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# NATIONAL WILDERNESS PRESERVATION ACT

1609-19

## HEARINGS

BEFORE THE

## COMMITTEE ON INTERIOR AND INSULAR AFFAIRS UNITED STATES SENATE

EIGHTY-EIGHTH CONGRESS

FIRST SESSION

ON

## S. 4

A BILL TO ESTABLISH A NATIONAL WILDERNESS PRESERVATION SYSTEM FOR THE PERMANENT GOOD OF THE WHOLE PEOPLE, AND FOR OTHER PURPOSES

FEBRUARY 28 AND MARCH 1, 1963

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# NATIONAL WILDERNESS PRESERVATION ACT

THURSDAY, FEBRUARY 28, 1963

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
*Washington, D.C.*

The subcommittee met, pursuant to recess, at 10 a.m., in room 3110, New Senate Office Building, Senator Clinton P. Anderson presiding.

Present: Senators Anderson (presiding), Bible, Gruening, Burdick, Metcalf, McGovern, Kuchel, Allott, Simpson, Dominick, and Mechem.

Also present: Benton J. Stong, professional staff member.

Senator ANDERSON. The committee will come to order.

The hearing today makes the 10th hearing that this committee has held on the wilderness bill since June 1957—six in the field and four here in Washington.

We have accumulated 2,487 pages of printed testimony and exhibits, exclusive of maps.

By the way, any member of the committee is entitled to read these 2,487 pages of the printed testimony any afternoon he has time.

Including 55 printed pages in the majority and minority reports, we have 2,542 pages of printed record.

We are here today to determine if there is anything new which can be said on the subject.

In announcing this hearing, I asked witnesses to confine themselves insofar as possible to new material. It is an old bill. S. 4 is identical to S. 174 which passed the Senate last year except for one word. We changed forest "superintendent" to forest "supervisor" at one point to comply with official terminology.

I shall not impose on available time to restate the often restated provisions of the bill.

There are a number of statements filed and, without objection, they will appear in the record at the end of this morning's session.

Copy of the bill and departmental reports will be put in the record at this point.

(S. 4 and the departmental reports follow:)

[S. 4, 88th Cong., 1st sess.]

A BILL To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes

*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 oc-

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cupy 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 primtive 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 continguous 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

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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

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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 recommendations 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 theerof 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 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.

(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 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 exceding the value of the surrounded land, in exchange for the surrounded land.

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.

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 well 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 well 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 carrried 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 de-

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scriptions 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).

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EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
*Washington, D.C., February 19, 1963.*

Hon. CLINTON P. ANDERSON,
*Chairman, Committee on Interior and Insular Affairs,*
*U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Bureau of the Budget on S. 4, a bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

S. 4 would establish policy and procedures for the designation and preservation of certain federally owned areas in a National Wilderness Preservation System. The objective of this legislation has had the repeated support of the President.

Accordingly, the enactment of legislation along the lines of S. 4 would be in accord with the President's program.

Sincerely yours,

PHILLIP S. HUGHES,
*Assistant Director for Legislative Reference.*

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DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
*Washington, D. C., February 21, 1963.*

HON. CLINTON P. ANDERSON,
*Chairman, Committee on Interior and Insular Affairs,*
*U.S. Senate, Washington, D.C.*

DEAR SENATOR ANDERSON: Your committee has requested a report on S. 4, a bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

We urge the enactment of the bill. We recommend, however, that the bill be amended in one important respect as suggested below.

Wilderness resources contain basic values and provide undeniable benefits to the American people. We believe this has been amply demonstrated from the previous hearings of your committee on wilderness proposals. In our opinion, the establishment of a wilderness system, along the lines outlined in this bill, is in the public interest.

This proposal recognizes equitably the various facets to the problem of wilderness preservation. We believe that it resolves many, if not all, of the objections that have been raised in the past to wilderness proposals. It clearly delimits the wilderness sytem to well-defined areas and prescribes an orderly method for establishment of the system. It prescribes sound procedures applicable to both the executive and legislative branches of the Government in determining the particular areas or parts of Federal reservations to be included in the wilderness system.

The system to be established by this bill would be composed of federally owned lands. Portions of the national park system, wildlife refuges, and game ranges administered by this Department, and portions of the national forests administered by the Department of Agriculture would be included in the system. It should be noted in this connection that the national park system areas, wildlife refuges, and game ranges that we administer would not be included immediately following enactment of the proposal in the wilderness system. Portions of these areas would be selected and included in this system over a 10-year period, in accordance with prescribed procedures set forth in the bill. In the case of the national forest areas, however, there would be included in the wilderness system immediately upon enactment of the legislation those national forest areas classified by the Department of Agriculture as wilderness, wild, primitive, or canoe. The primitive group of areas, however, would be subject to subsequent review over a 10-year period in order to determine which of these areas should be retained in the system.

One of the major provisions of the bill is contained in section 3(h). This subsection provides that the addition of new wilderness areas to the system or the elimination of the areas from the system that are not specifically provided for by the bill shall be made only after specific authorization by law for such addition or elimination. We believe this requirement is desirable.

Section 2 of the bill contains a statement of policy that would express the desire of the Congress to secure for present and future generations the benefits of an enduring resource of wilderness. Sections 2 and 6 contain the general provisions that would govern the administration of wilderness areas as well as prescribe the purposes and uses of the system. Significally, the bill provides that the system shall be administered for the use and enjoyment of the American people, in such manner as will leave the system unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of the areas, and the preservation of the wilderness character. This provision is very similar to the requirements now applicable, pursuant to the basic National Park Act of 1916 (16 U.S.C. 1–3), to the national park system. On this point we observe that wilderness-type areas constitute an important segment of the national park system and have contributed heavily over the years to the enjoyment by the American people of wilderness values.

We believe that section 6(a) is worthy of special note. This subsection provides that nothing in the 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 and also to preserve its wilderness character. This provision, we believe,

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has the effect of preserving the status quo to the maximum extent in the management of the Federal reservations in question, subject however to the overall requirement that the administering agencies carry out the essential requirements set forth in the bill for wilderness preservation.

While the bill prohibits, consistently with wilderness preservation, as prescribed in section 6(b), commercial enterprises within the wilderness system, roads, motor vehicles, motorized equipment, et cetera, it provides in section 6(c)(4) that 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.

In addition to the general provisions relating to administration of the wilderness system, there are specific provisions in the bill that are applicable to national forest areas. These provisions would permit certain uses to continue that are already well established within the forest areas in question. Also, certain additional uses may be authorized by the President 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. In the case of wildlife refuges and game ranges, the bill provides that any existing use or form of appropriation authorized or provided for in the Executive order or legislation establishing such areas and which use exists on the effective date of the act may be continued under such authorization or provision. In this connection, we note that the bill makes no provision for special uses within the national park system. We believe this is appropriate and is consistent with long-established policies and standards, established by the Congress for administration of that system.

There are other provisions that are worthy of mention. Boundary adjustments may be made in wilderness areas in accordance with certain prescribed procedures whereby the appropriate Secretary after public notice and hearing, subsequent recommendations to the President, and transmittal of such recommendations to the Congress the boundary adjustments may be accomplished if the Congress makes no objection thereto. We note that in the case of areas of the national park system the bill provides for the inclusion of those areas of more than 5,000 acres where such areas exist without roads. The Secretary would be required to determine what portions of the parks would be required for roads, utilities, et cetera. The bill contains no minimum acreage limitations regarding wildlife refuges and game ranges to be included in the system.

We recommend one amendment to the bill.

Section 11 would permit the Federal Power Commission to authorize power developments in wilderness areas without a determination by the President that such developments are in the interest of the United States and its people as required in section 6(c)(2) in the case of other nonwilderness uses. We urge, therefore, that section 11 be deleted from the bill. If this is done, then all nonwilderness uses will be subject to the Presidential determination provided for in section 6(c)(2).

The Bureau of the Budget has advised that there is no objection to the presentation of this report and that enactment of legislation along the lines of S. 4 would be in accord with the program of the President.

Sincerely yours,

STEWART L. UDALL,
*Secretary of the Interior.*

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DEPARTMENT OF AGRICULTURE,
*Washington, D.C., February 21, 1963.*

HON. CLINTON P. ANDERSON,
*Chairman, Committee on Interior and Insular Affairs,*
*U.S. Senate.*

DEAR MR. CHAIRMAN: This is in response to your request of January 21, 1963, for a report on S. 4, a bill, to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

We strongly recommend that the bill be enacted, insofar as it affects this Department, with the amendments hereinafter mentioned.

The bill would declare a policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For that purpose, the bill would establish a National Wilderness Preservation System, which would include national forest areas, national park

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system areas, and national wildlife refuge and game range areas. The bill would provide that the federally owned lands within areas of the wilderness system would be administered in such a way as to leave them unimpaired and to provide for the protection and preservation of their wilderness character. It would provide for the gathering and dissemination of information regarding their use and enjoyment as wilderness.

The bill would include in the National Wilderness Preservation System all areas within the national forests classified on the effective date of the act as wilderness, wild, primitive, or canoe. The areas classified at that time as primitive would be reviewed within 10 years as to their suitability for continued inclusion in the wilderness system. Recommendations of the Secretary of Agriculture following such review would be reported to the President and each year the President would submit to the Congress his recommendations with respect thereto. Provision would be made for including in such recommendations appropriate adjustments in primitive area boundaries but the size of any primitive area could not be increased as a result of such adjustments.

The President would be authorized to recommend minor modifications or adjustments of boundaries of areas in the wilderness system. Recommendations made under the bill would include the views of the Governor of the State in which the area is located if such views are submitted within 90 days after they are requested.

The recommendations of the President with respect to the continued inclusion of primitive areas in, or the exclusion of such areas from, the wilderness system and for minor modifications or adjustments of boundaries of areas in the wilderness system would take effect if not disapproved by resolution of either the Senate or the House of Representatives within a full session of Congress following the date the recommendation was received.

The bill would provide that the addition of any area to, or the elimination of any area from the wilderness system which is not specifically provided for in the bill could be made only after specific affirmative authorization by law. It is understood that this would apply to the addition of a completely new wilderness-type area to the system or the complete elimination of a wilderness-type area from the system, and not to additions or eliminations of land areas to an existing wilderness-type area in the system by a minor modification or adjustment of boundaries.

In any case where State land is surrounded by lands in the wilderness system the State would either be assured adequate access to its land or would be authorized to exchange for vacant, unappropriated, and unreserved land in the State.

The bill would permit the use of aircraft or motorboats, where well established, to continue, and measures for fire, insect, and disease control could be taken. Prospecting and mining and the establishment and maintenance of reservoirs, water conservation works, transmission lines, and other facilities needed in the public interest within specific portions of national forest areas in the wilderness system could be authorized by the President upon his determination that such uses would better serve the interests of the United States than would their denial.

The grazing of livestock where well established on national forest areas in the wilderness system would be permitted to continue. This provision would not affect the Secretary's authority to regulate and control grazing in such areas. He would continue to have authority to reduce or terminate grazing within these areas for all other purposes or reasons that he can take such action with respect to other national forest areas.

Otherwise with respect to national forest areas, subject to existing private rights, commercial enterprise, permanent roads, use of motor vehicles and equipment, and mechanized transport within areas of the wilderness system would be prohibited, and temporary roads and structures in excess of the minimum required for the administration of the area for the purposes of the act would be prohibited within areas of the wilderness system. Emergency measures for the health and safety of persons would be permitted within such areas.

The Boundary Waters Canoe Area in the Superior National Forest would continue to be administered under this and other applicable acts for the general purpose of maintaining the primitive character of the area without unnecessary restrictions on other uses, including that of timber.

Commercial services proper for the realization of recreational and other purposes of the wilderness system could be performed within areas of the system. The bill would not affect the present situation as to the application of State water laws, nor the jurisdiction or responsibilities of the States with respect to wildlife and fish. Neither would the bill prevent within national forest areas any activity

including prospecting for the purpose of gathering information about mineral or water resources or 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 wilderness environment.

The bill would authorize the acquisition by the Secretaries of the Interior and Agriculture of lands within areas of the wilderness system under their respective jurisdictions and would provide for the acceptance and use of contributions of money to further the purposes of the act. Each Secretary would maintain public records pertaining to the portions of the wilderness system under his jurisdiction. Joint annual reports would be made to the Congress.

A Presidential Land Use Commission comprised of five persons to be appointed by the President would be established with respect to any State in which the Federal Government on January 1, 1961, owned more than 90 percent of the land. The Commission would advise and consult with the Secretaries of the Interior and Agriculture on the current utilization of federally owned land in such State. The recommendations of the Commission would accompany any recommendation made under the act.

The bill further provides that nothing in it shall be construed as superseding, modifying, repealing, or otherwise affecting the provisions of the Federal Power Act.

This Department believes that the establishment and maintenance of wilderness-type areas is a proper use of the national forests and has steadfastly maintained continuity of policy in this regard for over 38 years. The term "wilderness area" originated on the national forests.

In 1924, the first area for the preservation of wilderness in the national forests was established. It comprised a large part of what is now the Gila Wilderness Area in the Gila National Forest in New Mexico. In 1926, parts of the Superior National Forest in northern Minnesota were given special protection. These areas later became parts of areas designated as roadless areas and which are now designated as the Boundry Waters Canoe Area. The first primitive area in the national forests was established in 1930 under regulations of the Secretary of Agriculture. By 1939, there were 73 primitive areas and 2 roadless areas, totaling 14.2 million acres.

In 1939, new secretarial regulations were issued, providing for the establishment of wilderness and wild areas in the national forests. Wilderness and wild areas provided for in these regulations meet essentially the same criteria except that wilderness areas exceed 100,000 acres in area, and wild areas range from 5,000 to 100,000 acres. Wilderness areas are established by the Secretary of Agriculture, whereas the Chief of the Forest Service may establish wild areas.

No new primitive areas were established after 1939. Since that time, primitive areas have been managed in accordance with the regulations applicable to wilderness areas. The Department has been restudying primitive areas and reclassifying those areas or parts of areas which are predominantly valuable for wilderness as wilderness areas. We are continuing that study and plan to complete the study as to all remaining primitive areas.

As of this date, there are the following wilderness-type areas within the national forests:

| Kind of area | Number | Acreage |
|---|---|---|
| Wilderness | 16 | 6,285,186 |
| Wild | 30 | 1,047,554 |
| Primitive | 37 | 6,098,832 |
| Canoe | 1 | 886,673 |
| Total | 84 | 14,318,575 |

The wilderness, wild, primitive and canoe areas of the national forests include some of the most remote and scenic areas of the Nation. They have unique and special values, which have long been recognized by wilderness enthusiasts, and by the Forest Service. They comprise valuable and essential parts of the national forests.

The management of the Boundary Waters Canoe Area differs from that of wilderness, wild, and primitive areas. It is managed for 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

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lakes, streams, and portages. In effect the same management principles would continue in this area under the provisions of section 6(c)(3) of S. 4.

With respect to the wilderness, wild, and primitive areas in the national forests, we believe that a general discussion of the use or nonuse of the various resources will be helpful.

*Timber*

Commercial timber harvesting is not now permitted in these wilderness-type areas and we have no plans to alter this policy. It would not be allowed in such areas under the provisions of S. 4. Timber may be cut for the purpose of controlling fire, insects, and diseases and could be under S. 4.

*Grazing*

Livestock grazing may be permitted in these wilderness-type areas under present policy. It is not permitted in slightly more than half the areas. Our most recent figures show about 59,000 head of cattle and horses and 309,000 head of sheep and goats under permit in these areas. Under the terms of S. 4, this grazing of livestock would be permitted to continue.

*Mining*

Authority now exists under which mineral leases can be issued for leasable minerals in the wilderness, wild, and primitive areas either under the Mineral Leasing Act of 1920 or the Mineral Leasing Act for Acquired Lands. It is the policy of this Department to recommend against, and the policy of the Department of the Interior to withhold, the issuance of mineral leases in these areas unless directional drilling or other methods can be used which will avoid any invasion of the surface of the wilderness, wild, or primitive area.

Under S. 4, mining, including the production of leasable minerals, would be prohibited unless it involved only subsurface use such as directional drilling within such areas or unless the President as to specific areas determines that to permit it would better serve the interests of the United States than would its denial.

Prospecting for leasable minerals and for locatable minerals where the mining laws apply is allowed at this time. It must be done in a manner consistent with applicable regulations, including restrictions on the use of mechanized transportation. Under the provisions of S. 4, prospecting could be carried on in a manner not incompatible with the preservation of the wilderness environment.

In those portions of the wilderness, wild, and primitive areas to which the mining laws apply, mining locations may now be made. Upon valid discoveries, mining operations may be carried out with or without an application for patent. S. 4 would not affect valid, existing rights. But, subject to existing rights, it would prohibit mining unless it involved only subsurface use such as directional drilling or shafts driven from outside the area or unless the President as to specific areas determines that to permit it would better serve the interests of the United States than would its denial.

In March of 1961, it was estimated that there were about 13,000 unpatented mining claims in these areas. Also, there were six mines in active operation, all in primitive areas. The existence of operating mines and the concentration of unpatented mining claims will be significant factors in reviewing primitive areas and in formulating recommendations as to which areas or portions of areas should continue in the wilderness system or be excluded therefrom.

*Water developments*

Water developments for the storage and diversion of water for irrigation, domestic, and other uses have been allowed in these wilderness-type areas. The works generally have been constructed and maintained by means which did not involve motorized transportation. There are 144 such projects. We would construe the provisions of S. 4 as permitting the continued maintenance of these existing projects by means which would not involve motorized transportation as in the past. The bill would allow new water developments if the President determined that such uses in specific areas would better serve the interests of the United States than would its denial.

The Federal Power Commission has authority under the Federal Power Act to issue licenses for the construction and maintenance of power projects on these wilderness-type areas of the national forests as well as on other national forest lands. Licenses have been issued for seven such projects in these areas. Under the provisions of section 11 of S. 4, the provisions of the Federal Power

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Act would not be affected in any way and licenses could continue to be issued by the Federal Power Commission in these areas. We will comment on this later.

*Recreation*

Recreation uses of these wilderness-type areas are of the kind, including hunting and fishing, normally associated with wilderness enjoyment. These uses would continue. Commercial services to the extent necessary for the recreational or other purposes of the wilderness system may now be performed, and could continue to be performed, in the areas. Hotels, resorts, summer homes, and other such types of recreational developments are not now, and would not be, permitted.

There are within these areas trails and facilities of a primitive nature for camping. These include primitive-type sanitary facilities. These will continue under our present policy and could continue under the bill. Also, in certain of these areas, as well as in portions of the Boundary Waters Canoe Area, the use of motorboats is presently allowed and could continue under the provisions of the bill. In certain of the wilderness, wild, and primitive areas, the landing of aircraft at established locations is permitted and could continue under the bill. Motorized transportation by the public by ground vehicles is not permitted except on those roads in primitive areas presently open to public use and would not be permitted under the bill.

*Roads*

Roads opens to public use are not allowed in wilderness and wild areas. There are some such roads in some of the primitive areas. The existence of roads would have material bearing on the reviews and recommendations as to the suitability of primitive areas or portions thereof for continued inclusion in the wilderness system or exclusion therefrom. Under the provisions of S. 4, the existing roads in such areas could continue to be maintained and used pending the review and effectiveness of a recommendation for the area to remain in the wilderness system. Temporary roads which are essential in the control of fire, insects, and diseases or to meet the minimum requirements for the administration of the areas may now be permitted in these areas. The bill would continue to allow these.

We have the following comments and recommendations for amendments to the bill:

1. On page 4, in lines 19 and 20, reference is made to recommendations for the exclusion of portions of primitive areas of the national forests and "return to national forest land status" thereof. Primitive areas now designated in the national forest system have national forest status and exclusion of any portion thereof from the primitive area would not have the effect of returning it to national forest status. Therefore, the words "return to national forest land status" should be deleted and the words "administration as other national forest land" should be inserted in lieu thereof.

2. The provisions in section 3(b)(i) for the review of primitive areas would allow alterations of the boundaries of primitive areas recommended to be continued in the wilderness system, but the proviso beginning on line 23 on page 4 would not permit any primitive area recommended to be continued in the wilderness system to be larger than that particular area on the date of the act. Net additions to a few of the primitive areas might be desirable and we would prefer not to be so restricted. However, if such a restriction is considered essential we suggest that a leeway of up to 10 percent be allowed. This could be accomplished by adding after the word "act" and before the period in line 2 on page 5 the words "by more than 10 percent."

3. 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.

4. Section 11 would provide that nothing in the bill would supersede, modify, repeal, or otherwise affect the Federal Power Act. With this provision the

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Federal Power Commission could issue licenses for power projects on areas in the wilderness system without a determination by the President that the development of such projects within the particular areas would be more in the public interest than would their denial. Such a determination by the President would be required for other types of industrial and commercial uses. We recognize that under some circumstances the permitting of power developments in areas of the wilderness system might be more in the public interest than their denial. However, we believe that the same Presidential determination should be required with reference to them as would be required for other types of industrial and commercial developments. We of course believe that upon such Presidential determination the licenses for power projects should be issued by the Federal Power Commission in the same manner as such licenses are issued elsewhere. Therefore we recommend that section 11 on page 20 be deleted or modified by deleting the word "Nothing" in line 12 on page 20 and inserting in lieu thereof "Except as provided in section 6, nothing."

In conclusion, this Department has consistently recommended the enactment of wilderness legislation insofar as it would affect the national forests ever since our first report on such legislative proposals in the 85th Congress. We strongly believe that not only should wilderness areas be established and maintained in the national forests but also that enactment of S. 4 with the amendments recommended above would be desirable and progressive resources legislation and in the national interest.

The Budget Bureau advises that the enactment of legislation along the lines of S. 4 would be in accord with the President's program.

Sincerely yours,

ORVILLE L. FREEMAN.

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FEDERAL POWER COMMISSION REPORT ON S. 4—88TH CONGRESS

A BILL To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes

This bill, to be known as the Wilderness Act, for the purpose of securing "for the American people of present and future generations the benefits of an enduring resource of wilderness," would establish, in accordance with certain procedures prescribed in the bill, a National Wilderness Preservation System comprised of such federally owned areas as are designated (subject to existing private rights) from the following lands:

(1) All areas within national forests classified on the effective date of the bill by the Secretary of Agriculture or the Chief of the Forest Service as "wilderness, wild, primitive, or canoe." However, those areas classified as "primitive" would be reviewed by the Secretary within 10 years following enactment of the bill for the purpose of determining the suitability of each such area for preservation as wilderness. The Secretary would be required to report annually his findings to the President, who in turn is to advise the Congress annually of his recommendations with respect to the continued inclusion within the system, or the exclusion therefrom of each area reviewed during the year.[1]

(2) Each portion of a national park or monument embracing on the act's effective date "a continuous area of 5,000 acres or more without roads." However, any such wilderness status would be acquired only after a review of each such unit by the Secretary of the Interior within 10 years and a recommendation annually by the President to the Congress that particular areas reviewed during the preceding year should be incorporated into the system.[1]

(3) Such portions of previously established national wildlife refuges and game ranges as, within a 10-year period, the Secretary of the Interior and the President may recommend annually for incorporation into the system.[1]

(4) Privately owned lands within any portion of such system under the jurisdiction of the Secretary of Agriculture or the Secretary of Interior,

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[1] Under the provisions of sec. 3(f), each recommendation made by the President would take effect only upon the day after adjournment sine die of the first complete session of the Congress following the date or dates upon which the recommendation was received by the House and Senate, but only if prior to such adjournment neither the Senate nor the House shall have approved a resolution in opposition thereto.

and acquired by either Secretary, subject to the approval of any necessary appropriations by the Congress; and lands acquired for preservation as wilderness through gift or bequest to the respective Secretaries.

This Commission's interest in the bill arises from the fact that it would set up a wilderness system embracing lands and powersites having existing and potential power value subject to the Commission's authority under part I of the Federal Power Act. Section 4(e) of the Power Act (16 U.S.C. 797) provides that licenses shall be issued within reserved lands of the United States "only after a finding by the Commission that the license will not interfere or be inconsistent with the purpose for which such reservation was created or acquired * * *." In addition, the licenses contain such conditions as are deemed necessary for the adequate protection and utilization of the reserved lands involved.

Under section 24 of the Federal Power Act (16 U.S.C. 818) any lands of the United States included in a proposed project "shall from the date of filing of the application therefor be reserved from entry, location, or other disposal under the laws of the United States until otherwise directed by the Commission or by Congress." In addition to reservations effected under this provision of the Power Act, other lands of the United States have been reserved or withdrawn from time to time for power purposes under other statutes, and in the future lands may be reserved pursuant to section 24 or under other statutes.

Based upon the best available information concerning primitive areas, the hydroelectric generating capacities of the sites, licensed and potential, which would be affected in those areas are as follows:

| Capacity under license: | *Kilowatts* |
|---|---|
| Existing | 878,300 |
| Under construction | 157,500 |
| Other potential capacity | 3,006,300 |
| Total | 4,042,100 |

The bill would not incorporate in the wilderness system as of its effective date any lands presently within wildlife refuges or game ranges, but sets up procedures under which portions of such refuges and ranges may subsequently be incorporated into the system. It is assumed that when future recommendations are made to the Congress by the President to incorporate additional areas into the system, this Commission will be requested to advise the Congress as to the power potential affected by any such recommendations.

Section 11 of the bill states that nothing therein "shall be construed as superseding, modifying, repealing, or otherwise affecting the provisions of the Federal Power Act (16 U.S.C. 192–825r)." Consequently, if this proposed legislation is enacted in its present form the Federal Power Commission's jurisdiction to issue licenses authorizing the use of lands in the wilderness system for power purposes would not be affected, provided the above-discussed finding of consistency and noninterference can be made under section 4(e) of the Power Act with respect to the use of reserved lands of the United States. In this connection, it should be noted that none of the bill's provisions would vacate or rescind any power withdrawal or power reservation created prior to its enactment. Furthermore, sections 3(a) and 6(b) which specifically preserve existing private rights in lands placed in the wilderness system, clearly would protect a licensee's right to continue the use of any such lands under authority of a license previously issued by the Commission.

The Commission favors the purpose of the bill to create a wilderness system and offers no objection to its enactment.

FEDERAL POWER COMMISSION,
By JOSEPH C. SWIDLER, *Chairman.*

Senator ANDERSON. There are 25 witnesses scheduled, and there may be 2 or 3 others. I hope witnesses will take only the time essential to present their position and their material.

Our first witness is Secretary of the Interior Stewart Udall. Mr. Secretary, we are always glad to have you with us.

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## STATEMENT OF HON. STEWART L. UDALL, SECRETARY OF THE DEPARTMENT OF THE INTERIOR

Secretary UDALL. Thank you very much, Mr. Chairman, and I am sure this is one of the most important pieces of legislation that this committee will consider during the life of this Congress.

I regret that, because the demands on my time and my own schedule in the last day or so, I do not have a prepared statement this morning, Mr. Chairman, but my statement will be brief and I ask the indulgence of the committee with regard to it.

As you yourself have just commented, Mr. Chairman, this is old wheat that this committee has threshed at great length and, in September 1961, the Senate expressed its will once rather emphatically on both the importance of wilderness legislation and on the general outlines of the type of wilderness legislation that the Senate feels our country needs.

I should like to say that, on behalf of the administration and the President, our strong endorsement of this Congress continues. The last extensive statement of President Kennedy on wilderness was in his conservation message of a year ago in which he called for the enactment of legislation along the lines of the Senate-passed bill, and this has been our position and it still is.

We still feel that this is a very vital and, indeed, a landmark piece of legislation.

I would like to comment generally, because it has been my privilege as Secretary, in looking over our various conservation opportunities and what we have done in the past, to learn a great deal myself in the year or two since I last testified before the committee.

It seems to me that this decision, which would affect the status of lands permanently, and large areas of lands in our country, is truly one of the landmark land conservation decisions that confronts the American people.

I have attempted, Mr. Chairman, on my own, and I thought the committee might be interested in this, to outline what I think have been the six or eight great conservation decisions in the history of this country.

We have made many important decisions where we set up a service and an organization to do work, but there are certain decisions that we have made, as a people, through the Congress, in the main which have fixed the status of land and which have determined our policy with regard to conservation and the use of land.

As I see it, there have been eight, and I think this would be the ninth, of these great landmark conservation decisions.

I think the first was the Homestead Act of 1962, which determined the land pattern in many parts of this country. I think the second was the Forest Reservation Act of 1891, a little act that was actually a rider, a paragraph on a bill, and this enabled President Harrison, President Cleveland, and President Theodore Roosevelt to establish the national forests in the public land areas in the West.

I think the fourth——

Senator ANDERSON. The third.

Secretary UDALL. Well, let's see, yes, the third, to my way of thinking, Mr. Chairman, would be the Reclamation Act of 1902 and again this was a great land reform piece of legislation with the 160-acre

limitation in it. This also determined what we were going to do in the areas in the West with regard to our water resources.

The fourth, I would say, was the Antiquities Act of 1906, in which the Congress authorized the President to proclaim national monuments.

The fifth would be the Leeds Act of 1911, which authorized the establishment of a system of national forests in the States east of the Mississippi and, of course, great work has been done over the years in this area.

I think the sixth would be the National Parks Act of 1916 which fixed the status and determined the use of our national park areas.

The seventh would be the Rental-Leasing Act of 1920, which is a very basic act, with regard to our public lands, and set up a public lands system with regard to the development and licensing and use of our wealth of public lands.

The eighth was the Taylor Grazing Act of 1934 or was it 1935, which, for all practical purposes, closed the public domain and put our grazing lands under a conservation management regime.

There may be others that one could add. There are several that might be legitimately added to this list, but the point that I wanted to make is that each of these pieces of legislation was far-reaching.

Each concerned the use of land. Each was a conservation decision.

Each was made by the American people through the participation of Congress.

In other words, we have had a period here of nearly 30 years in which, although we have done some very important conservation work, as far as the Congress is concerned a decision of such major importance as the wilderness bill has not been presented to the Congress.

I think, in another way, maybe the land and water conservation fund bill, which this committee will soon consider as S. 859, might belong in this category of great long-term decisions.

But this country, and this is another thing that I have learned, is looked to all over the world for its pioneering in conservation.

We did the wrong kind of pioneering for about a century but, beginning with Teddy Roosevelt, we started down the right road and our national park system, for example, is looked to all over the world, and people come from all over the world to see this pattern of land management and land use, and to find out what our national park system is all about.

Our Forest Service, forest system, is likewise considered pioneering, and we have pioneered in forest wilderness areas. It was foresters themselves, men like Bob Marshall and Aldo Leopold, and others, who saw that there should be wilderness areas as part of our national forest system.

So it seems to me that this decision was worthy of the type of complete and thoroughgoing consideration this committee has given it in the past over the years, with all of these hearings, and that it does truly represent a great conservation decision which we must make.

The truth of the matter is, Mr. Chairman, that only a few countries in the world have a wilderness option. It is only the nations that are on large continents, only the nations that still have untouched virgin land, that have an option today to have a wilderness system such as we are talking about.

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As far as I know, there is no other country in the world that has established, as a matter of high national policy, a wilderness system along the lines of the bill that the committee is considering here today.

So that here again we are doing some of this pioneering that I am talking about, and I can assure you that interest in the wilderness bill runs far beyond our own national boundaries.

Now, I should merely like to make or cover one other area, Mr. Chairman, because too often some have thought or stated that a wilderness bill, properly considered, is legislation that locks up resources and, in a limited way, it does.

But this is not limiting the wilderness areas, as I see them. That is something this committee has conceded in the past.

This does not represent the single use of a resource. There are many uses that a wilderness area has. I should like to enumerate them.

The best watersheds that we have in this country are in the wilderness areas, and we know the importance of having part of our watersheds or having our watersheds, particularly in the high country remain untouched. The best science laboratories that we have in the country are in our wilderness areas.

The best human uses, the best hunting and fishing opportunities in this country, in our opinion, are in this remote wilderness country.

It also represents what one might call a reserve as far as all of these resources are concerned, and under the bill there is a key that the President can use to unlock the reserve if there are mineral resources, for example, that are needed.

So it is a reserve for the future as well.

And I should like to conclude my statement this morning, Mr. Chairman, by reading two quotations which, I think, express the thoughts for the wilderness bill better than anybody has expressed them.

One is a statement of a man whose name I mentioned earlier, Aldo Leopold, who began as a forester right next door to where I grew up and later was in New Mexico, and still later was one of the great wildlife conservationists and teachers in this country.

He wrote this in a book that was published after his death, and it represents, I think, the feeling of sensitive people toward the wilderness.

> Like winds and sunsets wild things are taken for granted until progress begins to do away with them.
>
> Now we face the question whether a still higher standard of living is worth its cost in things natural, wild and free. For us of the minority, the opportunity to see wild geese is more important than television and the chance to find a wild flower is a right as inalienable as free speech.

This, I think, presents the case as briefly as one can.

There is another statement that I have thought, in a very direct way, makes the case about as well as it has been made in recent years, and this is a statement of the chairman of this committee. If you will indulge me, I would like to read it.

This is in an article that he wrote a year or two ago about wilderness legislation.

> There is a spiritual value to conservation and wilderness typifies this. Wilderness is a demonstration by our people that we can put aside a portion of this which we have as a tribute to the Maker and say, "This we will leave as we found it."

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Wilderness is an anchor to windward. Knowing it is there we can also know that we are still a rich nation, tending to our resources as we should, not a people in despair searching every last nook and cranny of our board or cupboard for a blade of grass or a tank of water.

I think this is a very forceful statement of the case for wilderness legislation.

This completes my statement, Mr. Chairman, and once again, it is a pleasure to appear on this legislation and to affirm the position of the administration in support of it.

Senator ANDERSON. Thank you, sir.

Senator Kuchel?

Senator KUCHEL. Mr. Secretary, I am coauthor of this legislation, as I was in the last Congress.

There are some questions I do wish to ask for the record, as we consider the bill this year. Perhaps the first should be in connection with your recommendation for an amendment to the bill, as you suggested on page 3 of your letter, and I quote from it:

Section 11 would permit the Federal Power Commission to authorize power developments in wilderness areas without a determination by the President that such developments are in the interest of the United States and its people as required in section 6(c) (2) in the case of other nonwilderness uses.

We urge, therefore, that section 11 be deleted from the bill. If this is done, then all nonwilderness uses will be subject to the Presidential determination provided for in section 6(c) (2).

Do I understand from that, Mr. Secretary, that the Department would desire any water development in a wilderness area to be subject to Presidential decision?

Secretary UDALL. Yes, this is our position.

We think it is logical. We think the bill should be amended. This particular amendment, which was an amendment put in by the committee in its deliberations previously, singles the water power aspect out and gives it a special treatment.

If the committee had handled the mineral situation, for example, the same way you might have given the Geological Survey or the Department of the Interior or someone the right to determine whether there should be mineral outlets.

We think these decisions are of such importance that a decision, requiring the dignity of a Presidential determination, ought to be made in all cases.

Certainly there have been some things that have been disturbing to some of us lately on this.

If the Federal Power Commission would regard the position that my Department takes as the position of the administration on resource questions, and we made a presentation with regard to it, then I am sure it would be respected, and we would have no problem on this.

But it does seem to me that what is needed is to have a determination made at a high level and to have that determination take into account the total picture.

Senator KUCHEL. I remember several years ago when wilderness legislation was first before this committee that repesentatives of my State government came forward objecting to the legislation unless suitable provisions were made for the use by the people of California of waters which passed through any wilderness area if those waters were necessary for the overall development of the State of California water plan.

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And I remember finally we were able to arrive at suitable language which was agreed to by the State government.

I simply want to be sure, with respect to this specific recommendation you make, that a State like mine, where water is basic to all of our development, that the people representing my State government would not object to your amendment.

Secretary UDALL. Actually, there are very few really prime damsites in the wilderness areas. I think one can almost enumerate them on the fingers of one hand, but the decision should be made by the President, looking at the national interests rather than made at a lower level.

This is really, as I see it, the issue that we raised here.

Senator KUCHEL. On that problem I would like to simply hold it in abeyance, as we develop testimony, and I would, Mr. Chairman, like subsequently to have a representative of my State make comment in that connection

Let the record show that our bill provides, on page 17, line 4 to line 6:

Nothing in this Act shall constitute an express or implied claim or denial on the part of the federal government as to exemptions from state water laws.

That, of course, is something that I am sure is completely agreeable to the Department in connection with this legislation.

Secretary UDALL. Yes.

Senator KUCHEL. Mr. Secretary, what is the rationale of the legislation with respect to the areas that are specifically excepted from the provisions of the bill? As an example, on page 15, line 22, the bill goes on to say in part:

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 motor boats.

What is the rationale of that exception?

Secretary UDALL. This is an area that is not under my jurisdiction. I am not particularly familiar with it, Senator.

I think that the exception is for the purpose, however, of, in effect, preserving the status quo in this area.

I think this is the reason behind that.

Senator ANDERSON. Well, I think, Mr. Secretary, that certain promises were made in this area which established that, and this committee, as I understand it, wants to keep the promises made by that language.

Senator KUCHEL. In that area who were parties to the promise?

Senator ANDERSON. Well, at least the Congress of the United States is one party.

Senator KUCHEL. But prior to the consideration of this bill did a promise run between the Minnesota State government and the Secretary of Agriculture or the Department of Agriculture?

Secretary UDALL. I would wish that you would reserve this question for Secretary Freeman——

Senator KUCHEL. Yes.

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Secretary UDALL (continuing). Or the Chief Forester, who will appear. I am afraid I do not know the answer.

Senator KUCHEL. Yes. The reason, frankly, that I raised this, and I shall pursue it further with the representatives of the Department of Agriculture, is that there are some people in California who would like made available to them a portion of San Gorgonio, as I am sure you know, while I have other equally fine constituents who passionately object to any exception.

I did recall that this exception in this bill was established with respect to an area in Minnesota, and I wanted to have as much of a basis as I could upon which to inquire of the witnesses what would be the pro and con on this other exception. Well, I do not have any more questions. I think the specifics of the provisions in the bill can await some of our own technical people, Mr. Secretary.

Thank you, Mr. Chairman.

Senator ANDERSON. Well, I only want to say that we have certain areas where mining is permitted and where those commitments are made in the act creating the park, or similar area, they are lived up to in this wilderness bill.

Senator Humphrey came to our committee and made a very eloquent plea that we live up to the commitments in the acts governing that Minnesota area.

All we are trying to do is to make sure that we do live up to exactly what the promises were. Whether the wildlife people like it or not, we cannot help it. The promises were made and they will be kept.

Senator Bible?

Senator BIBLE. No questions.

Senator ANDERSON. Senator Allott has been very interested in this legislation.

Do you have a statement to make?

Senator ALLOTT. No, thank you. I will make the statement in a few moments, Mr. Chairman.

I would, however, like to ask a question or two.

Senator Kuchel raised the question of the Minnesota areas.

As I read this particular section I believe that it exempts the particular areas, the Boundary Waters Canoe area, and these other areas mentioned on pages 15 and 16 of the bill from the operation of the act entirely.

This is my interpretation of it, and if we are going to have a wilderness system do you know of any reason why these particular areas should not be subject to the same terms and conditions?

We have already made an exception where the use of motor boats has been established before.

Do you know of any reason why any given area in the country should be provided with an all-out exemption?

Secretary UDALL. Well, Senator, I think it would be prudent, where there are existing policies, whether this is a result of administrative action or action by the Congress, to continue the special situations which exist.

Now, there are three national monuments and one national park where mining is permitted.

Two of these are in Alaska, the Mount McKinley National Park, and it has been our position all along since Congress itself made special decisions and determinations on these, that these ought to be considered

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separately and individually, and when changes are made that the Congress would consider them at that time.

And so it is our feeling that in these types of situations that it should not be the intention of this bill to disturb this.

Senator ALLOTT. Well, there is a provision in the bill that where the use of motor boats is already established it may be continued, but the point of it is, and I will read this section where it says:

> Other provisions of this act to the contrary notwithstanding—

and then, skipping over, it says—

> the administration shall be in accordance with regulations established by the Secretary of Agriculture.

So we take this one area out of the act completely and put it solely under the administration of the Secretary of Agriculture. So we have taken and designated and given one particular area in the United States an exemption from the provisions of this act, have we not?

Secretary UDALL. I think it is just a limited thing. As I see it, it is more limited than that, Senator.

I am not familiar with this. I have just been reading it hurriedly. It spells out this one limitation, which apparently has been the subject of agreement or legislation, and it explicitly says that that should continue.

Senator ALLOTT. Well, the authority of the Secretary for the use of motor boats, I think, is pretty clear in itself.

What we have done here is provided special consideration for some reason or other of this area. I think if we are going to have a wilderness area all parts of the United States ought to be treated equally.

I would like to ask you about a statement that you made with respect to the question of Senator Kuchel on the power of withdrawal under the Federal Power Act, and the statement you made, in substance, was that you felt that the decisions as to this use should be made by the President.

I have been under the impression that Congress was the one to legislate and provide the policy in these areas.

Why do you think that the President should do it?

Secretary UDALL. Well, Senator, what we are proposing—because this is a management decision and it is one that Congress cannot make in advance—these decisions have to be made as things come up.

Let's say that due to technology and science some new mineral comes into the picture the way uranium did 20 years ago.

And it might turn out that some of these wilderness areas contain it or that they are the only areas in the country that contain this particular mineral.

At that time a decision would have to be made and the Congress could very rightly, because of the importance of the subject, delegate to the President a decision of this kind.

This 1891 Forestry Act, to which I referred, is a perfect example of this and I think this is one of the great conservation acts. All Congress did, in one paragraph, was to say that out of our surplus lands that Presidents by proclamation can create national forests.

If it were not for this we probably would not have the national forests system that we have in the west today.

But Congress left the determination of the specifics up to the President, and it did delegate authority, and I think this is why.

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Senator ALLOTT. Well, I would have to say that your political philosophy differs from mine considerably in this respect, and this is really the basic difference which exists over the bill now as to whether Congress shall continue to determine what is going to be done with it or whether it is going to be done through the executive branch and have Congress sit by and acquiesce in it.

I have just one other thought: You speak of conservation. I do not find the word "conservation" in this bill except once. Can you point out——

Secretary UDALL. Well, words are used to convey something. I think this legislation, by its tenor, by all of the provisions in it, is a conservation measure, and there may be differences of philosophy between those who advocate it and others, but I think the great stream of the conservation movement in this country has been a bipartisan steam. Theodore Roosevelt and Franklin Roosevelt were probably two of the greatest exponents of it.

And I think conservation is in both the detail of this legislation and the purpose of it. It is both right in this great stream of conservation and it is a bipartisan stream.

Senator ALLOTT. Well, I agree that if simply locking up indefinitely certain lands is conservation then this is a conservation bill, but I do not find anything provided in here which looks to the maintenance, the continuation and the serving of the natural resources of the country, unless the mere locking up is construed to be conservation, and I do not construe this as conservation, as with the soil conservation act and the other things that we have really done with respect to conservation.

Secretary UDALL. Well, of course, it depends upon the definition that we apply and there are differences on this.

In one sense, all of the national parks are locked up. The uses are limited, but people all over the world are beginning to do the same thing.

They are coming to this country——

Senator ALLOTT. They are not locked up like these are.

Secretary UDALL. What?

Senator ALLOTT. They are not locked up like the wilderness areas are.

Secretary UDALL. They are even more locked up in some ways, Senator. The provisions of the wilderness bill will be superimposed over parks, and in some respects there are new restrictions but in many respects the national parks' standards are already higher or as high as this bill.

Senator ALLOTT. Well, I would like to point out that you do have many uses of a national park that would not be permitted under this bill of a wilderness area.

Mr. Chairman, I think I will desist because I know that my colleagues probably have some questions.

Senator ANDERSON. Thank you.

Senator Gruening?

Senator GRUENING. No questions.

Senator ANDERSON. Senator Simpson?

Senator SIMPSON. Thank you, Mr. Chairman.

Mr. Secretary, I was very much interested in the outline that you made at the outset with respect to the history and specifically you made

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a specific reference to the Antiquities Act of 1906. I want to get assurance from you here, and I think I should preface what I am saying by asking you for that assurance before I state my question.

The people of Wyoming are naturally suspicious of some of the Government agencies with respect to the areas in our State because we have a State that is less than half owned by the people of the State of Wyoming.

I think some 59 or 60 percent, as you know, is owned by the U.S. Government outright. There came about a time when the Congress, under the administration of President Roosevelt, denied to the Department of Interior and the Park Service any further extension of Grand Teton National Park in Wyoming.

The then Secretary, Mr. Ickes, under the guise of the Antiquities Act of 1906, for the establishment of the national monuments, and, incidentally, one of the provision in that act was to the effect that they will set aside the smallest area of land, compatible with the object to be preserved—under the guise of that act, and overriding the will of Congress, the then Secretary of the Interior procured directly an order from the President of the United States which gave or which took away 216,000 acres of Wyoming land and placed it, in addition to the 96,000 already encompassed, in the national park. When the Secretary was asked at that time what was the object to be preserved, and the record will disclose this, he said, "As far as I am concerned, it is the scenery."

That is in the record today and on the basis of that they took 216,000 acres from the State of Wyoming and made it an addition to the Grand Teton Park.

Now, by your specific mention of this Antiquities Act of 1906, is it the purpose of the Secretary, if the Congress should fail to pass this wilderness bill, that you would resort to the Antiquities Act of 1906 and say that 416,000 acres that you propose in Wyoming, or in the other States, were needed by even a more or lesser degree?

Secretary UDALL. Well, Senator, of course, the answer is "No."

Under this legislation the two national parks in your State would go into the wilderness system.

The national forests, that part in wilderness areas already in existence, would also go in.

And, of course, I would remind the Senator that as matters stand now the Secretary of Agriculture could, if he so chose, enlarge these wilderness areas in your State.

Senator SIMPSON. Subject, Mr. Secretary, to the provisions of——

Secretary UDALL. But the only use that one can put the Antiquities Act to is to declare a national monument. The real answer, as far as your State is concerned, is that I personally think that this is unfortunate, but when Congress created Grand Teton National Park it withdrew from the power of the President the right at any time in the future to use the Antiquities Act in Wyoming.

This is the only State in the Union where this is true. But if it were not for Secretary Ickes and President Roosevelt there would not be that park, and I think the people in your own State now think that it was a wise move.

Senator SIMPSON. Well, that is controversial, as you know.

Secretary UDALL. Yes.

Senator SIMPSON. Thank you, Mr. Chairman.

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Senator ANDERSON. Senator Metcalf?
Senator METCALF. No questions.
Senator ANDERSON. Senator McGovern?
Senator MCGOVERN. No questions.
Senator ANDERSON. Senator Mechem?
Senator MECHEM. No questions.
Senator ANDERSON. Senator Dominick?
Senator DOMINICK. Thank you, Mr. Chairman.

We have had extensive hearings on this in both Houses last year, and it is my recollection that in answer to a question that I posed you indicated that the Department, as such, would have no appreciable objection to handling the wilderness principal on the basis of taking in immediately areas now designated as "wilderness," reviewing the primitive areas, and then having Congress specifically bring these areas within the wilderness system if this were so recommended and seemed advisable.

Is that correct? Is this the feeling of the department, that it really does not make very much difference that way?

Secretary UDALL. No; I do not recall having so testified, Senator. The position of the Department has been, and is, that we favor the approach in the Senate bill, that is the bill passed by the Senate.

We think this is the sounder way to approach it, and I think it would be a serious loss and a backward step if we left the primitive areas out and did not include them.

I think we should put them in and have a review rather than leave them out, and have them subject to a review and to individual acts placing them in.

Senator DOMINICK. Why is it a serious loss to the system?

Secretary UDALL. Well, my own personal feeling on it, Senator, is that this is the real crucial area of dispute. Let's be candid about it.

This the area which is the battleground so far as this legislation is concerned.

If these areas are excluded I think there are many who feel that they will probably never come into the wilderness system.

Senator DOMINICK. Why?

Secretary UDALL. Well, the real basic reason, and I have tried to look at this thing even from the standpoint of Congress or of a Senator, having served in the Congress myself, is that if you adopt the other approach that you are then going to have each wilderness area in each State becoming a battleground, and extremely intense pressure is going to be on the Senators and the Congress with regard to these.

And the issue then will be who can put the most pressure through national groups and local groups, on the Congressmen and the Senators about this particular area.

This will become the issue rather than deciding it in the Congress itself and making a decision in a proper and broad way as proposed under the Senate bill.

For my part, if I were a Congressman or a Senator I would prefer that approach. I can give you an example because in the last 60 days in one of the areas of greatest controversy, the Selway-Bitterroot wilderness area in Montana and Idaho, Secretary Freeman made a determination on this.

He took some areas out. He put others in. He decided this.

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It has been an area of dispute. This was done. He had a perfect right to do it, and he did it.

I think you will find that Senators from Idaho and Montana heard about it but I heard no outcry from them. I think they were glad to have the Secretary make the decision rather than for them to have to go out and draw the boundaries.

I think this has been a rather healthy demonstration in the last few days of the importance of the Senate's approach to this bill.

Senator METCALF. Will you yield, because he brought this up, for just a moment?

Senator DOMINICK. Yes.

Senator METCALF. The Senators from Montana and Idaho were very much interested in——

Secretary UDALL. And you were consulted.

Senator METCALF. We were consulted, but I want the record to show that this Senator from Montana was unhappy about some phases of the Secretary's decision, and neither of the Senators from Idaho or the Senators from Montana had a word to say about it.

After the Secretary handed down his decision it became final, and if this bill had been, and the wilderness area had been, created as suggested under this bill it would have had to come back to Congress through this committee, and we would have had a chance to revise the Secretary's decision.

Senator SIMPSON. Will the Senator yield for a question?

Senator DOMINICK. Yes.

Senator SIMPSON. Does the Senator from Montana think that an individual, such as the Secretary of Agriculture from Minnesota, would have exceptions in this bill if he were not better equipped from his knowledge of the State of Montana to determine the wilderness areas there without any consultation with the Senators from Montana or Idaho?

Senator METCALF. No, I do not want to say that the Secretary of Agriculture did not consult and did not advise with the Senators from Montana and Idaho, because he did.

He made the final decision and we did not have a thing to say about it.

And if this bill had been in effect, as it is written, that decision would have had to come back to Congress for ratification and approval.

I regard this bill as a restoration of some of the powers to Congress that have been delegated to the Secretary of Agriculture, the Secretary of the Interior, and the President.

And I do not want my comment to mean that I am not delighted that Secretary Freeman did create the Selway-Bitterroot Wilderness Area. I am glad he took that area and made a wilderness out of it.

I would liked to have had a little more choice of some of the areas that were left in and some of the areas that were taken out, and I would rather have it come back to Congress and have Congress say something about it.

My only point in bringing this up was that the Secretary of Agriculture made the decision and there was no opportunity for Congress to exercise its prerogatives as many of the Senators feel that we should.

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Again, I repeat: To me, this is a bill that restores to Congress, to the Senator from Wyoming, an opportunity to have something to say about the creation of these wilderness areas.

Senator SIMPSON. Thank you, Senator.

Senator ANDERSON. Will the Senator from Colorado yield for just a minute?

Senator DOMINICK. Yes.

Senator METCALF. I thank the Senator fom Colorado for yielding.

Senator ANDERSON. I only wanted to say that that was one of the reasons that prompted me to be interested in this bill. As a former Secretary of Agriculture, I could have sat in my office and in one morning changed every acre of all of the primitive areas in the United States from primitive areas to wilderness areas completely, and there would not have been a Member of the House or Member of the Senate who would have had one word to say about it.

One thing people have not been able to understand about the opposition of this bill is that for the first time Congress will have something to say about these reclassifications.

These people say, "No, you are locking it up by this bill." It is locked up now.

The Senators, if this bill is passed, would have something to say about it. If this bill is not passed the very same thing will happen that happended this year. The Senator from Montana can express his opinion but the Secretary of Agriculture can completely ignore it if he chooses to do so, and, as he says, he did ignore it in this area.

That is one attribute in this bill that I hoped would be stressed a little bit.

Members of Congress are taken back by some of the things that they find they have surrendered in the operation of this wilderness system at the present time.

I thank my friend from Colorado for letting me say that.

Senator DOMINICK. Mr. Chairman, I am always glad to yield to you.

I think a wilderness bill is going to pass, Mr. Secretary, and I think a wilderness bill should pass, of some kind. The question is, of what kind. And I think this is really what we are all arguing about or discussing.

I also want to say to the Senator from Montana, that under this bill, as I understand it, the Congress of the United States does not have the right to approve and ratify the action of the executive department.

It simply has the right to say that they are wrong and veto the whole action or say that it vetoes the whole action rather than say what portions will or will not be brought in.

Now, the thing that concerns me is that if there is a need for the executive department to review and determine what areas should be brought in, and if there should be a right in Congress to review the action of the executive department, which I think is correct, then it seems to me that you have a better opportunity to do it if you take the primitive areas and give them a careful review, determine which, in the opinion of the executive department, should be included and then present this for action to the Congress, so that they can also review this specific thing and bring them in as they fit into this pattern, one

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by one, or maybe two by two, whichever way it is. I cannot see that the executive department as such is restricted in its authority over these lands by going through the other system such as was proposed in the House version of this bill.

Now, can you tell me in what way the authority of the executive department is restricted by that type of attitude?

Secretary UDALL. Well, the whole issue revolved around whether these areas go in and are subject to review, and this is basically what Secretary Freeman did in Selway-Bitterroot. This has been a matter of dispute for some years. He took some out and he put some in.

Now, under the Senate bill, as I understand it, the primitive areas would go in and they would be reviewed, and the type of order Secretary Freeman then determined upon finally, as a matter of policy from a management standpoint, would be submitted to this committee and the committee could change it if it wanted to do so.

If we go at it the other way we are starting out by excluding these most important areas, and we are saying that they will only be brought in——

Senator DOMINICK. Just a second——

Secretary UDALL. To the system by an act of Congress.

Senator DOMINICK. But they also were left in the same condition that they are left in now, subject to review.

Secretary UDALL. No, one way they are in the wilderness system and in the other way they are out.

This is the difference, as I see it.

Senator DOMINICK. What would be the effect, in your opinion, on water development in the West if these areas were immediately brought into the wilderness system where action could not be taken until a review and a portion of them might be eliminated from the wilderness system?

How far back would that set us in water development, do you feel?

Secretary UDALL. I do not think it would set us back at all. I think it would be impossible to set back water development in terms of watersheds.

In other words, as far as watershed conditions are concerned, I think it is a plus. I think they have been identified, or I am sure they have, in these last hearings. There are only a few really major sites in these wilderness areas.

Most of the wilderness country in the West is the high country. It is inaccessible country. These are the types of areas that you are not going to build a major dam in, in the first place. They are up near the headwaters, so there is not much runoff there, in the second place.

And I think that the number of major damsites that are available, none of them are being talked about now. They are off in the future. And it may be that nuclear power and other things will cause us to decide ultimately not to build some of these.

There is a single damsite that I know of or that my Department is considering or has in the planning stage today, that will be affected by the wilderness bill.

That is a broad statement, and I am just shooting from the hip, but I think I can back it up.

Senator DOMINICK. Now, water development is not only damsites as such. It involves conduits. It involves access roads. It involves some construction.

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I was thinking, for example, of the Frying Pan-Arkansas.

Will any of the portions of the areas that are considered to be wilderness in here have to be eliminated because of the Frying Pan-Arkansas?

Secretary UDALL. I am sure, Senator, that the answer is "No," because this is typical of the problem that we are describing. This very high country.

If this was in a wilderness area, I think we would have had something in the legislation that would permit the type of use contemplated.

But where these special circumstances exist, and these will be rare occasions, I think this is where we would have the exercise of this Presidential authority to say, "Well, here is a case where there should be an exception." I am not such a purist myself to think that we are not going to have or that the situations will not arise where we have to cause the overriding of other interests and have exceptions.

Senator DOMINICK. That, then, in effect, gives the President the right of taking or refusing to take action under this bill to override the will of Congress on other bills on water development?

Secretary UDALL. Well, I cannot see that it would have that effect, Senator.

It would seem to me, as is usually the case, your major water projects are developed by the Bureau of Reclamation, by the Corps of Engineers, the administration and the President, through the Bureau of the Budget, and the usual process is to take a position on these projects, and either they are for it or they are against it.

And ultimately, when these special circumstances come up, you would find some special provision in the bill saying that wilderness values would have to be sacrificed because of other overriding values. I think there are situations, and I want to make this plain, where the need for water is going to be so great in some areas of this country in the future that there will have to be some exceptions made.

And I think the supporters of wilderness realize that there will be these unusual situations which will arise.

Senator DOMINICK. That would still involve the discretion of the President, would it not?

Secretary UDALL. Yes.

Senator DOMINICK. So this, at least theoretically, would give the President the right to veto the reclamation project in the interest of wilderness?

Secretary UDALL. Well, he has the right to veto on about 10 other grounds now, most of them being economic.

But I cannot see that this would have the effect of inhibiting water development. And as far as the present situation is concerned, I just do not see that this would have an adverse impact, and I want to state my position very strongly on that.

Senator DOMINICK. Now, one more question, Mr. Secretary.

Under the House bill, as it was reported from the committee last year, there was a title I pertaining to general management of public lands as opposed to the wilderness system.

Now, what was the position of the department of title I of that bill?

Secretary UDALL. Well, we filed our official report on the House bill and our official position, I am sure, would be the same as it was stated at that time.

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With regard to some aspects of title I, with regard to our need for better laws governing the public lands, it is our feeling, and we have recommendations up and will have more, that we do need new laws.

We do need additional laws. The thing that we objected to most about title I was that it would emasculate the power of the President under the Antiquities Act.

These were two of the main objections.

Senator DOMINICK. Thank you, Mr. Chairman.

Senator ANDERSON. Thank you, Mr. Secretary.

Now, there is a statement from Senator Gale McGee which the Chair will put in the record at this point.

(The document referred to follows:)

STATEMENT OF HON. GALE MCGEE, A U.S. SENATOR FROM THE STATE OF WYOMING

Mr. Chairman, I greatly appreciate the opportunity of appearing here to speak on this legislation. I would begin by saying that I am in favor of the wilderness bill. Coming from a State that is second to none in rugged, beautiful scenery and which provides respite to many citizens, and incidentally profit to her own from that scenery, I am anxious that the advance of civilization not be permitted to overrun all the original wilderness. All of our history is not in books, and I would hope that we would leave for our children and grandchildren some small portion of this Nation as it was before Columbus landed.

There are many people in my State who fear that this legislation would reduce the proper exploitation of Wyoming's great supply of mineral, timber, and grazing resources. Unfortunately, arguments on this bill often generate more heat than light with the result that the bill's opponents are castigtaing ideas the bill does not propose.

I would like to point out that this bill would not restrict grazing in the wilderness system, but would in fact provide for revegetation of overgrazed and eroded area. Nor would timbermen lose their rights to harvest timber. In Wyoming the wilderness areas are already protected by national forest regulations. The State had in 1960 more than 70 million board feet of timber designated as commercial which has not been harvested.

In mineral production there is not one producing mine located in a wilderness area in Wyoming and of the 20,600 claims in the national forests of our State only 600 are in wilderness-type areas. I would further mention that if a valuable mineral deposit were found in a wilderness area the President would have the right to remove that area from wilderness designation. And for the oilmen concerned with this legislation, I would point out that the late Senator Robert Kerr, who was the most powerful spokesman for the oil-producing States in the Senate and who himself was an oilman, was wholeheartedly in favor of this legislation.

There are many more things that could be said about this bill. However, I think that its main strength is that it will create a flexible system of wilderness administration. There is nothing rigid or final about what land will be included in or out of the bill. The Congress will have the veto power over any changes proposed by the administration and the wilderness could only be enlarged by affirmative congressional action.

This is an age of rockets that will carry us to the moon, of satellites beaming television across oceans, and of chrome and concrete, but mankind has not changed—there is still something in us that is relaxed, refreshed, and rejuvenated by close contact with nature. In our rush toward the future we must take care that we do not entirely eliminate the past. This bill would preserve a segment of the Nation's rich natural heritage, almost as God made it. I believe it will also help preserve our appreciation of our heritage and the history of men who created a great nation from a wilderness.

Mr. Chairman, I would like to add a few statistics to my statement which bear out the need for protection of our wilderness areas and illustrate the use the public makes of them.

The Bighorn National Forest in Wyoming contains an area known as the Cloud Peak Primitive Area. In the 1961 season 5,500 persons visited that area. In 1962 the number increased to 6,600. And the average visit was for 2.4 days, for a total of 16,000 man-days of recreation use.

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At the Shoshone National Forest the beauties of nature attracted 1.7 million visitors. A great many were area residents, but a very large number were people who camped out. Forest Service logs show a total of 184,700 campers for the season of 1962.

These figures demonstrate that the public is indeed interested in using our wilderness recreation areas.

Senator ANDERSON. Senator Hubert Humphrey has submitted a statement by Mr. Sigurd F. Olson of Minnesota.

Without objection, it will go in the record at this point.

(The statement referred to follows:)

STATEMENT OF SIGURD F. OLSON, ELY, MINN.

My name is Sigurd F. Olson, my home in Ely, Minn., in the Superior National Forest which has within its borders the famous Boundary Waters Canoe Area administered as a wilderness by the U.S. Forest Service. I represent the Izaak Walton League of America, one of the largest conservation groups in the Nation, as well as the Wilderness Society in which I serve as a member of the council. I also speak for myself and for those who have read my books and listened to my lectures on wilderness and who feel as strongly about it as I do myself.

Last year proponents of wilderness preservation were greatly encouraged by the splendid support of the Senate in passing S. 74 with a vote of 78 to 8. That action convinced everyone that the people of the United States understood what was at stake and were overwhelmingly in favor of a Wilderness Preservation System as outlined in that bill. The fact that the House version of the same bill was not reported out of committee and not voted on by that body, did not change the situation. I was confident then, that had the wilderness bill been reported out and come up for a vote, it too would have passed with a big majority. I am just as confident today that if Congress has the opportunity to vote on this measure, it will pass both Houses.

The American people want their wilderness protected as witness the continuing favorable articles and editorials all over the Nation. The long effort to establish a Wilderness Preservation System has made people aware that without its protection, they might lose a precious heritage, one that is becoming increasingly valuable as time goes on.

With our population growth, our industrial and urban expansion, the increased use of all natural resources, it is evident that unless the remaining wilderness we have is given statutory protection, the day may come when there will be no wild, undeveloped country. Should that happen, Americans will have lost something of their character and dignity as a people, some of the sense of freedom and challenge bred into them during pioneer days. I believe that Americans are not yet ready for a completely urban existence removed from all the influences which molded them as a people. Though most of us now live within the confines of great metropolitan complexes, within us all is a powerful need for the out of doors that has not been changed. Being able to satisfy that need periodically is a spiritual necessity now and for generations to come it will be even more so. Wilderness provides that opportunity.

We of this generation have no right to deprive those who come after us the privilege of wilderness experience. The choice is ours for never again will our people be faced with the decision. If we fail now to give protection to what wilderness remains or to establish new areas to meet the growing need, then we have not recognized our responsibility to the future. This is our last opportunity. If we fail to act, then wilderness as we have known it is doomed.

There are those who say, why a Wilderness Preservation System when we have Government agencies such as the U.S. Forest Service, the National Park Service, the Fish and Wildlife Service whose work is to take care of the land entrusted to them? These agencies, they say are doing a fine job; cannot we trust them to continue? Why are we so concerned?

The answer to those questions is simple. While we have great admiration for the agencies which have established wilderness regions and so far have protected them, we know they are held only by administrative decrees and regulations which could be changed by the stroke of a pen. Pressures upon all such areas will become so great in the years to come, it may be impossible for any governmental agency, no matter how fine its record to date or how dedicated its staff, to resist the demands for industrial utilization.

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Without a wilderness preservation system, in which agencies are given a congressional mandate to protect it, I am convinced it will be impossible to hold the line for the simple reason that intangible values cannot be weighed or measured by conventional standards. You can put a price tag on board feet of timber, electric power, minerals, or fossil fuels, but you cannot make graphs, compilations of statistics of esthetic, spiritual, or recreational values. While these have much to do with human happiness and richness of living and while existence without them is barren and colorless, it is difficult to substantiate their worth even though we realize that we as Americans will lose some of our character if all evidence of the old frontier is gone.

There is so little wild country left, not more than 2 percent of our total land mass. Surely, we can afford to save this much of the original America for the rejuvenation of the people when urban living makes them long for the open spaces. I urge this committee to report out S. 4 and to make it as strong and effective a wilderness bill as is possible. Someone said long ago, "Life is a gift of nature, but a beautiful life is a gift of wisdom." I cannot imagine a beautiful life in America without open space, natural beauty, and wilderness, but will take wisdom and courage to make this possible and vision to pass the gift on to those to come.

Senator ANDERSON. Senator Allott will have a statement to make at this time.

## STATEMENT OF HON. GORDON ALLOTT, A U.S. SENATOR FROM THE STATE OF COLORADO

Senator ALLOTT. By coincidence, the hearings this morning on S. 4 occur 2 years to the day since the last time when this committee turned its consideration to wilderness legislation. On February 27, 1961, the bill being considered was S. 174—today it is S. 4. During this interval, and in the 3 years preceding that, I have been classified by some as the "loyal opposition" to wilderness. Nothing could be further from the truth. I have never opposed wilderness legislation and do not now oppose it.

There is, however, an old saying that one can overdo a good thing. This is no less applicable to wilderness than to anything else. It must be remembered that there are potentially 65 million acres of public lands at stake in this legislation, and that world "public" needs to be underscored. With present projections indicating that less than 2 percent of the public will engage in and enjoy a "wilderness" experience, reason dictates that the forum be commensurate with the need. The size of an acre destined to be used and enjoyed by so small a segment of the American people must be carved out with care and appreciation for the objective to be reached. We do not need a span the size of the Golden Gate Bridge to cross the C. & O. Canal.

We are a nation composed of manifold interests. The principle of multiple use, where applied, is a recognition of this fact. A genuine effort prevails to accommodate these recognized needs and, in my judgment, the principle should be made to apply on most of the public domain. Exceptions are to be expected. At the present time, the Forest Service has classified 6,285,816 acres as wilderness. I am perfectly willing to see these lands remain in such a classification.

What has caused me the greatest concern with S. 174 of the 87th Congress is the duality in treatment applicable to lands destined for inclusion in the wilderness system. This treatment is repeated in S. 4, the current bill. Primitive areas, areas in the national parks, wildlife refuges, and game ranges become the subject of Presidential recommendation as to continued inclusion within the wilderness system—

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unless either House or Congress "shall have approved a resolution declaring itself opposed to such recommendation." This is the perilous and ineffectual remedy which I regard as a negative review. It is negative for the reason that the burden of proof shifts to Congress, obligating it to show why a Presidential recommendation is unacceptable. Such a procedure runs contrary to established practice and represents an abdication of congressional responsibility. Presidential recommendations with respect to wilderness are no different than those with respect to national parks, and there is no question but that the latter cannot be created without Congress taking affirmative action. Paradoxically, S. 4 and its forebears returns to the established form of affirmative review in section 3(h), which states:

> 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.

Similar language is, in my opinion, imperative for section 3(f). Only by this means can we be assured that suitable public lands will become a part of the wilderness system.

The merit of this approach continues to gain support. I was very pleased that the other body incorporated this concept of an affirmative review into H.R. 776—a bill reported last session. In my judgment, the negative review provision of the Senate bill is the major stumbling block in the path of wilderness legislation. Unless this committee or the Senate eliminates it, a wilderness preservation system is in jeopardy. There rests the crux of the matter, the decision remains to be made.

Now, Mr. Chairman, that concludes my remarks.

I would like at this point to introduce some matter into the record.

Senator ANDERSON. Surely.

Senator ALLOTT. First, these are all in opposition to the bill as it stands in toto or without the affirmative review provided for by the amendment which I have had printed and which is before the members of the committee.

The first is a wire from Mr. Eldon Zwicker, president of the Southwestern Colorado Livestock Association.

The second is a wire from Mr. A. J. Teske, secretary of the Idaho Mining Association.

The third is a wire from the Southwestern Cowbells of Cortez, Colo.

The fourth is a letter from Mr. Ralph W. Crosser, of McGill, Nev., and I have discussed this with a member of the Nevada delegation.

And there is another letter from Mr. Leroy Casody, also of Nevada.

Then, lastly, I would like to introduce a statement from Judge Warwick M. Downing, who is known very well to the chairman of the committee, and who is one of the grand old men of conservation in Colorado and all over the West, and has been known for many years for his part in this.

He has asked me to insert in the record his statement in opposition to the bill as it is written.

Thank you, Mr. Chairman.

Senator ANDERSON. Thank you, Senator Allott. They will go in the record.

Senator Yarborough has a statement that he wants to have inserted in the record. I therefore want to say that if the members of the

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committee have statements they want to have inserted in the record, permission will be granted at this point and they will be placed in the record at the end of the session.

(See pp. 66–99, 249–258.)

Senator ANDERSON. Mr. Cliff?

## STATEMENT OF EDWARD P. CLIFF, CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. CLIFF. Yes.

Senator ANDERSON. Mr. Cliff, we will be glad to have you state your name and what position you occupy in the Department of Agriculture.

Mr. CLIFF. Mr. Chairman, I am Edward P. Cliff, Chief of the Forest Service, Department of Agriculture.

Members of the committee, I am pleased to be able to be here today before your committee and on behalf of Secretary Freeman express again the strong support of the Department of Agriculture for the wilderness bill.

The policy of the Forest Service of the Department of Agriculture to establish and maintain wilderness areas has been continuous since the first such area was established in 1924. We have consistently and enthusiastically recommended the enactment of wilderness legislation insofar as it would affect the national forests ever since the Department's report on such legislative proposals in the 85th Congress. Our strong support for this legislation has not diminished.

You have before you the Department's report on S. 4, signed by Secretary Freeman on February 21. It sets forth the Department's recommendation for the enactment of this legislation and includes our recommendations for amendments.

In reporting and testifying on several occasions on the previous wilderness bills we have laid before you the facts about the wilderness-type areas in the national forests and the reasons we favor enactment of wilderness legislation. However, there have been some recent changes in statistics as to these areas since the material was furnished to your committee on the previous bill. The current data as to the number and kinds of areas and the acreage contained in them are set out in the Department's report, previously placed in the record.

In the announcement of this hearing attention was directed to the extensive hearings which this committee has held on this legislation in the past, and it was requested that oral statements be limited, insofar as possible, to new material. I am happy to comply with this request and will be glad to undertake to answer any questions the committee may have.

Senator ANDERSON. Thank you, Mr. Cliff.

Do you have the figure showing how many acres in the primitive areas would be covered in the wilderness system unless Congress took action to the contrary?

Mr. CLIFF. Yes, sir. The number of acres in the 37 remaining primitive areas is 6,098,532.

Senator ALLOTT. Those are primitive areas?

Mr. CLIFF. Yes, sir.

Senator ANDERSON. Most people have agreed that the wild and wilderness areas should go into the wilderness system under the bill.

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Since primitive areas have caused the discussion I was anxious to know actually how many of them there were.

Now, what about this canoe area in Minnesota? Were you in the Forest Service when the original arrangements were made with the State of Minnesota to take that over or are you familiar with it?

Mr. CLIFF. Yes, sir; I am familiar with it.

This canoe area is a special area which has congressional legislation behind it.

I think the first legislation was passed in 1930.

The Shipstead-Nolan Act, which provided for the protection of the water areas and the areas adjoining water areas in order to conserve them in their primitive condition.

The second major act was in 1948, I believe, the Thye-Blatnik Act, which gave congressional approval or direction to acquire the remaining private lands in this area, and enable it more effectively to be managed for that purpose.

The provisions as to this area do not exclude timber harvesting. In certain parts of the area, timber harvesting is permitted, but permanent roads are excluded. The area is managed primarily to preserve the wilderness nature of the canoe routes, and it is a very important wilderness type of area.

It does not fully measure up to the qualifications in the wilderness bill for a wilderness area.

This bill would simply include this unique area as part of the wilderness system and recognize the particular type of management which has been in effect and which has been sanctioned by Congress for some time.

Senator ANDERSON. There was specific congressional action that it be handled in this way, was there not?

Mr. CLIFF. Yes, sir, but it left the details of the administration to the discretion of the Secretary of Agriculture, and it is administered under regulations of the Secretary of Agriculture.

Senator ANDERSON. So does this bill leave it there?

Mr. CLIFF. That is right.

Senator ANDERSON. So there was specific congressional authority for the very thing that this bill carries along with it?

Mr. CLIFF. That is correct.

Senator ANDERSON. Was not that bill strongly supported by the people of Minnesota, if you know, or was it not?

Mr. CLIFF. It has had strong support nationally. It is an area of national interest.

Senator ANDERSON. Senator Kuchel?

Senator KUCHEL. Thank you, Mr. Chairman.

Mr. Cliff, you were here earlier today when I asked Secretary Udall about the recommendations of the Department for a change in the language of the bill?

Mr. CLIFF. Yes, sir.

Senator KUCHEL. In your department—your department makes practically the same recommendations for an amendment?

Mr. CLIFF. Yes, our position is identical to the position of the Department of the Interior on that.

We feel that if power development is to be permitted it should have the same treatment as other commodity uses that might be permitted; that is, a requirement for a Presidential determination that

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the development would be more in the public interest than would its denial.

Senator KUCHEL. Was that the department's position in the last Congress with respect to this particular——

Mr. CLIFF. Yes, sir.

Senator KUCHEL. In making that recommendation has your department or your agency had occasion to consult the State governments involved, such as Minnesota?

Mr. CLIFF. I do not recall that we have had specific discussions with the State governments on this point.

Senator KUCHEL. Do you not agree that their position ought to be a relevant part of these hearings?

Mr. CLIFF. Yes, I do. And the bill would provide for a review of any proposals by the executives for the creation of new wilderness areas or a reclassification of primitive areas by the Governor of the State in which the area is located.

Senator KUCHEL. I read very hurriedly the report of the Federal Power Commission which, I take it, is divergent in its conclusion from the Department of Agriculture and the Department of Interior, in that it believes that the divisions of the bill, as now written, pertaining to questions of power sites, ought to remain in the bill.

Mr. CLIFF. I am not sure I followed your question. Our——

Senator KUCHEL. Well——

Mr. CLIFF (continuing). Position is the Federal Power Commission could take action in issuing licenses but subject to Presidential determination that the development was needed.

Senator KUCHEL. Whereas the Federal Power Commission, I take it, is——

Mr. CLIFF. Yes, the Federal Power Commission likes the provisions of the bill as written.

Senator KUCHEL. I see. In that connection, Mr. Chairman, I will take the responsibility of asking my State government to comment. I do think it is quite important.

The people of California have embarked, as you know, on a tremendous venture called the State water plan.

Presumably, it will be a multi-billion-dollar venture. They have approved bonds in the amount of $1,750 million. So they have a concern in the acts of Congress which would affect the jurisdiction of the Federal Power Commission and, to that effect, I do want an appropriate representative from my State government to comment on that particular position.

I mentioned earlier that there are people in California who have written to this Senator, urging that some area in southern California, San Gorgonio, be set aside in some fashion for recreation, and there are others who oppose that request.

I wonder if you could now or if, by an appropriate memorandum, you might furnish the committee a history of the interest in the San Gorgonio area in southern California, including the disposition which the department has made with respect to any requests to you administratively to open up any part of that area and the reasons which the department may have assigned for its rejection of those amendments or those recommendations, rather?

Mr. CLIFF. We will be glad to supply that history for the record.

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I can say that this question has been up before. I think it was 1947, when there was strong interest in the development of it as a winter sports area, and there was a hearing held on a proposal to open up part of this area for development.

At that time the department decided that the area should not be developed for this purpose, and should be preserved for a while.

Now, the question is coming up again and, as you say, it is very controversial.

Senator KUCHEL. Has it arisen in the department since 1947?

Mr. CLIFF. We have had correspondence and a number of conferences with people who are interested in having this opened up. We have not agreed as of this time that it should be opened up.

We are suggesting that the proponents and the opponents try to discuss this among themselves and see if they cannot arrive at some mutual understanding or mutually agreeable position that the majority can recommend to the Secretary of Agriculture.

Senator KUCHEL. Does the department, in considering requests of this type, concern itself with the recreational needs of the people in the area involved?

Mr. CLIFF. Yes, sir. We try to consider all of the resource values involved, as well as the wilderness values at stake.

Now, this area happens to be the largest wilderness area in southern California but actually it is a "wild area," since it is under 100,000 acres in densely populated southern California. It is within easy traveling distance of millions of people.

Its very location gives it added significance as wilderness. Because of its location it is one of the most heavily used pieces of land in the entire national forest wilderness system.

It is used for wilderness purposes by youth groups and by, oh, lots of other people. By the same token, it is one of the areas that has good snow in southern California.

It is within easy traveling distance. There are lots of people, skiiers, and they would like to see it used for skiing. We have a conflict here that is very difficult.

Senator KUCHEL. Has the department ever, in a similar situation any place in the country, seen fit to make available to sportsmen, and skiiers particularly, any part of an area previously classified?

Have you ever done that any place else?

Mr. CLIFF. I do not recall any other instance where such an area has been opened up for skiing.

There are examples of where, in the reclassification of primitive areas, we have eliminated certain lands for various uses. We have eliminated them for reservoir development and that sort of thing. I cannot recall one for skiing specifically.

Senator KUCHEL. Did I understand you to say that you have received requests from people in my State asking that the Department open up a portion of that range?

Mr. CLIFF. Yes, sir.

Senator KUCHEL. How many requests have you received along those lines?

Mr. CLIFF. I could not say offhand, Senator Kuchel.

There has been considerable correspondence on it from, oh, probably a dozen people, but they are representing or purport to represent

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a large number of people, and we have had personal conferences with some of the spokesmen for this group.

Senator KUCHEL. Now, procedurally in your office how do you handle requests like this? At a certain time do you determine to hold a hearing on the matter?

Mr. CLIFF. We would evaluate the merits as best we could. If we felt that there was sufficient public interest, real major public opinion on it, we would probably make a proposal and hold a hearing.

Our regulation requires that before any change is made in wild or wilderness areas there be public notice for at least 90 days and that if there is a demand for a hearing, we would hold a public hearing on the proposal for changing the wild or wilderness area, or to reclassify a primitive area for that matter.

Senator KUCHEL. Has there been any request for a public hearing by those who have written to you?

Mr. CLIFF. Yes, sir.

Senator KUCHEL. And what decision have you made administratively with respect to their request for——

Mr. CLIFF. Well, we have felt that we are not prepared at this time to announce a public hearing. We have instituted some snow surveys to get better information on the snow conditions there, and we feel that the proponents should put up in more specific detail just what they would propose to do with the area. We also hope that there might be a better getting together of the opposing forces before we make a proposal.

Senator KUCHEL. And have you indicated your views to the people who have written to you?

Mr. CLIFF. Yes. Informally it has been indicated to them.

Senator KUCHEL. Now, when were those requests made to the Department? Were they made this year, last year, the year before, or over what period of time?

Mr. CLIFF. Over the last 2 years, sir.

Senator KUCHEL. You say you are not prepared to make an announcement as to whether you were going to hold a hearing or not. Do you contemplate being prepared to make an announcement, up or down, on that question?

Mr. CLIFF. I don't anticipate that we will be in the immediate future, Senator. As I say, we are trying to urge the opponents and the proponents to present a more specific proposal which we hope will be generally agreed upon before opening this subject up.

Senator KUCHEL. I might say, Mr. Chairman, that I have had the staff notify those who were interested in both sides of this controversy because right down there at that table is where the facts ought to be developed. I don't know whether any of the people who would like to have the area opened up have responded and indicated that they desire to testify, and presumably to offer suitable language for an amendment. I hope they will. And if they were to do so, I would want an equal opportunity given to those in the State I represent who object to it. But if that took place, I would also want you, Chief, in your department to make a specific recommendation to this committee, either up or down as to what is proposed because I don't want to fly blind in this kind of a controversy.

