by the appropriate committee in the other body.

I say that for a variety of what I consider to be very good reasons. First, I served with a great many of the Members in the House; secondly, there is basic disagreement on the question of which branch of Government should have primary authority in creating a legislative system under law.

We have at the moment in the pending bill a proposal which I believe it would be wise to modify in at least one important respect, and which could have vast significance in insuring for future generations a wilderness system in which people could enjoy the forests and mountains and lakes as a part of our Nation's heritage.

However, the difficulty is that we are grouping together and putting into one system, without any particular legislative scrutiny, a vast area of land known as the primitive lands, which have not been classified by the executive department or reviewed by Congress, to see whether this is the most useful purpose for that particular group of public lands.

What we have proposed in committee, and what the other body was doing its best to try to put into effect in previous hearings and previous discussion of the bill, is the proposal that the legislative body, Congress, should have the right to determine, after recommendation by the executive department, which of these primitive lands or which group of these primitive lands should be brought into the wilderness system, and that they should not all be blanketed in at the same time.

As an example of that, I would like to point to—and I believe the Senator from New Mexico [Mr. ANDERSON] would agree—what I consider to be a good system, namely, the method by which we decide on the establishment of reclamation projects. There is a possibility, I suppose, that under reclamation law the Executive could simply decide what is to be done by way of reclamation projects and then send the proposal to Congress, and, unless Congress vetoed it, the proj-

ects would go through. However, as a matter of fact, that is not the way we have established the reclamation system. What we have done is to say that the Executive shall determine whether a particular project is feasible. At the end of that study it sends the project to Congress. Then Congress both authorizes the project involved and appropriates the money for it. During the course of that time, however, Congress very carefully inspects and studies the details of each project that is presented to it.

It is my feeling, and I believe the feeling of a great number of us in Congress, whether it be in the Senate or in the House, that that is the same type of system that we ought to use in connection with the wilderness system. However, it is not. What we are being asked to do here is to say that we will blanket everything in, and then the Executive will review it and say either that additional public lands will be brought in or that some of them should be taken out; and that the only way Congress will have the right to act in a negative way on the matter will be by way of a veto.

I believe that a comparison of such a proposal with the Reorganization Act shows it to be basically wrong. The reason it is basically wrong is that under the Reorganization Act the executive department is, in fact, dealing with the executive departments of Government. In that kind of situation perhaps the Reorganization Act, which gives Congress only the right to veto, has some possibility of being fruitful and the expedient way of handling executive departments.

However, in this particular situation what we are dealing with is wholly different. We are saying that we will take a vast amount of public land, belonging to the people of the United States all over the country, and blanket it into a system, as the result of which the majority of the people can no longer use those lands for any purpose whatsoever.

The evidence has shown, in the House and in the Senate, if I may use a colloquial term, that only about 2 percent of the visitors to public lands never go into the wilderness lands at all.

This taking of action by Executive decree is beyond the principle and scope of the effort which we in this great body should undertake. We should determine whether particular lands are to be isolated and carried out of use by people of the United States, and isolated into a situation where only 2 percent of the people can have any benefit out of them.

There are other problems involved in connection with this situation. I was able, during the course of the hearings, to ask the distinguished head of the Forest Service as to whether passage of the bill would later prevent the construction of electric transmission lines across wilderness systems which might be incorporated in the pending bill. I asked whether we would be able to continue the necessary water development of the West if we passed the bill. I asked that particularly because of the need that we have for water development in the western area of the United States, in particular.

The answer that I received was that the bill, if passed, would supersede other laws now on the books, and that this would mean that no construction could go on in these wilderness areas, of any kind, unless the President of the United States himself determines that this construction of transmission lines or water development facilities, or whatever it might be, was in the public interest to the extent that there should be permitted an invasion of the wilderness concept of any particular land. This could easily in the State of Colorado, and in any other Western State, seriously hamper the necessary construction of facilities for the accumulation of water for the benefit of the entire economy of the Western area of the United States.

It is a really serious question as to whether it will be possible to continue water development if any of the wilderness systems which are contemplated under the terms of the bill will in fact hamper the construction of transmission lines or the development of water facilities. We already know that within some of the wilderness systems which would be brought within the terms of the bill as it is now presented to the Senate, there are in existence water development projects which it will be necessary, in some manner, to maintain so as to insure their continuance. There is no such guarantee in the bill at the present time. Therefore, it would be necessary to promulgate special regulations or to get special exceptions in order to be able to take care of existing water developments in certain portions of wilderness areas at the present moment. This is one reason why I have serious doubt whether the bill, if it remains in its present form, even with the amendments adopted by the committee, will be able to pass the other body of Congress.

I say again, publicly, that I favor a legislative system to preserve wilderness areas; but I have strong doubts as to whether the pending bill will accomplish that result. I say that because I have strong doubt as to whether the bill in its present form will ever pass the other body of Congress.

We have a very simple amendment, which was offered in committee by my colleague, the distinguished senior Senator from Colorado [Mr. ALLOTT], which would reserve the process which is proposed in the bill. It would bring into the wilderness system all lands which are now classified as wilderness or canoe, but would leave out all lands now classified as primitive. It includes specific instructions that primitive lands shall remain primitive under their present usage, but that they would be reviewed by the executive department, and that each year, as Congress meets, Congress would be presented with recommendations as to those lands, not only by the executive department but also by the Governors of the States and by representatives of the local areas which are involved, after hearings. The recommendations would be presented to Congress for authorization to be included within the wilderness system.

If this type of amendment were adopted by the Senate, it seems to me that without any doubt not only would

there be almost unanimous approval for the passage of the bill in this body, but that the chances of the passage of the bill in final form through the other body would be greatly enhanced. At the moment, I do not conceive of any particular difficulty in getting a bill of that type through the other body. However, I anticipate substantial difficulty in having a bill of the present nature, even with the committee amendments which have been adopted, passed by the other body.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Colorado will state it.

Mr. DOMINICK. Do I correctly understand that the committee amendments as shown in the committee report—Report No. 109—have already been adopted by voice vote?

The PRESIDING OFFICER. They have been adopted. The bill as amended is considered as original text for the purpose of amendment.

Mr. ANDERSON. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I yield.

Mr. ANDERSON. The plan was to have the committee amendments adopted en bloc. The bill then would be regarded as a new bill, to which amendments to any section thereof would be in order. Amendments which were then offered would not be barred as third degree amendments, or anything of that nature.

Mr. DOMINICK. Have the amendments which were included in Report No. 109 been explained to the Senate?

Mr. ANDERSON. They have not been explained. A motion was made that they be adopted. The explanation should properly take place during the discussion of the bill.

Mr. DOMINICK. Has that motion yet been voted upon?

Mr. ANDERSON. Yes, it has. The committee amendments have been adopted en bloc, and the bill is all new text, as carried in the report, for the purpose of amendment.

Mr. DOMINICK. I thank the Senator from New Mexico. That relieves my mind.

Mr. President, most of us, particularly those of us who represent the Western States, are probably more conscious of the beauty and magnificence of the proposed wilderness areas than perhaps any other group in the United States. Most of us from that area use the public lands for hunting, fishing, and exploring. Some of the public lands are used for grazing purposes. Those who conduct grazing operations on the lands have participated in the process of soil conservation within those areas and have performed a very fine service in many cases. Therefore, I believe that the general attitude which has been created by some conservationists, namely, that those who are opposed to this type of bill are a group of Neanderthals, and who do not have any idea of what the greatest heritage of our country is, are simply wholly wrong in their approach to the problem. They do not understand what we are trying, basically, to do.

I do not suppose there is any group of people who are more conscious of the

need of preserving the public lands and of the need for having as a national heritage public lands, public parks, and systems of this kind, which can be preserved and used for their beauty and for the solitude that is contemplated in the bill, for hunting, for fishing, and all the other desirable uses that these lands would make possible. But this does not derogate from the conflict with the basic principle, namely, whether Congress will retain affirmative control over the public lands, or whether Congress proposes simply to delegate the whole operation to the executive department, and retain nothing except the right of veto. It seems to me that that is the basic principle with which we in this body are concerned, and which will be of great concern in the other body.

I add one more observation. I have explored, I have fished, I have hunted, I have hiked, I have camped all through these systems. I have been doing it for most of my life. I think most of us in the Senate have done so, in one form or another. We who feel that the bill should be amended are not trying to prevent its passage. We are simply trying to insure the adoption of a system which will not prevent the great majority of the people of the country from enjoying these areas, from enjoying the lands which will actually be included in the system, and insure that the lands will be those which should more properly be within that system.

We are also very carefully trying to outline for the Members of this body the basic conflict in the matter of principle. Will Congress retain control and authority over the public lands in an affirmative sense, or will we turn control over to the executive department, as is now proposed in S. 4, even as amended?

Mr. MANSFIELD. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I yield.

UNANIMOUS-CONSENT AGREEMENT AND ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. I have asked the Senator to yield for the purpose of propounding a unanimous-consent request. The proposal has been cleared with the two Senators from Colorado, with the minority leader, and the acting minority leader; with the majority leader; with the senior Senator from New Mexico [Mr. ANDERSON], who has done so much in behalf of the bill; and with the senior Senator from Idaho [Mr. CHURCH], who is in charge of the bill.

Mr. President, I ask unanimous consent that when the business of the Senate has been completed today, the Senate adjourn until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that beginning at 10 o'clock tomorrow morning, 1 hour be allocated to each amendment, 30 minutes to a side, the time to be controlled by the Senator from Colorado [Mr. ALLOTT], and the Senator from Idaho [Mr. CHURCH]; and that there also be 1 hour on the bill.

Mr. KUCHEL. Mr. President, reserving the right to object, and I shall not

object, does the majority leader contemplate any morning hour tomorrow at 10 o'clock?

Mr. MANSFIELD. No.

Mr. KUCHEL. It is proposed that the Senate adjourn today?

Mr. MANSFIELD. Yes; and the time for debate will begin at 10 o'clock tomorrow.

Mr. KUCHEL. So, Mr. President, assuming that yea-and-nay votes are ordered, the Senate should be on notice, as I understand, that on or about 11 a.m. the Senate will begin to vote on the proposed amendments.

Mr. MANSFIELD. The acting minority leader is correct in his assumption.

Mr. KUCHEL. Very well.

I have no objection.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The chair hears none, and without objection, it is so ordered.

Mr. MANSFIELD. I thank the Senator from Colorado.

The unanimous-consent agreement, reduced to writing, is as follows:

#### UNANIMOUS-CONSENT AGREEMENT

*Ordered*, That, on Tuesday, April 9, 1963, at the hour of 10 a.m., the Senate resume the consideration of the bill S. 4, the so-called Wilderness Act, and that thereafter debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and Mr. CHURCH: *Provided*, That in the event Mr. CHURCH is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

*Ordered further*, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. CHURCH. Mr. President, the junior Senator from Colorado has made three arguments which I think require some comments for purposes of clarification, if for no other purpose.