You know, when people in your State are on both sides of a controversy, then you have got to fall back on statesmanship to try to determine what you have got to do.

Would you be prepared within the next several weeks to have a specific recommendation to this committee on that problem that has, as you suggest, been running along now for several years?

Mr. CLIFF. Yes. I can agree to that.

Senator KUCHEL. Thank you, sir.

Senator ANDERSON. Mr. Cliff, may I just say I haven't the faintest idea who was Secretary of Agriculture in that 1947 period. But I am sure he made an excellent decision.

I only want to say to you that many of us have been receiving information on this. I think there are almost three sides to the question. There is one group that would like to have a sort of commercial franchise to go in and do a piece of work which would undoubtedly be very commercially profitable as close as it is to Los Angeles. There is a second group who are just pure skiiers and want to see a development take place out there and have, I think, some basis for their hopes. And there is a third group, of course, that wants to have this retained for the Boy Scouts and their organizations. And to show you how true that is, let me read you three telegrams that arrived this morning for the committee. [Reading:]

The Board of Supervisors of San Bernardino County reiterates its previous position and strongly opposes any provision existing or proposed in the wilderness bill that could change the status of San Gorgonio wild area, the only substantial wilderness area remaining in southern California and now enjoyed by thousands as well as those using over 50 institutional camps immediately adjacent. We urge your support or preservation and protection on this wild area in its present classification.

That is from the board of supervisors.

Then:

We urge your favorable consideration and assistance on the wilderness bill hearing Thursday. It is vital that local skiiers have an opportunity to use part of San Gorgonio. We would like to bring to your attention that San Bernardino County Board of Supervisors resolution against skiers was hastily made yesterday without any representation of skiiers and winter recreation enthusiasts. We would like to mention all the favorable comments, news stories, editorials, letters published, et cetera, of the Sun Newspaper, the Evening Telegram, an editorial of James A. Guthrie and other local newspapers that have appeared locally the last few months. It is apparent that the general public who is informed on this subject wholeheartedly approve of skiing in San Gorgonio. We represent a large segment of skiers and nonskiers of this area.

It is merely signed "Skiiers for San Gorgonio."

It would be a little bit difficult to chase down who they might be.

Another wire:

Please support the skiers and the wilderness bill at the hearing tomorrow * * *.

That is in Senator Kuchel's province.

Senator KUCHEL. Who signed that last one?

Senator ANDERSON. Thomas M. Slamal.

You know, Mr. Cliff, the very high regard I have for the Forest Service but I do think this is a problem that is not going to be settled by leaving it alone.

These people out there are naturally looking for recreation of all the types the forests can be used for. I think the statement you made that

you would like to see the opponents and proponents get together and see what they really want is an excellent one. One group wants the whole thing turned loose and another group wants a very limited area, about 4,000 acres, I understand, turned loose, and some don't want any turned loose. Somewhere there may be a basis for reasonable compromise.

I just expressed the hope that you take seriously Senator Kuchel's suggestion that you try to set a date, set a date for a hearing and try to develop some information on what might happen in this area.

Senator KUCHEL. Will the chairman yield?

Senator ANDERSON. Surely.

Senator KUCHEL. Simply in connection with this profusion of telegrams, including one from the Board of Supervisors from the County of San Bernardino opposing any change, what complicates this Senator's problem is a resolution which I have in front of me from the Board of Supervisors of the County of Los Angeles who favor making available some of this area for the sports-minded constituents of my State.

(Senator Kuchel subsequently received and submitted the following telegram:)

LOS ANGELES, CALIF., *March 1, 1963.*

Hon. THOMAS H. KUCHEL,
*U.S. Senate, Washington, D.C.:*

On February 26, 1963, the Board of Supervisors of the County of Los Angeles took action to rescind its resolution adopted on February 19, 1963, urging you to consider designation of Mount San Gorgonio as a ski area, and voted to maintain a neutral position as to whether or not Mount San Gorgonio in San Bernardino County will be designed by the Federal Government as a ski area.

GORDON T. NESVIG,
*Clerk, Board of Supervisors, County of Los Angeles.*

Senator KUCHEL. I think, if you will let me just say this, I think what this committee ought to have, and I completely agree with what the chairman has suggested, I wish you could hold a hearing yourself, but in addition to that, since I don't want to shirk what responsibilities I have on this committee, I think also you should advise this committee, in any area where an amendment were to be offered to open up public lands for recreational purposes, how the public interest should be served so that there would never be any successful attempt to turn over any part of the public domain simply to a commercial venture.

There is a public interest in recreation. There is a public interest, I take it, in wilderness legislation. Otherwise I would not have put my name on this legislation once again. But you can be of help to this committee in dealing with the problem, assuming the pros and cons come forward to testify. And part of the help you could render would be a statement as to the belief of your service and your department as to what the public interest would indicate in the management of any area if the committee were to determine that some of the area should be made available for recreational purposes.

Senator ANDERSON. And, Mr. Cliff, would you not recognize that there is a rather substantial increase in interest in skiing in 1963 as comtrasted to 1947?

Mr. CLIFF. Oh, absolutely.

Senator ANDERSON. In my home State I think there was one small area in which a few follish people were trying to ski in 1947, but as Senator Mechem knows, we have at least four—I don't know how

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many more—forest area developments and areas around the Ruidoso, which is a very fine ski area that is being developed, and I commend the Forest Service for their very fine piece of cooperation. It is a different situation now than existed 15 or 16 years ago and I do hope this gets very careful examination by the Forest Service.

Mr. CLIFF. Well, we haven't been idle on this thing and I would say that we do have a position as of this time. Our position is that we should not take action to open this area up on the basis of information we now have. That is our position. We feel that we will be very cautious about invading any of these established wild areas. We have given and suggested to the proponents that they provide us with a proposal specifically and with justification for it, and give them a chance to change our minds, but our present position is that it should not be opened up.

Senator KUCHEL. If the legislation were to be enacted into law in the form which we have introduced it, would there be any opportunity administratively for your department subsequently to determine whether there was any public interest in the bill?

Mr. CLIFF. Yes, of course.

Senator KUCHEL. There would be?

Mr. CLIFF. Yes. The bill provides specifically for a modification to existing areas. Minor modifications may be recommended by the President to the Congress and may be subject to your review the same as proposed for the primitive areas. Major recommendations would require an act of Congress.

Senator KUCHEL. So that it is your statement to this committee that the authority you now have under existing law to open up any area for recreational purposes, skiing, or otherwise, would not be repealed or altered if this bill were to become law.

Mr. CLIFF. Well, it could be altered, certainly. At the present time the Secretary of Agriculture—in the case of San Gorgonio, the Chief of the Forest Service—has authority to change the boundaries of this area administratively. Under the terms of the bill, the President would have to make a recommendation to make a minor change in San Gorgonio. It would be placed before the Congress for review and then Congress could disapprove it or approve it.

Senator KUCHEL. Precisely. But it is your statement that the authority would still exist to make that change.

Mr. CLIFF. Yes; that is correct, as to minor modifications. It just moves the authority upstairs further.

Senator ANDERSON. Senator Allott?

Senator ALLOTT. It moves it upstairs so far that the chance of anybody ever approaching the upstairs authority to change it is almost impossible; isn't it?

Mr. CLIFF. Oh, I think not. One of the basic reasons for this bill is to give more protection for the wilderness areas we have. That is the reason——

Senator ALLOTT. That is not an answer to my question. My question is that you have moved the decision so far upstairs that it is almost impossible and almost inconceivable that anybody could get to the upstairs to get a decision. How are you going to do it?

Mr. CLIFF. It would be possible for the Secretary of Agriculture to make the appropriate recommendation to the President and he in turn would place his recommendation before Congress.

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Senator ALLOTT. If this is true, why don't we leave this bill, change the bill and put the authority, if this is our philosophy, in the Secretary of Agriculture, and in the Secretary of the Interior?

Mr. CLIFF. That is where the authority rests now, sir, and the purpose of the bill is to give more safeguards to wilderness areas.

Senator ALLOTT. That is right. By doing exactly what I said, putting the decisionmaking power so remote from the people that no one has access to the decisionmaking power. And that is exactly what this bill does; doesn't it? So that it is pulled entirely away from the will of the people and the will of Congress.

Mr. CLIFF. No. I can't agree with that, sir. I think it makes it more subject to the will of Congress.

Senator ALLOTT. Well, let us take the mining provisions, and I will take your statement here. In its report of the statement of the Secretary of the Department of Agriculture, you point out under "Mining" that you are going to have—you say under S. 4, mining, including the production of leasable minerals, would be prohibited unless it involved only subsurface use such as directional drilling within such areas or unless the President, as to specific areas, determines that to permit it would better serve the interests of the United States than would its denial.

Now, if you will look at the provisions of the bill, on page 15 of the bill—I am sure you have read this, Mr. Cliff.

Mr. CLIFF. Yes, sir.

Senator ALLOTT. If you tell me how any man is ever going to even be able to prospect except with a geologist's pick for minerals in any area that is set aside in here, I would like to know how he is going to go about it, particularly if you will read subsection (a) commencing on line 2, page 15.

Mr. CLIFF. I think you are correct, Senator. The bill would prohibit mining, mineral development, except for existing rights, on the wilderness areas. It would permit prospecting by means which would not be incompatible with preservation of wilderness values, which means——

Senator ALLOTT. What prospecting can you tell me is not incompatible with wilderness values?

Mr. CLIFF. He would have to use the same methods of transportation as anybody else using wilderness areas; foot or horseback, hand-tools.

Senator ALLOTT. That means that for prospecting, then, in this 20th Century, you are limiting man to a shovel and a geologist's pick.

Mr. CLIFF. Except as the President may make a determination that the area could be opened for prospecting and mining.

Senator ALLOTT. And you don't conceive, do you, Mr. Cliff—let us be frank about it—that some poor sourdough is going to have access to the President to get permission to prospect this or to mine it either.

Mr. CLIFF. If there were a national emergency or a need that justified the opening of one of these areas to mining, I am sure that that need would be recognized.

Senator ALLOTT. You have said it exactly right, that what we have done is locked it up forever except in cases of national crisis. That is what the purpose of this paragraph that I have just referred to on page 15 would do, would it not?

Mr. CLIFF. Essentially so, yes.

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Senator ALLOTT. I would like to ask a question, Mr. Cliff. What percentage of the people are using the wilderness areas? Of those who use your public land? The figure was given here 2 years ago and 4 years ago in the hearings as less than 2 percent.

Mr. CLIFF. Yes, sir. It is less than 2 percent. This past year it was a little over 1 percent of the total man-days use of the national forests within the wilderness areas.

Senator ALLOTT. About 1 percent.

Mr. CLIFF. Yes, sir.

Senator ALLOTT. Of the people who used lands under the jurisdiction of the Department of Agriculture used the wilderness areas.

Mr. CLIFF. That is correct.

Senator ALLOTT. Now, what percentage, if you use the 8 million figure, what percentage, Mr. Cliff—well, the 6 million figure, correct that—now in the wilderness areas, what percentage of the land under your jurisdiction does that constitute?

Mr. CLIFF. Well, the figure I gave you was for the wilderness, wild, primitive, and canoe areas combined, which comprised 14,318,000 acres, or about 8 percent of the total national forest system.

Senator ALLOTT. About 8 percent of the total forest system.

Mr. CLIFF. Yes, sir.

Senator ALLOTT. All right. I would like to ask one question. Time is going on. And then I will desist.

What areas have been withdrawn or what areas have been set aside as wilderness areas or set aside in one of these preferred categories that you set out in the Secretary's letter since the hearings were closed in this matter in the Senate in 1961, if any?

Mr. CLIFF. 1961?

Senator ALLOTT. In other words, what changes have you made in lands which would affect the lands contemplated to come under jurisdiction of this bill since 1961?

Mr. CLIFF. We have recently reclassified two primitive areas, the Selway-Bitterroot primitive area in Idaho and Montana mentioned previously in this hearing.

Senator ALLOTT. And how was that reclassified? From what to what?

Mr. CLIFF. It was reclassified from a primitive area to a wilderness area, but not all of the area was so classified. The total area of this primitive area was 1,875,000 acres. We classified as wilderness 1,240,000 acres. We declassified and restored to regular multiple-use management about 447,000 acres. We left in primitive area status the balance for future study and determination.

Now, the other one that we have taken action on recently was the reclassification of the Anaconda-Pintlar primitive area in Montana to a wilderness area. This action was taken within the last 6 months.

Senator ALLOTT. Isn't it a little unusual, Mr. Cliff, that when legislation is pending to determine the status of this matter, that this land would be reclassified by the Secretary?

Mr. CLIFF. I don't think so. This is clearly within the Secretary's authority and, of course, some form of wilderness legislation has been pending for 5 years or more. This job needs to be done. These areas need to be looked at and the determination made as to their management. We felt that we should not be restricted in orderly review and

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reclassification of these areas pending an indefinite passage of the wilderness bill.

Senator ALLOTT. Would you say there is—would you say this is ordinary practice of the departments of Government to make decisions of this sort when legislation is pending governing the very subject matter of it?

Mr. CLIFF. I don't know if it is ordinary practice or not, but the Department of Agriculture felt that in this case it was justified that this be done. For one thing, in the——

Senator METCALF. Mr. Chairman, I wonder if I may say something on that point. Would the Senator yield?

Senator ALLOTT. I will be happy to yield to the Senator from Montana.

Senator METCALF. In justification to the Department the Anaconda-Pintlar, which is entirely in the State of Montana, has been under survey and discussion for several years. It has, the reclassification into wilderness area, has approval, almost unanimous approval, of the State of Montana and it would have been a great disservice to the people who wanted it reclassified if they had waited until we were able to convince such opponents of this legislation as the Senator from Colorado is that we couldn't have a wilderness area there until we passed the wilderness bill.

Now, as for the Selway-Bitterroot area, one of the reasons that the Senator from Idaho and I were so interested in this bill was so that there would be an early reclassification of that area. Some of it, in my opinion, should never have been incorporated into the wilderness, into a primitive area. They went along on boundaries that were section line boundaries rather than natural boundaries. The reclassification that the Department of Agriculture has made was made after many hearings out there in the field, discussion with the Congressmen and the Senators from both States, and in an orderly process that I think that all of us who were directly concerned with it must defend. My only comment is that I feel that I would have had more to say, a little bit greater weight would have been given to my opinion, than was given by the Secretary had he had to come back to this committee and get approval, the affirmance of the committee; but I hope that the Secretary of Agriculture will go forward with another wilderness area, with reclassification from primitive to wilderness area, in that same territory because it needs to be reclassified whether this bill passes or not.

Senator ALLOTT. Well, the Senator has just made a very fine argument for the amendment which was offered by the Senator from Colorado and I hope he will see fit to support it when the time comes around.

Senator METCALF. The Senator I hope will not stay awake until the Senator from Montana does because he will have a long sleepless period if he waits until I vote for his amendment.

Senator ALLOTT. This makes a total, Mr. Cliff, then, of how many acres that have been classified into the wilderness since these hearings were closed in 1961?

Mr. CLIFF. There is one other area that we had, that we took action on since the hearings were closed in 1961. On the 22d day of November 1961 we reclassified the La Garita Primitive Area in Colorado to a

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wild area status and it consists of 49,000 acres. This was done after the public notice and there was no objection to it coming from the people of Colorado after due public notice.

The three actions which I have told you about add up—the Selway-Bitterroot, one of 1,240,000 acres, the Anaconda-Pintlar of 157,803 acres, and the La Garita is 49,000 acres which has been reclassified from primitive area status since the fall of 1961 to wild or wilderness area status.

Senator ALLOTT. That makes 1,445,800, if my arithmetic is good; 803.

Mr. CLIFF. I didn't add it.

Senator ANDERSON. 843.

Senator ALLOTT. 843. There are no fours in that column the way he read it.

So that I can get this completely straight, the letter of February 21, 1962, from the Secretary of Agriculture, on page 4 the figures given now represent the correct figures in the respective classifications of wilderness, wild, primitive and canoe, is that correct?

Mr. CLIFF. Yes, sir, that is correct.

Senator ALLOTT. Thank you.

Senator ANDERSON. Senator Burdick? Any questions?

Senator BURDICK. No questions.

Senator ANDERSON. Senator Simpson?

Senator SIMPSON. No questions.

Senator ANDERSON. Senator Mechem?

Senator MECHEM. No, sir.

Senator ANDERSON. Senator Dominick?

Senator DOMINICK. Mr. Chairman, I would like to ask you a couple. I want to go again into this right of a veto or other actions of Congress if we pass this bill.

Let us take, for example, construction of transmission lines across public lands. I would presume that regardless of who is involved in building these, whether as public, Federal lines, or REA or private utilities, that if they were scheduled in accordance with the development of a reclamation project to go across a wilderness area, that they couldn't be so constructed under this bill.

Mr. CLIFF. It is my understanding that——

Senator DOMINICK. Unless the President took action.

Mr. CLIFF. If this bill were passed in the form it was introduced, then the uses for transmission lines or water developments or mining would have to receive the approval of the President. However, I think there would be——

Senator DOMINICK. Just stop right there, Mr. Cliff.

Mr. CLIFF. I think there would be a question if Congress passed a subsequent law authorizing such use in the wilderness area, in any specific wilderness area, and I imagine that law would prevail. Congress has the right, as I understand it, to pass a law anytime setting up a wilderness area under present authority, setting up a wilderness area or discontinuing it or modifying it, or to permit some use in it if they so see fit.

So if Congress authorized the construction of a transmission line or a water conduit in a wilderness area, I am not a lawyer but I imagine that it would become the law of the land.

Senator DOMINICK. On the assumption that you don't have a later bill, and I am not sure that you are right on this because I am not sure of the effect of this wilderness bill on overall management of public lands, but on the assumption that you have existing reclamation laws, would this situation in effect—in effect it gives the President the power to veto any authorized reclamation project as far as this type of construction is concerned?

Mr. CLIFF. Well, I hesitate to express a legal opinion. I am not qualified to do so, but my layman's judgment would be that this bill, if passed, would supersede the previous acts of Congress.

Senator DOMINICK. Thank you, Mr. Chairman.

Senator SIMPSON. Mr. Chairman——

Senator ANDERSON. Certainly.

Senator SIMPSON. Mr. Cliff, under the existing law, the wilderness, wild and primitive areas are open to mineral exploration and development under the general mining law. Under the present provision of this particular——

Senator ANDERSON. I don't believe they are. I think they are subject to mining under the regulations of the Department of Agriculture which are extremely strict and—I'm sorry, I may be wrong. Go on.

Senator SIMPSON. In any event, under this proposal exploration in these areas under the proposal of S. 4 would be barred and the mineral deposits would be lost, would they not?

Mr. CLIFF. Under the provisions of this bill, prospecting would be permitted but the prospector would not be permitted to make a location of a mining claim.

Senator SIMPSON. Doesn't that do violence to the multiple-use theory of the Department?

Mr. CLIFF. Pardon?

Senator SIMPSON. Doesn't that do violence to your multiple-use theory of the Department?

Mr. CLIFF. I don't think so. The Multiple Use Act itself which was passed by Congress in 1960 recognized that the wilderness preservation was not incompatible with the multiple-use principle. The multiple-use principle doesn't mean that all uses occur on all lands at the same time. It does mean that these major uses would occur on a major area of land, probably not necessarily concurrently. But the wilderness use does permit of hunting and fishing and watershed protection, grazing, so that there would be multiple uses in a wilderness area even though some commercial uses would be barred.

It is true it would be restricted use but Congress has already declared that it would not be incompatible with the multiple-use principle.

Senator ANDERSON. Senator Metcalf?

Senator METCALF. No questions.

Senator ANDERSON. Thank you very much, Mr. Cliff.

I want to put in the record at this time an article from the—I think this appeared in the Washington Post but it was from the Los Angeles Times Bureau to the Washington Post, dated February 23, discussing this skiing situation in San Gorgonio. It might have already been called to your attention but just so there won't be any mistake, I want to put it in because it presents the case of the skiers very strongly.

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(The document referred to follows:)

[From Jim Murray's column, the Washington Post, Feb. 25, 1963]

LOS ANGELES WANTS SKI HAVEN

LOS ANGELES, February 23.—Skiing is something that I can take or leave alone, I mean, if I'm going to break a leg, I'd just as soon do it off a bar stool as a snowbank.

But there is a group in Washington, D.C., which is trying to lease from the Government 4,000 acres of snow so they can erect a ski area where they can guarantee you can break your leg on a lacquered barrel stave 4 months a year.

Heading the Washington invasion is Vincent X. Flaherty, the man who brought major league baseball to California. Vince was born and raised there, so he should know his way around—at least better than he knew California when he landed here and commenced thumping for big league baseball.

Now if they wanted 4,000 acres of downtown Dallas or even uptown Pocatello, I would suggest they all go read the published papers of the *Teapot Dome* case. But what they want is the tip of Mount San Gorgonio which is currently inhabited by four eagles, a crashed plane, the abominable snowman and, for all I know, Judge Crater. All you can get there is a good view of Palm Springs if that's your idea of fun.

It's 11,502 feet high and it's the only place in southern California where it can snow even when the sun's out. If it doesn't have snow, neither does the polar cap. But the best part is it's only 88 miles from Los Angeles City Hall.

At present, it just sits there while an estimated 300,000 southern California skiers study road maps to Mammoth, Aspen, Banff, and points north and wonder if their insurance covers them more than 100 miles from home. There are closer-in areas but they get snow only when we get rain and in the past few years you would get more skiing in the Sahara.

The decision to lease the land is Secretary of Agriculture Orville Freeman's, although all you can sow at that altitude is a splintered femur or two and the only people who get rich on ski slopes are bone surgeons.

The Los Angeles group is ready to finance all or any part of the project and is inviting many Californians (who have made a futile 10-year fight for San Gorgonio) to participate in the financing. They want them to have a strong voice in the operation of the winter resort—if and when Secretary Freeman gives the green light.

Ordinarily, the only way to get the U.S. Government to give up real estate is to invade, but the only thing they do with San Gorgonio now is keep it under surveillance by the Forest Service—I guess in case the snow burns.

A Los Angeles financier named Ben Weingart who got sick of looking at all those beanfields east of Long Beach a few years ago and built the community of Lakewood on it, throwing up overnight an inhabited area about the size of Des Moines doesn't covet the mountain for any of the usual reasons. He just wants that part of it you couldn't get to except on a snowplow or a parachute—the acreage above 8,500 feet. The consistent snow line in southern California is 8,500 feet. Below that you may need snow skis at the top of the run and water skis at the bottom.

Weingart proposes to spend not less than $5 million and as much as $10 million to develop the area for skiing and to fill in the dry lake there for skating, including an all-important 400-meter Olympic training course of which there are only two in existence in this country. He will want a 40-year lease. Uncle Sam can keep the snow.

The thought of using San Gorgonio for anything but avalanches always brings out the beast in the nature lovers, but when last seen there was no heavy traffic up the slopes. In fact, there are more pedestrians on the walls of Everest than San Gorgonio. Tree lovers can rest easy because 9,000 feet is above timberline. In fact, where the ski run will be, the airlines are the only ones who should worry because, at those altitudes, ski jumpers will be bigger navigational hazards than head winds, and TWA may have to maintain its own snow patrol.

There isn't much of anything at those heights now, including oxygen, and San Gorgonio is, by power of Congress and the laws of nature, officially a wilderness area. I can't say the skiers will spoil this any. From what I have seen of them, they qualify as wildlife any old day. Particularly when they start sticking that poker in the wine and autographing each other's leg casts.

It's not inconceivable that the boon to California could be another winter Olympics to go along with the summer one we hope to get in 1968. The last one

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cost you and me—that is to say, the State and the Nation's taxpayers—several million bucks. I can't see anything wrong with having this one on Uncle Ben instead of Uncle Sam.

Skiers have been trying to pry San Gorgonio loose for 16 years but every time they were told to go home and wax their skis or take up roller skating—that the only thing the Forest Service was going to let mankind do to San Gorgonio was paint it or fly over it.

I say if we want to go out and break our damnfool necks on it, why that's what we fought for, Orville. Anyway, where was the Forestry Service on Bunker Hill and Lookout Mountain when we needed them? Hand me my muddled wine and crutches, boy, and help me on that ski lift. And be sure to bring the snowsled litter and band aids and check the Blue and Red Cross. We're off to build a ski area at Gorgonio. We're starting with a hospital.

Senator ANDERSON. I want to continue this afternoon but I want to say that I hope that people who are having difficulty was plane accommodations will let us know so we might accommodate them. Senator Allott called my attention to the fact that representatives of the Rocky Mountain Oil & Gas Association are here and if they will come forward, we will take them at this time so they don't have to miss their afternoon reservations.

## STATEMENT OF V. P. CLINE, ROCKY MOUNTAIN GAS & OIL ASSOCIATION; ACCOMPANIED BY ROBERT LAUGHLIN, OSCAR SWANN, AND SCOTT PFOHL

Mr. CLINE. My name is V. P. Cline. I live in Denver. I am a lawyer and am here before this committee in my capacity as chairman of the Federal Legislative Committee of the Rocky Mountain Oil & Gas Association.

Senator ANDERSON. Is that the same association that Mr. Warren Downing represented for many years?

Mr. CLINE. Warren Downing was a member of that association and I dare say as a member he represented it ably.

Accompanying me, too, are Mr. Robert Laughlin and Oscar Swann, of Casper, Wyo., and Mr. Scott Pfohl, of Denver.

I shall respect your request for brevity, Mr. Chairman. Our association is comprised of some 2,300 individuals and companies engaged in all phases of the petroleum industry in Colorado, Idaho, Montana, Nebraska, South Dakota, Utah, and Wyoming.

We are here to urge that the committee consider and adopt the concept of affirmative review by Congress as embodied in the proposed amendment by Senator Allott to S. 4. It appears to us that this conclusion is inescapable: That Congress, by virtue of the Constitution, is the duly appointed trustee of the public domain for the people, that no part of this responsibility should be abdicated, and that when such abdication occurred, Congress ultimately had to reinstate itself as the trustee.

You are, of course, keenly aware of the provision of article IV, section 3, clause 2 of the Constitution granting Congress the power to dispose and make all needful rules and regulations respecting the territory or other property belonging to the United States.

What attitude should Congress have in exercising this power? The Supreme Court as early as 1875 in the case of *Newhall* v. *Sanger* held:

The Government holds public land, in trust for the people, to be disposed of so as to promote the settlement and ultimate prosperity of the States in which they are situated.

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In my filed statement there are further cases cited. Thus, under the Constitution, Congress acts as trustee in determining the use of public lands for the greatest benefit of maximum number. This means that the best management of public lands should be determined affirmatively by Congress giving due regard to whatever use or combination of uses offers the greatest good to the greatest number.

Accordingly, we believe that Congress should retain its full authority in order to fulfill its responsibilities as trustee of the public domain. In doing so, it should require the various governmental agencies supporting particular uses to prove which use or uses which will result in the greatest benefit to the maximum number. Such use should not be determined in a proceeding before an executive agency in which the stated presumption is that exclusive wilderness use is the highest use. The justification for any proposed use should be shown to Congress for its decision.

Further, delegation by Congress of its responsibility as trustee would eliminate the only remaining effective voice for those who are most affected by a proposed withdrawal.

Congress has had the experience of having to recapture its authority. That experience began with the act of March 3, 1891. This is the very basic act of delegation to which the Secretary referred earlier this morning. Under this act the executive commenced using this new authority and never looked back. Congress didn't catch up until 1907. In that year it was necessary for Congress, by the act of March 4, 1907, to recall its delegated authority by providing—

> That hereafter no forest reserve shall be created within the limits of the States of Oregon, Washington, Idaho, Colorado, or Wyoming, except by act of Congress.

Commenting on the expansion and abuse of the authority delegated to the executive, Senator Clark of Wyoming observed that there was very little conception upon the part of the Senate or the country as to the extent to which the Forest Service had been carried and the power of the forester increased.

When Arizona and New Mexico were admitted to the Union, Congress included then in the restriction against increasing forest reserves "except by act of Congress." This could be done only by act of Congress.

The Secretary of Agriculture in 1924 initiated procedures to protect the primitive character of a portion of the Gila National Forest in New Mexico. In 1929 the Secretary authorized the Forest Service to set aside primitive areas within the national forests. In 1939 the Secretary of Agriculture provided by regulations which are cited in my filed statement for the establishment of wilderness—"and wild areas." Withdrawals under this assumed authority have occurred without any direction on the part of Congress. Eventually Congress will have to face the same problem it faced in 1906 to regain its position as trustee with positive control over the public domain which is entrusted to it.

We believe Congress should not relinquish its responsibility to make affirmative decisions. Should the Congress choose to give full attention and consideration to recommendations of the President for additions to the wilderness system, the same amount of congressional time will be involved in either opposing or favoring the recommendation.

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Further, since the citizens whose interests are directly affected would be deprived of a forum and a positive voice through their representatives, it may be expected that they would devote time and effort futilely complaining to their Congressmen.

There is no such substitute for a thorough and unbiased analysis by Congress of all the factors involved in public lands administration in the light of their ever-changing values. There is no advantage to postponement of the exercise of this power.

In response to Senator Anderson's request for brevity I shall only refer to the testimony and recommendations of the Rocky Mountain Oil & Gas Association when it testified before this committee on S. 174 on February 28, 1961. For the reasons presented then, and the additional reasons presented by us today, we urge your favorable consideration of the Allott amendment to S. 4.

Senator ANDERSON. Thank you particularly for the brevity which you certainly exemplified.

You mentioned this provision about recalling the delegated authority, at the bottom of page 2:

> Providing that hereafter no forest reserve shall be created within the limits of the States of Oregon, Washington, Idaho, Colorado, or Wyoming, except by act of Congress.

And you think at the last—

> there is no substitute for a thorough and unbiased analysis by Congress of all the factors involved in public lands administration.

Do you approve of that language that was put in in 1907 that was——

Mr. CLINE. I approve it to this extent, that Congress found it necessary to recapture its delegated authority.

Senator ANDERSON. Did you think that was done on the basis of a thorough and unbiased analysis by Congress of all the facts involved?

Mr. CLINE. I would hope that that was the case.

Senator ANDERSON. You cited it. You must have looked at it. Was it not put on as a rider to the appropriation bill without any discussion by committees of Congress?

Mr. CLINE. I certainly think there was lengthy discussion on the floor of the Senate for days. I do not know of committee discussions.

Senator ANDERSON. We have had lots of discussions on the floor of the Congress about some rules recently, but that doesn't mean we had a long and unbiased analysis. If you are going to pass legislation—are you going to cut out Oregon, Washington, Idaho, Colorado, and Wyoming and include others who have forest preserves?

Mr. CLINE. I do not think they should be left out but I think they have a condition in those public land States which concern special consideration of the effect of a bill such as Senate 4.

Senator ANDERSON. I don't argue with your statement that Congress is trustee. I just hope you heard the statement Senator Metcalf made that they operated in his State without reference to the people who represent that State and they do it in other fields as well.

We have a bill on Hells Canyon before the Interior Committee and I had the unpleasant task of conducting the hearings. They ran for days and days and days, thick volumes. The Senate finally passed the bill providing for the public construction of Hells Canyon Dam and the Federal Power Commission gave authority to Idaho

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Power to go ahead and build it and it became a completely moot question. So sometimes Congress does like to assert its rights even though it doesn't get too much consideration.

Senator Allott?

Senator ALLOTT. Mr. Chairman, I want to say I don't have any questions except one of Mr. Cline but I appreciate his coming here and these other gentlemen accompanying him because it seems to me that they pointed up in this statement in a unique way the responsibility of Congress which is, of course, the one thing in this bill that I personally feel so strongly about.

Mr. Cline, you were sitting there when I was questioning Mr. Cliff. Would you agree that under the provisions of the bill on page 15 that the provisions with respect to mining have escalated the decision-making power almost, maybe not literally but almost literally, beyond any practical meaningfulness?

Mr. CLINE. I agree to the extent that if I were called on to advise how to approach the problem, I could not give an answer that would be practical.

Senator ALLOTT. Thank you.

Senator ANDERSON. Senator Burdick?

Senator BURDICK. No questions.

Senator ANDERSON. Senator Simpson?

Senator SIMPSON. No questions.

Senator ANDERSON. Senator Mechem?

Senator MECHEM. No questions.

Senator ANDERSON. Senator Metcalf?

Senator METCALF. Mr. Chairman, I just have one point.

Mr. Cline, is it your position and the position of the Rocky Mountain Oil & Gas Association that you represent that the wilderness areas should be discontinued that have been established by a delegation of power to the Secretary of Agriculture?

Mr. CLINE. No, Senator Metcalf. The Rocky Mountain Association is in favor of wilderness areas.

Senator METCALF. So all the wilderness areas that have been created so far are all right. Even though they have been created under this legislation that you feel is an improper delegation.

Mr. CLINE. We are proceeding now, of course, to prospect, shall I say, for oil and gas under administrative regulations and I would say that they are all right to the extent that we have been able to prospect for oil and gas within those regulations and that prospecting has been found compatible with the use to which this land is devoted.

Senator METCALF. Are you prospecting in wilderness areas?

Mr. CLINE. In forest areas. I think I should correct that.

Senator METCALF. Now, you are critical of the delegation of the power of Congress. It was my understanding that you said that we should go back and analyze—the Chairman read your statement about an appraisal—each one of these areas for the use to which it should be put. Now, according to the Secretary of Agriculture, and the Senator from Colorado brought it out, there are 16 existing wilderness areas amounting to 6,285,186 acres and they have been created by the Secretary of Agriculture after hearing and been set aside by Executive orders.

Now, would you eliminate those areas or would you keep them at the present time?

Mr. CLINE. I would keep those areas but for the future——

Senator METCALF. So you would agree with the Senator from Colorado and you would agree I believe with most of the members of this committee that at least the wilderness areas that have been created to date should be kept wilderness.

Mr. CLINE. That is right. There is no quarrel with a wilderness system. The quarrel is with the basis on which that wilderness system will be used. Our approach is this, that the trusteeship of Congress should see that the balanced use of any public land should be for the benefit of the maximum number of people.

Now, if the system—let's take an analogy of a private trustee. He wants a balanced estate for the benefit of his growing family. Does the trustee go and turn over the investment of his trust, we will say, to a real estate broker, a bond salesman, a stock salesman or a banker and say, "You go ahead with this, and once in a while come back to me and I will tell you whether I disapprove of what you have done"? I dare say that if you turned it over to a banker, the likelihood would be that the funds would be invested in the bank as deposits. A real estate broker would invest in real estate. It seems to me this is not the way to achieve a balanced portfolio.

Senator ANDERSON. I only want to get this in quickly. As a member of the Senate Finance Committee, I will tell you if you don't turn it over absolutely, you may have some tax problems when you die. You lawyers would understand that. You recognize there are certain things you had better allow the trustee to do if you hope to get away with tax benefits.

Mr. CLINE. I think this can be called a fringe benefit for the estate managers who are present.

Senator ANDERSON. I think it might be. I think one of the finest things lawyers—one of the finest functions lawyers serve is as estate planners.

Senator METCALF. I just still don't quite understand what you would do with the existing wilderness areas.

Mr. CLINE. We would take the position that the present areas should be maintained.

Senator METCALF. As wilderness?

Mr. CLINE. As wilderness but they are, of course, subject to review by the Congress.

Senator METCALF. Of course they are subject to review by the Congress. This Congress could enact a law that would say that you could go in and you could drill for oil in the middle of Yellowstone National Park on the site of Old Faithful Geyser if the Congress desired to do so. I don't think any Member of Congress would vote for such a piece of legislation.

Mr. CLINE. And I don't think we would be unwise enough to seek it. But——

Senator METCALF. But there are folks who would suggest that this be done and here in the Rocky Mountain Oil & Gas Association, but I wouldn't think your association as such would take such a position.

Mr. CLINE. I am not acquainted with those individual members, sir.

Senator METCALF. Well, the reason it was created, Yellowstone National Park was created, was so that the mining people could not come in and stake a claim on some of the greatest scenery.

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Mr. CLINE. All we urge is that Congress retain the affirmative decisionmaking with regard to the public land use.

Senator ANDERSON. I only want to say that I had quite a bit of association with a gentleman who is quite well acquainted with the oil company situation in the country, and he happened to be a Member of the U.S. Senate. I finally took him a list of the 6 million, nearly, seven and a half million acres then in wilderness. I said, "How would you feel about taking a lease on all this wilderness at $1 an acre." He said, "Do you think I am a fool?" Apparently he didn't think there was much oil in the wilderness. Apparently he didn't think there was much oil in many other wilderness areas.

Have you got a client that might take a lease at some reasonable sum per year on wilderness?

Mr. CLINE. No, Senator Anderson, I have not. But I am concerned as a citizen with the functioning of my Government.

Senator ANDERSON. Which primitive area would you like to have a lease on?

Mr. CLINE. I have no intention of seeking a lease on any primitive area.

Senator ANDERSON. What are your clients'——

Mr. CLINE. I have no clients who want a lease——

Senator ANDERSON. Why do they worry if they don't have a chance to lease what they don't want?

Mr. CLINE. I think this is a more basic worry than can be equated with the immediate benefits to my clients or members of our association. I can say this: From what I have heard here this morning, the position and the power of our country in the world today seems to me to lie not in the history of the amount of recreation but in the industry of its citizens.

Senator ANDERSON. And you think that by the passing of the Allott amendment the industry of the citizens of the United States would immediately increase?

Mr. CLINE. I do not think that but I believe Congress will retain its authority to make by affirmative decision the best use of the public land for the maximum number.

Senator ANDERSON. But only by an affirmative decision, not by a negative decision.

Mr. CLINE. That is correct, not by default.

Senator ANDERSON. This bill does regain for Congress some control over these areas?

Mr. CLINE. Congress can oppose but Congress on the other hand should approve proposed use——

Senator ANDERSON. Are you familiar with the Reorganization Acts that have to do with the reorganizations inside the departments?

Mr. CLINE. I cannot claim that I am.

Senator ANDERSON. They have provision for what you call negative review, not an affirmative review. If Congress doesn't like it, it can object to it. Congress did a short time ago. Do you think these are valueless unless it can be an affirmative decision?

Mr. CLINE. I think only an affirmative decision can give consideration to the changing values which the public land should be put to.

Senator ANDERSON. Thank you very much.

Senator ALLOTT. Mr. Chairman, I would just like to say in that respect, I think that I pointed this out very well—it was pointed out very

well in the debate on this matter in the previous situation. There is only one way that a record, a public record, can be made upon the admission of new lands to the wilderness system under this bill and that would be by the adoption of the so-called Allott amendment, the affirmative action by Congress. Otherwise there is no opportunity or necessity for a public record on this matter.

Senator ANDERSON. As to any new addition to the system, there certainly is. But the essential point is that on those pieces that are tied in the wilderness system by being a primitive area, I just point out the fact that these primitive areas, I think the last one was established in something like 1937 or 1939. Mr. Cliff, was it 1939? The last one was in 1939. There have been no new additions to the primitive areas since then. They have been regarded as wilderness areas since then, administered in pretty much the same way, and to say that by merely changing the word "primitive" to "wilderness" here, which doesn't really change their administration, that you strike at the industry of the American people and tear down their whole system of government strikes me as strange.

Now, there may be other areas in this bill that you have a great right to worry about. I don't say you don't have a right to worry about this one because you surely do. But the Secretary of Agriculture for a long period at least hasn't regarded the primitive area as much different from the wilderness area. He just happened to have some people in the Department that like the word "primitive" better than "wilderness." If Aldo Leopold had used words a little differently, you would be completely out of court because you wouldn't have anything to argue about. It would all be in wilderness that you say you won't change. I hope you don't worry too much about the fact that one is called primitive and one wilderness because you could hardly tell the difference in the way they originally were set up. I have great sympathy for the point of view you are presenting. There have been very many instances when it does seem sometimes that the leasing of land is unduly restrictive. I won't argue that. I only say I would hope that sometime you would take a look at how the primitive areas got set up as compared to how the wilderness areas got set up. We do try to provide in the bill that every inch of these areas is carefully examined and looked upon and that reports come to Congress whereas now you don't get a chance at all. I don't say we are right and you are wrong. I only say you should take a look at it.

Thank you very much, Mr. Cline.

Now we have two witnesses before we adjourn for lunch. They are two veterans of the wilderness campaign. Their positions differ. Howard Zahniser and Mr. Hagenstein. Each has appeared at wilderness hearings and filed statements at a fifth. Each goes on record for the sixth time at this hearing, and each has a perfect record for consistency in the points of view he has had. They haven't changed.

Mr. Zahniser, we will start with you. I will say to the members of the committee that at the conclusion of these two short statements the committee will recess. Would there be objection to resuming about 2:30 this afternoon for the sake of these witnesses who are here? We will recess until 2:30 this afternoon, then, after we hear these two witnesses.

Go ahead, Mr. Zahniser.

SRP04708

## STATEMENT OF HOWARD ZAHNISER, EXECUTIVE DIRECTOR, THE WILDERNESS SOCIETY, WASHINGTON, D.C.

Mr. ZAHNISER. Mr. Chairman, members of the committee, my name is Zahniser, the first name Howard. I am executive director of The Wilderness Society and editor of the magazine The Living Wilderness. I have the privilege of being accompanied here at the desk by our associate director, Mr. Stewart Brandborg, of Montana, and in recent years, of Washington, D.C.

It is a privilege to appear before this committee on invitation to represent the Wilderness Society and support the wilderness legislation under its consideration.

I have a brief prepared statement, Mr. Chairman, that, even in its brevity, I should be glad simply to have appear in the record as though read. In the early part of this brief statement I express appreciation to those who have so well represented the national interests of wilderness preservation in the 87th Congress and before, and comment in general terms with regard to the importance of this legislation.

I call attention to the fact that I am submitting to each member of the committee, along with my statement, a copy of a special issue of The Living Wilderness devoted throughout to the Anderson Act as passed by the Senate, and point out that that magazine contains more effectively, and I am sure more pleasantly, some of the things that otherwise I might think it important to call to the attention of this committee at this time.

I say in this statement that I am here today not to extoll or justify a measure that most of the members of the Committee on Interior and Insular Affairs have already approved and that the Senate has approved, but to urge that it be moved forward promptly.

There have been comments which I have heard or seen that have criticized this wilderness act as a measure so "weakened" or "watered down" as to be far from satisfactory as a wilderness preservation measure. Such comments have not been mine, nor have I shared in such criticism.

With all its possibilities for improvement, this measure is one that I view with admiration, and with some satisfaction that I have been privileged to contribute to its development and its acceptance by the Senate and by the public.

There are omissions from the measure that are accepted only because the necessary additions to correct them would not be acceptable to some of those who can be included in the consensus that we have achieved, as represented by the Senate's action 2 years ago. Some of the provisions that are in the present bill are tolerated similarly and accepted only as a condition on which there can be significant agreement.

I shall be glad to file a statement for the record as an appendix to my remarks setting forth these areas of the bill. My purpose now is to urge that the measure that has already proved overwhelmingly acceptable to this committee and to the whole Senate be moved forward without delay.

This measure clearly establishes a national policy for wilderness preservation.

It defines wilderness with clarity and integrity. It recognizes in an articulate congressional declaration the necessity for and the con-

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ditions of a designation of areas on which success of a national policy for wilderness preservation is dependent.

It establishes a program by means of which such a wilderness preservation policy can be realized.

It adapts this program to existing land use programs by applying it to areas that can continue to serve their present purposes while still being preserved as wilderness.

It recognizes the needs—economic and commercial—for commodity and other uses that may be in conflict with wilderness preservation and provides for reasonable and special consideration of the needs.

It provides, without significant conflict, sacrifice, or expenditure, for the preservation and transmittal to future generations of an inexpressibly valuable inheritance, projecting into an eternity of the future something of the primeval eternity of the past.

It is a notable declaration made in behalf of the Nation in section 2, which I have incorporated in my statement but which I shall not take the time now to read but to point to with emphasis.

(Section 2 referred to follows:)

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 of enjoyment as wilderness.

Mr. ZAHNISER. It is a remarkable good fortune that this purpose can be realized within areas that are already owned by the Nation and that are serving purposes consistent with this desired wilderness preservation. It is this good fortune that makes possible the declaration in the first sentence of section 6; namely, that:

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.

Thus this measure establishes a significant and noble national policy and provides for its realization in a practical way without interfering with already existing programs.

Through this measure we have the great opportunity of establishing a policy and program that can be expected to endure, cherished and appreciated by those who will come after us, who will surely recognize that only because of the time and trouble that we are taking, in working out such a policy and program, will the wilderness have persisted to their day. With the enactment of this measure we shall cease to be in any sense a rearguard delaying "inevitable" destruction of all wilderness but shall rather become a new vanguard with reasonable hopes that some areas of wilderness will be preserved in perpetuity.

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Mr. Chairman, I congratulate you and all the other members of this committee for what you are here doing, and I thank you for the privilege of having a share in the occasion. I urge that this measure before you be promptly reported favorably by this committee and that it be passed by the Senate without delay.

In view of some of the colloquy of these hearings so far and indications that I have seen of particular questions with regard to the primitive areas and some of the areas within the national parks, I should like to extend my remarks in the record and call attention to some of the aspects of these questions that have come to my attention through the years.

Senator ANDERSON. We will be very glad——

Mr. ZAHNISER. This is the 15th hearing, Mr. Chairman, that I have participated in on national wilderness legislation. The number includes House hearings. I have not testified at every one. I am pleased to be here again. I am pleased to be present whenever this question is involved. It seems to me that no matter how difficult a problem is that we have at this time, our generation has, in our decade, a remarkable opportunity of working out a policy that can endure, and opportunities that we must not neglect. It is important and worth our best efforts. To the extent that we do achieve a consensus, an agreement among various elements of the public, to that extent can we expect our efforts to be enduring in their benefits.

For that reason I have never ceased to be eager to cooperate in any way possible in working out the details.

The statement that I shall file with regard to improvements in the measure is itself a means of measuring the degree to which we have been willing reasonably to work with others to see that the proposal that we are making becomes indeed a national policy before it goes into effect.

Senator ANDERSON. Thank you, Mr. Zahniser. Your full statement will go in the record at this point and your supplemental statement will go in after the questioning.

(The statement referred to follows:)

A STATEMENT OF HOWARD ZAHNISER, EXECUTIVE DIRECTOR OF THE WILDERNESS SOCIETY AND EDITOR OF THE LIVING WILDERNESS

*The Senate's Wilderness Act Viewed Again*

It is a pleasant privilege to appear on invitation before this Senate Committee on Interior and Insular Affairs in behalf of the Wilderness Society and to support the wilderness legislation under its consideration.

For the chairman of the committee, who has sponsored this legislation, the minority leader whose name the bill likewise bears, for other cosponsors of the committee, and indeed for the large committee majority that in 1961 reported favorably such a measure, I express the high appreciation of those who have sought, so long and so earnestly, the establishment by Congress of a sound and enduring national policy and program for wilderness preservation.

To and for Senator Anderson I bring expressions of special appreciation for the leadership that carried the Anderson Wilderness Act through the Senate in the 87th Congress by a vote of 78 to 8 and that promises to see such a measure enacted into law in this 88th Congress.

To Senator Church, Senator Metcalf, Senator Kuchel, and the others of this committee who led the successful debate in favor of the wilderness legislation on September 5 and 6, 1961, on the floor of the Senate, I wish likewise to express appreciation.

SRP04711

SPECIAL ISSUE OF THE LIVING WILDERNESS

In the autumn-winter 1961-62 issue of the Living Wilderness—an issue devoted entirely to the Wilderness Act—the entire text of this act (S. 174 of the 87th Cong.) appeared, together with the remarks of Senator Anderson to the Senate explaining the measure and its needs, most of Senator Anderson's committee report to the Senate, and a factual assembly of tabulated statistics, maps, asd photographs, and also the minority views.

The Wilderness Society has made a copy of this issue of the Living Wilderness available to each member of this committee. It includes in what I trust is a more effective and, I know, more pleasant form, facts and interpretations that I might otherwise consider it important to present here today. I am pleased to submit this magazine to the committee for its consideration.

SOUND AND WORTHY MEASURE

This Anderson Wilderness Act of the 87th Congress will long be remembered in the history of conservation. There were, of course, and are, ways in which it could, and can, be improved upon as an instrument for meeting its objectives. As a declaration of these objectives and also a practical guide to their realization it will, however, I am sure, prove to be an epochal piece of legislation.

When the small minority who opposed this legislation in the House of Representatives last year found it possible because of their command of the committee handling it to set it aside for a substitute measure, the proponents of wilderness preservation were proud to devote their efforts toward seeing the Senate Anderson Act adopted by the House.

So essentially sound and worthy is the measure.

URGENCY EMPHASIZED

I come here today, however, not to extoll and justify a measure that most of you already have approved but to emphasize the urgency in its being moved forward for enactment.

From the viewpoint of wilderness preservation there are improvements that can be made—deletions and additions as well as revisions in some places.

Wilderness preservationists support this measure not becaue they think it is perfect, but because they are willing and eager to be reasonable and to join in a consensus that can be effective.

Some of the provisions in it are tolerated and accepted only as the conditions on which there can be agreement with regard to others.

There are omissions that are accepted only because the necessary additions to correct them could not be acceptable to some of those who can be included in the consensus represented by the Senate's action 2 years ago.

I shall be glad to file a statement for the record as an appendix to my remarks today setting forth such possible changes—deletions and additions—and the reasons for them.

My purpose now, however, is to urge that the measure as it already has proved overwhelmingly acceptable to this committee and the whole Senate be moved forward without delay.

ADMIRATION AND SOME SATISFACTION

There have been comments which I have heard or seen that have criticized this Anderson Wilderness Act as a measure so weakened or watered down as to be far from satisfactory as a wilderness preservation measure. Such comments have not been mine, nor have I shared in such criticism. With all its possibilities for improvement this measure is one that I have been privileged to contribute to its development and its acceptance by the Senate and the public.

FEATURES SUMMARIZED

It clearly establishes a national policy for wilderness preservation.

It defines wilderness with clarity and integrity.

It recognizes in an articulate congressional declaration the necessity for, and the conditions of, a designation of areas on which success of a national policy for wilderness preservation is dependent.

It establishes a program by means of which a wilderness preservation policy can be realized.

It adapts this program to existing land-use programs by applying it to areas that can continue to serve their present purposes while still being preserved as wilderness.

It recognizes the needs, economic and commercial, for commodity and other uses that may be in conflict with wilderness preservation and provides for reasonable and special consideration of these needs.

It provides, without significant conflict, sacrifice, or expenditure, for the preservation and transmittal to future generations of an inexpressibly valuable inheritance, projecting into an eternity of the future something of the primeval eternity of the past.

NOTABLE DECLARATION

It is a notable declaration made in behalf of the Nation in section 2 (a); namely, that—

"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."

AREAS ALREADY OWNED BY THE NATION

It is a remarkable good fortune that this purpose can be realized within areas already owned by the Nation and serving purposes consistent with this desired wilderness preservation. It is this good fortune that makes possible the declaration in the first sentence of section 6; namely, that—

"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."

Thus this measure establishes a significant and noble national policy and provides for its realization in a practical way without interfering with already existing programs.

GREAT OPPORTUNITY

Through this measure we have the great opportunity of establishing a policy and program that can be expected to endure, cherished and appreciated by those who will come after us and who will surely recognize that only because of the time and trouble that we are taking, in working out such a policy and program, will the wilderness have persisted to their day.

With the enactment of this measure we shall cease to be in any sense a rearguard delaying inevitable destruction of all wilderness but shall rather become a new vanguard with reasonable hopes that some areas of wilderness will be preserved in perpetuity.

Mr. Chairman, I congratulate you and all the other members of this committee for what you are doing, and I thank you for the privilege of having a share in the occasion.

I urge that this measure before you be promptly reported favorably by this committee and that it be passed by the Senate without delay.

Senator ANDERSON. I know you have been a long time in this field Mr. Zahniser, since you have been before this committee many times. I think I have asked you all the questions that I can possibly ask at this time.

SRB04710

Senator Allott?

Senator ALLOTT. Mr. Chairman, I think the same situation applies to me also. I am just surprised that I haven't been able to convince Mr. Zahniser, for whom I have a great personal respect, of the efficacy of following my lead on my amendment. I think the truth of the matter is that this would not impair the wilderness system at all and I really feel that the statement given by Mr. Cline a few moments ago, and I have known Mr. Cline and these other gentlemen for a long time, I know they are not economic robbers or anything of this sort. They are not seeking to break up the recreation areas of the country. They are dedicated in the belief, as I am, Mr. Zahniser, that it is the responsibility of Congress to assume again the responsibility for deciding what additional acres shall go in the wilderness system. I think you appreciate it. I think—you have heard me say over and over again that as to the wilderness system itself, I have no objection to it.

Mr. ZAHNISER. Senator Allott, I thank you for the kindness of your remarks. The discussions that I have had with you and my reading and listening to what you have said and written have deepened my conviction that it is important that Congress act positively with regard to establish a wilderness preservation policy.

One of the earliest difficulties that we who advocated this measure had was in convincing some others that it was important that Congress should act positively with regard to this. It is my understanding now that by this measure Congress will be acting positively. It is not surrendering authority to the executive agencies. It is giving them directions, giving them instructions.

Congress itself is saying in S. 4 that these few areas comprising, oh, at the most perhaps 2 percent of our land, are to be considered as presumptively wilderness. You are saying, as I understand it, that the executive agencies are then to look at even some of these areas and come back with reports with regard to their suitability. With regard to anything else as a possible addition to the wilderness system, the act says there must be an additional separate act of Congress. So, all that is involved here is an effort to get the Congress to act positively with regard to these lands, comparatively limited in acreage to become definitely wilderness and to be administered in that program.

Your proposed amendment, Senator Allott, which I have read, would seem to me to have this difficulty, that the possibility for the frustration of the will of Congress with regard to particular areas would continue. The provision of requiring positive action by Congress would not be inconsistent with our advocacy if the areas that are delineated in this act, the wilderness, wild, primitive, canoe areas of the national forests, the wilderness back country of the national parks, similar areas within the wildlife ranges, which are considered by Congress as worthy of protection as wilderness, as this act would declare, are continued in that state until Congress should act positively. Under such conditions, the effect could be both as you desire it and as we aim for it. But if an action with regard to the continued preservation of a particular area requires the passing of a concurrent resolution and a relatively small number of Members of the House or of the Senate could frustrate that, we would then see, not positive action by Congress, but the negation of action by Congress, negation

by a few people. The result from some language that has been proposed would be that areas could go out of existence as wilderness by default, and we could not support that.

Senator ALLOTT. I don't think under the present bills, if the present bill were amended with my amendment, Mr. Zahniser, I don't see how they would go out of their protection by default either with or without my amendment. The only thing is, and I think you really stated this yourself, that Congress would have the right to review affirmatively. You mentioned the fact that a few people might have the right to block. I pointed out that a few people can block in Congress effectively a resolution disapproving of the action of the President. So that in this respect you are on the horns either way except that the Congress under my amendment does take up and return to itself the responsibility for deciding the primitive, the wildlife and refuge and these other areas.

Mr. ZAHNISER. Senator Anderson's act, as I interpret it——

Senator ALLOTT. May I interrupt you just a second, Mr. Zahniser? I think we should make no mistake about this, and on page 4 of the bill, beginning at the bottom of page 3, I believe—yes—we want to remember that under this bill and my amendment would not touch this, the wilderness system does include, it says—it says "shall include all areas within the national forests, classified on the effective date of this act by the Secretary of Agriculture, Chief of the Forest Service, as wilderness, wild, primitive or canoe."

So that these do go into the wilderness system immediately upon the passage of this act.

Senator ANDERSON. The next line says "provided."

Senator ALLOTT. "Provided," and then you have the review for the primitive areas and for the other areas. Then you have a subsequent review for the Interior.

Mr. ZAHNISER. Thank you. When you interrupted me I was about to point out the very thing you have indicated more effectively than I could have myself; namely, that Senator Anderson's act is itself a proposed positive action by Congress. It is proposed action with regard to the primitive areas that follows years of study of these including the publication of hearings that have outlined the characteristics of these primitive areas, have listed them, have given their acreage. It is a proposed positive action with regard to the primitive areas, an exercise of the congressional prerogative.

Now, the Congress, on the recommendation in the first place, I believe, of the Forest Service, does realize that with regard to some of these primitive areas, there are problems that should be worked out. They are an administrative kind of thing. The Congress in this act would instruct the Forest Service to work out those problems and then report back with a recommendation about how each area would be permanently included.

If the Congress finds that that has been done to its satisfaction, with regard to these areas that Congress has already, as you pointed out, designated for inclusion in the system, that is the end of it. They go in according to those recommendations.

If Congress, however, says no, you haven't done that thoroughly, you haven't done it right, the Congress reserves the right to reject it.

Now, your amendment as I have read it, and unfortunately I do not have it in hand, says that the recommendation will become effective

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with regard to the continuation of an area only if there is passed within 2 years a concurrent resolution so declaring.

Now, this act also provides that if the primitive area has not been established as wilderness within 14 years, it passes out of existence as even a primitive area. If you or any of your successors or colleagues, though few in number, could frustrate the action of a subcommittee or a committee for 2 years, you could end the possibility of the preservation of that very important area.

Senator ALLOTT. Well, let me say in that respect, I am not wedded to the 2 years. This isn't what bothers me. On the other hand, Mr. Zahniser, it is just as true, and I don't think it can be successfully advocated, that it is just as possible for even fewer to frustrate the desire of people to overturn or modify the decision of the President under the method which is put down in the bill. There can be no successful contention that this is not true. It is true.

Mr. ZAHNISER. Well, I am compelled to contend in that way, Senator Allott. Before doing that, however, I should just like to continue my further thought, but very briefly, and that is that there have indeed been incidents of the kind that I am only imagining for the future, that have been very closely observed by me, wherein a small number of people have frustrated the operations of our legislative processes and have continued over a period of years to frustrate something that had been demonstrated to have pretty broad public support. So it is not theoretical in my thinking that such a concurrent resolution could be frustrated for a 2-year period. Hence, my concern in this instance being with two things, orderly processes of government and preservation of wilderness areas, I must think that the amendment you propose would be subject to misuse.

Senator ALLOTT. Mr. Zahniser, won't you agree that you were doing exactly the same thing in the proposition you are supporting in the bill? You are providing specifically——

Mr. ZAHNISER. No.

Senator ALLOTT. That unless within a certain time Congress, either House, passes a resolution overturning the President's action, and it is within a specific time, you are just doing exactly the same thing in reverse except that under your system, Mr. Zahniser, there is absolutely no way of exposing this thing to public hearing.

Mr. ZAHNISER. There are two respects in which I would like to comment on that.

Senator ALLOTT. I mean as far as Congress is concerned there is no way.

Mr. ZAHNISER. In the first place, the future action to which you refer would be with regard to areas that the Congress has already determined should be included in the wilderness system, so determined by the measure now before us.

Senator ALLOTT. Go ahead.

Mr. ZAHNISER. I was saying that in the first place the action would be with regard to areas that Congress has already determined should be included in the wilderness system and should thus be regarded presumptively as predominantly valuable for wilderness preservation.

In the operation of the mechanism as provided by this act, this matter could come to a public hearing very promptly. I remember the colloquy 2 years ago when Senator Anderson and you, Senator Allott, investigated that perplexity. The Parliamentarian came here

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and assured us that this operation is patterned after the provisions of the Reorganization Act that would make it impossible for the proposed procedure to be frustrated and not operate. It is not my purpose, and never has been, in any instance, to participate in developing any national legislation that would get for anyone the privilege to frustrate the will of the people. If Senator Anderson and you, Senator Allott, can see a means of handling such a concurrent resolution which provides for the continuing preservation of the areas as wilderness until the resolution is acted upon, or until Congress has determined otherwise, you would not find any opposition from me or from those whom I represent.

Our concern with your proposal is not a matter of civics but a matter of caution with regard to seeing reenacted, area by area, the frustrating actions that we have contended with so far in connection with this wilderness bill. We feel that when this legislation is established after years of frustration, the areas for which it provides protection should indeed be protected unless and until Congress determines otherwise.

Senator ALLOTT. Well, I simply want to say, Mr. Zahniser, part of what you say I would agree with. I simply for myself—I know that it is going to be—it is not going to be easy, but nothing is easy in the legislative field, or very few things are, and you will have pressures from each side and people are entitled to be heard. So a decision has to be rendered. Each Senator, each Member of Congress, has to make up his mind what he is going to do on a given proposition. I just simply feel that this is better government, it is closer to what the makers and the framers of the Constitution intended, and I certainly never, and I mean never, abandoned the position I have taken that is not to say that it is 2 years. It might be too short a time. It could go to 3 years or maybe we could find some other way. I think your statement is a very fair one but I certainly, as a matter of principle, can't abandon the concept of affirmative review.

Mr. ZAHNISER. I seem to detect in your statement a willingness to provide in any such amendment that the areas would continue to be protected as wilderness until Congress acts on such a concurrent resolution as you leave proposed or provided otherwise?

Senator ALLOTT. Be protected in their present status, yes.

Mr. ZAHNISER. As primitive areas?

Senator ALLOTT. Present status, and I think they would be under this bill.

Mr. ZAHNISER. With the possible exception of the provision in the bill that would permit the primitive areas going out of existence, that sort of suggestion might represent a consensus. If these primitive areas and the areas in the parks and the refuges that would be involved can be considered as being protected as wilderness until Congress determines otherwise, then the means of the determination is a matter that should be arrived at without difficulty.

Senator ALLOTT. Not protected as wilderness but protected in the status that they now have which places them in a—as a sort of a neophyte for admission to the larger wilderness.

Mr. ZAHNISER. A presumptively wilderness area but subject to the exceptions that are now within the bill?

Senator ALLOTT. That is right. In other words, a primitive area would remain a primitive area. A wildlife refuge would remain such, and so on.

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Mr. ZAHNISER. The basic importance of this legislature is in the section 2 to which I referred; namely, the requirement that for a sense of perpetuity, we must have these policies with regard to public lands established by Congress on an enduring basis. That has been our advocacy from the beginning of our concern with the legislation.

Senator ALLOTT. That is all I have, Mr. Chairman.

Senator ANDERSON. May I just say to try to clear it up a little bit, from our standpoint our worry it, of course, that it get caught in the legislative process. Innumerable times we can show that a bill couldn't possibly be reconsidered because it is held up by the steering committees, or the policy committee, or by the Rules Committee of the House. I served in the House of Representatives. I know what the Rules Committee can do.

We had a resolution to let soldiers vote, in about 1942. But certain people of the Deep South didn't think they would like the way the soldiers might vote. You couldn't begin to get the resolution out of the committee.

Mr. ZAHNISER. A bill could even be effectively held up by a committee chairman.

Senator ANDERSON. I understand that happened. A wilderness bill in somebody's pocket could not be acted upon. We all understand that. And once upon a time I understand the chairman of the Rules Committee was unavoidably called to Virginia. He didn't come back for weeks. Those things happen.

Therefore we are trying to provide a mechanism where we are absolutely sure of a vote. The Parliamentarian would advise us as he did before, I assume, that the only way you can be sure is by the machinery of this bill. This has to come up for vote. Anyone who wants to disapprove it can absolutely be guaranteed he will have it come up for vote. The procedure under the Reorganization Act cited makes a motion to take the matter up highly privileged. It must be acted upon.

Congress must vote on the motion of any Member under the provisions of this bill but if it is made subject to the steering committee and the Rules Committee you will have no such positive assurance of getting to vote on it. The policy committees can avoid a vote, too.

We had a little vote the other day on taking up a motion. The vote was 54 to 42. A majority wanted to take it up. This was not enough to override the cloture provision. You have got to be sure that the majority could also vote. The majority couldn't vote. Maybe they never would have a chance to vote.

A concurrent resolution can be handled in exactly the same fashion. Any small group of people who wish to, can filibuster something to death. We had a communications satellite proposal that was eventually overwhelmingly approved by the Congress, 77 votes to very few, as I remember, but it took a hard struggle and a lot of Senators remaining in the cloakroom, I believe that is the term that was used on the Senate floor, in order to get through cloture so they could vote on the satellite bill which was so overwhelmingly supported by the Senate. Eight nights the Senators debated it, something of that nature; yet they couldn't get it to a vote.

I am trying to say I don't mind having an action on every single one of these recommendations on primitive areas that are brought

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up but I don't know of any way of guaranteeing it except by the machinery that is in this bill. I subscribe to what Senator Allott says, that there ought to be a way of bringing these up. The word "affirmative" I am not sure about. I think when we turned down the reorganization programs of several departments, that was affirmative action even though we voted no. It may be a strange way to get affirmative action but it disposed of the reorganization plan completely and it would have the same effect here. That is all we are trying to get.

I think this colloquy has been very interesting and I think important because the committee, when it meets, will again take up this question of some mechanism by which we can be assured of a vote on these things at some time.

Mr. ZAHNISER. You have my earnest support, Senator Anderson, and Senator Allott has my cooperation as far as I can give it. I greatly covet his vote. I would like to be able——

Senator ALLOTT. And I your support.

Mr. ZAHNISER. And I appreciate especially, Senator Allott, your declarations with regard to the wilderness areas and the park and refuge areas. The primitive area problem is one that we shall continue to be eager to help work out if we can.

Senator ANDERSON. I do want to get in the record in view of this comment that I do appreciate the fact that Senator Allott has tried to help us get through the hearings on this. He could have taken much more time than he has. He wants to finish this. It is a question of deciding how this can best be accomplished.

Senator ALLOTT. I might just interject, since we are closing this out, there has been quite a bit of talk about how one or two people can frustrate the thing. I can't help but remind that during the course of these hearings—not this year but in the past—on one occasion one of our more enthusiastic people who happened to be on your side of the fence—not you—castigated me nationally for having held up wilderness hearings here with a filibuster and it happened that he did this during—did this on the basis of an executive session. I went back and read all of the statements that were made and I believe there were 10 of us present that day and of the total time consumed, the Senator from Colorado consumed less than his one-tenth share by far. So that it isn't always—I think that we have worked hard trying to find this and I really don't think that it has been delayed—purposefully delayed—as much as it has been that it is a very difficult subject to deal with and there are a lot of inconsistencies in this bill today even as it sits. As I look at the bill, and as I study it, and I don't know frankly how you are going to rid yourselves of some of it. I just don't know.

Senator ANDERSON. Senator Burdick?

Senator BURDICK. No questions.

Senator ANDERSON. Senator Mechem?

Senator MECHEM. No questions.

Senator ANDERSON. Thank you very much.

I think I am going to have to reverse what I said a while ago and ask the next witness to be here this afternoon. It is 1 o'clock and the Senators do have appointments and, Mr. Hagenstein, I will have to let Mr. Penfold start off. He has, I understand, a plane reservation

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that he must protect. So at 2:30 Mr. Penfold will start and Mr. Hagenstein will follow.

Senator ANDERSON. We will adjourn until 2:30, then.

Thank you very much.

Mr. ZAHNISER. Thank you, sir.

(Whereupon, at 1 p.m., the hearing was in recess, to reconvene at 2:30 p.m., the same day.)

(Statements and documents admitted to the record under authority granted during the morning session follow:)

SUPPLEMETARY STATEMENT OF HOWARD ZAHNISER, EXECUTIVE DIRECTOR OF THE WILDERNESS SOCIETY

POSSIBLE IMPROVEMENTS FOR S. 4

In accordance with my statement made to the Senate Committee on Interior and Insular Affairs (see p. 55), I am filing herewith a supplementary statement to set forth improvements that could be made to the wilderness bill as it passed the Senate in 1961 and is now incorporated as S. 4, including special comments on national forest primitive areas and on the national park system.

REMOVING UNDESIRABLE ADDITIONS

The most important improvements that can be made in this measure, I believe, are those that would remove additions which, from the wilderness preservation viewpoint, are unwisely made.

*Delete section 11—the Federal power amendment*

First of all I refer to what is now the bill's last section, section 11. This was added to S. 174 on the floor of the Senate late on the debate's second day, by voice, at a time when there was little patience left for the rollcall vote that some of us were confident would have defeated the amendment.

The section thus added says that "nothing in this act shall be construed as superseding, repealing, or otherwise affecting the provisions of the Federal Power Act."

Senator Church at the time of the floor action suggested that the section could be scrutinized further in the House of Representatives, and he said (I quote him): "There is likelihood of a conference which would enable us to review the amendment."

The measure, as it happened, did not come to conference.

At the time of hearings held by the House Subcommittee on Public Lands, on May 8, 1962, Deputy General Counsel John C. Mason of the Federal Power Commission told the subcommittee that the Commission is concerned in this connection only with the national forest primitive areas and with any new areas which may be added to the National Wilderness Preservation System that will be established by this act.

This narrowing of concern, of course, makes the section unnecessary and certainly facilitates its removal as inconsistent with the rest of the bill.

The bill requires review of all the primitive areas as to their predominant values. So at the time of review, recommendation by the President, and consideration by Congress, the Federal Power Commission concerns can be considered area by area.

As to any new areas, the bill provides that new areas may be added only by Congress. For every area that is added after this act is passed, a new bill will have to be submitted to the Congress. When such bills are considered, the Federal Power Commission's concerns regarding each area can be, and certainly will be, considered by Congress.

So I urge that section 11 simply be removed from the measure.

*Drop Alaska Land Use Commission (sec. 9)*

Section 9 also should be removed. This section would establish a Presidential Land Use Commission in Alaska. This provision goes beyond the subject matter of a Wilderness Act.

As Charles Callison of the National Audubon Society has pointed out, this section 9 amounts to a "rider" that deserves to be considered as separate legislation.

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*Consolidate sections 10 and 7*

Section 10, incidentally, may well be made a subsection (b) of section 7, which also deals with reports. What is now section 10 was added on the floor of the Senate to correct an inadvertent deletion when section 7 was amended in committee.

*Delete additions made in section 6(c)(8)*

Continuing to work from the back of the bill, toward its beginning, I should also like to urge the deletion from section 6(c)(8) of two additions made on the Senate floor. These are the words "or water" at the end of line 13 and beginning of line 14 on page 17, the words "or to prevent the completely subsurface use" in line 15 on page 17. With regard to these Sharles Callison of the National use" in line 15 on page 17. With regard to these Carles Callison of the National Audubon Society has written as follows:

"These are insertions in an amendment that had been added in committee, to allow prospecting in national forest wilderness if 'not incompatible with preservation of the wilderness environment.' They provide other weaknesses in the structure of the legislation—potential holes in the protective fence. It is difficult to visualize any important 'subsurface use' that would not involve surface changes. This amendment is unnecessary anyway to protect an overriding public need for water or mineral development in a wilderness area. The President could authorize such development, and so could Congress."

I agree with Mr. Callison that these additions should be removed.

*Remove primitive area limiting proviso in section 3(b)(1)*

There is another instance where I should like to urge the removal of a provision that was added to Senator Anderson's original 1961 wilderness bill. That occurs in section 3(b)(1) at the bottom of page 4 and the top of page 5 of S. 4. It says that after a primitive area has been studied in its national forest setting and recommendations have been made for its permanent establishment the area my not be any larger than it is at present.

This is inconsistent with the prnciple under which the review is being conducted; namely, that a determination is to be made of primitive area boundaries which will be true outlines of the area, which, in the words of the bill, is predominantly of wilderness value.

The boundary recommendations are to include, and I quote from lines 10 to 23 on page 4, "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."

This is a sound provision but there then follows the proviso which inconsistently limits this reasonable determination and which I should now like to see removed. It reads thus:

"*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."

This is an unnecessary potential hampering of the establishment of sound boundaries. I do not anticipate that deleting this proviso will result in much difference in the area of wilderness to be preserved, but I would propose its deletion for the sake of sound determinations regarding such areas as will be affected.

*Remove provision for failure to do what Congress directs*

The concluding sentence of section 3(b)(1), at the bottom of page 5 and the top of page 6, should also be removed to strengthen the measure. This sentence, in effect, would permit an administrative agency to see eliminated an area of wilderness through the agency's failure to do what Congress directs it to do; namely, make recommendations as called for in the bill.

It seems highly inconsistent with constitutional responsibilities to think that an agency of the Government would disregard the instructions of Congress. It seems strange indeed that anyone should suggest that Congress would contemplate the possibility of such irresponsibility and provide for it as this sentence does. The sentence says:

"Any primitive area, or portion thereof, on which a recommendation for continued inclusion in the wilderness system has not become effective within 14 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."

This sentence could well be removed.

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CHANGES TO STRENGTHEN AND CLARIFY THE BILL

Having thus worked my way from the bill's last section to near its beginning in suggesting the removal of provisions that have in my view come in as intrusions, let me now start at the beginning and go through the bill briefly with recommendations for the additions and modifications that would seem to me to offer possibilities for strengthening and clarifying the measure.

These proposals, I must emphasize, are not qualifications of my support of this measure. Rather they are themselves in support of the legislation—recommendations for its improvement as a means for realizing its own well-stated purpose.

*Completing the definition*

At the end of section 2(b), on page 3, I should like to suggest the addition of a sentence to complete the definition of "wilderness" by making plain that it is to include the areas designated as wilderness under the bill. The sentence would be stated substantially as follows:

"For the purposes of this Act wilderness shall include the areas provided for in section 3 of this Act and such other areas as shall be designated for inclusion in accordance with the provisions of this Act."

The reasons for adding this sentence arise principally from the special provisions made that in some instances permit what might be called nonconforming uses. There also is the possibility that some areas may be found worthy of preservation as wilderness that, at least at the outset of such handling, may include inconsistent features.

The addition of the proposed sentence will obviate such difficulties.

The addition will be a consistent part of a definition to serve the purposes of such a bill as this. In this definition the first sentence is definitive of the meaning of the concept of wilderness, its essence, its essential nature—a definition that makes plain the character of lands with which the bill deals, the ideal. The second sentence is descriptive of the areas to which this definition applies—a listing of the specifications of wilderness areas; it sets forth the distinguishing features of areas that have the character of wilderness. The suggested third sentence adds the provision that for the practical purposes of this practical measure the term "wilderness' is arbitrarily applied to the areas that Congress so designates.

The first sentence defines the character of wilderness, the second describes the characteristics of an area of wilderness, the third says that when Congress uses a word it means just what Congress means it to mean.

I would consider this a matter of possible importance in legislation that is the charter for an extensive and enduring program.

*Correcting an inadvertent anomaly*

In the proviso in section 3(b)(1) that is stated in lines 7 to 12 there is an anomalous wording that could inadvertently "tie the hands" of Congress in dealing with Executive recommendations regarding primitive areas and thus defeat congressional purposes in rejecting certain recommendations that might be made. This inconsistency should be corrected, and it can be corrected by adding two insertions.

The present wording is such that if the elimination of a part of an area is recommended and Congress rejects this proposal the rejection could result in elimination of the entire area.

The possibility is more than theoretical. When the Three Sisters Primitive Area was reclassified a few years ago, some 50,000 acres were eliminated despite overwhelmingly preponderant opposition. The Senators from Oregon were aroused by this action. Had they been operating under the wording here in question and if the Oregon Senators had succeeded in getting the Senate to reject the 50,000-acre elimination, their action could have meant the elimination of the entire wilderness area.

This anomaly can be removed by making plain that the congressional rejection provided for in lines 7 to 12 on page 5 would relate to a proposed inclusion on the wilderness system. If Congress says "No" to a proposed inclusion, the lands in question should indeed go out.

But a provision should be added, making plain that if what Congress says "No" to is a proposed exclusion, then the lands involved should stay in—not be eliminated.

This can be accomplished by adding in line 2 on page 5, after the word "President," the words:

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"With respect to the continued inclusion of a primitive area or part thereof within the wilderness system"; and also adding in line 6 on page 5, after the word "lands":

"*Provided further*, That if Congress rejects a recommendation of the President with regard to the exclusion of a primitive area or portions thereof the land shall continue in status quo until a subsequent recommendation of the President with respect to that area shall have become effective or until Congress shall have determined otherwise by law."

This would make the language then read as follows, the added, correcting language being here italicized:

"* * * if Congress rejects a recommendation of the President *with respect to the continued inclusion of a primitive area or part thereof within the wilderness system* and no revised recommendation is made to Congress with respect to that primitive area within 2 years the land shall be administered as other national forest lands: *Provided further, That if Congress rejects a recommendation of the President with regard to the exclusion of a primitive area or portions thereof the land shall continue in status quo until a subsequent recommendation of the President with respect to that area shall become effective or until Congress shall have determined otherwise by law* * * *."

Another suggestion that I shall presently make, with regard to section 3(f), will, if adopted, make possible the complete elimination of the proviso here involved together with the following part of the present section 3(b)(1) and will thus obviate the difficulty here discussed. If, however, the provisos at the end of the present section 3(b)(1) continue, the insertions here proposed should certainly be made, to clarify the provisions and to prevent their otherwise possible misuse.

*Improving national park language*

With regard to improving the measure in its effect on the national park system I should also like to make some suggestions in accordance with consultations I had last year with Executive Secretary Anothony Wayne Smith, of the National Parks Association, with regard to recommendations I later made concerning section 3(c)(1) at the House Wilderness Act hearings last May. These are as follows:

(1) Delete the words "motor trails, buildings" in lines 9 and 16 on page 7.

(2) Change the word "and" in line 10 on page 7 to "and/or".

(3) Clarify and improve the last sentence of section 3(c)(2), beginning in line 25 on page 7 and continuing in lines 1 to 5 on page 8, as follows:

(*a*) In line 25 on page 7 following the word "Further" insert "neither".

(*b*) In line 2 on page 8 immediately before the last word "pursuant" insert "nor its designation for any other purpose".

(*c*) In line 3, following the word "Act" insert a comma and the words "nor any failure or refusal to do so,".

(*d*) In line 3 change the word "no" to "any".

(*e*) In line 4, following the word "area" insert the words "in its natural condition".

The language thus amended would read as follows:

"Further, neither the inclusion of any area of any park, monument, or other unit of the national park system within the wilderness system, nor its designation for any purpose, pursuant to this Act, nor any failure or refusal to do so, shall in any manner lower the standards evolved for the use and preservation of such area in its natural condition in accordance with such Act of August 25, 1916 * * *."

*Strengthening wilderness protection in parks*

With regard to the protection of the national parks and other suitable units of the national park system as the wilderness reserves which they properly should be I should like also to suggest some rather simple word changes in section 3(c)(1) that would strengthen immediately the protection of the national park system wilderness.

This change, I should explain, is not a new proposal but rather a restoration of the former provisions of the wilderness bill as it developed in both the Senate and the House and as it was first approved by the National Park Service and the Secretary of the Interior.

This change will give immediate protection as wilderness to those parts of the national park system areas that are now roadless, and at the same time it will subject them to a 10-year review program to determine the areas that

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shall continue to be so protected and also the areas needed for further development with roads and accommodations.

The legislation would thus treat the wilderness of the national park system in much the same way that it would treat the primitive areas in the national forests. It recognizes the park areas as wilderness deserving protection as such while careful reviews are conducted to determine such revisions as should be made.

The change could be accomplished as follows:

1. Delete the first two lines and three words of section 3(c)(1) and substitute for them the words "The wilderness system shall include".
2. In line 16 on page 6, after the word "roads" delete the period and insert a colon and the words "*provided*, That".
3. In line 19, page 6, delete the words "for the incorporation" and substitute for them the words "with respect to the continued inclusion".
4. In line 20 change the word "into" to "in".
5. In lines 23 and 24 delete the words "the incorporation into the wilderness system of".

This would make the revised section 3(c)(1) read as follows:

"(c)(1) The wilderness system shall include 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 5,000 acres or more without roads: *Provided*, That within 10 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 with respect to the continued inclusion of each such portion in 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 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."

This revision would not change the measure with regard to the portions of the national park system that are now occupied by roads and by buildings or other accommodations for visitors. Nor will it limit the measure's provision for considering further the needs for park areas to be devoted to roads and accommodations for visitors.

It would strengthen the protection as wilderness of the portions of the national park system that are in fact wilderness.

*Importance of the wilderness bill to national park wilderness*

It may be well to reemphasize here the importance of the wilderness bill to the wilderness of the national park system.

The increasing use of our national parks is itself an urgent reason for the need of protecting them against gradual attrition from overdevelopment—an attrition which could in the end destroy the fountain from which visitors draw their inspiration.

Senator Hubert H. Humphrey, in remarks on the floor of the U.S. Senate on February 11, 1957, in introducing the wilderness bill, S. 1176 of the 85th Congress, said:

"Unless provision is made to protect the primeval within our national park system, eventually the developments may take over."

He further said:

"This process may be gradual" but "it is a prospect against which we can now set guards with no sacrifice."

"Our parks are reservoirs of wilderness" said the Senator, and he pointed out: "The chief threats to their preservation as such, under existing legislation, come from prospects for the extension of roads and the intrusion of recreation developments, perfectly good in themselves, that nevertheless are out of place in wilderness."

For the first time, accordingly, wilderness preservation under the new proposed legislation would become a clear-cut congressional policy in national park and monument areas and the primeval back country in these parks and monuments would receive added protection as wilderness.

Recognizing, however, that in order to serve the purposes for which they were established, the parks must also have necessary roads and accommodations that make them accessible and hospitable, the bill provides specifically for the

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designation for such purposes of such portions of the parks and monuments as are found to be needed.

"Provision will in this way be made for the proper handling of developed areas but also for the protection, without development, of our wilderness."

"If ever additional areas are needed for developments, they can be designated, but only after a public notice that will give all concerned an opportunity to weigh the importance of diminishing the area of wilderness."

Thus at the outset of efforts for wilderness legislation Senator Humphrey voiced both his interest in providing for the public use and enjoyment of our national parks and at the same time the concern that so many of us share in the preservation of the parks "as reservoirs of wilderness."

Within the national parks and monuments in general there is at present no act of Congress that would prevent a future Secretary of the Interior, or park administrator with his approval, from deciding to construct a road, a building, or any other installation that he would deem appropriate for a national park or monument anywhere within the park or monument.

The Yellowstone Act that inaugurated our national parks in 1872 provided for the retention of the wonders there "in their natural condition" and yet that act has, of course, not interfered with the construction of the Yellowstone Park roads, the many buildings that are there, and the other developments that have so altered "natural conditions" that the atmosphere in some parts of the park is that of a crowded city.

It is not necessary to object to these developments in Yellowstone National Park in order to point out that they have been constructed in accordance with the laws under which the park is governed, and there is nothing in that law to prevent such construction elsewhere in the park.

If we are to make sure that we still have in the distant future our national park primeval back country still preserved as wilderness, we should declare here in Congress our purpose to do so. There is a great need to strengthen the hands of the National Park Service in its work for the preservation of the primeval back country as wilderness.

Dr. James P. Gilligan, one-time professor of forestry at Oklahoma Agricultural and Mechanical College, and now Director of the Wildlands Research Center, under whose auspices the special "Wilderness and Recreation" study was conducted for the Outdoor Recreation Resources Review Commission, made pertinent remarks in this connection at the October 26, 1954, meeting of the Society of American Foresters held in Milwaukee, Wis.

"Wilderness conditions, of course," said Dr. Gilligan, "have vanished from developed areas; and the sight, sound, and sometimes smell of these concentration zones disperse so widely that quite large sections cannot be considered natural, let alone wilderness."

"The organic National Park Service Act of 1916," Dr. Gilligan pointed out, "offers nearly as much flexibility in managing recreation resources as does the multiple-use principle of the Forest Service. There is nothing in the act directing how much of or what part of, parks to develop, nor is there any clause in the law or interpretive regulations stipulating the reservation of park units in wilderness condition."

"The National Park Service has established some precedence in trying to retain wilderness zones. It is questionable, however, whether the will of the administrator can be sufficiently strong to prevent development in the long run."

In March 1957 the National Park Service issued a document entitled "Preservation of Natural and Wilderness Values in the National Parks."

It was interesting to find in this document one of the clearest statements yet noted of the necessity for the wilderness bill as congressional insurance of the excellent policies which the National Park Service has developed.

"There would be little wilderness and much less of the natural beauty of the national parks left today," said this statement by the Park Service itself, "had the National Park Service been development-minded, promotionally inclined, and unrestrained by conservation principles."

In other words, wilderness preservation under present law is a matter of administrative discretion on the part of the Park Service.

Our concurrence in this is not only in admiration for the National Park Service, but also in recognition of the fact that, unless wilderness preservation policies are firmly established by Congress, it is within the power of future administrators so to change national park policies that at some less fortunate future time there may indeed be "little wilderness and much less of the natural beauty of the national park left."

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*Improving provision for wilderness protection in refuges*

An improvement similar to that with regard to park areas could also be made in S. 4's provisions in section 3(d) with regard to national wildlife refuges and game ranges. Such a change in the refuge subsection could also be made to include provision for preserving as wilderness an island that is in fact wilderness even though it is less than 5,000 acres in size. I should like accordingly to recommend this further improvement.

The suggestion is in detail as follows:

1. Delete the first two lines and four words of section 3(d) on page 8 and substitute for them the words, "The wilderness system shall include each portion".

2. Delete lines 19 and 20 on page 8 and substitute for them the words "which embraces an island or continuous area of five thousand acres or more without roads: *Provided*, That within ten years after the effective date of this Act the Secretary of the Interior shall review each such portion and shall report his recommendations with respect to the continued inclusion of each such portion in the Wilderness System to the President".

3. In lines 24 and 25 on page 8 and line 1 on page 9 delete the words "the incorporation into the wilderness system of each area recommended for such incorporation by the Secretary of the Interior during" and substitute for them the words "each such portion for which review has been completed in".

4. In line 3 on page 9 change the word "area" to "such portion".

This would make section 3(d) read as follows:

"(d) The Wilderness System shall include each portion 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 which embraces an island or continuous area of five thousand acres or more without roads: *Provided*, That within ten years after the effective date of this Act the Secretary of the Interior shall review each portion and shall report his recommendations with respect to the continued inclusion of each such portion in 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 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."

*Making congressional control effective*

In the improvement of this measure's protection of wilderness it is also possible to strength further the congressional control of the procedures, as some who in the past have opposed the wilderness bill have urged. The focus of most of this discussion has been in section 3(f) entitled "Effective Date of President's Recommendations."

Firm congressional control can be further provided in this subsection and at the same time wilderness protection assured for the areas that Congress intends, by adding a proviso at the end of section 3(f), at the end of line 19 on page 10, which would read as follows:

"*And provided further*, That if Congress rejects a recommendation of the President with regard to the inclusion or exclusion of an area or portions thereof the land shall continue in status quo until a subsequent recommendation of the President with regard to that area shall have become effective or until Congress shall have determined otherwise by law."

This addition should be accompanied by slight changes elsewhere in the subsection as follows:

1. In line 15 on page 10 the period should be changed to a colon and followed by an insertion of the words "*Provided further*, That".

2. The period in line 19 on page 10 should be changed to a colon.

Section 3(f) would then read 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 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

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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: *Provided further*, That 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., 133z-12—133z-15) for a resolution of either House of Congress: *And provided further*, That if Congress rejects a recommendation of the President with regard to the inclusion or exclusion of an area or portions thereof the land shall continue in status quo until a subsequent recommendation of the President with regard to that area shall have become effective or until Congress shall have determined otherwise by law."

This addition to section 3(f) is the proposal to which I alluded earlier (see p. 10) in discussing the provisos regarding primitive areas in section 3(b)(1). The addition of the sentence at the end of subsection (f) will make possible the omission of all of the last part of subsection (b)(1) beginning in line 7 on page 5 and running on through line 3 on page 6.

Thus the legislation will not only be strengthened and clarified but also simplified and shortened.

From the beginning proponents of this legislation have sought for congressional assertion of responsibility. Without criticism of the administrative agencies involved, indeed with admiration for their pioneerng work in wilderness preservation, there has nevertheless been a consistent advocacy of establishment by Congress of an enduring national policy and program, and congressional control of its operation.

We do view this measure as an assertion by Congress of its authority. The legislation, as we view it, does not give congressional powers to administrative agencies. It gives them instructions. It is no surrender of prerogatives. It is an exercise of them.

We favor this. It is in accordance with this attitude that I recommend the addition I have suggested for subsection (f), along with my proposed changes in the provisions regarding primitive, park, and refuge areas.

By this legislation in such form Congress would be designating the present national forest primitive areas and the roadless portions of our national park and wildlife refuges as Federal areas to be considered first as prospective units of a National Wilderness System. Congress would also be instructing the executive agencies to make further studies of these presumptive wilderness areas, over a 10-year period, and to make recommendations to Congress on the basis of these studies. Congress would further be maintaining control over the destiny of these areas. While assigning great responsibility to the Executive and utilizing the advantages of administrative intelligence, the program is thus thoroughly one in exercise of the perogatives assigned by the Constitution to Congress.

*Hearings on proposed special Presidential authorizations*

There is one further addition I should like to recommend. It would provide for public notice and hearings, except in time of national emergency, before the President would authorize the nonconforming uses provided for in section 6(c)(2). This would be accomplished by adding at the end of line 2 on page 15 the following words "after public notice and hearings (except in time of national emergency) if there is sufficient demand."

NATIONAL FOREST PRIMITIVE AREAS IN THE WILDERNESS SYSTEM UNDER S. 4

In response to requests for comment on the place of the national forest primitive areas in our wilderness system and requirements in their proper establishment and protection, I am pleased to present the following discussion and recommendations.

*Misunderstanding*

A great deal of confusion has developed from the misunderstanding that the national forest primitive areas have only tentatively been considered wilderness. This is not true. Those who would like to reduce our areas of wilderness as much as they can would like to have us believe this. But this interpretation cannot be accepted. It is a distortion of what should be readily recognized on consideration of the history of the establishment of the areas and their present condition and importance.

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The primitive areas are an important part of our wilderness and, although necessarily subject to certain studies in connection with their continued administration as wilderness and as parts of the national forests, they should not as a group be considered otherwise. Each primitive area is a unit of the original national forest wilderness system. Every one of them had been established before 1939.

*Only presumptive wilderness being considered*

In this connection it should be emphasized that the wilderness bill throughout deals only with areas that are presumed to be available for preservation as wilderness.

Recognizing that some studies must be made before permanently protecting even the areas to which the wilderness bill is confined (including parks and refuges as well as special zones of national forests), the bill sets up even for these areas 10-year programs of study and recommendation.

Even such a cautious program as this does not embrace all possible Federal lands—only those portions of parks, refuges, and national forest zones that are presumed to be potential parts of our permanent wilderness system.

All the areas the bill does include should accordingly be considered presumptively wilderness.

*Primitive area protection a purpose of the bill*

The primitive areas are an important portion of the small part of our land that is available, and already set aside by administrative action, for wilderness preservation.

To a significant extent protection of the primitive areas was an object in developing congressional legislation to safeguard wilderness. Such protection appears increasingly necessary because of (1) pressures too great for administrators to withstand and (2) uncertainties of changing administrators. Conservationists advocating such legislation wanted Congress to exercise a scrutiny over administrators handling the national wilderness resources. The congressional review provisions of the wilderness bill were the result.

*Preliminary studies justified*

It was, and is, recognized that there are boundary adjustments to be made in connection with some of the primitive areas. There were roads included within some of the areas established early. Mining has destroyed the wilderness in some areas. For all these reasons the primitive areas require study and review and in some cases revision.

In connection with the study and review it seems also acceptable and desirable to scrutinize the suitability of the areas for continued preservation as wilderness. By agreement such provision is therefore included in the bill. Added precaution is thus taken that the wilderness system shall be sound and defensible when established.

The considerations, however, do not change the fact that presumably the primitive areas are parts of the wilderness system. The studies, reviews, and adjustments should be made on this basis, with this understanding.

*Provisions for congressional scrutiny*

The provisions of S. 4 place with the administrator—the Executive—the responsibility for making the reviews, the boundary adjustments, the determinations as to suitability. But S. 4 provides that before any resulting recommendations take effect the Congress shall have scrutiny over the proposal. The administrator is not to act arbitrarily or with finality, but in accordance with procedures and subject to disapproval.

It is not likely that Congress will disapprove many such recommendations, but if the Congress does disapprove a recommendation, this disapproval should not, according to the concept and provisions of this legislation, result in eliminating the area from the wilderness system without further action to this end by Congress.

Such rejection of an executive recommendation should be interpreted rather as meaning that the Congress rejects that positive and particular recommendation, not the area.

There should be no change in the status of an area simply because Congress has rejected a particular recommendation. If an area is to be eliminated this should be done on recommendation of this by the President, Congress permitting it to become effective, or Congress should eliminate the area deliberately.

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When Congress has once included the primitive areas in the wilderness system the review procedure provided should insure the validity of the areas of wilderness and should relieve the Congress of the details, but it should not be subject to distortion nor permit elimination of an area inadvertently.

*A meaningful procedure*

This, however, is not just going through motions. It is not a procedure of futility, as has been suggested, so long as the presumption is that the Executive, under the scrutiny of the Congress, is carrying out a study and review program through procedures more easily followed than a congressional handling of such details would be.

*Recapitulation*

The important facts about the primitive areas may be stated as follows:

1. The primitive areas were not established tentatively. They are areas that the Forest Service established in the 1920's and 1930's for wilderness preservation. They are original "type specimens" of areas to be kept as wilderness.

2. The new classifications "wilderness" and "wild" and the new regulations U-1 and U-2 established in 1939 were for the better protection of these already established primitive areas. (There have been no primitive areas set up since the establishment of the new categories and regulations.) War interfered with the immediately planned redesignation of the primitive areas, but the process of applying to them the improved protection of the later regulations and classification has continued.

3. The reclassification for better protection of these primitive areas should not be permitted to become an occasion for their loss as wilderness.

4. The assumption that the primitive areas are units of the wilderness system need not interfere with abandoning a primitive area if the proposed review indicates this to be desirable. In some area it may, for example, be found that because of mining operations (which so far have been uncontrollable by the Forest Service in the primitive areas) wilderness values of the area have been destroyed to such an extent that adjacent national forest areas of predominant wilderness value, along with those remaining so in the primitive area, cannot comprise a suitable wilderness. A recommendation to eliminate such a primitive area from the wilderness system would be expected in such a case.

5. Procedures in reviewing the primitive areas and determining their permanent status should not permit the administering executive agency to propose eliminating wilderness in such a way that Congress could not reject such an elimination without abolishing the whole area.

6. There should be no such provision in a wilderness act as the proposal that, if for any reason the administering department has not carried out the congressional directive to review an area within a specified time, that area shall "cease to be a part of the wilderness system." This not only anticipates a tolerance by Congress of failure to conform to a directive of Congress, but it is giving an agency the opportunity for eliminating an area of wilderness simply by doing nothing and failing to act as directed.

7. S. 4 as now before the Interior Committee provides a reasonable and desirable procedure for establishing the primitive areas as permanent units of the wilderness system but with the caution of a careful preliminary review, except there should be such a clarifying addition which I have proposed (or one better worded by someone else to the same effect).

While discussions are underway regarding such an area, if it continues to be preserved as wilderness, it continues to be available either for preservation or for other use. If, however, it is destroyed as wilderness, the choice is gone.

The longstanding status of the primitive areas is demonstrated in a map published in the July 1940 issue of the Living Wilderness, on which every one of our present primitive areas is shown.

It is further significant that the Forest Service in 1940 was using the terms "wilderness" and "wild" for all of the areas, making no distinction between "primitive" areas and others as to their place on the map. All together they were destined then for review.

SUGGESTED IMPROVEMENTS SUMMARIZED

Recapitulating the dozen recommendations in the same order in which I have presented them I should now like to summarize these suggestions for improving what I consider to be already an excellent piece of legislation.

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*Proposed deletions*

I have suggested five deletions as follows:

1. Take out the entire section 11 that might seem to permit dams for power purposes in wilderness areas.
2. Take out the irrelevant section 9 that would establish a Land Use Commission for Alaska.
3. Take out of section 6(c)(8) the provisions for "subsurface use" of wilderness areas and the reference to "water" resources.
4. Take out of section 3(b)(1) the proviso limiting the size of a primitive area.
5. Take out of section 3(b)(1) the concluding sentence, which contemplates a possibility of disobedience of the law.

*Proposed additions and changes*

The following seven additions and changes are suggested:

1. Add a sentence to the definition in section 2(b) making plain that for the purposes of this legislation wilderness includes the areas provided for in the bill.
2. Add language necessary to correct in section 3(b)(1) the anomalous inadvertence whereby congressional rejection of a proposed elimination could result in its elimination.
3. In section 3(c)(2) the deletion and additions of certain phrases are recommended to clarify and improve the language regarding areas in the national park system.
4. In section 3(c)(1) substitute wording is recommended to give immediate protection as wilderness, but subject to review, to the areas that qualify in the national park system, as earlier approved by the Park Service and the Department of the Interior.
5. In section 3(d) substitute wording is recommended to give immediate protection as wilderness to areas in national wildlife refuges and ranges that qualify but will be subject to review.
6. Add a sentence to section 3(f) making congressional control effective by providing that if Congress rejects an Executive recommendation regarding an area of wilderness it will continue in status quo, as set forth by Congress in this bill, until Congress has approved a subsequent recommendation or has itself acted further.
7. Insert in section 6(c)(2) a provision for public notice of proposals for special Presidential authorization of nonconforming uses of areas in the wilderness system.

CONCLUSION

In conclusion, it should be reiterated that the suggestions are not qualifications of our earnest support of S. 4 or the most urgent emphasis that the measure be moved forward without delay. Wilderness preservationists, it may be reiterated, support this measure not because they think it perfect but because they are willing and eager to be reasonable and to join in a consensus that can be effective. Some of its provisions are thus tolerated and accepted as the conditions on which there can be agreement with regard to others. Omissions are tolerated similarly because the necessary additions to correct them are not acceptable to those who, as the measure is, can be included in the consensus represented in the act passed by the Senate in 1961. Thus this statement on "Possible improvements in S. 4" is also an indication of the degree of cooperation shown by the wilderness preservationists who have advanced the legislation and have surely been mislabeled as "extremists" by determined opponents. With improvements if possible but at least in as good a form as it passed the Senate in 1961 the wilderness bill should once again be passed—and that promptly, as Senator Anderson has proposed, in order to give the House of Representatives plenty of time to work on it.

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BOISE, IDAHO, *February 27, 1963.*

Senator GORDON ALLOTT,
*Interior and Insular Affairs Committee,*
*New Senate Office Building, Washington, D.C.:*

Have been advised that the Senate Committee on Interior and Insular Affairs has scheduled on February 28 a hearing on legislation that would establish a national wilderness system (S. 4).

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This legislation would permanently set aside for exclusive and extremely limited wilderness use some 3 million acres of public lands in Idaho. Much of this acreage has never been objectively evaluated for multiple-use potential. Its mineral potential is virtually unknown. Some of it has not even been surveyed.

Idaho's mining industry has vigorously opposed this type of legislation in the past and continues to hold this view. We sincerely believe its enactment into law would be extremely detrimental to the future development of the basic natural resource economy of Idaho and other public land States. This view is shared by virtually all other natural resource interests which, along with mining, represent the backbone of the State's economy, including the livestock and farming industry and the timber products industry. Opposition to this type of legislation has also been expressed by Idaho's Governor and in resolutions approved by the Western Governors' conference.

The 37th Idaho Legislature now in session has by overwhelming vote approved and transmitted to Congress a memorial expressing similar convictions with respect to excessive wilderness set-asides.

We earnestly urge that you oppose this bill unless substantially amended to: (1) preserve the right of mineral entry until such time as the mineral potential of these areas has been thoroughly assessed; (2) assure that no areas will be permanently locked up for single-purpose wilderness use without affirmative action by both Houses of the Congress; and (3) require that the citizens of the State in which the public lands are located be given an effective voice either through their Governor, legislature or other officials, in the determination of what constitutes the best and highest use or uses of these lands.

We respectfully request that this communication be included and made part of the hearing record.

A. J. TESKE,
*Secretary, Idaho Mining Association.*

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CORTEZ, COLO., *February 26, 1963.*

Senator GORDON ALLOTT,
*Capitol Building, Washington, D.C.:*

Your support in helping defeat wilderness bill will be greatly appreciated.

Respectfully yours,

ELDON ZWICKER,
*President, Southwestern Colorado Livestock Association.*

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CORTEZ, COLO., *February 20, 1963.*

Senator GORDON ALLOTT,
*Senate Building, Washington, D.C.:*

Commend you on battle against wilderness bills. Request you to put Southwestern Cowbells on record as against S. 4 at hearing February 28.

SOUTHWESTERN COWBELLS,
MRS. WALTER EVERETT, *President.*

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MCGILL, NEV., *February 21, 1963.*

Hon. GORDON ALLOTT,
*U.S. Senate, Washington, D.C.*

DEAR SENATOR ALLOTT: This has reference to S. 4, the "Wilderness Act," which is scheduled for hearing on February 28. I wish to register opposition to enactment of this legislation and request that this letter be made a part of the record. Aside from the economic damage to our Western States, it is very questionable that the wilderness lands would be used by any but a limited few people. The young people are too busy making a living and the oldsters don't have the stamina to walk or ride horseback. The U.S. Forest Service under the multiple-use principle is doing a good job of preserving our public lands both for the bird watchers and industry.

Respectfully yours,

RALPH W. CROSSER.

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FEBRUARY 21, 1963.

Hon. GORDON ALLOTT,
*Senate Interior and Insular Affairs Committee,*
*Senate Office Building, Washington, D.C.*

DEAR SENATOR ALLOTT: This has reference to S. 4, the "Wilderness Act" which is scheduled for hearing on February 28. I wish to register opposition to enactment of this legislation and request that this letter be made a part of the record. Aside from the economic damage to our Western States, it is very questionable that the wilderness lands would be used by any but a limited few people. The young people are too busy making a living and the oldsters don't have the stamina to walk or ride horseback. The U.S. Forest Service under the multiple-use principle is doing a good job of preserving our public lands both for the bird watchers and industry.

Respectfully yours,

LEROY CASADY.

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STATEMENT OF WARWICK M. DOWNING, DENVER, COLO.

My name is Warwick M. Downing, of Denver, Colo. I wish to bitterly oppose the so-called wilderness bill, S. 4, unless the objectionable features of it are removed. I might say at the start that I am an ardent recreationist, and necessarily believe in the features of a properly drawn wilderness bill as part of a recreation program. The wilderness concept should be a part of a recreation bill, and not a separate enactment. Let me also say that I am a recreationist who, I think, has brought more recreation and pleasure to more people than any person that I have ever heard of.

Mayor Speer of Denver dubbed me the father of the Denver playground system, the Denver boulevard and parkway system, and the Denver mountain parks system. I fought hard for the creation of a Denver national park, but yielded to the Forest Service on its promise to build a marvelous mountain highway from Squaw Pass to Summit Lake. I also had a large part in the creation of the Rocky Mountain National Park. I think that today the Denver mountain park system brings joy to more people than visit all the national parks.

What I greatly object to is that the proponents of the wilderness system before the Senate act as if they were afraid that if the wilderness system is created, it will soon be abolished in toto as a gigantic mistake. Furthermore, they seem to regard the wilderness system as something special, something different, something that cannot be treated like all other matters before Congress, a holy of holies, as it were.

The national park system is one of our great achievements. Yet national parks can be created only by act of Congress. The subtle scheme here proposed not only monopolizes 60 million acres permanently, many times more than will ever be needed, but gives departmental heads almost unrestrained authority to add unlimited areas to the wilderness system, with the possibility that enough Congressmen will be sufficiently outraged to repudiate their action, and is an unprecedented and nefarious way to try to bypass the Constitution of the United States.

Why should the President of the United States, with his multitudinous duties of office, be asked to take time to determine matters of the character set forth in the wilderness bill? As a matter of fact, he would not make any such determination; he would refer it to the Secretary of the Interior, and the Secretary of the Interior would refer it to the Assistant Secretary for Fish and Wildlife; I need not comment on how that official would act. He would do everything in his power to prevent Presidential action.

The bill, as I understand it, would include lands within the national forests classified by the Secretary of the Interior, as wilderness, wild, primitive, or canoe, comprising 6,773,080 acres, and other lands recommended by the Secretary of the Interior comprising some 54 million acres, a total of something over 60 million acres. We must constantly keep in mind that the definition of the wilderness areas is "an area where the earth and its community of life are untrammeled by man; where man, himself, is a visitor who does not remain." It is provided that there shall be no permanent roads, nor any use of motor vehicles or the landing of aircraft, nor any temporary road, nor any structure or installation in excess of the minimum required for administration. In other words, it is an area available only to the hardy person who packs his own bedding and food on his back and stays only a limited time. There are perhaps

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50 million persons in the United States who would make use of recreation through public facilities; the number of persons who would make use of the wilderness system would not amount to more than 1,000 or 2,000 a year. As a matter of fact, the mountains of the United States already provide for all the so-called wilderness use that will be needed for many decades. In fact, I am sure that there will always be sufficient areas in the mountain tops or the high ranges to satisfy the so-called wilderness requirements.

The great objection, of course, to the wilderness idea is that it so adversely affects business enterprise and use of our natural resources for development by industry. I understand that your very able chairman, Senator Anderson, has said that the establishment of a wilderness preserve system as provided by the bill, would be without real injury to anyone. We must not forget the tremendous importance of the development of our natural resources. It is because of our natural resources that America has become so great and powerful. There is nothing more important than the grazing of cattle and oil development. In fact, the highest duty of our Government is to provide for national defense. I am sure that every Senator feels most strongly the necessity of doing everything—not something, but everything—possible, to make strong our national defense, which means that in continental United States, we should have an adequate supply of energy, petroleum, and liquid fuels instantly available for use in case of war. Of greater importance is it that we develop our natural resources and stay strong in our energy resources, because if we let down our guard and weaken our means of defense, we invite an attack and conquest by an aggressor. Of equal importance is it, that we encourage private enterprise to provide jobs and strengthen our economy.

As to mining development, none of the sponsors of this bill would think of asking that there should be excluded from any wilderness system, areas which the U.S. Geological Survey would consider as probably oil and gas areas. Why not? The good Lord permanently placed our oil and gas fields in many places where they will remain until developed. But wilderness areas can be shifted from time to time; provided, of course, the entire matter is left up to Congress.

Congress has adopted the principle of multiple use. So has the Interior Department. Why not allow mining and stock grazing to flourish in wilderness areas? It has already been proven in Alaska that mining development, resulting as it has in new roads, has been highly beneficial. New roads have opened the way for moose and other animals to find and enjoy more pastures. The same is true of Louisiana, where the State permits mining on State lands set up as "wilderness," and finds it highly beneficial.

If the wilderness bill was supported by persons other than zealots, it would be possible to sit down in conference and prepare a bill providing for wilderness areas as a part of a national recreation program, and do so without injury to our national prosperity or the development of our material resources. We must always keep in mind that while the wilderness idea and need for recreation are important, our growth as a nation has not been helped in any way by recreation, but has been made possible by business enterprise.

In the files of your committee is a statement I made concerning the wilderness bill which passed the Senate last session, and there is also available a statement made by me to the Interior and Insular Affairs Committee of the House. I refer respectively to the same.

One other word: the wilderness bill, S. 4, has been strongly opposed by all elements of the oil industry, the cattle industry, and in general by the people of the public land States. What I wish to add as perhaps the strongest factor in opposition, is that I hope you will pay due regard to the recommendations of the Interstate Oil Compact Commission, which I have the honor to represent. The Interstate Oil Compact Commission is a public body authorized by the Constitution of the United States, and created by act of Congress and by the legislatures of 30 of the oil-producing States. Such legislation has given this public body power to recommend measures for the greater ultimate recovery of oil and gas. In the exercise of this power the Commission has made numerous recommendations. Such recommendations have proven valuable to Congress and to the several States, and have been treated with great respect, to say the least. I do not wish to imply that the Commission represents the viewpoint of any State, as each State is a sovereign in its own right. But its recommendations do express the viewpoint of the members of this public body, whose only thought and purpose is the public welfare, and whose right to recommend is given by the Constitution of the United States, the Congress and the legislatures of 30 sovereign States.

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AUGUSTA, MAINE, *February 28, 1963.*

Senator EDMUND MUSKIE,
*Senate Office Building, Washington, D.C.:*

The Garden Club Federation of Maine, with 69 clubs and 4,400 members, wishes to have the wilderness bill S. 4 strengthened in every way possible and passed without delay. We urge your strong support and request that this statement be presented at February 28 hearing.

ELIZABETH J. SOCEO,
*Legislative Chairman, the Garden Club Federation of Maine, MDB.*

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STATEMENT OF THE PACIFIC LOGGING CONGRESS, CARWIN A. WOOLLEY, EXECUTIVE VICE PRESIDENT

The Pacific Logging Congress is a voluntary membership, nonprofit, unincorporated association of individuals engaged in, or interested in the logging industry. It was organized in 1909 for the purpose of providing a forum where the people of the forest industry could meet to exchange information, discuss mutual problems, and work toether for a permanent forest economy.

Its membership consists of individuals from logging and lumbering companies, manufacturers and distributors of logging equipment, private and public foresters, and forestry educators. Its membership covers all of the forested regions of the Western United States, Western Canada, and Alaska.

The Pacific Logging Congress has always been keenly interested in the wise use of our natural resources, and has followed the development of S. 4 from its inception in the form of S. 1176 some 6 or 7 years ago. It has offered testimony at several hearings on this subject, and we hope that our comments have been constructive.

We have opposed enactment of S. 1176 and all of its succeeding versions, and likewise, find it necessary to oppose S. 4. Despite some minor changes, S. 4 still retains its basically wrong, special-interest, approach to wilderness preservation. More specifically, it still retains many of the totally unacceptable provisions of S. 1176 as follows:

1. It would establish a new Federal system of public lands as a legal entity.
2. It would provide statutory designation of wilderness to areas on which land use studies to determine proper classification have not yet been made.
3. It would restrict the badly needed development of the national parks, called for by the National Outdoor Recreation Resources Review Commission, by arbitrarily clasifying as statutory wilderness all undeveloped areas over 5,000 acres in size unless specifically reserved from such classification by the Park Service.
4. It would prevent the proper management of those portions of wildlife refuges and game ranges classified as wilderness under the act.
5. Most importantly, the provisions of S. 4, and its predecessors, abdicate the constitutional responsibility of Congress to regulate the disposal of public lands. The negative provisions of S. 4, in this respect, are a gross insult to the integrity of our constitutional form of government.

In past presentations before congressional hearings on this proposed legislation, we have suggested certain changes which would partially relieve the serious inequities listed above. We would reiterate these recommendations, but they are a matter of record in the published transcripts of both House and Senate hearings, and the superb work of the House Interior and Insular Affairs Committee in the last congressional session has resulted in a draft of wilderness legislation that we can support wholeheartedly.

Therefore, we strongly urge that all further consideration of S. 4, or of any legislation embodying similar concepts be dropped and that new legislation, similar in all basic respects to the wilderness bill reported out of the House Committee on Interior and Insular Affairs during the last session of Congress, be enacted.

The following resolution was adopted as the official policy of the Pacific Logging Congress at its 53d annual sessions, October 31, 1962, and is herewith quoted for your reference.

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"RESOLUTION NO. XI, WILDERNESS LEGISLATION

"Whereas the House Committee on Interior and Insular Affairs has this year, after long and comprehensive studies, developed a substitute wilderness bill which offers the best hope yet of providing congressional protection for a substantial acreage of carefully selected roadless wilderness; and which does not at the same time unduly restrict usage of natural resources vital to the developing public land States of the West; and which establishes for the first time uniform procedures for all public land withdrawals; and

"Whereas the provisions of this legislative proposal have been maligned and misinterpreted in order to discredit the possibility that any new and different legislative approach to wilderness protection could be desirable and in the public interest;

"The Pacific Logging Congress therefore respectfully urges each and every Member of Congress to familiarize himself personally with the actual provisions of the House Interior Committee amendment to H.R. 776 (Committee Print No. 25) and to evaluate the worth of the proposal on its intrinsic merits rather than on the emotional appeals of special interest groups who do not want it to be considered at all; to recognize that pure wilderness which will endure longest is that which is most carefully selected and does not project unnecessarily into the mainstream of advancing civilization with its growing demands for other benefits from the land."

We particularly direct your attention to that portion of the last paragraph which urges each Member of Congress to personally familiarize himself with the actual provisions of the proposed legislation and to evaluate its worth on its intrinsic merits, rather than on the emotional appeals of special interest groups who do not want it to be considered at all.

This House proposal contains all the elements of good wilderness legislation, and does not perpetuate the inequities of S. 1176 as does S. 4.

The House substitute bill of the last session does not establish a new Federal system of public lands and it does protect the existing resource management pattern of administration.

It provides absolute statutory protection for primitive, and other similarly reserved, areas pending land use studies and recommendations as to final classification.

It establishes a schedule for the orderly consideration of these wilderness-type lands for eventual classification as statutory wilderness.

It insures the opportunity for all interested resource users, including State and local governments, to present their views to Congress.

It provides for periodic review of lands classified as wilderness to insure that such classification continues to best serve the interests of all the people.

It provides for positive congressional control over any proposed change in classification of public lands in excess of 5,000 acres.

In summary, the House substitute wilderness bill of the last congressional session represents a workable and equitable solution to the emotional problem of wilderness preservation.

The Pacific Logging Congress urges the incorporation of its principles into an entirely new wilderness bill, rather than attempting to make a "silk purse out of a sow's ear" by perpetuating S. 4 in the perfidious image of S. 1176.

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UNIVERSITY OF OREGON,
COLLEGE OF LIBERAL ARTS,
*Eugene, Oreg., February 17, 1963.*

Hon. CLINTON ANDERSON,
*Senate Office Building, Washington, D.C.*

DEAR SENATOR ANDERSON: I understand that on February 28 your committee will hold hearings on S. 4, the new wilderness bill.

I have not seen a copy of S. 4, but I gather that it is very similar to the measure passed by the Senate in the last session. If this is so, I want to express my approval of most aspects of the bill.

However, I do want to register an objection if S. 4 still contains the provision that any wild or wilderness area formed by reclassification of a primitive area

may not contain more acres than were in the previous primitive area. Such a requirement is much too rigid, and we are specifically interested in the Mount Jefferson Primitive Area here in Oregon. This area is presently too narrow to provide a viable wilderness situation, and some boundary revisions seem desirable during reclassification. Such revisions would be very difficult under what I understand to be the present conditions of S. 4.

I also hope that the wilderness bill can be strengthened in its provisions about mining. It has become apparent that mining is the only form of land use within the national forests that cannot be balanced against other possible uses. A mining claim usually takes precedence over any other possible form of land use regardless of the long-range plans of the agency administering the land involved.

I hope that a strong wilderness bill can be passed by the present Congress.

Respectfully yours,

RICHARD M. NOYES,
*Professor of Chemistry.*

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MONTANA WILDLIFE FEDERATION,
*Missoula, Mont., Feb. 25, 1963.*

Hon. LEE METCALF,
*U.S. Senate, Washington, D.C.*

DEAR SIR: District I of the Montana Wildlife Federation wishes to reaffirm its desire for a strong wilderness bill like that passed in the Senate last year.

Sincerely,

DONALD ALDRICH, *President, District I.*

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THE MONTANA WILDERNESS ASSOCIATION,
*Missoula, Mont., February 25, 1963.*

Hon. LEE METCALF,
*U.S. Senate, Washington, D.C.*

DEAR SENATOR METCALF: We have recently received Senator Anderson's announcement of wilderness bill hearings February 28 in Washington, D.C.

The Montana Wilderness Association has stanchly supported the establishment of a wilderness system and over the years has supported the wilderness preservation bills which attempted to accomplish this. We believe the establishment of a National Wilderness Preservation System is in the best interests of all our citizens.

We urge that the bill (S. 4) be strengthened in every way possible and passed during this next session of Congress.

It is unlikely that any members of the Montana Wilderness Association can be present at the February 28 hearings so we request that you present this statement and make it a permanent part of the record.

Respectfully submitted.

JOHN J. CRAIGHEAD, *President.*

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APPALACHIAN MOUNTAIN CLUB,
*Boston, Mass., February 27, 1963.*

Hon. HENRY M. JACKSON,
*Chairman, Senate Committee on Interior and Insular Affairs, Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON: The Appalachian Mountain Club, now representing 8,300 members, has consistently supported the wilderness bill in its true form since 1956, and would like to reaffirm its support at this time with respect to the Senate hearings on S. 4 to be held on February 28, 1963.

Our appearances in support of this bill have been incorporated into the record of previous hearings. We feel more firmly than ever that measures to assure preservation of remaining wilderness are of the greatest urgency.

Very truly,

LUTHER M. CHILD, Jr., *President.*

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LEWISTON, IDAHO, *February 26, 1963.*

Hon. FRANK CHURCH,
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR CHURCH: Following is our joint statement on Senate bill 4 which we desire that you present at the wilderness bill hearings to be held February 28, 1963.

In announcing the hearings on S. 4, Senator Anderson asked that statements be confined to new matter in regard to the measure. As Idaho residents the past 6 years we have been observers and participants in the debate, on the local level, of wilderness. We feel that perhaps our comments now on the perspective possible, at this mature stage of the debate, may be of interest to the Senate committee.

This debate, hot and angry at times, has been good. All of us involved have had our say, vented our feelings, put our cards on the table—thanks to the stage set by our democratic credo. We have not said kind things about each other—"wood butchers," "esthetic hogs"; as expected—moralistic and judgmental values. Yet, increasingly, the careful observer can discern a thread of broadly accepted ideas favorable to wilderness philosophy. This is an area where these ideas have been sharply criticized because of the threat implied, by the wilderness concept, to the economic survival of a large cross section of local population. This is traditionally due to predominantly one industry characteristic of the area (lumbering). One very recent positive indication of this favorable attitude toward wilderness was the vote in the Idaho Legislature against the wilderness memorial by both of the local State representatives and the State senator. In short, we are now past the name-calling stage—we no longer have to relegate each other to a barbarian limbo; to agree that wilderness is needed, is here to stay and perhaps it is in the best interest of introspective—interdependent man, a traditionally outdoor loving country, and also the long-range economic interests of the State of Idaho to preserve our few remaining primitive areas in the permanent wilderness category. Idahoans increasingly recognize their strategic location next to a vast megalopolis extending from Seattle to San Diego—strategic, considering the recreational needs of an exploding population and changing working hours heralding sweeping changes in free time for diversified and creative recreational use.

We are privileged to have had the opportunity to participate in the review of this unique and historic legislation. We believe it is now timely to pass out of committee bona fide wilderness legislation, as is the case with S. 4, for legislative action by the full Senate and House.

Respectfully,

MARIAN A. MAGER.
TALMAN RUSSELL MAGER.

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OLD YORK GARDEN CLUB,
*York, Maine, February 16, 1963.*

Senator MARGARET C. SMITH,
*Washington, D.C.*

DEAR SENATOR SMITH: At the hearings on S. 4, the wilderness bill, set for February 28, we will be grateful if you will present this statement from the Old York Garden Club, and if you cannot do so, will you kindly have it presented for us.

The Old York Garden Club of over 100 members strongly endorses President Kennedy's statement that "we must protect and preserve our Nation's remaining wilderness areas"; and that of Secretary Udall, that "preservation of wilderness is a tribute to 'America the Beautiful,' a demonstration of faith in her future and an ability to learn from her past. It demonstrates to the world that the United States is an inspired democracy, not exploiting every material resource in every cranny of the land, but wisely living on a sustained interest, not capital."

Sincerely yours,

CHARLOTTE PARKS,
*Chairman of Conservation.*

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RATON, N. MEX., *February 17, 1963.*

In re S. 4 hearing.

Hon. CLINTON P. ANDERSON,
*New Senate Office Building, Washington, D.C.*

DEAR SENATOR ANDERSON: The Colfax County Game Protective Association of Raton, N. Mex., feels that it is of the utmost importance that the new wilderness bill, S. 4, be passed.

We feel that it is fair to all concerned in its present form.

We feel very strongly that we owe it to our children and all future generations to preserve wilderness areas for their enjoyment and moral refreshment. There is a terrific need to get away from the fast pace we encounter in our everyday working lives, and more and more people from all age groups are finding that the peaceful solitude of our wilderness areas fills that need.

In its present form, the bill has provisions to take care of national emergencies. Grazing, State water rights ,prospecting and mining, oil and gas and powerlines all are safeguarded if the President sees that allowing them will better serve the public interest than denial of them.

Surely this wish to preserve small parts of our last remaining wilderness areas cannot be termed "selfishness." It is selfishness on the part of special interests that would destroy our very last wilderness areas for their own personal gain.

Respectfully,

COLFAX COUNTY GAME PROTECTIVE ASSOCIATION,
By Dr. JOHN A. LANGSTON, *President.*

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NATIONAL RIFLE ASSOCIATION OF AMERICA,
*Washington, D.C., February 18, 1963.*

The Honorable CLINTON P. ANDERSON,
*U.S. Senate, Washington, D.C.*

DEAR SENATOR ANDERSON: On behalf of the National Rifle Association of America, I would like to express our approval of S. 4, which establishes a National Wilderness Preservation System.

Passage of this bill would not only mean that wild, untamed lands would be set aside for those who follow us, but also that much prime habitat for game animals and fur bearers would remain intact and unchanged.

The National Rifle Association, a nonprofit organization with membership of over 520,000 sportsmen, supports fully the ideals embodied in this wilderness bill.

Sincerely,

FRANKLIN L. ORTH,
*Executive Vice President.*

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NATIONAL WILDLIFE FEDERATION,
*Washington, D.C., February 21, 1963.*

Senator HENRY M. JACKSON,
*Chairman, Senate Committee on Interior and Insular Affairs,*
*Washington, D.C.*

DEAR SENATOR JACKSON: The annual convention of the National Wildlife Federation will be in progress at Detroit, Mich., on February 28, 1963, and I shall be unable to appear before your committee as it considers S. 4, to create a National Wilderness Preservation System. I should appreciate it, however, if this letter could be made a part of the hearing record.

For identification, the National Wildlife Federation is a private organization which employs educational means in seeking to attain conservation objectives. The federation is composed of 51 independent affiliates, some of which have appeared before this committee in previous years with relation to wilderness preservation. These affiliates, located in all States and the District of Columbia, in turn are constituted of individuals who, when combined with other supporters of the National Wildlife Federation, number an estimated 2 million persons.

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Our organization long has endorsed the policy of wilderness preservation. We believe the principles and instruments set forth in S. 4 essentially are the same as those we have supported in the past.

This committee last conducted public hearings in wilderness preservation almost exactly 2 years ago, February 27–28, 1961. In our opinion, developments during this interim period have emphasized the urgency of further protecting wilderness areas by action of the Congress. There is no question but that competition for land, for commercial uses and even for other recreational purposes, is increasing and some of the prime areas of wilderness are in jeopardy.

The National Wildlife Federation believes in the wise management of public land resources in accordance with the policy of multiple use. It has been recognized widely that it is impossible to use every area for all purposes. Therefore, just as we believe some Federal lands should be devoted to the major purposes of timber production, or for mining, or grazing, or for so-called mass recreational purposes, we believe certain areas should be set aside as wilderness with protection by specific act of Congress.

In summary, Mr. Chairman, we hope this committee—and the Senate itself—soon may see fit to reiterate the overwhelming approval granted the nearly identical measure, S. 174, in the last Congress.

Thank you for the opportunity of making these comments.

Sincerely,

THOMAS L. KIMBALL, *Executive Director.*

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STATEMENT OF J. A. BUCHANAN, EXECUTIVE DIRECTOR, WYOMING NATURAL RESOURCE BOARD

Mr. Chairman and members of the committee, the Wyoming Natural Resource Board is an agency created within the executive department of the State for the purpose of developing the natural resources to insure economic growth and stability for the people of Wyoming. Our offices are 215 Supreme Court Building, Cheyenne.

The board in the past has endorsed the principle of multiple use, and it is disturbing that legislation such as S. 4 (identical to S. 174 with the exception of one word) through its enactment, might endanger this concept.

We are concerned that this bill could lock up our potential mineral and timber resources. It would hamper the livestock industry and water resource development. We believe that the recreational benefits would accommodate only the physically and financially able. While recreation is emphasized as a basic multiple use in this bill, a small percentage of our population would have the opportunity or the desire to use them.

In our State of Wyoming, where 30,219,000 acres of land are federally owned, it is imperative that we extend exploration for oil and gas, mineral deposits; increase grazing of cattle and sheep; harvesting of timber and the development of water resources for municipalities and irrigation projects in the lowlands.

We believe that these areas are being adequately supervised and protected by existing land-administering agencies. This legislation provides that within 10 years the President may recommend to Congres permanent inclusion in the wilderness system of 54 million acres, such recommendations becoming law if neither the Senate nor House approves a resolution to oppose such elimination of areas.

We believe, also, that this bill delegates powers of Congress to the executive branch in disposition of Federal lands. The Constitution of the United States gives Congress the authority of disposition, and this bill merely gives Congress the power of veto over laws written by the President.

Our board does not oppose wilderness areas as they are presently constituted in Wyoming. The board is, however, opposed to establishment of new wilderness areas, addition to these areas, or change in status of primitive areas to wilderness areas.

We believe that this bill recognizes only a single use rather than multiple use, and we find it impossible to adopt any other position than that our natural resources be developed for the greatest good for the greatest number.

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KENNECOTT COPPER CORP.,
NEVADA MINES DIVISION,
*McGill, Nev., February 20, 1963.*

Hon. HENRY M. JACKSON,
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR JACKSON: It is my understanding that the Senate Interior and Insular Affairs Committee has scheduled a hearing on February 28, 1963 relative to S. 4, a new wilderness bill, as introduced by Senator Anderson of New Mexico.

I am seriously concerned over the implications in the bill as far as the mining industry in the United States is concerned. Essentially, this opposition stems from the severe restrictions imposed upon the industry, and the adverse potential effect it would have on the economy of our country.

It is my contention that the attached amendments should be incorporated in S. 4, as a restriction of mineral entry and location on public lands is a real detriment to the mining industry and ultimately to the United States.

Your earnest consideration of these amendments is most respectfully solicited for, as you are aware, we have no certain knowledge of what minerals our Nation may need in the future, nor where these sources of minerals might be developed.

Yours very truly,

M. J. O'SHAUGHNESSY,
*General Manager.*

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KENNECOTT COPPER CORP.,
RAY MINES DIVISION,
*Hayden, Ariz., February 22, 1963.*

Hon. HENRY M. JACKSON,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR JACKSON: I understand that the Senate Interior and Insular Affairs Committee has scheduled a hearing on new wilderness legislation, S. 4, on February 28, 1963. I respectfully urge you to vote against the measure because I believe that basically and fundamentally all the public domain should be placed to the highest possible use, and minerals and nonmetallics necessary to our national welfare, economic progress, and welfare of the States and local communities should remain available. This obviously calls for the application of the basic principles of multiple use. It is my opinion that the bill, as introduced, is not designed for the general welfare of the Nation but it designed basically to meet the demands of a very small minority. In the interests of the future fullest development of our natural resources, I respectfully urge you to oppose S. 4 or to support reasonable amendments such as those proposed to the House Interior Committee in the last session of Congress. Such proposed amendments are as follows:

I. Strike the word "primitive" in line 1, page 4, section 3(b)(1).

II. Strike, beginning with the word "provided," line 2, page 4, down to and including the words "forest land," line 3, page 6, section 8(b)(1).

III. Strike (A), line 2, page 15, and strike beginning with the word "prospecting," line 4, page 15, down to and including (B), line 14, page 15, section 6(c)(2).

IV. Strike all of section 6(c)(8), beginning with the word "nothing," line 10, page 17, down to and including the word "environment," line 17, page 17, and substitute therefor the following:

"(8) Anything in this act to the contrary notwithstanding, lands within the wilderness system shall continue to be open to prospecting and and subject to location and entry in the same manner and to the same extent as under existing mineral laws of the United States and the rules and regulations applying thereto: *Provided*, That the surface of such lands disturbed in performing prospecting discovery, and location work shall, if economically feasible, be restored as near as practicable when it has served its purpose pursuant to reasonable regulations issued by the appropriate secretary: *And provided further*, That unpatented and patented mining claims lying within such lands shall not be used for any purpose other than prospecting, mining, or processing operations and uses incident thereto.

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"In the exercise of any right under such mineral laws, there shall be the right of ingress and egress by any and all means, and the right to establish and use rights-of-way for transmission lines, waterlines, and telephone lines, and rights-of-way for other facilities necessary in prospecting, mining, and processing operations: *Provided, however*, That such rights shall be subject to regulations by the appropriate Secretary which are consistent with the use of the land for mineral development and exploration, drilling, mining, and processing operations, which regulations shall not be prohibitive."

Due to the inherent difficulty of establishing the mineral value of our land resources in wilderness areas, prospecting exploration and mineral development activities, including gas and oil, should permitted in wilderness areas under the proposed law.

Sincerely yours,

A. P. MORRIS, *General Manager.*

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AMERICAN PLANNING & CIVIC ASSOCIATION,
*Washington, D.C., February 25, 1963.*

Senator CLINTON P. ANDERSON,
*Chairman, Committee on Interior and Insular Affairs,*
*U.S. Senate, Washington, D.C.*

DEAR SENATOR ANDERSON: On behalf of the officers and board of trustees of the American Planning & Civic Association I wish to strongly urge the enactment of Senate bill S. 4, a bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

Wilderness resources contain basic values and provide undeniable benefits to the American people, which it is believed has been well demonstrated by previous hearings of your committee on wilderness proposals. The establishment of a wilderness system such as outlined in this bill is clearly in the public interest.

Sincerely yours,

DONALD B. ALEXANDER, *Executive Director.*

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SPORT FISHING INSTITUTE,
*Washington, D.C., February 25, 1963.*

Re S. 4, wilderness bill.

Hon. CLINTON P. ANDERSON,
*Chairman, Committee on Interior and Insular Affairs,*
*Senate Office Building, Washington, D.C.*

DEAR SENATOR ANDERSON: The Sport Fishing Institute, Washington, D.C., a nonprofit scientific and educational fish conservation organization, dedicated to the improvement of sport fishing, and supported by fishermen and industry, supports the objectives of the wilderness bill (S. 4), introduced by you. We understand this to be the same as S. 174 passed by the Senate last year on a 78-to-8 vote.

The amount of lands involved, taking into account the overall national perspective, do not appear to be excessive to us. We believe that every effort possible should be made to preserve this small vestige of the primeval in order that future generations of Americans may have an opportunity to know and appreciate this aspect of their heritage in some small degree. We are convinced, too, that consideration must be given to a full variety of outdoor experiences within the framework of meeting the growing demands for outdoor recreation, the needs for which were recently documented by the Outdoor Recreation Resources Review Commission. Demands on "back country" primitive areas by anglers are also increasing, especially by those desiring the unique fishing opportunities offered only in wilderness situations. Such fishing opportunities would disappear almost overnight, if not safeguarded by legislation similar to that proposed in S. 4.

There is much current concern regarding increasing water pollution in our streams and lakes. Protection of the headwaters in wilderness areas could help to assure the American people that there will always be some uncontaminated supplies of clean, clear water—above all sources of pollution. Water quality in these watersheds within the wilderness areas could be preserved in its natural state of purity, providing external tangible "yardsticks" for measuring effectiveness of water pollution control programs.

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One of the major determinations made in the ORRRC Study Report 3 (Wilderness and Recreation—a Report on Resources, Values, and Problems) was that 75 percent of those persons penetrating the boundaries of wilderness areas planned fishing as one of their major activities. Those fishermen desiring to exert themselves can have as a goal practically "virgin" waters in which to fish; an incomparable fishing experience that could become entirely impossible to attain unless such areas are protected from possible future administrative changes that could eliminate management under wilderness concepts.

The Sport Fishing Institute generally concurs in the principles to which S. 4 addresses itself, to protect by statute—subject to change only through deliberative processes—those areas now designated administratively, or regarded generally, as wilderness or related purpose areas. With statutory protection, there would be a National Wilderness Preservation System "for the permanent good of the whole people." We feel that this approach provides for public uses and benefits that are of overriding value to America. For these reasons, the Sport Fishing Institute urges approval of S. 4 by your committee as a means to that end, and respectfully requests that this letter be made a part of the official record of hearings.

Sincerely,

PHILIP A. DOUGLAS,
*Executive Secretary.*

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NORTH COUNTRY BIRD CLUB,
*Adams, N.Y., February 23, 1963.*

Senator HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,*
*Senate Office Building, Washington, D.C.*

DEAR SENATOR: As president of the North Country Bird Club, whose membership encompasses a large area of northern New York, may I act as the representative of our organization in expressing their views in regards to the wilderness bill. It is with hopeful expectations and relief that our organization welcomes the time when we hope that favorable action will be taken on this most important bill. Unlike the many whose only thoughts are to exploit every commercial possibility, we say let there be some regions of natural beauty left, which can be seen by the generations of the future, unscathed and free from man's defacement.

It is with the foregoing sentiment that the members of the North Country Bird Club wish to express their favor of the wilderness bill, S. 4, and hopes for its passage by Congress soon.

Thank you for your attention.

KENNETH MEILON, *President.*

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CHEYENNE, WYO., *February 27, 1963.*

Hon. MILWARD SIMPSON,
*Senate Office Building, Washington, D.C.:*

Please be advised that the 37th session of the Wyoming State Legislature passed a joint memorial at their recent session memorializing the Congress of the United States concerning wilderness legislation and opposing the creation or extension of wilderness areas within the State of Wyoming. I signed the memorial because I firmly believe it is the right approach and is in the best interests of all Wyomingites. The joint memorial included these sections:

"Whereas bills have been introduced in the U.S. Congress to establish a national wilderness preservation system; and whereas, these bills would create wilderness areas in Wyoming; and whereas, the creation of wilderness areas would interfere with the development of Wyoming's water resources, and would jeopardize the multiple-use concept of the areas for the projection of water, forage, timber, minerals, and recreational opportunities, which multiple-use concept policy has been in effect for over 50 years, and has shaped the economy of the West; now, therefore, be it

*Resolved, by the House of the 37th Legislature of the State of Wyoming the Senate of such Legislature concurring,* That the President and Congress of the United States of America be and they are hereby memorialized to consider fairly and diligently the welfare and interest of the people of the State of Wyoming, who oppose the creation of extension of wilderness areas in Wyoming; That, furthermore, if such wilderness areas are necessary and desired in other States,

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that areas adjacent to centers of population be purchased and returned to the wilderness state, believing that such a program would make wilderness areas available to more people of the country than the creation of such areas in the West. This action by the State legislature reflects, I firmly believe, the feeling of a great many Wyoming people. It is my hope that no wilderness legislation will be approved by the committee.

CLIFFORD P. HANSEN,
*Governor of Wyoming.*

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ARROWHEAD AREA COUNCIL, INC.,
BOY SCOUTS OF AMERICA,
*San Bernardino, Calif., February 22, 1963.*

Senator HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,*
*Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON: We are informed that your committee is to consider the wilderness bill February 28, 1963.

We enclose copy of a resolution unanimously passed by our executive board February 20, 1963. We respectfully request that this resolution be considered by your committee.

Our council strongly favors the wilderness bill as is, without exclusion of special areas such as the San Gorgonio Wild Area for purpose of admitting mechanized skiing development. We feel we must take a strong stand on this matter, as it is obvious ski developments would spoil the wilderness for youth training and enjoyment. When you can ride a ski lift up the highest mountain in southern California, the challenge to hike it is lost. Our youth must learn self-reliance and other values to be gained from the wilderness. This is necessary to counteract the softening influences of modern civilization.

We trust your committee will agree with our thinking.

Cordially yours,

EDWARD H. SAXTON, *Scout Executive.*

RESOLUTION REGARDING MAINTAINING THE SAN GORGONIO WILD AREA

Whereas the San Gorgonio Wild Area is an important part of our vanishing wilderness area and is the only such undeveloped area of its kind in southern California, and

Whereas it is important to retain this primitive wilderness area to provide suitable camping experiences readily accessible to southern California and such camping experiences as are available in the wilderness area are essential to scouting's program of character building, citizenship training, and physical fitness and to the teaching of self-reliance and the ability to take care of themselves and others on the part of Scouts, and

Whereas it is obvious that the proposed development of mechanized skiing facilities would permanently damage the wilderness aspect of the area and

Whereas it is essential that such wilderness area be retained for future generations.

Therefore, be it resolved that the San Gorgonio Wild Area be maintained as it is currently being managed by the U.S. Forest Service.

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STATEMENT OF J. A. CROWDER, COUNSEL FOR THE NATIONAL WOOL GROWERS ASSOCIATION

Mr. Chairman and members of the committee, This statement regarding proposed wilderness legislation is the official position of the National Wool Growers Association. Our association is composed of 10 State organizations and represents an area where over 70 percent of the Nation's sheep, lambs, and wool are produced. The National Wool Growers Association has been the recognized spokesman for the Nation's sheep producers for the past 98 years. The following resolution was unanimously adopted at the 98th annual convention of our association, January 20–23, 1963:

"The National Wool Growers Association goes on record as opposing any wilderness legislation. We submit there is sufficient legislation regarding wilderness areas; that the proposed legislation is a duplication of effort; and if carried

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to its conclusion, would be detrimental to the interest of the people of the United States and especially the livestock industry.

"We request that Congress reassert its legislative authority as to the withdrawal of public lands. We are opposed to the executive branch taking over the duties of the legislative branch of Government."

The above stand of our organization is not new. This has been our position throughout the long and tiresome battle before Congress to set up this "special interest" legislation.

It is our firm conviction that wilderness legislation is not necessary. Wilder- areas have been created under existing authority and further wilderness areas, if and when needed, can be created under that same authority. It is true that our national forests, where a number of wilderness areas have been created, are managed under the multiple-use principle, with wilderness as one of the specific uses. However, this is not sufficient for the wilderness enthusiasts who apparently put emotion before sanity and whose aim is wilderness alone through roadlessness and nonuse of resources, however badly needed.

In view of the fact that this is a "special interest" bill and, further, that there is sufficient authority for creation of needed wilderness areas, we would strongly urge the Senate Interior Committee to reject this bill. If, however, after consideration of S. 4 the committee deems it advisable to report the bill favorably, then we would strongly urge:

(1) That Senator Allott's amendment be added to S. 4, requiring positive congressional action for additional areas to become a part of the wilderness preservation system. National parks are created only through positive action of Congress and certainly it is logical for Congress to act in the same positive manner in the creation of additional wilderness areas. We believe strongly that in the interests of all people of the United States, determination of the status of the land is a function which should only be exercised by Congress. In fact, present laws permitting establishment of wilderness areas through action of Government bureaus should be amended to require that such actions be subject to positive approval by Congress.

(2) Furthermore, if favorable action on this bill should be deemed advisable, we urgently request the Senate Interior Committee to amend that section of the bill under "Special Provisions" having to do with grazing of livestock on areas made a part of the wilderness system. Under the present wording of the bill stability of tenure on grazing use is not clearly defined or assured. We would urge the committee to amend section 6(c)(2)(B) of S. 4 through deletion of the words shown in parentheses below:

"the grazing of livestock where (well) 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)."

The word "well" is vague and subject to many different interpretations depending upon the individual making the interpretation. "Well established" could mean anything from 6 months to 6 years or longer. Grazing permits are not granted indiscriminately by either the Secretary of Agriculture or Secretary of the Interior. A stockman receives a grazing permit only if he meets rigid qualifications set up by either the Secretary of Agriculture or Interior, depending on the land involved. Removal of the word "well" would clarify continuance of established grazing of livestock as one of the compatible and necessary uses of areas placed in wilderness status and would assure continuance of essential grazing operations in areas of the West where communities are dependent on sheep and cattle production to provide taxes for roads, schools, and other necessities.

Also, the words "subject to such restrictions and regulations as are deemed necessary by the Secretary having jurisdiction over such area" should be removed since grazing is already subject to many restrictions and regulations established over the years by the Departments of Agriculture and Interior. Since any wilderness areas would be administered by these two agencies, it is certainly logical to continue grazing operations under these applicable restrictions and regulations rather than saddling the livestock industry with a myriad of new regulations.

We appreciate this opportunity to present the official position of our organization on wilderness legislation. We will also appreciate favorable considera-

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tion by the Senate Interior Committee of the views and proposals we have set forth in this statement.

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STATEMENT OF MILES P. ROMNEY, MANAGER, UTAH MINING ASSOCIATION

The Utah Mining Association endorses the testimony and the proposals with respect to S. 4, to be presented at these hearings by the American Mining Congress.

The Western States, in which the major portion of the public lands are located, are becoming increasingly aware of the extraordinary powers over disposition and use of those lands which have been granted to the executive branch of the Government. There seems to be no firm statutory guidelines governing disposition and use of those lands, but the administering agencies have acquired very broad regulatory powers which have permitted those agencies to encroach upon the legislative field in many of the actions taken.

The Utah Mining Association strongly urges that the entire field of disposition and use of the public lands be critically reviewed with respect to the legislative responsibilities and prerogatives of the Congress and the appropriate regulatory powers of the administering agencies.

Practically all the lands proposed in S. 4 for inclusion in a wilderness system, other than the land in national parks and monuments, were segregated by Executive order from lands classified by the Congress for much greater general use than the uses stipulated by the agencies in the segregations. We consider the selective classifications by the administering agencies of great acreages of lands for uses much more restrictive than was originally established by the Congress, for those lands, to have violated the intent of the Congress and to have assumed legislative authority.

We urge that no lands be included within the wilderness system, unless they have been heretofore classified by Congress for single-purpose uses, or until Congress has made an independent review thereof through normal legislative processes and has made a determination that such classification should be made.

We further urge that the Congress act favorably on legislation requiring congressional review of all proposals to make withdrawals in excess of 5,000 acres from the public lands.

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STATEMENT OF HAROLD E. WALLACE, CHAIRMAN, LEGISLATIVE COMMITTEE, NATIONAL RECLAMATION ASSOCIATION

My name is Harold E. Wallace. My home is Salt Lake City, Utah, and I am chairman of the Legislative Committee of the National Reclamation Association.

This statement is presented on behalf of the National Reclamation Association, an organization which was formed in Salt Lake City in 1932. Throughout all the years since that time the association has maintained an active membership from among the irrigation farmers from each of the 17 Western States. Approximately two-thirds of the members of the association at the present time are Western water users or irrigation farmers.

The irrigation farmers of the West have perhaps a greater reason for being interested in watershed protection and the proper management of the watersheds upon which they are dependent than any other group of citizens in America. The very existence of the entire irrigated West depends upon an adequate supply of irrigation water throughout the entire growing season. That means that there must be a well-sustained streamflow runoff. In most of the watersheds of the West, reservoirs have been constructed to store the early season runoff and hold it over for late season use, but reservoirs are costly and it is, therefore, vitally important that every effort be made to maintain a well-sustained late season runoff of the natural flow of all the rivers of the West.

I am attaching to my statement a copy of Resolution No. 1, wilderness areas, which was unanimously adopted at the last meeting of the National Reclamation Association in Portland, Oreg., in October 1962. I respectfully request that this resolution be included in the record along with and as a part of this statement.

From this resolution it is clearly evident that the members of the National Reclamation Association endorse the principle of multiple use rather than single use with reference to the resources of the watersheds of the West. For instance, the resolution states:

"(a) In every case where the public domain is capable of a variety of consistent uses, it should be made available for all such uses."

And again the resolution states:

Those uses "most essential should have preference over those less essential."

Then I also wish to call attention to the order of preference recommended in this resolution. I think this is especially significant. Following is the order recommended:

"(1) National defense and uses in support thereof.

"(2) Production of the necessities of life, especially water, food, fiber, timber, minerals, power and the means of transportation and communication.

"(3) Recreation for all.

"(4) Specialized recreation for the few."

The conservation movement as we know it today was given its greatest momentum under the leadership of former President Theodore Roosevelt and our first Chief Forester, Gifford Pinchot. These two great conservationists gave to the word "conservation" its true meaning. Their definition was:

"Conservation—the use of the natural resources for the greatest good of the greatest number for the longest time."

Gifford Pinchot in his book, "Breaking New Ground," made the following comment: "Launching the conservation movement was the most significant achievement of the T. R. administration, as he himself believed. It seems altogether probable that it will also be the achievement for which he will be longest and most gratefully remembered."

Former President Theodore Roosevelt, in his message of December 2, 1901, stated, "The fundamental idea of forestry is the perpetuation of forests by use. Forest protection is not an end in itself; It is a means to use and sustain the resources of our country and the industries which depend upon them."

We believe that the fundamental principle of single use underlying wilderness legislation is diametrically opposed to the philosophy of true conservation as established by Theodore Roosevelt and Gifford Pinchot. We recognize that there may be certain areas which are peculiarly adapted to wilderness, and that a wilderness system would be appropriate for such areas. We believe, however, that because of the extreme difference in the philosophy of conservation in its broad multiple-use sense on the one hand, and the narrower version of single use as exemplified by the wilderness legislation on the other hand, that there should be restrictions imposed upon the creation or addition of a wilderness area, whereby not only those who have a vital interest in that particular area, but everyone concerned could be sure that that area is better suited for wilderness than any other purpose.

For the foregoing reasons, if this committee feels that it is desirable to enact wilderness legislation, then we would like to suggest that consideration be given to the following amendments to pending legislation S. 4.

*Amendment No. 1.*—To provide for affirmative congressional approval before inclusion of areas in the wilderness system.

Amend Section 3(f), page 10, line 5, beginning after the word "adjournment," by striking the remainder of line 5, all of line 6, and line 7 through the word "recommendation," and inserting in lieu thereof the following, "The Congress shall have approved a concurrent resolution declaring itself in favor of such recommendation."

*Comment.*—"Wilderness areas should be created only by affirmative approval of the Congress."

This has been the opinion of the members of the National Reclamation Association over a period of years. In my opinion, this is the most important amendment that has yet been proposed to the wilderness legislation.

*Amendment No. 2.*—Amend Section 3(b) (1) as follows:

Page 4, line 1, after the word "wild" strike the word "primitive," and after the word "canoe" strike the colon and insert a period.

Page 4, between lines 1 and 2, insert a subheading as follows: "National Forest Primitive Areas."

Page 4, line 2, strike the words "provided that the" and insert "(2)" and the word "The."

*Comment.*—The purpose of this amendment is to provide that primitive areas shall not be added to the wilderness system except by affirmative action by the Congress. The effect of the proposed legislation now before the committee would be to add the vast and extended primitive areas to the wilderness system with one stroke of the pen. The report by the Department of Agriculture on this bill

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indicates that there are now within the national forest primitive areas nearly 8 million acres. These areas are scattered throughout 10 different States, with approximately 3,300,000 acres within the State of Idaho. Because of the importance of these extensive areas, we believe that they should be considered and acted upon separately.

*Amendment No. 3.*—Amend section 6(c)(2), page 15, line 14, by striking the word "well" at the end of line 14.

Amend section 6(c)(2), page 15, line 19, by inserting a period after the word "continue" and by striking the portion of the word "sub-" at the end of line 19, and strike all of line 20 and all of line 21.

*Comment.*—The reason for this amendment is as follows: The word "well" in line 6 leaves too much to the discretion of the administrative official. If a livestock industry has established grazing within an area, its rights should be recognized. The words at the end of the sentence in lines 11, 12, and 13 would also appear to give too much discretionary power to administrative officials. It is a well-known fact that the Forestry Service already has authority to regulate grazing.

*Amendment No 4.*—Amend section 6, page 17, after line 17, by adding a new "Subsection 9":

"(9) Other provisions of this act to the contrary notwithstanding, the planning, establishment, and maintenance of water conservation facilities, including preliminary surveys, construction and all other activities incidental thereto, shall be permitted wherever necessary to allow the appropriation and development of water supplies in accordance with the law of the State wherein such facilities are located."

The foregoing suggested amendments constitute our recommendations with respect to the legislation now before the committee, S. 4. We believe the adoption of these amendments would make the bill much more acceptable to the people of the West generally, and especially to the irrigation farmers of the West.

### Resolution No. 1, National Reclamation Association

#### WILDERNESS AREAS

Whereas the widespread desire for the creation, within the public domain, of wilderness areas has sometimes been marked by a zeal for wilderness which overlooked the general national interest; and

Whereas the principles hereinafter enunciated have expressed the continuing policy of the National Reclamation Association and have been accorded recognition by the judicious and well-balanced views taken by the affected congressional committees in their consideration of current wilderness legislation; and

Whereas creation of wilderness areas requires continued exercise of good judgment without imposing an unreasonable burden on the goal of administering the public domain so as to create conditions which will produce the greatest good for the greatest number, subject to the recognition of vested or existing rights and uses: Now, therefore, be it

*Resolved*, That:

1. The actions of every public official having responsibility with respect to creation or continuation of wilderness areas should be governed by these principles:

(*a*) In every case where the public domain is capable of a variety of consistent uses, it should be made available for all such uses.

(*b*) Where potential uses are inconsistent, those most essential should have preference over those less essential.

(*c*) The following order of preference should prevail:

(1) National defense and uses in support thereof.

(2) Production of the necessities of life, especially water, food, fiber, timber, minerals, power, and the means of transportation and communications.

(3) Recreation for all.

(4) Specialized recreation for the few.

2. This association opposes any legislation not embodying the principles expressed in this resolution and commends those who have actively and effectively promoted said principles, often against pressures created by special interest groups.

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AMERICAN WHITE WATER,
*Denver, Colo., February 22, 1963.*

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
*U.S. Senate.*

MR. CHAIRMAN: The American White Water Affiliation wishes to congratulate the Senate for the passage of the wilderness bill during the last session. We were very sorry that it did not pass the House. With this new opportunity to study the bill further we wish to request that a few changes be made that will strengthen the bill.

Section 11: We feel that the reference to the Federal Power Act should be omitted completely. There are two major reasons for this:

(1) The opponents of the wilderness bill feel that too much of the bill is "being administered without congressional positive action." This opens a big loophole in the bill, by setting aside one agency above the entire wilderness principle. Any desire to have a power development in a wilderness should therefore be made by a specific act of Congress, and not by this all-inclusive loophole.

(2) The best information we can find forecasts that by the year 2000 (or sooner) atomic power will make other forms of power development uneconomical. Therefore this clause is inserted under present thinking rather than on a more realistic thinking.

Section 9: This section is specific for Alaska and deals with the Land Use Commission. This Commission is not restricted to wilderness matters in the bill. If Alaska desires another Commission it should not be tacked onto this bill, but should be heard as a separate bill.

Section 6(c)(3): The part "Provided that nothing in this Act shall preclude the continuance within the area of any already established use of motorboats." This section should be completely eliminated or as a poor second it should be amended to say as in other sections of the bill, that the agency in charge can regulate or eliminate the use of motorboats as it feels that such use is modifying the wilderness nature of an area.

The obvious point here is, that some area might become such a motor attraction that the wilderness character of the area would completely vanish, along with the wildlife, etc. Also no one can predict what turn motorboat size, power, and design will take. In any case many of today's overpowered monsters do not belong in wilderness areas. We could easily have our wilderness waterways run down with mechanized monstrosities. In addition the use of no mechanical device should have an unrevokable claim to our wilderness areas.

Section 6(c)(8): We read the section about prospecting with grave reservations.

Section 3(f): We wish that something could be added that would require that, if either House turned down any area submitted for inclusion in the system, that the agency involved would resubmit the area amended in accordance with the recommendations of the objecting House.

The American White Water Affiliation is made up of individuals and organizations in 46 of our States and Canada. Of the 50 affiliated groups in the AWA there is included Explorer Scouts, canoeing and kayak clubs, mountain and hiking clubs, youth hostels, and university outing organizations.

Because of our interests in natural moving streams we are intimately acquainted with such things as stream pollution, water conservation, soil conservation, power developments, and in general our experience runs through all phases of conservation. Because of this wide experience we wish to express our interest and urge passage of a strong wilderness bill. We should point out that our concern and findings parallel much of the finding of the Outdoor Recreational Resources Review Commission.

MARTIN VANDERVEEN, *Executive Secretary.*

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DENVER, COLO., *February 24, 1963.*

INTERIOR AND INSULAR AFFAIRS COMMITTEE,
*U.S. Senate.*

Mr. CHAIRMAN: The Colorado White Water Association, which is an organization composed of canoeist and kayakers from all over Colorado wishes to go on record as favoring the passage of the Senate-introduced wilderness bill. We further request that you strengthen this bill in committee and remove those sections that tend to weaken the intent of the bill. This organization (CWWA)

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has corresponded with the Wildernes Society and find ourselves in complete agreement with their suggestions for strengthening the bill. We therefore ask you to consider well their recommendations. We should like to call special attention to two sections that we feel should be eliminated.

We feel that motorboats should not be afforded special protection under the bill, but should be treated as any other motorized transport in wildernes areas. (Sec. 6(c)(3).)

We feel that any powersite to be developed in wilderness areas should face the same test that any other development would face, and that is, Congress could pass any law to allow such development at any specific site. Therefore we suggest that section 11 be eliminated.

We wish to thank all the Senators who have worked so hard and so long for passage of a wilderness bill.

CLYDE JONES,
*Conservation Chairman, Colorado White Water Association.*

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STATEMENT OF WALTER S. BOARDMAN, EXECUTIVE DIRECTOR, THE NATURE CONSERVANCY

I am Walter S. Boardman, executive director of the Nature Conservancy, a private conservation organization with headquarters at 2039 K Street NW., here in the District of Columbia.

The members of the Nature Conservancy, residing throughout the United States and in a number of foreign countries, share, through their interest and support, the primary concern of the Nature Conservancy for preserving samples of wild and unspoiled natural areas that remain in the United States. We feel that these areas constitute an irreplaceable resource, as important to people as our commodity-producing lands. In serving people for educational purposes, for basic scientific research, for land-use investigations, and by preserving animals and plants that are facing extinction, these protected natural areas more than redeem our investment in them. They are an inspiration to us. They provide incomparable opportunity for reflection and spiritual enrichment in our modern culture.

Chapters and local committees help carry on Nature Conservancy activities within local areas. It would be a pleasure, Mr. Chairman, to furnish the committee with a listing of some of these natural areas, which our organization and its local members have succeeded in preserving for use of future generations.

I am here today on behalf of Nature Conservancy to urge this committee to report S. 4 without weakening amendments. We strongly endorse this measure and wish to encourage your favorable and prompt consideration of it. We hope that it may be voted upon promptly by the Senate, under a procedure that will permit once again the expression of broad public support for this vital legislation from people in both the eastern and the western regions of our country.

We believe that S. 4, through establishment of the National Wilderness Preservation System, serves a need that represents many of the broad objectives and goals of the Nature Conservancy. While our organization, in close cooperation with local group and individuals, will continue to work strenuously, and we expect gradually over a period of time to succeed in reserving small islands of natural landscape over the continent, it would be anomalous indeed for us to overlook the great opportunity that this bill offers for preserving the remaining expansive areas of wilderness within our national parks and national monuments, national forests, and fish and wildlife refuges and ranges. These areas and their wilderness can be preserved without cost under terms of this legislation. These areas are now in public ownership. They do not have to be acquired at the expense of great cash outlay, as in the case of most of the natural areas which our organization has worked successfully to preserve in the past.

This bill provides a natural policy for protecting in perpetuity the wilderness within these public ownerships. It provides procedures for orderly consideration by Congress of changes in this system. In short, it gives the people of our country a pattern for protecting the priceless heritage that is represented in our remaining large expanses of wilderness lands.

It is appropriate then, Mr. Chairman, for the Nature Conservancy to offer this committee its support and encouragement in moving forward with consideration of S. 4. When enacted, this measure will stand as a monument to far-

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sighted members of this committee and the Congress who have responded to the great need to preserve for future Americans some of the wilderness that through the generations has given our people incomparable opportunities and contributed so greatly to their moral and spiritual fiber.

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STATEMENT OF C. R. GUTERMUTH, VICE PRESIDENT, WILDLIFE MANAGEMENT INSTITUTE

I am C. R. Gutermuth, vice president of the Wildlife Management Institute. The program of this national conservation organization has been devoted to the restoration and improved management of natural resources in the public interest for more than a half century.

Conservationists are gratified that the committee has scheduled this hearing on S. 4. They are convinced that the prompt establishment of a uniform system of wilderness classification and administration on suitable areas of the national forests, parks, and wildlife refuges is in the public interest. The proposal has wide support. The people are enthusiastic about this plan to dedicate isolated islands of natural Americana as a national resource. They know that time is a critical element and that the Congress must act soon in order to establish an effective and workable system for administering these worthy areas of wilderness.

Much thought and study have been given to the need for wilderness preservation. Members of Congress have devoted a tremendous amount of committee and personal time to this proposal over the past several years. Lengthy hearings have been held both in Washington and in the field, numerous witnesses have been heard, and thousands of pages of testimony taken. All principal points of opinion have been reviewed, most of them time and time again.

Many revisions have been made in the wilderness bill to accommodate valid objections and to benefit from constructive criticism. The difference that exists now, among those persons who actually are informed about what the wilderness bill really will and will not do, is predominantly a matter of personal philosophy.

Most of those who continue to oppose the wilderness bill are associated with commercial and business groups. They always have advocated more roads, more mines, and more fencing, timbering, and grazing on the public lands. It is not the least bit surprising, judging from past experience, that these groups have rejected Senator Anderson's authoritative assurances that enactment of S. 4 will cause little or no economic disturbance to individual and community welfare. Established mining and grazing would not be affected. There will be no loss in timber sales on any of the lands included in the wilderness proposal before the committee.

Those who claim they are unable to understand the scope and purpose of the wilderness bill simply are ignoring the extensive printed record of the committee hearings, the Senate committee report and floor debate in 1961. Regardless of this impressive background of information, a few individuals continue to maintain that enactment of the wilderness bill would be a disastrous blow to local and regional economies. I find that these assertions are made by some of the same individuals and groups that were defeated soundly in their attempts to give livestock grazing permittees special vested rights on the national forest lands only a few years ago, who unsuccessfully resisted legislation to revise national forest mining claim procedures, and who would have given lumber companies timber selection rights on the national forests. They generally are among the "loyal opposition" to every measure that would modernize public land practices and concepts.

It appears that a few spokesmen for those groups deliberately misrepresent the facts in an effort to block the wilderness bill. They must be a small minority of individual obstructionists, because many other prominent leaders in the livestock and mining industries have announced their support of the wilderness legislation. Their comments and sugggestions have helped inform and advise Members of Congress.

The wilderness bill has been misrepresented more than any other natural resources proposal that I have known in my long experience in Washington. It appears that some people still have designs on breaking down the integrity of the national forests, the national parks, wildlife refuges, and the national land reserve, despite repeated demonstrations by the Congress that these public lands should be administered so as to provide the maximum benefits to all of the people.

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Surely, the wilderness bill would supplement the previous congressional declarations of intent. It recognizes the authority and responsibilities of existing administrative agencies and interferes with none. No new bureaucratic structure would be created. It merely provides that suitable areas of wilderness, already in existence in national forests, parks, and wildlife refuges, should be administered in such a way as to preserve their natural character. The amount of land involved is small, but the wilderness preservation opportunity provided by S. 4 is large in terms of public benefit.

The number of persons requesting an opportunity to appear before the committee in support of S. 4 undoubtedly would have been much larger except for an unfortunate conflict of dates. Many interested groups and individuals are enroute to Detroit, Mich., for the annual meeting of the National Wildlife Federation and for the 28th North American Wildlife and Natural Resources Conference, sponsored by the Wildlife Management Institute. It is regretted that these commitments made it impossible for me and a number of others to appear before the committee. I am sure, that in the absence of this conflict, a lot of other conservationists would be urging this committee to report out S. 4 so that it can be approved and sent to the House early this session.