First of all, he has called for amendments to the bill, on the ground that unless we amend the bill in certain important respects, it will not be acceptable to the other body.

Mr. President, it is always open to the other body to modify in anyway it may see fit measures passed by the Senate; and if we in the Senate are to do our constitutional job, it certainly is not incumbent upon us to pass measures in such form as we think might be acceptable to the other body. Instead, we should pass measures which in our judgment will constitute the best and most desirable legislation for the country. In doing so, we do not impinge upon the prerogatives of the other body; instead, we discharge our own responsibilities in the best and highest sense of that term.

Second, the junior Senator from Colorado has argued that we should handle primitive areas in the way we handle reclamation projects; namely, by having special authorization by Congress prior to the time any given project is constructed.

I would agree if we were considering the establishment, for the first time, of primitive areas; if we were faced with a situation in which there were no primitive areas; and if Congress were being asked now to establish them. If this were the situation, it might be entirely appropriate to take the position that these areas should be established only upon the affirmative act of Congress.

But today we have in our national forests over 6 million acres which have been designated by the executive agencies of the Government as primitive areas. These areas have been established for periods of between 20 and 30 years. In my State alone, Mr. President, there are in excess of 3 million acres in primitive areas. The authority to establish these areas, to enlarge them, to create new ones, and to modify their boundaries was delegated years and years ago to the executive branch by the Congress.

What we are attempting to achieve by this bill is a measure of congressional control which does not now exist. In Idaho, we have waited for nearly 30 years to have these primitive areas reviewed by the Forest Service. Only this year has the Forest Service managed to complete its review of one of them, namely, the Selway-Bitterroot Area, involving portions of Idaho and Montana—an area which originally comprised 1,875,000 acres. The Forest Service has for the past 2 years studied the area, held special hearings in Montana and Idaho, and finally made recommendations—which were approved only 2 months ago by the Secretary of Agriculture—committing 1,240,000 acres of the area to wilderness, excluding and restoring to ordinary forest lands 447,000 acres which were found to be more suitable for multipurpose use, and leaving 190,000 acres in primitive area status.

Mr. President, this example should suffice to demonstrate that the executive agencies not only have the power to establish primitive areas, but also can redesignate the primitive areas as wilderness areas, without having the matter even come to Congress for any sort of consent, surveillance, or review.

The Secretary of Agriculture has announced his intention to convert another primitive area in Idaho—the Sawtooth Primitive Area, comprising 200,942 acres of land—into a wilderness area. Again he proposes to do so—using authority he now has under existing law—by the stroke of his pen; and the matter will never come to Congress for any vote or any review.

So I suggest that it is totally unrealistic to argue that this bill somehow diminishes congressional power over the public lands. The very contrary is the case. The bill seeks to restore to Congress surveillance over the portions of the primitive areas which are to be permanently included in the wilderness sys-

tem; and the bill does so by providing that before the President, acting through the Secretary of Agriculture, may convert a primitive area into a wilderness area and may make it permanently part of the wilderness system, he must submit his recommendation to Congress, where it will be subject to review by both Houses, and where either House can, by majority vote, veto the proposal.

So, Mr. President, by means of this bill we are attempting to accomplish a restoration of authority to Congress, thus reclaiming to Congress a power which heretofore has been delegated to the executive branch.

Finally, Mr. President, the junior Senator from Colorado has argued that the bill constitutes some sort of impairment with respect to the development of water resources within the areas affected by the bill. He has pointed out, quite correctly, the importance of water impoundments—dams, power generators, and reclamation projects—to the West. But, Mr. President, I suggest that there are two portions of the bill which adequately assure the West continued water development, and I submit that even within the wilderness system the bill does not constitute any impediment whatever.

First of all is the provision which preserves intact the authority of the Federal Power Commission to license water projects.

In the course of the hearings it was made clear that the Federal Power Commission, which Congress has charged with the authority to license water development projects on the rivers of the West, would retain its full jurisdiction. There is no provision in the bill to the contrary which would affect that jurisdiction. So with respect to the major water developments that must be licensed by the Federal Power Commission, the bill would in no way interfere.

Second, there is provision that the President of the United States may open a wilderness area to minor water resource conservation measures, small watershed developments, so that once we would place areas into wilderness, they would not forever be removed from such activity.

Finally, need it be said that with respect to major public water projects, the Congress always retains authority—and, indeed, it is the practice of the Congress—to authorize such projects by legislation. Nothing in the bill could affect the power of Congress to authorize public water projects in wilderness areas by specific enactment. That is our practice anyway. So I suggest there is no basis for the arguments that the Senator has advanced. I hope that the Senate will not amend the bill in the ways that he has suggested.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. DOMINICK. I was particularly interested in two phases of the very interesting discussion of the Senator. First was the question of fact as to whether we would regain authority under the bill from the executive department or whether we would not. I would say that

I think we probably would. I think that is probably a correct analysis of it.

But the point I am making is that we would not regain the type of authority that we should take. With respect to the analysis of the Senator from Idaho as to what the executive department can do now and what the Congress would be permitted to do under the bill as it stands in its present form, I ask the following question: Is it not true that at the present moment there must be positive action by the Congress of the United States in order to create a national park, even though it may be out of lands classified as public lands in one form or another?

Mr. CHURCH. The Senator is correct. There must be an affirmative enactment on the part of Congress to establish a new national park. But there need be no action at all on the part of Congress, in fact, no congressional action is now taken when areas within the national forest are placed in wilderness status. That authority has long since been delegated away to the Secretary of Agriculture, and this bill would restore the prerogative of Congress.

Mr. DOMINICK. But my question really is as follows: If we must take positive action to create a national park, why should we not also take positive action in order to create a wilderness area?

Mr. CHURCH. The answer to that question is that the primitive areas are already there. In this bill we are attempting to have them reviewed within a 10-year period, and a determination made by those reviews as to what portions of the areas shall be permanently included in the wilderness system. Given those facts, if we were to require affirmative action on the part of Congress before primitive areas that are already there may be included within the wilderness system, we could not assure ourselves that each of the recommendations would ever come to the floor of either House for action.

The Senator from Colorado, having been a Member of the other body, is fully aware that many legislative proposals and many executive recommendations never get to the floors of Congress for a vote. If we were to require positive action, which would call for an affirmative vote in both the Senate and the House of Representatives before a recommendation could take effect, there would be no way by which we could assure ourselves that those recommendations would ever be acted upon in the Congress. After the 10-year review period has expired, without some action by the Congress, the bill provides that primitive area lands not acted upon would automatically be returned to regular National forest status. So the only way that we could guarantee that primitive areas would be reviewed and the Congress would act upon them is by the device that is provided in the bill giving a veto to either House, but not requiring affirmative action on the part of both Houses.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. DOMINICK. I would merely say in passing that if we should determine that that was the necessary procedure to get something before Congress in this case, it seems to me that perhaps any measure which the Senator from Idaho favored ought to be treated legislatively along those lines. Such action would seriously reduce the power of Congress.

But the other point that I wished to make was with reference to the question of whether or not the proposal might inhibit water development, reclamation projects, and the construction of transmission lines on projects that have already been authorized and constructed.

I call to the attention of the Senator from Idaho the questions that were asked of the Secretary of the Interior as they appear on page 29 of the hearings. I pointed out that water development includes more than merely plain damsites. It includes the construction of conduits—transmission lines—a great number of pieces of which must go across lands which would be included within the wilderness system under the bill as it is now written. I asked him whether the provision would not give a right of veto to the President of any particular reclamation project that might be passed by Congress. The President could say, "All right. We do not mind the reclamation project, but we are not going to permit you to build facilities for the reclamation project across the wilderness system." The answer was that obviously that could be true.

Mr. CHURCH. Mr. President, I respectfully disagree with the Secretary of the Interior in that regard. Had he had an opportunity better to consider the question and his answer, I believe he would have concluded otherwise.

First, if we are to have any new public water project in a wilderness area, it would require positive action of the Congress, and that requires Presidential consent; he must sign the bill. It is hard for me to feature why a President would sign a bill authorizing a public project and then turn around and refuse to permit the building of the project by virtue of the fact that it is located in a wilderness area. That would be an act of complete contradiction.

Second, if the project is a private project, it must be licensed by the public power commission. The bill preserves the full prerogative of the Federal Power Commission without any inhibition or limitation whatsoever.

I suggest to the Senator that his fears are not well grounded with respect to this proposed legislation.

Mr. DOMINICK. I sincerely trust that the Senator is correct.

Mr. ALLOTT. Mr. President, I intend to speak at some length on this subject. I wish to begin by remarking that no bill that has been before the Congress in the past 2 years has had as many words said about it which shed as little light or little understanding of what the bill is about as the particular measure before us.

I first encountered this matter in the spring of 1957. Since then various groups in support of a wilderness system

have grown up, like mushrooms, all over the country.

What is a wilderness system? The bill describes it in some of the most wonderfully idealistic language anyone ever could conjure up:

A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man.

There are those of us who have opposed this concept of a wilderness system for years. I shall always oppose it, because I think it is wrong. It is wrong because it is a travesty upon the great majority of the American people. I shall go into this later.

Secondly, it is wrong because the bill, as now drawn, violates the fundamental precepts of our American constitutional system.

It is also wrong because it would give to a very few people in the United States the unbridled use of land to the detriment of every other public use, whether it be mining, grazing, forestry, or plain recreation.

All those factors add up to sufficient reason, in my mind, for opposing the bill in its present form.

I say again—because it seems necessary to say it at least a hundred times to get it through the minds of some people who will not and do not wish to purvey and repurvey the truth—I am in support of a limited wilderness system. I have always been in support of a wilderness system. I am in support of a wilderness system of from 7 to 8 million acres. There is one now existing of 8 million acres.

I think we should set aside forever for the people of this country an area which will be essentially untouched by man and unbothered by man, which will be used solely for a measure of enjoyment by man of nature in its primitive state.

The facts are that there are some 65 million acres, using round figures, in primitive areas, wild areas, canoe areas, wilderness areas, wildlife refuges and game areas, and national parks which are susceptible of inclusion in the wilderness system.

The pending bill seeks to include and would include immediately in the wilderness system all of the primitive areas, all of the wilderness areas, all of the wild areas, and all of the canoe areas.

The question is, What should we do? There is one big question, aside from the problem of improving the language of the bill and making it more workable. The big question is, How should we include these areas within the wilderness system? How should we add to the 8 million acres?

I wish to point out a few things about the 8 million acres which are now in the wilderness system. Some 1¼ million acres were added in the past year by administrative action taken in the Department. This is one reason why I want a bill passed. I say to those who are sponsors of the bill, they are no more anxious to have a wilderness bill passed than I am, except that I should like for Congress to take a hard, affirmative look

at every acre of land which is to come under the system afterwards.

The testimony has been undisputed before the committee for several years that not more than 1 percent of all the people who use the Federal public land areas—the forests, the parks and everything else—use the wilderness system.