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FREDERICK, MD., *February 27, 1963.*

Senator HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,*
*Senate Office Building, Washington, D.C.:*

The National Council of State Garden Clubs, Inc., membership nearly one-half million, urge that the wilderness bill, S. 4, be strengthened in every way possible and passed without delay. We earnestly request that this statement be printed in the record of the hearings on S. 4 scheduled for February 28, at 10 a.m., room 3106, New Senate Office Building.

JUSTUS D. DUVE,
*Chairman of Legislation National Council of State Garden Clubs, Inc.*

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JEFFERSON CITY, MO., *February 25, 1963.*

Senator HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,*
*Senate Office Building, Washington, D.C.:*

International Association Game Fish and Conservation Commissioners support S. 4 wilderness bill. Urge prompt favorable action by Congress on this legislation which is essential to the total conservation effort.

WILLIAM E. TOWELL,
*Chairman, Executive Committee International Association of Game Fish Commissioners.*

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DEFENDERS OF WILDLIFE, INC.,
*Washington, D.C., February 26, 1963.*

The Honorable HENRY M. JACKSON,
*Chairman, Interior and Insular Affairs Committee,*
*Senate Office Building, Washington, D.C.*

SIR: The board of directors of Defenders of Wildlife, a national organization concerned with the preservation and protection of all species of wildlife in America, urge the members of your committee to favorably act upon the wilderness bill (S. 4) and pass this legislation.

The necessity of preserving areas of wilderness land is acute, there is a danger in further delays to preserve our natural heritage. The wilderness bill is a reasonable and practical measure and in the best interests of all the people of America.

We sincerely hope that you and the members of the Interior and Insular Affairs Committee will favorably determine to see that the remnants of the continental wilderness shall survive for the people of America today, and for the benefit of generations yet to come.

Sincerely yours,

PEARL R. TWYNE, *President.*

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PHOENIX, ARIZ., *February 26, 1963.*

HON. CLINTON P. ANDERSON,
*Chairman, Senate Interior Committee,*
*Senate Office Building, Washington, D.C.*

Am advised that the Senate Interior Committee is to have a 1-day hearing on February 28 for consideration of S. 4, the so-called wilderness bill. This bill was given detailed consideration at a recent meeting of the Western Governors, Mining Advisory Council including delegates from every Western State, Following is a portion of the resolution unanimously adopted:

"We recommend, in any further consideration of wilderness legislation, the incorporation of the principles so clearly espoused in H.R. 776, 87th Congress, for congressional control of public land disposition and use, and for multiple use of all the public lands to the greatest practical extent.

"We more particularly recommend that provisions be made in any future wilderness legislation, to assure:

"(1) That no area will be recommended for exclusive wilderness use until its mineral resources have been evaluated by qualified mining engineers and geologists of those States affected and the Federal agencies concerned with mines, minerals, and geology.

"(2) That provision be made to require future periodic reviews of all wilderness areas and their resources at reasonable and practical intervals, with the view of reclassifying these lands and their use in the light of changing mineral, and other commodity needs and of the improved exploration, extraction, and mineral processing techniques.

"(3) That the amount of land involved in any wilderness designation bear a reasonable relationship to the use proposed."

The economic well-being and progress of the Western States are dependent in large measure upon successful development and utilization of their natural resources. These resources in major proportion are found in the great acreage of public lands within those States. It assures the States and the Nation of the maximum benefits from the resources on those lands. The public land laws and administrative practices implementing them must assure reasonable access and development opportunity.

CHARLES F. WILLIS,
*Chairman, Arizona Delegation,*
*Western Governors Mining Advisory Council.*

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BALTIMORE, MD., *February 29, 1963.*

HON. CLINTON P. ANDERSON,
*Chairman, Senate Interior and Insular Affairs Committee,*
*Senate Office Building,*
*Washington, D.C.:*

Wilderness bill, in present form, unacceptable. I urge defeat or at least that amendments be adopted to insure that mining rights in such reserved lands be sustained and continued, including the right to locate claims and protection to the prospector in any discovery he might make.

C. E. GRESHAM,
*1068 Elm Road, Arbutus, Md.*

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STATEMENT OF THE WESTERN OIL & GAS ASSOCIATION, MID-CONTINENT OIL & GAS ASSOCIATION, AND THE AMERICAN PETROLEUM INSTITUTE

Mr. Chairman and members of the committee, in the second session of the 87th Congress the above petroleum associations endorsed wilderness legislation. The bill we supported was H.R. 776 as amended and reported by the House Committee on Interior and Insular Affairs. This bill would have established a National Wilderness Preservation System composed, initially, of 6,822,400 acres of national forest land. The lands proposed for immediate classification as wilderness, had earlier been designated by executive order as "wilderness," "wild," and "canoe" lands.

The bill now under consideration, S. 4, would also establish a wilderness system of the same size involving the same types of national forest land. But here the similarity between last year's House bill and S. 4 ends. We believe the

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most significant difference between H.R. 776 and S. 4 is the proposed method by which additional lands would be placed in the wilderness system.

In addition to the 6.8 million acres of national forest land immediately placed in the wilderness system by S. 4, the bill provides that an additional 8 million acres of forest land previously classified as "primitive," 24 million acres of the wildlife refuge system, and 22 million acres classified as roadless areas in our national parks could be brought into the wilderness system after executive review and Presidential recommendation. Thus 54 million additional acres of Federal land could be placed in the national wilderness preservation system by Executive action unless either House of Congress adopted a resolution opposing one or more of the many Presidential recommendations that would be made.

This procedure, set forth in section 3 of S. 4, leaves Congress only a limited veto power. We urge you to strike this procedure from S. 4, substituting in its place an amendment proposed by Senator Gordon Allott and others requiring that additions to the wilderness system be made only by positive act of Congress.

The Constitution of the United State, article IV, section 3, vests in the Congress the "power to dispose of and make all needful rules and regulations respecting the Territory or other property belonging to the United States." This language places in your hands the power and responsibility to deal with Federal lands. In our judgment, nothing associated with the creation of a National Wilderness Preservation System warrants your delegation of this power and responsibility. We believe this is by far the most important issue in this legislation.

We believe also that sound wilderness legislation should contain some provision for multiple use. The provisions of section 6 of S. 4 represent a gesture toward multiple use but in reality the provisions are so impractical as to be meaningless. For example, section 6(c)(2) states that within national forest and public domain areas included in the wilderness system the President may, within a specific area and in accordance with regulations he deems desirable, authorize prospecting (including but not limited to exploration for oil and gas) and mining (including but not limited to production of oil and gas) if he determines this use will better serve the interests of the United States than will its denial. The average oil operator or prospector would, we contend, find this provision of no benefit.

A more practical arrangement could be established by including a requirement that all lands considered for inclusion within the wilderness system shall first be subject to inventory, evaluation with public hearings by the Congress, and review of their values for wilderness purposes and for other beneficial uses before Congress takes action with respect to them. Where more than one beneficial use can be made of such lands they should be placed in the wilderness system only subject to multiple use thereof.

Section 6(c)(8) states that nothing in S. 4 should be construed to prevent (within national forest and public domain area included in the wilderness system) prospecting for the purpose of gathering information about mineral resources or to prevent the completely subsurface use of such areas if such use is compatible with the wilderness environment. The restrictive definition of wilderness found in S. 4 precludes the possibility of any effective prospecting being conducted in a manner compatible with the wilderness environment envisioned in the definition set forth in the bill.

We do not believe that the bill's treatment of wildlife refuges and game ranges is sound. We would suggest that these refuges and ranges be eliminated from consideration as possible wilderness areas. Created either by act of Congress or Executive order, wildlife refuges and game ranges are managed for specific proposes often inconsistent with wilderness use as defined in S. 4. These lands have a high proven value for recreational use other than wilderness and consistently have been a greater tourist attraction than any of our existing wilderness areas in the national forests. Many of the refuges and ranges lie within sedimentary basins. Also most of the refuges and ranges on the public domain are, by provisions of the laws and Executive orders creating them, subject to oil and gas leasing under the Mineral Leasing Act of 1920.

We urge that you adopt Senator Allott's amendment requiring that additions to the wilderness system be made by positive act of Congress. We also urge that the committee consider revamping this legislation so as to conform more closely to the provisions of H.R. 776. We would appreciate your making these remarks part of the hearing record.

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AFTERNOON SESSION

Senator METCALF (presiding). The committee will be in order. I know that many of you want to get your testimony in and get away, and so we will proceed as quickly as possible.

The next witness is Joe Penfold of the Citizens Committee for the ORRRC Report.

Joe has been a perennial witness on this bill, and other conservation measures for many years.

We welcome you to the committee, Joe.

## STATEMENT OF JOSEPH W. PENFOLD, CHAIRMAN, CITIZENS COMMITTEE FOR THE OUTDOOR RECREATION RESOURCES REVIEW COMMISSION REPORT

Mr. PENFOLD. Thank you, Mr. Chairman. I appreciate the courtesy of being heard at this time. I hope that this will not inconvenience other witnesses.

I have to go and get a physical examination before I take a plane, and I find it is more difficult to get an appointment with the doctor than to get space on an airline.

Mr. Chairman, I am Joseph W. Penfold——

Senator METCALF. I am sorry Senator Anderson is not here. He would use that as an argument for another bill that is pending before the Congress. [Laughter.]

Mr. PENFOLD. I am Joseph W. Penfold, chairman of the Citizens Committee for the Outdoor Recreation Resources Review Commission Report, a committee of private citizens which was established only a month ago, and includes presidential appointees to the Outdoor Recreation Resources Review Commission.

It was created to encourage public understanding of the Commission's report and to assist generally in accomplishing the aims and purposes of the report.

Mr. Chairman, the Outdoor Recreation Resources Review Commission arrived at a judgment on the question of the preservation of wild lands after the most careful and responsible consideration.

The Commission was very fortunate in having the counsel of Senator Anderson, yourself, Senator Jackson, Senator Miller, and the late Senators Dworshak and Neuberger in its analysis of the value of wilderness and the wisdom of congressional action to assure those values for the American people. There can be no question that the participation of congressional members of the Commission—reflecting necessarily the overall public welfare—made certain that the interests of all segments of our society were fully considered.

In addition, of course, the citizen members of the Commission provided balanced representation of interests affected by wilderness legislation; and the Commission's Advisory Council provided an even broader forum for the expression of divergent views.

Mr. Chairman, it is a matter of substantial significance that the Commission took a forthright position on the issue before this committee.

I should like to quote from page 131 of the Commission's report:

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

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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 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 and 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.

The Commission also explained the importance and the place of wilderness in the broad spectrum of land and water areas which are required to provide a balanced outdoor recreation opportunity for our people.

One of the Commission's principal recommendations is for the adoption of a system of classification of land and water areas for outdoor recreation purposes. The classification system, which the Commission considered to be a highly useful tool to public and private land managers in meeting outdoor recreation needs in a context providing for full consideration of other values, recommends six categories ranging from high-density recreation areas to wilderness.

Mr. Chairman, it might be useful to have in the record at this point a recapitulation of what those six classifications are, if I can find that here quickly.

Class I, high density recreation areas, that is, 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. In other words, the National Forests generally fall into this classification.

Class IV, unique natural areas, areas of outstanding scenic splendor, natural wonder or scientific importances. The Old Faithful area in Yellowstone, for example, would fall into the unique natural area or, perhaps, Big Spring in Missouri would fall into this category.

Class V, primitive areas, undisturbed roadless areas characterized by natural wild conditions including "wilderness area," that is, areas in the national forests now designated as wilderness areas.

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Class VI, historic and cultural sites, that is, sites of major historic or cultural significance, either local, regional, or national.

The fifth of these categories, primitive areas, describes and recommends management guidelines for wilderness.

Following is the text of the Commission's discussion and recommendations from page 113 of the report:

CLASS V—PRIMITIVE AREAS

The essential characteristics of these areas are that the natural environment has not been disturbed by commercial utilization and that they are without mechanized transportation. Their natural, wild, and undeveloped characteristics distinguish them from all other recreation resources included in this system of classification. They may or may not be of the unique quality characteristic of class IV areas. Size is a limiting factor only to the extent that the area must be large enough and so located as to give the user the feeling that he is enjoying a "wilderness experience"—a sense of being so far removed from the sights and sounds of civilization that he is alone with nature. The size will vary with different physical and biological conditions and will be determined in part by the characteristics of adjacent land. Size will also vary in different parts of the country.

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 some other purposes.

Recognizing this then, the Commission made this recommendation, No. 6-10:

Primitive areas (class V) should be carefully selected and should be managed for the sole and unequivocal purpose of maintaining their primitive characteristics.

Once an area has been placed in class V, it should be managed so as to preserve the primitive condition and the isolation that qualified it in inclusion. There should be no development of public roads, permanent habitations, or recreation facilities of any sort. Their avoidance is the keystone of management. Mechanized equipment of any kind should be allowed in the area only as needed to assure protection from fire, insects, and disease. Any economic use of the area, such as the grazing of livestock, that may exist at the time of its establishment should be discontinued as soon as practicable and equitable, and no further commercial utilization of the resources should be allowed.

The preservation of primitive areas, including "wilderness areas," is discussed further under recommendation 8-6, in chapter 8.

I think it is clear from these quotations that the Outdoor Recreation Resources Review Commission report, a unanimous report of the members serving on the Commission at the time the report was filed, supports the principles and purposes of S. 4.

The Commission recommends congressional action to assure the preservation of primitive lands in Federal ownership. It recommends flatly that these lands be protected from uses which it finds to be inconsistent with wilderness—and its findings in this regard are more restrictive than those proposed in S. 4.

Further, the Commission found the preservation of wilderness to be essential in order to provide that full range of outdoor recreation opportunities which the American people want and deserve.

In its discussion of the place of "the outdoors in American life" the Commission described the benefits of outdoor recreation to our society. It noted the necessity of creative and renewing use of our growing

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leisure time. It noted the contributions of outdoor recreation to physical fitness. In the closing paragraph of this chapter are these words:

> Outdoor recreation * * * is a part of the educational process that strengthens men's minds as their bodies; that broadens their understanding of the laws of nature; that sharpens their appreciation of its manifold beauties, and that fortifies man's most precious possession—the spirit that gives life its meaning.

I submit that these values are provided in their highest form by wilderness.

The citizens committee appreciates very much this opportunity to express its views.

Senator METCALF. Thank you very much, Mr. Penfold.

Do you have any questions, the Senator from Colorado?

Senator ALLOTT. No. I just want to say that despite Mr. Penfold's disagreement with me on one phase of this bill particularly, I have not seen much of him since his illness, and I am glad to see him back here able to be with us. We always value him as one of our foremost Colorado citizens and as a friend.

I want to welcome him back here with active participation in our hearings before the Interior Committee.

Mr. PENFOLD. Thank you very much, Senator Allott.

Senator METCALF. In all these conservation measures we valued Mr. Penfold as one of the Colorado resources for which Colorado is famous. He is one of the chief resources.

Senator ALLOTT. We are trying to preserve him. [Laughter.]

Senator METCALF. Thank you, Joe.

Mr. PENFOLD. Thank you.

Senator METCALF. The next witness is Mr. W. D. Hagenstein, who is representing the Industrial Forestry Association.

Mr. HAGENSTEIN. Mr. Chairman, I had arranged before lunch to let Mr. Wright take my place because he has a plane to catch.

Mr. WRIGHT. I changed my plans.

Mr. HAGENSTEIN. Very well.

Senator METCALF. We will call Mr. Wright next after you.

Mr. HAGENSTEIN. Thank you very much, Mr. Chairman.

Senator METCALF. We are glad to have you with us, Mr. Hagenstein. You go ahead in your own way.

## STATEMENT OF W. D. HAGENSTEIN, EXECUTIVE VICE PRESIDENT, INDUSTRIAL FORESTRY ASSOCIATION

Mr. HAGENSTEIN. Thank you very much.

I was interested, Mr. Chairman, in Senator Anderson's remark this morning that Mr. Zahniser and I both appeared before this committee—this would be the sixth time—on this bill, and I might say it has been my pleasure to become very well acquainted with Mr. Zahniser, and we have had a great many interesting experiences in the process, even though sometimes we disagree with some of the points at issue in this legislation.

Mr. Chairman and members of the committee, my name is W. D. Hagenstein and I reside in Portland, Oreg. I am a professional forester and a registered professional engineer in Washington and Oregon. I am executive vice president of the Industrial Forestry

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Association which has been promoting contructive forest management throughout western Washington and western Oregon since 1934.

Industrial Forestry Association members are engaged in the business of growing and harvesting timber and manufacturing every kind of forest product for the Nation's consumers. They operate 365 manufacturing plants, more than 6 million acres of certified tree farms, and employ more than 74,000 people with an annual payroll of around $390 million.

Before I discuss S. 4, which would create a national wilderness system, let me emphasize that the Industrial Forestry Association has long favored establishment of wilderness areas in the national forests. We appeared before several public hearings called by the Secretary of Agriculture when he was in process of reclassifying primitive and limited areas in our region as wilderness. In each case we made recommendations for specific boundaries based on field studies and full consideration of the economy of the surrounding areas.

There is no argument about the desirability of wilderness. Everyone is for it. It is simply a question of where, how much, and how we go about it. And that's the onerous decision which this committee has before it.

We have consistently opposed the bills creating a national wilderness system since 1957 when such were first considered by Congress. We opposed them first because we believe such legislation unnecessary because the area of wilderness reservations has been increasing steadily since the Forest Service established the first one nearly 40 years ago.

Second, we have consistently believed that no case has yet been made that wilderness is the highest and best use of millions of acres of uninventoried Federal lands.

Third, we have always believed that the superimposition of another "system" on three already well-established and publicly accepted Federal land systems would result in public confusion and inefficient management.

Fourth, we have always maintained that dedication of any area to single use, for whatever purpose, until justified by study, is premature.

Millions of words have been written and spoken on the issues of S. 4, both in its present form and its various predecessors in its 7-year metamorphosis. I seriously doubt if anyone could muster one additional argument to support his view on the bill. Therefore, to conserve your time I am merely going to suggest four amendments which Industrial Forestry Association deems essential before it can recommend enactment of a wilderness bill.

First, we can think of no better protection for the future of hundreds of Western communities surrounded by and dependent on public lands than to justify wilderness as highest and best use through the normal legislative process. This means introduction of a bill in Congress authorizing a specific wilderness area, with boundaries clearly delineated, referral to the appropriate committees, and public hearings in the area affected to determine whether the proposed wilderness reservation can be accomplished without adversely affecting jobs, payrolls, and recreational needs of most of the people. After all, as testimony by the Forest Service in 1961 before the Senate Interior Committee showed, less than two-thirds of 1 percent of all visitors to the national forests use the millions of acres of wilderness which

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have already been established. This is amply substantiated by the ORRRC report which showed that the primary desire for outdoor recreation was the kind a family could reach, use, and return from in 1 day. Therefore, we believe requirement of positive action by Congress, area by area, will better safeguard the people of the United States in the management, use, and enjoyment of their public lands than S. 4 provides.

Such procedure would put the burden of proof on the proponents of a specific wilderness area that theirs is the highest and best use for society, rather than putting two Senators and one Member of Congress in the hole of trying to right a social and economic wrong against their constituents by getting enacted a resolution of disapproval of recommendations of the President.

I believe that is what Senator Allott and his colleagues are envisioning in the amendment that you have before your committee.

The second amendment we suggest is requirement that the independent professional views of all appropriate Federal and local government resource agencies be sought during consideration of any area proposed for wilderness reservation. We plan everything else today. Why shouldn't we use our best scientific brains to plan optimum use of our Federal land?

Implicit in such amendment is requirement of evaluation of each area proposed for wilderness in comparison with its value for other use, rather than on the basis of its wilderness character alone. This amendment should also include an evaluation of the total acreage of all wilderness areas in comparison with the demand and need for such areas.

A third amendment we recommend would require periodic inventories of all resources within all wilderness areas to determine finally if the purpose of their reservation is meeting the needs or whether changed circumstances require that the areas, or part of them, be devoted to other uses.

The last amendment we suggest is extremely important to public land counties. It is the suggestion that they be reimbursed annually for the amount of revenue they lose when productive national forest lands are withdrawn for wilderness. If wilderness withdrawals have potential receipts through forestry, grazing or use of any other resource, the counties are morally entitled to share in them.

Under such amendment amounts due the counties for withdrawal of productive forest lands would be relatively easy to calculate. The Forest Service knows how much timber is in the area, can determine its allowable annual cut, knows the value of timber from its sales nearby, and can easily place a dollar value on the allowable cut lost by inclusion in a wilderness. If such an amendment is not adopted, Congress is reneging on the I O U it gave the people of the West 66 years ago, when it created the national forests. Its principal terms were that when the national forests were needed to develop local economies, they would be ready, willing and eager to play their part. It is only fair for local government to expect reasonable reimbursement for lands removed from their rightful tax base.

We will greatly appreciate your careful consideration of our suggested amendments.

Thank you very much.

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Senator METCALF. Thank you very much, Mr. Hagenstein.

To allay some of the fears expressed by the senior Senator from Colorado as to whether or not you would be able to convince the President that an area should be reclassified in case it was determined that it was of a higher use for lumbering or mining or some other value, I would like to remind you and the Senator from Colorado of the time last year when you, with some of the other members of the lumber industry, came to the Northwest Senators and we went down together to see the President of the United States and had him give an order to the Secretary of Agriculture increasing the allowable cut around half—500 million board feet; wasn't that right?

Mr. HAGENSTEIN. I did not happen to be in the group that came down and talked to you. Some people of our industry did, that is true. But it was not done, the President did not respond, Mr. Chairman, on the basis of the request. He responded on the basis of the data furnished by the foresters and Forest Service saying they could increase the allowable cut because the new inventory showed more timber than they thought previously.

Senator METCALF. We did get the President to give an order to the Secretary of Agriculture to increase the allowable cut.

Mr. HAGENSTEIN. Within the limits of sustained yield.

Senator METCALF. Within the limits of sustained yield.

Mr. HAGENSTEIN. Right.

Senator METCALF. At the request of the lumber industry.

Mr. HAGENSTEIN. Yes; the industry requested it.

Senator METCALF. I remember talking to you some time during——

Mr. HAGENSTEIN. Not me, sir, I am sorry, you are in error. I was not there; it was somebody else.

Senator METCALF. At the wilderness hearing. Anyway I just wanted to remind you of that time we were able, the Senators and Representatives from affected area, to get a Presidential order to change an order of one of his Cabinet members; isn't that correct?

Mr. HAGENSTEIN. Yes. But I do not think it is quite analogous to this thing we have under discussion here, Senator Metcalf. I say that in all respect to you, because I know of your final legal background, you record in the Senate and as a member of the supreme court of your State, and as a Member of Congress previously.

But in this instance our industry, as you well know, coming from a State where it is an important part of your economy, has been sick for 3 years, it has been very sick.

Senator METCALF. That is right.

Mr. HAGENSTEIN. We have a lot of serious unemployment in your State, in Washington, Oregon, Idaho, and California, northern California.

Senator METCALF. And you and I have a vital interest in the forestry industry.

Mr. HAGENSTEIN. But determining what use is to be made of a specific piece of land, and determining what the allowable cut of a forest is are not related in quite the same way. I mean, one of them is really a technical problem.

I think the good service the President of the United States did to the people in your State and the people in the State where I live by asking the agencies to expedite the recalculation of allowable cut in

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order to get more timber on the market, to reduce the artificial shortage of timber which had been created in the West over a long period, because we have been selling at considerable less than the allowable cut, and the allowable cuts have been stated very conservatively, has been allowing us to cut down on our stumpage costs so that we are able to compete with the Canadian industry and it has helped us who have to depend on the West for timber.

Senator METCALF. I beileve it is a more technical problem.

Mr. HAGENSTEIN. Yes, sir.

Senator METCALF. The second thing I want to bring out is that the last amendment you suggested, that is, that there be protection for the reimbursement annually for the amount of revenue that counties lose is not applicable to this bill, is it?

Mr. HAGENSTEIN. Well, you would know better than I if it were, Senator Metcalf, being a member of the legal profession.

Senator METCALF. No.

Mr. HAGENSTEIN. I think, as an equitable matter, that it is, because when our grandfathers did establish the national forests and thereby foreclosed millions upon millions of acres going on the tax rolls in the counties in the West where you and I were born, and in many of these counties 60 and 70 percent of the local area is off the tax rolls because it was set aside as national forest or other Federal reservations, that Congress was saying that—

> We are doing this in your own interests. But one day when the population in the West gets to the point where you really have the need for significant expenditures to maintain local government, these lands are going to help in some way,

and Congress did recognize that later by enacting laws which did reimburse the counties.

Senator METCALF. That is right.

Mr. HAGENSTEIN. But the denial of those lands to the tax rolls on the basis of a share of those receipts——

Senator METCALF. That is right, and we reimburse them now.

But you heard the chairman this morning in the discussion say that the last primitive area was created in 1939.

Mr. HAGENSTEIN. Yes, sir.

Senator METCALF. You do no logging in wilderness areas, or if you do I hope you won't admit it while a representative of the Department of Agriculture is here.

Mr. HAGENSTEIN. No logging; it has been prohibited in the wilderness and wild and primitive areas.

Senator METCALF. And has been prohibited in all of these since—1939.

Mr. HAGENSTEIN. Since the affirmative classifications had been designated for these lands.

Senator METCALF. You do no logging in national parks.

Mr. HAGENSTEIN. No, sir.

Senator METCALF. And no logging, so far as I know, on fish and game ranges and wildlife.

Mr. HAGENSTEIN. Yes. There is some on those. In some places they have actually done some timber management.

Senator METCALF. Those you can continue under the terms of the bill.

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Mr. HAGENSTEIN. Well, there is a question about that. I would have to concede that you are probably right.

Senator METCALF. Of course, grazing which does provide a fee for the counties as a part of their earnings, would continue under the terms of this legislation.

So it would only be in the prospective creation of additional wilderness areas that we would have to take into consideration the loss of revenue, and we would do that in affirmative legislation just as we do it in the creation of a national park.

Mr. HAGENSTEIN. I think that is true. But let me say most respectfully, Senator Metcalf, that in the primitive classification this was not saying that all the lands that were put within these boundaries necessarily were going to be devoted exclusively to wilderness when they went through the classification process.

Senator METCALF. That is correct.

Mr. HAGENSTEIN. Some of those lands may have been determined as a result of careful study that they had a higher value to society for the practice of forestry, for example, and if they were, when they were reclassified, such lands would be excluded.

Senator METCALF. That is just exactly what happened.

Mr. HAGENSTEIN. In the Selway-Bitterroot.

Senator METCALF. That is right.

Mr. HAGENSTEIN. That is right.

Senator METCALF. And some of it reverted back to its national forest category, and can be mined or logged or anything else that a complete multiple-use concept will permit.

But before this reclassification there was not any logging in any of that primitive area, and this bill only affects national forest lands, wilderness areas, wild areas, primitive areas and, of course, wildlife refuges, fish and game ranges and national park areas.

Mr. HAGENSTEIN. But if you had a county, Senator, in which 40 percent of the land area was included in a primitive area, one time, and then subsequently a wilderness area, and even though forestry was precluded in it, wouldn't you think that the people in that county, if they had a need for revenue, would be entitled morally and equitably to get some from the United States, which would be, in effect, the cost of all the people of the country who are the beneficiaries?

Senator METCALF. I cannot see—they have not had it since 1939 in any county.

Mr. HAGENSTEIN. No. But——

Senator METCALF. I cannot see how you can determine that.

Mr. HAGENSTEIN. When Congress enacted the law creating the national forests, and foreclosed by withdrawing these lands from the public domain, where previously thereto they had been subject to entry under the various land laws, it could have gone on the tax rolls. I think there is a real moral issue involved here, particularly in these counties that have got such tremendous aras of public lands, many of them in the western half of your State, of which you are well aware.

Senator METCALF. I was born and raised in Ravalli County, and that is why I rather intimately know the Selway-Bitterroot area.

Mr. HAGENSTEIN. I know, too. I fought fire in it 22 years ago.

Senator METCALF. I fought fire in there.

Mr. HAGENSTEIN. For 57 days.

Senator METCALF. I was down the other day with the Forest Service, and we saw this new equipment that they have to fight fire. I found out that no one knew how to fight fire with a Fresno and a horse, and a pick and shovel, as probably you and I fought fire with in those days.

Mr. HAGENSTEIN. Exactly.

Senator METCALF. It is my understanding that your contention is that this bill should provide that present areas classified as a wilderness, present areas classified as primitive, present areas classified as wild or canoe areas should pay a fee to the counties in lieu of taxes, to be determined by the Federal Government, for the value of the timber that could be logged if we did log it off?

Mr. HAGENSTEIN. If you could practice forestry on the land that is contained in wild, wilderness, canoe, or primitive areas, and thereby have a timber harvest, and the timber could be sold or any other resource, grass or whatnot, I think the counties are morally entitled to the value, and this is the price the people of the United States pay for denying the use of that land for productive use.

Senator METCALF. We do not even do that for national forest land. We do wait until they do log at all.

Mr. HAGENSTEIN. Yes. Maybe you ought to consider that, too.

Senator METCALF. In the Selway-Bitterroot area we will wait until the timber is ripe and ready to log, and then we will go in and say, "Well, this year you get so many board feet, and next year you get so many board feet," how would you work that out?

Mr. HAGENSTEIN. Well, if you get commercial forest land that is entailed in a wilderness area, certainly the Forest Service can determine what the allowable cut would be of such an area, I mean, just as they do for the area that is outside commercial forest land, and they know what they are getting for timber, adjacent, the same kind of timber; the same market, at least. They could set a value on that and the value could be appraised, and Congress would have to authorize some means of reimbursing the county on the basis of those values.

Now, that may sound like a far-fetched thing to you, Senator. But looking at it realistically, were I a county father—I am not, I am just a taxpayer in the county—but were I a county father and if I had 40 to 50 percent of my area which was going to be foreclosed forever from productive use because it was going to be a wilderness area, I would certainly want to come down before the Congress to see if I could not get some reimbursement for my responsibility to my children.

Senator METCALF. I sympathize with you. I, too, am a taxpayer of Ravalli County. A large part of that county, Ravalli County in western Montana, is in the primitive and wilderness area.

Mr. HAGENSTEIN. Yes, I know it.

Senator METCALF. Thank you.

Mr. HAGENSTEIN. Thank you very much.

Senator ALLOTT. I have just one question. You raised some questions which I intended to go into with some mining witnesses later. But are you not, Mr. Hagenstein, violating the multiple-use statute, the principles of multiple use when you lock up an area in wilderness? Wilderness is recognized as one of the uses under the multiple statute.

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But if you lock up a wilderness area, you are violating the mutiple-use basis, are you not?

Mr. HAGENSTEIN. Well, I think that is correct, Senator Allott. I made the statement before this committee 2 years ago today when I appeared before you last on this legislation, that I felt that the proposal then, S. 174, was inconsistent with both the purposes of the act of June 4, 1897, which is the Organic Act of the Forest Service, and the Multiple Use and Sustained Yield Act of 1960 in that both of them state very specifically the purposes for which the national forest was created and established, and that this bill, by denying the productive use of those portions which were productive, in part at least, would be in conflict with those two basic statutes.

Now, of course, even though the Multiple Use Act recognizes wilderness as one of the multiple uses, and so says, as a matter of principle, when you deny productive use I do not know how personally you can term it multiple use, so that, with respect to that part of your question, I would say that the wilderness system proposal does violate the multiple-use concept.

Senator ALLOTT. Well, it is a paradox that we should have been engaged on this particular legislation since 1957. I can remember very well the first morning that it ever came up before the Interior Committee. But it seems to me that we have in our act, and anybody must recognize it, several paradoxical things.

First of all, you have this thing that you cannot have multiple use and have wilderness, they are inconsistent. You cannot have multiple use of land and have wilderness, they are basically and intrinsically inconsistent.

Now, it is not considered, no one has ever maintained, that you will have all phases of multiple use on a given piece of land, that you will have mining, timber, recreation, wilderness and everything.

Mr. Chairman, I would like to insert at this point in the record section 531 of title 16 of the United States Code which is the definition of multiple use.

Senator METCALF. Yes, without objection, it is so ordered.

(The section referred to follows:)

16 U.S.C. 531

As used in sections 528–531 of this title the following terms shall have the following meanings:

(a) "Multiple-use" means: The management of all the various renewable surface resources of the national forests so they are utilized in the combination that will best meet the needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; that some of the land will be used for less than all of the resources; and harmonious and coordinated management of the various resources, each with the other, without impairment of the productivity of the land, with consideration being given to the relative values of various resources, and not necessarily the combination of uses that will give the greatest dollar return or the greatest unit output.

Senator ALLOTT. Then, the second point is this: There has been quite a point made by the Secretary of the Interior and Mr. Cliff both, I believe this morning, about this being a conservation bill.

Now, can you see anything in this bill that bespeaks conservation except you shut people out of a given area and shut airplanes and motorboats and roads and machinery and cars and all these things?

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Mr. HAGENSTEIN. I was here this morning when you asked a question, I think, of Mr. Cliff about that and mentioned the fact that I think the word "conservation" only appears in the language of the bill once.

Senator ALLOTT. I believe that is right, just once.

Mr. HAGENSTEIN. And, of course, conservation is defined by Theodore Roosevelt, who is a kind of patron saint of it in our country, as the wisest use; and, of course, devotion of areas of productive land to wilderness beyond our ability to afford them is certainly, in my opinion, not wise use.

I think that one thing I can say will illustrate how some people feel about this. I do not mean people who are professionals like Mr. Zahniser and myself or professional like you gentlemen who have the responsibility of legislating the policies of our country, but an average citizen.

My wife and I had the privilege last summer of going to Senator Gruening's State for our vacation. I had been there, but not for 29 years; my wife had never been there.

So we took the full treatment. In the process we met a bunch of extremely interesting people. It is a very big State in area and very small State in population, and the people are friendly every place you go.

There are not too many native Alaskans. They are like Californians. Most of them come from somewhere else, but they are most interesting to talk to.

I ran into this chap at the curb waiting for the light to change, and I thought I would engage in a little curbstone politics, that being an election year, and so I said, "I see by the papers that Senator Gruening is going to be here pretty soon to address such and such association," I have forgotten what it was.

"Yes," he says. "He is up for reelection," he says. "I think we are going to reelect him."

I said, "He did a big stroke of good business for your State when he got you exempted from the wilderness bill."

He said, "What is that?" I explained as best I could while waiting for the light to change what that was.

"Hell," he said, "Alaska is a wilderness. What we need is a civilization bill." [Laughter.]

Well, that is the view of one citizen of our newest State.

Senator ALLOTT. I would like to point out further with respect to this inconsistency in the bill, if you consider reforestation, replanting, the retention of water by, perhaps, small dams, it is pretty hard to imagine any of these things going on in the wilderness area under the provisions of this bill; is it not?

Mr. HAGENSTEIN. Yes, it is. As a matter of fact, those of us, in talking entirely apart from my employment now, talking as an individual professional forester, my own personal deep feelings about this thing primarily goes to the points that I think the areas are largely unprotectable against insects and against fire. This is one of the tough things we have got to face here.

I think there is a real place in our civilization for wilderness. I hope we can afford a lot of it. But if we do not manage it, and by

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management I mean, first of all, protection, we are not going to have it, and if you do get an insect infestation, and we have had a lot of experience in the West in this, in your State, Senator, in your State, Senator Metcalf, in the States where I live and work.

Right now, for example, I am the chairman of the Timber Disaster Committee in the Northwest. We have 11.2 billion feet of timber lying flat on its back in an area of some 30 million acres in Oregon and Washington as a result of one storm, Columbus Day last year.

This summer, in 1963, this timber will be heavily infected, infested, by the Douglas-fir bark beetle, and the population will build up as the things do in nature with their food supply, and by the spring of 1964, if we have not gone in and salvaged this timber and gotten it out of the woods, we may lose 2, 3, 4, 5 billion feet of additional timber that are now standing green as a result of the buildup of insects. I have a map that I would like to show to you.

Senator ALLOTT. I would like to follow this through, Mr. Hagenstein, just one step further, and that is that you then conceive as a practical man in this field, that there are circumstances under which the management by man does and can improve the natural state of the area itself, and your beetle thing is a prime example; another example might be—this was due to a storm—but all beetle infestations are not due to storms.

Mr. HAGENSTEIN. That is right.

Senator ALLOTT. And a man actually could do more. That is the reason I feel that in spite of all the work that is done on this bill, has been done on it, that in this area you have, first, the foreswearing of any machinery, any roads and any access into the area.

Then you have that it is going to be maintained as a wilderness, and what you actually have here, and this is not good legislation in this sense, you actually have a situation where a man, some man, is going to decide by his own whim, or will, how this area will be maintained, and this will be just a paper statute when that time comes along.

Mr. HAGENSTEIN. I am afraid of that, sir. I am afraid for the future of our country if that is the case because it is too great a responsibility for one man, particularly a man who has the heavy responsibilities of being President of our great country.

This is something that we need lots of technical advice on, we need lots of weighing and balancing of the factors involved in each local situation, and this is why the positive action by the Congress has a lot more appeal than the negative legislation route that is proposed in the legislation at present.

Senator ALLOTT. Thank you very much, Mr. Hagenstein. You have been very helpful.

Mr. HAGENSTEIN. Thank you, Senator Allott. Thank you, Senator Metcalf.

Senator METCALF. Thank you for your appearance.

In order to accommodate the people who have planes, the next witness will be Mr. Wright. He will be followed by Mr. Ernie Day, and then Mr. Tommi Tyndall.

Mr. Wright, it is good to have you before the committee. The last time that you were a witness before a committee on which I served was just recently down in Reno on grazing fees.

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Mr. WRIGHT. That is right, Mr. Chairman, and I am glad to be here.

Senator METCALF. We are delighted to have you here.

## STATEMENT OF WILLIAM B. WRIGHT, PAST PRESIDENT, AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION

Mr. WRIGHT. I am not in a class with some of these former witnesses having been before this committee on this legislation for 15 or 16 times.

Mr. Chairman and members of the committee, my name is William B. Wright of Deeth, Nev., past president of the American National Cattlemen's Association. I am making this statement on behalf of the association which is composed of an affiliation of 34 State cattle associations, more than 100 breed, regional, and local cattle associations, and thousands of individual cattlemen throughout the Nation.

The position of the American National Cattlemen's Association concerning wilderness legislation which you are considering in S. 4 is that such legislation is unnecessary because the present administrators of wilderness areas under law have consistently maintained and properly managed over many years the land under their jurisdiction. In the case of the national forests, the wilderness, wild, canoe, and primitive areas comprises almost 14 million acres, more than 7 percent of the total Federal forest lands. I believe Ed Cliff testified this morning approximately 8 percent of national forest lands.

Our position in this respect, we believe, was strengthened by the passage in 1960 of the Multiple-Use Act which "directs that the national forests be managed under principles of multiple use." It also says that "the establishment and maintenance of areas of wilderness are consistent with the purpose and provisions of this act," which virtually assures continuation of the wilderness system we already have.

We want to add here that we are fully aware of the great pressures which are being brought to bear to enact wilderness legislation. In recognition of this, we believe it is imperative that your committee be apprised of a number of points that should be considered.

We should like to suggest that it be specifically spelled out in any legislation concerning wilderness that the present administrators continue to administer the areas under this jurisdiction. Their continued supervision would make unnecessary any additional Government expense in that field.

I might inject here as a personal aside, that I do not think this item of expense is a minor matter in our present fiscal position.

S. 4 contains a provision that—

> grazing of livestock where well established * * * shall be permitted to continue subject to such restrictions and regulations as are deemed necessary by the Secretary * * *.

We appreciate the intent of this provision. However, we believe that the provision is not precisely worded. The word "well" would be subject to various definitions, and the words "restriction and regulation" seem redundant.

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It is our belief that amended S. 4, introduced by Senator Gordon Allott and others, more precisely sets forth this general intent in these words:

> * * * grazing of livestock and other multiple uses already established shall be permitted to continue subject only to such restrictions as the Secretary of Agriculture or the Secretary of the Interior, respectively, finds, after public hearing, to be necessary * * *.

Concerning this provision in the proposed amendment we would suggest the substitution of the word "regulation" for "restriction", since we believe "regulation" is the more inclusive term.

S. 4 provides that—

> any recommendation of the President made in accordance with the provisions of this section shall take effect * * * only * * * if * * * neither the Senate nor the House of Representatives shall have approved a resolution declaring itself opposed to such recommendation * * *.

We believe it is imperative that Congress give affirmative approval of any wilderness areas that might be established under wilderness legislation. In S. 4 Congress by its very inaction would create additional wilderness areas or change the boundaries of the areas included in the system. This actually amounts to the exercise of Congress of only a veto power instead of the power it has to initiate and pass laws, and I might add there the constitutional requirement of Congress.

The amendment to S. 4 as proposed by Senator Allott states our position in this regard with these positive words:

> * * * when designated wilderness by act of Congress * * *

S. 4 provides that recommendations of the Secretary of Agriculture and the Secretary of the Interior to the President with respect to any area's retention in or incorporation into wilderness—

> include with such recommendations the independent views of the Governor of the State in which such area is located * * *.

Since any such transfers would have an effect on communities and counties as well as on States, we believe provision should be made for local review in the form of hearings, as well as review by the Governor. Such review would give Congress the benefit of the advice and knowledge of those who are near the land and know its problems. For example, I come from Nevada, a State whose land is almost 90 percent, 87 percent, to be specific, in Federal ownership. It would be difficult indeed for an outsider to realize all the various problems, and how we have tried to solve them, that confront a State that is practically all Government owned.

We believe it is wrong to blanket into the wilderness system the primitive areas along with wilderness, wild and canoe areas, such as is proposed in S. 4. Primitive areas are still unclassified and under study. We feel that such lands, which total 8 million acres, do not rightfully belong in the wilderness status, at least not until such time as they are specifically classified.

The impact of the pressure for passage of wilderness legislation by various groups, who broadly label themselves as conservationists, has had the unfortunate effect on the public of inferring that others such as stockmen are not conservationists. This must be denied. Stockmen of necessity must conserve the natural renewable resource they

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employ in their work—the process in their work would, perhaps, be a better expression—since their very livelihood depends upon wise use of the resources nature provides.

I want to thank your committee for the opportunity of expressing these views and respectfully urge that you give favorable consideration to the suggestions made.

Senator METCALF. Thank you very much, Mr. Wright.

The Senator from Colorado.

Senator ALLOTT. Just one or two brief questions or comments, Mr. Wright.

Referring to your first suggestion, I have looked at the bill since you made that statement, and I do not know, maybe we had better take a better look at the bill, but I do think that the bill contemplates that the respective administrators would retain jurisdiction of the lands now under their control even after they were admitted to the wilderness system.

This would be my impression, but I assure you that we will take a look at it. I think the bill is adequate in that respect.

Senator METCALF. Would the Senator yield?

Senator ALLOTT. Yes.

Senator METCALF. That, too, is my impression. For instance, if grazing were established in the area it would be administered under the provisions of the Taylor Grazing Act by the Bureau of Land Management, and so forth. That is as I conceive the bill, and I agree with the Senator from Colorado that you have raised a point we want to make sure that that will take place.

Mr. WRIGHT. Yes. Well, this was a suggestion we put in here.

Senator METCALF. It has been very helpful by your making that suggestion.

Senator ALLOTT. I have just glanced through the bill, but we will go into this. I think it is all right, but we will take a look at it.

I am concerned, as you are, because I do not know what the term, "where the grazing of livestock is well established"—I do not know what "well established" means, and I do not think that despite the testimony of some people last year that they know either. I do not know what "well established" means. I know what "established" means.

Mr. WRIGHT. Well, Senator Allott, I assume you are an attorney, I am not, but we have been told that "well" immediately means something specific to an attorney. It does not to us, and we have had some rather unfortunate experiences under the Bureau of Land Management in language, particularly with regard to "near" and "nearness," particularly with regard to "reasonable" as applicable to fees, and various other general terms.

I think this suggestion is, perhaps, predicated on this rather unfortunate experience that we have had over the past 29 years in getting various interpretations of what was meant in the basic law, and for that reason that suggestion is in there.

Senator ALLOTT. I must say I agree with you completely. I do not know what "well established" means. I do know what "established" means. I do not know at what point grazing becomes "well established."

Mr. WRIGHT. We know when some things are reasonable, but we do not always know the application.

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Senator ALLOTT. There is one other matter that you speak of here on the restriction and regulation. I must say I agree with you on the restriction and regulation. Restriction implies in my mind and in the minds of most people, I believe, a capricious—or the right to make a capricious—decision upon the basis of whim or at least upon the basis of your ideas and not upon principle, and I think that "regulation" is the word that belongs in here, because it should be by regulation and not by restriction which carries with it the idea or concept of a personal decision, which I do not think should be in here.

Mr. WRIGHT. That is the reason we suggest regulation.

Senator ALLOTT. Thank you, Mr. Wright, very much.

Senator METCALF. The Senator from Colorado.

Senator DOMINICK. No questions.

Senator METCALF. Thank you very much, Mr. Wright.

The next witness is Mr. Day, president of the Idaho Wildlife Federation.

## STATEMENT OF ERNEST E. DAY, IMMEDIATE PAST PRESIDENT, IDAHO WILDLIFE FEDERATION

Mr. DAY. Mr. Chairman, I am Ernest E. Day, of Boise, Idaho. I am the immediate past president of the Idaho Wildlife Federation and wish to present these remarks as the representative of that group and Mr. Bill Reynolds, its president, who could not be present here today.

It is indeed a privilege to appear before the Senate Interior and Insular Affairs Committee on legislation of such vital nature to our generation and many generations yet to come.

For 4 years the Idaho Wildlife Federation, appreciative of our wilderness heritage and its contribution to our culture, has supported wilderness preservation legislation. At our last State meeting in Moscow, Idaho, December 10, 1962, our organization unanimously reiterated its support for true wilderness preservation legislation—similar to that of S. 174 as passed by the Senate of the United States in the 87th session of Congress.

This is the centennial year of my State of Idaho—1963 marks the beginning of a second century in the life of my State of Idaho.

Much of the first century of Idaho's development was concerned with first exploring, then settling, and then conquering the then vast wilderness. Quite naturally the wilderness was in many respects the enemy of early Idahoans.

But progress has been rapid. So rapid in fact that many Idahoans now see such an immediate threat to our wilderness that we feel national legislation is essential to endorse and strengthen the U.S. Forest Service's policy of wilderness protection—in Idaho practically all our primitive and wilderness areas are under Forest Service jurisdiction.

We have a new economy and a new set of values and challenges as we enter our second century. The Idaho Wildlife Federation believes that the issue is very basic, and simply stated, it is this: Shall we chew up every last niche and corner of our wilderness with roads, commerce and "progress," or shall we stop just a little short of this while there is still time, and save some of this treasure for ourselves

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and our children in just the wonderful way it was left to us by our Creator? How saving such a national asset from destruction could be anything but in the public interest is difficult to imagine.

There are those from my State who would have you believe that all of us in Idaho regard the wilderness bill as strictly "eastern legislation" forced upon us and our economy by a patronizing majority of the population which lies east of the Mississippi River. Gentlemen, I have traveled across this country to tell you that there is a vast segment of our Idaho population who regard this legislation as definitely "western" in its scope and desirability.

In its second century Idaho has many white- and blue-collared workers. We have atomic scientists and laborers, we have many TV repairmen and clerks and our economy and culture is in transition from a purely extractive economy to a more complex and sophisticated economy which recognizes many other values, particularly the value of tourism as an important industry. This industry is already important and it has an ever-increasing potential.

Even from a purely economic point of view, scenery is a near-perfect product. It can be sold over and over all through the year, and you have a complete inventory on your shelf at the end of the year, without replacement cost. To a businessman that is a pretty good product; that is, if it is protected.

Wilderness preservation is an excellent example of multiple use in action. By its nature, multiple use does not dictate that each acre be used for every single use or purpose. That has been stated before today. Multiple use of a forest unit is similar to home. A house is a living unit. It has two or three or more bedrooms, a living room, a dining room, a kitchen, a bathroom or two, and perhaps a family room. Unless it is a very strange family indeed, it does not try to do all things in each room of the house. Wilderness is in some respects a kind of a family room in our multiple-use setup.

Cries of "lock up" are heard. These areas are open to anyone who wants to use them. They must be kept open, as wilderness, rather than to be exploited on what too often turns out to be a one-time use.

It is sometimes stated that wilderness preservation sets aside an area as a rich man's playground. Nothing could be further from the truth. You can take an outfitters "catered" trip, as you know, Senator Metcalf, from your Ravalli County, for as high as $25 or $30 a day, or you can walk for nothing but the cost of groceries and shoe leather. This is the method employed by many. Between the two extremes are a variety of methods for wilderness adventure—but even by the most expensive method, costs do not exceed those for motor travel with first-class accommodations.

An 8-day wilderness hunt on the middle fork of the Salmon River for three of my friends and myself was enjoyed at a total cost of $40 for each of us. This price included a share in buying a war surplus boat for the expedition and we still have the boat for other trips. Wilderness travel is more a matter of desire than of money and those people desiring to use such areas are increasing rapidly.

We in Idaho are fortunate in having enough land resources that we can enjoy both intelligent development and wise use.

We can afford to set aside slightly over 5 percent of our State's area in trust for future generations. And we must be mindful that every

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acre sought to be so placed in trust is the public's land. Preserving it will deprive no one of something they are now enjoying or using.

We of the Idaho Wildlife Federation believe that S. 4 will provide fairly for both present development and for protection of a fragile resource that will have increasing value for the future. We urge that S. 4 become law in its present form without any change that would weaken it. It is in the best interest for us in the West as well as for the Nation as a whole.

Thank you, sir.

Senator METCALF. Thank you for a fine statement, Mr. Day.

Senator Allott.

Senator ALLOTT. I will yield to my colleague.

Senator METCALF. Senator Dominick.

Senator DOMINICK. Thank you, Mr. Chairman.

Mr. Day, if you were here this morning you will know that I happened to be a supporter of the wilderness bill in principle. My questions to you are directed not to the question of whether we ought to have wildernesses but how much, and what method we have provided.

Are you familiar with the terms of the bill which finally came through the House committee in the last session of the Congress?

Mr. DAY. Not completely, but I was enough familiar with it to be concerned about it.

Senator DOMINICK. So you were really worried about it?

Mr. DAY. Yes, sir.

Senator DOMINICK. Why were you worried about it?

Mr. DAY. Well, at that time Idaho had nothing but primitive area, and the possibility we never would have had anything but primitive area, and I thought that the entire—or part of the wilderness was in jeopardy.

Senator DOMINICK. Why did you feel that?

Mr. DAY. Well, one of the things, as I understood it, was this necessity for an affirmative act before it could be included.

Senator DOMINICK. That is true. But in the meanwhile it would be kept in a primitive status.

Mr. DAY. Well, if that were true it would not be too bad. But if you had a limitation of time where if action was not taken prior to that time we could have lost every foot of primitive area in Idaho.

Senator DOMINICK. Your concern then is that the Department or someone else is going to take action to turn a primitive area into something else, is that it?

Mr. DAY. That is one of my concerns, yes.

Senator DOMINICK. Would you believe that if there were a provision in the law which says that primitive areas will stay in a primitive condition until acted on by Congress that this would solve this basic problem that you have got?

Mr. DAY. Well, I think it would be a step in the right direction. I would feel more secure if they were classified as wilderness and included in this system, however.

Senator DOMINICK. What do you think could be done about making provision in this bill so that water development and mining development could at least be or water development could go forward, and mining development could at least be determined as to whether this was a useful product for a particular area involved?

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Mr. DAY. Well, I cannot help but think that unless there are major damsites involved, and this is high open country that I am experienced with, I cannot see that there would be major damsites involved. But it looks to me like a standing forest will keep the water up where it is high and sweet much better than it is, perhaps, not in its natural state.

Senator DOMINICK. A good many of these areas do not have forests on them at all because they are too high.

Mr. DAY. That is true.

Senator DOMINICK. They are above the timberline. Also, in a good many of these areas it appears that transmission powerlines may be crossing them or are proposed to cross them. What would you do about that?

Mr. DAY. I do not know if any of that situation exists in my State. But a wilderness to be a wilderness has got to maintain integrity of wilderness, and without that integrity it is lost, and that is where roads—you can talk about being in favor of wilderness, but if you are in favor of wilderness with roads it is no longer a wilderness, and if some of those powerlines can be routed around at a little additional expense they should be routed around it; if it is essential to our well-being, or the well-being of a vast number of people, there should be an exception made in that particular case to build a powerline through. But there would have to be a real need.

Senator DOMINICK. Who should have a determining voice to decide whether the need is sufficient?

Mr. DAY. I think it should probably be the administering agency who, in our case, would be the Forest Service.

Senator DOMINICK. How big an area is the wilderness, of is a wilderness?

Mr. DAY. Well, I guess, perhaps, that is a personal experience. Some people can get lost in a half mile. But a wilderness should be a whole ecological unit which has enough area in it to make it a complete unit. That is a nebulous answer, but I do not know how to do any better by it. The Sawtooth wilderness is the one I am most worried about, which is a little jewel, and it is only 200,000 acres. It is as complete a wilderness as some of the other ones which are larger just by virtue of its topography.

Senator DOMINICK. Thank you.

Senator ALLOTT. I have one question which has occurred to me, Mr. Day. What would you do if you faced a decision, as we face it in Colorado, where you have a rapidly expanding metropolitan complex, the Denver area, in which it is necessary to bring water, and the only way you could get it there is through, under a wilderness area.

Suppose it is too expensive to go under. What would you do, as a person, if the decision depended on you?

Mr. DAY. If it were too expensive to go under, absolutely impractical, you cannot deprive people of water. Water makes up a big part of my State, the use of it, and I have enough respect for the uses of it so that would, perhaps, be one case where you would have to make an exception.

Senator ALLOTT. This is not a hypothetical case, by the way. This is an actual case.

Mr. DAY. We have to look at all of these things in perspective, sir.

The statement has been made earlier that less than 1 percent of the people who use the forests are wilderness users. I go into the forest twice a week on a ski trip, not to bring up another subject this morning, and I am counted, perhaps, twice a week as a forest visitor, and yet I go into the wilderness maybe four times a year.

In my own particular case, I am only about 4 percent, I suppose, of a wilderness user.

The same is true in—I had occasion the other day to get the figures from the employment security office in Boise, and less than 1 percent of our people were under the employment security in Idaho who are miners. That was a staggering percentage to me. But that was——

Senator ALLOTT. That is since America forgot to take care of its mining industry. That is a situation which did not prevail 15 years ago.

I want to ask about that because this actually is the situation. Then, as far as your remark about use, I think you have to use all sorts of figures. This should not be the sole one, but it is a fact that 8 percent of the land of the forest, under the Forest Service, is already locked up for the use of 1 percent of the people who are using Forest Service lands. This is not the sole criterion, but it certainly is one.

I have pointed out before, and I still support a wilderness area, and if I could get the one thing which I think is essential, I would be happy to go along with this bill, with one or two minor, and I mean minor amendments, in the Allott amendments, for example.

But you have to consider this point, too, that we are at a stage in this country now where by pension laws and by social security, by private pension laws and other ways, most of our people who are retired are around the age of 65. There are a very few people who can, even on horseback, with your more expensive type of tour that you talk about, at that age, who can enjoy wilderness, and in the amount of lands you are going to lock up in wilderness you have got to also consider that for all practical purposes you are locking out the greater portion of our Americans who have reached the age of retirement to the best, most beautiful scenery in the United States.

You just cannot close your mind to the fact that you are doing this. This is one of the things that you have to stop and consider.

Mr. DAY. I appreciate that, sir.

On the other hand, you have to preserve some of it.

Senator ALLOTT. Sure.

Mr. DAY. And these people above 65, no doubt feel a little better in their minds that we still have got some frontier in our country that is available to their children, their grandchildren, and the rest of them.

The fact that they cannot use it should not be the sole overriding principle. We have got to have frontiers in our country.

Senator ALLOTT. There are other things than just the idea that we need wilderness areas. The ratio figure that I mentioned, the fact that we are by a matter of practically shutting off some of the most beautiful areas of our country, are things that have to be considered in considering eventually the total thing.

Mr. DAY. That is true. But we have many scenic things——

Senator ALLOTT. That is the reason I feel that Congress should have an affirmative review of it. Maybe you think one man over in the Department of Agriculture is smarter than all of Congress.

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Mr. DAY. No, sir.

Senator ALLOTT. But I do not.

Mr. DAY. I have the most——

Senator ALLOTT. This was the power that was given to us.

Mr. DAY. I understand that. But, as a matter of practicality, I cannot see that a committee or the entire Congress would want to concern itself with the myriads of small administrative problems, the likes of which we saw this morning, one example this morning.

Senator ALLOTT. There we have you, because your argument is that under the provisions of this bill Congress is going to get a chance to concern itself with the decision of the President.

Now, we either do or we do not, and we are not going to, as you just said, we are not going to under the present bill. We are going to have it all put in there by default, because the President is going to put it in, and we will have a perfunctory hearing and that does not mean that we will ever——

Mr. DAY. It is subject to review in taking it out. It is which comes first, the chicken or the egg almost.

Senator ALLOTT. That is all, Mr. Chairman.

Senator METCALF. Thank you for a very helpful and profitable statement, Mr. Day.

Mr. DAY. Thank you, sir.

Senator METCALF. The next witness is Mr. Tyndall, who is going to talk about a matter that came up this morning in connection with the ski business.

Mr. Tyndall, do you have a prepared statement? If not, just go right ahead in your own way.

## STATEMENT OF TOMMI TYNDALL, BIG BEAR LAKE, SOUTHERN CALIFORNIA

Mr. TYNDALL. Mr. Chairman, I have no statement, but I do have a wealth of information on conditions surrounding the Gorgonio and skiing needs in southern California.

Senator ALLOTT. Can we have this gentleman identify himself?

Senator METCALF. Yes, please do so.

Mr. TYNDALL. Tommi Tyndall, T-y-n-d-a-l-l, a Far West Ski Association ski instructor from Big Bear Lake, southern California.

Senator ALLOTT. Thank you.

Mr. TYNDALL. I live in the backyard of this (San Gorgonio) mountain. I have climbed it more often in summer and winter than any other human being. I have written about it. I fought for it in 1946. I have built ski areas around it at Snow Summit, Big Bear Lake.

I avoided asking for it in 1957 in search for a ski area in the High Sierras known as Robinson Basin, because a minor boundary modification involving only 270 acres of reclassification would have solved a great problem, namely giving an area with snow 90 miles closer to the skiing public than our closest resort with reliable snow, which is Mammoth in the High Sierras.

I have seen what happens if professionals and managers in undisputed authority delegated to them by Congress make decisions pertaining to the use of our Federal lands, public lands, and I have seen how these decisions, well-meaning though they may be, often are not based

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on technical facts such as snow depth, population increase, road access, and ability of individuals to build, operate and manage them.

I understand after 7 years of fighting for these areas that there are good reasons for the Forest Service having chosen this method of, shall we say, restrictive development where disputed lands are concerned.

Their basic reason is sound. They feel as long as there is land available outside primitive or wilderness areas these lands should be developed first.

The problem is that these lands in southern California are scarce, and many of them are nonaccessible, and no effort is being made to make them accessible.

Our problem in southern California as skiers is, of course, to find areas high enough where snow will remain.

When it rains at 7,000, 8,000 elevation, many times it snows, and the snow stays long.

I was at Gorgonio yesterday. I found 2½ feet of good snow which, when packed, could be skiable.

At my own area at Snow Summit, I had 4 inches of mush and disappointed people leaving.

The need is there, the method used at this time to provide areas is not the most intelligent that can be found for reasons that we have shackled ourselves with one-man control.

It is for this reason that if this bill passes, and we hope it will, because we, as skiers also love wilderness, that Congress will take back into its hands the reins to decide by affirmative action what should be wilderness and what should not be wilderness, and instead of cluttering up bills with specific exemptions, such as possibly the canoe area or Gorgonio, please consider that there are many other areas of equal importance where less wilderness damage would be involved, such as Robinson, and that there are areas in the High Sierras with plenty of snow and wonderful terrain like Austria, where I used to come from, or Switzerland, which could be developed to the benefit of the Nation, where older people could go to see these places, and where such so-called invasions would not necessarily spell disaster, because Switzerland and Austria are still alive and attracting thousands of people who come from America to see the beauties of the country.

You can protect wilderness, and the door does not keep swinging if you open it, if you have restrictive policies which make sense, and as long as we have the Government to control it, I see no reason in the world to be constantly afraid of losing what we have not got.

Our basic problem is getting together with the conservationists to make them understand our needs, not through third parties and not by forced meetings or specific hearings called, because the experience we have had in public hearings was that they were simply a sounding board, and when we left things went just the way they were planned in advance.

We believe that the Forest Service should call a hearing between the Sierra Club of California, which is our leading wilderness association in the Western United States, and the skiing organizations, and then work out a compromise arrangement by which fringe areas can be used, true wilderness remains protected, and the skiers can have a place to ski.

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If you feel that cluttering up the bill with addenda or additions to it would hurt the overall concept, we skiers would understand that. But we would hope that in the long run through Congress truly merited areas which have reliable recreation sites shall be open to the people because it is one of the largest States, I believe the largest now, and that corner of the world where we live is the largest part of the largest State, and yet there is no safe, sure place to practice our sport.

It has proven itself. Fifteen years ago we were considered crazy if we would slide down on bed slats on a mountain side. Today we are contributing to the extinguishment of delinquency. There are no juvenile delinquents in my town. We have 460 students in school, but we must teach them on grass, and this is ridiculous because the mountains are right in our own backyard.

Senator METCALF. Senator Allott.

Senator ALLOTT. You make a very persuasive statement, Mr. Tyndall.

May I ask you one question, and I would hate to confess my own ignorance for the record, but in the maps we have in our hearings, the figures and the identifications are too small to read. Where is the San Gorgonio wild area specifically with relation to Los Angeles or San Diego?

Mr. TYNDALL. I would like to submit for the record all ski areas on forest lands which show clearly where San Gorgonio, Robinson Basin and the other disputed areas are located.

Senator ALLOTT. Just for the record where is it from Los Angeles?

Mr. TYNDALL. It is 100 miles.

Senator ALLOTT. Which way?

Mr. TYNDALL. East.

Senator ALLOTT. Almost due East?

Mr. TYNDALL. Yes.

Senator ALLOTT. Thank you. That is all I have.

Mr. TYNDALL. I would also like to submit a picture taken recently of the area showing the controversy and the comparison, explaining both areas. Inyo or Robinson Basin and San Gorgonio.

The difference between the two is that one is a true established wild area, the other one being a primitive area under study where a boundary modification could solve this problem without loss of true wilderness, with a road built with Federal moneys to the foot of it, and with one-third of the development outside the primitive area at this time, and still yet denied.

Senator METCALF. The material submitted will be received for the files of the committee for reference by the members.

(The document referred to will be found in the files of the committee.)

Senator METCALF. Senator Dominick.

Senator DOMINICK. Thank you, Mr. Chairman. I just want to congratulate Mr. Tyndall for an excellent statement.

I had the opportunity of reading over this article in the Skiing magazine, and I thought it was extremely well done. I do not know whether you prepared it or not.

Mr. TYNDALL. I did not, but I think the young lady who wrote it, who is one of America's, I think she is the top race driver in the country today, took the pains to have me speak in front of the Forest Serv-

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ice, region 5, and had both parties give their statements directly, and this was the way in order to get the proper information so that nothing would be said which would be harmful to the other side, because we know that the Forest Service dedicatedly believes that it can solve this problem without the invasion of wilderness, and maybe they have means and ways of doing it, if we get together on building roads into the areas which are available or maybe by using other technological advantages such as snow making, which is coming to the fore.

But in the long run we believe that true wilderness should be protected and fringes should be adjusted. But we do not think we should clutter up the bill. I think the wilderness bill, provided that it has control in the hands of Congress, should be passed, and then we should sit down and work out with our fellow citizens a reasonable approach so that everybody can be happy.

Senator DOMINICK. Thank you.

Senator METCALF. Thank you, Mr. Tyndall.

The next witness is Mr. Ed Munro, who is representing the National Association of Counties.

Mr. Munro, we are glad to have you with us.

## STATEMENT OF PAUL N. CARLIN, ASSISTANT DIRECTOR FOR FEDERAL OWNERSHIP PROBLEMS, NATIONAL ASSOCIATION OF COUNTIES

Mr. CARLIN. Mr. Chairman, my name is Paul Carlin. I am assistant director for Federal ownership problems of the National Association of Counties.

Mr. Munro was not able to be here and, with your permission and the permission of the committee I would like to have his statement inserted in the record, and I would like to briefly comment on portions of his prepared statement.

Senator METCALF. Go right ahead and we will be very happy to have you with us. We are sorry Mr. Munro could not be here. Without objection the statement will be incorporated in the record as if read.

Mr. CARLIN. Mr. Chairman, Mr. Munro, who is the chairman of the National Association of Counties' Federal Real Property Committee, and in his prepared text refers to the official policy statement of our association, and I would like to read it. It states as follows:

> The wilderness system concept is specifically endorsed as part of an overall system of multiple use of public lands, provided that the local communities, through their county governing board, be provided a formal opportunity to submit to the Congress their independent views on the creation, retention, or incorporation of any new wilderness areas, and provided further that the creation of any new wilderness areas in the national forests, in addition to those already classified as wilderness, wild, primitive, or canoe, be by affirmative act of Congress.

Skipping the next paragraph, to provide a valuable protection for the local governments and communities whose economic future may be drastically affected through the designation of new wilderness areas, Mr. Munro recommends in his prepared statement on behalf of the National Association of Counties that S. 4 be amended as indicated in his prepared statement on page 2.

The purpose of this amendment is to provide an official forum whereby the views of these local communities may be formally presented, through established communication channels, to the Congress.

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We feel that this amendment will not frustrate nor cripple the objectives of this proposed legislation.

The county governing board is recommended as the appropriate level of government to transmit these views since they are in the best governmental position to properly assess, from the local point of view, the impact of any future wilderness designations.

Within our Federal structure, counties, States, and the National Government should function as partners in meeting their individual governmental responsibilities. Too often in the past our three levels of government have worked at cross-purposes. The result has been a spotty record of intergovernmental cooperation. We feel that a major contributing cause has frequently been the lack of effective communication.

We offer this amendment today as a first step in restoring the role of partnership cooperation.

We submit that incorporation of this proposed amendment will not only develop clearer avenues of communication, but it will also provide a pattern for the establishment of an effective and workable Federal-State-county partnership in the management of the Nation's publicly owned lands. In summary, I want to express our sincerest appreciation to your committee for this opportunity to relay the very strong interest of county government in the administration of the Nation's federally owned lands.

Mr. Chairman, I would like to comment briefly on the statement of Mr. Hagenstein who preceded me, since he directly alludes to the sharing of revenues with counties. This is the first time I have seen this suggestion. We would hope that the adoption of the amendment which has been recommended and suggested by Commissioner Munro, we would hope that this adoption of the amendment would provide a formal opportunity for the county governments to advise Congress of the loss of any productive national forest land revenues so that as new areas are added to the wilderness system, appropriate revenue compensating formulas could be developed.

Referring back to that, he states, and I am quoting:

> It is a suggestion that they be reimbursed annually for the amount of revenue they lose when productive national forest lands are withdrawn for wilderness. If wilderness withdrawals have potential receipts through forestry, grazing or use of any other resources, the counties are morally entitled to share in them.

In this we would concur primarily as applied to the adoption of new areas.

Now in looking to the second part of the comments which were made earlier, the lands which have already been classified as wilderness, wild, canoe, or primitive have not been revenue-producing, nor have they been for a considerable period of time in the past, and we have held numerous meetings during the past 2 years, the county governments of the West, the county representatives from the Western States, and through our national association—and this is the first time that any indication has been made that the counties be reimbursed for the areas which have already been designated as wilderness.

So I do not want to leave the impression that this is what we are seeking. But in the withdrawal of any productive national forest lands for future inclusion in wilderness within the national forests, I would think that the adoption of this amendment would provide for

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local communities the opportunity to be fairly reimbursed for the loss of those productive national forest lands.

Thank you very much.

(The prepared statement of Mr. Munro follows:)

STATEMENT OF COMMISSIONER ED MUNRO, CHAIRMAN, NATIONAL ASSOCIATION OF COUNTIES' FEDERAL REAL PROPERTY COMMITTEE

My name is Ed Munro and I am a King County commissioner from Seattle, Wash. This statement is being submitted in my capacity as chairman of the National Association of Counties' Federal Real Property Committee. Our association represents the 3,043 county governments located within the United States.

The national association of counties' official policy on this legislation, as incorporated within the American county platform, states as follows:

"The wilderness system concept is specifically endorsed as part of an overall system of multiple use of public lands: *Provided*, That the local communities, through their county governing board, be provided a formal opportunity to submit to the Congress their independent views on the creation, retention, or incorporation of any new wilderness areas: *And provided further*, That the creation of any new wilderness areas in the national forests, in addition to those already classified as wilderness, wild, primitive, or canoe, be by affirmative act of Congress." [Emphasis added.]

The Wilderness Act legislation and the policy statement have been carefully studied by our association's western regional district, which is composed of counties located within the 12 Western States in which 93.7 percent of the 14,664,053 acres of national-forest-wilderness-type areas are located, and our national organization in meetings held in Chicago, Phoenix, New York City, and Las Vegas during the past 2 years.

To provide a valuable protection for the local governments and communities whose economic future may be drastically effected through the designation of new wilderness areas, I recommend, on behalf of the National Association of Counties, that S. 4 be amended as indicated below:

Suggested amendments to S. 4 (suggested language is italicized) (p. 11, lines 19–25, and p. 12, lines 1–7):

"(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 *and county governing boards* in which such area is located with respect to the Secretary's recommendations generally, unless no reply is received from such Governor *or county governing boards* within 90 days after such recommendations are submitted to *them and their* views thereon requested.

"(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."

The purpose of this amendment is to provide an official forum whereby the views of these local communities may be formally presented, through established communication channels, to the Congress. We feel that this amendment will not frustrate nor cripple the objectives of this proposed legislation.

The county governing board is recommended as the appropriate level of government to transmit these views since they are in the best governmental position to properly assess, from the local point of view, the impact of any future wilderness designations.

Within our Federal structure, counties, States, and the National Governments should function as "partners" in meeting their individual governmental responsibilities. Too often in the past our three levels of government have worked at cross-purposes. The result has been a spotty record of intergovernmental cooperation. We feel that a major contributing cause has frequently been the lack of effective communication.

We offer this amendment today as a first step in restoring the role of partnership cooperation.

We submit that incorporation of this proposed amendment will not only develop clearer avenues of communication, but it will also provide a pattern for the establishment of an effective and workable Federal-State-county partnership in the management of the Nation's publicly owned lands. In summary,

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I want to express our sincerest appreciation to your committee for this opportunity to relay the very strong interest of county government in the administration of the Nation's federally owned lands. Thank you.

Senator METCALF. Thank you.

I think we are pretty well agreed that any land that is not national forest land for the categories you enumerated, not national parkland nor existing fish and game and wildlife refuge, would not be included in the wilderness system in any event under this bill, and that any new wilderness areas would have to be created by affirmative act of Congress wherein I feel we would have a responsibility to work out such an arrangement as you suggest.

This is a matter that constantly comes to the attention of this Senator, because I am one of the two representatives in the Senate involved in purchasing land from the duck stamp fund of the Migratory Bird Commission, and it is always a problem we have to work out with the local communities when we take lands off the tax rolls. But here I am glad to have you make the distinction between land that since 1939, which is the latest day the primitive area was created, has not been productive. In the last year's hearings I pointed out to one of the witnesses a survey that had been made in my State where we were only cutting about 50 percent of the allowable timber on timber-producing land under the present situation, and if some of these ideas were adopted, the Federal Forest Service would have to make a payment for the failure to cut 100 percent, and I think we would have some very difficult problems in making proper application.

But certainly you have made a very provocative and helpful suggestion, and the county boards of commissioners are the ones who are most seriously affected by taking these lands off the tax rolls. So it has been very helpful having you here.

Mr. CARLIN. Thank you.

Senator METCALF. Senator Dominick.

Senator DOMINICK. I want to take issue, if I am correct; or let me say, if I am not correct, I hope you will say so. You indicate here that none of these lands which are proposed to be included within a wilderness system are revenue-producing areas. I do not believe this is the fact. They are not subject to real property taxes, no. But there are all kinds of leases on them, royalties that come back through the Federal Government into the State for educational purposes largely, and a good number of them particularly in the primitive area are definitely revenue producing at the present time for the benefit of the State and the counties.

Senator METCALF. They would be revenue producing for grazing, and they might have at the present time, mining.

Senator DOMINICK. And for oil and gas and mining, for some timber, for grazing, all kinds of things. These primitive lands produce revenue.

Senator METCALF. Those uses would continue.

Senator DOMINICK. Yes. All I am doing is to say that the fact of the matter is that these are revenue-producing areas. They are not completely outside the purview of the county government.

Senator METCALF. We are in complete accord on that except for the timbering. If there is timbering, it is illegal. There may be grazing or mining in some.

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They get 25 percent of that for school and road funds at the present time, and that would continue if they became a wilderness area. Existing rights are preserved. Grazing already established is to continue.

Mr. CARLIN. I was going to comment. The major source of revenues to counties from the Federal lands are the 25 percent share of national forest receipts. There are other revenue-sharing formulas which are paid to the States. But the major ones throughout the West, are the ones which are paid through the receipts, and it is my understanding that national forest timber is not now being cut on primitive areas, and so there is no revenue at the present time that is being shared with the counties within the areas that have been designated as wild, wilderness, canoe or primitive.

Senator DOMINICK. I am not completely up to date on the timber, but I do know that mineral leases and oil and gas leases, things like this, are extremely important in many of these areas.

Mr. CARLIN. Yes, they are, sir. The payments in those are paid directly to the States and in many instances are filtered down to the counties.

What the counties, county governments, seek in this proposed amendment is the opportunity that when new areas are withdrawn that the local points of view would be considered by the Congress along with the other considerations, but that the local points of view for each one of the counties that might be considered within the local system, each one of those counties, or local governments, would have the opportunity to submit their independent views for consideration of the Congress.

Senator METCALF. Thank you very much for your appearance, and you have helped the committee, I think, in pointing out these various actions.

Mr. CARLIN. Thank you.

Senator METCALF. The next witness is another perennial and old friend of the committee, Dr. Spencer M. Smith, who has a prepared statement. We welcome you to the committee.

Mr. SMITH. Thank you very much.

Senator METCALF. Before Dr. Smith starts, I wonder if it wouldn't be helpful to put into the record the regulations of the Forest Service defining what a wilderness area is, primitive areas, and recreation areas. It was in the last hearings, last year's hearings, but we have had a conference to——

Senator ALLOTT. I can't refer you, Mr. Chairman, to exactly where they are. Yes, I can, too. Part of it—yes. On page 51 of the hearings last year you will find these regulations.

Senator METCALF. I think a sufficient record has been made to just refer to page 51 and following, of Mr. McArdle's testimony so that we can have some reference in this record. Thank you.

Dr. Smith?

## STATEMENT OF SPENCER M. SMITH, JR., SECRETARY, CITIZENS COMMITTEE ON NATURAL RESOURCES

Mr. SMITH. Mr. Chairman, I will file my statement for the record if I may in the interests of time.

Senator METCALF. The committee will be very happy to receive it.

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Mr. SMITH. Thank you very much.

I want to call attention to one aspect of some of the testimony of the foregoing witness with regard to protection of the wilderness areas as far as fire prevention, insect infestation, and fire control are concerned.

It is my understanding on page 14, line 23 of the bill, that that matter is taken care of.

In addition, such measures may be taken as may be necessary in control of fire, insects, and diseases subject to such conditions as the appropriate Secretary deems desirable.

So I wouldn't want the committee to labor under the delusion that we were willing to abandon completely to any possible disaster wilderness areas because we have been quite concerned about that for a long period of time.

Senator ALLOTT. Mr. Smith, while we are on that, though, you can't build roads after a fire starts.

Mr. SMITH. No, of course. water isn't the only way to fight a fire at the present time, either, sir. In many instances we are surprised at how resistant these forests have been. They have been standing there a long period of time and to a very great extent have appeared to be weathering these elements pretty well or we wouldn't be here perhaps quarreling about what use we are going to make of them in the future.

Senator ALLOTT. Well, they stand and they go down. Unfortunately some of the saddest sights in Colorado are some that we have lost.

Mr. SMITH. There have been situations, even in national parks, it is true.

I want to confine my remarks, Mr. Chairman, to about two or three items, the first of which is the concept of multiple use, and I am sorry I don't have it with me but I would like the opportunity to provide it for the committee.

When the multiple-use bill was being debated on the floor of the Senate in 1960, it seems to me the attention of the chairman of the subcommittee, Senator Eastland, was pretty cogent in respect to just what the committee considered multiple use to be at that time. The Senator referred to the idea that some argument or colloquy had taken place as regards whether wilderness was consistent with this concept of multiple use, and it was the committee's determination, and Congress since they passed the act, that multiple use did not mean each and every possible use practiced on each piece or acre of land, that obviously some uses did destroy other uses. He pointed out that when we cut down trees, which is lumbering, that it is still compatible with many other good uses but at the same time it destroyed some.

When you cut down a tree, its ability to retain soils as it did previously retain water is removed—destroyed some of the area for recreational purposes that would have been enjoyed had it not been cut. You reduce watershed value.

The same for mining, and so said the Senator, and I am not quoting him, I am paraphrasing him, at this point, that the same is true of wilderness. When you establish wilderness, there is no question about it, it is incompatible perhaps by the very nature of wilderness with harvesting timber and other uses, but it was also compatible with some. Trees standing retain water. Soil erosion is prevented. So I think

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within this context and as the Congress passed the multiple-use bill it said quite clearly that multiple use was consistent with wilderness.

We took that position. We support the concept of the multiple use as so defined and as inclusive of wilderness.

One other thing I want to point out. We indicate as to what is the procedure to obtain wilderness. Naturally we support S. 4. The reason we do so is quite candidly to make commercial development more difficult. Sometimes some of our witnesses in supporting S. 4 I feel are led down the garden path, perhaps by artful questioning, that we are trying to create a wilderness bill here which really doesn't prevent developments. I think this is ridiculous. I want to candidly state that our support of S. 4 is because, not that it locks up and makes impossible development, but it slows it down and places the burden of proof on the developer. We feel it is appropriate that the burden of proof should be on the developer and the reason is very simple.

There are two uses, one to develop an area which destroys the character of the wilderness and one which preserves wilderness and therefore preserves the resources.

Now, if we make a mistake by classifying an area as wilderness, the resources are still there and that mistake is not irrevocable but if we make a mistake on the side of development, then that decision is irrevocable. We don't have to simply move around sand and cement but the decision is made and the wilderness is lost for all time.

Therefore, since we have such a very small percent of wilderness left, it is our feeling that for any kind of development to take place it must undergo the rigors of careful searching control because once that decision is made, it is made for all time. And thus we feel that this is logical to have such a burden of proof applied.

The other thing I think is important and it has been mentioned both by Senator Allott and many others as to the small percent of the people who visit the national forests who use this area. Well, I am sitting here as living proof, perhaps to an overly vigorous life in college, so that I will never be able to use a wilderness area in terms of walking or packing or riding a horse. I have a busted back which makes this impossible. And I know many of my friends and some of our elder citizens who write and say, "We know we will never see a wilderness in the sense that you will see it when you walk in, but this is something you preserve not just because you hope to take specific recreational advantages of it. You preserve it as a heritage. You preserve it as something that represents something of the past. It provides a very notable link between past and the future—something that our children and others ought to know is there."

My grandfather never got to Washington to see Abraham Lincoln's statue. That is one of the things he was unable to do. But he was warmed to a very great extent by knowing it was here and thought it was a very good idea. So I wouldn't want to be placed in the position of simply taking as a tenet or basis as to whether we would or would not include just a percentage of the people who visit there. I think the problem is of greater importance.

I must confess that I feel that perhaps the only way that Congress will get an opportunity to express itself, and I was most impressed by Senator Anderson's statement this morning. I think the only way that Congress will get a chance to express itself is by the pro-

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visions set forth in S. 4. Now, I am trying to put myself in a position if I were arguing the other side of this bill. If I were a developer and thought I didn't have particular interest of an immediate nature and I felt the future being what it is, and that here are resources of several billions of board feet, I would take the position that the primitive areas could be made wilderness only by a separate act of Congress.

If all the primitive areas had not been so classified by that time, they would revert to the national forests.

Well, I can't tell exactly, I don't remember exactly the number of primitive areas that are involved. We know the Forest Service has been working for a long period of time reclassifying these. It seems to me this kind of process would be most time consuming and most difficult and I would suspect that we would probably lose most of the primitive areas to the wilderness system simply by the obstacles which would be encountered in that length of time in the legislative procedure. I think giving Congress an opportunity to veto, if you will, or to turn down a recommendation administratively is appropriate. I am sure my point of view will not find favor with all, but this is our stand, and I thank you very much.

Senator METCALF. Thank you.

Senator Allott?

Senator ALLOTT. I would just like to suggest, Mr. Smith, that you have just confessed that the so-called review which has been espoused by so many in this particular bill is not a review at all because if it is what it is supposed to be, that Congress will really take a look at it, it is going to take just as much time as the affirmative review and what you have done in substance is confess that it is no review by Congress at all.

Mr. SMITH. Well, that is the Senator's judgment. It is not mine, sir. The review as we see it by the administrative agency, to bring it up to have it either voted approval or voted down, is one thing, but to start it through a course of action that any legislation must go through, certainly, it is my judgment that this is a far more time-consuming process than the other.

It would seem to me the way the Hoover Commission or Hoover recommendations reports work out is much more rapid and yet the Congress does have an opportunity to express itself. So it is not my judgment that both of these processes take essentially the same time.

Senator ALLOTT. This is not exactly the same as the other. If you want to find out what the actual mechanical difficulties are in this matter, I refer you to the record of the debate in this matter in 1961 in which I took the trouble to point out at some length the actual difficulties with getting such a resolution before Congress. The provision which was inserted at the last minute in the bill, that there must be a hearing, still does not get away from the difficulties that it is dependent upon really just three or four people whether or not you can get a resolution up for hearing before a committee.

Mr. SMITH. Well, I may be incorrect on that, Senator, but I am aware that the provisions for hearing is in the bill. Isn't it also a very high personal privilege that any Member of Congress can move to bring this bill up or can move to bring this matter to the floor?

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Senator ALLOTT. Yes, but you also—also your privileges of debate are extremely limited. In the first instance, 30 minutes. And in the second instance—well, I won't say—it is a relatively short time.

I do suggest that if you will read that part of the debate in 1961 in which I covered this matter, you will see that I am not just trying to be an obstructionist and that if you were a Member of Congress and actually had a definite opposition to a particular piece being included, you would find that you were facing an almost impossible task to do anything about it. Unless you happen to have the concurrence of the chairman of both the committee and the subcommittee and the floor leader.

Mr. SMITH. Of course, Senator, what we are speaking of here—I think I am correct in this—is we are speaking here when the President has made the recommendation that a primitive area be classified a wilderness.

Senator ALLOTT. That is what we are talking about.

Mr. SMITH. There is also the possibility that the President himself, due to many of the concerns expressed here, may in the reclassification of the wilderness to present to the Congress, not classify entire primitive areas, maybe only a portion, a small portion at that, and in that instance the same advantages that you suggest here that would be available on our side would be available to those who would oppose the bill being made into wilderness. So it would seem to me this would be somewhat predicated upon which way the ball bounced, which way the recommendation came from the President, whether it was recommendations for wilderness or recommendations for other uses.

Senator ALLOTT. I have to say this: As I sit here I have no preconceived notions that I would never admit any particular areas or would never admit anything more to the wilderness area. I would be violating my oath if I didn't hold myself open to the time when we had a hearing on it and I was convinced, but I want hearings and I want the committee to vote on it and vote it up or down and have a chance to go to Congress.

That is all, Mr. Chairman.

Senator METCALF. Senator Dominick?

Senator DOMINICK. Mr. Smith, I take considerable exception to the next to the last paragraph in your statement. I happened to serve on the Public Lands Subcommittee in the House when this was considered and what you say in here is that the amendments proposed but fortunately defeated in the last session of Congress were primarily aimed at establishing procedures that would require an act of Congress to place primitive areas now considered and administered as wilderness in the wilderness system.

You know as well as I do that primitive areas are not wilderness areas, and they are not administered as such. They are administered as primitive areas.

And furthermore, that particular bill and those amendments had a provision in it to require that they be retained as primitive areas during the period of review and prior to recommendation of Congress.

Mr. SMITH. During the period of review but not thereafter.

Senator DOMINICK. So what you are saying here is not only inaccurate. It is deliberately giving, it seems to me, the wrong impression of what was attempted in the committee which was to establish a wil-

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derness system with a congressional review to determine whether primitive areas should be brought in it.

Mr. SMITH. With all due respect, Senator, I have heard the Forest Service testify on many occasions, in front of the Appropriations Committee, and I think in front of this committee, that there was no distinguishable difference in the way they considered primitive lands and wilderness lands. The biggest difference between the two was the fact that primitive areas had not been fully reclassified as wilderness. As far as uses were concerned, prohibited, and permitted, they were essentially the same.

So if I am doing a disservice to the actual truth here, it is inadvertent because it is my understanding that the primitive areas for a long period of time since 1939 have not been essentially distinguished in administration by the Forest Service.

Senator DOMINICK. They have been subject to timbering contracts, some of them are subject to oil and gas leases. They have been subject to grazing. They have been subject to a great many uses which a wilderness area does not have.

Mr. SMITH. The primitive areas have been subject to logging? That is not my understanding. I have learned something.

Senator DOMINICK. Two of them.

Mr. SMITH. It was not my——

Senator DOMINICK. We have had testimony in the hearings last year that at least two of them were. The point I am——

Mr. SMITH. Senator, may I inquire as to the——

Senator DOMINICK. The point I am trying to get at, however, is this, and that is a question of why the conservation groups take a position which is adamant against congressional review of inclusion of primitive areas into the wilderness system.

Mr. SMITH. I will be be very happy to answer that.

In the first place, congressional review is provided in S. 4, not the kind of congressional review that the Senator wants but it is the kind we want. And secondly, the reason why we don't want the requirement of positive action of both Houses of Congress is we have about 10 years to review all these areas and we view this affirmative voice of Congress in this matter as a long-time process which will find most of the primitive areas, by this technique, not even before Congress and, therefore, will be lost by default. That is why we take such an adamant view.

Senator DOMINICK. Well, I don't agree with you.

Senator METCALF. I would like to refer to the regulations of the Forest Service that have been mentioned by reference in the previous hearings. On page 51 of the hearings on S. 174 last year, section 2321 says—

> a wilderness area is a tract of land established under regulation U-1 in which the primitive environment has been reserved.

Regulation 2321.21 says:

> All existing primitive areas established under form of regulation L-20 will be managed under regulation U-1 just as though they were regularly established under regulation U-1 or U-2.

I think that it would be helpful in understanding the regulations to have the pertinent sections incorporated in the record at this point.

(The sections of the Forest Service regulations referred to are as follows:)

[U.S. Forest Service Handbook]

CHAPTER 2320—RECREATION AREAS MANAGED IN NEAR-NATURAL CONDITION

Some national forest areas are predominantly valuable for their natural or wilderness characteristics. The Forest Service will designate, reserve, protect and manage such areas with the primary objective of permanently preserving the natural environment.

2321 *Wilderness and Wild Areas.* A wilderness area is a tract of at least 100,000 acres of land set aside under Regulation U-1 for the preservation of the primitive environment. Wild areas are established under Regulation U-2 and must contain at least 5,000 acres, but less than 100,000 acres. Wilderness and wild areas differ only as to size. Both have the quality of expansive solitude and unspoiled natural environment and they are managed to provide a retreat from civilization, preserve the flora and fauna, and afford opportunities for inspiration, enjoyment, and scientific study.

The Secretary of Agriculture's Regulations U-1 and U-2 not only authorize the establishment of wilderness and wild areas, but provide for the modification or elimination of such areas and stipulate the uses which will be permitted and prohibited (FSM 2321).

2321.1 *Objective.* The Forest Service objective is to provide, within the multiple-use concept of management, wilderness and wild areas sufficient in number and size to accommodate present and future needs for recreation of this type.

2321.2 *Policy.* Studies will be made of areas suitable for wilderness purposes, and those lands found predominantly valuable for wilderness use and needed for that purpose will be so classified and managed.

2321.21 *Primitive Areas.* All existing primitive areas established under former Regulation L-20 will be managed under Regulation U-1 just as though they were actually established under Regulation U-1 or U-2. All Manual and Handbook instructions on wilderness and wild areas apply equally to primitive areas. Former Regulation L-20 specifies that primitive conditions of environment, habitation, and transportation shall be maintained, but does not specifically exclude aircraft landing. However, the landing of aircraft would violate the intent of the regulation and certainly would not be in accord with required maintenance of primitive conditions of transportation. The Forest Service has authority to prohibit or regulate the landing of aircraft on any lands or nonnavigable water under its jurisdiction. Therefore, the intent of Regulation L-20 and the general authority to regulate occupancy and use of national forest lands provide ample authority to prohibit the landing of aircraft in areas originally classified under Regulation L-20.

Each primitive area and adjacent lands having wilderness value will be restudied to determine whether wilderness values are paramount. Those lands found to be predominantly valuable for wilderness and needed for that purpose will be considered for classification under Regulation U-1 or U-2. The public notice and public hearing provisions of Regulation U-1 will be observed when eliminating or changing primitive areas. It is the objective to complete the restudy and to take appropriate action on one area in each region each year until this job is completed.

Mr. SMITH. That was my understanding of it, Mr. Chairman. I do not think I misrepresented the facts. Primitive areas are supposed to be administered like wilderness.

Senator METCALF. Is that all, Senator Dominick?

Senator DOMINICK. Let me ask just a couple more if I may, Mr. Chairman.

Senator METCALF. Go right ahead.

Senator DOMINICK. The National Park Service system was largely created within 10 years after the initial enactment of the national park bill, was it not?

Mr. SMITH. No, sir. The national park system started—we have Yellowstone National Park—I can't give you the date, but in the late

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19th century. The National Park Act was not passed until 1916. The situation was quite different from the wilderness situation. There was not a set of determined areas that were involved for inclusion in the national park system. These areas, some of them came out of forests, some of them came out of private lands, and we still have proposals before the respective committees for national parks. I don't see the situation is analogous.

Senator DOMINICK. Well, the analogy I was trying to draw is that they had to review these areas to determine which ones were going to be put into the National Park Service and I think the record would show that most of them were done within a 10-year period.

Mr. SMITH. Well, there was no time limit whether they were or were not. Some are coming in right now.

Senator DOMINICK. But factually this happened, I believe.

Mr. SMITH. I am not sure I understand what the Senator's point is. If you say was the national park system completed within 10 years, no, because the national park system presumably isn't completed as of now.

Senator DOMINICK. That is correct. I understand.

That is all, Mr. Chairman.

Senator METCALF. Thank you for a very helpful statement, Dr. Smith.

(Mr. Smith's prepared statement is as follows:)

PREPARED STATEMENT OF DR. SPENCER M. SMITH, JR., SECRETARY, CITIZENS COMMITTEE ON NATURAL RESOURCES

The Citizens Committee on Natural Resources is pleased to have the opportunity to present its views in regard to the measures which provide for the establishment of a National Wilderness Preservation System.

The Citizens Committee on Natural Resources is composed of some of the Nation's outstanding conservationists. Our chairman, Dr. Ira N. Gabrielson, is well known to those interested and active in the field of conservation. Our board of directors represents a variety of professions and interests. Many of us have been hopeful for some time that appropriate action could be taken by the Congress to achieve the protection we feel is needed for wilderness areas. There is little need to burden the members of this committee with the history of this legislation, which began in February 1957. Suffice to note at this point is the lengthy consideration, both in terms of time and in the amount of effort put forth, that has been given various legislative proposals with essentially the same objective of the measures now before the committee. S. 4 and other bills have resulted from these efforts, and is in general, a concise, careful presentation of the concept of wilderness and implements that concept with the minimum of administrative protocol. It should be stated that those supporting this legislation have in good faith sought to achieve a wilderness system under legislative protection that would accomplish the goals and aims that many of us supporting this legislation feel are imperative and yet at the same time doing as little disservice as possible to the rights and needs of others involved.

*Need for statutory protection of a wilderness system*

We feel it imperative to effect legislation with adequate protection for the wilderness areas in the United States. Poets and philosophers down through the ages have been far more eloquent in describing the bounty that nature provided for us in its wilderness, than can be stated here. The wilderness areas from a basis for public recreation, which is needed for national health, both mental and physical. The President of the United States in his advocacy of the vigorous life as being the only type of life compatible with a healthful and strong United States is supporting the wilderness bill as a part of his overall program for recreation. We might well pause and be reminded that the term recreation, generally, means recreate. The wilderness areas offer an abundance of opportunities for people to recreate within themselves the needed stamina to face the battles of a very complex world.

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The aesthetic enjoyment and appreciation which is unmatched in many of our wilderness areas certainly must be considered as one of the fruits of wilderness enjoyment. In addition, the unspoiled areas of the United States, unspoiled that is by man's intrusion offers ample opportunity for scientific investigation and research in so many areas of the sciences, that would be impossible to detail here. The historical significance of so many areas must be preserved not only because they deserve such preservation on the merit of their significance but in terms of what might very well be learned from them for future benefit.

One of the most compelling reasons for protection of wilderness areas by law is that any serious change made in such areas is an irrevocable one. Man is accommodated to the method of trial and error—in his individual behavior and in the behavior of the institutions he has created. Our economic and political systems are based upon a trial and error method. Technological and scientific methods effect a trial and error process in an effort to ferret out reasonable answers to problems propounded. It is therefore probable that an attitude prevails that if an unrestrained use of resources in the wilderness areas proves less useful than an absence of development the error can somehow be rectified. The decision that a mistake has been made is always too late. It is not a question of tearing down a building and building another of different specifications on the same site: though in this instance time has been lost and costs have been incurred, but the impossibility of creating something different has not been confronted as in the case of destroying wilderness.

Thus, with population expanding, with the economic abilities of our people increasing with each generation, with the workweek dropping in terms of hours of labor and with greater mobility on the part of our peoples, the competition for the use of land is accelerated at an awesome rate. It seems prudent, therefore, to set aside at least 1 percent of our total land mass of some 2 billion acres for purposes of wilderness, relaxation, and the opportunity to give full consideration to that from which we have developed and be better prepared for that to which we should aspire.

WILDERNESS PROPOSALS

Since wilderness legislation has had a long history and since many different versions of protective legislation have been introduced in the Congress over the past few years, it is important that everyone interested in the present measure realize specifically what is before this committee. It is not a bill that was introduced in the 85th Congress, nor any of the various amendments thereto. It is not a measure introduced in the 86th Congress. It is a measure that has developed over a long period of time. I am not attempting to belabor the obvious in pointing this out, but I am suggesting some of the opposition to the most recent measures should not exist since the character of this opposition is to provisions that appeared in earlier versions of wilderness legislation.

The present measures would determine the policy of Congress, to establish a Wilderness Preservation System. The wilderness system would comprise the several wilderness areas in the national forests, administered by the Forest Service in the Department of Agriculture; areas of the national park system administered by the National Park Service in the Department of Interior; and the areas in the wildlife refuge system administered by the Fish and Wildlife Services; also in the Department of Interior. That part of the proposed Wilderness Preservation System, involving the national forest system would include the administrative designations of wilderness, wild, primitive or canoe areas. The primtive areas, however, will be reviewed as to their suitability for inclusion in the wilderness system within 15 years. The President will inform the Congress each year as to his decision, which may suggest boundary modification; and such decisions will be effective upon the final adjournment of Congress, unless the Congress previously approved a concurrent resolution opposing the President's recommendations. In the latter event, the usual procedure for concurrent resolutions will be followed.

The national park system would incorporate into the proposed wilderness system any continuous area of 5,000 acres without roads. Each area, however, shall be reviewed and the President will recommend, within 10 years, such areas for inclusion into the wilderness system. The provisions of congressional review and possible dissent conform to the procedures described above in connection with national forest areas.

The national wildlife refuges and game ranges would become a part of the wilderness system in essentially the same fashion as indicated for the inclusion of national parks.

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Any new additions or eliminations from the wilderness system, not provided for under this act would require authorization by law. Existing private rights within the wilderness system would not be revoked by the present measure, and the prohibition of commerical and other uses not consistent with wilderness does not preclude many existing uses. In addition, prospecting for oil and other minerals and their development could be undertaken within the national forest and public domain areas if the President determines such use is of greater public benefit.

S. 4 can be characterized generally by the foregoing. Our preference is for the Senate bill 174, as introduced in the 87th Congress by Senator Anderson. As finally passed, S. 174 was modified by the Senate Interior and Insular Affairs Committee and some floor amendments. These modifications did not in our judgment improve the legislation. It appears inconsistent to permit the Secretary of Agriculture to remove a primitive area from the wilderness system, and if the House or Senate should reject the Secretary's proposal, the Secretary, by failing to present a revised proposal affecting the area within 2 years, would result in the land ceasing to be a part of the wilderness system.

The amendment, which would permit the Federal Power Commission to authorize dams in wilderness areas, appears inconsistent with the basic purposes of the act. There appears to be no overriding need for the procedure to apply differently with respect to dams. If the need is judged superior to all others, the President can propose such construction under the other procedures provided.

The same concern and the same objection can be made relative to prospecting for subsurface water resources, providing such activity is not inconsistent with wilderness environment. It is difficult to understand how many such prospecting or subsurface use of water could be compatible with wilderness values.

We find no serious objections to the Presidential Land Use Commission for Alaska, but we do question the relevance to the substantive part of the legislation.

### WHY S. 4 IS OPPOSED

One could amass a string of objections given by opponents of this measure, but in substance the basic opposition is that of continued development with minimum restraints versus preservation with maximum safeguards. Many argue that the proposed legislation would have the effect of locking up these areas, and preventing the commercial uses, which are often contended to be of equal or greater importance than the use for wilderness. It is their interest in extending mineral exploration, timbering, increase in grazing, all of which are competing uses for the area. Their justification for this is that the needs supplied by this use are of greater mportance than the needs the areas would have for wilderness. This is especially claimed in States that have a preponderance of Federal-owned land within their borders. This is an argument that anyone should understand, and it becomes a matter of judgment as well as concern as to which need or use should receive the highest consideration. It would be redundant for us to again detail what we believe to be the clearly marked preference in favor of wilderness.

Some of the opponents of the wilderness preservation system feel it important to point out that they are in favor of wilderness but, they are in favor of wilderness that is consistent, for example, with mining. In many instances what they really mean is that they are in favor of certain kinds of recreation that could be continued in these areas and not be inconsistent with commercial development, but it would not be a wilderness area. Those who are committed to commercial deevlopment of many of these land areas do not care for the proposed legislation that would require the approval of the President with the concurrence of Congress, to determine that their needs were greater than those of wilderness.

In our judgment, the present measure is long overdue because of the contracting resource base within the United States relative to our continuing increase in population. The catch as catch can system of development will no longer suffice and additional commitments of resources to development must be made more prudently and carefully. The present measure before this committee does not lock up any resource, it does not make impossible the exploitation or development of any of the resources within the wilderness system. It does, however, place a serious burden of proof upon those who wish to develop a particular resource within a wilderness area to come forth with the reasons for that development and engage in discussion as to the merits of wilderness vis-a-vis the merits of economic or commercial development. Upon that basis the country through its elected officer and representatives in the executive branch and in the

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Congress can make a determination. That development will slow down as a result of the passage of this act is without question. It is the purpose of this act to slow down such development, much of which in the past, was not prudently accomplished and much of which in the past has been noteworthy for its destruction.

The amendments proposed but fortunately defeated in the last session of Congress were primarily aimed at establishing procedures that would require an act of Congress to place primitive areas, now considered and administered as wilderness, in the wilderness system. We hope that the purpose of "preserve" will be kept uppermost in the deliberation of all concerned and that procedures will not be adopted that would thwart this effort.

Mr. Chairman, there seems to be little quesion that time is running out and if the people of the United States are to achieve any serious protection for areas not already intruded upon by the works of man, this is the golden opportunity to do so.

Senator METCALF. Again out of order, to accommodate the witnesses, I am going to call Mr. Barnard, Mr. John B. Barnard, Jr.

The committee has a letter addressed to the chairman of the committee and signed by the Governor, Governor John A. Love, of Colorado, and I am going to read just a part.

"I regret that it is not possible for me to appear before the committee in person, but I have asked Mr. John B. Barnard, Jr., of Denver, Colo., to present to you my statement of the official position of the State of Colorado in regard to this proposed legislation."

Without objection the letter in its entirety will go in the record at this point.

(The document referred to is as follows:)

THE STATE OF COLORADO,
EXECUTIVE CHAMBERS,
*Denver, February 27, 1963.*

HON. HENRY JACKSON,
*Chairman, Committee on Interior and Insular Affairs,*
*U.S. Senate, Washington, D.C.*

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE: Thank you for the privilege of presenting testimony before this committee in its consideration of S. 4, as proposed for passage by the U.S. Senate, to establish a National Wilderness Preservation System.

I regret that it is not possible for me to appear before the committee in person, but I have asked Mr. John B. Barnard, Jr., of Denver, Colo., to present to you my statement of the official position of the State of Colorado in regard to this proposed legislation.

Mr. Barnard will be happy to answer any questions you may have concerning our position and I will furnish any additional information that may thereafter be useful to the committee if you so desire.

Respectfully yours,

JOHN A. LOVE,
*Governor of Colorado.*

Senator METCALF. We are delighted to have you with us, Mr. Barnard, and go right ahead.

## STATEMENT OF HON. JOHN A. LOVE, GOVERNOR, THE STATE OF COLORADO, PRESENTED BY JOHN B. BARNARD, JR., DENVER, COLO.

Mr. BARNARD. Thank you.

Senator ALLOTT. Mr. Chairman, may I just say a word? I have known Mr. Barnard all his life as I knew his very distinguished lawyer father and lawyer brother and his lawyer uncle. It is a family of lawyers. Mr. Barnard also was until recently, when his own pro-

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fessional affairs pressed upon him so hard, first assistant attorney general of Colorado and has been conversant with matters, the subject matter of this bill, for a long time.

Mr. BARNARD. Thank you, Senator Allott.

Mr. Chairman, members of the committee, I will read the Governor's statement. It is rather short. And perhaps interdelineate one or two comments that have come to mind during the testimony today.

We in Colorado have followed this proposed legislation with deep interest and concern, as, I am sure, have the other Western States where so much of our Nation's forest, park, monument, grazing, and other public lands lie.

Certain basic points appear in the bill now before you to which we must take specific objection and on which we propose specific amendment.

I want to say in this connection that I was not unmindful of the fact that the committee today was concerned with matters occurring since the previous hearings. However, since we have a new administration in Colorado, we think in effect this is a new statement of position but it does reflect the fact that we have had virtually unanimity among the official agenices of Colorado in respect to our position on this bill, and basically they are in support of Senator Allott's proposals, and we have one or two new thoughts from the Governor that are contained in the statement.

Probably most fundamental of these objections lies in the original designation of the wilderness system. By enactment of S. 4, the Congress will provide for the establishment of the principal portion of the wilderness system, including all national forest areas designated on the date of the act by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, primitive, or canoe; and including all roadless areas of 5,000 acres or more in the national park system. The designation of primitive areas as parts of the wilderness system are subject to Presidential review and subsequent recommendation to the Congress. Following their receipt, the recommendations shall take effect on the day following adjournment sine die if neither the House of Representatives nor the Senate has resolved opposition to the recommendation, such resolution to include committee hearings on such opposition.

We should like strongly to express support for affirmative congressional designation by specific legislation of those areas found to be suitable for identification as a part of the wilderness system, rather than by the cumbersome method now proposed by the bill, of a Presidential recommendation subject to the negative action of the Congress. Such affirmative action will insure the representation before the Congress of any information or recommendations by the executive department pertinent to the designation of areas for inclusion in the wilderness system, and it would avoid the essentially negative method of a veto on Presidential recommendations.

Further, we believe strongly that wilderness areas so created by specific act of the Congress also avoids the present identification by administrative order with the concomitant possibility of an arbitrary wilderness designation.

With congressional designation of wilderness areas, and the expression of public policy which would accompany such legislative

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action, such designations would exclude future administrative orders setting aside comparable areas under the guise of such other designations as: Virgin, natural, roadless, and scenic.

I note that the bill provides that additions to, or eliminations from, the wilderness system shall be made only after specific affirmative authorization by law. We applaud this provision and restate our belief that it is a far preferable to authorize the system and its expansion or contraction by specific acts of the Congress.

The bill directs the Secretaries of Agriculture and Interior to include in their recommendations the independent views of the Governor of the State in which a potential addition to the wilderness system is proposed. I suggest that you may wish to pluralize the word "Governor," if such proposed area involves more than one State. I sincerely suggest further that no area should be designated as a wilderness or wilderness-type area within the boundaries of any State or States without the prior and express approval of the Governor or Governors of the States affected.

Similarly, recommendations for designation of segments of the wilderness system, or additions and deletions in the system, should be submitted to interested Federal agencies not under the jurisdiction or authority of the Secretaries of Agriculture or Interior. Such agencies would include, but not be limited to, the Federal Power Commission, the Federal Communications Commission, and the Interstate Commerce Commission. These agencies should determine whether designation of a segment of the wilderness system would conflict with proposed or projected programs for which they would be responsible. Following such review by the States through their Governors and by other interested Federal agencies, the Congress would be in possession of complete and pertinent data with full recommendations on which to base appropriate legislative decision.

I should like to direct the committee's attention to the well-known problems of water supply, storage, and use—particularly in the semi-arid west, and to urge that this bill provide appropriate review of the effects of wilderness classification upon the stringent problems of water supply and conservation, as well as upon economic and industrial development. With the rapid rise in western population, and the effects of that growth on basic water and other development, including mining, it seems clear that wilderness classification of any area should receive careful joint review by Federal and State agencies prior to its inception.

We believe that provisions for public hearings as presently provided in the bill are inadequate. Before any areas are recommended for inclusion in the wilderness system, the full findings of mandatory public hearings should be incorporated in the reports of the Secretaries or the Federal agency having jurisdiction. Such public hearings should characterize not only the original designation, but also the subsequent actions proposing boundary modifications of the wilderness areas. The records of such hearings also should be submitted to the Governor or Governors of the State or States involved for their guidance and for their comments thereon for the record.

We note with interest and approval under section 6(c) of the bill that Presidential approval may be extended to certain land uses within the wilderness system compatible with the national interest and

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the interests of the citizens. I suggest that you may wish to make specific in the bill a provision that where States, for the benefit of their counties, have been receiving revenues from areas within the boundaries of the national forests, the continuity of such revenues may be guaranteed. The loss of such revenues could be of serious consequence to the small, mountainous counties with limited tax resources.

I note further that Presidential approval in section 6(c) may be extended to transmission lines, where desirable, as a permitted land use. I am inferring that such language in the bill includes power lines, communication lines, and fuel transmission pipe lines.

Section 6(a) of the bill implies that hunting and fishing will be permitted in areas included in the wilderness system.

I assume that is exclusive of the national park areas, and so forth. For the wise and conservative management of game and fish resources, I urge that the bill specifically authorize the respective States to manage these resources within the wilderness system and that hunting and fishing be encouraged to the greatest extent possible and compatible with the operations of the system. In making these recommendations I recognize full well the necessity for regulating and controlling the activities of recreationists, including hunters and fishermen who use our public lands.

In submitting these comments for your review, we are acutely aware of the tremendous responsibilities which you face in the consideration of this bill. I want to assure you of our support for this bill if the amendatory recommendations which we are making to you are adopted. These recommendations are based on our firm belief that the Congress should be responsible through specific legislative action for the creation of the wilderness system and any subsequent modifications to that system.

With our population growth in Colorado and in the West, we are extremely aware of public pressures and the need for designation of such areas as this bill proposes in its well-drafted statement of policy. We are equally concerned that the serious and wide-reaching impact of this bill be a continuing congressional responsibility, supplemented by specific executive department and State participation, to the end that potential economic development and population growth may not be denied full use of necessary natural resources consistent with the preservation of wilderness areas, defined to permit efficient administration and maximum public use.

Should the committee desire further expansion or clarification of these comments and recommendations, I should be privileged to provide them.

I want to add to that one or two comments concerning the statements that were made this morning, particularly in the field of water resource development. I think the Secretary of the Interior misspoke himself when he said that these wilderness areas were all at high altitudes where there is very little runoff anyway. It is at these high altitudes where we have the extremely high runoff.

In Colorado the variation from the low valley areas, with annual precipitation of something in one place under 5 inches, to the high mountains where the precipitation averages 40 inches per annum, most of which is in the form of snow and most of which runs off within a 2-month period, it is in those very high elevation areas that it is necessary to construct works for the storage or diversion of water

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into other areas where it may be stored, and this is one of the principal concerns we have, is that while at the present time the Secretary may indicate that there are few dam sites within the proposed wilderness areas, there are no dam sites—no dams being built today on sites that were considered good dam sites 30 years ago, but times and conditions change and as our per capita use of water increases, as well as the increase in population itself, things must be done and major projects built that were not conceived of 30 years ago.

Now, this is entirely possible 30 years from now. The answer that has been given to this is, well, if this occurs, the President may make an exception under the appropriate provision of the act.

This is very logical. But logic and history are not the same things. And I cite as an example of the stopping, the halting, the refusal of an excellent water conservation program because not that it interfered with some natural monument but that it interfered with the principle of national monuments, the deletion and the death of the Echo Park Dam under the upper Colorado storage dam project some years ago.

If we at this time have a congressional statement of policy and inclusion and later on say, well, this is a matter of principle and you can't do this, it could very well have a very detrimental effect on water resource development in the future.

Senator METCALF. May I interrupt a moment? I went through the Echo Park files and, believe me, I supported the present Chairman of the Interior Committee and Mr. Aspinall in a good part of that fight, but it was Congress that cut out Echo Park from that Upper Colorado system, not the President.

Mr. BARNARD. Congress cut it out, that is true, because the power of these conservation groups was such that the act could not be passed without its deletion. And the reason why they opposed this was not that it did any real injury but that it violated the sanctity and inviolability of the Antiguities Act and monument designated under that act.

Senator METCALF. I probably received more mail on that Echo Park thing than I have received at any other time since I came to Congress before we had the withholding question up last year, but that wasn't the only reason. There were many other reasons advanced and many of the conservationists really believed that Echo Park should be a national park. It wasn't a violation of the principle. But my point is that it was Congress that took that out. This wasn't an executive thing. And the Upper Colorado bill would never have passed the Congress had we not reached an agreement deleting the Echo Park and satisfied the conservation people.

Senator ALLOTT. I think that is what Mr. Barnard just said, isn't it?

Senator METCALF. Yes.

Senator ALLOTT. At least I understood him to say that.

Senator METCALF. I don't see the analogy between going to the President, because this was a case where Congress acted.

Senator ALLOTT. Well, I don't know about the analogy of going to the President. I think it is fact that this is what took it out, the pressure of the so-called conservationists, and in this case it was so-called conservationists. But I don't think anyone can contend that under the mining provisions of this bill, for example, that there is

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ever any opportunity for mining in any wilderness area. This section (A) is just so much pap, on page 15 of the bill. It is just pap which is just a sop to make somebody think they are getting anything, and anybody who believes that under section 6(2) (A) there is ever going to be any prospecting, any mining, has been smoking the wrong kind of pipe.

Mr. BARNARD. Senator Allott, that is exactly the point I was trying to make. Now, it is true that Congress was in a position where it couldn't authorize what was a very desirable water project because of the situation, but this was the point I was making.

Now, at this time they say, well, if you ever need water for people, of course, we are going to have a Presidential exception. I don't think that "of course" will follow 15 years from now when we find that without an adequate analysis, not only of the desirability of these lands as wilderness but also the potential future needs of these lands, possibly for water conservation rights-of-way, and possibly for electric transmission line right-of-way, that are necessary in order to make a water project feasible, that if we don't make a careful study of the potential conflicting uses, that may be required in the future and do it at the time we set aside the area, we in fact have effectively excluded those regardless of how pressing the need for them becomes.

Now, I think another example that establishes this as a matter of history instead of as a mater of logic, what is said in the bill is logical and the President can make an exception, but as a matter of history it is almost impossible to accomplish, is this San Gorgonio situation which is certainly before the committee. I never heard about it while it was before this committee but we certainly heard about it last year before the Public Lands Subcommittee of the House Committee, the hearings which Mr. Dominick attended and I attended on the other side of the board, and it was clear that here are 3,500 acres in a valley that is self-contained which would not affect, according to the testimony of Mr. Deutch who presented this matter to that committee, wouldn't affect the rest of the area and they have got 8 or 9 million people, a very large percentage of which comparatively want to utilize a good skiing area.

Now, we in Colorado are fortunate. We have many areas that are available, that are very fine skiing areas. Of course, if it hadn't been for the mining activity and the creation of the town of Aspen, what is now the town of Aspen and the Aspen ski area, it would probably be in a wilderness area. But this happened a long time ago, wasn't developed, wasn't included in the area, so this didn't happen, but those in California and other places where the number of areas is limited I think we will see with increasing frequencies that the very areas that are most desirable for wilderness are also the most necessary or will become the most necessary for mass public recreation, and if we do have a conflict between mass public recreation and preservation for wilderness purposes, there has to be a balancing of those needs.

I am not saying one completely overrides the other. But where there is a conflict it should be recognized and Congress should act with its eyes open instead of taking the blind chance that such conflict will never develop. And this is what we fear in connection with the wilderness system.

Now, as far as the existing areas of wilderness, it is pretty well agreed that the size involved is not so substantial that any particular contest need be made. The principle applies not only to the primitive areas. The principle would apply to the existing wild and wilderness areas because those areas were examined and reexamined and the determination made not only the basis of a potential conflict in uses but whether or not it was satisfactory for wilderness use and that was the only consideration. I think that this is not in a—essentially it is a public land zoning measure, that this is a proper way of going at it. The potential conflicts, the need of land for other purposes, possible future developments, necessary for rights-of-way, possible in the future for other developments, all ought to be considered and ought to be considered by this Congress instead of by an administrative agency who may be completely dedicated, may be completely honest, but have a very narrow function and a very narrow area of interest.

I think the former is better than the latter as a forum in which to take these areas up for consideration.

Senator METCALF. I am not quite clear as to what your position is and I think you have read a strong statement and made a strong supplemental statement. It is my fault that I didn't quite understand.

You are opposed to including any of these areas in the wilderness system.

Mr. BARNARD. No. I say that the principle—here is the thing: As to the primitive areas, there are three good reasons why they should not be included in the system, or perhaps I should put it this way, they should not be permanently included in the system except by a specific act of Congress.

One of these is that the areas themselves have not been specifically reviewed in detail as being suitable for wilderness areas. They are doing that. They are in the process of doing it.

Another is the fact that the conflicting uses have not been adequately considered, and I would have to think of a third point that I had.

But in the case of wild and wilderness areas, at least one of those reasons is satisfied. It has been carefully reviewed and there have been some public hearings, and so forth. I think our feeling is that because at least part of the objection has been removed and because of the rather limited size, some 6 million acres, we would not object to their immediate inclusion. But as far as the principle of an adequate review of each area by Congress, taking into consideration all of the various factors instead of just the limited factors of suitability for wilderness, that principle would apply to these areas but, in effect, we are saying we will compromise, or we would be willing to compromise, and I think it would be reasonable to compromise to the extent of including the wild and wilderness areas from the outset without the detailed review that as a matter of principle should be had.

Senator METCALF. So largely the difference is how to handle the primitive areas of around an additional 6 million acres.

Mr. BARNARD. Yes.

Senator METCALF. And, of course, game refuges and wildlife refuges are in a little different category than the national forest or national park.

Mr. BARNARD. Yes. And, of course, it has long been my position, and I don't think this is again one of the important points of the bill because the actual practical effects are not too great, but it has long been my position that when lands have been set aside for a specific purpose, the fact that that purpose is not incompatible with wilderness does not justify another act setting it aside for that purpose, and I think the same is true of national parks. While the national parks are zoned, so to speak, for certain areas that are involved for mass recreation, certain areas that are to be retained as wilderness, in effect, this has been done, there is plenty of authority under the National Park Act. There has never been any serious difficulty with interfering with the Park Service and its administration. I could not and I still cannot see the logic behind including those areas within another system called the wilderness system.

But what we address ourselves to principally, the issue has narrowed itself principally to the primitive areas in the national forests.

Senator METCALF. Thank you. You have clarified it very well for me.

Senator Allott?

Senator ALLOTT. I just want to thank you very much, Mr. Barnard, for a very excellent statement. I assure you that your trip here in behalf of Governor Love and the State of Colorado was well worthwhile.

Mr. BARNARD. Thank you, sir.

Senator METCALF. Senator Dominick?

Senator DOMINICK. Mr. Chairman, I just want to reiterate what my senior Senator has said. It is good to see you here, John, and I appreciate the work that you have done on this.

Mr. BARNARD. Thank you very much.

Senator METCALF. Thank you, and thank Governor Love for a fine paper.

Mr. BARNARD. I will do that, Senator.

Senator METCALF. Obviously this hearing has to go over until tomorrow to hear the witnesses. I am going to hear one more witness for the convenience of the Senators from Colorado and then adjourn until 10 o'clock tomorrow. And so the next and last witness for today will be Mr. John A. Wolfe, representing the Colorado Mining Association.

While Mr. Wolfe is preparing for his presentation I will read the statement of Mr. William C. Grayson, who is representing the Audubon Naturalist Society of the Central Atlantic States, Inc.

STATEMENT OF WILLIAM C. GRAYSON, VICE PRESIDENT, PROGRAM, AUDUBON NATURALIST SOCIETY OF THE CENTRAL ATLANTIC STATES INC.

The Audubon Naturalist Society of the Central Atlantic States, with a membership of more than 1,600 persons, fully endorses the wilderness bill and respectfully urges passage of this bill without any weakening amendments.

We appreciate the immeasurable value of wilderness and stress its importance to our civilization and culture and to future generations of our crowding country. These unique and irreplaceable areas are an integral part of our national heritage and, once spoiled, can never become wilderness again. There is no substitute for wilderness; we feel that these areas should be given the most immediate and fullest possible protection.

That completes Mr. Grayson's short statement.

You may now proceed, Mr. Wolfe.

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## STATEMENT OF JOHN A. WOLFE, PRESIDENT, COLORADO MINING ASSOCIATION

Mr. WOLFE. Mr. Chairman, members of the committee, my name is John A. Wolfe. I am president of the Colorado Mining Association. I am a professional engineer registered in the State of Colorado and chief geologist of the Ideal Cement Co.

I would like to read a statement here and an appeal for amendment of the Wilderness Act, S. 4.

On behalf of the Colorado Mining Association, I want to present a request that the proposed Wilderness Act, S. 4, be amended to protect the use of the resources within the areas which may be subject to the bill. More particularly, it is extremely important that large portions of the terrain which are most promising for the future production of pristine mineral wealth not be prevented from contributing to our economy.

Mineral resources of the world have been 2 billion years in formation. The natural processes of smelting, refining, and concentrating have made available the materials to build our civilization. Combined with the ingenuity and acumen to win them from the earth, they are the fundamental difference between our standard of living, the highest the world has ever known, and that of the hungry, impoverished, backward lands. Poor nations are watching these hearings. To some, the proposed bill suggests that the United States is so rich and so unmindful of the needs of other countries that we propose to lock up our own resources and use theirs, possibly contributing to their further impoverishment.

Minerals are fundamentally different from any other resource. The quantity which is available is finite. When our available minerals are used up, there will be no more. A deposit that is irrevocably allocated to some other use is forever and irreplaceably lost to our economy.

I mentioned that it has taken 2 billion years for our mineral resources to be formed. To the best of our knowledge, our abundance will be consumed within the next few generations. Man himself has become one of the most powerful geologic forces. Dr. Hubbert devoted his presidential address to the Geological Society of America last November to the mounting professional concern that worldwide resources may be inadequate to sustain a high civilization. Some, unaware that our abundance is temporary, are demanding that potential mineral wealth be set aside. This nonuse is a luxury which the perspective of future history will prove that we can ill afford. Our times may be looked upon as an era which could not tell the difference between luxuries and necessities.

What many people will not believe is that we can enjoy the wild natural beauty of our mountainous West and still keep these regions available for the production of minerals which are needed to maintain the standards which permit this enjoyment.

I want to point out that in the decade starting in 1956 we are expecting to build as many highways, buildings, bridges, and dams as in the previous history of the Nation. This is literally the construction of another entire nation as great as the one which we now have. By the standards of 1975, every building predating 1955 will be substandard or obsolescent. In the decade following that, we may build two more Americas. This means that in the next 20 years we must find

and deplete three times as many Leadvilles and Buttes and Bingham Canyons and Mesabis and Ambrosia Lakes as we have already exploited. Think what this means in terms of steel, copper, zinc, concrete, and plastics, and in the energy requirements both in fossil and nuclear fuels.

I mentioned the natural processes whereby our minerals were concentrated into economic deposits. The same smelting process which made these metals available has heaped gigantic natural "slag piles" in our Western States. These slag piles are the mountains which we love and enjoy. They are in themselves the foremost clue to the pinpoints of potential wealth which are present in the mountain vastness.

There is a small group who would set aside for their exclusive enjoyment some of our Nation's most resourceful areas. These same persons will be among the loudest in castigating the professional minerals engineers if we fail to provide the economic foundations for the America of tomorrow.

You gentlemen are being asked to choose between two points of view. First, there is a small but vociferous group of faddists who believe that "wilderness" is some sort of a goal sacrosanct in itself: "Nonuse must be preserved regardless of the economic price." There is a large group of people who have been persuaded to back the negativists' program. Unwittingly, they are urging the adoption of a program by which they will exclude themselves from visiting and enjoying those very spots of beauty that they think they are preserving for their use. Second, there is a small group of professional men who are trying to explain that surrender to the loudest voice would be inadvisable. This group is trying to say that it is possible to have and enjoy the luxuries of accessible wilderness areas while at the same time deriving benefits from the resources contained within them.

You have been asked by some to postpone a decision until some sort of an inventory can be taken of the resources within these regions. I feel that this is impossible. How can we use the standards of today to control the needs of tomorrow? No test can prove for all time that any region is barren or devoid of valuable minerals.

Stone Age man did not recognize the value that copper and bronze would have a few millenniums later. The copper-bronze man comprehended nothing about the future impact of iron and steel, only a few centuries ahead. A few decades ago, our citizens could see absolutely no use for the Four Corners area—Utah, Colorado, Arizona, and New Mexico. One Senator of that time stated that it was fortunate that the area was divided among four States, as no one State could possibly include the entire area and survive. Today, with oil and uranium production, it is the energy capital of the world.

I can illustrate this point with a personal experience that took place a few months ago. One of my field geologists, doing reconnaissance work, located a prospective deposit on public domain. Evaluation of the samples indicated that this tract warranted preliminary exploration. My properties engineer, in checking through the records, found that the Bureau of Land Management had classed this tract as nonmineral, withdrawn it from mineral entry, and reserved it as small tracts for sale to individuals. This is not a criticism of the policy of disposal of public lands by the small tract sales, nor of the technical competence of the professional men in the Bureau. It merely illustrates that it is virtually impossible to

anticipate the potential needs of all phases of the minerals industries in an economically and technically dynamic period.

I would like to illustrate the relationship between mining and the mountains with this map which we have hung up over here. The small areas outlined along the black line at the center represent about 99.9 percent of the total metalliferous production from Colorado. This is exclusive of uranium.

All of this production is concentrated in the western half of the State and largely in a band described by the U.S. Geological Survey as "the mineral belt." You will also notice that all of the important base and precious metal mining districts productive over the past century are encompassed within a gross area of approximately 620 square miles, or roughly four-tenths of 1 percent of the total area of the State.

The unshaded districts—these are the ones just covered with small circles on there—at that distance I am afraid some of you are not going to be able to see it—the unshaded districts represent one-fourth of the mining area of the State but only 1 percent of the production. The districts in the $10 to $100 million productivity class represent a total of 24 percent of the production of the State. In the remainder, the mining area, the mineral hunters of the past century have bagged seven "elephant-sized" deposits producing over $100 million each. In other words, 75 percent of the gross value has come from less than one-tenth of 1 percent of the area of the State. This area is about one-third the size of one of our fine recreation areas, Rocky Mountain National Park.

I am not merely giving you numbers here, but illustrating the newest and one of the most important prospecting techniques now in use: geostatistics. Figuratively speaking, we have learned that when you want to go elephant hunting, the first thing to do is to define elephant country. "Elephantine" mineral deposits are absolutely essential to assure our Nation of a continued supply of mineral resources, but unlike ecological resources, minerals will not reproduce themselves, and posting "no hunting" signs in the choicest areas will not increase the supply. In fact, it may do the Nation irreparable harm.

With the techniques which I am illustrating here, it is possible to calculate how many "elephants" are left. We cannot pinpoint where they are located.

We can further tell how many "elk" and "deer" sized deposits remain. No one is interested in attempting to feed the voracious appetite of the American public with the rabbits and woodchucks of the small-class deposits. Our only interest in them is in that they may be clues to larger deposits.

By the techniques which have been developed in the past 5 years, we can break the mountainous regions of the West into areas where the probability of success in mineral exploration is relatively homogeneous. When an explorations manager on a budget sees a probability index of 1 on the eastern half of Colorado and 1,000 on the western half, it is obvious where he will concentrate his effort. Within the western area you find a subarea with a probability index of 10,000.

On the map this is represented by the two fine lines outside of the solid line, the two dotted lines on the outside, the 10,000 probability area.

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In the past, 95 percent of the production of the State of Colorado has come within that belt and by these calculations it is indicated that 95 percent of the future production of these commodities will come from that area also.

Thus, the exploration manager would allocate 90 percent of his expenditures to the subarea of highest probability and probably 10 percent to the remainder of the western half, leaving none for the eastern half.

This history of production is superimposed on a base map of Colorado. The green on the map shows the national forest areas. The pink areas bordered with blue show the wild and primtive areas which would be affected by S. 4.

I have also shown the military withdrawals by the same symbol but they are outside the national forest east of the black line along the front of the mountains.

This history of production is superimposed on a base map of Colorado. The green on the map shows the national forest areas. The pink areas bordered with blue show the wild and primitive areas which would be affected by S. 4. Notice how the trend of the wilderness areas overlaps that of the mineral belt. Many of the overlapped areas are potentially among the richest in the mineral resources which we need so urgently.

Additional information has been included on this map to show that withdrawals have already become a major restriction to prospecting:

The areas of red within the national forests represent the tracts which are already withdrawn or for which withdrawals have been submitted by the Forest Service. These tracts appear small in size, but many of them are actually much larger than the largest mine in the State. Such areas of withdrawal by the Forest Service now total approximately 250 square miles, or 72 percent more than the total area encompassed within all of the major mining districts in the State. Even more important, the Forest Service has disclosed its intention to withdraw within the next 10 years 550 square miles of additional land within the forests of Colorado. Total Forest Service withdrawals will then equal 5 times the area of the major mining districts and be nearly two-thirds as large as the proposed additional withdrawals under the Wilderness Act. Within this same 10-year period, production of mineral resources will surely require less than one-tenth of the proposed Forest Service withdrawals.

I would like to call your particular attention to the fact that some of the most recent withdrawals have blanketed the stream areas. The withdrawals which are proposed for the next 10 years would cover an additional 196,000 acres—approximately 300 square miles—along stream areas. When these areas are withdrawn, future placer mining will be effectively eliminated. Lode mining will also be inhibited, as many of these areas constitute the most attractive locations for prospecting for major lode deposits. What is more, the stream bottoms constitute virtually all of the access to the more remote portions of the public domain. Withdrawals located in this manner will severely hamper mineral development.

The orange on the map shows the withdrawals by the Bureau of Land Management and other agencies outside of the nationl forests. These constitute another important part of the mineralized regions, particularly in the uranium belt. Keep in mind that I am saying

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nothing about uranium or nonmetallic minerals. These are a commodity of different origin, and the areas of homogeneity are independent of, though sometimes overlapping, those illustrated here.

Some persons have expressed skepticism that the areas proposed for inclusion within the wilderness system actually do contain significant mineral deposits. My own group has discovered one such deposit. If all of our preliminary work is substantiated, and if this deposit can be mined to depletion, at today's prices it will contribute $800 million. This would be the basis for $6 to $8 billion of construction.

Several large mineral-producing companies in the West have continued exploration in the proposed wilderness areas which are still open to entry. I have asked representatives of the exploration organizations of these companies if they have located within these areas what they consider to be significant deposits warranting detailed exploration. None of these companies would spend exploration funds on a deposit which it felt did not have a chance of producing gross values in excess of $100 million I set the cutoff date on this study at September 1961 to evaluate the potential difference between the mineral wealth of the Nation today and what it would have been had S. 174 of the 87th Congress become a law on the date it was passed by the Senate. I found that at least one significant deposit has been discovered every 3 months. I asked each of these men with whom I discussed this matter if the fact that the last bill did not become a law had given impetus to their exploration activities within the proposed wilderness areas. Each answered that, on the contrary, the fact that similar legislation was hanging over these areas inhibited exploration expenditures in these regions. This is very much the case with the activities of my group. We are reluctant to budget money which stands in serious danger of being lost.

In conclusion, we minerals engineers do not ask that all of the public domain be left idle on the remote possibility that some small tract will be required at some future date. In fact, we encourage multiple use of our resources. We ask only that we be shown similar consideration, and that any legislation which is passed retain as its guiding philosophy the spirit of the famous Mining Act of 1872: "An act to promote the development of the mining resources of the United States." Specific procedures should be prescribed so that it is possible to know in advance the entanglements that will be involved with governmental agencies and to calculate in advance the cost of proceeding with an exploration program.

Gifford Pinchot, a great conservationist, prophetically wrote:

> A nation deprived of liberty may win it; a nation divided may reunite; but a nation whose natural resources are destroyed must inevitably pay the penalty of poverty, degradation, and decay.

I hope that you will support the amendment to S. 4 suggested by Senator Allott and by the American Mining Congress.

Mr. CHAIRMAN. I thank you very much.

Senator METCALF. Thank you, Mr. Wolfe. I know that the first part of your testimony will give a great deal of solace to Senator Symington and his committee on disposal of stockpile.

Senator Allott?

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Senator ALLOTT. I want to just take a moment, Mr. Wolfe, if you will. I am sorry that you left out one thing that was in your statement and which would add a great deal for the benefit of others here.

On page 14 you left out the phrase, "as we, too, are enthusiastic outdoorsmen."

I think the people here ought to know that there is no one whom I have ever come in contact with who is more appreciative nor uses the outdoors more than Mr. Wolfe. He is in fact an enthusiastic outdoorsman.

Now, I want to ask you one thing. Mr. Wolfe, you are a geologist.

Mr. WOLFE. That is correct.

Senator ALLOTT. And graduated from what school?

Mr. WOLFE. Colorado School of Mining, sir.

Senator ALLOTT. And how long have you been practicing your profession?

Mr. WOLFE. I received my master's degree in 1948 and I have been continuously employed by the Ideal Cement Co. as geologist and chief geologist since that time.

Senator ALLOTT. And that has been your life's work.

Mr. WOLFE. Yes, sir.

Senator ALLOTT. Now, I want to ask you just this one question with respect to the provision in the bill, subparagraph (A) on page 15 which you are acquainted with which provides how this may be subject to prospecting or mining. In your opinion, Mr. Wolfe, is the mining provision of this bill in any sense meaningful?

Mr. WOLFE. In my opinion it would be almost impossible to persuade management to budget money for studies in these areas, that we would feel that it was so—that the chances of being able to proceed and develop would be so remote that we would be extremely hesitant to spend the company's money in any area of that nature.

Senator ALLOTT. Under the general provisions of the bill and under our present knowledge of your particular field, would it be possible to do any prospecting without such a permit from the President?

Mr. WOLFE. There would be some phases of work that could be done. There are some regional bits of information that can be obtained. But it would be certainly much more difficult to go in with a mule and pick and shovel than if we could take in the modern tools which we have available to us.

Senator ALLOTT. Well, I have had a feeling and I made this statement over and over in this, Mr. Wolfe, that about the only thing a man could do under this bill, even to identify possible leads to minerals, would be to take in a geologist's pick and maybe a shovel and this is about the limitation. Would this be your interpretation of the practical effect of subsection (A)?

Mr. WOLFE. Yes, it would.

Now, there is the possible exception of some airborne work which can be performed today but most of that has to be relatively low altitude and in most of the areas that are wilderness, an airplane can't get down close enough to the ground to make its surveys. Therefore——

Senator ALLOTT. And besides that, it is forbidden by the bill.

Mr. WOLFE. Yes.

Senator ALLOTT. I think that is all. I want to thank you very much, Mr. Wolfe, for a very, very thought-provoking statement.

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Mr. WOLFE. Thank you, sir.

Senator ALLOTT. I think this is the first time in all the hearings that we have had that it has been called so forcibly to the attention of the committee that the areas which are being locked up are also the greatest potential mineral areas, at least in our own State.

Mr. WOLFE. Yes, sir. All of the areas with the exception of two fall within the 95-percent probability zone and one of those does partially fall within this region.

Senator ALLOTT. Thank you.

Senator METCALF. Senator Dominick.

Senator DOMINICK. Mr. Chairman, thank you. I also would like to welcome Mr. Wolfe whom I have known for a number of years and who has great ability in this field.

I would like to ask you one question. On page 3 you state that what many people will not believe is that we can enjoy the beauty of our mountainous West and still keep the regions available for the production of minerals which are needed to maintain the standards which permit the enjoyment.

In order to do this, what would be necessary as far as this bill is concerned?

Mr. WOLFE. I believe that the amendments proposed by the American Mining Congress would still leave us access to the resources within the regions and give us a chance to develop them if we find them, and if we need to do so.

Senator DOMINICK. Thank you.

Senator METCALF. Thank you, Mr. Wolfe. Again, I agree with my friend, the senior Senator from Colorado, that you have submitted a very thought-provoking and helpful statement to the committee.

Mr. WOLFE. Thank you, sir.

Senator METCALF. That will conclude the hearings until 10 o'clock tomorrow morning. I am very grateful to the Senators from Colorado for their constant attendance this afternoon. At the conclusion of this session, we will include in the record a letter from the Ideal Portland Cement Co. at Seattle endorsing Mr. Wolfe's statement. It was sent to the Chairman.

Senator ALLOTT. We appreciate your cooperation, Mr. Chairman.

(Whereupon, at 5:25 p.m., the committee adjourned to reconvene at 10 a.m., Friday, March 1, 1963.)

(The letter referred to follows:)

IDEAL CEMENT CO.
*Seattle, Wash., February 26, 1963.*

SENATOR HENRY M. JACKSON.
*Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON: Mr. John A. Wolfe is chief geologists of our company. I understand that he is in Washington this week to make a formal presentation at the hearing on the wilderness bill, S. 4. May I supplement his comments by suggesting that this bill be amended so that the mineral industry may retain the present rights to produce minerals on segregated lands? It is my understanding that in the States of Washington and Idaho this would effect about thirteen one-hundredths of 1 percent of the areas involved.

I had the privilege of reading Mr. Wolfe's presentation. His reasoning seems very logical to me and I hope it had the same effect on the committee.

With kind regards, I am,

Yours very truly,

GORDON TONGUE,
*Vice President, Northwestern Division.*

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# NATIONAL WILDERNESS PRESERVATION ACT

FRIDAY, MARCH 1, 1963

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
*Washington, D.C.*

The committee met, pursuant to recess, at 10:03 a.m., in room 3110, New Senate Office Building, Senator Clinton P. Anderson presiding.

Present: Senators Anderson, Metcalf, Burdick, Nelson, Allott, and Jordan of Idaho.

Also present: Benton J. Stong, professional staff member.

Senator ANDERSON. I have a statement for the record from a grand old conservationist in New Mexico here which, if there is no objection, I shall put in the record. I'm truly sorry that the author, Elliot Barker, isn't here to present it in person for a few minutes with him is as refreshing as a trip into the outdoors itself.

Some of you will remember that Mr. Barker appeared on the wilderness bill 2 or 3 years ago and was a very colorful and persuasive witness.

(The statement referred to follows:)

STATEMENT OF ELLIOTT BARKER, SANTA FE, N. MEX.

Mr. Chairman and members of the committee, I am Elliott S. Barker, the "Old Man of the Mountains," who packed into what is now the Pecos Wilderness Area first in 1896, and the last time in November 1962. In between there were hundreds of such trips and, during the last 52 years, my wife has very often accompanied me. I have escorted parties of from 1 to 75 on wilderness trips and never have taken one who did not enjoy it nor one who regretted having made the trip.

I have been on 22 of the 11-day wilderness pack trips sponsored by the American Forestry Association (in charge of 15 of them) in five different States. I have been out on these wilderness trips with about 500 men and women from all walks and stations of life with ages ranging from 13 to 75 years. They have been just average American people from practically every State in the Union. Through the years I have been out with perhaps a thousand others.

The charge made so often by the opponents of wilderness legislation that only the very rich can afford to make a wilderness trip and that only the very strong and hardy people are able to experience the unexcelled thrills of a wilderness trip is to my personal knowledge unadulterated poppycock and completely unfounded and vicious propaganda.

The people who make these trips are just average citizens. I have also had one from Switzerland, one from Poland, one from Sweden, and two from Germany. They are people from all walks of life, doctors, nurses, secretaries, scientists, school and college professors, typists, farmers, lumbermen, beauticians, etc. But the largest group of all on practically every trip are those who list themselves by that glorified title of "Housewife." For the most part they are not rich men's wives either.

A wilderness trip is about the cheapest vacation one can take, and certainly it is the most soul satisfying. The cost will run about a dollar a day for the backpacker, $3 a day for parties of three or four who hike with horse-transported

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camp equipment, $8 for horseback, pack-in trips, and $10 or $11 a day for parties of six or more who want a packer-horse wrangler to go along.

Even the deluxe trips where everything is furnished except one's bedroll—horses, saddles, sleeping tents, good food, cooks, packers, wranglers, and even a good medical officer to take care of any possible sickness or accidents—only costs about $22 per day. That's less than it costs to stay at a good hotel in this city and the scenery here can't begin to compare with God's unspoiled mountains.

In our planning for outdoor recreation for the future we must see to it that we provide a balanced program. Wilderness certainly is a vital part of that program. The Outdoor Recreation Resources Review Commission strongly recommends wilderness legislation as being essential to the preservation of the wilderness system. We cannot ignore that. The Senate's vote of 78 to 8 for S. 174 in the last Congress is a most powerful endorsement.

The greatest pleasure I get out of wilderness is through the joy and delight and training in God's ways that my grandchildren, my friends' children, Boy and Girl Scouts get out of it. Posterity will hold us in utter contempt, and rightly so, if we fail to save for them an adequate system of wilderness areas in their pristine state for their enjoyment.

It should be remembered that wilderness is not a single use but inherently includes many uses. Actually the highest use of most of the existing wilderness areas is for watershed protection. The two uses fit together hand-in-glove. They provide the highest type of hunting and fishing and camping and exploring. They are veritable outdoor museums far superior to anything man can put under a roof.

Stockmen should not be concerned at all with this legislation because the bill specifically provides that grazing may be continued where already established. Provision is made for reservoirs and mining where it is determined to be in the best interests of the public.

Mr. Chairman, in my State of New Mexico I am sure that 90 percent of the people are in favor of this legislation. A small minority of vociferous commercial interests are opposing it for selfish reasons.

Such interests have accused us proponents of wilderness preservation of being selfish in asking that 8 percent of the national forests be kept as wilderness. I would ask them this question, who in reality is being selfish? Those who ask only that 8 percent of the national forest area be preserved in its pristine state for the benefit of present and future generations, or those who now have 92 percent available for exploitation and commercialization and are demanding the remaining 8 percent also? Who is selfish, we ask?

I have testified at length at hearings held here in Washington and in the field on S. 174 and I wish to reaffirm every statement I made at those hearings in supporting without reservation S. 4. It is a good piece of legislation in the best interests of the public.

Senator ANDERSON. We will hear from Mr. Hammerle.

## STATEMENT OF WILLIAM C. HAMMERLE, FORESTER AND MANAGER OF POLICY PROGRAMS, AMERICAN PULPWOOD ASSOCIATION

Mr. HAMMERLE. Mr. Chairman, I am going to eliminate some items in my written statement in order to save time. I would appreciate it if the entire statement is put in the record.

Senator ANDERSON. We will put the whole statement in the record.

Mr. HAMMERLE. I am William C. Hammerle, forester and manager of policy programs for the American Pulpwood Association, with headquarters at 220 East 42d Street, New York City. The American Pulpwood Association is composed of pulpwood producers, dealers, consumers, and others who are directly concerned with the growing and harvesting of pulpwood—the principal raw material used in the manufacture of pulp paper and other forest products.

Two years ago, I presented our association's statement in opposition to S. 174, the wilderness bill, under consideration by this committee in the 87th Congress. I have been advised that this committee has re-

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quested witnesses to confine themselves insofar as possible to new matter, inasmuch as you have an extensive record on the bill from previous years.

Since the bill now under consideration is identical with S. 174, as amended and passed by the Senate in the 87th Congress, I assume the term "new matter" would apply to the amendments made in the original bill as well as items not covered in our statement of 2 years ago. Accordingly, this statement will attempt to hold to that understanding. You will find all of the items covered are new in relation to our statement 2 years ago.

The pulpwood industry is not opposed to the establishment of a National Wilderness Preservation System to be composed of federally owned lands which will remain under the statutory authority of the present administering agencies. We appreciate the need for some statutory recognition of wilderness and establishment of an orderly procedure for consideration by Congress rather than permitting arbitrary withdrawals by administrative order or regulation. We appreciate the consideration which has been given to wilderness legislation proposals and the constructive changes which have been made. We believe that there remain some objectionable features in the present bill, S. 4, and it is to those items, which should be amended, that we direct this statement.

Analysis of federally owned areas involved: Section 3 of the bill specifies the types of federally owned areas which would be incorporated into the National Wilderness Preservation System under the provisions of the act. The areas involved in these types, as reported by the Forest Service and estimated by the Secretary of the Interior, totals 61,275,011 acres.

Senator ANDERSON. Did you verify that figure when you got it from the Secretary of the Interior or Forest Service?

Mr. HAMMERLE. I got that as of the status of December 31, 1961, from the statement that they turned over to the House Committee on Interior and Insular Affairs at the hearings last year.

That area is twice as large as the total land area——

Senator ANDERSON. You say this was given to the House committee last year?

Mr. HAMMERLE. That is correct.

Senator ANDERSON. I don't know—I thought I read the House testimony carefully. I know nothing of that nature.

Mr. HAMMERLE. That is where I obtained it. The book I have here——

Senator ANDERSON. Now, are you saying that there are these numbers of acres in the total Park Service?

Mr. HAMMERLE. That was the Secretary's estimate of the—no, no. That was his estimate of the areas that might be included under the wilderness bill.

Senator ANDERSON. Well, that is strange, because—well, go ahead, I will just request the Park Service again to supply a copy of the statement they made which doesn't show any 22 million acres, nor does the Forest Service.

Mr. HAMMERLE. That is the figure I have. I think Committee Print No. 26 has that list.

Senator ANDERSON. I say that because another witness that is coming on today uses the same figures, and I have been trying my best to

have people confine their testimony to what the law provides. But if you are real sure of that figure, we will go on.

Mr. HAMMERLE. Committee Print No. 26 of the House Committee on Interior and Insular Affairs lists the federally owned areas with wilderness characteristics.

Senator ANDERSON. Ah, now, if you say the area of the United States has so many acres of land that could have been used for agriculture but it is used for highways, and so on, would you then say the agricultural land of the country is so much?

Mr. HAMMERLE. No. My statement was the areas involved in the types——

Senator ANDERSON. Have we got the hearings of the House?

Mr. HAMMERLE. And I said as reported by the Forest Service and estimated by the Secretary of the Interior totals 61,275,011 acres. That area is twice as large as the total——

Senator ANDERSON. I want you to be real sure that you are not quoting the total amount of land involved in the Park Service.

Mr. HAMMERLE. No, that is both national parks and national wildlife refuges as listed in this report.

Senator ANDERSON. Well, let's see, just one second: I hate to spend so much time on this, but section 3(d) says such portions of the wildlife refuges and game ranges established by effect of this act under the jurisdiction of the Secretary of the Interior as he may recommend out of the whole 27 million acres. Is that what it is? For inclusion?

Mr. HAMMERLE. That is the area he estimates might be included in the act. He doesn't say.

Senator ANDERSON. That he estimated?

Mr. HAMMERLE. Well, it was based on his report.

Senator ANDERSON. That is the total number of acres that are included in all these fish and game areas, isn't it?

Mr. HAMMERLE. That is not the total acreage in the national park system or national wildlife refuge system.

Senator ANDERSON. What is the total acreage of the national parks, 22,350,092 acres?

Mr. HAMMERLE. The footnote on this table——

Senator ANDERSON. You said that wasn't the total area. Why do you say that?

Mr. HAMMERLE. I said what? I said I don't believe that that is the total area. I think the total area may be more. I am going by the footnote on this table.

Senator ANDERSON. Have we got the House hearings here?

Mr. HAMMERLE. Committee Print No. 26, which is a tabulation.

Senator ANDERSON. Go ahead. But I say that I thought that the national park area was about 22,350,000 acres. Do you have a different figure?

Mr. HAMMERLE. This figure shows here for the national park system 22,158,097 acres.

Senator ANDERSON. All right.

Senator ALLOTT. Mr. Chairman, I got 22,099,000.

Senator ANDERSON. Now, is all that included in the bill?

Mr. HAMMERLE. I don't know, because the Secretary will have to determine what areas will be included actually in the bill.

RP04810

Senator ANDERSON. Your testimony reads, the areas involved in these types, and so on. Is it your testimony that you think 61 million acres are going to be incorporated in the wilderness system?

Mr. HAMMERLE. Mr. Chairman, the only thing I can do is go by what this acreage was as stated in the House committee, which was the latest acreage that I have available, and the footnote, as I tried to say, says this:

This represents the maximum acreage that might be classified as wilderness within these established systems as estimated by the Secretary of the Interior. The Secretary indicated that there might be an additional 947,387 acres in four prospective areas involved in pending legislation for establishment of two national parks and two national recreation areas.

That is the only basis that I have for quoting those figures.

Senator ANDERSON. Well, I only suggest to you that the bill says certain things about the national parks. Now, a park that has less than 5,000 acres in it, would it be included?

Mr. HAMMERLE. I wouldn't think so.

Senator ANDERSON. Neither would I, but you have included it in your figures.

Mr. HAMMERLE. Well, the only thing I am going by is the figures that apparently were turned over to the House committee as being areas that might be subject to inclusion in the system.

Senator ANDERSON. Well——

Mr. HAMMERLE. I haven't seen any other figures presented by the Secretary of the Interior.

Senator ANDERSON. The Secretary of the Interior was asked to supply the total number of acres in the park system and he did. But not all the acreage in the park system is subject to this bill or could possibly be subject to it.

Mr. HAMMERLE. Well, I was just going by my interpretation of what was stated in the footnote in committee print No. 26, which is all I have to go on. I don't know of any specific——

Senator ANDERSON. That is a staff document of the House Committee on Interior and Insular Affairs. It is not the Secretary of the Interior, is it?

Mr. HAMMERLE. The statement I read to you is the footnote that implied that this was the Secretary of Interior's estimate.

Senator ANDERSON. Of the amount of——

Mr. HAMMERLE. Natural acreage that might be classified as wilderness within these established systems.

Senator ANDERSON. You say that was the statement of the Secretary of the Interior?

Mr. HAMMERLE. That is what it says here.

Senator ANDERSON. That is what the House staff said; not the Secretary of the Interior.

Mr. HAMMERLE. Well, I don't know. It came from the committee.

Senator ANDERSON. All right, go ahead.

Mr. HAMMERLE. Following that statement I have there some tabulations as to areas of national forest, and so forth, which were based on this table that I was talking about. I have also shown there the status on national forest land as of January 11, 1963, which is based upon the transfer of about 1,400,000 acres from primitive areas being reclassified as wilderness areas.

I noticed yesterday when Chief Forester Cliff quoted his acreage, his acreage was lower than mine. That is possibly due to—I went strictly on the Department of Agriculture new release which quoted the acreage.

Senator ANDERSON. I don't agree with these figures at all. I think the Department of Agriculture differs a little bit there——

Mr. HAMMERLE. We should be able to get more accurate figures from the Department of Agriculture.

Senator ANDERSON. The Interior Department is what I worry about. Those figures they furnished.

Mr. HAMMERLE. Right. I will skip most of that on page 3 and proceed to the five items which we are suggesting for amendment.

Item 1, primitive areas should be excluded from immediate inclusion.

Section 3(b)(1) of S. 4 recognizes the fact that the primitive areas in the national forests require review and have not been adequately studied to determine their suitability or need to be set aside as units of the wilderness system. They should therefore be accorded similar consideration to that provided for the unclassified units of the national park system and the national wildlife refuge system.

We recommend the deletion of the word "primitive" in line 1 on page 4 of the bill, and the substitution of a new subsection to section 3(b), beginning on line 2 of page 4 through line 3 on page 6, which will provide that the existing status of primitive areas is given statutory recognition and continuation until changed by Congress. Provision should be made for review, over a 10-year period, by the Secretary of Agriculture with a report to Congress after local hearings and receipt of comments from the Governor, State, and county officials, and Federal agencies having jurisdiction over matters that might be involved.

Provision should also be made for requiring affirmative action by Congress to designate any primitive area or part thereof as a unit in the wilderness system, and failure to secure affirmative action by Congress within 14 years following enactment of the act shall result in the areas being administered as other national forest land.

Senator ANDERSON. Is that the same as the lines on the top of the page where you say, "which will provide that the existing status of primitive areas is given statutory recognition and continuation until changed by Congress"? Would you be satisfied if the primitive areas were by this bill, whatever bill is finally adopted, left in their existing state until changed by Congress?

Mr. HAMMERLE. Yes. Basically that is what we are recommending, sir.

Senator ANDERSON. No. You have recommended after 14 years, if Congress hasn't acted, that they be put in regular forest status.

Mr. HAMMERLE. That is right.

Senator ANDERSON. Would you be satisfied to leave these primitive areas as they are until changed by Congress? You want this permanent action by Congess?

Mr. HAMMERLE. You mean indefinitely?

Senator ANDERSON. Yes.

Mr. HAMMERLE. Well, I don't see any particular reason, except I dont' see any reason for leaving them strictly in a primitive area status indefinitely.

SRP04812

Senator ANDERSON. Well, they have been there since 1939, which was when the last one was established. They have been there for 25 years and I wonder whether you want to leave them there until changed by Congress.

The top line says:

will provide that the existing status of primitive areas is given statutory recognition and continuation until changed by Congress.

Mr. HAMMERLE. Changed by Congress.

Senator ANDERSON. Do you stand by that?

Mr. HAMMERLE. I don't think we would basically object to that.

Senator ANDERSON. Thank you.

Mr. HAMMERLE. The second item, "Canoe area" should be excluded from the "system": We recommend the exclusion of the Boundary Waters Canoe Area in the Superior National Forest, Minn., from inclusion in the wilderness system as provided in section 3(b)(1), line 1, page 4 of the bill.

Senator ALLOTT. May I interrupt there, Mr. Chairman? I have read this bill once or twice and studied it. The bill exempts the canoe areas, the boundary canoe areas, as I interpret it, and I think I can read English, entirely from the provisions of this act and provides on page 16, line 2, lines 1 and 2, that the Secretary of Agriculture should administer it.

So do you know of any reason why this bill should be cluttered up with this area which is completely exempted from all other features of this act?

Mr. HAMMERLE. Well, Senator Allott, that is our position. We can't see where it would do anything except give it the name of a wilderness area, except for one thing. It does permit modifications of the area upon recommendations of the Secretary of Agriculture and the President, with only negative action permitted to the Congress.

Senator ALLOTT. Well, I don't even think it does that. It says:

Other provisions of this act to the contrary notwithstanding, the management shall be in accordance with regulations established by the Secretary of Agriculture, provided nothing shall interfere with the use of motorboats—

and then—

nothing shall modify the Shipstead-Knowland Act—

and so forth.

But it does say—I beg your pardon.

Mr. HAMMERLE. Line 17.

Senator ALLOTT. Modifications can be made with respect to the others.

I recognize the value of this particular area. I have never had the privilege of being actually in this area. I have been around it. I recognize the value of it, but actually the only thing we are bringing this area into the bill for is to provide a method of modifying the boundaries; is that right? Would you make that interpretation of it?

Mr. HAMMERLE. Well, our interpretation was that really it would only be two purposes, about two purposes:

One, to secure its designation as a unit in the wilderness system, and the other, to provide for modification of the boundaries.

Senator ALLOTT. What good does it do to designate it as a wilderness when you exempt it from all the provisions of the act relating to the protection of the wilderness system? Could you answer that?

Mr. HAMMERLE. That was the point that we certainly agree with you on. We see no particular need for including the boundary waters of the new area in the wilderness bill itself, because under existing statutes it is already protected and the regulations are set up.

Senator ALLOTT. Can you tell me to what extent is this boundary area being utilized for lumber and harvesting of lumber? Do you know?

Mr. HAMMERLE. I think there is only a portion that cutting is permitted on whatsoever, to the best of my knowledge, and there are certain areas that it is absolutely prohibited.

Senator ALLOTT. Now, is this a large area or do you know where lumbering is——

Mr. HAMMERLE. No. I could not tell you regarding the areas, what percentage.

Senator ALLOTT. You don't know whether it is 80 percent or 20 percent; something like that?

Mr. HAMMERLE. I don't know as it is 80 percent, but I wouldn't say for certain, sir.

Senator ANDERSON. Well, you must not have looked at the area, have you?

Mr. HAMMERLE. I have not, but our people have.

Senator ANDERSON. And what did they find out about it?

Mr. HAMMERLE. They prefer it to be left in its existing status under the statutes that are already passed, the laws that are already passed, and under the regulations that are in effect under the Secretary of Agriculture.

Senator ANDERSON. The Senator from Minnesota, Mr. Humphrey, desired to put this area in wilderness in the bill which he introduced. I would rather you argued the question with him, but the people of Minnesota seemed interested in what he wanted then. You believe, then, the people of Minnesota should not have the right to have this in the bill if they wanted it?

Senator ALLOTT. Mr. Chairman, it is not in the bill. The only reason it is in the bill—the only provision of the bill that is applicable to it is the modification of boundaries. It doesn't mean a thing to have it in the bill, except to modify the boundaries.

Senator ANDERSON. I will let the Senator from Minnesota argue that question. I am under the impression S. 4 extends some protection to the area.

Mr. HAMMERLE. The third item is positive action by the Congress should be provided:

Section 3(f) of S. 4 provides only for negative action by either the Senate or the House of Representatives on recommendations of the President for inclusion of areas in the wilderness system not automatically incorporated upon enactment of the act. The Constitution of the United States provides that:

> The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory of other property belonging to the United States.

SRP04814

We are opposed to Congress abrogating this power as proposed in this section of S. 4. The preservation of this constitutional provision is of more vital importance to the continued welfare and safety of our Nation than is the preservation of wilderness.

Senator ANDERSON. May I ask you there if this feeling you have on this extends to all the other similar provisions in which the Congress has taken what you call this negative approach?

Mr. HAMMERLE. Yes. We feel the Congress should take a positive approach.

Senator ANDERSON. You are opposed, then, to reorganization acts?

Mr. HAMMERLE. That is the way it was set up, but that doesn't mean we are absolutely in favor of that. We would prefer to see Congress take positive action.

Senator ANDERSON. There are a great many things where Congress has said that instead of acting on each one of these affirmatively, it should become effective unless the Congress acts upon it to stop it.

Now, I assume if you want that, if you want to change that as to this bill, you want to change it for all these old things, wouldn't you?

Mr. HAMMERLE. Not necessarily, but we have not taken up or considered all the various other bills. Our consideration is something dealing strictly with the natural resources upon which our industry is dependent. We are not necessarily qualified to talk on other things, though we do feel that affirmative action by Congress is better.

Senator ANDERSON. Well, take the Secretary of the Navy when he disposes of obsolete vessels. Congress has told him how he can do it, do it by affirmative action.

Mr. HAMMERLE. I don't know how they do it.

Senator ANDERSON. Well, if we quoted the statute to you that provides that if Congress, after 60 days, does not express its disapproval, the transfer of a vessel shall be in effect. That is negative, isn't it? You would want to take that authority away from the Secretary of the Navy, wouldn't you?

Mr. HAMMERLE. Not necessarily. They have been operating under it.

Senator ANDERSON. Well——

Mr. HAMMERLE. As far as I know, I didn't even know they were operating under such a thing because we never have anything to do——

Senator ANDERSON. You never noticed it because a good provision doesn't cause anybody any trouble.

Mr. HAMMERLE. We feel with respect to these resources that positive action is much preferable, and it is the thing that the Constitution provides for.

Senator ANDERSON. Well, a naval vessel is a resource, too, isn't it?

Mr. HAMMERLE. Well, it is not a natural resource.

Senator ANDERSON. I said resource.

Mr. HAMMERLE. Yes, and most anything is a resource of some type.

Senator ANDERSON. So you just want it your way in regard to natural resources?

Mr. HAMMERLE. That is the thing we are talking about, that we know of and are interested in.

SRP0415

Senator ANDERSON. We have a small reclamation project act. Would that land, the waters of it, be natural resources, or what would they be?

Mr. HAMMERLE. I don't know. I am not familiar with that act.

Senator ANDERSON. Well, it has to do with water and development of land by putting water upon it through the Reclamation Act. That has this so-called negative approach. Would you change that, also?

Mr. HAMMERLE. I think it would be better.

Senator ANDERSON. You do.

Now, the Congress didn't think so. On what basis do you put your judgment, that that ought to be done the other way? What has gone wrong with the administration?

Mr. HAMMERLE. I am not a lawyer or anything. I have no legal background or training.

Senator ANDERSON. But you just testified against the "negative" approach. What has gone wrong with the Small Reclamation Act that makes you think it ought to be changed?

Mr. HAMMERLE. I don't know enough about it to say whether anything has gone wrong or not.

Senator ANDERSON. Well, the Department of Defense has a similar provision. I won't argue with you about it, but I would like to put at the end of your testimony so it doesn't interfere with it, a study the Library of Congress made on provisions of Federal law relating to programs or activities which become effective if not disapproved or rejected by Congress within a prescribed time.

I think if you look at it you will find on a great many of them. This may not be the best way to do it. It is an attempt to make it an expeditious way to do it, but certainly it is not an unconstitutional way. If you doubt the constitutionality of it, you should for all these other acts.

Senator ALLOTT. Mr. Chairman, since this matter has been raised, I want to make my own position clear.

You have asked the witness, who is not a lawyer, what he thinks about these other acts, and I want to answer the way he was reluctant to, because of the fact that he is not a lawyer.

I think yes, they should be repealed. Every one of them. This is just the beginning of the abrogation of congressional—delegation of congressional—power and, as a matter of fact, the instance you use with respect to the sale of the surplus ship, the ship that is worn out and ready to retire, is not a fair analogy in any respect with respect to this. The whole issue here in this case, as I see it, is whether Congress shall add to its surrender of power to the Federal Government.

I realize, I know that the President sent up some reorganizations last year, and as I recall, 3 out of 4 of them, or something like that, were defeated by Congress, but there is here a basic fundamental difference in philosophy of government, and I want to make the record clear how I feel about these things.