Before the administrative action was taken last year, those people already had available for their use 8 percent of all of the land of the public domain, set aside in wilderness areas. So the 1 percent of the people who use our public lands, before the administrative action was taken last year, had the use of 8 percent of the land. They had 8 times as much of the use of the land, in proportion, as did the people who used the national parks, the national monuments, and things such as that, in the ordinary sense in which we use them.

What happened last year was that there were approximately 1¼ million acres added—whatever the figure was; at least a million acres—in the Selway-Bitterroot Area of Idaho. That raised the proportion. Now the 1 percent of the people who use our public lands have 12 percent of the public lands set aside for their use—12 percent is set aside for their exclusive use.

I am somewhat of a realist. I can appreciate the great cultural values some of these people feel these lands might have. When they have 12 times as much land set aside for their use as the ordinary individual does, I think they are getting somewhere near their equal share of the public land use.

There is a more impelling reason why we should not go beyond this at the present time. If Senators will read the bill, they will find that no one could go into these areas except man on his two legs or on horses. There are to be no roads. No motorboats will be allowed, except where they have been customarily used, and they will be regulated out as fast as they can be. There will be no machinery of any kind in these areas. There will be nothing allowed in the areas except man on his two legs and on horses.

What will this mean in practical terms and effects? I do not care what the supporters of the bill have said to the contrary, the facts are it is not within the financial realm of the average man who takes his family on a vacation to rent an outfit with a guide and horses, as well as pack horses and the necessary equipment, to go into a wilderness area. I do not care what anybody says to the contrary, we shall be establishing here, mainly, a wilderness system for people of more affluent means, denying the area and its enjoyment for the most part to people of ordinary means.

But there is another reason for opposition. No roads are to be provided. I do not have the figures with me, but we all know that there is a growing number of people who are retired, who have reached the ages of 60 and 65. They have retired, and now, perhaps for the first time in their lives, they have sufficient time to utilize these facilities, to

have some of the pleasures of life, after having worked for so long.

There is not one person in a thousand of that age who has the physical stamina to put a pack on his back or to ride a horse into a wilderness area 25 miles in order to enjoy the use of that area, even if he had the money to hire a horse and guides. Frankly, most of them have no business in those areas without guides, having lived a more sedentary existence all their lives. They have no justification physically for walking or riding into those areas.

So what have we done here? We have already locked up 12 percent of our public lands, and the most beautiful areas in the United States. They are not locking up any old swamp or merely mediocre views, or anything like that, for the 1 percent of the population; they are locking up 12 percent of the most beautiful, wild, primitive country we have between the Atlantic and the Pacific.

Now, I think there is a case to be made for pure justice and pure equity. Consider that our people from 60 to 65 years of age cannot have access to a road where they can view those parts of the country, because no roads are permitted in them. On the other hand, how well are we going to treat the 1 percent of our population, this handful of people who are reaching out for more and more of this land? They are not satisfied with the 8 million acres that they have now. Under this bill 65 million acres of land are subject to reclassification as wilderness area, and this is what they are reaching out to grab.

As a matter of compromise, I am perfectly willing, personally, to go along with the 8.2 million acres they now have. But it seems to me we are going as far as we should go.

This brings me to the amendment which I have offered, and which I intend to offer again tomorrow morning, to provide that, just like the park system, no more lands shall be included in the wilderness system unless Congress has acted affirmatively.

I think my colleague from Colorado [Mr. DOMINICK] very beautifully and brilliantly illustrated this point just a few minutes ago. Fortunately, we have not given authority to the Secretary of the Interior to throw any lands he wants to into this system. Congress has retained jurisdiction for that purpose.

On February 20 of this year, the following Senators all joined me in offering an amendment to Senate bill 4: Messrs. BARTLETT, BENNETT, CANNON, DOMINICK, FONG, GOLDWATER, HAYDEN, JORDAN of Idaho, LAUSCHE, MECHEM, MUNDT, RANDOLPH, SIMPSON, and THURMOND.

This amendment is not now in print, having been submitted to the Committee on Interior and Insular Affairs.

I ask unanimous consent that it may be printed in the RECORD at this point in my remarks, and that it may also be printed for the use of the Senate.

The PRESIDING OFFICER. The amendment will be received, printed, and

will lie on the table; and, without objection, will be printed in the RECORD.

The amendment is as follows:

(f) Any recommendation of the President made in accordance with the provisions of this section shall take effect upon the day following the adjournment sine die of the first complete session of the Congress following the date or dates on which such recommendation was received by the United States Senate and the House of Representatives; but only if prior to such adjournment Congress approves a concurrent resolution declaring itself in favor of such recommendation: *Provided*, That, in the case of a recommendation covering two or more separate areas, such resolution may be limited to one or more of the areas covered or parts thereof.

Mr. ALLOTT. Mr. President, I shall discuss this amendment more fully tomorrow.

In order to understand this problem and all its ramifications, there are certain things that need to be known. First of all, let us face it squarely—this is not a conservation bill. I repeat, this is not a conservation bill. The word "conservation" is mentioned in the bill only once.

As a man who has lived all his life in the West, I think I understand conservation about as well as anyone. I have been a fan of conservation measures, and I may say even a rabid supporter.

In my opinion, the bill as it is now constituted is not going to conserve anything. It is going to lock up areas for the use of a few. But the conservation aspects of the bill are completely lacking.

I should like to underscore again the fact that this is not a conservation measure. If a bill locking up areas which may not receive the benefits of conservation is called a conservation measure, then we have reversed the meaning of conservation in this country. The word "conservation" is mentioned in the bill only once. I do not see mentioned anywhere in the bill the fact that conservation is one of the purposes hoped to be accomplished.

In order that the record may be completely clear, there are in the national forest, wild, wilderness, and canoe areas, 8,220,403 acres.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. GOLDWATER. Can the Senator tell me how many acres there are in my State of Arizona?

Mr. ALLOTT. The figures I have before me show 422,990.

Mr. GOLDWATER. I thank the Senator.

Mr. ALLOTT. In the National Park System there are 22,560,000 acres.

In the lands not now permanently withdrawn from resource use, there are in the national forest primitive areas 6,098,532 acres.

There are 28,554,014 acres in the National Wildlife Refuges and game areas.

That makes a total of 65,432,949 acres that are susceptible of inclusion within the wilderness areas.

I ask unanimous consent that I may include in the RECORD at this point a table

showing Federal ownership or management of land in 11 Western States. The table shows, I may say for the benefit of the distinguished Senator from Arizona [Mr. GOLDWATER], who is on the floor,

that 71.3 percent of the State of Arizona is owned by the Federal Government.

There being no objection, the table was ordered to be printed in the Record, as follows:

TABLE 1.—Federal ownership or management of land in 11 Western States

	Total land area (thousand acres)	Federally owned land <sup>1</sup> (thousand acres)	Percent of total land area	Managed by Federal Government Indian tribal lands (thousand acres)	Percent of total land area	Federally owned or managed lands (thousand acres)	Percent of total land area
Arizona.....	72,688	32,396	44.6	19,383	26.7	51,779	71.3
California.....	100,314	45,071	44.9	496	.5	45,567	45.4
Colorado.....	66,510	24,156	36.3	746	1.1	24,902	37.4
Idaho.....	52,972	34,050	64.3	409	.8	34,459	65.1
Montana.....	93,362	27,815	29.8	1,557	1.7	29,372	31.5
Nevada.....	70,265	60,726	86.4	1,062	1.5	61,788	87.9
New Mexico.....	77,767	27,300	35.1	5,815	7.5	33,115	42.6
Oregon.....	61,642	31,580	51.2	1,208	2.0	32,788	53.2
Utah.....	52,701	36,466	69.2	2,253	4.3	38,719	73.5
Washington.....	42,743	12,666	29.6	1,813	4.2	14,479	33.8
Wyoming.....	62,404	30,219	48.4	1,753	2.8	31,972	51.2
Total.....	753,368	362,445	48.1	36,405	4.8	398,940	52.9

<sup>1</sup> Excludes trust properties, Indian tribal lands.

Source: Statistical Abstract of the United States, 1960.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield.

Mr. GOLDWATER. I might point out that in my State of Arizona, when we add the State-owned land to the Federal-owned land, the total is 88 percent. In other words, the fastest growing State in the Nation must get along, taxwise, by taxing 12 percent of the available land.

I suggest that in the days when my State had fewer than a million people, and the density was two or three persons to the square mile, we could live under those conditions. However, what the Federal Government is doing by forcing more and more land in the West under Federal control is to hasten the day when the Western States will not be able to tax themselves adequately to run their own governments. Of course, when this happens, the only place that we will be able to turn to will be the Federal Government. That is something that we westerners do not like to do.

It is unfortunate that when the Original Thirteen States formed our Union they, too, were not subjected to some kind of giving away of their land in order to become members of the Union.

Frankly, I believe that if we westerners had known before what we know now, many of our communities would not be States of the Union, but would still be territories. I say that because, frankly, we were better off as far as the ability to live our own lives was concerned.

In my State we have 16 national monuments, 2 national parks, and 2 national recreation areas. I forget how many wildlife areas we have. Still the effort is to put more and more land under the control of the Federal Government, instead of continuing with the rather time-honored and time-proven concept of multiple use of the lands in the West.

I suggest that our eastern friends, who are so eager to have the West be-

come a giant national park, might try to imagine their own State problems if they were to have in their own States their own lands subjected to ownership by the Federal Government.

I might say, in passing, because I see on the floor my good friend from Idaho, sitting in the majority leader's chair, that, as he well knows, one of my favorite fishing spots in the whole Nation is in the Middle Fork of the Salmon River in Idaho. I remember when that was truly a wilderness area, when it was hard to get in, and when it meant perhaps a 2½-day pack trip to get to the Middle Fork of the Salmon River. It was opened up. I do not know if it is a wilderness area, as such. However, it is some kind of wildlife area.

To me that was one of the most beautiful streams in the world. Although it has retained its beauty, the area has been opened up to people who have no appreciation for this kind of scenery. The last time I was there I saw empty beer cans and empty whisky bottles, and fish still lying around the campsites, and the campsites uncleaned. Instead of preserving these areas as wilderness areas, the tendency is to have them more and more opened up. The public will demand that they be opened up. As a result they will lose their scenic value. I am in hearty accord with the preservation of areas for people who really like to get into the wilderness, or get out into the open, as we say, and use it. However, I am not in favor of opening it up to the abuse of people who want to say they have been there and in the process leave their trade mark.

Mr. CHURCH. Mr. President, will the Senator from Colorado yield, so that I may respond to the Senator from Arizona?

Mr. ALLOTT. I yield for that purpose.

Mr. CHURCH. The area to which the Senator from Arizona refers is, of course, an Idaho primitive area. I know the Senator loves the area very much. He

has taken some wonderful photographs of the area on the occasion of his trips into it in the past. I say to him that one of the purposes of the proposed legislation is to prevent a further opening up of the area, which is what has occurred in past years, so that the scenic and wilderness values, which are the predominant values, can be preserved, and so that the wildlife and the watershed can be preserved as well. In this sense, the bill is not only a wise conservation measure, but also a measure to prevent the continuation of the very process the Senator has lamented.