I don't think Congress can continue saying to the Executive, and we did it over and over again in all kinds of bills, well, we can't resolve this.

We asked the President or the Secretary of Interior or Agriculture to do this and we don't provide proper guidelines for him to do it, and as a consequence, we get into trouble time after time.

SRR04816

So I just want to make my own position in this matter entirely clear.

Senator ANDERSON. I only want to suggest that a bill in the Congress to repeal all these acts could be considered by the Congress immediately. I doubt if Congress would do it.

Senator ALLOTT. I would be very happy if we could ever get to the place where a bill by a minority member of such nature could be considered or even hearings held upon it.

Senator METCALF. Mr. Chairman, if we are all going to get together here on the constitutionality of these acts, I want to say that you have to analyze each act by the standards that are set, but it seems to me that there are dozens and dozens of cases, both in State and Federal courts, to sustain the constitutionality of this designation of power.

Senator ALLOTT. Would the Senator yield at that point?

Did I raise the question of constitutionality?

Senator METCALF. The witness did.

Senator ALLOTT. I didn't. I want to make that clear.

I don't say this is unconstitutional, that all these things are unconstitutional, but I do not, and this is the point I want to make——

Senator METCALF. Certainly any of us could question the wisdom of any specific acts, but I think the constitutionality of this whole procedure has been sustained time after time.

Senator ALLOTT. That is right. The Lord giveth and the Lord taketh away, and the Congress can give the power and the Congress can take it away.

Senator METCALF. Right. We are in one of those unusual agreements.

Senator ANDERSON. This is a good place to stop and let the witness go ahead.

Mr. HAMMERLE. Also, the "30 days" provided for scheduling a hearing by the committee to which such resolution has been referred does not allow sufficient notice for those private citizens who desire to appear, either for or against, particularly those from the West where most of the proposed areas are located.

Since the President is required, under S. 4, to present his recommendations to the Senate and the House of Representatives prior to the convening of Congress each year, the committees need not have separate hearings on each area, but could have a combined hearing.

We believe these weaknesses in S. 4 should be corrected by the following amendments:

Suggested amendment: Section 3(f), page 10: Delete all after the word "adjournment" in line 5 through the word "referred" on line 15, and substitute the following, or something similar:

> * * * the Senate and the House of Representatives have approved a concurrent resolution in favor of such recommendation: *Provided*, That in the case of the recommendation covering two or more separate areas, such resolution in favor may be limited to one or more of the areas covered, in which event the balance of the recommendation may be resubmitted to the Congress within 2 years: *Provided further*, That where a concurrent resolution in favor of any such recommendation has been introduced, a hearing thereon shall be held within 90 days by the committee to which such resolution has been referred.

Item 4: Provide options for acquisition of privately-owned lands within the wilderness system:

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The private owners of land which may happen to be within any portion of the wilderness system should not be forced to sell such holdings to the Federal Government, but should be accorded similar optional rights as those accorded to the States in section 3(j) of the bill. We, accordingly, recommend the deletion of all after the section heading on lines 17 and 18, page 12, and the substitution of the following:

SEC. 4. In any case where privately owned land is completely surrounded by lands incorporated into the wilderness system, such private owner(s) shall be given either (1) such rights as may be necessary to assure adequate access to such privately owned land by such private owner(s) and their successors in interest, or (2) vacant, unappraprlated and unreserved land, in the same State, not exceeding the value of the surrounded land, in exchange for the surrounded land, or (3) adequate compensation for the value of the land, timber, and improvement thereon, subject to the approval of any necessary appropriations by the Congress.

Item 5: Provide for periodic review of wilderness system areas:

The report of the Outdoor Recreation Resources Review Commission recommends "Guidelines for Management" and expresses a definite need for a thorough study and classification of all recreational lands to adequately meet the needs of our expanding population. The report also recommended—recommendation 8-6—that

Congress should enact legislation providing for the establishment and management of certain primitive area—class V—as "wilderness areas."

However, its definition of and description of these areas is very specific and more restricted than the definition of wilderness areas in S. 4 (recommendation 6-10).

Because our ideas, needs, and knowledge change at an ever-increasing rate, we do not believe that lands under consideration should be frozen forever by action today which may be considered shortsighted tomorrow. It is our considered opinion that Congress should provide now, the appropriate safeguards for the future economic and social requirements of the local areas affected as well as the future recreational and spiritual needs of an expanding population. For this purpose we suggest the addition of a new section to S. 4 which might be entitled, "Periodic Review of Wilderness Areas."

We suggest that such section provide that 20 years after the effective date of the act, and at 10-year intervals thereafter, there shall be a review of the areas incorporated in the wilderness system under the act, by the appropriate Secretary, to determine the suitability and desirability of each area or portion thereof for retention in the system, and that the Secretary's recommendations for exclusion of such areas be presented by the President to the Congress for final determination and affirmative action thereon.

Mr. Chairman, I will not read the summation because it merely repeats the five items that we have called to the attention of this committee.

We do feel that unless the needed amendments are made, we urge the committee not to report the bill, and I wish to thank the committee for the opportunity of appearing before you and making a statement on behalf of our organization on the wilderness legislation.

Senator ANDERSON. Thank you.

Senator Metcalf?

SRP04818

Senator METCALF. Mr. Chairman, I have before me the hearings conducted in the House on the wilderness bill, and I believe that if we go into these hearings, we can get some clarification of the figures that were submitted.

This is Serial No. 12, part 4 of the hearings for May 7, 8, 9, 10, and 11 in the House Interior Committee. And Chairman Aspinall asked Secretary Udall:

Can you give us now or submit for the record a tabulation by States showing maximum acreages or areas under the jurisdiction of the Department of the Interior that would be subject to classification as wilderness under this act in order to permit us to have a uniform figure that can be agreed upon by all concerned?

And Secretary Udall said:

You want the maximum, Mr. Chairman?

Mr. Aspinall said:

I want the maximum in each State.

Secretary Udall then informed the committee that he could not give that information at the time, but he would supply it for the record. And on page 1145 of the hearings, Secretary Udall did supply for the record a statement entitled, "Wilderness Acreages, Maximum by States Within the Jurisdiction of the Interior Department."

And, Mr. Chairman, I ask unanimous consent that this statement in its entirety, exclusive of tables, be printed at this point in the record.

Senator ANDERSON. Is there objection?

There is none. So ordered.

(The statement referred to follows:)

WILDERNESS ACREAGES (MAXIMUM BY STATES) WITHIN JURISDICTION OF INTERIOR DEPARTMENT

Mr. Aspinall requested that we submit for the record a tabulation by States showing maximum acreages of areas under the jurisdiction of this Department that would be subject to classification as wilderness. This question is related to Item No. 3 to which we referred in our letter of February 2 to Chairman Aspinall. We include subsequently * * * a statistical table, with gross acreages, of those areas that in our present judgment are "subject to classification" as wilderness. Our list includes 24 national parks, 23 national monuments, and 13 areas of the National Wildlife Refuge System which includes national wildlife refuges and national game ranges. There are of course other areas in the National Park System and the National Wildlife Refuge System that are not included in our list. It is reasonably clear that such areas for various reasons would not be considered subject to classification within the wilderness system. Consequently, their inclusion in this tabulation would not accurately represent the maximum acreage that conceivably might be included in the system.

In reviewing our table on acreages, we wish to emphasize that we have included gross acreages of the particular areas. In the case of the national parks and monuments that may be recommended, the Secretary of the Interior would be required to eliminate from such designated wilderness areas those portions that are needed for development purposes. By what percentage these gross figures will be reduced cannot be estimated accurately at this time.

In the case of the national wildlife refuges and game ranges, your particular attention is called to the fact that gross acreages cannot reflect accurately the probable extent of wilderness areas to be selected. For example, in the case of the National Wildlife Refuge System there are many manmade lakes and reservoirs for the purpose of water conservation for wildlife. Also, land cultivation and the planting of grain is carried on in such areas in order to maintain wildlife populations. These activities are contrary to the wilderness concept. Consequently, at this stage, although we obviously have not begun the intensive review that will be called for under the terms of this bill, we have good reason

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to believe that a very large portion of the National Wildlife Refuge System probably will not qualify for wilderness status. Subject to the foregoing explanation, the following table of acreages is furnished.

Senator METCALF. Now I am going to quote a few of the hedges he put in because he had the same misgiving that we all have in applying these acreages.

Mr. Aspinall requested that we submit for the record a tabulation showing maximum acreages under the jurisdiction of this Department.

He says:

In reviewing our table on acreages, we wish to emphasize that we have included gross acreages of the particular areas. In the case of the national parks and monuments that may be recommended, the Secretary of the Interior would be required to eliminate from such designated wilderness areas those portions that are needed for development purposes, but what percentage these gross figures will be reduced cannot be estimated accurately.

Again he says:

Gross acreages cannot reflect accurately the probable extent of wilderness areas to be selected.

And he concludes:

We have good reason to believe that a very large portion of the National Wildlife Refuge System probably will not qualify for wilderness status—

and then he says—

subject to the foregoing explanation, the following table of acreages is furnished—

and then he sets off the acreages State by State and come up with the figure that you used now.

Then the document you quoted from, the report of the committee which was prepared by the staff, says:

Roadless areas in units of the national park system—

and then there is a parenthesis—

(exact acreage cannot be determined. Secretary of the Interior has estimated the maximum gross acreage that might be subject to classification as wilderness aggregates, 22,158,097 acres, and 24 national parks, 23 national monuments in 18 States).

So the Secretary of the Interior made it very clear that in response to a question from Chairman Aspinall, he was giving the maximum acreages in the parks and the wildlife refuges and many of those acreages would have to be reduced to comply with the provisions of the bill and that is not following the statement that was made.

Mr. HAMMERLE. If you refer to my page 2, I have got three asterisks down there that indicate that is the maximum acreage as estimated by the Secretary of the Interior.

Senator METCALF. Yes, but you say section 3 of the bill specifies the types of federally owned areas which would be incorporated, and they would not all be incorporated, and the Secretary of the Interior made it very plain that he was being asked for maximum acreage and that a good many of those areas would not be incorporated into the wilderness system.

Mr. HAMMERLE. Senator Metcalf, my second sentence is that it is estimated by the Secretary of the Interior.

Senator ANDERSON. That is what he is trying to point out. It was not estimated by the Secretary of the Interior.

SRP04820

Mr. HAMMERLE. I understood him to say it was estimated as the maximum acreage.

Senator METCALF. No. The Secretary was asked as to the maximum acreages in the various national parks and wildlife refuges in the separate States of the Union, and he very carefully in response to that question, when he put his material in the record, said that he wanted to emphasize that while gross acreages were included in these areas, that they would be subject to reduction by the terms of the bill, and it was impossible to estimate accurately, he says, impossible to estimate accurately at this time what percentage of these gross figures will be used.

Mr. HAMMERLE. Well, that is correct, and the bill does take care of that. I didn't imply they were all going in. I said it was estimated by the Secretary of the Interior.

Senator ANDERSON. I agree you didn't imply. You said it flatly. You said the area which would be incorporated as reported by the Secretaries, would be 61 million acres. You didn't say it was a gross figure. You said "would be incorporated." That is a flat statement.

Mr. HAMMERLE. I said the area involved in these types as reported by the Forest Service and estimated by the Secretary of the Interior, totaled, 61,275,011 acres.

Senator ANDERSON. The record will speak for itself. I believe you said "incorporated"; areas which "would be incorporated."

Senator METCALF. My point is, the Secretary of the Interior did not estimate the 22 million acres would be incorporated. He carefully and specifically said that a good deal less than 22 million would be incorporated and he was responding to a question where they said they wanted the maximum acres of these interior installations in each State. He also said not nearly all the 27 million acres of wildlife lands would qualify.

Mr. HAMMERLE. Well, I don't see any sense in arguing the point. I think we both understand it.

Senator METCALF. I don't want to labor the point. I think I can see where you accepted a total figure as the amount to be incorporated, but as we trace it down, you can see how it became described as an entirely different figure than that which was originally submitted.

Mr. HAMMERLE. I didn't have any idea, Senator Metcalf, that that whole area on national parks and wildlife refuges was going into the wilderness system, because the provisions of the bill permit the Secretary of the Interior to review the areas and determine what areas specifically will go in. It was the best figures that I had available at the time.

Senator METCALF. I understand. I am glad you made that statement that you had no idea, but you said in your testimony that the types of federally owned lands which would be incorporated did include all these, and you have clarified the statement.

Senator ANDERSON. For instance, the White Sands area in my State, 140,000 acres, happens to be in the bombing range with roads all over it. Wouldn't that automatically be excluded?

Mr. HAMMERLE. I would certainly exclude it.

Senator ANDERSON. So would I. That is why I hate to have you include it in your figures.

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Mr. HAMMERLE. I used, Senator, the only figures I have available. In the Department of Agriculture and Forest Service we have more specific figures on the whole thing and we have had them for some time and, of course, we don't have specific figures——

Senator ANDERSON. If I said around the entire globe there were so many square miles of water and land and not knowing what the land area was, I would say the water area was the entire amount, would you say that was a fair assumption?

Mr. HAMMERLE. How was this again?

Senator ANDERSON. Suppose I was asked to calculate how much land there was or ocean there was, in the entire globe and I took the entire figure for everything in the globe—water and land, mountain and valley—and said there are those many acres, I do not know how many acres of land there are, therefore I will assume the water is the whole total, now, you would say it isn't possible because the globe is not all under water, wouldn't you?

Mr. HAMMERLE. I don't think, Mr. Chairman, that I did that. I took what was reported as the maximum estimate of the Secretary of the Interior.

Senator ANDERSON. He never estimated how much would be taken under this bill.

Mr. HAMMERLE. That is the maximum area that would be involved in determination under the bill.

Senator ANDERSON. In the determination, but not inclusion.

All right. Senator Jordan?

Senator JORDAN. No questions.

Senator ANDERSON. Thank you very much. Sorry to take so much time.

Mr. HAMMERLE. All right, sir.

Senator ANDERSON. As you recognize, this has been the whole focal point of the publicity program against this bill, that it locks up all these acres forever.

Now, the primitive areas are pretty well locked up now, are they not?

Mr. HAMMERLE. Pretty well so, yes.

Senator ANDERSON. And you said you would be happy to have it stay that way until Congress changes it, so this doesn't lock it up at all, but you had the primitive areas in your figures.

Mr. HAMMERLE. Because they were in the figures under discussion.

Senator ANDERSON. Thank you very much.

Mr. HAMMERLE. Yes, sir.

(The full prepared statement of Mr. William C. Hammerle is as follows:)

STATEMENT OF WILLIAM C. HAMMERLE, FORESTER, AMERICAN PULPWOOD ASSOCIATION

I am William C. Hammerle, forester and manager of policy programs for the American Pulpwood Association, with headquarters at 220 East 42d Street, New York City. The American Pulpwood Association is composed of pulpwood producers, dealers, consumers, and others who are directly concerned with the growing and harvesting of pulpwood—the principal raw material used in the manufacture of pulp, paper, and other forest products.

Two years ago, I presented our association's statement in opposition to S. 174, the wilderness bill under consideration by this committee in the 87th Congress. I have been advised that this committee has requested witnesses to confine

themselves insofar as possible to new matter inasmuch as you have an extensive record on the bill from previous years. Since the bill now under consideration is identical with S. 174, as amended and passed by the Senate in the 87th Congress. I assume the term "new matter" would apply to the amendments made in the original bill as well as items not covered in our statement of 2 years ago. Accordingly, this statement will attempt to hold to that understanding.

The pulpwood industry is not opposed to the establishment of a national wilderness preservation system to be composed of federally owned lands which will remain under the statutory authority of the present administering agencies. We appreciate the need for some statutory recognition of wilderness and establishment of an orderly procedure for consideration by Congress rather than permitting arbitrary withdrawals by administrative order or regulation. We appeciate the consideration which has been given to wilderness legislation proposals and the constructive changes which have been made. We believe there remain some objectionable features in the present bill, S. 4, and it is to those items, which should be amended, that we direct this statement.

ANALYSIS OF FEDERALLY OWNED AREAS INVOLVED

Section 3 of the bill specifies the types of federally owned areas which would be incorporated into the National Wilderness Preservation System under the provisions of the act. The area involved in these types, as reported by the Forest Service and estimated by the Secretary of the Interior, totals 61,275,011 acres. That area is twice as large as the total land area of the State of New York, and is larger than the total land area in each of the States of Washington, Idaho, and Utah.

| | As of Dec. 31, 1961 | As of Jan. 11, 1963 | Acres |
|---|---|---|---|
| 1. Areas in national forests | | | [1] 14,675,358 |
| (a) Wilderness and wild | 5,935,727 | [2] 7,334,527 | |
| (b) Primitive areas | 7,852,958 | [2] 6,454,158 | |
| (c) Canoe area | 886,673 | 886,673 | |
| 2. Areas in National Park System | | | [3] 22,158,097 |
| 3. Areas in National Wildlife Refuge System | | | [3] 24,441,556 |
| Total | | | 61,275,011 |

[1] Forest Service, U.S. Department of Agriculture.
[2] Revised acreage covers Anaconda-Pintlar and Selway-Bitterroot reclassification from "primitive" to "wilderness" by Secretary of Agriculture on Dec. 19, 1962 and Jan. 11, 1963, respectively.
[3] Maximum acreage as estimated by the Secretary of the Interior.

The areas in the national forests have been set aside as wilderness-type areas protected by administrative regulation. The areas in the national park system and national wildlife refuge system have not received formal designation as wilderness and have varying degrees of protection, some by statute and some by administrative action.

The bill, being considered today, would immediately incorporate in the Wilderness System all of the areas in the national forests with portions of the primitive areas subject to possible deletion after review of the suitability of each area for preservation as wilderness. The Secretary of Agriculture would review over a 10-year period and the President would submit recommendations for inclusion or exclusion of areas, which recommendation would become effective after adjournment of the first complete session of Congress following submission unless a resolution of opposition had been adopted by either the Senate or the House of Representatives.

The units in the national park system and the national wildlife refuge system would only be incorporated into the Wilderness System after review over a 10-year period and recommendation by the Secretary of the Interior. Presidential recommendations for incorporation of these areas into the Wilderness System would likewise become effective unless a resolution of opposition had been adopted by either the Senate or the House of Representatives.

"PRIMITIVE" AREAS SHOULD BE EXCLUDED FROM IMMEDIATE INCLUSION

Section 3(b)(1) of S. 4 recognizes the fact that the primitive areas in the national forests require review and have not been adequately studied to deter-

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mine their suitability or need to be set aside as units of the Wilderness System. They should therefore be accorded similar consideration to that provided for the unclassified units of the national park system and the national wildlife refuge system.

We recommend the deletion of the word "primitive" in line 1 on page 4 of the bill, and the substitution of a new subsection to section 3(b), beginning on line 2 of page 4 through line 3 on page 6, which will provide that the existing status of primitive areas is given statutory recognition and continuation until changed by Congress. Provision should be made for review, over a 10-year period, by the Secretary of Agriculture with a report to Congress after local hearings and receipt of comments from the Governor, State, and county officials, and Federal agencies having jurisdiction over matters that might be involved. Provision should also be made for requiring affirmative action by Congress to designate any primitive area or part thereof as a unit in the Wilderness System, and failure to secure such affirmative action by Congress within 14 years following enactment of the act shall result in the areas being administered as other national forest land.

"CANOE AREA" SHOULD BE EXCLUDED FROM THE "SYSTEM"

We recommend the exclusion of the Boundary Waters Canoe Area in the Superior National Forest, Minn., from inclusion in the Wilderness System as provided in section 3(b)(1), line 1, page 4 of the bill.

It seems obvious from the provisions of section 6(c)(3), "special provisions," that this area is already adequately protected under existing legislation. The only apparent purpose for including the area in this bill is to secure for it the designation as a unit in the Wilderness System, and to permit modifications of the area upon recommendations of the Secretary of Agriculture and the President with only negative action permitted to the Congress. It is our considered opinion that the first stated objective would add nothing to the preservation of the Boundary Waters Canoe Area that is not already provided by statute, nor to its value and recognition as an outstanding outdoor recreation area. The second objective would definitely weaken the constitutional authority of the Congress.

"POSITIVE ACTION" BY CONGRESS SHOULD BE PROVIDED

Section 3(f) of S. 4 provides only for negative action by either the Senate or the House of Representatives on recommendations of the President for inclusion of areas in the wilderness system not automatically incorporated upon enactment of the act. The Constitution of the United States provides that: "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States." We are opposed to Congress abrogating this power as proposed in this section of S. 4. The preservation of this constitutional provision is of more vital importance to the continued welfare and safety of our Nation than is the preservation of wilderness.

Also, the "30" days, provided for scheduling a hearing by the committee to which such resolution has been referred, does not allow sufficient notice for those private citizens who desire to appear, either for or against, particularly those from the West where most of the proposed areas are located. Since the President is required, under S. 4, to present his recommendations to the Senate and the House of Representatives prior to the convening of Congress each year, the committees need not have separate hearings on each area but could have a combined hearing.

We believe these weaknesses in S. 4 should be corrected by the following amendments:

SUGGESTED AMENDMENT

Section 3(f), page 10: Delete all after the word "adjournment" in line 5 through the word "referred" on line 15 and substitute the following or something similar: "the Senate and the House of Representatives have approved a concurrent resolution in favor of such recommendation: *Provided*, That in the case of a recommendation covering two or more separate areas, such resolution in favor may be limited to one or more of the areas covered, in which event the balance of the recommendation may be resubmitted to the Congress within two years. *Provided further*, That where a concurrent resolution in favor of any such recommendation has been introduced, a hearing thereon shall be held within ninety days by the committee to which such resolution has been referred."

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PROVIDE OPTIONS FOR ACQUISITION OF PRIVATELY OWNED LANDS WITHIN THE WILDERNESS SYSTEM

The private owners of land which may happen to be within any portion of the wilderness system should not be forced to sell such holdings to the Federal Government but should be accorded similar optional rights as those accorded to the States in section 3(j) of the bill. We, accordingly, recommend the deletion of all after the section heading on lines 17 and 18, page 12, and the substitution of the following:

"SEC. 4. In any case where privately owned land is completely surrounded by lands incorporated into the wilderness system, such private owner(s) shall be given either (1) such rights as may be necessary to assure adequate access to such privately owned land by such private owner(s) and their 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, or (3) adequate compensation for the value of the land, timber, and improvements thereon, subject to the approval of any necessary appropriations by the Congress."

PROVIDE FOR PERIODIC REVIEW OF WILDERNESS SYSTEM AREAS

The report of the Outdoor Recreation Resources Review Commission recommends "Guidelines for Management" and expresses a definite need for a thorough study and classification of all recreational lands to adequately meet the needs of our expanding population. The report also recommended (recommendation 8-6) that "Congress should enact legislation providing for the establishment and management of certain primitive areas (class V) as 'wilderness areas'." However, its definition of and description of these areas is very specific and more restricted than the definition of wilderness areas in S. 4. (Recommendation 6-10.)

Because our ideas, needs, and knowledge change at an ever-increasing rate, we do not believe that lands under consideration should be frozen forever by action today which may be considered shortsighted tomorrow. It is our considered opinion that Congress should provide now, the appropriate safeguards for the future economic and social requirements of the local areas affected as well as the future recreational and spiritual needs of an expanding population. For this purpose we suggest the addition of a new section to S. 4 which might be entitled, "Periodic Review of Wilderness Areas." We suggest that such section provide that 20 years after the effective date of the act, and at 10-year intervals thereafter, there shall be a review of the areas incorporated in the wilderness system under the act, by the appropriate Secretary, to determine the suitability and desirability of each area or portion thereof for retention in the "system," and that the Secretary's recommendations for exclusion of such areas be presented by the President to the Congress for final determination and affirmative action thereon.

SUMMATION

In concluding our statement, we wish to urge again that this committee amend S. 4 as recommended in the foregoing statement. In summation, the main features needing amendment are:

(1) Exclude the "primitive areas" in the national forests from immediate inclusion in the wilderness system; provide statutory recognition and continuation of their existing status until changed by Congress; provide for review over a 10-year period with report to Congress after local hearings and receipt of comments from the Governor, State, and county officials, and Federal agencies having jurisdiction over matters that might be involved; require affirmative action by Congress before inclusion in the wilderness system; and, if not included, reversion to administration as other national forest land.

(2) Exclude the Boundary Waters Canoe Area in the Superior National Forest from inclusion in the wilderness system.

(3) Provide for positive action by Congress, instead of negative action, by requiring a concurrent resolution of Congress in favor of Presidential recommendations for inclusion of areas in the wilderness system after enactment of the act; and provide that hearings be held within 90 days by the committee to which such resolution is referred.

(4) Provide that the owners of privately owned lands surrounded by lands incorporated in the wilderness system be accorded the option of (1) assured

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access to their lands, now and in the future, (2) equitable exchange of other Federal lands for the privately owned lands surrounded, or (3) adequate compensation for the value of the land, timber, and improvements upon their privately owned lands.

(5) Provide for periodic review of wilderness system areas to determine their suitability and desirability beginning 20 years after the effective date of the act and continuing at 10-year intervals thereafter, with affirmative action by the Congress on any recommendations for exclusion.

Unless these needed amendments are made, we urge that this committee not report this bill, S. 4.

(The Library of Congress report on programs or activities which became effective if not disapproved or rejected by Congress follows:)

PROVISIONS OF FEDERAL LAW RELATING TO PROGRAMS OR ACTIVITIES WHICH BECAME EFFECTIVE IF NOT DISAPPROVED OR REJECTED BY CONGRESS WITHIN A PRESCRIBED TIME

(Note: The following list does not purport to give every such provision, but is, in general, representative of those appearing in the Federal statutes.)

*1943: Act of July 7, as amended (44 U.S.C. secs. 369–372)*

The Administrator of General Services is required to submit to Congress lists and schedules of Government records said to be lacking in preservation value, for examination by a joint congressional committee. If the committee fails to report on any list within 10 days prior to adjournment of the session, the Administrator may empower the agency having custody of such records to dispose of them in accordance with prescribed regulations.

*1945: Reorganization Act of December 20 (59 Stat. 616 sec. 6; not in code)*

Reorganization plans submitted by the President to Congress were to take effect at the expiration of 60 days of continuous session after submission, unless a concurrent resolution was passed stating that Congress did not favor the plan. (This act has been superseded by the Reorganization Act of 1949.)

*1946: Act of August 7 (60 Stat. 898 sec. 6; not in code)*

The Secretary of the Navy is required to transmit to Congress proposals to dispose of obsolete naval vessels, and if Congress, after 60 days of continuous session, does not express its disapproval, the transfer of the vessels shall take effect.

The Secretary is also authorized to dispose of captured or condemned ordnance, etc., if Congress after being informed of the proposed disposal fails to disapprove within 30 days.

*1947: Act of December 30 (50 App. U.S.C. sec. 1917)*

Programs for production of foods in non-European foreign countries which are to be carried out by the Commodity Credit Corporation must be submitted to Congress and if not disapproved by concurrent resolution within 60 days, may become effective.

*1948: Act of June 25, as amended (28 U.S.C. secs. 2072, 2073, 2074)*

Rules of civil procedure for district courts, admiralty rules for district courts, and rules for review of decisions of the Tax Court prescribed by the Supreme Court of the United States shall not take effect until the expiration of 90 days after they have been reported to Congress.

*1949: Reorganization Act of June 20, as amended (5 U.S.C. sec. 133z–4)*

Reorganization plans submitted by the President to Congress shall take effect upon the expiration of 60 days of continuous session, after date submitted, unless either House passes a resolution stating its disfavor of the plan.

*1956: Small Reclamation Projects Act of August 6, as amended (43 U.S.C. sec. 422d(d))*

No appropriation shall be made for financial assistance in the development of reclamation projects, prior to 60 days from the date the Secretary of the Interior submitted the proposed project to Congress, and then only if within the 60 days neither the House nor the Senate Interior and Insular Affairs Committee disapproves the proposed project.

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*1958: Department of Defense Reorganization Act of August 6 (5 U.S.C. sec. 171a(c))*

In order to provide for a more efficient administration of the Department, the Secretary of Defense is authorized to take appropriate steps to provide for the transfer, abolition, or consolidation of functions. However, no function shall be substantially affected until 30 days after the proposed action has been reported to the Armed Services Committees of the Senate and the House of Representatives. If during such 30-day period either committee reports a resolution stating that the proposed action should be rejected, it shall not become effective until 40 days from the date of the resolution, and then only if such resolution has not been passed by the House to which it has been reported.

*1959: Act of June 25, as amended (10 U.S.C. sec. 2662)*

The Secretary of a military department may not enter into transactions relating to the acquisition, use, or disposal of real property until after the expiration of 30 days from the date upon which a report of the proposed transaction is submitted to the Committees on Armed Services of the Senate and House of Representatives.

*1960: Act of June 3 (74 Stat. 157 sec. 2; not in code)*

Act authorizing construction of the San Luis unit of the Central Valley project in California provides that the Secretary of the Interior shall report to Congress upon agreements entered into, and he shall not commence construction thereon for 90 days from the date of his report.

*1960: River and Harbor Act of July 14 (74 Stat. 480–503)*

Under this act a 60-day period is required to lapse after submission of reports to Congress, before work can be started (if within the period Congress does not disapprove) on such projects as—

(a) Modification of Pascagula Harbor, Miss. (p. 481);

(b) Construction of seawall to protect against tidal waves, etc., Hilo Harbor, Hawaii (p. 483);

(c) Improvement of Missouri River between Sioux City and the mouth (p. 485);

(d) Construction of flood protection project in Gering and Mitchell Valleys, Nebr. (p. 495); and

(e) Project for flood protection at Sioux Falls, S. Dak. (p. 495).

*1961: Arms Control and Disarmament Act of September 26 (Public Law 87-297 sec. 47(b))*

Proposals to transfer certain activities or facilities of a Government agency to the U.S. Arms Control and Disarmament Agency must be submitted by the President to Congress; and if, within the first period of 60 calendar days of regular session following receipt by Congress, neither House has adopted a resolution opposing it, the transfer will be made.

Senator ANDERSON. The next witness is Mr. Glascock.

## STATEMENT OF H. R. GLASCOCK, JR., FOREST COUNSEL OF WESTERN FORESTRY AND CONSERVATION ASSOCIATION, PORTLAND, OREG.

Mr. GLASCOCK. Mr. Chairman and members of the committee, I am H.R. Glascock, Jr., Forest Counsel of the Western Forestry and Conservation Association, headquartered in Portland, Oreg.

This association, with a 54-year interest in protecting the forest resources of the West from destructive fire, insects, diseases, animals and improper use, has followed the course of the wilderness system bill which has culminated in consideration of S. 4 by the committee here today. It has devoted considerable study to its implications in the public land States where most of the land involved is located.

We wish to compliment the Senate Committee on Interior and Insular Affairs for its patience and tenacity during the past 6 years in painstakingly revising this proposal to try to make it a bill with which the West can develop.

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However valid this particular approach may or may not be, it is only one of several alternative approaches which Congress might take in giving congressional protection to wilderness without roads, and incidentally, we note that the Outdoor Recreation Resources Review Commission, whose major recommendations we have resolved to support, did not recommend any specific type of wilderness legislation.

Our people——

Senator ANDERSON. What was this again, now?

Mr. GLASCOCK. We note that the Outdoor Recreation Resources Review Commission, whose major recommendations our association has resolved to support, did not recommend any specific type of wilderness legislation.

Now, Mr. Penfold yesterday gave a very fine description from the ORRRC report, stating the case for wilderness preservation, which we support. There is no argument there at all. The Outdoor Recreation Resources Review Commission did recommend that Congress give congressional protection to wilderness but it did not specify the type of legislation.

Senator ANDERSON. Well, I would want to just say as the author of the bill which set up the Outdoor Recreation Resources Review Commission, as a member of it from the very first day it was organized, as a member of its executive committee by designation of Chairman Laurance Rockefeller and as a particularly interested person in the subject of wilderness which we worked very hard on, there was a very sound reason for that.

The Commission did not wish, and I am sure Mr. Rockefeller will confirm this if anyone should call him, did not wish to indulge in a political campaign on this. We were trying our very best to keep it a nonpolitical venture. You may recall the original citizen members of that Commission were appointed by President Eisenhower.

Mr. GLASCOCK. Yes, sir.

Senator ANDERSON. And I personally went to President Kennedy before he was inaugurated and told him that I would appreciate it if he would not, as sometimes they customarily do, ask for the resignations of the Commissioners, and we did not ask for the resignation of a single person of the Commission, even though they were nearly all Republicans.

Mr. GLASCOCK. Sir——

Senator ANDERSON. The only change made on the Commission was the lady from New York who took the place of the very wonderful woman who passed away.

Mr. GLASCOCK. Yes, sir.

Senator ANDERSON. Now, we decided it would not be well to say we specifically endorse this bill or that bill, and I think it is a little unusual for the witness to start off and say that we didn't endorse any specific type of legislation, as if we didn't believe in any legislation.

Mr. GLASCOCK. Sir, I hope you understand that when I said that, we were not being critical of this. As a matter of fact, this was a very logical and well-supported action for the Commission to have taken, and we are glad that they did not recommend any specific type of legislation. But this is in complete context with this paragraph which I am reading.

Senator ANDERSON. All right.

Mr. GLASCOCK. Our people feel that Congress has a responsibility to examine and compare the other promising opportunities in this field, as well as to study the larger need for uniform procedures for the withdrawal of public lands for any purpose. They point out that the roadless wilderness which is likely to endure permanently is that which is most carefully selected and defensible, not that which is most extensive.

Time is available to find the legislative approach which would best accomplish this kind of selection. This is indicated by the fact that the assertions of imminent loss of existing wilderness areas by failure to enact the wilderness system bill in the 85th Congress have proven to be unfounded, even by the opening of the 88th Congress. Instead of such predicted reductions, we have witnessed a continued increase in the net acreage of national forest wilderness-type areas, and national park and national wildlife refuge wilderness.

Senator ANDERSON. How much is the net increase in national forest wilderness-type area?

Mr. GLASCOCK. In 1939 I believe the acreage of wilderness-type areas on the national forest was 14.2 million acres, and it was reduced to 13.9 million acres by the addition to the Olympic National Park, which meant that it was still in wilderness, and now it has gone up to approximately 14.5 million acres, plus or minus.

Senator ANDERSON. But what you are talking about is the 85th Congress. Tell us how much has been added since the 85th Congress opened.

Mr. GLASCOCK. Sir, I don't have that exact figure.

Senator ANDERSON. But you do know there has been a reduction, do you not?

Mr. GLASCOCK. Reduction?

Senator ANDERSON. Yes, sir.

Mr. GLASCOCK. Since the 85th Congress?

Senator ANDERSON. Yes, sir.

Mr. GLASCOCK. No, sir, I don't know that. I think it is an increase.

Senator ANDERSON. We will check that out.

Mr. GLASCOCK. I think that should be requested of the Forest Service, those figures.

Senator ANDERSON. The Forest Service would start with the Bitterroot-Selway project in Montana where they did eliminate about 400,000 acres.

Mr. GLASCOCK. Yes, sir. That is an example of a reduction of a pivotal area.

There was an example not given yesterday of an increase in Glacier Peak wilderness area which was created from a limited area which was a regional classification and not in the——

Senator ANDERSON. What is a limited area?

Mr. GLASCOCK. A limited area is a regional classification in region 6, Oregon and Washington, in which the regional forester has set aside areas similar to primitive areas identical in administration which he is reclassifying and recommending to the Secretary for a proclamation, and in 1960, 422,000 acre wilderness area was created out of the Glacier Peak limited area and that was not in the inventory of wilderness-type areas.

Senator ANDERSON. Thank you. That is one I didn't know about.

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Mr. GLASCOCK. It is a very complex thing, the tabulating of acreages, but I would say with respect to acreages, sir, that Senator Metcalf in our opinion has made a very fine case for some of our objections to this legislation by indicating that we do not know precisely what lands are affected by this bill.

Senator METCALF. May I comment on that?

Senator ANDERSON. Yes.

Senator METCALF. I think all of us are in agreement that we do not know precisely what lands are affected.

Mr. GLASCOCK. Yes, sir.

Senator METCALF. In the various Executive orders that created the primitive areas that I know about, they were established not on a survey but largely by metes and bounds, and it is our hope that we will preserve all of the wilderness values in these primitive areas that have existed for more than a quarter of a century, and at the same time spur the Forest Service and the Secretary of the Interior to return such lands as the 446,000 acres in Selway-Bitterroot back to ordinary forest use and reclassify some lands to recreational use.

Mr. GLASCOCK. We favor that, too, sir.

Senator METCALF. Yes. But that seems to me to be the best reason for passage of this bill.

Mr. GLASCOCK. We believe that they should be classified first as an orderly procedure of land management in which an inventory is made and an evaluation is made before the use dedication is determined.

Senator ANDERSON. I agree with you. I think these things ought to be classified, and that is one of the purposes of the bill. We have had the primitive areas since 1939. Efforts have been made to get the Forest Service to say how much is wilderness and how much ought to go back to the ordinary commercial forest—ordinary forest.

Now, this bill compels that to be done within 10 years. If they haven't finished it and this came over the objections of a good many people, it then goes back into forest.

Mr. GLASCOCK. Sir, we would favor legislation which would simply require the Forest Service to reclassify these areas within 10 years.

Senator ANDERSON. But you don't want anything else from the wilderness bill. You just want that one thing.

Mr. GLASCOCK. Yes, sir. The rest of my testimony suggests some of the approaches.

Senator ANDERSON. We do provide for such classification. Do you object to that part of the bill?

Mr. GLASCOCK. We believe that they should not be put into the wilderness system before they are classified as to highest use.

Senator ANDERSON. If, therefore, the bill were to be changed to say that the primitive areas would remain as they are until changed by Congress and that the Forest Service should immediately reclassify these, you would be satisfied with the bill.

Mr. GLASCOCK. I didn't say that, sir. We have some other points about this bill which are brought out in the rest of my testimony.

Senator ANDERSON. All right, go ahead.

Mr. GLASCOCK. I had gotten down to where I said that the time is available.

If the object of wilderness legislation is to give maximum congressional say on wilderness, and by the way, we testified in Seattle, Wash., on S. 4028 when Senator Jackson was chairing the hearing, that we

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certainly do believe that Congress should have more say on wilderness—if this is the object, then, the procedure so long used for national parks—which are administered similarly to wilderness areas—would seem to be a valid approach which should not be overlooked.

Incorporating the principle of the Engle Act for military withdrawals, a wilderness bill might require acts of Congress for wilderness withdrawals over 5,000 acres. I am listing some of the alternate approaches which our group is interested in having examined.

Some members of this committee and many Members of Congress have sponsored legislation to extend the Engle Act to apply to public land withdrawals over 5,000 acres for any purpose.

And, Chairman Anderson, you will recall that exactly 2 years ago yesterday you questioned me at some length over this 5,000 acre proposed amendment to the wilderness bill.

The most eloquent testimony favoring the Engle principle for public land withdrawals was presented to Congress in 1956 and 1957 by such eminent preservation leaders as Messrs. Howard Zahniser, who is often credited with authorship of the original wilderness system bill, J. W. Penfold, Fred M. Packard, Charles Callison, C. R. Gutermuth, David R. Brower and the Secretary of the Interior, then a Congressman from Arizona.

I have attached quotations from the hearings on the Engle withdrawal bill from 1956 and 1957.

(The document referred to follows:)

PRESERVATION LEADERS SUPPORT UNIFORM WITHDRAWAL PRINCIPLE

Mr. Howard Zahniser, executive secretary of the Wilderness Society, who is often credited with authorship of the original wilderness system bill, told the House Committee on Interior and Insular Affairs at its hearings on March 16, 1956, relative to withdrawal and utilization of the public lands:

"* * * Now, as I understand your concern here, you are going further along that same line of trying to establish a firm policy with regard to our public lands. I do not think there is anything that you can devote your attention to that is more timely and that is more likely to be of permanent benefit to the public. * * * We are at the place where we need to take a good look at our public-land policies and determine what we are going to have for the future for some of these uses that will not be available if we do not exercise the foresight. * * * I anticipate being in a position of supporting the proposals that I understand the committee is going to make * * *"

Mr. J. W. Penfold, conservation director of the Izaak Walton League of America, who has been discrediting the new wilderness bill which extends the Engle Act, wrote House Interior Committee Chairman Engle on March 14, 1956, for the hearing record as follows:

"* * * The military seems to have shown a bland disregard of the multiple natural resource values pertaining to the lands they seek for their own single purposes. * * * The military has already had withdrawn vast areas. Is the fullest utilization being made of them? Is there coordination among the various services in the use of these lands jointly? The record doesn't show this to be the case. Shouldn't this kind of multiple use be a firm part of policy? * * *

"We earnestly and respectfully urge your committee, Mr. Engle, to seek, formulate, and adopt a policy applicable to military withdrawals which will protect resources, preserve, insofar as possible, the opportunity for their proper utilization and which guarantee that no withdrawal or extension of a withdrawal will be granted prior to full consideration of all elements and interests and precise evaluation of the resources and uses affected. And further, a policy which will insure that every other possibility is thoroughly explored before additional lands are withdrawn."

Mr. Fred M. Packard, executive secretary of the National Parks Association, was asked by Chairman Engle at the hearings on March 16, 1956:

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"The legislation currently being drafted would * * * provide that major withdrawals must be submitted to the Congress. * * * Do you feel without seeing the legislation and committing yourself to the terminology of it, that the general principles of that sort of legislation are sound?"

Mr. Packard replied:

"* * * Would that legislation have an effect on the application of the Antiquities Act to the establishment of national monuments? * * * That is not a withdrawal in the usual sense of the word. That is one factor we would have to consider. Other than that, I would say emphatically we would support such legislation."

On May 24, 1956, Mr. Packard wrote Chairman Engle:

"By formal resolution, the board of trustees stated the support of the National Parks Association for your bill H.R. 10371 and other similar bills, which would return to the Congress the control over withdrawals and reservations made for military purposes, at its annual meeting on May 10."

Again at the March 16, 1956, hearing, Congressman Metcalf obtained similar approval from Mr. Charles Callison, then conservation director of the National Wildlife Federation, when he said:

"Pending before another committee is H.R. 5306 and related bills which would require congressional approval for the disposition of wildlife refuge land. This would be only a limited part of the land with which you are concerned in the legislation you are drafting. Mr. Callison and the organizations which he represents, as well as other conservation organizations, have declared themselves in favor of that legislation. I am sure they would be in favor of the broader legislation which would require congressional approval for all withdrawals."

Mr. Callison responded:

"Mr. Chairman, I should like to confirm what Congressman Metcalf has said, and also to say in reply to your remarks a moment ago that the challenge which you have laid down to us is certainly a good one and we accept it * * *.

"We have been intensely interested and have been greatly concerned for a number of years with the growing demands or requests of various agencies of the Government and especially the military departments for larger and larger withdrawals of the public lands. * * * We think there are several principles involved. We are pleased to see this committee and Congress going into this matter. One is the matter of the possibility of multiple use of these areas, including the opportunity of the growing army of sportsmen to utilize the game and fishery resources, and including also the important necessity for management of those resources by the proper State game-management agencies. * * * We think that certainly there should be an opportunity and the means for working out a multiple-use program with the military department * * *.

"We have been pleased by discussions that we have heard about proposed legislation which may result from these hearings * * *. That would give Congress greater control over withdrawals of the public lands, and would set up a system for working out multiple-use possibilities on these lands and correct some of the other faults and, what seems to us, apparent abuses of the system of public land withdrawals.

"Just in principle and without having seen the proposed legislation, the National Wildlife Federation is for it and we hope it does come out of this committee. We certainly give it our enthusiastic support because we think it is greatly needed * * *."

The March 16, 1956, hearing of the House Interior Committee also heard Mr. C. R. Gutermuth, vice president of the Wildlife Management Institute, testify:

"Several bills have been introduced in recent Congresses to overcome the inequity that follows the withdrawal of public lands for military purposes. These military reservations, with their vast size, ofttimes have become private hunting and fishing grounds for the military * * *. That protective legislation is needed is borne out by the thinking of several of the larges national conservation groups * * *.

"In view of the tremendous number of acres of public lands that already have been withdrawn and reserved for military use, the institute questions the necessity and advisability of the many additional requests that are being made. * * * Congress should be insisting that all of the services should be making greater combined and coordinated use of the lands already under military control * * *."

And Mr. Gutermuth wrote Chairman Engle on April 16, 1956:

"It is hoped that prompt action can be given to H.R. 10371, and the other identical bills that call for congressional action on the withdrawal of public

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lands for defense purposes. The conservation forces feel that legislation is necessary to curb the continuing demand of the armed services for additional large blocks of Federal land, and you may be sure that the other urgently needed provisions in those bills will have widespread public support * * *."

Chairman Engle questioned Mr. George Diani, executive secretary of the California Wildlife Federation in this vein during the March 16, 1956, hearing:

"Would you say, Mr. Difani, that the California sportsmen and your organization in particular, would favor the general principle of restoring to the Congress control over the public land areas, with particular reference to these huge military reservations?"

Mr. Difani replied without equivocation:

"Yes. I am sure we favor that proposal."

On June 4, 1956, Mr. David R. Brower, executive director of the Sierra Club, wrote Congressman Aspinall:

"This is to let you know that the Sierra Club approves in principle the bill you introduced which would require congressional action on withdrawals for defense purposes of more than 5,000 acres of land and water and to require that hunting, fishing, and trapping on such areas be done in conformity with State laws * * *."

And Congressman Stewart L. Udall, of Arizona, testified before the House Interior Committee hearing on June 11, 1956, regarding the military withdrawal bill:

"I think this legislation is very definitely needed in our area, and I urge the committee to act favorably with regard to it."

Mr. GLASCOCK. Another valid legislative approach to wilderness protection would be to establish the national forest wilderness, wild and canoe areas as national wilderness areas, adding later by separate acts of Congress such portions of primitive areas, national parks and wildlife refuges as Congress may determine to be primarily valuable for wilderness. The wild, wilderness and canoe areas, however, are the only Federal lands yet reviewed and permanently dedicated for wilderness.

The attached chart, House Interior Committee Print No. 26 of August 31, 1962, gives what we believe to be an accurate comparison of the provisions of the Senate wilderness system bill and the House Interior Committee wilderness bill with the existing situation.

Senator METCALF. Mr. Chairman, this chart has the same errors that were in the testimony of the previous witness.

Mr. GLASCOCK. With respect to acreage, sir.

Senator METCALF. It doesn't contain the full reservations that the Secretary of the Interior made in supplying the figures, and I think it should be understood that this has the same figures from a House committee document, without stating the full reservations that Secretary Udall put in his letter that I recently read in the record.

Mr. GLASCOCK. Yes, sir. If your remarks precede the chart in the hearing record, I think this will point this out prominently. The actual provisions in the chart itself are what I refer to. We are not experts on acreage and that is one of our criticisms of this bill, that we are doing many things to many different lands, we don't know specifically what those lands are.

Senator METCALF. Well, I don't want, Mr. Chairman, to object. I want a complete understanding of just what the chart contains and when you said it gives an accurate comparison, I wanted to point out that there is some question about the validity of the figures involved in the chart, and that we haven't examined the validity or the bias the rest of it may contain.

(The chart referred to by Mr. Glascock follows on pp. 180–185.)

*Background, analysis, and comparison of major provisions: Wilderness preservation* (See comment, p. 179)

| Topic | Existing situation | S. 174 as passed by the Senate | H.R. 776 as amended by House Committee on Interior and Insular Affairs |
|---|---|---|---|
| FEDERALLY OWNED AREAS WITH WILDERNESS CHARACTERISTICS<br>*Acres*<br>1. Areas in national forests..... 14,675,358<br>(a) Wilderness, wild, and canoe areas [1]..... 6,822,400<br>(b) Primitive areas..... 7,852,958<br>2. Areas in units of the national park system [2]..... 22,168,097<br>3. Areas in units of the national wildlife refuge system [3]..... 24,441,556<br>Total..... 61,275,011 | In the national forests there are 6,822,400 acres in wilderness, wild, and canoe areas; 7,852,958 acres in primitive areas: 14,675,358 acres in wilderness-type areas protected by administrative regulation.<br>Units of the national park system and the national wildlife refuge system have varying degrees of protection, some by statute and some by administrative action, e.g., withdrawal from appropriation from the public land laws, including the mining and mineral leasing laws. | The 14,675,358 acres of wilderness-type areas in national forests would be incorporated into a wilderness system immediately, with portions of the 7,852,958 acres of primitive areas subject to possible deletion after review of the suitability of each primitive area for preservation as wilderness.<br>Ultimately could have approximately 61,275,011 acres in wilderness system.[4] | The 6,822,400 acres of wilderness, wild, and canoe areas would be given immediate statutory designation as wilderness. All existing administrative actions, including, for example, designations of primitive areas and withdrawals in monuments or game ranges, would be given statutory protection for continuation until revised by affirmative action of Congress.<br>Following detailed reviews, total of 61,275,011 acres might be designated as wilderness.[5] |
| 1. Wilderness-type areas in the national forests. | Since 1930, 83 wilderness-type areas in the national forests have been established by administrative action of either Secretary of Agriculture or Chief, Forest Service. (In 1924 the first area for wilderness preservation had been designated in the Gila National Forest, N. Mex.) | All 83 wilderness-type areas would be incorporated into a National Wilderness Preservation System, with those designated as "primitive" subject to a 10-year review and modification or elimination. | The 45 "wilderness," "wild," and "canoe" areas would be designated as wilderness areas. The 38 "primitive" areas would be reviewed during a 10-year period; designation as wilderness area would require affirmative action by Congress. |
| a. "Wilderness," "wild," and "canoe" areas (6,822,400 acres in 45 areas in 12 States; see appendix B). | Wilderness and wild areas can be established under Agriculture Regulations U-1 and U-2, respectively (36 CFR 251.20 and 251.21, published at pp. 1424 and 1425 of hearings); differences relate to size (wilderness areas must be over 100,000 acres; wild areas over 5,000 acres) and official who can act (only Secretary may designate wilderness areas; Chief, Forest Service may designate wild areas). The only canoe area is the Boundary Waters Canoe Area, Superior National Forest, Minn., which is a complex of several areas given protection starting in 1926 and at one time designated as "roadless areas." | Included in wilderness preservation system. Minimum size of any wilderness area would be 5,000 acres. | Designated as wilderness areas. Minimum size of a wilderness area set at 5,000 acres. |

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| (1) Roads | Generally not permitted except for ingress to and egress from privately owned property and to meet minimum requirements for administration. An 1897 act grants ingress and egress to "actual settlers." | Generally not permitted except minimum required for administration and those essential for development and use authorized by the President in specific areas. | Generally not permitted except in conjunction with uses authorized by the Secretary of Agriculture within specific areas. In addition, authorizes temporary roads to extent of minimum required for administration and where no alternate is available for hauling timber from timber sales on lands outside of wilderness areas; also the Secretary of Agriculture is required, in a manner consistent with wilderness preservation, to permit ingress and egress to surrounded privately held areas. |
| (2) Commercial timber harvesting. | Not permitted, by regulation | Not permitted | Not permitted. |
| (3) Grazing | May be permitted subject to restrictions deemed desirable by Chief, Forest Service. | Would be permitted to continue where well established, subject to restrictions and regulations deemed necessary by the Secretary. | Would be permitted to continue where established, subject to reasonable regulations deemed necessary by the Secretary consistent with such continued use. |
| (4) Mining and mineral leasing | Generally open to prospecting, location, and patenting of full fee title under the mining laws and for mineral leasing. (Note: all public lands in Minnesota have been removed from operation of the 1872 mining law and placed under a mineral leasing disposal system; 2 wild areas, 1 in New Hampshire and 1 in North Carolina, are comprised of acquired lands subject to mineral leasing.) There are no active mining operations in these areas at this time; there are oil and gas leases covering land in 2 wilderness areas in Wyoming where the drilling originates outside of the protected areas. (See hearings, p. 1219 and p. 1176.) | Prospecting permitted if not incompatible with wilderness preservation. (N.B.: There is no mention of the mining laws and a prospector or locator who staked a claim and obtained a patent would receive full fee title to the land within the claim.)<br>In addition, the President could, in a specific area, authorize prospecting and mining, including necessary roads, upon his determination that it would better serve the interest of the United States and the people thereof than will its denial. | Cuts off, after December 31, 1987, applicability of mining and mineral leasing laws; until that date laws apply to the same extent as presently in force, subject to regulations by the Secretary to protect wilderness, except that patent would give title to the mineral deposits only with right to cut necessary timber. Effective January 1, 1988, minerals would be withdrawn from all forms of appropriation.<br>Geological Survey and Bureau of Mines would continue surveying to determine mineral values. |
| (5) Motor transportation, mechanized equipment, airplanes, and motorboats. | Generally not permitted except for administrative needs and emergencies. Landing of airplanes and use of motorboats permitted only where well established prior to administrative designation of the area as wilderness or wild. Use of motor vehicles also permitted when in accordance with a statutory right of ingress and egress. | Generally not permitted in excess of minimum required for administration and emergencies involving health and safety of persons within wilderness areas. Where well established, use of aircraft and motorboats may be permitted to continue subject to restrictions deemed desirable by the Secretary. | Generally not permitted except for minimum required for administration and emergencies involving health and safety of persons within wilderness areas. Where established, continued use of aircraft or motorboats may be permitted subject to restrictions deemed desirable by the Secretary. In addition, use of mechanized ground or air equipment would be permitted where essential in connection with authorized mineral leasing or mining. |

See footnotes at end of table.

*Background, analysis, and comparison of major provisions: Wilderness preservation*—Continued (See comment, p. 179)

| Topic | Existing situation | S. 174 as passed by the Senate | H.R. 776 as amended by House Committee on Interior and Insular Affairs |
|---|---|---|---|
| FEDERALLY OWNED AREAS WITH WILDERNESS CHARACTERISTICS—continued | | | |
| (6) Water projects | Water storage projects not involving road construction may be permitted subject to restrictions deemed desirable by the Chief, Forest Service. | Prospecting to gather information about water resources permitted if not incompatible with wilderness preservation; President, in specific areas, may authorize establishment and maintenance of reservoirs and water conservation works with necessary roads upon determination that the use in the specific area will better serve the interests of the United States and the people thereof than will its denial. | The Secretary of Agriculture, in accordance with regulations he deems desirable, may authorize prospecting for water resources and establishment and maintenance of reservoirs and water conservation works upon his determination that the use in the specific area will better serve the interests of the United States and the people thereof than will its denial. |
| (7) Power projects | Under Federal Power Act, Federal Power Commission has licensing authority in these areas. Federal Power Act requires Commission to find that use will not be inconsistent with purpose of reservation. However, Commission representatives testified that hydroelectric potential in these areas is "minor, unimportant." | Preserves authority of Federal Power Act. Also, President may authorize transmission lines and "other facilities needed in the public interest," with necessary roads, upon his determination that the use in a specific area will better serve the interests of the United States and the people thereof than will its denial. | Secretary of Agriculture, in accordance with regulations he deems desirable, may authorize power projects and transmission lines upon his determination that the use in a specific area will better serve the interests of the United States and the people thereof than will its denial. |
| (8) Commercial services | Regulations prohibit occupancy for hotels, stores, or resorts and similar activities. Secretary of Agriculture reported that commercial services, to extent necessary for recreational or other uses of wilderness, may be performed (hearings, p. 1072). | Prohibited except that commercial services could be performed to extent necessary for activities which are proper for realizing recreational or other purposes of wilderness system. | Prohibited except that commercial services could be performed to extent necessary for activities which are proper for realizing recreational or other purposes of wilderness. |
| (9) Non-Federal land surrounded by wilderness | Ingress and egress must be provided for actual settlers; departmental regulations currently being revised following an Attorney General's opinion of Feb. 1, 1962 interpreting the 1897 act. | For lands that are State owned, the State would be given either right of access or opportunity of exchange for other land. Subject to appropriations, privately owned land could be acquired. The Secretary could accept donations. | If surrounded land is owned by State, State would be given either right of access or opportunity of exchange except that State could not acquire mineral interest unless it relinquishes its mineral interest. Ingress and egress would be provided for all valid occupancies.<br>The Secretary would be authorized to acquire privately owned land only if (1) the owner concurs or (2) Congress specifically authorizes a particular acquisition. The Secretary could accept donations. |

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| (10) Hunting and fishing | Permitted as a recreation use associated with wilderness but not specifically referred to in regulations. | Not referred to as a use but specifically preserves jurisdiction and responsibilities of the States with respect to wildlife and fish in national forests. | Specifically permitted to the extent not incompatible with wilderness preservation. Preserves State jurisdiction with respect to fish and wildlife in wilderness areas. |
| b. Primitive areas (7,852,968 acres in 28 areas in 10 States). (See hearings, pp. 1077-1079.) | Established by departmental regulations; use restricted in same manner as "wilderness" and "wild" areas. | Included in wilderness preservation system subject to deletion after review. | Existing status given statutory recognition and continuation until changed by Congress. |
| (1) Manner of establishment | Regulation L-20 issued in 1929, revoked in 1939, gave authority to the Chief, Forest Service, to establish primitive areas. No new primitive areas have been established since 1939 but 20 primitive areas have been reclassified as either wilderness or wild areas in accordance with the more restrictive regulations U-1 and U-2 which replaced regulation L-20. (See hearings, pp. 1424 and 1425.) | The 28 primitive areas would be reviewed by the Secretary of Agriculture over a 10-year period. The views of the Governor would be obtained and hearings held if there is a demand therefor. The President would submit to Congress recommendations for inclusion or exclusion of areas.<br>Each recommendation would become effective after adjournment of the 1st complete session of Congress following submission of the recommendation unless prior thereto a resolution of opposition had been adopted by either the Senate or the House of Representatives. | The 28 primitive areas would be reviewed by the Secretary of Agriculture over a 10-year period with a report to Congress after local hearings and receipt of comments from the Governor, county officials, and Federal agencies having jurisdiction over matters that might be involved.<br>Affirmative action of Congress required to designate as wilderness or otherwise change existing status. |
| (2) Use restrictions | Managed by the Forest Service in the same manner as wilderness and wild areas. (See above.)<br>(N.B.: There are 6 mines in active operation [see pp. 1072 and 1220 of hearings]; there are some roads [see p. 1226 of hearings]; there are several potential hydroprojects in primitive areas [see p. 1242 of hearings]; and areas are "open" under mining laws.) | Would be same as for other units of wilderness system (see above) except that if (1) the Congress rejects a recommendation of the President and no revised recommendation is made within 2 years or (2) a recommendation has not become effective within 14 years following enactment, the land in the affected primitive area would cease to be a part of the wilderness system and would be administered as "other" national forest land, i.e., presumably, with no restriction on use. | Existing designations, regulations, and restrictions will remain in effect until modified by affirmative action of Congress. |
| 2. Roadless areas in units of national park system. (Exact acreage cannot be determined. Secretary of the Interior has estimated the maximum gross acreage that might be subject to classification as wilderness aggregates 22,188,007 acres in 24 national parks and 23 national monuments in 18 States; see hearings, pp. 1145-1148). | No areas within the national parks or national monuments have received formal designation as wilderness. Development of parks and monuments is largely a matter for determination by the Secretary of the Interior and the Director, National Park Service.<br>Degree of present restriction varies, e.g., 4 national park system units are open by statute to acquisition of rights under the mining laws. (See hearings, pp. 1149-1151.) | Provides for incorporation of areas into the wilderness system. Secretary of the Interior to review units over a 10-year period. Views of Governor would be obtained. Hearings would be held only if demand exists in connection with determination of parts of units to be reserved for roads, motor trails, buildings, accommodations for visitors, and administrative installations. Presidential recommendation would become effective following adjournment of Congress after submission of recommendation unless resolution of opposition has been adopted by either the Senate or House of Representatives. | Secretary of the Interior would be required to review over a 10-year period, hold local hearings, and obtain views of Governor, county officials, and Federal agencies having jurisdiction over matters that might be affected. Areas could be designated as wilderness by act of Congress. |

*Background, analysis, and comparison of major provisions: Wilderness preservation*—Continued (See comment, p. 179)

| Topic | Existing situation | S. 174 as passed by the Senate | H.R. 776 as amended by House Committee on Interior and Insular Affairs |
|---|---|---|---|
| FEDERALLY OWNED AREAS WITH WILDERNESS CHARACTERISTICS—continued | | | |
| 3. Portions of wildlife refuges and game ranges. (Exact acreage cannot be determined. However, the Secretary of the Interior has estimated that the gross acreage that might be subject to classification as wilderness aggregates 24,441,556 acres in 13 areas of the national wildlife refuge system in 5 States; see hearings, pp. 1145–1148.) | There are no portions of wildlife refuges or game ranges presently set aside for wilderness classification or restricted use other than the restriction, if any, that applies to the refuge or range generally. Degree of present restrictions varies. | Provides for incorporation into the wilderness system of portions of refuges or game ranges established prior to the effective date of the act. Secretary of the Interior to make review over a 10-year period and submit recommendations to the Congress. Presidential recommendation would take effect following adjournment of the first complete session of Congress after submission of recommendation unless the Senate or the House of Representatives has adopted a resolution opposing the recommendation. | Secretary of the Interior would be required to review over a 10-year period, hold local hearings, and obtain views of Governor, county officials, and Federal agencies having jurisdiction over matters that might be affected. Areas could be designated as wilderness by act of Congress. |
| 4. Designation or classification of public lands (including national forests reserved from the public domain). | Except for withdrawals, reservations and restrictions for defense purposes, Secretary of the Interior may withdraw lands from appropriation under the public land laws; and either the Secretary of the Interior or the Secretary of Agriculture may classify and designate uses of lands under their respective jurisdictions in accordance with regulations promulgated by them. However, the Secretaries have each agreed to notify the Chairman of the House Interior and Insular Affairs Committee prior to effecting any withdrawal in excess of 5,000 acres. | Would not limit administrative authority except (1) specifies process for modification or elimination of wilderness established under its provisions and (2) limits inclusion of areas within the wilderness preservation system to those specified in the act and additions to take effect only after adoption by Congress of a concurrent resolution approving the addition. | Would establish the general principle that withdrawals, reservations, restrictions and changes in use designations or classifications of areas of public domain lands, national forest lands, and Outer Continental Shelf lands in excess of 5,000 acres could be effected only after notification to Congress and, in most instances, an act of Congress. Administrative authority to designate areas or to establish use priorities could be exercised only if the designation or classification has been defined by statute or in regulations adopted in accordance with the Administrative Procedures Act. |
| 5. Multiple-use principle | The act of June 12, 1960, established the national policy that national forests are to be managed on the multiple use-sustained yield principle. Wilderness preservation is recognized as being compatible with multiple use. Department of the Interior has applied the principle of "balanced use" as basis for management of public lands. | Provides that purposes of Wilderness Act are supplemental to but not in interference with Multiple-Use Sustained-Yield Act of June 12, 1960. | Declares as a matter of policy that all public lands of the United States are to be managed generally in accordance with the principle of multiple use unless otherwise specifically authorized by law. Recognizes need for preservation of wilderness areas and provides that wilderness preservation shall not be deemed to be interference with Multiple-Use Sustained-Yield Act of June 12, 1960. |

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| 6. Review of wilderness-type designations | [1] Under directive from the Secretary of Agriculture, all primitive areas have been undergoing review and evaluation to determine their wilderness character and value, with a view towards classifying as wilderness or wild those areas or parts of areas determined to be predominantly valuable for wilderness. | Review of primitive areas, roadless portions of national park system, and units of national wildlife refuge system to be made within 10 years for purpose of determining suitability of areas for continuation or inclusion in wilderness preservation system. | Review of primitive areas, roadless areas of national park system, and units of wildlife refuge system would be made over a 10-year period to determine whether areas should be designated as wilderness, giving analyses of comparative values and consideration to possible alternative uses. In addition, each designated wilderness area would be reviewed at least once every 25 years in order to determine suitability and desirability for continued classification and preservation as wilderness. |

[1] See appendix B for tabulation.

[2] This represents maximum acreage that might be classified as wilderness within these established systems, as estimated by the Secretary of the Interior. The Secretary indicated that there might be an additional 947,387 acres in 4 "prospective areas" involved in pending legislation for establishment of 2 national parks and 2 national recreation areas.

[3] See first column for composition of assumed total and basis thereof.

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Mr. GLASCOCK. Yes, sir. I certainly concur with you on that and I think one of our problems in this whole matter is an accurate listing of acreages. It always has been since we first started discussing wilderness legislation. Every year we come in with different acreage figures. Every organization uses different acreage figures, and this bothers us.

Senator ANDERSON. I want to assure you that some of the acreages they use bother me a little bit, sir, too.

Mr. GLASCOCK. Yes, sir.

Mr. GLASCOCK. Whatever procedure then appears after the comparison of the several valid alternatives to be most desirable to this committee, we would hope that it would be made compatible with the Multiple Use Act of 1960—Public Law 86-517—which Western Forestry and Conservation Association strongly supported in testimony and, incidentally, sir, members of this committee, I would like to point out that we were the organization that suggested that wilderness be mentioned in the Multiple Use Act as one of the uses of national forest land, and I am glad to state that this was done.

Now, in the Multiple Use Act, one of the most prominent statements, directives, is:

> In the administration of the national forests due consideration shall be given to the relative values of the various resources in particular areas.

It is our strong belief that placement of the uninventoried and unevaluated primitive areas in a wilderness system, even though later review is provided for, is a violation of this act. That is our opinion. The areas would be elevated in the public mind to a permanent status they had not attained through "due consideration."

Finally, the Western Forestry and Conservation Association wishes to reaffirm its confidence that Congress can do the best job of protecting wilderness if it will take the time that is needed to do it.

Senator ANDERSON. Any additional questions?

Senator NELSON. What is the membership of your association?

Mr. GLASCOCK. I will be glad to submit to you a membership list. Senator Metcalf 2 years ago yesterday asked me that same question and it is contained in the records of the 1961 hearings on this matter. It is a complex membership. We have forest owners, private and public, who are members. We have individuals. We have forest protective associations, fire associations, and incidentally, the British Columbia Forest Service. We are quasi-public and quasi-international in character. We are——

Senator NELSON. You have membership——

Mr. GLASCOCK. We are 54 years old.

Senator NELSON. Membership that consists of associations as such?

Mr. GLASCOCK. Yes, sir. We started—as a matter of fact, we started in 1909 to try to get organized fire protection on all the forests of the West and we initiated these early fire protective associations which are still in existence today and still members of our association. This was to accomplish the principle that all forest land should be under organized fire protection and that all of the owners, public and private, in this cheek-by-jowl scattered land ownership pattern, should pay their fair share, and we went on, tried to extend this principle to forest pest control, and now we are active in four major fields—forest fire, forest pest, reforestation, and forest land use.

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We have many publications of a technical nature which are used as authoritative guides for reforestation and forest practices by both forestry schools and by land managements. We hold the largest forestry meeting in the West every year. This year it will be in San Francisco, December 10 to 13, and the theme of the meeting will be the public stake in land, and I cordially invite every member of this committee to attend if they are able to. I am sure they are interested in this subject.

Senator NELSON. What do you mean, "placement of the uninventoried and unevaluated primitive areas in a wilderness system, even though later review is provided for, is a violation of this Act" as stated in your presentation? Violation of the proposed wilderness bill here?

Mr. GLASCOCK. No, sir. I had just quoted a portion of the Multiple Use Act which we were very energetic in supporting and the particular portion states that in administration of the national forests, due consideration shall be given to the relative values of the various resources in particular areas.

It is our contention that if the primitive areas are elevated to a status of wilderness areas, permanent dedications for wilderness, that in the public mind they will not understand a Congress taking any acres out of the system once they have put them in. By logic, a logical person would say well, now, why did Congress put areas in and now take them out again?

Senator NELSON. That is a hazard in any kind of law, I would assume, but I don't really understand this argument at all. The purpose here is to preserve the wilderness areas which are being desolated around the country rapidly, and hold them in their present status, and then to have careful evaluation of whether or not they qualify as wilderness areas, and those that do not, to remove them from that status. This seems to me the most logical way to do it, and, in fact, if your position prevails, you aren't going to preserve them at all.

Mr. GLASCOCK. Well, now, Senator Nelson, in 1956, as I had stated here, we were told that if this was not done, these areas were going down the drain.

Now, I have attended many of these hearings and I read the entire transcript of all of them and I have failed to find where one witness has shown where these areas have been going down the drain under the administration of the Department of Agriculture. I think everybody that knows this problem intimately with respect to individual areas knows that the U.S. Forest Service has done a magnificent job of protecting these areas.

Last year at the House hearing, attempt was made to say that some of the national park and national forest areas had been violated by logging. Upon closer examination it was found that there were two small clear cuts in the national forest of Washington where during the war they had gotten over the line and logged on primitive areas. These were the only examples in the entire United States that could be brought into this hearing room, and I can assure that if there, in our opinion, if there were any other areas, if there was knowledge of any other violations, they would by now have been brought into this, before this committee.

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Senator ANDERSON. Can I come in here for just a second? I hadn't intended to start to ask you this question, but since you are a forester, maybe you can answer it for me.

The statement to which you just referred, Administration of National Forests, and so forth, you say that it is your strong belief that placement of the uninventories and unevaluated primitive areas in a wilderness system, even though later review is provided for, is a violation of this act. In my State there happen to be two areas lying close together, the Gila wilderness and Gila primitive areas.

Mr. GLASCOCK. Those are beautiful areas, too.

Senator ANDERSON. Yes, sir. I have hunted in them and fished in them and they are wonderful. Do you happen to know how they were set up? Aldo Leopold established one and called it a wilderness area. Along came another one and called it, which he intended to be just the same as wilderness, a primitive area. He took a different way. Was there less consideration for the primitive area than there was for the wilderness area? You are saying there is: Can you prove it?

Mr. GLASCOCK. I am saying, and this hasn't been brought out yesterday or today, that the Forest Service regulations carry primitive areas under a section in which it is pointed out that they are subject to reclassification.

Senator ANDERSON. But does that mean that the original designation involved less study?

Mr. GLASCOCK. Not necessarily. I don't think so at all.

Senator ANDERSON. That is what you say here. Uninventoried and unevaluated primitive areas. They are not uninventoried, are they?

Mr. GLASCOCK. Yes, sir. They are under today's standards of inventory, yes.

Senator ANDERSON. Any more than the wilderness areas?

Mr. GLASCOCK. I would say to be honest about it, I would have to tell you that our opinion is that many of the wilderness and wild areas have been uninventoried as well by modern standards.

Senator ANDERSON. That is right. For instance——

Mr. GLASCOCK. But our association goes along with the proposition that these wilderness and wild and canoe areas are permanent dedications.

Senator ANDERSON. Take the Katmai Monument in Alaska, a million some hundred thousand—I hope I can correct this—that even Senator Gruening says there shouldn't be an acre of it, as I remember, in that national monument. It is way too large.

Somebody just went out and said we will make a national monument here for the elk and one for the Eskimo and one for the moose, and they established these great reservations. He says they are not necessary at all.

Well, I want you to tell me in this particular instance how much difference there is in the inventorying or evaluation of the wilderness areas and the primitive areas.

Mr. GLASCOCK. I don't think you could say, if you wanted to generalize, that there is any particular difference. I think you would have to agree that none of them were inventoried by acceptable standards today.

Senator ANDERSON. I would have to agree with you. I am very happy for that very honest answer.

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My little short term of duty in the Department of Agriculture, I got into this question there because of my enormous admiration for Aldo Leopold. I had followed his activities when he was establishing the very first one of these primitive areas.

Mr. GLASCOCK. We have great admiration for him, too, sir, and I would like to point out that we would have to say that the national parks, every one of them, have been given a much closer scrutiny by Congress than will any of the wild, wilderness and primitive areas under this bill because each one of them is enacted into law separately, with public hearings, and it is an entirely different procedure, but nobody has argued that those national parks are not safe and that they have not been well drawn. That is, they haven't convincingly argued that in our opinion.

Senator ANDERSON. I couldn't possibly let that statement go unchallenged, because I made it a point one time to find out how the Yellowstone was established. I don't believe you will find that there was any careful evaluation of it at all. Someone set it aside as a "pleasuring ground" for the people of the United States.

Mr. GLASCOCK. But more carefully than this because it went before Congress.

Senator ANDERSON. I just hope you will look it up because I don't believe it is at all comparable to what would be done in some wilderness areas. I think it was not more carefully done, and if I understand what people have told me all through the Yellowstone story, it was not careful at all.

Mr. GLASCOCK. Well, sir, you know what our main position is here and you are bringing this out beautifully—I am glad this hearing is going to show that this is the problem—it is that we have different procedures for making dedications which are really quite similar and it seems to us that there is very good reason for Congress to establish some type of uniform procedures for the withdrawal of public lands.

Senator ANDERSON. Yes. I only want to pick up that portion of this multiple-use act point that you made because I don't think it is a fair statement that primitive areas have had less inventorying and less evaluation than the wilderness areas.

Mr. GLASCOCK. The only reason we make that statement is because we have decided that the wild and wilderness areas are permanent dedications and we want to see them kept that way and we would like to see Congress protect them.

Senator ANDERSON. Very well.

Senator JORDAN. Mr. Chairman, I would like to commend Mr. Glascock on what I regard as a very fine statement and I would like also to commend this fine organization, Western Forestry and Conservation Association. It has been my privilege to meet with them on a number of occasions at their meetings. I am familiar with the type of work they do. They have even asked me at least twice to be a guest speaker. So I have a very warm attachment to them.

Mr. GLASCOCK. Thank you, sir.

Senator ANDERSON. Senator Nelson, had you finished?

I broke in on you.

Senator NELSON. That is all right.

Senator ANDERSON. I'm sorry. Go ahead, Senator Metcalf, and then we will come back to you. Senator Nelson.

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Senator METCALF. I want to know how you feel about the two new wilderness areas that were created, the Anaconda-Pintlar area and the Selway-Bitterroot area? You would feel that they, too, are in the category of being dedicated and set aside and should go in the wilderness system?

Mr. GLASCOCK. Yes, sir. We make no exceptions to that statement which I gave Chairman Anderson.

Senator METCALF. And as a matter of fact, probably the Selway-Bitterroot area was much more carefully inventoried than Yellowstone National Park.

Mr. GLASCOCK. I am sure this is true.

Senator METCALF. I remember last year when you were testifying and telling me about your membership that you said you would like to get into Montana. Have you succeeded?

Mr. GLASCOCK. Yes, sir. The Great Northern Railroad is a member of our association and we have other prospects there as well. We have some individuals who are interested and who are now participating members. Our membership category brings individuals in at $10 per person per year and this entitles them to come to our meetings and participate in the discussion and approval of our resolutions which collectively constitute our policy statements, and they also receive our publications and the proceedings of our conferences as well, and I would hope that perhaps the Senator himself might some day become a participating member of our association because of your interest in what we are doing.

Senator ANDERSON. May I just point out to the Senator from Montana, the Bitterroot-Selway project was so dangerous that last year it couldn't be brought in because it had not been properly evaluated, but this year it is in and the witness would support it strongly. Now, that was done by the scratch of the pen of the Secretary of Agriculture. You trust that but you don't trust the Congress.

Mr. GLASCOCK. Sir, I don't think that is quite our whole position. We would trust the Secretary of Agriculture, as we do, to review and reclassify these areas but we would have Congress have the final say by positive action in the same way that Congress has the say by positive action on national parks. We don't think that national parks and wilderness areas are that much different and we know that the national parks, parts of them, will be included in this system if it is enacted.

Senator ANDERSON. The only difficult is you keep harking back to the positive action. You recognize what the difficulty is. "Positive action" as you view it could be a method of a very small minority defeating any action.

Mr. GLASCOCK. I was following this closely yesterday and today. It has to do with the reorganization acts.

Senator ANDERSON. Surely. This is a——

Mr. GLASCOCK. We have great confidence.

Senator ANDERSON. This is a well-known, effective method of accomplishing this and getting around the hurdles, the worst hurdle being the Rules Committee of the House. I served a few terms there——

Mr. GLASCOCK. We would wonder in trying to get uniform procedures whether your arguments on this would not perhaps argue as

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well that the national parks should be subject to the reorganization act, the nation park establishment. We are after uniform procedures, sir, for the withdrawal of public land. And I don't see why we should have a hodgepodge of procedures for dealing with the evaluation and dedication of public lands for special uses.

Senator ANDERSON. Well, the only difficulty I have is in this constant inference that this is not a very constitutional way to proceed. The last reorganization bills that came up were promptly handled. The great virtue of the procedure that is suggested in this bill is that any Member of the Senate can get a vote, but 53 Members of the Senate couldn't get a vote the other day on a motion to take up a change in the rules. That is a majority of the Senate. They couldn't possibly get a vote.

Mr. GLASCOCK. I think the logic to which you and Senator Metcalf point, that it is constitutional, is obvious to any thinking person and I would wonder if you in your stress on this are advocating the extension of the principle of the reorganization act to many other fields of legislation.

Senator ANDERSON. No. What we have tried to say is that any change that is made from here on out in the wilderness system by adding to it any areas involving several thousand acres, 5,000 acres or so, has to come to Congress. But we are willing to say also—I am at least—that when Aldo Leopold staked out 400,000 acres and said this is wilderness and Bob Marshall got in a few comments and said, we will call this other one primitive because I like that word a little better, that there isn't much difference between them. I don't know why one is so priceless and the other is so awful when they were established by exactly the——

Mr. GLASCOCK. This seems to be an inconsistency on our part. We think it is rather inconsistent to accept without resistance all administrative withdrawal of public lands, such as when the outgoing Secretary of the Interior, Seaton, proclaimed the large wildlife refuge, game range, in the Brooks range of Alaska. He was a conservation hero because of the proclamation for this huge refuge over the protest of the delegation of the Governor from Alaska.

Senator ANDERSON. And some others.

Mr. GLASCOCK. And some others. Congress has not been able to undo this even though there is still objection to it. But if a Secretary of the Interior or Secretary of Agriculture takes an acre out of a primitive area, why this is a terrible thing, a delegation of the powers of Congress. We think this——

Senator ANDERSON. The bill specifically allows them to do that, to review and take nonwilderness out of the primitive areas.

Mr. GLASCOCK. Pardon?

Senator ANDERSON. The bill specifically allows him to take an acre out.

Mr. GLASCOCK. I didn't understand that. We believe that Congress should exercise its present powers. We believe that Congress now can enact any of these wilderness areas into law that it sees fit.

Senator ANDERSON. Now, you tell me what right the Congress has now on the Gila wilderness and the Gila Primitive Area that varies in the slightest.

Mr. GLASCOCK. Well, what would happen, sir, if the Senator from New Mexico introduced a bill to enact that wilderness area into law as the Gila National Wilderness Area?

Senator ANDERSON. I do not think anything would happen, but if he had put in the bill to take it out of the wilderness area, he would probably be charged with piracy by a large and enthusiastic majority.

Mr. GLASCOCK. Well, what I am saying though is that the Congress can, or it has the power now, to enact a wilderness area into law if it sees fit to do so——

Senator ANDERSON. Surely.

Mr. GLASCOCK (continuing). And this is why we say that this bill is not a restoration of powers to Congress, as Congressman Selden said on the other side last year. We believe that it is a further abrogation of the powers of Congress.

Senator ANDERSON. That is where you lose me. I will just say that frankly, because now the Secretary of Agriculture can do this without talking to a living soul.

He can change, as he did with the Gila project, every one of these 6-million-plus acres that are in the primitive areas——

Mr. GLASCOCK. We are not defending that.

Senator ANDERSON (continuing). And put them in the wilderness tomorrow but, by passing this bill, he cannot do that and you say that is an abrogation of power. I just do not understand the word the way you use it.

Mr. GLASCOCK. Congress can prevent the Secretary of Agriculture or the Secretary of the Interior from having the last word in respect to these dedications by enacting a law with respect to a particular area in question.

Senator ANDERSON. Yes, that is right. I will not argue that a bit.

Senator METCALF. That is what we are doing right now.

Mr. GLASCOCK. The fact that Congress does not use these powers does not alter the fact that they have them.

Senator ANDERSON. But that is what this bill does. It trims down the power of the Secretary of Agriculture.

Mr. GLASCOCK. Yes, sir; that is correct.

Senator ANDERSON. But you say it abrogates the powers which it holds. It is like saying it will stand still and also will rise but it does not happen all at the same moment.

Mr. GLASCOCK. Chairman Anderson, with this bill, in our opinion, Congress would be further delegating its powers which it has but which it has not used; namely, the power of enacting into law and protecting by congressional statute any of these great wilderness areas.

Senator METCALF. May I ask one question of the witness to clarify this?

Senator ANDERSON. Yes.

You have been very patient.

Mr. GLASCOCK. Thank you.

Senator METCALF. Yesterday, when Dr. Smith was testifying that there was some dispute as to how the primitive areas and the wilderness areas were administered, and it was my impression that there had been no logging or mining uses other than grazing on the primitive areas as well as the wilderness areas.

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Now, you pointed out a couple of inadvertent lumbering uses of the primitive areas, but do you know of any other uses of the primitive areas that are any different from the wilderness areas?

Mr. GLASCOCK. I do not think there is any difference in the administration of these two classifications.

I think the only difference in the world is that they are carried on the books differently by the Forest Service. The Forest Service's work is that the primitive areas are listed on the books for reclassification——

Senator METCALF. That is right, and I put those regulations in the record yesterday.

Mr. GLASCOCK. Yes, sir. I agree with you completely, Senator.

Senator METCALF. Thank you.

Senator ANDERSON. Any additional questions?

Senator Jordan?

Senator JORDAN. No.

Senator ANDERSON. Thank you very much.

Mr. GLASCOCK. Thank you.

Senator ANDERSON. Mr. Meyering.

## STATEMENT OF JOHN R. MEYERING, ASSISTANT EXECUTIVE SECRETARY, SOCIETY OF AMERICAN FORESTERS

Mr. MEYERING. Mr. Chairman, and members of the committee, I am John R. Meyering, assistant executive secretary, Society of American Foresters, with headquarters in Washington, D.C. We deeply appreciate the opportunity to appear before this committee today. We are well aware that the committee has heard volumes on the subject of the wilderness bill. Because of this, and in the interest of time, our statement will be brief.

Since the Society of American Foresters did not testify during earlier Senate hearings on the wilderness bill, I should like to further identify it for your information. We are a professional society of more than 14,000 members, established in 1900, and the only national professional association representing foresters in America. Among the objects of the society as stated in our constitution are "* * * to promote the science, practice and standards of forestry in America."

Our members are foresters, professionally educated in the principles of forest land management. They are employed by government and industry; they manage forest lands of all description including wilderness both public and privately owned in every State in the Union. As a group they live and work more closely with this country's forest resources than any other group of professionals in America. They do not only know wilderness lands intimately but understand fully the importance of wilderness preservation.

Thus, the Society of American Foresters through its members recognizes the need for and values of wilderness. The society has long studied and supported the wilderness cause. For example, 25 years ago, in November 1938 the society in a mail referendum defined general standards for classification and management of wilderness areas. Those standards exist today, as they did then, in close harmony with U.S. Forest Service policy.

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Therefore, your committee may be interested to know the results of a mail referendum held in December 1961, expressing the opinion of members of the society on a concept involved in this current wilderness legislation.

A total of 4,235 members, 71 percent of the voters, approved the principle that wilderness areas should continue to be established by executive action of the Secretaries of the Federal departments that are administratively responsible for the establishment of present and potential areas suitable for wilderness preservation.

Less than 29 percent, 1,693 of those voting approved the proposition that wilderness areas should be included in a wilderness preservation system by act of the Congress.

Senator ANDERSON. May I stop there to ask you if this then means that your society is opposed——

Mr. MEYERING. I'm sorry, I did not hear that.

Senator ANDERSON. Is opposed to what has been many times suggested, that these areas be established by affirmative acts of the Congress and not by executive acts of the Secretary?

Mr. MEYERING. Yes, sir; that is correct.

In summary, therefore, the Society of American Foresters supports wholeheartedly the concept of wilderness preservation. Our support is based on 63 years of firsthand working knowledge of wilderness and its values to society. We are furthermore generally satisfied with the present method of wilderness area establishment. Therefore, we oppose the proposed wilderness act, S. 4, as being unnecessary.

Mr. Chairman, we appreciate this opportunity to appear before you.

Senator ANDERSON. Any questions?

Senator NELSON. Yes, I have a question.

In your view, what damage would result from the enactment of the wilderness legislation?

Mr. MEYERING. Sir, I do not know as I could say that there would be any damage resulting from it.

I do not believe that this is the intention of the referendum which we held, to propose that, on the one hand, it would be all good and, on the other hand, that there would be any damage.

The referendum simply asked the membership which of these two—may I just read the ballot to you? And this might clarify this thing for you.

The ballot, which was voted on December 1, 1961, asked the membership to vote on one of two of the following propositions:

First, wilderness areas should continue to be established by executive action of the Secretaries of the Federal departments that are administratively responsible for the establishment of present and potential areas suitable for wilderness preservation.

The second and only other alternative was wilderness areas now established should be included in the wilderness preservation system by act of Congress with specifications as to the uses and with provisions, deletions, and the designation of new areas.

Senator NELSON. Is it your judgment that under the present authority the executive departments could do everything that is proposed in this bill?

Mr. MEYERING. I do not know as I could say "yes" to that.

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I could say that under the present circumstances the executive department under the present system is able to maintain wilderness areas adequately, and is able to include more areas as they become obviously needed and usable for wilderness, and that in the event of national emergency or other pressing events, that they are in a position to act quickly to declassify the area.

Senator ANDERSON. Yes.

Senator NELSON. I just do not know what power the executive branch has in this respect.

I was commenting on what you said here. Let's assume here for a moment that they had that power, would you object that the executive branch, or if the executive branch proceeded to do everything that is proposed in this bill?

Would you have any objection to that?

Mr. MEYERING. That covers a lot of ground, sir, "everything that is in the bill."

So, I do not know.

Senator NELSON. Thank you.

Senator ANDERSON. I want to compliment the witness on testifying to what his association did and holding himself to that.

That was very fine. Thank you very much.

Mr. MEYERING. Thank you, sir.

Senator ANDERSON. Mr. Roberts?

Senator JORDAN. Mr. Chairman, Mr. Roberts is a neighbor of mine from the State of Idaho, and I would like to say a few words about him. Before I do, Mr. Chairman, I should like to ask unanimous consent to have entered into the record House Joint Memorial No. 3, enacted by the 37th session of the Legislature of the State of Idaho, the 9th of January 1963, having to do with wilderness legislation, generally in opposition to excessive wilderness designation.

I shall not read it if I have permission to have it inserted in the record at this point.

Senator ANDERSON. Without objection, that will be done.

(The document referred to follows:)

A JOINT MEMORIAL OF THE LEGISLATURE OF THE STATE OF IDAHO

*To the Honorable Senate and House of Representatives of the United States in Congress assembled:*

We, your memorialists, the Legislature of the State of Idaho, respectfully represent that:

Whereas approximately two-thirds of the land area of the State of Idaho is federally owned and contains approximately 3¼ million acres set aside for primitive and proposed wilderness areas; and

Whereas the economy of the State of Idaho is based upon its agriculture, forest products, mining, sheep and cattle industries, and the use of its waters for irrigation and hydroelectric power; and

Whereas excessively large and unmanageable primitive and wilderness designations are very restrictive to full utilization and do not permit the Federal Government to develop wisely the natural resources of the State of Idaho for the continuation and expansion of its natural resource industries; and

Whereas one of the great potential industries of the State of Idaho is its growing tourist trade and wildlife attractions; and

Whereas the denial of ready access to these areas to the tourist trade, to the citizens of Idaho and to industry is detrimental to the State's present and future growth and prosperity; and

Whereas water supply, game habitat, forest productivity and recreational opportunities for all are increased with good forest management in contrast to the very limited use of wilderness areas; and

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Whereas the State of Idaho needs the development of lands and its resources to create a broader base for its taxing units and to increase employment for its people: Now, therefore, be it

*Resolved by the House of Representatives, State of Idaho, the senate concurring*, That we are most respectfully opposed to the dedication of additional lands as primitive or wilderness type areas in the State of Idaho and respectfully request that all primitive and wilderness areas in the State of Idaho be reviewed and studied to determine and establish their greatest use potential; and be it further

*Resolved*, That we oppose Federal enactment of legislation, and existing rule and regulation designating authority, embodying the principle of establishing excessive wilderness areas of limited use which would deny to the natural resource industries, including recreation, the right to develop wisely natural resources and would also be to the detriment of the people of the State of Idaho and the Nation; and be it further

*Resolved*, That the present agencies administering all Federal lands do so with the view of developing the full multiple use of the lands to further the general welfare and the economy of the State of Idaho and the Nation; and be it further

*Resolved*, That the secretary of state of the State of Idaho be authorized and he is hereby directed to immediately forward certified copies of this memorial to the Senate and House of Representatives of the United States of America, the Secretary of Interior, the Secretary of Agriculture, and to the Senators and Representatives in Congress from this State; and be it further

*Resolved*, that the secretary of state of the State of Idaho be authorized and he is hereby directed to immediately forward certified copies of this memorial to the speaker of the house and to the president of the Senate of the following States: Washington, Oregon, California, Montana, Utah, Wyoming, Colorado, Nevada, Arizona, New Mexico, North Dakota, and South Dakota, and that these States are hereby urged to take similar action in their respective legislative bodies.

Senator JORDAN. Now, Mr. Chairman, Art Roberts is a man of many parts. He presently is serving as mayor of the city of McCall.

He is a member of the Natural Resources Committee of the Idaho Chamber of Commerce. I think he is speaking in behalf of them and others today. He is the chief fire warden in the Southern Idaho Timber Protective Association and an active conservationist in that respect. He is a member of the board of directors and a past president.

He is a member of the executive committee of the American Municipal Association.

He is also a member of the board of directors and past president of the Western Forestry and Conservation Association.

I have worked with him in my position as Governor back through the years, and I know that he is a dedicated conservationist, and I commend him to you.

Senator ANDERSON. Thank you, Senator, and I want to say to you, Mr. Roberts, that this is fine praise from a highly respected member of this committee. You may proceed, sir.

## STATEMENT OF ARTHUR M. ROBERTS, NATURAL RESOURCES COMMITTEE, STATE CHAMBER OF COMMERCE, McCALL, IDAHO

Mr. ROBERTS. Thank you, sir, and thank you, Senator.

Mr. Chairman and gentlemen, I am Arthur M. Roberts of McCall, Idaho. I represent the village of McCall, Idaho, as mayor; the Southern Timber Protective Association as chief fire warden; and this statement has been endorsed by the following organizations.

The Inland Empire Multiple Use Committee, Lewiston; Idaho Mining Association, Boise; Associated Industries of Idaho, Boise; Idaho

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Cattle Feeders Association, Boise; Idaho Farm Bureau Federation, Pocatello Associated Taxpayers of Idaho, Boise; Idaho State Grange, Caldwell; Idaho Motor Transpirt Association, Boise; Idaho Cattlemen's Association, Boise; Idaho Wool Growers Association, Boise; Idaho State Reclamation Association, Boise; Idaho Beet Growers Association, Weiser; Idaho State Chamber of Commerce, Boise; North Idaho Forestry Association; South Idaho Forestry Association; Boise Cascade Corp., Boise; Idaho Municipal League, Boise.

Local chambers of commerce of Boise, Gooding, Caldwell, Preston, Orofino, Nampa, Idaho Falls, Twin Falls, Ruppert, Weiser, and St. Anthony have also endorsed the statement. In addition to these the Lewiston Idaho Chamber of Commerce submits the following letter for the record, which reads in part:

> The executive board of this chamber authorizes Arthur M. Roberts to say that our position in this matter is that we "ask that the Congress of the United States do consider carefully before committing more of the public land in Idaho to permanent wilderness classification."
>
> MARVIN H. WICKLUND, *President.*
> HARRY HUGHES, *Secretary.*

Since the Senate hearing 2 years ago on S. 174, several changes have occurred in Idaho, as in the Nation, which have had some effect on our position with regard to this wilderness bill.

First, the Idaho Legislature by a vote of 49 to 12 in the house of representatives and a unanimous vote in the senate has approved the memorial which has been filed with the committee and which asks the Congress of the United States to consider carefully before committing more of the public land in Idaho to permanent wilderness classification. This memorial expresses opposition to the existing rule and regulation designating authority, embodying the principle of establishing excessive wilderness areas of limited use which deny the right to develop wisely all natural resources including recreation. The memorial asks further that Federal agencies presently administering public lands, do so with a view to developing the full multiple use of the lands.

Idaho now has a dedicated wilderness area of approximately 1,140,000 acres.

That is 100,000 acres less than the total area of the Selway-Bitterroot.

Two years ago there was none in Idaho. As a result of this dedication, the acreage in Idaho's primitive areas has been cut from well over 3 million to about 1,725,000 acres. Another 200,000 acres of primitive area has been proposed as dedicated wilderness by the Forest Service. This is the Sawtooth primitive area, and the wilderness proposal calls for an area of 192,000 acres in permanent wilderness classification.

These changes result in Idaho now having something over 14 percent of the dedicated wilderness area in the United States. Idaho is left with 21 percent of the primitive area in the country. This primitive area will immediately be classified as dedicated wilderness with the passage of S. 4. This dedication would classify 2,863,000 acres in Idaho as wilderness. This is equal to 14 percent of the National Forests land in the State.

This is a figure which we may compare to the 8 percent of the total national forests lands which would be in wilderness areas in the

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primitive areas if that classification or if those classifications are added together.

It is true that this land is not all capable of multiple-use management, but some of it is, and the Forest Service estimate, which is probably conservative, shows over 10 billion board feet of timber on this area, which amount is roughly equal to the catastrophic Columbus Day blowdown on the Pacific coast. This volume is equal to about one-tenth of Idaho's total wood supply.

In the testimony on S. 174 2 years ago, it was brought out by many of the people from the West that wilderness preservation legislation was not necessary since the administrative agencies in the Departments of Agriculture and Interior were already set up to create and dedicate wilderness and wild areas by Executive order. It now appears that the creation of these areas by administrative order is a very dangerous thing. In other words, the advocates of S. 4 are well justified in their pleas for congressional control in this area. We cannot, however, join them in the belief that S. 4 solves the basic problem involved in the executive versus legislative control of public land special-use dedications. Further, we are not sure that S. 4 can be amended sufficiently to serve this purpose.

Now, I have listed reasons below here which I will read and which will tend to prove this point, at least to my thinking.

In the first place, S. 4 sets up a wilderness system. It is true that the several areas in the system would be administered, as is now the case, by the agencies within whose jurisdiction they are. It appears, however, that a system of areas administered under a definite set of rules, as outlined in S. 4 cries out for management as a unit, and so would lend itself to the creation of yet another Federal agency set up for the management of wilderness. We do not favor this in Idaho or in the Nation.

Second, of all—in S. 4 primitive areas, which will be included in the system by the passage of the bill, become a permanent part of the system on executive recommendation unless either House of the Congress disapproves. This procedure violates the basic concept of constitutional government and delegates the power of the legislative branch to the executive to an alarming extent.

And I would like to pause right there and say that this, on my part, was an unfortunate choice of words.

Senator ANDERSON. Well, I want to say to the witness that he is just doing fine.

Mr. ROBERTS. The only way the Congress can control the dedication of our public land for permanent, restricted, special use is by positive, direct action. This should apply not only to wilderness set-asides, but to all withdrawals of public land of 5,000 acres or more.

Third, under S. 4 primitive areas become a part of the wilderness system and they are, to all intents and purposes, wilderness, with the passage of the bill. It is true that S. 4 requires that the primitive areas be studied within 10 years with the idea of excluding acres which do not qualify as wilderness. However, the very fact that these lands will be included in the system will make it much more difficult to review their ultimate potentialities objectively. Further, it is virtually impossible to study, discover or learn about greater multiple use possibilities in an area when the only means of investigation is by foot or

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packhorse in a restricted, limited-use area. In other words, there is no reason why the parts of these areas which have the highest value for use as wilderness should not be permanently so classified by positive direct act of Congress after a study is made, just as national parks are created under the present statutes.

Fourth, there is no provision in S. 4 for periodic review of the lands included within the system. It is true that the respective Secretaries must, each year, report to the President, but this does not necessitate any review of specific areas. Certainly in a society such as ours in the United States nothing should be placed beyond the review of Congress as demands and needs change. This is a defect in the present system as well as under the provisions of S. 4.

Fifth, S. 4 provides that a State shall be given (1) rights of access to, or (2) vacant unappropriated and unreserved land of equal value in the same State in exchange for land surrounded by lands incorporated into a wilderness area. These alternatives are not specifically provided in the case of privately owned land so surrounded. S. 4 simply provides that the Secretaries of Agriculture and Interior may acquire these lands as part of the system subject to the necessary appropriations by the Congress. S. 4 does not spell out the methods of acquisition. Such Federal acquisition does, however, have an impact and an effect on local government income and on the local economy.

Finally, we object to S. 4 because it does not provide opportunity for local review. It is true that the 65 percent of Idaho's area which is in Federal ownership belongs to all the people, but it is also true that the ones of us who are most affected by the disposition and use of this land are those of us who live there, and must make our living there, and must support our local governments there. S. 4 provides for the inclusion of the independent views of the Governor of the State in which such area is located with respect to the Secretary's recommendations generally. The bill does not say what consideration these views will receive nor does it provide for the submission of the independent views of the people in the counties involved. This result could be better accomplished by an expression of the legislature in the State in which the area under consideration is located, since the legislators from the counties most vitally affected are much closer to the problem.

Senator ANDERSON. Of course, when we have a water development project we have a funnel for submitting these to the States, and the Governors, as I think Senator Jordan knows, respond on behalf of the whole State.

It is assumed that he is the spokesman for the whole State, and I would hate for it to have this become a sort of general referendum over the State and the county commissioners and everybody else.

I would like to believe that the Governor of the State is competent to pass upon it. I am not committed to that viewpoint. But I think generally the Governor will speak for the people of his State as properly as he can and probably better than the county commissioner of any particular county.

Mr. ROBERTS. I quite agree with that, however, but it has seemed to me, in my thinking on this, that this—that there is maybe not too little provision for local public opinion in the hearings themselves but

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certainly—and this applies especially to the hearings we have had already in connection with three classifications.

There was probably too little consideration given to the substance of the local testimony.

Senator ANDERSON. Well, I was only trying to say to you that we were not trying to shut out the opinions of the people of the State but sometimes, in a matter of this nature, the Governor is in a better position to speak for all of the people in the State than maybe the county commissioners in the one county involved, who might look at it from the standpoint of a possible loss of revenue only.

We have that possible situation in dams, particularly in Oklahoma, where a great deal of land moved off of the tax rolls.

The amazing thing is that towns were built up around those lakes and that these areas are far better off now.

If we had asked that area originally, they would have said, "We do not want it because we do not want this farmland taken off of the tax rolls."

Now, they are happy.

I want to say that the Governor, as chief executive, may have a little broader viewpoint than a local member of the county commission or a member of the legislature.

Mr. ROBERTS. The final paragraph is: For the reasons enumerated above, we respectfully suggest that S. 4 does not do an adequate job of lasting wilderness preservation and beg your unfavorable consideration of this legislation.

Senator ANDERSON. Any questions?

Senator NELSON. I have a question.

I do not understand that next to the last paragraph in which you say "of the independent views of the Governor or the independent views of the other people."

It does not specify in the bill what specific weight these views would have.

Are you suggesting that they have other, additional considerations over other than their weights as an argument, or are you suggesting that there should be some veto power at the Governor's level or at the legislature's level?

Mr. ROBERTS. Well, actually, no, I am not suggesting that the Governor or the legislature would have the veto power.

However, I do feel in this connection, that the legislature should be consulted and that if it is a good recommendation, a good wilderness proposal, it will be, I am quite sure, accepted by the legislative body in the State.

Senator NELSON. But if it were not, you are suggesting then that the Federal Government should not have the power to set it aside as a wilderness? That is the only point I am trying to get at.

Mr. ROBERTS. I do not think I can go that far.

Senator ANDERSON. I think you cannot tell what significance would be attached to any additional use that it gets. We all have that.

This morning I had a long six-page, single spaced, letter from a man in Indiana who does not particularly care for my view on the Indiana Dunes question. This happens that I am going to try to answer him, but I am not greatly impressed by what he has written, because he takes me off to Cuba and everything else as the reason why we should not do anything for the dunes.

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And so every Member of Congress has to pay what attention he thinks is proper to the things, and there is no way that we can guarantee that it will receive consideration. I just say that I hope you will think about this point. My experience in Washington persuades me that we get a better type of answer from the Governor and his machinery. I may be wrong.

Do you have any questions?

Senator JORDAN. No.

Senator ANDERSON. Thank you very much for coming.

At this time, I would like to call Dr. Boyd because he has to go on to New York.

Dr. Boyd.

## STATEMENT OF JAMES BOYD, PRESIDENT, COPPER RANGE CO., NEW YORK, N.Y., ON BEHALF OF THE AMERICAN MINING CONGRESS

Mr. BOYD. Thank you, Mr. Chairman.

Gentlemen, my name is James Boyd and I speak today for the mining industry as it is represented by the American Mining Congress. From 1947 to 1951 I was the Director of the U.S. Bureau of Mines, from 1951 to 1960 in charge of exploration for the Kennecott Copper Corp., and I am now the president of Copper Range Co. This company is not now engaged in, nor does it have any plans for, exploring on the public domain as we own large areas of unexplored private mineral lands in Michigan. I can, therefore, speak with some objectivity on the subject of S. 4.

In order to simplify and clarify my statement today, I have submitted to the members of the committee a statement prepared by the Mining and Metallurgical Society of America in 1962 under my direction as the society's president. It contains two maps to which I should like to refer in order to illustrate my brief statement today. With your approval, Mr. Chairman, I should like to submit that statement for the record as it read, for it is as applicable to S. 4 as it was to S. 174 in the last session.

That is this document.

Senator ANDERSON. I do not have any objection to that, Dr. Boyd, if the committee wants to do it, but this is a document which is quite long, and I think we ought to have some questions on that if you are going to submit it.

For example, just to show you why I raised that question, on page 15 of your report you have a table No. 1 entitled "Discoveries S. 174 Would Have Prevented."

I checked that as carefully as I could with the Department of Interior, the Department of Agriculture, and the Geological Survey, and there is not a single mine there that would have been prevented in any way by S. 174.

Mr. BOYD. May I read the text to go with it? I think that would explain that.

Senator ANDERSON. Well, I am looking at the table.

Mr. BOYD. Yes, but what this table shows is the discoveries have been made in the last few years in areas in which, if they had been covered under S. 174 they would not have been discovered.

Senator ANDERSON. Surely, and if the Atlantic Ocean had been land Christopher Columbus could not have crossed it in a ship. Fortu-

nately, it was an ocean and fortunately S. 174 did not apply to a single one of these mines.

The heading is "Discoveries S. 174 Would Have Prevented."

Mr. BOYD. If they were in areas covered by S. 4 they could not have been established——

Senator ANDERSON. If they were, yes, but they were not. Now, if S. 174 had been passed in 1862, the same time that the Land-Grant College Act was passed and the Department of Agriculture created, assuming that it had been passed at that time, will you pick out one of these mines that would have been effected by S. 174?

Mr. BOYD. Well, I do not think that is pertinent to the text to be presented——

Senator ANDERSON. You may not think it is pertinent but I will tell you that the sponsors of S. 174 would hate to be accused of this. And that is especially because not a one of them would ever be affected in any way by the bill.

Mr. BOYD. We are not affecting or, rather, accusing you at all——

Senator ANDERSON. Have you a different title than I have? Does yours read: "Discoveries S. 174 Would Have Prevented"?

Mr. BOYD. It is not complete. Table 1 on page 15, "Discoveries S. 174 Would Have Prevented," means discoveries within recent years that would not have been discovered with the prohibitions of S. 174, if they had applied to these localities.

We are trying to show how difficult it is to find mineral deposits. Now, these are the discoveries that have been made in recent years. Now, we have various areas covered by S. 4 in which we cannot do any prospecting and so if there are any deposits there at all it would not have been discovered, and these are very important discoveries.

Senator ANDERSON. I do not object to that. I wish the heading would have been different, "if S. 174 had applied," but it does not apply. So therefore these are put in for the attention of people who may pick it up casually and read it.

Mr. BOYD. Well, I am sure that is not the intention of the language——

Senator ANDERSON. I realize that this was not prepared by you, but the person who did prepare it certainly used it for propaganda, because this has been repeated and dwelled on by people all over the country, that none of these discoveries would have taken place if this had been passed, and that is just ridiculous.

Mr. BOYD. Well, we have never said that, Mr. Chairman, that I know of.

Senator ANDERSON. Well, I am going to submit a request that this go in, but I would again call your attention to the fact that I would appreciate it very much personally—nobody else may—if you would review these acreages again before you make the final establishment and again say that this would involve—let's see if I can read it—66 million acres.

The prohibition of S. 174 denies the right of mineral production, you say. Therefore, some 66 million acres having a high potential for mineral deposits would be "sterilized" as far as mineral production is concerned, as you put it.

Mr. BOYD. That is right.

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Senator ANDERSON. Now, neither the Department of the Interior nor the Department of Agriculture nor the Geological Survey can confirm that.

Mr. BOYD. The 66 million acres, sir?

Senator ANDERSON. That is right.

Mr. BOYD. Well, at least, on page 8 of the document we have given the source for those figures. They all came from official sources. I see those figures have changed since the last time. I cannot keep up with the changes.

Senator ANDERSON. No, I am not saying that.

What I am objecting to is you put all the territory owned by the Fish and Wildlife Service—27 million acres—in wildlife refuge and game ranges in this list of lands "sterilized."

Mr. BOYD. If S. 4 covered them all——

Senator ANDERSON. Again, if the Atlantic Ocean had all been land Christopher Columbus could not have sailed a ship on it.

Mr. BOYD. We cannot determine which of these areas will be exempt from the provisions of S. 4.

Senator ANDERSON. I realize you cannot. Then why do you say the whole 66 million acres will be? Why do you not say, "We don't know"?

Mr. BOYD. I think the text will explain that.

We recognize that in listing the acres that some of these things will not be included in the final provisions.

Senator ANDERSON. I am sure you did not hear what I read. I read you on page 6, the second full paragraph:

> The prohibitions of S. 174 deny the right of mineral production from the lands that may be included in the National Wilderness Preseration System, and thereby, some 66 million acres having a high potential for mineral deposits would be sterilized as far as mineral production is concerned.

Now, you not only say they will all be sterilized, you also say they have a high potential. I do not believe you know what the potential is of the wilderness.

Mr. BOYD. No, nobody does. That is one of the reasons for our testimony.

Senator ANDERSON. But you say it has a high potential. The Gila wilderness is in the 66 million acres, and you say the 66 million acres have a high potential.

You have taken the White Sands down there, which is gypsum and you say it has a high potential. Maybe it does have.

You take 2 million—2.7 million acres in the—in Cape Myer, which has been pretty carefully looked at by a great number of companies, and you say that has a high potential. Who made the study that shows this?

Mr. BOYD. Well, I think in the text of our booklet, it will show why these areas lie in the areas of high potential.

Senator ANDERSON. You understand it, I am sure.

Mr. BOYD. This is a very difficult subject, sir, and I realize that we did not present it as carefully as we should have the last time. We did not have the time. We did not know the gravity of the situation. We try to do that in this document.

Senator BURDICK. Mr. Chairman?

Senator ANDERSON. Senator Burdick?

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Senator BURDICK. If there is no objection, may I suggest that we file this for the record?

Senator ANDERSON. It has been suggested that we file it with the committee, as we generally do on these things.

I hate to turn it down because he requested that it ought to be in the hearings. I have made a personal matter of this, and I hate to keep it out lest I be unfair in some way, even though it grossly misrepresents——

Mr. BOYD. Well, this is a very highly complicated subject.

It is something that has no relation to what we have been talking to before in this bill, and we have tried to condense it to the smallest volume that we would.

Senator ANDERSON. We have a lot of charts that make it most difficult for us to reproduce.

Will you be satisfied with the reproduction of just the text?

Mr. BOYD. Yes.

Senator ANDERSON. Without objection, we will reproduce the text.

(The document referred to follows:)

QUALIFICATIONS OF THE MINING AND METALLURGICAL SOCIETY OF AMERICA

The Mining and Metallurgical Society of America was founded in 1908. Its objects are the conservation of mineral resources, the advancement of mining and metallurgical industries, the better protection of mine investors and mineworkers, the increase of scientific knowledge, and the encouragement of high professional ideals and ethics.

The society is an association of individuals, not of corporations. Requirements for membership assure that each member is devoted to the field of mining or allied lines of work. Eight years of practical or professional experience, including not less than 5 years in positions of responsibility, are required to qualify for membership.

The more than 400 members of the society include leading public officials concerned with mineral resources, outstanding educators at our leading universities, and management personnel of most of the corporations engaged in the minerals industry.

The membership of the society, more so than any other similar organization, is a concentration of those persons in the United States who carry for the Nation the responsibility of maintaining our mineral productivity at the maximum level possible.

It is appropriate, therefore, that the society should study carefully the impact of the Wilderness Act, S. 174, on the responsibility its membership carries; and to study this impact, not with the viewpoint of local areas within the United States, but with the broad perspective of total domestic mineral production.

SUMMARY STATEMENT

Should S. 174 be enacted into law, the capacity of this Nation to maintain its productivity of mineral raw materials will be severely impaired. Such impairment has foreboding implications reaching deep into our economic structure that are contradictory to the demands on this Nation, as the bulwark of Western civilization, to maintain maximum economic strength and maximum military might.

More than 64 million acres of federally owned lands are specified in S. 174. Nearly 1,500,000 more acres could become subject to this act. The total of almost 66 million acres is larger than the combined area of nine States in the Northeastern United States—Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, Connecticut, New Jersey, Delaware, and Maryland. It is almost as much area as the State of Arizona or the State of Colorado.

The large area embraced by S. 174 should be viewed in connection with all federally owned lands withdrawn by all governmental agencies.

S. 174 specifies less than 60 percent of the more than 114 million acres withdrawn by all governmental agencies. This area is larger than California;

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it is about the same size as Arkansas, Missouri, and Iowa combined; it is larger than Oregon and Washington together.

These comparisons merely of area do not tell the true story of the detrimental effects of S. 174. A valid comparison must weigh both the potential for mineral production and the fact that mineral deposits are depleting assets of this Nation and nonrenewable resources. The lands subject to S. 174 have a potential for mineral production as high as any lands in this country, and furthermore, these 66 million acres comprise a large percentage of the lands that have a high potential.

The prohibitions of S. 174 deny the right of mineral production from the lands that may be included in the National Wilderness Preservation System, and thereby, some 66 million acres having a high potential for mineral deposits would be sterilized as far as mineral production is concerned.

This undesirable circumstance is proposed by S. 174 in spite of the insignificant interference mineral production would have with the objective of wilderness preservation. The area withdrawn by governmental agencies is larger than the States of Idaho and Washington. Yet the 164 active mining operations in these States occupy an area that is only 128,500 acres—128,500 acres out of a total of 95,626,880 acres—merely 0.13 percent. We will show that the objectives of wilderness preservation and mineral production both can be achieved without serious damage to either.

An appropriate amendment to S. 174 would allow mineral production and wilderness preservation to stand side by side; it would make available to the Nation the benefits of both maximum supply of mineral raw material and wilderness. Such an amendment clearly is in the best interest of our national welfare, economic vitality, and military prowess. The society urges the Congress to consider favorably the principle contained in the amendment to S. 174 recommended in this testimony.

### IMPAIRED CAPACITY FOR MINERAL PRODUCTIVITY

An impairment of capacity for mineral productivity is contrary to the demands on this Nation in the present struggle in which we are engaged. The adverse effects insidiously ramify throughout every segment of our national endeavors.

A maximum level of domestic mineral productivity is a counterbalance to price increases resulting from an increase in demand for mineral raw materials from foreign sources. The foreign supplier is kept in the position of competing in, rather than exploiting, the U.S. market. Domestic mineral productivity enhances the competitive position of U.S. industry; its denial would weaken the ability of U.S. industry to compete in international markets.

A corollary to larger demand on foreign sources of supply is greater insecurity with respect to a continuous adequate supply. The response to these circumstances is less impetus for our industry to modernize or expand existing facilities and to construct new facilities. Instead of adding attraction for domestic industrial development, incentive is added to the growing trend for new facilities to be erected at foreign sites of available raw materials. The result is a loss of a portion of our industry.

The loss of this portion of industry ramifies throughout every segment of our economic structure because no product or service can be provided without utilizing material of mineral origin in some form. Capital investments create job opportunities; jobs, generate income or purchasing power; purchasing power sustains our standard of living and provides the tax revenues to support governments and public works. Denial of mineral production is denial of the opportunity for capital investments required for new mining endeavors, for the facilities to process the ore, the facilities to fabricate the material recovered from the ore, the facilities to distribute these products, to sell them, and for the facilities that provide goods and services to all these enterprises. The job opportunities created by these investments are lost to a growing labor force, purchasing power diminishes, the velocity of trade slows, and the standard of living slips backward from what it could be. Tax revenues for local, county, State, and Federal Governments that would be, are not forthcoming. Public works programs are denied, roads are not built, sanitation facilities are not installed nor modernized, schools and hospitals that could be, will not be. All these effects of denied mineral production are contradictions to the economic best interest of this Nation.

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The security of this Nation would be less firm. Supply lines that now spread across oceans and continents will become longer and wider. They will be more difficult to maintain, and indeed, under the emergency of war, perhaps impossible to maintain. The greater dependency on foreign sources of supply means any interference with supply will be felt more acutely. Interference with supply caused by political strife beyond our control would be a pinch that could become intolerable under the dire circumstances of war.

LANDS SUBJECT TO S. 174

S. 174 specifies the lands that are subject to inclusion in the National Wilderness Preservation System as follows:

Sec. (3)(b)(1) "* * * 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: * * *."

Sec. (3)(1) "* * * 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 5,000 acres or more without roads.".

Sec. (3)(d) "* * * 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 * * *".

The area within the national forests classified as wilderness, wild, primitive, or canoe as of December 31, 1960, are listed in Forest Service document 5177, and the total acreage of all such areas is 14,661,416 acres. The acreage of each classification is:

| | *Acres* |
|---|---|
| Wilderness | 4,888,173 |
| Wild | 979,154 |
| Primitive | 7,907,416 |
| Canoe | 886,673 |
| Total | 14,661,416 |

The precise acreage embraced in continuous areas of 5,000 acres or more without roads within the national park system has not been available from any of our points of inquiry in the Government. An approximation of this acreage is the total area within the national park system, because only a small percentage of the total area is developed. As of June 30, 1961, the national park system comprised 22,350,092 acres. In addition, applications for withdrawal of 69,853 acres for expansion of the national park system were pending action on June 30, 1961. At this moment, proposals are offered to establish two additional units to the national park system in Utah and Nevada and these units would contain 453,000 acres.

The Statistical Appendix to the Annual Report of the Director, Bureau of Land Management, for 1961, lists a total of 27,228,555 acres in wildlife refuges and game ranges. In addition, 878,734 acres are under applications for withdrawal for which action was pending on June 30, 1961.

The sum of all these lands is 65,641,650 acres. This area is 8.5 percent of all the Federal-owned lands in the 50 States. But these lands are less than 60 percent of all the Federal-owned lands withdrawn by all governmental agencies.

FEDERAL LANDS WITHDRAWN BY GOVERNMENTAL AGENCIES

The Statistical Appendix to the Annual Report of the Director, Bureau of Land Management, for the fiscal year ended June 30, 1961, shows that as of June 30, 1960, withdrawals by all governmental agencies totaled 100,896,335 acres. Between June 30, 1960 and June 30, 1961, an additional 11,303,228 acres were withdrawn by Executive orders that include 5,000 acres or more. On June 30, 1961, nonmilitary applications for withdrawal pending action totaled 2,093,741 acres. Two new units proposed for the national park system in Utah and Nevada comprice 453,000 acres. The grand total is 114,246,304 acres, or 14.8 percent of all Federal-owned lands.

The gage of percentage of land area is not the real measure of importance. The potential these lands have for mineral production must also be weighed in our considerations.

THE POTENTIAL FOR MINERAL PRODUCTION

There is a hand-in-glove coincidence of wilderness environment and potential for mineral raw materials. This coincidence is not an idle claim, it is instead an irrefutable scientific axiom originating in the geologic events responsible for both

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Neither is in change; but it is the inescapable and inseparable construction from the design of nature.

Wilderness is wilderness because it is inaccessible and has escaped the advances of man. It is inaccessible because it is rugged terrain, so carved by erosion. It is rugged terrain because it is mountainous; and every student of geology knows it is mountainous because of the geologic events that formed the earth's crust and lifted large segments of it to be carved by erosion into mountain ranges. The same geologic events that lift segments of the earth's crust to form mountains also form mineral deposits. Some of the former mountainous regions have been eroded to flatlands and some remain as mountains. In either instance those regions are the hunting grounds where the feast or famine of mineral raw materials will be decided.

The map, figure 1,[1] shows the distribution of mineral occurrences for 18 different materials in the 48 States. It has been compiled from metallogenic maps prepared by the U.S. Geological Survey and data from the 11 Western States. Notice the predominance of mineral occurrences in the regions that are mountainous. Their pattern graphically depicts the Appalachians from Alabama to Maine, the eastern edge of the Rockies in New Mexico and Colorado, the Sierra Nevada in California, the Coast Range in Oregon and Washington, and other mountain ranges members of the committee will recognize.

Note the predominance of these mineral occurrences in the 11 Western States, which of course, are the Mountain States. Because of this predominance and the fact that more than half of the lands withdrawn are in these States, we will henceforth refer just to them.

The map, figure 2, shows some of the lands subject to S. 174, some of the other Federal-owned lands withdrawn by all governmental agencies, and some of the areas where the rock formations that are apt to contain mineral deposits are so deeply buried by material devoid of mineralization that such deposits are beyond the reach of present methods of mineral prospecting. There are more than 11 million acres of Federal-owned lands withdrawn by all governmental agencies not shown on the map, and there are additional lands withdrawn for which an acreage measurement could not be found by our search.

The lands subject to S. 174 are 32,400,000 acres. The precise location of some areas could not be learned and some areas are not plotted because they are too small to show at the scale of this map. A little more than 530,000 acres are now shown on the map in red.

Other Federal-owned lands withdrawn, pending action, and proposed for withdrawal by all governmental agencies are 31,500,000 acres. For the same reasons as above, only 20,700,000 acres are shown on the map in green.

The area in yellow on the map shows where the rocks likely to contain mineral deposits are so deeply buried that the geologic environment is not amenable to mineral prospecting. An estimated 20 percent of the total area of these States is included in this category. Twenty percent is equivalent to 150,700,000 acres. If this area is eliminated, the Federal-owned lands withdrawn by all agencies comprise 10.5 percent of the remaining area of the 11 Western States.

There are 353 locations where there has been mineral production within the lands subject to S. 174. The normal expectation is that the life of a mining operation will be extended by the discovery of additional ore in the area adjacent to the mine. S. 174 denies this privilege and opportunity. The history of mining is replete with example of new discoveries adjacent to known mineralization, and each instance reiterates the potential for mineral raw materials that is demonstrated by existing mineralization.

As convincing as are these hundreds of locations of mineral production as a demonstration of the potential of the specific lands subject to S. 174, they do not measure that potential. Many tools and techniques of modern prospecting effective in the search for mineral deposits hidden below the surface were not used in the discovery of these deposits. The mines relate to mineralization exposed at the ground surface. The great potential for the hidden mineral deposits is not yet demonstrated.

The inaccessibility of the wilderness environment imposes a natural limitation on prospecting. The tools and techniques that are aids in the search for hidden mineral deposits obviously are used first in areas of high potential for mineral deposits that are most easily accessible. The helicopter has alleviated somewhat the difficulties of inaccessibility, and as a result, the wilderness areas have received an increasing amount of prospecting attention in recent years. Ade-

[1] The figures referred to in this statement are placed in the committee files.

quate mapping, both topographic and geologic, is a desirable prerequisite. The U.S. Geological Survey reports that for the lands situated in the 11 Western States and subject to S. 174 only 51.9 percent are covered by published topographic maps with a scale of 1 inch to 1 mile or larger, and merely 10 percent are covered by published geologic maps with that scale. Topographic mapping is now in progress on 13.6 percent of these lands and geologic mapping is in progress on 17.4 percent. In addition, topographic mapping programs planned for the next 3 years will cover 5.8 percent of these lands and geologic mapping programs will give coverage to 1.5 percent. These areas will receive more and more prospecting attention in the future.

The attention already given to these areas by prospecting teams is an established practice of use. It is an established practice that merits perpetuation just as grazing, and the use of motorboats and aircraft were perpetuated in section (6)(c)(1) and section (6)(c)(2) of S. 174.

S. 174 DENIES MINERAL PRODUCTION

The prohibition of certain uses of these lands is stated in section (6)(b), page 13:

"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, * * *."

This general statement of prohibition is modified by these special provisions:

Sec. (6)(c)(1), page 14:

"* * * the use of aircraft or motorboats where these practices have already become well established may be permitted to continue * * *."

Sec. (6)(c)(2), page 14:

"* * * the President may * * * authorize prospecting * * * mining * * * 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;"

Sec. (6)(c)(8), page 17:

"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."

However well intended these special provisions may be, they are meaningless in the face of the facts of mineral production.

Mineral production is a commercial enterprise that is the culmination of a series of activities. If any one activity is impeded, the series is broken, and mineral production never is achieved. Should it be possible to predetermine that any one or more of the activities is prohibited, prudence would preclude embarking upon a program designed to reach mineral production.

The first step toward mineral production is prospecting. This activity is the search for and the recognition of localities favorable for mineral deposits. Next, it must be demonstrated that mineralization exists in these localities, that is, a discovery must be made. Then it must be proved that it is feasible to establish an operation. If these steps are completed satisfactorily, the end point of the progression is an operation, and mineral production is achieved.

Each step is undertaken only if the preceding one is completed successfully and assurance is given of the right to do the things necessary in each succeeding step. There will be no prospecting if this activity is not permitted; there will be no discovery if there is no prospecting; one cannot prove the feasibility of an operation if there is no discovery; mineral production will not be achieved if an operation cannot be proved feasible. Fundamental to this sequence is the fact that no prudent man will undertake prospecting without assurance of the rights to produce from a mineral deposit he may discover.

S. 174 denies mineral production, the special provisions notwithstanding, because it—

1. Limits prospecting to the primitive methods of our forefathers, that is, virtually to visual observation, a two-dimensional technique that is noneffective in the search for mineral deposits that lie below the ground surface, and is wholly inadequate to keep the pace of discovery demanded by

the consumption rate of our industrial economy; limits prospecting by limiting the means of access to the most primitive methods, and thereby, destroys efficiency, expediency, and mobility so vital to this activity.

2. Prohibits the use of equipment that is necessary to the process of discovery, and thereby, prohibits the discovery of mineralization beneath the ground surface.

3. Prohibits the activities that provide the data to prove or disprove the feasibility of an operation. This prohibition also makes it impossible to assemble the data on which to base an application for Presidential decision for prospecting and mining, and to provide the data on which a Presidential decision could be based to alter the status quo.

4. Fails to give an assured right that a mineral deposit could be mined, and thereby, yield mineral production.

## CHARACTERISTICS OF MINERAL DEPOSITS

The problems to be met and overcome by prospecting arise from the characteristics of mineral deposits.

A mineral deposit is a collection of useful minerals in the earth's crust in concentrations that may be economically extracted and processed by the existing technology. These concentrations are formed by geologic events; they cannot be created nor cultivated by man. Each deposit mined out cannot be renewed, it can be replaced only by the discovery of another. Some mineral deposits have been exhumed by erosion and are exposed at the ground surface; other deposits are still buried in the rocks beneath the surface; and many deposits once existed in the rocks formerly above the present ground surface and which have been removed by erosion.

Mineral deposits are exceedingly rare phenomena in nature. They must be found where they were formed, and they must be harvested where they are found. A prominent geologist has calculated that all the metal mines in the United States, if placed one next to the other, would occupy an area less than 30 miles by 35 miles. This area is only three times the size of New York City; it is smaller than Long Island. It is a ratio to the total area of the 50 States of 1 in about 4,000.

Mineral deposits are scattered from Maine to California and from Alaska to Florida. This distribution is not random nor promiscuous; but it is an orderly and systematic pattern reflecting the geologic events that formed the earth's crust.

A mineral deposit is a small target. It has a finite size, although it may have a variety of shapes. Some deposits are linear; the cross sectional dimensions are small in relation to the length. Some deposits are tabular; two dimensions are much larger than the small third dimension. Few deposits have three dimensions that are large, and one can count on the fingers of both hands the number of deposits that occupy a surface area as great as a single square mile.

## PROSPECTING

Prospecting is the process of searching for and recognizing localities where the geologic environment is favorable for mineral deposits. The two elements, search and recognition, each demands its privilege to be effective; the search demands the privilege of efficient and mobile access; the recognition demands the privilege of observation, test, and measurement that reveals the geologic environment and identifies its favorability. The denial of either privilege is denial of modern prospecting; the restriction of either privilege is a severe impediment.

Prospecting is a sorting process; the separation of area deemed unfavorable from area judged favorable for mineral deposits. A mineral deposit is indeed a "needle in a haystack." The task is to work from the large area to the small area, from the vague to the specific. Initially, prospecting considers large regions, because the geologic events that form mineral deposits took place in large regions. The process of sorting selects small areas. The small areas are scrutinized carefully, tested and measured with all the appropriate tools and techniques available to modern prospecting. The goal is to determine the nature of the geologic environment of each area and to reveal the site that has the best chance for mineralization.

The principal factor that differentiates modern prospecting from that of former days, typified by the classic prospector and his burro, is the attention now given to the third dimension of the geologic environment. This environment is three-dimensional, and the recognition of it must consider all three dimensions. The

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training of personnel emphasizes the deductive ability, the ability to project from the known two dimensions into the unknown third dimension. The considerable research and development programs deal almost entirely with tools and techniques that provide information about the third dimension of geologic environments.

Inaccessibility is the keynote of wilderness; indeed, the wilderness environment remains because the area is difficult of access. Most of these lands are alpine in character and high in elevation. They are snow-free for only a short period, 2 to 4 months each year. The prospecting period likewise is short. Under these conditions, efficiency demands mobility. It has become general practice to utilize helicopers for transport and supply in modern prospecting of the wilderness evironment. Helicopters have become the burro or packhorse of today. S. 174 prohibits "* * * landing of aircraft nor any other mechanical transport or delivery of persons or supplies * * *." This prohibition limits the means of access to the most primitive methods, and the means of prospecting virtually to visual observation.

Visual observation is a two-dimension technique that, used alone, is effective only if the mineral deposit is exposed at the ground surface. This technique has served this Nation and the world well by revealing many reservoirs of metals that have made possible our industrial economy. Visual observations alone are no longer adequate to maintain the pace of discoverey demanded by the rate of consumption of that industrial economy. The mineral deposits not exposed at the surface, but hidden beneath the surface, must be found too if we are to preserve the strength an security of our economy and this Nation.

Those mineral deposits hidden beneath the surface may be indicated when the third dimension of the geologic environment is known. The third dimension becomes known when visual obseravtions are augmented by tests and measurements made by the tools and techniques of modern prospecting. Many adjuncts to geology from the sciences of geophysics and geochemistry are used routinely. Continuing research and development promise still other tools and techniques for the future, and the denial of the privilege to apply them is prohibitive to modern prospecting and contrary to the national policy of promoting research and development in all fields of endeavor which contribute to our prosperity and security.

S. 174 denies that privilege.

RECENT DISCOVERIES OF HIDDEN MINERAL DEPOSITS

A measure of what that denial means is indicated by the imposing, but not complete list, table 1, page 15, of hidden mineral deposits discovered within recent years that would not have been discovered if the prohibitions of S. 174 had applied to those localities.

TABLE I.—*Discoveries S. 174 would have prevented*

| Name of deposit | Metal content | General location | Discovery date | Thickness of cover (feet) | Methods of discovery |
|---|---|---|---|---|---|
| Pima | Copper | Arizona | 1952 | 200 | Magnetometer, electromagnetics. |
| Mission | do | do | 1954 | 200-400 | Magnetometer, induced polarization. |
| Shoshone | Lead, zinc, gold, silver. | California | 1952 | 200 | Geology, drilling, drifting underground. |
| Desert Eagle | Iron | do | 1956 | 1,500 | Magnetometer. |
| Mann | do | do | 1958 | 1,400 | Do. |
| Indian Creek | Lead, zinc | Missouri | 1949 | 800 | Geology, drilling. |
| Pea Ridge | Iron | do | 1952 | 1,400 | Magnetometer. |
| Viburnum | Lead | do | 1955 | 500-1,000 | Geology, drilling. |
| Piute | Iron | Nevada | 1952 | 700-900 | Magnetometer. |
| Yerington | Copper | do | 1941 | 0-200 | Geology, drilling. |
| Do | Iron | do | 1959 | 300 | Magnetometer. |
| Grace | do | Pennsylvania. | 1950 | 1,500 | Do. |
| Jefferson City | Zinc | Tennessee | 1948 | 1,000 | Geology, drilling. |
| Young | do | do | 1950 | 800 | Do. |
| Burgin | Lead, zinc, silver. | Utah | 1959 | 1,000 | Geology, geochemistry. |
| Shirley Basin | Uranium | Wyoming | 1957 | 300 | Geology, drilling. |

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This Nation could be without important new sources of metals. A lead district in southeastern Missouri, discovered just 7 years ago, promises to more than replace the Missouri "Lead Belt," which is now nearing exhaustion of economic ore reserves. The Lead Belt, as you know, has been the leading domestic producer of lead since 1915. Fortunately, this valuable, but nearly depleted, asset of this Nation is replaced by a new discovery. Our economy would be denied the comfort of domestic copper that will flow for many years from two major mines south of Tucson, Ariz. The outflow of U.S. dollars will be a little less because we will be less dependent upon the imports of zinc by reason of the additional capacity offered by discoveries in Tennessee. The reserves of iron ore in this Nation would be substantially smaller without the discoveries beneath nonmineralized surface in Pennsylvania, Missouri, California, and Nevada.

Consider, too, what these discoveries will mean in terms of capital investments, employment, taxes, and local economic health. The Viburnum development in southeastern Missouri called for an investment of $20 million and it means a new community, modern schools, and hospital facilities for an area not so served previously. Employment at eventual production will be some 350 persons. The local, county, State, and Federal taxes flowing from this endeavor and the employment it creates will be an important contribution to each political division. Compound this picture by adding the Pea Ridge development which will employ some 1,000 persons and take some $40 million investment, the Mission development which will employ 425 persons and require an investment of $35 million, the Grace Mine development which employs approximately 1,000 persons and required an investment of $60 million and we begin to realize the ballooning significance of mineral discoveries.

The application of modern prospecting tools and techniques interfere so slightly with the wilderness environment, and then for such a short period of time, that the benefit to the Nation as a whole of mineral discovery outweights this interference.

TOOLS AND TECHNIQUES OF MODERN PROSPECTING

*Airborne reconnaissance systems*

The aircraft in these photographs, figures 3 and 4, are equipped with several measuring systems: a magnetometer to measure the earth's magnetic field; an electromagnetic system to measure the electrical conductivty of the rocks and minerals; and a system for measuring the radioactivity emanating from the rocks. The aircraft flies over the terrain at low altitude, 500 to 1,000 feet, following the contour of the land surface. It flies a predetermined pattern that is systematic. The magnetic, electromagnetic and radioactive properties of the area flown are measured and recorded. The interpretation of these data assist the geologist and the geophysicst to unravel the geology of the area. These measurements supplement what can be learned from visual observation. This technique prospecting a reconnaissance type of operation, and large regions, as much as several million acres, may be flown.

There is, of course, no interference with the wilderness environment in this operation.

The data so acquired contribute to the identification of one or more small areas that merit careful and detailed scrutiny. Simlar systems of measurement, and others not adaptable to flight, are used on the ground in the follow-up programs in the small areas. These small areas are not likely to be larger than a few hundred acres.

The ground followup program may employ any appropriate combination of several tools and techniques that test and measure the geologic environment. Some of these tools and techniques are described herein in some detail in order that you may develop a clear picture of what is involved in their use and judge the extent their application would interfere with the wilderness environment.

*Ground magnetometer*

The photograph, figure 5, shows a ground magnetometer in use in the field. The pattern of the earth's magnetic field is due to many features, including mineralization of some types. Under the right set of circumstances, magnetic patterns may give a clue to the presence of mineral deposits. The ground magnetometer is portable; it is carried in the field by the operator; it leaves no mark of its use or presence. There is no interference with the wilderness environment in the use of this instrument.

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*Ground electromagnetic system*

The photograph, figure 6, shows an electromagnetic system in use. It utilizes an alternating electromagnetic field to measure by induction the distribution of electrical conductivity in the earth. Many things in the earth's crust are conductive to electrical current, including some kinds of mineralization. The equipment is portable; it is carried in the field by the operating crew; it leaves no mark of its use or presence. The system uses electrical current, and this current is generated at the site by either batteries or a portable motorized generator, depending upon the depth to be investigated. The use of this motorized generator is prohibited by S. 174, although its use would interfere with the wilderness environment in no way.

*Induced polarization system*

The induced polarization measures the loss of voltage that occurs when electrical current applied by contact with the ground passes from barren rock to metal sulfide minerals. Metal sulfide minerals are the most important sources of many metals. The equipment is portable; it is carried in the field by the operating crew; and it leaves no mark of its use or presence. Electrical current is necessary to this system, and it is generated at the site either by batteries or a portable motorized generator. The use of this equipment would have no effect on the wilderness environment.

*Resistivity system*

The resistivity system has been used in mineral prospecting since the 1920's. It measures the resistance of the rocks in terms of the voltage drop between metal stakes that are moved to various positions on the surface. Some types of mineralization are more resistive and other types less resistive than barren rock. The equipment is portable; it is carried in the field by the operating crew; and it leaves no mark of its use or presence. The use of this system does not interfere with the wilderness environment. An electrical current is necessary to this system, and again, either batteries or a portable motorized generator is used to produce the current.

*Gravity system*

The photograph, figure 7, shows a gravity survey in progress in the field. Some mineral deposits are more dense than the surrounding host rock and the differential in density may be a clue in the search for them. Elevations are necessary to gravity determinations, and levels must be run with a transit or spirit level. Lines of sight must be established, and in some places, this may mean cutting a branch or two from a tree. The gravimeter is portable, it is carried by the operator; it leaves no mark of its use or presence. There is no interference with the wilderness environment other than the slight scratch of a cut branch which is soon healed and obliterated.

*Geochemistry*

The advances in the field of geochemistry in the past 10 years have been remarkable. One important geochemical consideration in prospecting is the presence in minute quantities of elements related to mineralization. Some of the related elements may be concentrated as a halo to the mineralization. These concentrations are not discernable to the eye, but they are revealed by the geochemical tests, and they may be signposts to hidden mineral deposits. The material sampled may be water, soil, rock, and leaves and twigs from the vegetation. Taking a water sample leaves no trace of having done so. A soil sample is no more damaging to the wilderness environment than the track of a deer in the mud. A sample taken from the rock is completely unnoticed except by the practiced eye. A sample of leaves and twigs from the vegetation is less damaging than the browsing of animals.

*Drilling*

The photograph, figure 8, shows a diamond drill on a drill site in the wilderness environment. This equipment was moved to this site and serviced by helicopter. It may be on this location for a period of a few weeks, depending upon the depth to be drilled. The hole it makes is 2 to 3 inches in diameter, and is plugged after completion. The disturbance of the wilderness environment is slight, indeed, and then for only a very brief period.

Other components of modern prospecting not detailed here include—

Seismic—which measures the speed that shock waves travel through the different layers of rock.

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Radioactive—which measures the radioactivity of some minerals in the rock.

Radioactive age dating—which gives us a yardstick to relative ages of the different rocks.

Isotope ratios—which provide clues to the origin of some elements in the rocks.

Alteration studies—which reveal the changes in the rock that result from the passage of solutions directly or indirectly related to the emplacement of mineral deposits.

AFMAG—which measures the distortions in the electromagnetic field caused by material with electrical conductivity. The electromagnetic fields are produced by natural earth electrical currents caused by lightning, sunspot activity, etc.

The continuing research and development programs promise still other new systems for the future. Very low frequency electromagnetic waves now used for submarine communication likely will have some application to mineral propecting. Rapid trace element sampling of the rock from low flying aircraft may become feasible using radioactive spectroscopic and infrared master techniques. Natural earth current and associated electromagnetic fields of the earth will become more understandable to us, and they may be significant to indicate conditions at depth in the earth's crust. The great sensitivity of the rubidium vapor magnetometer may expand our sphere of knowledge of the magnetic phenomena. Importantly, our ability to interpret the data provided by these systems will become more refined and assured.

The systems described herein and mentioned are the tools and techniques of prospecting today and tomorrow. Their use in the wilderness environment demands only efficient access, but their usefulness is greatly enhanced by mechanical sources of energy. A helicopter can deliver these systems to the site, and it requires not much more space than your backyard as a landing place. Mechanical sources of energy—motorized generators—for a short time disturb only the wilderness quiet, not the wilderness environment.

The men who apply these systems are visitors to the wilderness, and they do no more damage than other visitors. Their attention is directed toward a small area for a short period of time. Yet this work is part and parcel of modern prospecting.

S. 174 limits the means of access to the most primitive methods and denies the efficiency and mobility so vital to modern prospecting. At a time of great emphasis on exploration of outer space, we should not mitigate the prospecting of inner space where lies our fundamental source of strength.

S. 174 prohibits the use of an important segment of the tools and techniques of modern prospecting and reduces prospecting virtually to visual observation, a two-dimensional technique that is inadequate to keep the pace of discovery demanded by the rate of consumption of our industrial economy.

The use of these tools and techniques is an insignificant interference with the wilderness environment. The denial of their use will deny this Nation the opportunity of discovery of the important new sources of basic wealth provided by mineral deposits.

THE PROSPECTING CHALLENGE

The demands on prospecting for new sources of mineral raw materials is most challenging. If the industrial consumption of a few vital mineral raw materials is converted to terms of ore, the magnitude of that challenge is most aptly expressed.

Our industry in 1961 consumed copper equivalent to 180 million short tons of ore; the lead consumed is equivalent to 34 million short tons of ore; our farms add to the land each year as fertilizer the equivalent of about 14 million long tons of phosphate rock and 15 million short tons of potash.

Those volumes are part of the challenge of mineral prospecting. That much new ore must be found and developed each year if we are to maintain our capacity for mineral production. To meet that challenge successfully, we must retain every opportunity to do so; we must not deny ourselves the right to discover and produce these and other minerals from the 66 million acres subject to the prohibitions of S. 174 for mineral production.

These comments refer to the minerals used today. Who can say now which mineral raw materials will be needed in the next decade, the next century? Less than two decades ago the demand for uranium was nil, but today it is a large segment of the minerals industry. Beryllium, rare earths, and niobium

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or columbium are other examples of materials that may be in much greater demand in the foreseeable future. Undoubtedly technical advances will call for mineral materials not considered in the past nor today. S. 174 would not permit the search for nor production of these minerals from nearly 66 million acres of our lands.

TABLE 2.—*Industrial consumption of some mineral raw materials in terms of ore—1961 estimates*

| | | *Millions* |
|---|---|---|
| Bauxite (aluminum) | long tons | 9 |
| Copper | short tons | 180 |
| Iron ore | long tons | 71 |
| Lead | short tons | 34 |
| Zinc | do | 18 |
| Molybdenum | do | 6 |
| Fluorspar | do | 2 |
| Gypsum | do | 18 |
| Phosphate rock | long tons | 14 |
| Potash | short tons | 15 |
| Salt | do | 25 |
| Sulfur | long tons | 6 |

DISCOVERY

Discovery is the next step in the direction of mineral production. Discovery is the process of demonstrating mineralization in place in the rock. If the mineral deposit is exposed at the ground surface, a discovery may be established merely by digging a pit or trench. If the mineralization lies below the surface, we must dig deeper to establish a discovery. Digging deeper is accomplished by driving adits or tunnels, sinking shafts, or more commonly, by drilling. In either case the end point that must be accomplished is to intersect mineralization.

These methods of establishing a discovery require equipment to supplement human energy. This equipment must be moved to the site; it is motorized. The site to which this equipment is moved is small. Whereas prospecting is applied in reconnaissance to large regions, as much as several million acres, and applied intensely to small areas, as much as a few hundred acres, discovery takes place at a point, at a spot. The area involved is merely a few acres.

More often than not, digging deeper fails to establish a discovery. In this event, the disturbance of the surface quickly is obliterated by the inexorable advance of natural growth and erosion.

The process of discovery is denied by S. 174.

The prudent man certainly will not undertake prospecting if there is no opportunity to make a discovery in places he may judge favorable for mineral deposits. Thus, the series of steps leading to mineral production is broken irrevocably. Mineral production is denied; the Nation is the loser; the people are the victims, our opponents are comforted.

PROOF OF FEASIBILITY OF EXTRACTION

The process of proving feasibility of extraction involves many things. The size and grade of the deposit must be measured; the shape and attitude of it must be determined; the amenability of the ore to processing must be learned; and it must be shown with reasonable certainty that the recoverable value will exceed the cost of extraction and processing.

Many intersections of the mineral deposit are needed to define its boundaries and provide representative samples to measure the grade of the ore. Drilling, pitting, trenching, and underground openings through the deposit are common methods of making these intersections. Such work is beyond the efficiency of human energy; motorized equipment is required, and access is needed to move it to the site.

These activities are carried on under temporary conditions, temporary roads, temporary camps, etc., in deference to the fact that more discoveries fail to measure up to the feasibility of extraction test than prove feasible to extract. The first significant encroachment on the wilderness environment occurs in this step. In the event of failure to measure up to the feasibility of extraction test,

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this encroachment has been only momentary. The area disturbed reverts to nature in the span of a few short years.

S. 174 would not permit doing the things necessary to prove feasibility of extraction. Without this determination, we ask, how could the President judge the use of an area for prospecting and mining "* * * will better serve the interests of the United States and the people thereof than will its denials"? In fact, how could anyone have a basis for requesting a decision from the President if it could not be proved that a mineral deposit existed and that it was feasible to extract it? The answer to these questions, of course, is the President would have no basis for judgment, no reason to alter the status quo. S. 174, by its own terms of limitations, precludes this Presidential prerogative.

MINERAL PRODUCTION NOT A SERIOUS INTERFERENCE WITH WILDERNESS PRESERVATION

The conflict between wilderness and mineral production is negligible, but this fact is appreciated only when their relationship is placed in its true perspective.

The four steps to mineral production reviewed previously established that wilderness is usurped by mineral production only when installations have been made to extract and process the mineral deposit. And then, the wilderness is voided for a finite time, the life span of the operation. After the deposit is mined out, the small area occupied reverts to nature and, in due course, the wilderness environment is reestablished.

Prospecting, the first of the four steps to mineral production, scarcely interferes with the wilderness environment at all. The next step, discovery, slightly interferes with wilderness for a brief time only and at a specific spot only. When attempts at discovery fail, any traces of those attempts are quickly obliterated by the inexorable advance of nautre. When a discovery is established, the third step is reached in the progress toward mineral production. The proof of feasibility of extraction requires activities similar to discovery activities, but instead of being applied to a spot, they are used in areas that may be as large as a few hundreds of acres. Should the proof of feasibility fail its tests, the evidences of these efforts quickly disappear.

Installation for extracting and processing the ore from mineral deposits does usurp wilderness. The important question, through, is how much?

In the State of Idaho, 89 active mines occupy an area of 68,500 acres, which is 0.120 percent of the 52 million acres within the State. Similarly, 149 active mines in Montana involve 119,200 acres or 0.127 percent of the area of the State. Too, 75 active mines in Washington occupy 60,000 acres or 0.141 percent of the area of the State.

These States are 3 of 11 Western States; they contain 3.2 of 11 parts of the lands subject to S. 174. The figures above are deemed valid as an order of magnitude for the amount of wilderness it is expected mineral production may ursurp.

Indeed, wilderness and mineral production can exist side by side; the objectives of both can be achieved without serious damage to either. One-tenth of 1 percent is an insignificant amount of wilderness to give up for the rewards to the Nation of mineral production. This Nation can have both its mineral productivity and more than 99 percent of the proposed wilderness.

The photograph, figure 9, shows the White Pine Mine of the Copper Range Co. The surrounding lands are forests, although they are not proposed for wilderness preservation. They are largely privately owned lands. Here is a graphic portrayal of the wilderness-like area occupied by this large mining operation. The area is small indeed when compared to the vastness of the region showing in the background to the horizon. Note, too, this is the only mining operation within the scope of this picture. Truly mineral production is an insignificant interference with wilderness environment.

The photograph, figure 10, shows a mine, if you look closely, in a truly wilderness area. This mine is the Premier Mine near the Alaska-British Columbia border. Can the interference of this locale of mineral production be viewed as anything other than insignificant to the vast wilderness you can see, and which continues beyond the reach of this view?

The examples given here to illustrate the true perspective between wilderness and mineral production could be augmented by many more. But the facts would remain the same; mineral production is not a serious interference with wilderness. Rather, it is an insignificant interference with wilderness.

PROPOSED AMENDMENT FOR S. 174

The members of the Mining & Metallurgical Society of America are concerned about the adverse impact of S. 174 on the capacity of this Nation to maintain its mineral productivity at the maximum level possible. Accordingly, the society adopted the resolution of August 1, 1961, calling for amendment of S. 174. A copy of this resolution was transmitted to each member of the House Interior Committee prior to September 30, 1961.

The society believes it is not in the best interest of our national welfare, economic vitality and military prowess to deny the opportunity and right of mineral production from the lands that may be included in the National Wilderness Preservation System. Furthermore, the society believes that mineral production and wilderness preservation can stand side by side, that this Nation can retain its full capacity for mineral production and still preserve more than 99 percent of its wilderness.

It is to achieve this end that the membership of the society adopted the resolution quoted below:

"*Now, therefore, be it resolved*, That the following amendment to Senate bill 174 ("Wilderness Act") be added as subparagraph (8) to section C, subsection (c):

"(8) Anything in this Act to the contrary notwithstanding lands within the Wilderness System shall continue to be open to prospecting and subject to location and entry in the same manner and to the same extent as under existing mineral laws of the United States and the rules and regulations applying thereto.

We urge the members of this committee to consider favorably and recommend to the Congress the principle contained in the recommendation of this resolution for amendment of S. 174.

Senator ANDERSON. I agree with the Senator from North Dakota that this is a delicate subject that has bothered us a great deal and without objection that will be done.

Mr. BOYD. Shall I proceed, sir?

Senator ANDERSON. Yes, you may proceed.

Mr. BOYD. I should like to say at this juncture that we in the mining industry owe this committee and the Senate an apology for not having this information available for your deliberations in the last session of Congress. This was a grave oversight, but I must say in our defense that we did not recognize the gravity of the problem until it was too late to get all of these data together. Unfortunately, this information is not available in one place in Washington and had to be assembled by mail and through visits to the field agencies of the various departments. As you will see, we have not as yet been able to find all of the data needed to complete the maps, but enough is available to illustrate the problem.

As organizer and director, until 3 years ago, of one of the largest prospecting organizations in existence, I can vouch for the fact that the application of the tools of modern prospecting is extremely expensive. Our experience showed us that it takes approximately $80,000 per year to support a geologist in the field with his salary, his transportation, and the tools necessary to back up his judgment and test out his ideas as to where new deposits may be found. Ore deposits are extremely rare accidents of nature in that a coincidence of a number of geological events must have taken place in one geographical location to produce them. Therefore, geologists must range over vast areas to trace the results of these events and to find where these coincidences have occurred. During this period of prospecting, he does not disturb the surface of the land in any measurable way.

It is of vital importance to distinguish between prospecting, development, and actual mining. Prospecting requires free access to vast

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areas of land and would have no noticeable effect upon them. Development covers very limited areas selected by the prospecting process, and any small modifications to the surface which might be required can be easily and quickly obliterated. It is only when a minable deposit has been found, which is a rare event, that damage to the surface of any lasting nature is required.

That ore deposits are confined to specific areas is illustrated by the first map.

I think they have been followed in general, as it shows what I am talking about.

This shows by a series of dots the location of each observed occurrence of the principal economic minerals, as reported to and by the U.S. Geological Survey. Only small percentages of these are now or likely to become mines. If these occurrences were drawn to scale, they would be so small as to be invisible on this map. In fact, the full extent of the area usurped by mining operations is in itself extremely small. In the State of Utah lies the operation of the largest mining enterprise in the United States—the Bingham Canyon Mine of Kennecott Copper Corp. It covers only 19.7 square miles and therefore covers less than two-thirds of one of those squares on the map representing the 36 square miles of a township. In Utah you can see the outline of the Great Salt Lake, which is about 1,500 square miles. Two-thirds of this, or 1,000 square miles, would be the total area of all the metalliferous mining operations if they were collected in one spot. This area is just three times the size of New York City and considerably smaller than Long Island. These mines are not in one spot, however; they are scattered from Maine to southern California and from Florida to Alaska. I can count on the fingers of my two hands the number of metal mines that cover as much as 1 square mile, or less than the size of the dots on this map. Most mining operations, including all of the buildings, waste disposal areas, and mine workings, are limited to areas of less than 100 acres. A deposit of the magnitude of Bingham is discovered in the United States only once in a generation. Because mines are widely scattered and of small size, each is swallowed up in the wilderness in which it occurs.

Senator ANDERSON. Could I stop you there, since you are familiar with the Kennecott Copper Corp., how much does the property in New Mexico cover?

Mr. BOYD. I have that in the letter that I exchanged with you, sir. I cannot remember offhand.

Senator ANDERSON. It has been included in the amount that is covered, the amount of the area that has been mined out, and the location of the smelter.

Now, there are some roads down there that are used once in a while.

Mr. BOYD. Well, we covered in that figure that I gave you, I think it was, about 11 square miles, was it not? Only the area covered by the mine working and the dumps. Now, we did not cover the roads, sir. No, we did not include that.

Senator ANDERSON. But you can count on the fingers of your two hands those that cover 1 square mile. So this would be one of them, would it not?

Mr. BOYD. It would be one of them, yes. Bingham would be another one.

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Senator ANDERSON. There are only nine more. Bingham is one and there are only eight more.

Does Anaconda have that much?

Mr. BOYD. Anaconda is one of them. Butte is one. There are three or four in Arizona.

Senator ANDERSON. Three or four?

Mr. BOYD. Yes.

Senator ANDERSON. You can take three or four on top of these others——

Mr. BOYD. We are coming pretty close to them.

Senator ANDERSON. Do you have more figures than five?

Mr. BOYD. No; I cannot think of any more beyond those.

You will note that the mineral occurrences are confined to distinctive areas coincident with the present mountain ranges or those that have existed in the remote geological past. You can easily recognize by this distribution of these occurrences the Appalachian Mountains, the Ozarks, the Black Hills of South Dakota, the Rocky Mountains, the Sierras, the Pacific coast ranges.

As these concentrations are greater in the 11 Western States, I shall confine further remarks to that area for brevity and clarity, and this is really where the problem lies.

Now, let us turn to the second map, which is colored. I think that is an extremely interesting map and you might like to look at it.

This covers only the 11 Western States. On this map we have colored in yellow some of the areas where rocks likely to contain mineral deposits are so deeply buried that they are not amenable to mineral exploration. We have shown here only the vast, immensely thick lava deposits of the Northwest, and the deep alluvial basins of California, Arizona, New Mexico, Utah, Colorado, and Wyoming. We estimate that they cover 150,700,000 acres or 20 percent of the area of the 11 Western States. We might well have included all of the areas in Wyoming, Colorado, and New Mexico east of the foothills of the Rocky Mountains, for these areas are also covered by rocks generally unfavorable to mineral concentrations. What is left are the exposed mountain ranges where, coincidentally, the wilderness areas are largely to be found.

In green appear those areas which have been withdrawn from prospecting by the AEC, the military, and for reclamation purposes and other Government purposes. We have platted only those lands for which we could find and document accurate locations. You see that only one area appears in Washington, Oregon, Idaho, Montana, and Wyoming, as we could not find the detailed information in time. The Bureau of Land Management statistics show us that there are nearly 11 million acres withdrawn by governmental agencies which are not shown on this map. We have not platted parcels containing less than approximately 10,000 acres. Therefore, this map is indeed an understatement—not an exaggeration. The total area withdrawn is 31,500,000 acres.

In red we have shown the 32,400,000 acres in the lands subject to withdrawal under S. 4. Nowhere else (until last year when we published this map), so far as we have been able to determine, has all this information been brought together on one map—either for Government planning or presentation to Congress.

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Senator ANDERSON. May I stop you there, Dr. Boyd?

The red area on this map seems to include Yellowstone Park.

Mr. BOYD. Yes, sir, it does.

Senator ANDERSON. You say in your testimony and in this document that I did not want to put in the record, but that we are going to put in, that this bill sterilizes the mining in Yellowstone Park.

Mr. BOYD. It is already sterilized.

Senator ANDERSON. That is what I was going to remind you of.

Mr. BOYD. So?

Senator ANDERSON. That is what I was going to remind you.

You said the bill sterilized it. As a matter of fact, it was sterilized a long time ago.

Mr. BOYD. Yes, and——

Senator ANDERSON. So the bill would not sterilize it at all, would it?

Mr. BOYD. Well, we put in red here the lands under the control of S. 4——

Senator ANDERSON. Yes.

Mr. BOYD. In the other colored areas—they are for other purposes by other Government agencies or used for other purposes by other Government agencies.

Senator ANDERSON. "The land subject to withdrawal under S. 4." In red you said "the lands subject to withdrawal under S. 4." Does S. 4 withdraw 1 acre of land in Yellowstone Park?

If you just answer that "Yes" or "No" I would be much happier.

Mr. BOYD. The answer is "No."

Senator ANDERSON. I am sorry.

Mr. BOYD. The answer is "No."

Senator ANDERSON. The answer is "No"?

Mr. BOYD. They are classified——

Senator ANDERSON. In your testimony before the House committee last year you would not indicate that it would not be withdrawn by S. 174 because you said——

Mr. BOYD. Yes, sir, we were questioned on that very carefully, and there is no doubt about the fact that we recognized that these areas have already been withdrawn in most cases.

Senator ANDERSON. Already sterilized, and you say this bill would sterilize them, and this was to whip up opposition to it.

I carried in my pocket, and still carry in my pocket, I think, the Kennecott Copper Co.'s dividend checks they mail out with an attack on S. 174, or a notice on the bill, inside of them.

I tried to explain to Kennecott that I do not believe they had to do this, because I did not believe what is in here [exhibiting mailer] is true, and I cannot believe that they do it now.

That is, when you say that this takes out this land or sterilizes it, I do not believe it is correct. It was already taken out of reach for mining.

Glacier National Park up toward the top is shown in red.

Mr. BOYD. Yes, sir.

Senator ANDERSON. Does this bill take out 1 acre of that land?

Mr. BOYD. No, sir.

Senator ANDERSON. Does this bill take out 1 acre of Yosemite or was that done previously?

Mr. BOYD. It was done previously.

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Senator ANDERSON. Well, that is why I was a little disturbed by this publication you still want in the record.

Mr. BOYD. Well, that does not change what I am talking about, whether it was withdrawn.

The fact that so much which is withdrawn from prospecting, there is so much room to work in——

Senator ANDERSON. I want to read your your own information. After all of the correspondence we had back and forth in which I tried to plead with you to stop saying these inaccurate things, you still say:

"In red we have shown the 32,400,000 acres in the lands subject to withdrawal under S. 4."

Is 1 acre in Yosemite subject to withdrawal under S. 4?

Mr. BOYD. Well, the areas in that part are covered under S. 4, yes. They were withdrawn before but under S. 4——

Senator ANDERSON. I would like a yes or no answer.

Is 1 acre of the land in Yosemite Park subject to withdrawal under S. 4?

Mr. BOYD. Well, I don't know how to answer that question yes or no, sir.

It is covered in the bill.

Senator ANDERSON. Well, I don't know, but whoever prepared this material for you, in my opinion, ought to be put up against the wall and have to write "honesty is the best policy" because this is not the actual fact.

These are not being withdrawn by S. 4 or subject to being withdrawn by S. 4.

You have things in red here that are not even touched by S. 4.

Mr. BOYD. Well, they could be put just as well in green and not change the presentation of the facts involved.

Senator ANDERSON. Except that people look at colors.

You said "in red we have shown the 32,400,000 acres in the lands subject to withdrawal under S. 4."

Is that a true statement?

Mr. BOYD. Yes, sir.

Senator ANDERSON. Thank you. I do not believe it is, and I question it, because these things in red are not subject to withdrawal under S. 4. They were long ago withdrawn. S. 4 won't change their status as to mining a bit.

Mr. BOYD. Well, they are covered under the bill and this is the only way we could classify them, Senator.

Senator ANDERSON. They are——

Mr. BOYD. Yes.

Senator ANDERSON (continuing). You say, subject to withdrawal—you say, "subject to withdrawal."

That is your language.

Mr. BOYD. Well, I think——

Senator ANDERSON. You can read it.

Mr. BOYD. That is right, but I think the answer to that is that we are trying to say it is simply as we can and maybe we——

Senator ANDERSON. In the hope that somebody will misunderstand it?

Mr. BOYD. No, sir; what we are trying to show here, Senator, is that we have a vast area; that area left for prospecting in the United States is even now withdrawn or can be withdrawn by S. 4.

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It may be a smaller amount than we put in here but——

Senator ANDERSON. But these things in red are not subject to withdrawal under S. 4, are they?

Mr. BOYD. A large part of them are; yes, sir.

Senator ANDERSON. All right. I thought you said not 1 acre of Yellowstone is. I do not think 1 acre of Yosemite is, either——

Mr. BOYD. You are talking about the parts that have been withdrawn. They are still covered under the bill.

Senator ANDERSON. You have a long list of things in here in red that are not subject to withdrawal under S. 4.

Go ahead.

Mr. BOYD. When we see the number and size of the S. 4 lands in relation to areas favorable to prospecting, it is possible to put the problem in better perspective It is not proper to say that the lands subject to this act cover less than 2.6 percent of the surface area of the United States, because these wilderness areas are coextensive with lands having a high potential for minerals. A geologist must trace his studies over very large areas in order to correlate the geological formation. Therefore, inadequate access to any area will prevent him from correlating the geology for as much as a hundred miles around the land made inaccessible to him. But even more important in the way of perspective is the size of the areas which might eventually be needed for actual mining.

For comparison purposes, please look at the green irregular rectangle just west of the Great Salt Lake and marked "Department of Defense"—the northern of the two green areas. This covers about 1,000 square miles—or an area equivalent to all the metal mines in the United States if assembled in one spot.

In other words, once the mineral deposits are located, they will utilize only a tiny fraction of all the lands and cannot possibly constitute a threat to the preservation of vastly greater areas of land, compared to the great expanses required to preserve the wilderness. In the great mining States of Idaho and Montana, for example, all of the land devoted to mining usurps thirteen one-hundredths of 1 percent of the areas. The lands subject to S. 4 comprise 5 percent of these two States. If all the mines happened to be in the proposed wilderness areas, only 2.6 percent of those areas would be devoted to mining. It is apparent that we can retain the opportunity and rights for maximum mineral productivity and at the same time maintain more than 99 percent of our wilderness areas. I mention these disparities in size merely to reassure those who fear that mining does or can materially damage the wilderness. It must be remembered that the products of the mines are so pervasive in our industrial economy that all citizens depend upon them in one way or another for their comfort and livelihood. It does not seem to be asking too much that this small fraction of the wilderness should be sacrificed to a purpose which in the end serves more of the people. Wilderness areas can be relocated; minerals must be mined where they are found. Mines are short lived and in a generation or so the regions revert to the wilderness.