I might just say in passing, in all good humor, that I have listened with interest to the remarks of the Senator with respect to the burdens of statehood. I would say that it is open to him to sponsor legislation to restore Arizona to territorial status. If a persuasive case can be made, I believe Congress would listen with fascination to the advocacy of such a proposal by the Senator from Arizona.

Mr. GOLDWATER. I might say that I doubt Congress would seriously consider, or that even the New Frontier would seriously consider, such a proposal, because we pay about \$300 million a year into the National Treasury. I do not believe they are about to let go of a fat plum like that.

My reference was to the days when we became territories and then later States, when we did not have big populations, and when Federal ownership of lands, even in Idaho and in Montana, was of no great consequence. We never gave it any thought at all. Today, in a State like my own, which is the sixth largest State from a geographical standpoint in the United States, we find ourselves with these national parks and national monuments and national recreation areas located in our State, and approximately 19 Indian reservations, taking up about 88 percent of the State. We do not like to lose any more of the 12 percent of the land, because we are up against the wall now.

There is another point that I should like to raise and with respect to it ask a question of my good friend from Idaho, if the Senator from Colorado will yield for that purpose.

Mr. ALLOTT. I yield.

Mr. CHURCH. First I should like to respond to the Senator from Arizona by saying that the pending bill does not involve the acquisition of so much as a single acre of additional Federal land; all of the land involved is already owned by the Federal Government; so it will not impose any heavier burden upon the Western States, where, I agree, Federal ownership is very large. The bill does not enlarge that holding whatever.

Mr. GOLDWATER. I am happy to be reassured on that point by the Senator. This is the point that bothers me. I know what the intention of the writers of the bill is. I can say that I am in accord with it, but I am troubled by this point. The Senator says that the Idaho Wilderness Area, if it becomes a part of the public land, will be preserved in its present form and condition.

I have asked this question of the Secretary of the Interior, Mr. Udall, with respect to a large section of land near Henry Mountain, in southern Utah, in the Wild Horse Area, about which Zane Grey wrote, and with respect to Navaho Mountain, where I run a trading post, an area consisting of about 15 million acres, which he wants to make into a so-called wilderness area. What is going to happen when the eastern tourist or the western tourist cannot get in there? What if he cannot get in there because he does not like to ride a horse and he does not like to walk, perhaps because he has not heard of the 50-mile program, but, instead, likes to drive his car on a paved road and find good accommodations when he gets there? My question is, Can the Interior Department and can the organization set up to administer the bill and can Congress withstand pressures to provide the funds to open these places? That is what bothers me.

Mr. CHURCH. Mr. President, I should like to respond to the question of the Senator from Arizona [Mr. GOLDWATER].

Mr. ALLOTT. Mr. President, I yield to the Senator from Idaho to permit him to respond; then I should like to resume my discourse.

Mr. CHURCH. The very pressures which the Senator from Arizona fears are pressures which are genuinely feared by the supporters of the proposed legislation. We feel that an enactment of this kind will provide better guarantees that wilderness areas can be preserved in their primitive state than will the absence of such legislation. Without such legislation, it is much more likely that the pressures will not be withstood and that the small portions of the wilderness which still remain to us will vanish. This is one of the chief reasons why I support the bill.

Mr. ALLOTT. Mr. President, I should like to respond, since the Senator from Arizona has raised this question. I am looking at a map which is included in the hearings on S. 174, the wilderness bill, held in 1961. I am looking at page 284, which has facing it a map of Colorado and a map of Arizona, showing areas which are susceptible of inclusion in the wilderness system.

Everyone who desires to have some kind of beauty retained in our mountains must ask himself a question. For example, if one looks at the wilderness areas in Colorado, he observes that it is very hard to establish a camp on the side of one of our mountains which rise to 14,000 feet. Ultimately, in the wilderness areas of the West, one is reduced to a relatively few locations where camps can be established.

The next question one must ask himself is this: After 30, 40, or 50 parties have camped in those few areas which are suitable for camping, and considering the tin cans and other refuse, including the residue left by horses, how much suitable area will be left untrammelled by man and his four-footed friends? The answer is: Not too much. So the proposal to include more and more land in the bill is unrealistic.

The Senator from Arizona mentioned the multiple-use concept of land. I wish to discuss that point. Since the passage by Congress of the multiple-use law, this would be really the first time that that law would be completely abrogated. Congress included in the multiple-use law the use of areas for a wilderness system. I think this is one of the proper uses. But we simply cannot afford, as I pointed out to the Senate 2 years ago, to put all our land—some of it our best land—into wilderness and lock it up so that it can never be touched again.

Mr. John Wolfe, a prominent Colorado geologist, made an impressive statement before the Committee on Interior and Insular Affairs this year. He pointed out that the great portion of the mineral wealth of Colorado lies beneath the wilderness areas which would be set aside by the bill. The same is true of other States. When we begin to talk about conservation and the use of land, I think we are entitled to talk about multiple use. When 12 percent of all the public lands of this country are already locked up for a single use—as wilderness areas—merely to enable people to breathe fresh air, I think we have reached a place beyond which we should not go until Congress has had an opportunity to consider the proposal and gage it affirmatively. The multiple-use theory with respect to land has been accepted by Congress and has been adopted by Congress. I think it should be retained by Congress.

When we hear what is proposed to be done with the land, I think it should be pointed out that in the 11 States of the West—Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming—the value of the farm, mine, and forest products is \$6,369 million. The value of the mineral production is \$3.8 billion; the value of forest products is \$3.3 billion.

As in the State of the distinguished Senator from Arizona [Mr. GOLDWATER], Federal land ownership is substantial in Colorado, roughly, 35 percent. That means that we who live there must bear a greater proportion of the expense of our State than we would if we had the opportunity to convert Federal lands to private ownership; but we do not have that opportunity.

At the time a similar bill was considered by the Senate 2 years ago, the proponents did not pay any attention whatever to impending report of the Outdoor Recreation Resources Review Commission. The reason was that the report had not been completed at that time. But the proponents were perfectly willing, anyway, to establish wilderness areas, even though some \$2 million had been spent on the Outdoor Recreation Resources Review Commission and the study which it had made. Congress nevertheless proceeded to consider wilderness legislation.

Now the report of that Commission is before us. What did that "blue chip" Commission, of which the distinguished Senator from New Mexico [Mr. ANDER-

SON] was a member, say about wilderness areas. Speaking of primitive areas, the report said:

Areas in this class are inspirational, esthetic, scientific, and cultural assets of the highest value. They, and they alone, satisfy the longing to leave behind for a time all contact with civilization. Fortunately, they are a resource of which the country still has an abundant supply and which it can afford to preserve from other uses for the benefit of future generations. At the same time, it must be recognized that there are some areas which meet the physical requirements of this class but which for economic and social reasons are more valuable for other purposes.

The recommendation is that primitive areas should be carefully selected and should be managed for the sole and unequivocal purpose of maintaining their primitive characteristics.

What the Commission said was that some of the lands may be valuable for other purposes than as wilderness areas. With that statement I agree.

Mr. President, turning now to the bill, it contains several items which I think should be considered very carefully.

On page 17 we find the following provision in regard to grazing:

The grazing of livestock \* \* \* shall be permitted to continue subject to such restrictions and regulations as are deemed necessary by the Secretary having jurisdiction over such area.

Mr. President, in the committee I tried unsuccessfully to have the word "restrictions" stricken, because I believe that word has a connotation in the bill which is not justified. So, Mr. President, tomorrow I shall try again to have that word stricken.

The word "restrictions" is also used in connection with motorboats, on page 16. I think there is no question that it is the intention of both the Secretary of Agriculture and the Secretary of the Interior to restrict the use of motorboats. However, with respect to this matter I notice the provision that—

The President may \* \* \* authorize prospecting (including but not limited to exploration for oil and gas), mining (including but not limited to the production of oil and gas) —

And so forth, and so on.

The point is that "restrictions" and "regulations" either mean the same thing or else "restrictions" further qualifies "regulations." I believe it rather significant that the portion which refers to the President's action provides for "regulations," but the bill provides that there will be "restrictions" in regard to the use of motorboats. If anything is to be done with respect to grazing in the wilderness system, I believe such a provision should be included under "regulations," not "restrictions." In my opinion and, I believe, in the opinion of most persons, the word "restrictions" carries with it the right arbitrarily to establish a guideline which must be followed, whereas the word "regulations" implies a limitation under a definite set of guidelines which will remain constant and will not be subject to the whim or fancy of the Secretary of Agriculture or the Secretary of the Interior.

Therefore, Mr. President, I send to the desk an amendment relating to these words. I ask that the amendment be printed.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). The amendment will be received and printed, and will lie on the table.

Mr. ALLOTT. Mr. President, in the next few minutes I propose to discuss briefly several amendments which I shall send to the desk and ask to have printed.

I turn now to another amendment relating to page 17 of the bill. This part of the bill has caused us a great deal of concern and trouble. I refer to the provision of the bill that:

(2) Within national forest and public domain areas included in the wilderness system, (A) the President may, within a specific area and in accordance with such regulations as he may deem desirable,—

And so forth.

My amendment would substitute the words "appropriate Secretary" for "the President." I believe it perfectly obvious to anyone—and tomorrow I shall discuss this matter at greater length—that no one would have access to the President, for the purpose of securing authority to explore for minerals or "the establishment and maintenance of reservoirs, water conservation works, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance," and so forth. Of course I believe those who drafted the bill desire to place that power in the hands of the President, because no one would have access to him. However, if we wish this provision to be meaningful, and if we really mean what we provide in the bill when we include the provision that this can be done whenever the public interest demands it, let us put the authority in the Secretary, and permit him to take action.

So, Mr. President, I send the amendment to the desk, and ask that it be printed and lie on the desk until tomorrow.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. ALLOTT. Mr. President, I also call attention to the review provided by the bill. On page 10 of the bill we find the following provision:

*Provided, further,* That where a resolution of opposition to any such recommendation has been introduced, a hearing thereon shall be held within thirty days by the committee to which such resolution has been referred.

The difficulty arises from the fact that 30 days is too long a period of time. The Reorganization Act of 1949—and the procedures under the bill are subject to that act—contains a provision that immediately after 10 days following the filing of any resolution and its referral to a committee, any Member of the House or any Member of the Senate may move to discharge the committee from the further consideration of the resolution. But if such a motion were made on the 11th day, for example, the committee would not be required to hold a hearing for 20 days after that, but still

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be in compliance with this provision of the bill.

So this amendment is a simple one which provides that the word "thirty" be changed to the word "five", so that the committee will have to hold a hearing within the limitation time provided under the Administrative Procedures Act, and so that the Member of the House or the Member of the Senate who makes the motion to discharge the committee from the further consideration of the resolution will have in his hand, when he comes to the Senate or to the House, as the case may be, a hearing upon the resolution, and will have an opportunity to question and to cross-question witnesses and to provide a record and to have the record available for debate.

Mr. President, I ask that this amendment be printed and lie on the table until tomorrow.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield to the distinguished Senator from Montana.

Mr. METCALF. Would the amendment be an amendment to a provision of the Reorganization Act or the provision on page 10, line 14, which reads "shall be held within thirty days"—so that it would read "five days"?

Mr. ALLOTT. It is an amendment to line 14. "Thirty" would read "five".

Mr. METCALF. There would be no change in the other provisions of the Reorganization Act?

Mr. ALLOTT. No, the amendment would not affect the Reorganization Act, as such, or the Administrative Procedure Act.

Mr. METCALF. I merely wished to be clear as to the effect of the proposed amendment.

Mr. ALLOTT. The amendment would only change the time of hearing from 30 days to 5 days, so that anyone who would desire to avail himself of the so-called advantages of the bill would really have some advantage he could take.

Mr. President, tomorrow I shall offer another amendment which would deal with page 3, line 23. I shall not discuss the amendment in detail today. The gist of it is that primitive areas would not be placed within the wilderness system following enactment of the bill, but, they would be assured their preservation in their present category and their protection until such time as they could be classified by the appropriate Secretary and recommendations made as to their exclusion from or inclusion in the wilderness system.

I ask unanimous consent that the amendment be printed and lie on the desk. I am sure that members of the committee fully understand the purpose of the amendment.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 3, line 23, strike out all through line 3 on page 6 and insert in lieu thereof the following:

"(b) (1) The wilderness system shall include all areas within the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, or canoe: *Provided*, That the areas within the national forests classified as primitive may be included in the wilderness system as hereinafter provided. Following enactment of this Act, the Secretary of Agriculture shall, within ten years, review in accordance with paragraph C, section 251.20, of the Code of Federal Regulations, title 36, effective January 1, 1959, the suitability of each primitive area in the national forests for preservation as wilderness and shall report his findings to the President. While being reviewed and until action is taken as provided by this subsection, primitive areas shall be administered so as to preserve their present status and condition. Before the convening of Congress each year, the President shall advise the United States Senate and House of Representatives of his recommendations with respect to the inclusion within the wilderness system, or exclusion therefrom, of each area on which review has been completed in the preceding year, together with maps and definition of boundaries: *Provided*, That the President may, as a part of his recommendations, alter the boundaries existing on the date of this Act for any primitive area to be included in the wilderness system, recommending the exclusion and return to national forest land status of any portions not predominantly of wilderness value, or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value; *Provided further*, That following such exclusions and additions any primitive area recommended to be included in the wilderness system shall not exceed the area classified as primitive on the date of this Act. The recommendation of the President with respect to the inclusion in the wilderness system, or the exclusion therefrom of a primitive area, or portions thereof, shall become effective subject to the provisions of subsection (f) of this section: *Provided*, That if Congress rejects a recommendation of the President and no revised recommendation is made to Congress with respect to that primitive area within two years, the land shall cease to be a primitive area and shall be administered as other national forest lands; *And provided further*, That primitive areas with respect to which recommendations are submitted to Congress on the eighth, ninth, and tenth years of the review period herein provided shall retain their status as primitive areas until the expiration, in respect to each area, of a full session of Congress, two years for resubmission of revised recommendations to Congress by the President, and, if so resubmitted, until the expiration of a full session of Congress thereafter. Recommendations on all primitive areas not previously submitted to the Congress shall be made during the tenth year of the review period. Any primitive area, or portion thereof, on which a recommendation for inclusion in the wilderness system has not become effective within fourteen years following the enactment of this Act shall cease to be a primitive area and shall be administered as other national forest land."

Mr. ALLOTT. Mr. President, on page 17 of the bill is a section which, as I have stated, has caused us much trouble. There is a provision that purports to refer to mining, which I wish to discuss. I have already pointed out that

It is next to impossible—if not impossible—for anyone to get the President's ear for the purpose of determining whether or not a certain area should be explored and mined for oil, gas, or other minerals. The amendment which I propose would affect the mining provision which is now in the bill, which is utterly meaningless, and which would never have any effect.

Mr. President, I ask unanimous consent that the amendment may be printed, that it lie on the table until tomorrow, and that it be printed at this point in the RECORD.

The PRESIDING OFFICER. The amendment will be received and printed and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 17, line 1, strike out all through "(B)" on line 14 and insert in lieu thereof the following:

"(2) Within national forests and public domain areas included in the wilderness system: (A) Notwithstanding any other provisions of this Act, until midnight, December 31, 1977, laws of the United States pertaining to mineral leasing and mining shall, to the same extent as applicable prior to the effective date of this Act, extend to all lands affected by this Act; subject, however, to such reasonable regulations as may be prescribed by the Secretary having jurisdiction over the area consistent with the use of the land for mineral development and exploration drilling. Subject to valid rights then existing, effective January 1, 1978, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from leasing under the mining laws and from leasing under the Mineral Leasing Act and all amendments thereto. *Provided*, That after December 31, 1977, the appropriate Secretary may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting (including but not limited to the exploration and production of oil and gas).

"(B) The appropriate Secretary may within a specific area and in accordance with such regulations as he may deem desirable authorize the establishment and maintenance of reservoirs, water-conservation works, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (C)".

Mr. ALLOTT. Mr. President, I have one final amendment which I shall offer tomorrow. I am making my remarks so that Senators may be aware of the nature and the purposes of my amendments. The amendment, relating to page 21, line 9 of the bill, would strike out the section of the bill concerning a land use commission, a provision which was inserted in the bill to affect one State. I believe there is no justification for treating any one State any differently from another. In this instance the Secretary of Agriculture himself recommended that we exclude that provision from the bill.

Mr. President, I send the amendment to the desk and ask that it lie on the table. I ask unanimous consent that it may also be printed in the RECORD.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 21, line 9, strike out all through line 4, page 22.

Mr. ALLOTT. In conclusion, we should have a wilderness system. We should have a wilderness bill. I desire to be protected from the precipitous actions of our Secretaries of Agriculture and our Secretaries of the Interior. We have found that they are capable of precipitous action. We found that they were capable of such action when they included the Selway-Bitterroot area last year.

It is my hope that we could have a wilderness bill which would protect all Americans—not merely those who desire wilderness, but also those who are interested in true conservation, those who are interested in the development of the West, and those who wish to see restored to Congress control of that portion of our congressional duties which we have relinquished. As the distinguished Senator from Idaho has said, it is true that, under the bill, we would have more control than we have had. But we would not have the control that we should have. What is needed is the right and the power to exert control over lands that are going into wilderness areas in the same way that we do lands that go into the national park system. Otherwise we will actually have abrogated much of our responsibility and our power, and we will be afflicted with more woes than Job ever was.

Mr. METCALF. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I am happy to yield.

Mr. METCALF. So that the discussion will be in today's RECORD and available for Senators to read, I desire to take some time to discuss the power which the Senator from Colorado suggests we should recapture. As was very brilliantly outlined by the Senator from Idaho [Mr. CHURCH], who is handling the bill, we are only dealing with Federal land that has a certain specific use. We are recapturing some of the power that we delegated 30 to 50 years ago.

Mr. ALLOTT. Is that not the statement I just made?

Mr. METCALF. Yes.

I wish now to talk about the other Federal land, about which the Senator from Arizona was concerned, land with which all of us in the Western States are concerned. That is all the other Federal land that is not incorporated in a primitive area, in a national park, in a wilderness area, in a fish and wildlife or in a canoe area. As to those vast Federal lands, the bill would give authority to Congress that the Senator is seeking.

The bill provides that no new wilderness area shall be created out of areas that are not now under wilderness use or under use similar to wilderness use without an affirmative and specific act of Congress.

Mr. ALLOTT. If the Senator's statement is in the form of a question, I shall be happy to answer. The Senator is

completely correct. But the fact is that it is a statement without meaning. None of the areas of which he has spoken will ever be included in the wilderness areas because they would not be useful for that purpose. It is not that kind of area and not that kind of land.

As far as I know, at the present time the Department of Agriculture has already classified as primitive areas and as wilderness areas almost every strip of land in this country which could possibly be classified as such.

The Senator from Colorado was a faithful attendant at the hearings. The Senator will recall that several witnesses suggested that, contrary to our prediction a few years ago, the amount of land in wilderness and primitive areas in the national parks, and so forth, has grown in the last few years. Right now some of the people who were proponents of the measure are suggesting that other wilderness areas and other primitive areas in other parks shall be created. Under present law, as the Senator from Idaho has said, such areas could be created by a stroke of the pen. If the land is national forest land, the area could be created out of the national forests by a decision of the Secretary of Agriculture. But if the bill should pass, we would have to have an affirmative act to create a wilderness area just as we create a national park or authorize a Bureau of Reclamation project.

I merely wish to say to the Senator that if, under section (h), page 11, of the bill, he is perfectly happy to have other areas reviewed affirmatively, I can see no real basis for differentiation as to why we should have a different system for the areas that have been qualified as wilderness areas.

Mr. METCALF. Merely because—

Mr. ALLOTT. I should like to remind the Senator that I have the floor. I yielded to him. I at least want to keep enough control so that I can answer in full before I yield to him again.

The fact is that the Senator was talking about areas which are outside of the primitive, wild, park, game refuge, and so forth, areas, and the Senator says, "This is all right." There is no justification for making a distinction as between the two. I made this statement before the Senator took his seat: I agree that by the bill, if it should become law—and the Lord forbid that it ever should become law—we would be recapturing a portion of the powers which we delegated away a long time ago. The point is that we would not be recapturing enough. We would not recapture enough so that the Congress would consider every acre which was to go into a wilderness system on exactly the same basis it considers every acre which is to go into the park system.

Mr. METCALF. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I am happy to yield to the Senator.

Mr. METCALF. I thank the Senator.

I did not mean for the discussion to be a series of questions. I merely wished to discuss with the Senator a phase which the senior Senator from Colorado

and the junior Senator from Colorado had omitted.

I refer to the effect of the bill on other areas of the public domain which are not included in these various categories.

I should like to cite, for information, the ORRRC report, which the Senator from Colorado cited. On page 132 of the report there is the quotation:

Portions of national forests, parks, monuments, wildlife refuges, game ranges, and the unreserved public domain meet the basic criteria of primitive areas.

Mr. President, I ask unanimous consent that an excerpt from the report, from which I have quoted, may be printed in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Portions of national forests, parks, monuments, wildlife refuges, game ranges, and the unreserved public domain meet the basic criteria of primitive areas. The natural environment has been undisturbed by commercial utilization, and they are without roads. Some of these areas are managed for the purposes of wilderness preservation under broad statutory authority. Certain class V areas of more than 100,000 acres in national forests have already been set aside by the Secretary of Agriculture as wilderness areas. Others between 5,000 and 100,000 acres have been set aside by the Chief of the Forest Service as wild areas.

There is widespread feeling, which the Commission shares, that the Congress should take action to assure the permanent reservation of these and similar suitable areas in national forests, national parks, wildlife refuges, and other lands in Federal ownership. The objective in the management of all class V areas, irrespective of size or ownership, is the same—to preserve primitive conditions. The purpose of legislation to designate outstanding areas in this class in Federal ownership as wilderness areas is to give the increased assurance of attaining this objective that action by the Congress will provide.

Mr. METCALF. I now skip some of the excerpt, to the point:

There is widespread feeling, which the Commission shares, that the Congress should take action to assure the permanent reservation of these and similar suitable areas in national forests, national parks, wildlife refuges, and other lands in Federal ownership.

I am suggesting that by the passage of the bill, with respect to other lands in Federal ownership and the unreserved public domain, we would be recapturing for the Congress an affirmative declaration of congressional action to create a wilderness out of those lands, which is sought by the two Senators from Colorado.

Mr. ALLOTT. Then the Senator is recommending, as I understand, that other lands should go into the system, other than those contemplated by the pending bill?

Mr. METCALF. I am not recommending. The ORRRC report so recommends.

Mr. ALLOTT. I thought the Senator was citing it with approval.

Mr. METCALF. I was citing it in response to the suggestion made by the Senator from Colorado that there were no lands other than the primitive areas,

and so forth, which were capable of wilderness use. I was suggesting that there are people, including the authors of the ORRRC report, who say that there are other lands in the public domain and national forests which meet the criteria for wilderness, and who wish to incorporate them into a wilderness system.

Mr. ALLOTT. I know that the Senator argues his point with great sincerity and with great belief in what he says. I should like to invite attention to the same section of the report to which the Senator has referred. On page 131 of the ORRRC report, it is stated:

Recommendation 8-6: Congress should enact legislation providing for the establishment and management of certain primitive areas (class V) as "wilderness areas."

There was nothing in the report about classifying all primitive areas as wilderness areas. That is what we would be doing, under the form of the bill as it is now being considered. We would include all primitive areas to start with in the wilderness system.

Mr. METCALF. The very next paragraph, which I have had printed in the RECORD along with my remarks, lists the national forests, national parks, monuments, wildlife refuges, game ranges, and the unreserved public domain, as meeting the basic criteria of primitive areas, as being lands which should go into the wilderness system.

Mr. ALLOTT. I have one question for the Senator. It is more a rhetorical question than an actual one.

If the affirmative action of the Congress is the proper way to bring in the other areas, why is it not a proper way to apply to the present bill?

Mr. METCALF. As the Senator from Idaho so eloquently pointed out, these areas are now and have been for more than 30 years primitive, for wilderness use. We would only continue the basic use which has existed for more than 30 years. We would not be using any of these acres of land for anything else; whether national parks, primitive areas, or designated as wilderness.

Mr. ALLOTT. I should have to disagree with the Senator, because if the primitive areas come into the wilderness system under the terms of the bill, even though there may be mining and some forestry in some of the primitive areas now, there would not be any in the future.

Mr. METCALF. For 30 years these lands have been administered substantially as wilderness areas.

Mr. ALLOTT. There has been mining and some forestry. So if we should bring the lands into the wilderness system under the terms of the bill, all that would stop immediately.

Mr. METCALF. The very purpose of the review is to protect the interests which have been created. The people involved have had an opportunity during all of these past years to go in and prospect the lands. They have not lumbered in these areas. They have not built roads into these areas. By and large, substantially they have been administered in the same manner as wil-

derness areas or national parks for 30 years.

What we are seeking, under techniques which have been established for many years in the Congress, under the provisions of the Reorganization Act, is to quickly take care of those lands that have a basic wilderness use, and then to provide that in respect to any future creation of a wilderness area Congress will, as the Senator from Colorado desires, affirmatively authorize such creation and establish the boundaries in the same way as a law is passed.

Mr. ALLOTT. Mr. President, I merely say to the distinguished Senator that I know the way he feels. I can hardly sympathize with his point of view, because in my opinion there is no justification for arguing that the Congress should affirmatively review areas outside of the specified ones which might possibly be included in the future. I do not think any of these lands would come in, because mostly they are not of a quality which would classify them as wilderness areas. But there is no basis in fact for a distinction as to justifying one method for these lands and another method for the lands which are included under the terms of the bill at this time.

Mr. METCALF. Mr. President, I thank the Senator from Colorado for yielding to me.

Mr. ALLOTT. I was happy to do so. Mr. DOMINICK. Mr. President, will my colleague yield to me?

Mr. ALLOTT. I am happy to yield to my distinguished colleague.

Mr. DOMINICK. I was intensely interested in what my colleague said, for I consider it to be an extremely fine analysis of the bill and the problems inherent in its consideration.

There is one question which I think might pinpoint the discussion the Senator was having.

It is my understanding that we in the Congress must take affirmative action to include within the wilderness system all lands now not classified in specific uses. Second, we must take affirmative action to take from forest lands particular portions and put them in national parks. Third, we must take specific action to authorize reclamation projects, part of which may be within the public lands—a great deal of which in fact are within the public lands system.

Can my colleague see any justification for making the sole exception to the generally conceded procedure the lands which are classified in this bill as primitive lands?

Mr. ALLOTT. I shall have to answer my distinguished colleague in the negative. I am at a loss as to any legal reason or other method of logic which would say that we should change the method for bringing in the primitive areas, to make it different from all the instances my colleague has cited. The logic of such a conclusion escapes me.

Mr. DOMINICK. Does the distinguished Senator have any specific example he might give in which the type of procedure contemplated under the pending bill is applied to any other substantive legislation?

Mr. ALLOTT. Of course, the Senator is aware that it is applied to recommendations of the President for reorganization of Government and it has been used in that respect, but I do not know, offhand, of another one that occurs.

Mr. DOMINICK. Are not those recommendations solely concerned with the executive department?

Mr. ALLOTT. They are solely concerned with the executive department.

Mr. DOMINICK. Would the Senator think that was substantially different from what the responsibility of Congress is with respect to our national resources and our public lands?

Mr. ALLOTT. It occurs to me the responsibility is entirely different. The act to which I previously referred, under which the President makes recommendations to reorganize the executive departments, grew out of the Hoover report. They said, "We want to go ahead with the reorganization of our Government. We want to give the President the chance to do it, but we want Congress to have a chance to review it." So the President was given the right to reorganize the executive branches of Government, with the Congress having the right of review.

That is not the same as the case before us. Here we are dealing with the fundamental responsibility of the assets of the United States. They do not belong to my colleague or to me; they belong to all the people. We are dealing with those assets now. We are disposing of them.

I discussed this matter at great length on the floor of the Senate 2 years ago. In the original action in giving this power to the Secretary of Agriculture, or even admitting that he had it, Congress was negligent in its duties. It is my hope that we will take back that power, or retain it, because these are assets which I think we should consider only affirmatively.

The argument is made that we cannot get action on these proposals. The other party is in control of the Congress. It has an almost two-to-one majority in the House, and a better than two-to-one advantage in the Senate. I cannot believe that it cannot bring before Congress any bill it wants to. The Committee on Interior and Insular Affairs considers any bill they wish to bring up. I have not known of any bill that has not been brought before the committee that the majority party wanted to bring to the floor. That is no argument, in my mind. The other party has an effective majority. It can bring any of these bills to the floor if it wants to.

Mr. DOMINICK. I think we have brought out the point at issue, very frankly.

Mr. CHURCH obtained the floor.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. CHURCH. I yield to the Senator from Alaska.

Mr. GRUENING. I should like to address a question to the distinguished Senator from Colorado [Mr. ALLOTT].

Am I correctly informed that the Senator from Colorado has submitted an amendment to strike out the final provi-

sion in the bill which takes care of the special situation in Alaska?

Mr. ALLOTT. The Senator is correct.

Mr. GRUENING. Does the Senator realize that the conditions in Alaska are quite different from those in any other State? It happens that Alaska has gone further in setting aside areas that would be eligible for wilderness than has any other State in the Union. In Alaska is set aside in national parks two-fifths of the total national parks areas of the entire Nation. In wildlife ranges and refuges we have in Alaska virtually twice the total land set aside in the other 49 States. In national forests we now have larger areas than any other State of the Union. So Alaska has not only done its part in providing areas potentially available for designation as wilderness, but far more. I am fearful that this trend may go ahead still further unless there are some safeguards. Section 9, dealing with land use commissions, seeks to provide them. It seems to me that that section, which merely provides that a study be made before action is taken, is a reasonable and a modest one. It would merely provide information to guide the appropriate Secretary before he makes his recommendations to the President before action is taken. It provides only a minimum safeguard for the vast area of Alaska, in which so much more land is already in Federal ownership than in any other State.

I should dislike seeing that provision withdrawn. I hope the Senator will not press his amendment at this time.

I wonder why he feels the provision for Alaska should be deleted?

Mr. ALLOTT. I will answer the Senator in two ways. As he knows, since the territory of Alaska became a State I have, in the Committee on Interior and Insular Affairs, been most of the time with the Senator from Alaska—in the main, if not almost entirely. The Senator from Colorado has been sympathetic to legislation which pertained to Alaska, and which perhaps gave Alaska an advantage that was not available to the other States.

Mr. GRUENING. I thank the Senator for whatever he has done, and I hope he will maintain the same attitude in the future.

Mr. ALLOTT. While this section was in the bill of 2 years ago, and I recall when the Senator offered it, I feel it gives the Commission too much power. I feel it should not be applied to one State any more than to other States.

I read now from page 30 of the committee report, which is a letter from the Department of Agriculture:

As worded, the provisions of section 9 for a Presidential Land Use Commission would apply only to the State of Alaska. We recognize that Federal ownership of about 99 percent of the land area of the State of Alaska presents a situation peculiar to that State, and have no particular objection to such a Commission in relation to Alaska. However, the scope of the duties of the Commission would go to all federally owned land in the State and not just to lands in wilderness-type areas.

We therefore question whether provision for such a Commission should be included in legislation which otherwise deals only with wilderness-type areas. We therefore

suggest that all of section 9 on pages 19 and 20 be deleted and the succeeding sections be renumbered accordingly.

I answer the distinguished Senator in two ways: First of all, the Land Use Commission section takes in too much territory. I do not think it should be applied solely to Alaska. Second, I am simply following the recommendation of the Department of Agriculture.

Mr. GRUENING. I appreciate the point of view of the Senator. I point out that one of the reasons why this is a special provision for Alaska—and I can understand the feeling on the part of my colleague that all States should be treated alike—is that, it should be recalled, Alaska entered the Union so much later than the other States, and was subject, during its long stepchildhood, to a rampant and militant bureaucracy which often imposed its will arbitrarily and over the protests of Alaskans. At the same time Alaska was discriminated against and excluded from much beneficial legislation enacted for the other States. Alaska should be given a chance to undo some of the damage done to it when it was not a State. Section 9 simply provides for an advisory Commission. It does not compel anything. It alters nothing. The power of Congress is not diminished.

If the Senator from Colorado will not withdraw his amendment to delete this section, I hope it will not prevail. I understand his feeling that States should be treated alike, but, after all, there is a vast difference, not merely in the historical background, but in the great size of Alaska and the tremendous withdrawals that have taken place for various purposes potentially related to wilderness. No State had so little land of its own at the time it came into statehood; 99 percent or more was in the Federal domain, and even after the provisions of the Statehood Act go into effect, will be entitled to only 27 percent of its area, and by no means the best land.

If the provisions of section 9 are not allowed to remain in the bill without revision, and the provision on advice is not maintained, I am fearful of what may happen.

A few years ago a bill was introduced by the previous Secretary of the Interior to withdraw 9 million acres of arctic wilderness in the northeast corner of the State. Extensive hearings were held, and this proposal was rejected by the Congress. Nevertheless, the Secretary of the Interior withdrew that amount.

Immediately, of course, efforts were made by the Interior Department to get appropriations to manage this remote wilderness, which my colleague and I opposed, because if it was to be left wilderness it should be left alone. This is why Alaskans may well be fearful unless we have this moderate safeguarding amendment, for study before recommendations for more wilderness withdrawals are made.

As I say, the Commission which would be appointed by the President would be merely advisory, and would merely consult with the Secretary of Agriculture and the Secretary of the Interior, and

would have no other authority. I am hopeful that the amendment will remain in the bill. I am sure that it will not do the damage that my friend from Colorado anticipates.

Mr. HUMPHREY. Mr. President, I should like to make a brief statement in support of the pending bill. I am proud to be counted as a supporter of the wilderness bill. It is a measure which received tremendous support in newspaper after newspaper across the length and breadth of our land. The editorial policy of the overwhelming number of newspapers in the Nation supports the wilderness bill.

During the 85th and 86th Congresses, I was privileged to be the principal sponsor of the proposed legislation. In the 87th and 88th Congresses, this task has been assumed by the able and distinguished Senator from New Mexico [Mr. ANDERSON], together with the Senator from California [Mr. KUCHEL], myself, and the Senator from Idaho [Mr. CHURCH]. All the cosponsors are listed on the bill.

In 1961 the Senator from Idaho [Mr. CHURCH] guided the wilderness bill, then known as S. 174, to an overwhelming victory by a vote of 78 to 8. This substantial margin testified to two primary facts; one, it demonstrated the legislative adroitness and skill of the Senator from Idaho; two, it indicated the fundamental soundness of the legislation.

It should be remembered that this type of legislation has been processed over the years in the appropriate committees of Congress. The refinements which are contained in the pending bill are the result of the most careful scrutiny that any proposed legislative program has ever received.

I believe we have before us an extremely worthwhile bill. As I indicated in my statement before the Committee on Interior and Insular affairs, this solid vote of confidence, the vote of 78 to 8, did not occur by accident or error. It reflected the reasonable, temperate, and moderate procedures contained in the proposed legislation, to preserve certain areas of the Nation within a national wilderness preservation system.

It should be quite obvious to every American citizen that if future generations are ever to have the privilege of seeing the native beauty of wilderness areas, or areas that have been untouched by commercialism, this legislation which is before us must be adopted.

During the 8 years in which the proposed legislation has been before Congress, many important modifications have been effected in the specific procedures for identifying and protecting certain areas of wilderness. For example, the proposal to establish a permanent national wilderness preservation council has been eliminated. The original definition of a wilderness area has been modified considerably. The regulations for the protection of wilderness areas have been revised and liberalized. Each of these changes was made because the proponents of the legislation were determined to seek a bill that recognized the need for wilderness preservation but which did not unduly hamper present

land-use programs or legitimate economic, commercial, or commodity uses.

I do not believe it is necessary for me to speak at length about the undeniable benefits that wilderness resources will impart to future generations of Americans. As our civilization becomes progressively more mechanized, automated, and dehumanized, the value of preserving the primeval character of certain designated areas will increase manifold.

This will represent a legacy of incomparable value to generations hundreds of years hence, because it will be a gift beyond human creation.

As a matter of fact, I am not at all sure that the preservation of these wilderness areas may not make a great contribution to our individual and national mental health. I believe that as we preserve these areas, we may very well economize in the building of institutions for taking care of people who are the victims of the terrific tensions of the modern day world.

In the State of Minnesota, we are proud to have such a national forest, which is a wilderness area. It is one of the most beautiful areas in the world. It is untouched by commercialism. It is a constant source of enjoyment and recreation for thousands of families. It has become a source of great recreational opportunity for the families of our Nation. Thousands of families have an opportunity to enjoy the blessings that only God Himself can give to people in this beauty of the native area.

These lands that we speak of are not beyond human protection and preservation. The national wilderness preservation system containing national forest areas, national park system areas, and national wildlife and game range areas, will insure that these federally owned lands will be administered in such a way as to leave them unimpaired. I am confident that an overwhelming majority of Senators will recognize the historic nature of our opportunity to establish this legacy.

I really cannot believe that anyone would oppose it, that anyone would momentarily put private property ahead of the long-range interest of the people.

I wish to congratulate the principal sponsors of the proposed legislation, the distinguished Senator from New Mexico [Mr. ANDERSON] and the distinguished Senator from California [Mr. KUCHEL]. They have provided us with determined, courageous, and bipartisan leadership. Similarly, the distinguished Senator from Idaho [Mr. CHURCH] has done a magnificent job in managing the proposed legislation in the Interior Committee and on the Senate floor.

I am confident that the efforts of these devoted public servants will be richly rewarded as countless generations of future Americans reap the benefits of their wisdom, their foresight, and their determination.

In fact, Mr. President, as a cosponsor of the proposed legislation and as one who initiated it some years ago, and took a great deal of criticism, much of which was very vicious and at times most disturbing and distracting, I wish to say that I am more proud of my name being

listed as a cosponsor of this bill than of almost any other bill that I supported in Congress. I can think of no greater service that a man can perform at this stage for future generations in terms of our domestic legislation program, than the bill that is before us. Nothing is more important than for us to stake out, so to speak, and to protect these areas of America that are known as wilderness areas, to make sure that generations yet to come will be able to enjoy the blessings of our time and the heritage of this great Nation.

Again I commend the Senator from Idaho.

Mr. CHURCH. Mr. President, I appreciate the remarks of the Senator very much, but I believe he has been overly modest with respect to his own role in connection with the proposed legislation. He is the father, the initiator, the pioneer, who first submitted wilderness legislation, some 6 years ago, in March of 1957, and it has been a hard, long, legislative road since.

Ten hearings have been held on the proposed legislation, four in Washington and six in the field. Two thousand, eight hundred and twenty-five pages of testimony have been taken. Such has been the interest in the proposed legislation and in the struggle to adopt it. In connection with the long, hard fight, the man who got it all started is the distinguished Senator from Minnesota. We are all greatly indebted to him for his efforts in behalf of the millions of Americans who will receive a lasting profit and benefit from his efforts.

Mr. HUMPHREY. I thank the Senator for his kind remarks. It is something to get something started, but another to bring it to a successful conclusion.

I am not trying to be overly generous when I say that the Senator from Idaho and the Senator from New Mexico and the Senator from Montana, and the few other Senators who have carried on this fight, particularly in committee, are deserving of our thanks and gratitude. I can assure the Senator that this legislation is looked upon by people throughout the Nation as one of the finest bits of the legislative program that we have before us. I salute them for what they are doing.

Mr. CLARK. Mr. President, I wish to express my strong support for the pending measure, the National Wilderness Preservation Act. We who live along the Atlantic seaboard might at the first blush seem to have only an indirect interest in the proposed legislation. Yet the preservation of our wilderness territory, mostly in the Mountain States of the Far West and Alaska, while it may seem a long way from Pennsylvania, is nevertheless definitely in the national interest.

I have supported such proposed legislation every time it came before the Senate since I was first elected to this body. I support it again. Actually, I wish it were stronger. In my view, we could have gone further than the pending measure does to preserve our wilderness lands. Nevertheless, I realize the necessity for compromise. I know we are engaging in the art of the possible. At least, the bill makes a substantial

start toward setting aside for posterity and for those who love the wilderness to camp and fish, and to some extent hunt in it, the opportunity to do so.

I particularly commend the Senator from Idaho [Mr. CHURCH] for his leadership in this regard. It is a leadership which is not without risk, for I know that there are within his State strong interests who oppose the proposed legislation, interests which, in my opinion, do not represent the better view on this controversial subject. The Senator from Idaho, who I am happy to say was returned to this body last fall by a very substantial majority, was brave indeed in fighting those strong vested interests in his own State.

It is nice to know that, every now and then, in elections to this body, right, in the long run, on the whole, does to some extent tend to prevail. I compliment the Senator from Idaho for his taking the national interest on many problems which, ostensibly, might seem to be of very little interest to his State. Need I add that I include the mass transit bill in this regard? There are those who sometimes think Senators engage in log rolling; that "If you scratch my back, I'll scratch yours," and thereby proposed legislation is passed which otherwise could not be passed.

I have no hesitation in saying that it is my clear opinion that the wilderness bill is in the national interest, without regard to any other proposal coming before Congress, just as the mass transit bill was in the national interest, without regard to any other proposed legislation which might come before Congress. I have no guilty conscience—in fact, I sleep well at night—in supporting the wilderness bill—which, as I say, is of little immediate interest to the people of Pennsylvania—just as I supported the mass transportation bill, which is of imperative importance to the people of our State; and I am indeed happy to know of the prospects for the prompt passage of the bill by the Senate. I hope and pray that the other body will be equally alert and equally intelligent in following the national interest.

Mr. KUCHEL. Mr. President, this is not the first time that I have been a co-author of the wilderness bill, nor will it be the first time that the Senate will pass it—as the Senate will do this week.

In the first part of the bill we find the following:

SEC. 2. (a) The Congress recognizes that an increasing population, accompanied by expanding settlement and growing mechanization, is destined to occupy and modify all areas within the United States and its possessions except those that are designated for preservation and protection in their natural condition. It is accordingly declared to be the policy of the Congress of the United States to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas in the United States and its possessions to be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for

the gathering and dissemination of information regarding their use and enjoyment as wilderness.

Mr. President, the first question for me and for the other Members of the Congress to ask themselves is whether the bill is in the public interest. There will be no quarrel with any Senator concerning his answer to that question. I think the question should be answered unanimously in the affirmative.

The next question is whether the bill accurately and reasonably carries out the provisions of this legislative intent. On that subject there is in this Chamber a divergence of views. For my part, I answer that question also in the affirmative. I believe that the interests of all people of our country are advanced by the provisions of the bill. Other Senators have spoken earlier today in regard to those provisions; and I shall not take the time of the Senate or encumber the CONGRESSIONAL RECORD by submitting extended remarks on the bill.

I make this point, Mr. President: As has been stated heretofore, under present law, the Secretary of Agriculture has complete, untrammelled authority to classify as wilderness any of the public domain now under his jurisdiction, if he so desires. With respect to his authority as well as the authority now existing in the Department of the Interior, the bill provides for a procedure by which lands in the public domain not now classified as wilderness shall parcel by parcel and piece by piece be examined and explored; and provision is made for a hearing at which interested American citizens—including local Government officials—will be able to support or oppose any proposed classification as wilderness of any parts of the public domain.

If, for example, the Department were to overrule the objectors, and were to determine that, in its judgment, any given parcel should be classified as wilderness, provision is made for an appeal to the President. There, again, this measure provides for the filing of objections. Let us assume that the White House concurred in the determination made by the Department. The bill provides that either of the two Houses of Congress can reject, repudiate, and overrule the decisions made in the executive branch. What is wrong with that, Mr. President? Who honestly and logically can argue against that approach and the due process followed at various stages under that approach?

Today, Congress has no control or check on the exercise of discretion in the executive branch. This bill provides that Congress shall have such control or check. However, far more important is the fact that if the bill is enacted into law, the American people of your generation, Mr. President, and mine and the American people of succeeding generations will have an opportunity in their lifetime to see the pristine beauty with which the Creator endowed the North American land mass, for this measure will preserve for the Americans of today and for those who come tomorrow the beauty of our country in its primitive state.

Mr. President, I wish to make another point for the benefit of the people of California. My State is a semiarid State; and a U.S. Senator from California is not worth his salt if he ever forgets the necessity to supply more water to the people who now live in California and to those who are coming there each year at the rate of over a half a million or more. We had before us the question of whether the Federal Power Commission should continue its jurisdiction with respect to matters of water and power, or whether we should prevent it from operating in areas designated as wilderness. There was a dispute about that. The Interior Department recommended that Congress eliminate all the jurisdiction of the Federal Power Commission as provided by this measure. To the credit of the Senate Committee on Interior and Insular Affairs, it rejected that recommendation; and it has written clearly into the bill a provision that with respect to problems of water under the jurisdiction of the Federal Power Commission, the present law with respect to that jurisdiction shall remain in effect.

Mr. President, those are the brief comments which I wished to make here today. In past Congresses and in the discussions which have occurred in the Committee on Interior and Insular Affairs, I have spoken at great length on this subject. I want the RECORD to show my statement that the bill is in the public interest.

This measure is not one of partisan or political concern, Mr. President. U.S. Senators from both parties stand on this floor and speak in favor of the bill. Other U.S. Senators from both parties stand on this floor and speak in opposition to the bill.

A year ago the bill was passed overwhelmingly by the Senate. I trust that this year, once again, the bill will be passed by the Senate; and I hope that in this Congress—different from the last session—the Members of the House of Representatives likewise will have an opportunity to vote their judgment as to whether the bill should become law.

Mr. CLARK obtained the floor.

Mr. CHURCH. Mr. President, will the Senator yield that I might express my appreciation to the able Senator from California?

Mr. CLARK. I yield.

Mr. CHURCH. I desire to express my appreciation to the Senator for the very fine support which he has given the bill over the years. He has been one of the stalwart champions of wilderness legislation. In giving the bill that kind of support, he has demonstrated his far-sightedness in that field as he has demonstrated statesmanship on other questions that pertain to the wise conservation of the Nation's resources.

The people of California can be very proud of him in the role he has played in connection with the proposed legislation and, as a Democrat who stands on this side of the aisle, I wish to extend my personal appreciation to him.

Mr. KUCHEL. I should like to give my friend and colleague my unbound thanks for his generous comment. I am

grateful to him. I sincerely believe that he, I, and others who feel as we do can supply a leadership that will result in the enactment of the bill into law.

Mr. CHURCH. Mr. President, if the Senator from Pennsylvania will indulge me one more minute, I should like to place into the RECORD some statistics that I think are called for in view of the discussion that has heretofore taken place today on the pending measure.

Mr. CLARK. I am happy to yield.

Mr. CHURCH. Mr. President, I am sorry that the senior Senator from Colorado is not present. I believe he would not take offense if I placed the figures in the RECORD, for he will have an opportunity to review them when the RECORD is published today and to comment on them tomorrow, should he see fit to do so.

I ask unanimous consent that the figures to which I have referred be printed at this point in the RECORD.

There being no objection, the figures were ordered to be printed in the RECORD, as follows:

	Acres
Total land area of the United States.....	2, 313, 733, 120
Total Federal lands.....	767, 766, 435
Total land in national forests.....	181, 600, 000
Total national forest land subject to S. 4.....	14, 138, 000

Mr. CHURCH. In the course of his remarks, the senior Senator from Colorado mentioned that the bill would authorize the establishment of a wilderness system which would comprise some 12 percent of the public domain. He observed that only 1 percent of our people actually use the wilderness. On that basis he concluded that we would be giving a disproportionate amount of public lands over to a very small number of people to utilize and to enjoy.

Mr. President, I question those figures in two respects. First, members of the committee staff advise me that the correct figure is not 12 percent of the forest lands but somewhere between 7 and 8 percent of the forest lands.

Furthermore, the land about which we are talking is a part of one great country. If we are going to compare the numbers of people who enjoy the wilderness with the amount of land that we would set aside, then the comparison must be based upon the land set aside as it relates to all of the area of our country.

Today we have 2,313,733,000 acres of land in the United States of America. After the review provisions which are established in the bill have been completed and the wilderness system that would be authorized by the proposed legislation has been established, it is estimated that it would run to between 35 and 40 million acres, which is approximately 1½ percent of the total area of the United States. So that if the figures have any meaning at all, I suggest that a very definite balance has been struck between the area set aside and the numbers of our people who, over the years, will enjoy it. I placed my figures in the RECORD because I think they put the subject in proper perspective, particularly in view of remarks made earlier by the senior Senator from Colorado.

Mr. President, I am now prepared to yield the floor. I wish to say to my good friend from Pennsylvania that I appreciate the fact he has been so generous in allowing me and other Senators to speak. It is typical of him to stand aside and let others take the floor. I commend him for it. I hope he has no further difficulty in getting his own remarks into the RECORD before he adjourns the Senate.

Mr. CLARK. I thank the Senator for his kind and generous remarks. My good friend from California, who is terse, desires that I yield to him briefly. I am only happy to do so.

#### CHOOSING CONTRACTORS TO DO FEDERAL WORK

Mr. KUCHEL. Mr. President, I thank my good friend, the Senator from Pennsylvania. I shall not add to his difficulties.

Mr. President, a few days ago the distinguished senior Senator from New Jersey [Mr. CASE] introduced a measure providing that Americans should be given more facts with respect to how contractors are chosen by the Federal Government in matters of defense and of space procurement contracts. When he introduced that proposed legislation, the able Senator said:

A full disclosure of all relevant facts would benefit everybody. An informed public opinion would exert irresistible weight in support of decisions which are soundly based and against those which are not. It would reduce to a minimum improper pressure on Government officials. It would restore public confidence in the integrity of Government.

Mr. President, I completely agree with what the able Senator from New Jersey had in mind in introducing his proposed legislation and with the comments he has made concerning it.

So do distinguished newspapers and able columnists. I ask unanimous consent that the excellent editorial published in the Washington Post on Friday, March 1, and comments made by two distinguished American columnists, Mr. Marquis Childs and Mr. Roscoe Drummond, dealing with the subject all be printed at this point in the RECORD.

There being no objection, the editorial and articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 1, 1963]

#### CONGRESS AND CONTRACTS

The practice of letting favored Congressmen announce the award of Government contracts in their districts may have some partisan advantages, but the cost is high in terms of the longrun public confidence. Of course Senators and Members of the House are delighted to make known that so many millions of dollars will be spent in their States or districts because their constituents will assume that the announcer has wielded a potent influence in the matter. The difficulty with the practice is that such an inference is often false and that if it were true it would suggest a scandal.

The official policy of the Defense Department is the antithesis of favoritism. It provides: "Our first and paramount objective is to acquire weapons and materiel which fully meet our qualitative, quantitative and delivery requirements—at the lowest overall cost. Whenever our specifications are suffi-

ciently precise, we must obtain competition through formal advertised bidding procedures as required by law." But when the Department announces the awarding of contracts through Democratic Congressmen and denies a comparable privilege to Republican Congressmen, it seems to fly into the face of its own policy.

The effect on Congressmen is likely to be especially unfortunate. Certainly it tends to intensify the pressures on the Department from legislators who want a larger share of the huge defense budget spent in their districts. The net effect is to encourage legislators to think of defense expenditures, not in terms of the maximum national security, but in terms of swinging lucrative contracts to their hometowns.

Instead of cultivating the impression of a cozy liaison between the Defense Department and Members of Congress in the letting of contracts, Congress ought to be strengthening the safeguards against special influence and favoritism. Senator CASE, of New Jersey, has proposed a bill requiring that all ex parte communications in regard to defense or space contracts by persons other than the bidder be recorded for public inspection. He would also require, in the case of negotiated contracts, the disclosure of the basis on which the contract was made, except for classified information, and set up a House-Senate watchdog committee to review such contracts.

This is the direction in which Congress ought to be moving. With billions of dollars flowing from the Treasury to defense and space contractors, it is of the utmost importance to avoid favoritism and even the appearance of using defense projects as political bait.

[From the Washington Post, Mar. 20, 1963]

#### ARMS RACE SEEN INFECTING POLITICS

(By Marquis Childs)

The noisy quarrel, which is essentially between two giant contractors and their congressional backers. Over the TFX plane contract points up the ever-growing entanglement of huge defense spending with the politics of who gets what.

The Senate subcommittee investigating the \$6.5 billion contract has taken after Secretary of Defense McNamara on the ground that he gave the contract to General Dynamics even though Boeing entered a lower bid. McNamara's answer is that economies to be achieved through developing a single plane for both the Air Force and the Navy determined the award. A resolute man, he shows no signs of reversing his decision.

The Defense Department has responded by saying, in effect, that you can hardly expect an unbiased finding when Senators with a direct stake in the outcome sit on the investigating committee. The accusing finger is pointed at Senator HENRY M. JACKSON, Democrat, of Washington, for whom the Boeing plant in Seattle and its payroll must be a major consideration.

But it is possible that JACKSON, with his wide and continuing interest in national security, would welcome a way out of the pressures that inevitably bear down on a Senator with important defense industry in his State. If he can deliver for a particular industry back home he may at the same time be doing a disservice to the Nation.

That is why the Senate, instead of indulging in the quarrel currently going on, would do well to give serious consideration to the proposals of Senator CLIFFORD CASE, Republican, of New Jersey. CASE put in bills the other day calling for complete public disclosure of all communications whether written or oral and from Members of Congress and anyone in the executive branch seeking to influence the awarding of a contract. He would also require full and prompt disclosure of the basis on which a negotiated contract is granted.