The minerals of the future will come from deposits, the location of which is unknown and unsuspected today. The prospector must be given the freedom to roam over vast areas before he can find these

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"needles in the haystack." Once he has found them, then provision should be made for access to them.

It has been asked why there have been so few mines found so far in the areas proposed for wilderness preservation. Actually, we have been able to determine that there have been some 353 mines operating at one time or another in these areas. Mainly, however, the wilderness has been inaccessible to mining development, and remoteness will always pose an economic barrier. More important, however, is the fact that although new tools of prospecting have recently been developed and old ones improved, and the development of the helicopter has materially enhanced the economics of prospecting in wilderness areas, they have not been utilized because the present regulations of the agencies involved inhibit prospecting.

In recognizing the need to make these areas available to prospecting, the Senate made certain provisions in S. 174 during the last Congress, which are also contained in S. 4. These sections of the bill, however, fail to recognize the basic economic factor facing the individual or company. The bill provides that the President may open certain parts of the wilderness to prospecting if he judges that it is in the national interest to do so. Unfortunately, unless the entire area is open to the nondestructive phase of prospecting, he or his delegates could have no basis for such a judgment and nobody could have the data on which to seek this permission. If prospecting is permitted, no prudent man could afford to undertake the great cost involved in this highly risky business unless he were assured before he started that he would have the right to mine what he found. This, gentlemen of the committee, is why we ask that the mining laws continue to be operable in those lands subject to S. 4 in which these laws are now applicable. Responsible miners have no objection to having their activities regulated so long as the restrictions are reasonable—not prohibitive—and promptly promulgated.

No commercial enterprise can long exist in a free society unless it serves the public's needs or wants. The mining fraternity serves a vital public need. It is having greater and greater difficulty in finding the domestic reserves to continue in business. This is no time to make its task more difficult, particularly when in doing so it can have so little impact upon other areas of public interest. To accomplish this purpose and without serious damage to the wilderness principle, we should like to suggest the following amendments to S. 4:

On page 15, line 2, beginning with "(A)", strike out through "(B)" in line 14.

On page 17, beginning with line 10, strike out all through line 17 and insert in lieu thereof the following:

(8) Anything in this act to the contrary notwithstanding, lands within the wilderness system shall continue to be open to prospecting and subject to location and entry in the same manner and to the same extent as under existing mineral laws of the United States and the rules and regulations applying thereto: *Provided*, That the surface of such lands disturbed in performing prospecting, discovery, and location work shall, if economically feasible, be restored as near as practicable when it has served its purpose pursuant to reasonable regulations issued by the appropriate Secretary: *Provided further*, That unpatented and patented mining claims lying within such lands shall not be used for any purpose other than prospecting, mining, or processing operations and uses incident thereto. In the exercise of any right under such mineral laws, there shall be the right of ingress and egress by any and all means, and the right to establish and use rights-of-way for transmission lines, water lines, and telephone

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lines, and rights-of-way for other facilities necessary in prospecting, mining, and processing operations: *Provided, however*, That such rights shall be subject to regulations by the appropriate Secretary which are consistent with the use of the land for mineral development and exploration, drilling, mining, and processing operations, which regulations shall not be prohibitive.

We also urge this committee to amend the measure to provide for affirmative congressional action on any additions to wilderness areas or creation of any new areas not covered by this measure. Thank you.

Senator ANDERSON. This one is very similar to the one offered on the floor a year or 2 years ago——

Mr. BOYD. I believe so, yes, sir.

Senator ANDERSON. That was rejected by the Senate and then the Senate bill passed.

Do you think the Senate made a mistake?

Mr. BOYD. I think we are partly responsible, for not putting these facts clearly before you. We are trying to do so today.

Senator ANDERSON. Thank you. The bell that notifies us of the Senate session is ringing.

They are having eulogies on the floor for Senators Dworshak, Kerr, and Chavez, and I must leave.

Without objection, we will put in the record a statement of Mr. Don R. Burnett, president, for the New Mexico Wildlife and Conservative Association.

(The statement referred to follows:)

STATEMENT OF DON R. BURNETT, PRESIDENT, NEW MEXICO WILDLIFE AND CONSERVATION ASSOCIATION, INC.

As President of the New Mexico Wildlife and Conservation Association I wish to reaffirm this organization's unalterable and firm position in favor of wilderness preservation and S. 4 as a most sound and appropriate means of accomplishing that end. The New Mexico WCA presented a detailed statement at the several hearings held during the last session of Congress on S. 174 and those statements are fully applicable to the bill S. 4, now under consideration.

May we call attention to the fact that in 1958 the Congress created the Outdoor Recreation Resources Review Commission whose studies included wilderness areas and their place in the national recreation programs for the future. After 4 years of earnest studies and investigations the Commission submitted its detailed reports. One entire volume is devoted to wilderness preservation. The conclusions drawn are most emphatic that there is great need for legislation such as is now under consideration to insure preservation of wilderness resources for the future.

The overall report of the ORRRC titled "Outdoor Recreation For America" recommends classifying outdoor recreation resources in six categories. It is most significant the class 5 is listed as wilderness, or primitive areas. That volume as well as the one dealing exclusively with primitive and wilderness areas contains more than one specific recommendation for legislation for wilderness preservation.

Since these studies and reports were made by the very best qualified talent available in the entire United States how can the Congress fail to accept the findings and act accordingly? It is pertinent to note that the opponents of wilderness preservation and all legislation to accomplish that purpose contended that we should wait for the Outdoor Recreation Resources Review Commission's report before acting. It seems most inconsistent for those same opponents to now ignore the findings and recommendations of the Commission and continue to pursue their selfish opposition to legislation designed in the interest of present and future generations.

Wilderness is not a single use but includes the highest degree of watershed protection, the highest type of outdoor recreation, wildlife conservation, hunting, fishing, scenic attractions, and highly important spiritual values. Grazing

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of livestock where already established is permitted by the bill, hence the livestock industry is not adversely affected.

Miners and lumbermen now have 92 percent of the National Forest area available for regulated exploitation. How can they be so selfish as to demand the other 8 percent also thus depriving the public of its rights?

Wilderness areas in New Mexico are heavily used—9,000 visited the Pecos wilderness area last year. Conservationists, sportsmen, outdoor recreationists and the public generally in New Mexico want the wilderness legislation to pass. Only a few vociferous representatives of private, commercial interests are opposed to it.

It seems to us that the public interest should be paramount. We most strongly recommend that S. 4 be reported out of committee with a favorable recommendation at an early date. The 78 to 8 vote on S. 174 in the last Congress would seem to demand favorable action.

Senator ANDERSON. We will have to resume at 2:30 this afternoon. I regret that we could not get through this morning.

(Whereupon, at 12:25 p.m., the committee was in recess, to reconvene at 2:30 p.m. the same day.)

AFTERNOON SESSION

Senator METCALF. The committee will be in order.

We will have the statement of Mr. William T. Jobe, Jr., general counsel of the National Lumber Manufacturers Association.

## STATEMENT OF WILLIAM T. JOBE, JR., GENERAL COUNSEL NATIONAL LUMBER MANUFACTURERS ASSOCIATION

Mr. JOBE. Mr. Chairman, I am William T. Jobe, Jr., general counsel and director of government affairs for the National Lumber Manufacturers Association. NLMA, with headquarters in Washington, D.C., is a federation of 16 regional species and product associations representing the lumber manufacturing industry in all parts of the United States.

Members of the associations federated with NLMA account for a major part of the lumber production of the United States and a substantial part of the commercial timberland ownerships.

We appreciate the opportunity to submit our views on S. 4 to establish a National Wilderness Preservation System.

As you well recognize, the lumber industry—including owners, managers, and employees in the thousands of lumber communities in which our industrial plants are located—is completely dependent upon forest resources for the raw material with which it serves the national need for lumber and wood products. Consequently, we are deeply concerned with any legislation which affects the forest, and have given careful attention to the provisions of the pending legislation.

In three previous appearances before this committee representatives of our association have stated the lumber industry's support for recreational use of Federal forest lands. They have also defined our belief that when it is proposed to establish areas or delineate area boundaries in an arbitrary way for an exclusive use of forest lands—such as wilderness—full weight should be given to the basic policies under which the national forests must be managed. Those policies call for the most productive use for the permanent good of dependent communities and of all the Nation.

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Last year's action in the other body to perfect a procedure covering all Federal land withdrawals for special or limited use has been met with considerable industry approval. We recommend that this committee also consider the advisability of establishing a uniform, simple, and equitable procedure for all major Federal land-use decisions including wilderness preservation.

Many of the areas that the proposed legislation would include within the wilderness system are truly wilderness in character, and, in fact, have little or no economic value outside wilderness use. But, the proposed legislation would also embrace vast additional areas which might not even fulfill the bill's own definition of wilderness.

The Forest Service has some 6 million acres classified as "primitive." This is only a term indicating that the particular areas have not yet been classified formally as permanent wilderness or wild areas. These primitive areas are under current Forest Service study and reclassification. Without question, parts of some of these primitive areas should be classified for another use or uses. Certainly they should not be included in the wilderness system before the wilderness characteristics of the areas have been determined. It is noteworthy that Interior Department lands are not so included.

The lumber industry does not oppose but, indeed, supports the establishment of appropriate reasonably defined areas of outstanding wilderness attraction as wilderness areas. But it strongly opposes the blanket inclusion of vast areas into a wilderness system without carefully determining beforehand which areas may be better suited for other resource uses when considered in the light of the future needs of our Nation. It appears that wilderness needs are being considered in a vacuum without consideration for other needs.

We strongly believe and urge that national forest areas proposed for inclusion in a wilderness system have the benefit of careful congressional scrutiny to assure that the use of each area involved will be in the best interest of the whole American people.

Congress should ascertain whether the benefits from dedicating areas to wilderness outweigh the potential multiple-use benefits which would be foreclosed.

Certainly Congress should make sure that the areas are suitable for permanent dedication. It would appear altogether reasonable and appropriate to suggest that the Congress should obtain from the several Federal land-managing agencies detailed reports as to the effect of wilderness classification on potential timber production, watershed development, mining, and other economic uses on each area and the effect on the economy of the dependent communities and surrounding areas. Public hearings should then be held by Congress after submission of the reports.

The Outdoor Recreation Resources Review Commission, created by Congress in 1958, in its review of the Nation's present outdoor recreation resources needs and opportunities recommended that:

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

However, the Commission did not endorse any particular legislative approach.

One of the unusual features of this bill is that Congress would assume the responsibility for the incorporation of the areas into the

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wilderness system by the negative method of failing to pass a concurrent resolution in opposition to such inclusion. Congress would thus exercise its responsibility by nonaction, whereas the traditional procedure for Congress, the branch of Government which is closest to the problems of the citizens at the local level, is positive action.

The most significant objection to enactment of wilderness legislation is centered primarily on two provisions of the proposed legislation. They are (1) immediate inclusion of national forest primitive areas, and (2) lack of affirmative action by the Congress.

If this committee concludes that wilderness legislation is essential to the Nation's well-being, then we suggest that the proposed bill be amended to provide (1) that existing national forest primitive areas remain outside any wilderness system until they have been individually reviewed and classified, and (2) that recommendations of the executive agencies become effective only when affirmed by an act of Congress.

The effect of this amendment would be that primitive areas while remaining outside the system would be administered as lands within the system until they had been reviewed and a recommendation made by the Secretary of Agriculture to the President, the President had advised the Congress of his recommendations, and the Congress had approved the recommendation.

## CONCLUSION

In view of the foregoing, we urge that S. 4 not be reported in its present form.

We support the establishment of wilderness areas based on their individual merits for such use. We therefore urge that this committee adopt language similar to that below:

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. 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 of each primitive 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 of a primitive area, or portions thereof, shall become effective subject to the provisions of subsection (f) of this section: *Provided*, That if Congress fails to approve 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."

On page 9, line 23, strike out all through line 19 on page 10 and insert in lieu thereof the following:

"(*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."

Suggested additional language to accommodate conflicting views, on page 6, line 3, strike out the period, insert a colon, and add the following:

"*And provided further*, That pending the review of areas within the National forests classified as 'primitive,' such primitive areas shall be subject to the same use limitations as required under section 6 of this Act."

Senator METCALF. Thank you, Mr. Jobe. The next witness will be Mr. Daniel W. Cannon, appearing on behalf of the National Association of Manufacturers.

Mr. Cannon, we are pleased to have you before the committee.

## STATEMENT OF DANIEL W. CANNON, COMMITTEE EXECUTIVE, CONSERVATION AND MANAGEMENT OF NATURAL RESOURCES COMMITTEE, NATIONAL ASSOCIATION OF MANUFACTURERS

Mr. CANNON. I feel it is a privilege to appear here, sir.

My name is Daniel W. Cannon. I am committee executive of the conservation and management of natural resources committee of the National Association of Manufacturers.

Mr. Chairman, if I could have permission to have my complete prepared statement entered in the record, I would just at this time like to make some oral observations.

Senator METCALF. Without objection, the complete statement will be incorporated in the record at this point as if read.

(The complete prepared statement of Mr. Cannon follows:)

### STATEMENT OF DANIEL W. CANNON

My testimony is presented on behalf of the National Association of Manufacturers, which represents approximately 17,000 companies producing about three-fourths of the goods manufactured in the United States. Since the first step in the manufacturing process is the procurement of raw materials through development of natural resources found in the land, we have natural and extensive interest in wilderness area proposals which would affect millions of acres of land.

The proposal presently being considered by the distinguished Interior and Insular Affairs Committee of the U.S. Senate would create a National Wilderness Preservation System. This system would overlap the national forests, the national park system, and the national wildlife refuges and game ranges. The system would be comprised of an unlimited number of federally owned areas

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in which commercial enterprises, roads, motor vehicles, motorized equipment, motorboats, aircraft, structures and installations all would be prohibited. The proposals raise important public policy issues in terms of outdoor recreational opportunities, future economic development of the Nation and particularly the West and Alaska, and the extent and proper management of land owned by the Federal Government.

The Conservation and Management of Natural Resources Committee of the National Association of Manufacturers has devoted much attention and study to the subject of recreational areas, national parks and monuments, and wilderness areas. On October 9, 1959, the committee recommended a statement of policy on this subject to the association's 180-member board of directors. On December 1, 1959, the board unanimously adopted a policy statement which has been continuously reviewed and amended as required to read as follows:

"RECREATIONAL AREAS, NATIONAL PARKS AND MONUMENTS, WILDERNESS AREAS

"Recreational use of Federal lands has become increasingly important, and Federal land management agencies should make long-range plans for recreational use of their lands.

"National parks should include areas essentially in their primeval natural condition and in scenic quality and beauty so outstandingly superior to average examples of their several types as to make them of national importance and to make imperative their preservation intact and in their entirety for the enjoyment, education, and inspiration of all people for all time. National monuments should be areas, usually smaller than national parks, that are of national importance as superlative examples of native flora or fauna, geologic phenomena, or archeologic or historic interest. The area of each park or monument should be a comprehensive unit, of no greater size than necessary to embrace and preserve those superior national values and provide proper space for necessary facilities appurtenant thereto.

"Industry recognizes that some limited areas of Government-owned land remaining in their primitive state have higher value as wilderness areas than for other purposes. However, designation of such areas of Government land as wilderness areas should be determined by sound land management principles and practices, and any statutory designation of such areas should be only by affirmative act of the Congress. There is no necessity to establish a wilderness preservation system which would arbitrarily lock up vast areas into a wilderness classification. Further, the creation of a costly and unnecessary new Government agency would conflict with present programs and would establish the precedent of creating an agency within the government framework devoted to advocating the viewpoint of a a special use interest."

In our association's basic policy position on "Conservation and Management of Natural Resources," it is stated:

"Publicly owned lands containing agricultural and industrial resources, water supplies, recreational features, esthetic scenery and other multi-purpose uses, should be managed to encourage all uses to the fullest extent possible."

Further, in our policy position on "Timber Resources," we advocate that:

"Multiple use management practices should be followed so as to achieve the additional goals of watershed improvement, sustained yield of wildlife, and recreational opportunities."

I would like to emphasize that in all these basic policies, our association fully recognizes and appreciates the esthetic and recreational values to be derived from expeditions into wilderness areas. Many of the employees of our member companies are outdoor recreation enthusiasts, including pack-riders, hunters, fishermen, swimmers, boaters, water-skiers, and snow-skiers. However, we believe that wilderness areas should be kept in proper proportion and perspective, and that legislation in regard to them should be based on sound governmental, economic and natural resource principles. Therefore, we wish to urge but one point for the consideration of the distinguished subcommittee:

Any statutory designation of wilderness areas should be only by affirmative act of the Congress.

There are presently many millions of acres of Federal land being administered so as to preserve their primitive characteristics. The proponents of wilderness legislation say that such legislation is necessary to give statutory protection to the continued preservation of these areas in their primitive condition. Our assocation submits that the appropriate way to give statutory protection to the preservation of Government land in a primitive condition is to have the Congress

legislate the boundaries of such areas upon the recommendations of the appropriate committees of the Congress following public hearings. If the executive department is then dissatisfied with the bill or bills passed by the Congress, it will be within the power of the President under the Constitution to veto such bill or bills. Clearly, this would be proper governmental procedure in contrast to the proposals to have the legislative boundary-fixing function exercised by the executive branch and to have the veto function exercised by the Congress. Although the Reorganization Act restricts the Congress to a veto in the case of reorganization plans, we believe that the factors to be weighed in the designation of wilderness areas are of a more substantive nature than questions as to how the executive branch should be organized to carry out missions authorized by the Congress in affirmative legislation. We submit that statutory designations of specific areas to be zoned as wilderness and restricted in their development for economic and recreational purposes are matters of such major significance that they deserve to be, in the first instance, subjects of public hearings before committees of the Congress and other procedures under the historic prerogatives of the legislative branch of our Government. The committees, of course, would not be deprived of the views of the executive departments and agencies since such views would be submitted in the usual course as the committees legislatively formulated appropriate wilderness designations.

The Congress has historically exercised the legislative responsibility of fixing boundary lines of public land areas to be set aside for restricted purposes. For example, the Congress has many times specifically delineated and described in detail the boundary lines of areas to be established as national parks. Instances of this sound legislative practice are as follows:

Yellowstone National Park, Mont. and Wyo. Act of March 1, 1872. Section 1 described the boundaries. The boundaries were subsequently revised by the act of March 1, 1929, and by the act of April 19, 1930.

Sequoia National Park, Calif. Act of September 25, 1890. Section 1 described the townships included. The act of July 3, 1926, revised the boundaries. Section 1 of that act contains detailed legal description of the boundaries.

Mount Rainier National Park, Wash. Act of March 2, 1899. Section 1 of that act contains description of boundary lines.

Crater Lake National Park, Oreg. Act of May 22, 1902. Section 1 of the act described the boundaries in terms of parallels of latitude and meridians of longitude, specifying a total area of 249 square miles.

Wind Cave National Park, S. Dak. Act of January 9, 1903. Section 1 of that act describes the boundary lines. The boundary lines were revised by acts of March 4, 1931, and August 9, 1946.

Mesa Verde National Park, Colo. Act of June 29, 1906. Section 1 of that act describes the boundaries.

Glacier National Park, Mont. Act of May 11, 1910. Section 1 contains detailed metes and bounds description of boundary lines.

Rocky Mountain National Park, Colo. Act of January 26, 1915. Section 1 contained metes and bounds description. The boundary lines were subsequently revised by the acts of February 14, 1917, and June 9, 1926.

Hawaii National Park. Act of August 1, 1916. Section 1 contains detailed description of boundary lines. The boundaries were revised by the acts of February 12, 1927, and June 20, 1938.

Lasson Volcanic National Park, Calif. Act of August 9, 1916. Section 1 describes the boundaries.

Mount McKinley National Park, Alaska. Act of February 26, 1917. Section 1 describes the metes and bounds. The boundary lines were changed by the act of March 19, 1932.

Grand Canyon National Park, Ariz. Act of February 26, 1919. Section 1 describes the metes and bounds, which were subsequently revised by the act of February 25, 1927.

Bryce Canyon National Park, Utah. Act of June 7, 1924. Section 1 describes the boundary lines by metes and bounds.

Olympic National Park, Wash. Act of June 29, 1938. Section 1 contains detailed description of boundaries.

Kings Canyon National Park, Calif. Act of March 4, 1940. Section 1 of that act contains detailed metes and bounds description of boundary lines.

Petrified Forest National Park, Ariz. Act of March 28, 1958. Section 2 of that act specifies the townships and sections to be included in the park.

Theodore Roosevelt National Memorial Park, N. Dak. Act of April 25, 1947. Section 1 contains detailed boundary line description.

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Inasmuch as the use of wilderness areas will be even more restricted than the use of national parks, even stronger reasons exist to have the boundary lines of these wilderness areas spelled out in affirmative legislation.

One evidence of the major significance of such designations to the long-range public interest was reflected in a letter dated August 27, 1959, from Senator Joseph C. O'Mahoney to the late James E. Murray, then chairman of the Senate Interior and Insular Affairs Committee. Senator O'Mahoney's letter stated in part:

"When one considers the events of the last few years, one knows that we are entering a new age and that nobody can determine what will be discovered in the way of natural resources in the near future in this vast area. I think we should hesitate to lock this up, or any part thereof, upon the plea of preserving a wilderness, and upon the judgment of nonelected officials in an executive bureau, because we know that the future holds tremendous discoveries. There are, for example, deserts in the public land States which have become the American source of uranium; 20 years ago nobody would have imagined that uranium was to be found in this area or, indeed, would be of any value."

Senator O'Mahoney was in favor of a requirement that the Congress, prior to designating an area as a wilderness area, receive a report from the U.S. Geological Survey stating that a geological reconnaissance of the area revealed that it is not prospectively valuable for minerals or other deposits which may be useful for the national defense or the needs of a progressive economy. We also note that Mr. E. F. Cook, director of the Idaho Bureau of Mines and Geology, last year advocated an amendment "providing that no area be included within the system until a comprehensive mine resource survey by qualified Federal or State agency has been made." We submit that the American people are entitled to the affirmative judgment of the Congress, taking into consideration such natural resource surveys, as to whether a particular area should be statutorily restricted in its use.

Another reason why designations of wilderness areas involve important public policy considerations arises out of the extent of Federal landownership. As of June 30, 1960, the General Services Administration reported that the Federal Government owned 771 million acres of land in the United States, or 33.9 percent of the total land area in the Nation. On that date, the Federal Government owned 99.7 percent of Alaska, 86.9 percent of Nevada, 69.1 percent of Utah, 64.8 percent of Idaho, 51.1 percent of Oregon, 48.4 percent of Wyoming, 44.9 percent of California, 44.7 percent of Arizona, 36 percent of Colorado, 34.9 percent of New Mexico, 29.7 percent of Montana, and 29.5 percent of Washington. Of the 771 million acres owned by the Federal Government, some 725 million of these acres are in the 11 Western States and Alaska, representing some 65 percent of the total area of these 12 States.

It is evident that, if the proper encouragement were given so that the major portion of these vast areas was acquired by income-producing, taxpaying ownerships, this would be a monumental contribution to the economic growth of this country. We believe that practical means should be developed for the sale, lease or exchange of Federal lands for private use. Any specific area of Federal land statutorily dedicated to wilderness purposes will be almost irrevocably committed to Federal ownership on a nontaxpaying, non-income-producing basis. There might be some income from user fees although none of the bills make any provision for such user fees. In any event, we believe that the serious problems involved in the excessive ownership of land by the Federal Government compel the conclusion that the Congress should make affirmative, specific decisions as to what areas are to be preserved as wilderness areas. Perhaps that decision might be that some limited area per State would be sufficient for the special purpose of wilderness areas.

The first instance we will cite in which pending wilderness bills would not measure up to the appropriate legislative responsibilities of the Congress pertains to the national forest areas which have been classified by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, or canoe areas. The bills would blanket these areas into the statutory wilderness system more or less by rubberstamp ratification by the Congress of the administrative decisions of the Forest Service without any independent legislative examination of the merits of the decision applying to each area. Names and locations of the areas are not stated in the bills, nor is there any delineation of their boundaries. While we have great respect for the professional and technical competence of the Forest Service, the pending bills must necessarily proceed on an assumption of

infallibility on the part of the Forest Service. We are informed on page 7 of the report on S. 174 by the Senate Committee on Interior and Insular Affairs that these three classifications cited comprise a total area of 6,773,080 acres. If the Congress were to give positive study and attention to the individual areas, it might conclude that some of them, or some parts of them, should not be statutorily classified and kept as wilderness areas, particularly the 2.3 million acres containing commercial-type timberlands. Many persons might believe that such a tremendous total acreage—including 14 individual areas averaging 350,000 acres in size and 30 other individual areas averaging about 60,000 acres in size—is more than enough to maintain in a primitive and undeveloped condition.

However, in addition to these 6.7 million acres, the pending bills would also blanket into the statutory wilderness system an additional 7,890,973 acres of national forest land, subject to later exclusion over a period of years. This vast land mass consists of 39 individual areas averaging 200,000 acres each in size. These areas have not actually been classified as wild or wilderness areas by the Forest Service and they, too, contain some 2.3 million acres of commercial-type timberlands. Nevertheless, it would be possible under pending bills for them to become statutory wilderness areas through mere failure of the Congress to take negative action.

The need to have 6.7 million acres of the national forests blanketed in automatically by the pending bills and an additional 7.8 million acres of the national forests similarly blanketed in, subject to later exclusion, is highly questionable in light of the fact, as stated by the report on S. 174 by the Senate Interior Committee, that "There is now approximately 22 million acres in 27 parks, 20 national monuments, and 1 seashore recreational area regarded as suitable for consideration as part of the wilderness system." In addition, the report says that "Out of more than 275 federally owned wildlife refuges and game ranges, there are approximately a score, comprising totally between 22 million and 23 million acres, which contain large areas of primeval land suitable for saving as wilderness." Surely, with all these millions of acres within the National Park System and Federal refuges and ranges available for preservation as wilderness, there is no necessity to automatically blanket in all of 14.6 million acres of land within the national forests which were established for the purpose of continuing timber and water supply. Surely, the Congress should exercise some affirmative judgment as to how many millions of acres should be statutorily classified and kept as wilderness areas.

Another reason why the designation of wilderness areas is of such major significance as to warrant affirmative action by the Congress is because such designation involves the weighing of important considerations of public policy. In determining the total amount, the location, the shape and size of wilderness areas, not only should economic considerations be weighed against recreational considerations, but also conflicting recreational objectives should be evaluated. The report of the Outdoor Recreation Resources Review Commission points this out most clearly. At pages 92 and 93, the report states:

"While some of our citizens seek a completely natural environment for outdoor recreation, a larger number prefer activities in less primitive surroundings. Outdoor recreation for this larger group requires basic facilities—roads, picnic tables, sanitation. * * *

"A third basic goal is accessibility—an opportunity for all Americans to know and enjoy the outdoors. Providing reasonable access to the out-of-doors for large concentrations of population will be one of the central problems of outdoor recreation over the next 40 years. * * *

"A fourth goal, also identified by the Congress, is to attain an effective balance between the recreation needs of the Nation and the many other uses of our natural resources. Careful planning and coordination of effort will not only reduce conflict between recreation and other resource uses but, in many instances, can open up new recreation opportunities without detriment to other uses. To secure the benefits of outdoor recreation for the American public, a national policy should encourage shared responsibility, not only between public and private activity but among all levels of government."

At page 3 of the report, it is stated that:

"Driving and walking for pleasure, swimming, and picnicking lead the list of the outdoor activities in which Americans participate, and driving for pleasure is most popular of all."

Obviously, there will be no driving for pleasure in wilderness areas because roads will be prohibited. Opportunities for swimming will be quite restricted

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because of the inaccessibility of suitable sites and because of the lack of development of these sites. Picnicking also will be extremely limited because of the lack of any recreational facilities in wilderness areas. Certainly, these factors should be weighed in the decision which this Nation makes as to how many millions of acres it wishes to devote to wilderness areas.

At page 5, the Commission's report suggests a further public policy determination:

"Outdoor opportunities are most urgently needed near metropolitan areas. Three-quarters of the people will live in these areas by the turn of the century. They will have the greatest need of outdoor recreation and their need will be the most difficult to satisfy as urban centers have the fewest facilities (per capita) and the sharpest competition for land use."

Thus, the provision of millions of acres far from metropolitan areas for the most primitive form of outdoor recreation will not solve the problem of three-quarters of the people who will have the greatest need for outdoor recreation. This consideration should likewise be weighed by the Congress in deciding what lands shall be dedicated to purely wilderness purposes.

Another point is the effectiveness of land for recreation use. On this score, at pages 3 and 4, the Commission's report states that:

"Across the country, considerable land is now available for outdoor recreation, but it does not effectively meet the need. Over a quarter billion acres are public designated outdoor recreation areas. However, either the location of the land, or restrictive management policies, or both, greatly reduce the effectiveness of the land for recreation use by the bulk of the population. Much of the West and virtually all of Alaska are of little use to most Americans looking for a place in the sun for their families on a weekend when the demand is overwhelming. At regional and State levels, most of the land is where people are not. Few places are near enough to metropolitan centers for a Sunday outing. The problem is not one of total acres but of effective acres."

This clearly raises the question as to how effective wilderness areas are for public recreation purposes. The problem of providing public outdoor recreation is not one of how many millions of acres can be dedicated to wilderness purposes, but of how the Nation can provide sufficient effective acres for public outdoor recreation. Again, this weighty problem deserves to receive affirmative consideration of the Congress in the first instance, rather than to be treated through an incidental, after-the-fact determination of whether to veto a wilderness area designation made by the executive branch.

Another extremely important point made by the Commission's report, at page 4, is that:

"Outdoor recreation is often compatible with other resource uses. Fortunately, recreation need not be the exclusive use of an area, particularly the larger ones. Recreation can be another use in a development primarily managed for a different purpose, and it therefore should be considered in many kinds of planning—urban renewal, highway construction, water resource development, forest and range management, to name only a few."

The strict wilderness concept does not allow the compatibility of other uses. Therefore, this should require a very real consideration for the Congress in determining how many thousands of square miles should be restricted to a wilderness condition.

Another point made by the Commission's report, at page 4, is that:

"Water is a focal point of outdoor recreation. Most people seeking outdoor recreation want water—to sit by, to swim and to fish in, to ski across, to dive under, and to run their boats over. Swimming is now one of the most popular outdoor activities and is likely to be the most popular of all by the turn of the century. Boating and fishing are among the top 10 activities. Camping, picnicking, and hiking, also high on the list, are more attractive near water sites."

As previously indicated, water sites in wilderness areas are inaccessible for all practical purposes by the overwhelming majority of the public. There would be no roads by which families could transport their boats to water on trailers hitched to their automobiles. In most areas, in fact motorboating (which has become extremely popular and provided many jobs in a fast-growing industry) would be completely prohibited. The prohibition on motorboating would automatically prohibit water skiing, which is an increasingly popular form of outdoor recreation. It should also be noted that no ski lodges or ski tows for snow skiing would be permitted in wilderness areas. Camping, picnicking, hiking, fishing, and swimming in wilderness areas—all would be extremely difficult for most people because of inaccessibility and lack of facilities.

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In regard to economic aspects of outdoor recreation, the Commission's report states, at page 4, that:

"Outdoor recreation brings about economic benefits. Although the chief reason for providing outdoor recreation is the broad social and individual benefits it produces, it also brings about desirable economic effects. Its provision enhances community values by creating a better place to live and increasing land values.

In some underdeveloped areas, it can be a mainstay of the local economy. And it is a basis for big business as the millions and millions of people seeking the outdoors generate an estimated $20 billion a year market for goods and services."

As previously pointed out, the wilderness concept imposes severe restrictions on the forms of outdoor recreation which may be pursued and on the extent of use for recreational purposes. Thus, wilderness areas will not provide anywhere near the economic benefits which would be provided by varied outdoor recreation facilities freely accessible to the general public. This is certainly an additional consideration to be weighed in the first instance by the Congress in making decisions as to the size and location of wilderness areas.

The Commission's report points out, at pages 4 and 5, that:

"About 90 percent of all Americans participated in some form of outdoor recreation in the summer of 1960. In total, they participated in one activity or another on 4.4 billion separate occasions. It is anticipated that by 1976 the total will be 6.9 billion, and by the year 2000 it will be 12.4 billion—a threefold increase by the turn of the century."

In contrast to these billions of outdoor recreation occasions, wilderness areas by reason of their nature and location and lack of recreation facilities, will provide an extremely small number of outdoor recreation opportunities for the American public.

The Commission's report recommends, at page 8, that:

"Congress should enact legislation to provide for the establishment and preservation of certain primitive areas as 'wilderness areas.'"

On pages 131–132, the Commission's report repeats the recommendation that:

"Congress should enact legislation providing for the establishment and management of certain primitive areas (class V) as 'wilderness areas.'"

We have no objection to this if it is intended to mean that the Congress should exercise its legislative responsibility in affirmative fashion and make certain which primitive areas should be preserved as "wilderness areas."

The Commission states that:

"The purpose of legislation to designate outstanding areas in this class in Federal ownership as 'wilderness areas' is to give the increased insurance of attaining this objective that action by the Congress will provide."

We wish to reiterate that we are not opposed to affirmative legislation by the Congress to designate outstanding primitive areas in Federal ownership as "wilderness areas." We are opposed to a blanket approach to the important question of designating wilderness areas and to a procedure whereby the Congress would be relegated to a mere veto role.

The public policy question involved in the designation of individual wilderness areas could not be better stated than it is at page 113 of the Commission's report in discussing what it refers to as "Class V—Primitive Areas" as follows:

* * * 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 some other purposes."

The public policy question is also posed at page 117 of the Commission's report:

"Areas suitable for zoning as either class III (natural environment areas) or with class V (primitive areas) present an especially difficult problem. The former classification permits wider recreation use and also other uses, while the latter preserves truly primitive conditions. Class III should usually be given the preference where the need to make the area available for general recreation use or for economic utilization of its resources is clearly more urgent than the need for its preservation in primitive conditions. Where this situation does not exist, the class V choice should be preferred, since once primitive conditions have been destroyed, their restoration is virtually impossible."

We submit that the Congress should determine the question of proper zoning or classification through the traditional process of affirmative legislative action.

At page 71 of the Commission's report, it is stated that:

"The most promising means of providing an adequate supply of wilderness recreation appears to be very restrictive management in those areas set aside formally as wilderness areas, and augmenting these opportunities with 'quasi-

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wilderness' areas. Many of the latter are in the East and South, which do not have the larger undeveloped areas. Even if managed to allow other limited uses and more recreation development in some parts, they could provide a form of 'wilderness experience' that will satisfy a large proportion of those who seek it."

The Congress is surely the body which in the first instance should determine the balance between pure wilderness areas and "quasi-wilderness" areas.

The extreme approach to outdoor recreation represented by the strict wilderness concept was very clearly pointed out by Senator Ernest Gruening in his individual views on S. 174:

"Some of the more extreme, and, I regret to say, even fanatical, of my fellow conservationists would like to keep all of Alaska a wilderness—even to denying the accessibility upon which the enjoyment of wilderness is predicated. They oppose the harnessing of rivers and lakes for hydro. They are more concerned for a nesting duck and an anadromous salmon than for the economic welfare of a multitude of people. Their error, as I see it, is that they do not believe, as I do, that we conserve natural resources, whether wildlife, timber, watercourses, soil, and scenic beauty, not for themselves but for the future enjoyment of human beings. We preserve moose not for the sake of the moose but so that coming generations can ever see moose, photograph moose, hunt moose—in undiminished supply. A wilderness that few, if any, can ever get to and hence enjoy, may furnish a snobbish and selfish pleasure to the few exceptional ones who can manage, at great expense not available to their fellow citizens, to get there, but it is not in keeping with what I deem the promise of our national park system, of our national forest wonderlands, and, indeed, of the proposed wilderness preservation system. Kings enjoyed such solitary monopolistic privileges in the Old World, in the days of feudalism, but they are unsuited to a contemporary and future democracy."

Still another reason why the Congress should affirmatively make the decision in the first instance as to the designation of wilderness areas lies in the fact that these areas will be deprived, perhaps irrevocably and in perpetuity, of the benefit of positive forest management. Positive forest management helps prevent erosion in many important watershed areas. Many forms of wildlife find food and shelter in healthy, growing forest that they cannot find in unmanaged overmature wilderness stands. Further, accessibility is really the key to forest recreation, and managed forests are accessible through their system of roads and trails for logging and fire-protection purposes. With the modern science of forest management, people no longer cut the forest and move on—they are growing trees as a crop, protecting them from fire, insects and disease. They are learning more about forest dynamics and the science of silviculture. They are learning how to improve the stands of timber and the rate of growth.

Good forest management is generally good wildlife management. Wildlife needs food, cover, water and freedom from excessive disturbance—all of which the managed forest provides. The small plants, shrubs and sprouts, the vines and the bushes which provide food and shelter for a great many of our North American wildlife species thrive in the open areas where new growth is getting started following forest harvests. Quite contrary to widely held belief, the overmature forest, the wilderness, does not provide ideal game habitat. Without space and light it is incapable of supporting the variety of small plants used as food by most desirable types of wildlife. For example, it is estimated today that the deer population in the eastern, southern, and northwestern sections of the United States and in eastern Canada is markedly higher than when the early settlers first came to our virgin wilderness. Favorable changes in habitat have resulted from man's opening up of these forests.

Forest lands, both private and public, which are managed for multiple use are accessible over the roads and trails maintained for management purposes. These lands serve a public purpose which cannot be met by inaccessible wilderness areas devoted to single-purpose use.

In conclusion, we believe that wilderness areas should be designated only by affirmative acts of the Congress for the following reasons:

1. It should be the legislative responsibility of the Congress to weigh economic development potentialities versus recreational potentialities.

2. It should likewise be the responsibility of the Congress to weigh the needs for mass recreation opportunities versus the restrictions placed on such opportunities by the wilderness concept.

3. The Congress should by statute fix the boundary lines of any areas designated as wilderness areas, just as it has historically exercised the legislative re-

sponsibility of fixing the boundary lines of public land areas to be set aside for restricted purposes, such as national parks.

4. The Congress should make an affirmative decision as to the total amount, location and size of wilderness areas.

5. Although the Reorganization Act restricts the Congress to a veto in the case of reorganization plans, the factors to be weighed in the designation of wilderness areas are of a more substantive nature.

6. Affirmative and specific action by the Congress would insure that persons locally affected could testify before public hearings held by elected representatives.

7. The American people are entitled to have the affirmative judgment of the Congress, taking into consideration comprehensive natural resources surveys, as to whether a particular area should be statutorily restricted in its use.

8. The serious problems involved in the excessive ownership of land by the Federal Government compel the conclusion that the Congress should make affirmative, specific decisions as to what limited areas are to be preserved as wilderness areas on a nontaxpaying, non-income-producing basis.

9. The Congress should weigh the fact that wilderness areas will not provide anywhere near the associated economic benefits provided by varied outdoor recreation facilities freely accessible to the general public.

10. The Congress should make an affirmative decision as to which areas meet the physical requirements of wilderness areas "but which for economic and social reasons are more valuable for other purposes," as stated by the Outdoor Recreation Commission.

11. The Congress should make an affirmative decision on the "especially difficult problems" of areas "suitable for zoning as either class III (natural environment areas) or with class V (primitive areas)," as stated by the Outdoor Recreation Commission.

12. The Congress should make an affirmative decision as to whether it would be better to treat certain primitive areas as quasi-wilderness areas rather than as pure wilderness areas, as pointed out by the Outdoor Recreation Commission.

13. The Congress should assume the responsibility of affirmatively deciding which areas will be deprived of the benefits of positive, multiple purpose, sustained yield forest management.

14. Affirmative enactment of bills specifying wilderness areas would be in keeping with the letter and spirit of the Constitution which provides that "The Congress shall have power to dispose of and make all needful regulations respecting the territory or other property belonging to the United States * * *" It would be unfortunate if the Congress abdicated this power in any respect whatsoever.

We believe it would be far better if the Congress were currently considering a well-rounded declaration of outdoor recreation policy which would encourage "shared responsibility, not only between public and private activity, but among all levels of government," for meeting overall problems related to outdoor recreation and multiple use of all natural resources, rather than considering at this time sweeping bills affecting massive areas but concentrating on only one limited aspect of outdoor recreation. Pending formulation of a comprehensive declaration of outdoor recreation policy, the Congress may enact wilderness areas separately into law at any time it sees fit, providing a more orderly procedure than that presently contemplated. In the absence of an overall evaluation of the public policy considerations involved, we consider it unfortunate that wilderness bills are being considered essentially tieing the Congress' hands behind its back. The wilderness bills appear to create a presumption that all areas presently in a wilderness condition should be kept in a wilderness condition in perpetuity. We do not believe this to be so, and we believe the report of the Outdoor Recreation Commission says it is not so.

Section 3(h) of S. 174 provides that no areas other than those mentioned in section 3 (b), (c), and (d) shall be added to or eliminated from the wilderness system except by "Specific, affirmative authorization by law * * *." We submit this is likewise a highly desirable requirement for any statutory action on wilderness areas.

Therefore, we respectfully urge the Public Lands Subcommittee either to suspend consideration of blanket wilderness legislation until an overall outdoor recreation policy has been established, or to formulate an amendment which would provide that any statutory designation of primitive areas as wilderness areas should be only by affirmative act of Congress.

We are very grateful for this opportunity to express our views on the important matters being considered by the distinguished U.S. Senate.

Senator METCALF. You may proceed in your own way.

Mr. CANNON. Mr. Chairman, some questions have been raised as to the extent of mining and mineral potentiality of the wilderness and primitive areas, and I would like to make some observations in that connection and more or less try to relate it to some observations about some of the relationships between S. 4 and the problems of the modern manufacturing in a space-missile-electronics-nuclear energy age that we are in.

In 1961, the Russians discovered a new mineral in Kazakhstan, U.S.S.R. and named it Gagarinite in honor of the first man to orbit the earth. Gargarinite contains yttrium and rare-earth elements.

Rare-earth minerals are scattered about the world but are relatively scarce. In the past few years, research by Americans, Russians, and Japanese in particular has developed much more knowledge about the properties of rare-earth metals than was formerly known. It is evident that they will have a myriad of uses in technologies which are only now unfolding. They possess unusual characteristics at both very high temperatures and very low temperatures, both of which conditions will be encountered in space travel. They will be used in supersonic airplanes; space vehicles and missiles; as lightweight shielding against gamma radiation and thermal neutrons; in electronics; in metallurgy; in radioactive medical therapy; as good light amplifier material in optical masers; and in new methods of electric power generation.

For example, under Project Dyna-Soar, zirconium will be used at critical points of pilot-controlled glide vehicles. Use of zirconium to resist erosion in magnetomydrodynamic generators at 5,000° F. is foreseen. This involves direct conversion of heat into electricity. Zirconium's value as a nuclear construction material was highlighted when the U.S.S. *Nautilus* made the first submerged voyage beneath the north polar ice. Another of these rare earth metals, cesium will be used in the ion propulsion engine, in which thrust is developed by exhausting a stream of ions through a nozzle after the ions have been accelerated to about 300,000 miles per hour by passing them through electrical or magnetic fields. The engine is intended for use outside the earth's atmosphere. Four companies are working on various components of this engine and several prototypes have been built. Cesium is also being used in development of the plasma therionic converter which will transform the heat of a nuclear reactor core directly into electricity. The National Aeronautics and Space Administration has estimated that the ion propulsion engine and the thermionic converter program would require more than triple the present annual consumption of cesium metal within the next few years. It is reported that a lithium-cesium-rubidium saline deposit is being developed in Esmeralda County, Nev.

As to another rare-earth metal, the 1961 Minerals Yearbook, prepared by the U.S. Bureau of Mines, report that:

New technological achievements announced during 1961 could signify raw material, with subsequent lower cost to the user, would be required for new uses and for utilization research.

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Yttrium is used in microwave devices for missile systems, nuclear reactors, medicine, metallurgy, ceramics, and chemistry.

The Minerals Yearbook also reports:

The Office of Mineral Exploration (OME) included tellurium among mineral products eligible for up to 50 percent Government financial participation of approved cost * * *. The continued search for new sources of tellurium was unsuccessful * * *. The search by Government and private industry for tellurium sources continued * * *. Research advances in the applications of bismuth-telluride components in thermoelectric devices. Refrigerators, water coolers, icemakers, and air conditioners using these devices were on the threshold of production for homeowners.

Tellurium will be important in space vehicles to cool interior temperatures and as a source of power converted from solar heat. Tellurium is presently produced in the United States only as a byproduct of copper and lead operations in the Western States. Significant quantities of tellurium are produced by the U.S.S.R. in south central Siberia; the exact quantity is unknown, but the advanced degree of Russian use of the element in the thermoelectric applications indicates development of a large tellurium industry.

Senator METCALF. Would you mind if I interrupted?

Mr. CANNON. Surely.

Senator METCALF. How do you prospect for tellurium?

Mr. CANNON. How do you prospect for tellurium?

Senator METCALF. Yes.

Mr. CANNON. Well, in that connection I would like to refer to a statement submitted—

Senator METCALF. Are going to cover that?

Mr. CANNON. Yes. I would like to get into some of the methods, modern methods of prospecting.

Senator METCALF. Surely. If you are going to cover that later on in your statement, I will defer the question.

Mr. CANNON. The 1961 Minerals Yearbook also reports:

The Office of Minerals Exploration (OME), offered financial assistance to explore for all types of beryllium ore, and participation in approved projects was up to 50 percent. A contract for exploration of beryl and columbium and tantalum minerals in Custer County, S. Dak., was completed and certified. A contract for exploration of beryllium minerals in Juab County, Utah, continued in force at the end of 1961. A contract for exploration of beryl and tantalum minerals in Taos County, N. Mex., terminated without certification in 1961.

The Bureau of Mines continued its comprehensive program on beryllium for the fourth consecutive year, and in 1961 the program was the largest the Bureau had ever undertaken on beryllium. It consisted of continuing a nationwide study to detremine the nature and extent of potential domestic beryllium resources, continuing metallurgical studies on developing milling methods to recover disseminated beryllium minerals from low-grade ores that someday may substitute for cobbed beryl, continuing metallurgical studies on the extraction and purification of beryllium and staring some studies on casting beryllium. Sensitive nuclear electronic instruments were widely used in the search for beryllium deposits—

this is one of the techniques of modern prospecting for this type of mineral, sensitive electronic instruments—

and in the Northwestern States use of a mobile spectrographic laboratory for detecting beryllium in samples of rocks was continued.

This is another technique, a mobile type of spectrographic laboratory.

The exploration of certain mineral deposits in the Badger Flats area in Park County, Colo., was completed. Numerous occurrences of beryl in north central New Mexico were described.

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Considerable beryllium was utilized for special applications in aircraft, missiles, vehicles for space exploration, nuclear energy, and for research and development of applications in these fields. Beryllium metal was available in machined shapes and to a limited degree in forging, tubing, wire, structural shapes, and sheet. The Mercury capsule, Freedom 7, that carried Comdr. Allan B. Shepard, Jr., on the first flight of an American into suborbital space on May 5, 1961, contained a heat shield and other components of beryllium.

I have just included some statements from the Mineral Yearbook.

The Bureau of Mines reports at page 380 of the annual report of the Interior Department for fiscal 1962:

Areas of potential beryllium mineralization were examined in Arizona, California, Colorado, Idaho, Nevada, Texas, and the New England States. In Idaho, the investigations provided information on 30 beryllium occurrences, two-thirds of which were previously unknown. The known area of low-grade beryllium mineralization in Idaho's Sawtooth Mountains was extended by drilling and sampling to more than 40 square miles.

* * * A survey of mineral raw materials used by producers of chemicals and allied products in California and Nevada was nearly completed. Facilitated by excellent industry cooperation, this study is expected to make available for the first time significant data on requirements and sources of supply for minerals used in the chemical industries.

The 1961 Minerals Yearbook reports that the geology and mineralogy of the columbium-bearing deposits of Ravalli County, Mont., were described, and that columbium-bearing deposits in Gunnison County, Colo., were similarly described. Columbium is used for jet engines, gas turbines, high-speed aircraft and missiles. Also reported was a new contract to explore for copper ore, in conjunction with cobalt, in Lemhi County, Idaho.

To mention another metal not quite as exotic, silver is now used to withstand high temperature and provide a bonded joint resistant to corrosion, shock and vibration such as are encountered by jet aircraft, rockets, and other air and space vehicles. Consumption now exceeds production to such an extent that the President directed the Secretary of Treasury to suspend further sales of free silver and to suspend use of free silver held by the Treasury for coinage. The leading silver-producing States are Idaho, Arizona, Utah, and Montana.

Pure tungsten metal sheet, rod, and wire is in increasing demand for the development of missiles and space vehicles. The Bureau of Mines says, "the Nation faces the problem of establishing larger [tungsten] resources to assure long term, adequate and dependable supply" and says that there are many tungsten deposits in remote and inaccessible locations. Tungsten occurs in California, Nevada, Montana, Colorado, Idaho, Arizona, Washington, and South Dakota. However, it is estimated that the reserves in Red China, Red Korea and Red Russia may be three to four times as great as those in the free world.

Senator METCALF. Just a minute. Senator Symington says that we have enough tungsten in our stockpile already to last for about 100 years. You mentioned the tungsten occurrence in Montana. I assure you that it is one of the problems that the junior Senator from Montana is concerned with, to keep our tungsten production going at the present places of production in view of the fact that this huge stockpile hangs over us. Next to uranium and probably manganese, we have enough tungsten to keep us going for many, many years at the present production. We are not locking up any needed tungsten sup-

plies by giving a higher use to some of these areas. I just want you to know that I am very keenly aware of the tungsten problem.

Mr. CANNON. Right. Surely.

Senator METCALF. And would like to have tungsten production continue in the areas where it is produced.

Mr. CANNON. I would certainly think you could gain some aid and comfort out of some of this material contained in the report of the Bureau of Mines.

Senator METCALF. I was born and raised in Ravalli County.

Mr. CANNON. I learned that yesterday, sir.

Senator METCALF. And I know that area perhaps better than any other area in America. I remember that it was not a mineral bearing area, it was not classified as mineral until we found some of these rare and scarce minerals and I agree with you wholeheartedly that there is no way to ascertain or determine today what will be an essential mineral-producing area tomorrow or 10 years or 20 years away.

But the same argument that you are presenting, could have been presented to tell us that we should not classify Yellowstone National Park as a national park because it perhaps would be a mineral-bearing area and produce Grissomia or Glennomia, to name some undiscovered minerals after our own astronauts. That to me is no argument for not continuing Yellowstone and Glacier as national parks. We have taken care of that, it seems to me, in this bill to provide in these very limited areas that the President will have an opportunity to say that in the national interest and for the national defense, we will go into Ravalli County, if it by chance had happened to be put into the wilderness area—and it wasn't—to produce this, or go down to provide that in Utah we will take this great berryllium deposit that has been discovered and utilize it for the people of the United States.

That is why we have this Presidential provision. I am telling you, I speak only for Senator Mansfield and myself, but if that area in Ravalli County were locked up, as my good friend from Colorado frequently says, in a wilderness area, and we needed the columbium, certainly we would go to the President and get it unlocked.

I have enough respect for the Senator from Colorado and the Senator from Idaho and the Senator from my adjacent States to know that they would do the same thing.

My point is that if we had adopted your argument, we would never have created a single national park and we would never have set aside a primitive area. We would never have created a wilderness area, because of what might be discovered at some time in the future. I am sorry to interrupt you.

Mr. CANNON. That is quite all right.

Senator METCALF. Tungsten is a very tender thing as far as the Montana people are concerned because we are very interested in keeping the present huge stockpile supply of tungsten off the market and keeping our own production going. Go ahead.

Mr. CANNON. Senator Metcalf, I certainly want to assure you that I did not come down here to debate an act of Congress that was passed in 1872 establishing the Yellowstone National Park. Congress named that area by name and described it by its boundary lines, and I would say that one of the things we are advocating is that the Congress would exercise exactly the same functions as they did in the act which established the Yellowstone National Park.

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Senator METCALF. My whole point is that I agree with you entirely that we don't know what is in Yellowstone National Park and what scarce and rare and essential minerals in the space age may be discovered, and we don't know what is in the Anaconda-Pintlar Wilderness Area. The same argument that you are using today, had it been adopted, would have prevented the creation of any of our national parks, any of our wilderness areas, any of our recreation areas, any of our national monuments and game refuges. We have to evaluate them today, and we have left the door open for reevaluation in the future.

Yellowstone National Park was created because a group of Montanans and people from Wyoming were encamped on the banks of Yellowstone River at the Grand Canyon of the Yellowstone, and they said "let's preserve this so that people won't come in and locate it for mining."

One of my predecessors in a direct line was a justice of the Montana supreme court, who was the leader in that movement.

But if they had accepted your argument that some day we will discover columbium or beryllium or something in one of these areas, so let's not set it aside, we would never have had Yellowstone Park, we would never have had Glacier or we would never have had any other park.

Mr. CANNON. Senator, I would like to call to your attention that on pages 5 and 6 of our prepared testimony we approvingly list more than a dozen instances of acts of Congress establishing national parks, and leading the list of course is Yellowstone National Park.

Senator METCALF. I certainly agree with you on this part of your statement anyway, and I am glad that you have come in and affirmatively stated that you approve of the establishment of areas of unique beauty for playgrounds for America.

Mr. CANNON. Yes, we certainly do. On page 2 of our prepared statement under the heading "Recreational Areas, National Parks and Monuments, Wilderness Areas," we quote our official policy position in which we refer approvingly to the establishment of national parks to include areas essential in their primeval natural condition and in scenic quality and beauty so outstandingly superior to average examples of their several types as to make them of national importance and to make imperative their preservation intact and in their entirety for the enjoyment, education, and inspiration of all people for all time.

Senator METCALF. I agree wholeheartedly. We are not too far apart. Go ahead.

Mr. CANNON. At this point I would have to add on pages 5 and 6 of our prepared testimony, in listing those various affirmative acts of Congress establishing national parks, we point out that in those acts of Congress the area was named and the boundary lines were described by metes and bounds and we would hope that some sort of an accommodation might be made in connection with this present proposed legislation that Congress would get a little nearer to this tradition and precedent that has been established in connection with national parks.

At the present time the proposed legislation would give a statutory restrictive status to a large number of areas, over 80, but these areas

are not named in the statute by name and are not described as to their boundaries in the statute.

Senator METCALF. We were largely concerned with about 6 million acres of primitive area, aren't we?

Mr. CANNON. I was just wondering a little bit that maybe some of the most recent wilderness designations might at least stand some further congressional scrutiny. I believe yesterday you expressed your disagreement with some of the boundary lines that are set in connection with one wilderness designation.

Senator METCALF. Yes.

Mr. CANNON. And I was wondering if it might not be appropriate to correct that in this legislation.

Senator METCALF. Let me tell you the disagreement I had. Marcus Daly, who was one of the great copper kings in Montana, after he had sold his rights in the Anaconda Copper Mining Co., at least the mining rights that led to the creation of the Anaconda Copper Mining Co., came over to Ravalli County after a search all over western Montana to find a place to build a home. He built the home just across from Bridger Canyon, one of the most beautiful scenic areas in all of the West.

When the Department of Agriculture created the Selway-Bitterroot Wilderness Area, they left a part of Bridger Canyon out. My disagreement is that they did not include a few extra hundred acres and put in this great scenic wonderland that Marcus Daly and subsequent people had felt was important for scenery rather than for reclamation or waterpower.

My point was that I don't think they left quite enough in the wilderness area when they reclassified it, and I think that if I could take you out and show you this canyon on some afternoon when the sun is setting, you would agree with me.

But whether a few thousand acres are left in or left out, the essential thing that we are talking about here, and we have heard figures about 22 million acres and so forth, we are talking, we are arguing about the primitive areas, aren't we?

Mr. CANNON. Well, sir, I would say that if we had our druthers, and obviously we don't, we would prefer even as to these presently existing wilderness areas, we would feel it would be more in keeping with the tradition and precedent established by all the various acts of Congress that we list on pages 5 and 6, establishing the separate national parks to include in this legislation the areas by name and by boundary line description.

Senator METCALF. You do take a different position, a position different than that taken by other witnesses who have testified who acquiesced in the inclusion of areas that are now classified as wilderness.

Mr. CANNON. Yes.

Senator METCALF. You would like them reclassified too?

Mr. CANNON. I would say that if you are going to give these areas statutory status that the statute enactment should conform to the practice followed in the establishment of national parks.

Senator METCALF. You differ from those witnesses who testified this morning that said, well, they would agree that areas now classified as wilderness should go into the wilderness system.

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Mr. CANNON. Well, let me say this.

Senator METCALF. Would you advocate that any statutory designation be accomplished by an affirmative act of Congress? I think it has been pointed out that by permanently bringing the wilderness areas into statutory wilderness status under S. 4, that is an affirmative act of Congress.

Mr. CANNON. As I say, if we had our own preference, we would like to go one step further and have the areas named and described. That is where we differ to some extent.

Senator METCALF. Thank you.

Mr. CANNON. Yes, sir.

I would like to briefly describe the program of the Office of Minerals Exploration.

The Office of Minerals Exploration, under Public Law 85-701, conducts a program for the discovery of domestic mineral reserves, excluding organic fuels, by providing financial assistance to private industry on a participating basis.

It has been reported that public interest in the exploration assistance program conducted by the OME reached a new high in fiscal 1962 with 121 applications received and 20 new contracts executed authorizing $1,452,650 in exploration work. It is reported that this increased interest is largely attributable to the addition of six mineral commodities including gold, silver, and iron ore to the list of commodities eligible for exploration assistance.

Now to tie this background into the question of the wilderness areas, I would like to refer to the study report No. 3 authorized by the Outdoor Recreation Resources Review Committee. This study report is entitled "Wilderness and Recreation—A Report on Resources, Values, and Problems." This study was done by the Wild Land Study Center of the University of California, and on page 109 of this study report it is stated that—

> * * * Information supplied by the U.S. Forest Service in 1960 shows there are 225 mining patents covering 10,899 acres, and 7,476 mining claims covering 139,870 acres, within some 32 large wilderness areas of the national forests.

The study report states that production of important mineral quantities have occurred in the following areas for minerals indicated:

High Sierra primitive area: Tungsten primarily, and also copper, gold, silver, lead, zinc, and molybdenum.

Idaho primitive area: Tungsten and mercury primarily, and also gold, silver, copper, and lead.

San Juan primitive area: Silver.

Gila wilderness area: Fluorspar.

Mazatsal wilderness area: Mercury.

The report continues to state that mineral authorities express optimism about future potentials. Offices of the U.S. Bureau of Mines in letters to the Wildland Research Center have made the following comments:

> In this period of depressed metal prices and markets, only the most efficient mines can be operated profitably. Many deposits within wilderness areas that presently are uneconomic, would be minable with higher prices and greater demand.
>
> It should be understood that, in general, prospecting has been inadequate in the past and was chiefly for copper, lead, gold, and silver. It was largely done prior to the metal requirements of the past two wars and the present

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space age. Prospecting has been almost wholly without benefit of geochemistry, geophysics, core drilling, and advanced geologic guidance.

Currently prospecting and exploration is at an alltime low. The logistics of exploration are weighted against mineral discovery by the limitations on mechanized transport, power equipment, use of explosives, and the inability of a prospector to acquire title or exploit a deposit even though found.

Future breakthroughs in metallurgy—

this is still the U.S. Bureau of Mines—

will create demand not now recognized; nor can we predict what elements may be in future demand. Similarly, advances in exploration and exploration techniques, and increasing demand will make commercial resources out of mineralized formations that would now be considered worthless, were they known.

I might add to that that new techniques in the beneficiation of low grade ores also is increasingly making economically minable deposits that would not have been considered some years ago.

This study reports also states that the Bureau of Mines in reviewing mineral potential of 30 national forest wilderness and primitive areas, indicates that discovery potential for metalliferous minerals is high in 18 areas, and medium or low in the other 12.

On pages 110 and 111 of this report is a tabulation of how the Bureau of Mines considers the mineral potentiality of the 30 wilderness and primitive areas reported on. I notice that in connection with the Anaconda under "discovery potential" as to metals they rank it medium, as to nonmetals, medium, and as to mineral fuels low. But as to various others in these areas listed, they rank them all high, a great number of them as to both metals and nonmetals.

Senator METCALF. Mr. Boyd's testimony this morning—he submitted a statement from the committee of public lands of the Mining and Metallurgy Society of America and he enumerated mineral potentials of the various States on pages 33 and 34, and left out Montana, decided that there wouldn't be any special mineral production from the areas in Montana that would go into wilderness. And so I can't argue with you about the potentialities of some of these areas. I think you are quite right about Anaconda and the Bitterroot areas. The point I was trying to make when we were discussing it before was that no one knows where minerals will be found and what minerals are going to be the essential minerals in the space age in which we live. But it doesn't seem to me that that is a valid argument against setting aside for future benefits some of these unique areas that we can use for special wilderness or national parks or fish, game, and wildlife refuges at the present time, and we have provided a key to unlock these places if and when they are needed, just as we have provided a key to unlock Glacier and Yellowstone and Gethsemane National Parks.

If and when something in the public interest is discovered that is necessary to win a war or take care of a depression or to move forward in our exploration in space we can go to the President, and I have complete confidence in the Senator from Arizona and the Senator from New Mexico who flank me, that they could go to the President and get these things unlocked, if it were demonstrated that we needed them.

Mr. CANNON. Well, Senator, you and I proceed from the same premise but arrive at different conclusions. Because of the premise which you stated, this is the reason that we feel that at a time when

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Soviet Russia is exploring for and discovering new rare-earth minerals and continuing extensive research in their uses, and at a time when our own research has indicated that these rare-earth metals will have greatly expanded use in the space, missile, and nuclear age we are just entering, we should not foreclose the fullest opportunities for discovering of additional sources of already known rare-earth minerals and the possible discovery of presently unknown rare-earth minerals.

Therefore, we urge that under appropriate regulation the existing mining and mineral leasing laws be permitted to continue to apply to wilderness areas and that continuing mineral resource surveys and inventories be made of these and adjacent lands.

We feel that under the present provisions of S. 4, there is insufficient incentive and opportunity for prospecting, particularly using these modern prospecting methods that we refer to, to discover that there is a justification for unlocking some of these areas, that we are not going to have the opportunity to make some of these discoveries and so that the remedy of going to that extremely busy man, the President of the United States, may never be called on because we won't know what might really be there that might help us out a great deal.

In concluding, we would like to state that regardless of the subject matter of the proposed legislation, we would be disturbed by the rigid and inflexible method of legislative procedure which would be established by section 3(f).

We believe that under section 3(f), a wilderness area recommendation would be presented to the Congress on a "take-it-or-leave-it" basis. The Congress could reject the recommendation or it could approve the recommendation. There is no opportunity provided to the Congress to modify the boundaries proposed in the recommendation, to delete or add some portion of land, or to make some special use provisions if a proper case were made in regard to a particular area. The recommendation either would go into effect or not go into effect. In our opinion, we do not believe that this fulfills the true definition of legislating.

I want to express our great appreciation for this privileged opportunity to present our views.

Senator METCALF. Mr. Cannon, I want to express my gratification for your appearance here and your splendid testimony. I interrupted you at times, but I feel that we are not too far apart in our ideas. Thank you so much for your appearance. You have been helpful to us.

The next witness will be another old friend of the committee, Mr. John Taylor, from the American Farm Bureau, who will appear again on this bill, as he has appeared in the past.

## STATEMENT OF JOHN I. TAYLOR, ASSISTANT LEGISLATIVE DIRECTOR, AMERICAN FARM BUREAU FEDERATION

Mr. TAYLOR. Very briefly, Senator.

Senator METCALF. We are delighted to have you here, Mr. Taylor.

Mr. TAYLOR. Mr. Chairman and gentlemen of the committee, the American Farm Bureau Federation appreciates the opportunity to

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appear before this committee to present its views on wilderness legislation—S. 4.

We note the request of the committee that only new material be presented at this hearing, and we shall comply with that request. Our testimony presented on February 27, 1961, may be referred to for our basic policies and recommendations. This policy on wilderness has not changed since our last testimony.

We are appreciative also for the amendments we suggested which were made by the committee on S. 174.

The new material which we wish to present briefly is as follows:

First. In the March 1961 issue of the Journal of Forestry, there appeared the results of a survey by Mr. Gordon L. Bultena and Mr. Marvin J. Taves entitled "Changing Wilderness Images and Forestry Policy." It is an objective study of what people desire with respect to the use of land for recreational purposes. It shows that the great majority of people want campsites or campgrounds, first aid stations; garbage disposal places; toilets, picnic tables; wells for drinking water; places to buy groceries, and many others. Very few persons will ever be able to enjoy the beauties and solitudes of the areas proposed in this bill.

Second. There has been a similar study made recently in California. The results have not as yet been made public. Our information is that it will show even more vividly that the public generally is not looking for "locked up" areas—but areas which can be used and enjoyed. We suggest the committee carefully examine this survey, if and when released, to obtain any new thoughts or ideas it might bring forth.

Third. Recently, the Secretary of Agriculture through the Forest Service set aside 1,239,840 acres as the Selway-Bitterroot Wilderness. We shall not discuss whether or not the classifications are right or wrong—nor shall we criticize the Secretary of the agency for taking the action. We do contend, however, that the final decision and designation is a responsibility of the Congress. It would have been an easy matter for the recommendations of the Secretary, after investigation and hearings, to have been presented to the Congress for approval—and we believe this should be the pattern.

Under present delegation of authority this kind of manipulation and many others can be applied by one agency of Government or another. These included withdrawals and transfers of public lands.

Fourth. In the September 1962 issue of Sports Afield is an article by Erle Stanley Gardner in which he says, "* * * it isn't the fastness and solitude (of the desert and mountains) which are being invaded, but our liberties as citizens." He further says, "that the public domain should be administered so that it gives the greatest good to the greatest number * * *." We suggest the study of this article to the committee. It may give a new slant on a vexing and emotional problem which we and many others are trying to assess with candor and commonsense.

Lastly, in view of this new material, we respectfully urge the passage of S. 4 provided the recommendations for its improvement, attached hereto, are adopted.

We believe these suggestions will vitally improve the bill and restore to the Congress its constitutional role in the handling of part of the public domain.

Thank you very much for the opportunity to express our views.

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On the next page is the suggested amendments, to which I would like to add the following language at the bottom:

Or, Mr. Chairman, we will support an amendment or amendments which will accomplish the same result: namely, to provide that any proposed wilderness areas be added to the wilderness system only by affirmative Act of Congress.

Thank you very much.

(The proposed amendments referred to follow:)

PROPOSED AMENDMENTS TO S. 4

On page 4—

(a) Line 1, strike the word "primitive,".

(b) Between lines 1 and 2, add a new subtitle, "National Forest Primitive Areas".

(c) On line 2, strike "*Provided*, That" and begin paragraph as follows: "(2) The areas classified", etc.

On page 6, line 4, change "(2)" to "(3)".

On page 10—

(a) Strike lines 5, 6, and 7 and rewrite as follows: "If prior to such adjournment the Senate and the House of Representatives shall have approved a resolution declaring itself in favor of such recommendation".

(b) Line 7, beginning with "*Provided*,", strike the rest of paragraph (f).

Senator METCALF. Thank you very much, Mr. Taylor. We are grateful for your appearance. Thank you for your suggestions, and we will take into full consideration the suggested amendments that you have submitted.

Mr. TAYLOR. Thank you.

Senator METCALF. The next witness is Mr. Robert T. Dennis, who is representing the Izaak Walton League.

Mr. Dennis, we are glad to have you here. I see you have a prepared statement. You go right ahead.

## STATEMENT OF ROBERT T. DENNIS ON BEHALF OF THE IZAAK WALTON LEAGUE OF AMERICA

Mr. DENNIS. Thank you, Mr. Chairman.

I am Robert T. Dennis, assistant conservation director of the Izaak Walton League of America.

The Izaak Walton League of America is a nationwide organization of citizens devoted to the wise and proper use and management of America's natural resources base for all the beneficial purposes it must serve. Since its organization 41 years ago the league has been in the forefront of programs and efforts to preserve for present and future generations some areas of America in their natural condition, for their scenic, recreational, cultural and scientific values.

Mr. Chairman, on June 20, 1957, the league appeared before this committee to testify on S. 1176, the wilderness legislation then under consideration. At that time we said:

The Izaak Walton League sees in the presentation before you two principal objectives: the first, to obtain from Congress itself recognition that wilderness preservation is a sound, sensible, and logical aspect of the overall land, water, and resource management pattern * * * the second, to seek through Congress itself some means whereby the limited remaining areas of wilderness may better withstand the pressures which would destroy them * * * we endorse these objectives.

Today, the Izaak Walton League reiterates its endorsement of these objectives, as it has done at every level—Chapter, State, and National—on countless occasions at countless hearings since 1957. To-

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day, we urge speedy enactment of S. 4, just as we urged enactment of S. 174 in the last Congress, and of similar bills in previous Congresses. We commend the sponsors for their leadership and persistence in working toward this sorely needed national policy decision by the Congress.

Details of our position are made clear in the records of past hearings, and need not be repeated here.

It would seem unlikely that anything new could be added to the record which already exists, but there is in fact one important addition. Since 1961, when this committee reported S. 174 favorably and the Senate passed the bill, the Outdoor Recreation Resources Review Commission has completed its 3-year study and has presented its report and recommendations to the Congress. It might be pointed out, Mr. Chairman, that ever since the establishment of ORRRC in 1958, a favorite argument of wilderness bill opponents has been "we should wait for the ORRRC report." That report is available now. It is significant. It supports the principles and purposes of the legislation before you today.

ORRRC objectively considered the subject of wilderness in context with all outdoor recreation, and with respect to the total outdoor environment and opportunity which present generations must retain and pass on to the future. ORRRC found wilderness to be essential, desirable, and entirely consistent with all other uses of the Nation's land and water resource base, as did Congress itself in the Multiple Use and Sustained Yield Act of 1960.

ORRRC stated that the first of five major aspects of the Federal role in outdoor recreation should be—

> Preservation of scenic areas, natural wonders, primitive areas and historic sites of national significance" (p. 6 of "Outdoor Recreation for America")—

and included in the system it recommended for classifying recreation lands for management purposes:

> Class V--Primitive Areas—undisturbed roadless areas characterized by natural, wild conditions, including "wilderness areas" (p. 7).

In ORRRC's survey of the outdoor activities in which Americans engage most frequently, 13 of the 23 listed are found in wilderness in their highest quality—e.g., mountain climbing, canoeing, hiking, camping, hunting, fishing, etc. (p. 34).

ORRRC urged forthrightly:

> The natural heritage of our Nation must be preserved. We cannot afford, by either unwise action or neglect, to lose or impair resources of outstanding natural, scenic, scientific, or historic importance. These must be protected from misuse so that they may be passed on to futu e generations as nearly in their original state as possible.

Indicating its broad perspective and balanced approach, ORRRC continued in the same paragraph to say:

> Equally important is preservation of the opportunity for a wide variety of recreation uses that do not require the strict preservation of resources in their natural condition (p. 92).

In the section on primitive areas, ORRRC made the flat recommendation that:

> Primitive areas (class V) should be carefully selected and should be managed for the sole and unequivocal purpose of maintaining their primitive characteristics (p. 113).

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Finally, ORRRC recommended that—

> Congress should enact legislation to provide for the establishment and management of certain primitive areas (class V), as wilderness areas (p. 131).

Mr. Chairman, there can be no doubt that the whole report of the Outdoor Recreation Resources Review Commission supports the wilderness concept as essential to the entire outdoor recreation pattern, and supports the need for legislation—that is, a wilderness bill.

It is clear as well that ORRRC recommended a wilderness management policy even more restrictive than would S. 4. For example, it recommended against any mechanical transportation, except that needed for protection against fire, insects and disease (p. 113). S. 4 would permit use of aircraft and motorboats if their use is already established.

ORRRC recommended that—

> any economic use of the [wilderness] area, such as the grazing of livestock, that may exist at the time of its establishment should be discontinued as soon as practicable and equitable, and no further commercial utilization of the resources should be allowed (p. 113).

S.4 provides for the continuation of grazing, and also a procedure whereby wilderness can be prospected, or used for reservoirs and other water structures, transmission lines, roads, related facilities, and so forth. Furthermore, section 11 of S. 4 provides specifically that the Federal Power Act shall not be affected.

Therefore, Mr. Chairman, it seems to us that S. 4, passed by the Senate in 1961 as S. 174, is very reasonable legislation. We believe the Senate bent over backward in meeting the demands of the opponents of wilderness—too far in the instance of section 11, which ought to be eliminated.

Mr. Chairman, the league supports S. 4. We appreciate the privilege of presenting our view.

Senator METCALF. Mr. Dennis, we appreciate your testimony. It has been very helpful to the committee. Thank you.

The next witness is Mr. O. F. Barnett, representing the Defenders of Wildlife.

Mr. Barnett?

(No response.)

Senator METCALF. Mr. Barnett is not here.

Without objection, permission will be granted for him to insert his testimony in the record.

The next witness will be John L. Berry, American White Water Affiliation.

Mr. Berry?

(No response.)

Senator METCALF. We now will hear a statement read by Mr. George Hammond, president, the American Camping Association.

## STATEMENT OF GEORGE HAMMOND, PRESIDENT OF THE AMERICAN CAMPING ASSOCIATION

Mr. HAMMOND. The American Camping Association, the national professional organization representing the camping movement in America, wishes to be on record as strongly supporting the wilderness bill S. 4.

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Our association is comprised of agency, private and public camping leaders involving youth, adults, and family constituents.

Over 20 million people will participate in some form of camping this year. The importance of wilderness areas will become more important with the passing years. A growing population and a prosperous Nation demand that we provide at least the amount of land proposed in S. 4 for the use of its citizens as a wilderness area.

Many campers, including organized groups, families and others, make trips into wilderness areas for the express purpose of seeing and being a part of such unspoiled natural wonders. Our organization envisions more and more organized camping that will be able to take advantage of these areas as camps are expanded. For instance, trip and pack camping have unlimited possibilities for organized groups.

These wilderness areas have esoteric and intrinsic values that all Americans during the coming years need to capture.

Senator METCALF. Thank you, Mr. Hammond.

The next witness will be William Zimmerman, Jr., representing the Sierra Club.

Mr. Zimmerman.

## STATEMENT OF WILLIAM ZIMMERMAN, JR., FOR THE SIERRA CLUB

Mr. ZIMMERMAN. Mr. Chairman and members of the committee, my name is William Zimmerman. I am Washington representative of the Sierra Club, with offices at 710 Dupont Circle Building. The Sierra Club is a national, nonprofit organization, founded in 1892 by John Muir and some of his friends. It had 182 charter members. Although sometimes regarded as a local California organization, actually the club now has about 20,000 members in all States of the Union. In recognition of its spreading membership and its national status, the club now has a Washington office. I have been heard by this committee and one of its predecessors over a period of nearly 30 years, but this is the first statement I have submitted on behalf of the Sierra Club.

The club's purposes, as stated in its bylaws, are to explore, enjoy, and preserve the scenic resources of the United States and its forests, waters, wildlife, and wilderness; to publish scientific and educational studies about them; and to educate the people with regard to the National and State forests, parks, monuments, and other natural resources.

In view of these purposes, which have guided the club for 70 years, it is obvious why it has been a strong and consistent advocate for the passage of a wilderness bill. At previous hearings, both in Washington and in California, the club's executive director, David R. Brower, has made clear the club's position. It is not necessary now to restate all of the arguments used, particularly in the light of the chairman's request that the present testimony be limited, so far as possible, to new matters. I shall confine myself, therefore, to two points.

The club wishes to record its strong opposition to the proposed commercial ski lift and auxiliary operations proposed for the San Gorgonio wild area. We fear the record previously made before the congressional committees obscures the fact that this area is not "locked up," as sometimes charged, but is actually being used by more people than

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would use a commercial development. Local estimates give a total of 40,000 people who used this relatively small area last year. Whatever the merits of the proposal, we believe that a bill of national significance, such as the wilderness bill, is not the proper vehicle for an amendment which would exempt this one segment from the operation of the act.

Second, we hope that the Congress will see fit to eliminate the reference to the Federal Power Commission, which is, in substance, a reenactment of part of the Federal Power Act. That act, it is true, requires the Commission to make a finding that the construction of a power project within a Federal "reservation" as defined in the act, would not adversely affect the purposes for which the reservation was established. It seems to us clear that the construction of a power project within a wilderness area is patently harmful and contrary to the purpose of a wilderness area, but we see no reason why this burden of decision should fall on the Commission. It is our view that the intrusion of power projects, once a wilderness area has been established in accordance with the language of S. 4, should be permitted only with congressional sanction. Power projects such as are licensed by the Federal Power Commission are not built in a day. They require years of planning and construction. In no sense can the issuance of a license be called a national emergency. It is our recommendation, therefore, that the reference to the Commission be stricken from the bill, so that everyone will know that it is the intent of the Congress to reserve to itself the authority to change the boundaries of a wilderness area to permit such intrusion, or even to permit such construction within existing boundaries.

We should not wish it to appear, Mr. Chairman, even if you follow these suggestions, that we regard S. 4 as a perfect bill. We appreciate the hours and days which your members and your staff have spent in seeking language which would meet the approval of the Senate. Inasmuch as S. 4, now before you, is really S. 174 as passed by the Senate in the last Congress, we hope that your committee will now approve S. 4 with a minimum of amendments. As S. 174 evidently expressed the conclusions of an overwhelming majority of the Senate in the last Congress, our hope, naturally, is that S. 4, once it is reported, will again meet Senate approval without delay.

Senator METCALF. Thank you, Mr. Zimmerman. It is always a pleasure to have you.

Two Members of the Senate who have been unable to appear previously are here and will conclude the testimony on S. 4.

The first of these is the original author of the wilderness bill, Senator Hubert Humphrey, of Minnesota.

Senator Humphrey.

## STATEMENT BY HON. HUBERT H. HUMPHREY, A U.S. SENATOR FROM THE STATE OF MINNESOTA

Mr. HUMPHREY. Mr. Chairman, just as these hearings are being kept short and to the point, my statement supporting the wilderness bill (S. 4) will be of a similar nature.

The time for reexamining the facts, soliciting volumes of testimony, and holding extensive hearings has passed. Since the first major

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wilderness bill was introduced in Congress in March 1957 (S. 1176 of the 85th Congress), literally thousands of pages of testimony have been gathered, evaluated, and acted upon.

This has not been an idle task. Many important changes in the original legislation have been made. 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 original regulations for the protection of wilderness areas have been revised and liberalized. In short, the measure introduced by the distinguished Senator from New Mexico (Mr. Anderson) represents a highly reasonable, temperate, and moderate approach to the objective of preserving certain parts of this Nation as wilderness areas.

Mr. Chairman, my association with this legislation is well known. I was honored to be the principal sponsor of the wilderness bill in the 85th and 86th Congresses. During my years as author of this bill, we held an extensive series of hearings throughout the United States, including such places as Bend, Oreg.; San Francisco, Calif.; Salt Lake City, Utah; Albuquerque, N. Mex.; Seattle, Wash.; and Phoenix, Ariz. Extensive hearings were also held in Washington.

In the 87th Congress, the able Senator from New Mexico assumed the role of principal sponsor. He did a masterful job of guiding the wilderness bill to an overwhelming victory in the Senate. The 78 to 8 majority accorded S. 174 in the 87th Congress is impressive evidence of the fundamental soundness of the bill. I profoundly regret the situation that subsequently developed in the House of Representatives. I feel totally confident that the wilderness bill would have received an impressive majority had the legislation reached the House floor for a vote.

As I indicated at the beginning of these remarks, they will be kept very brief. In fact, there is very little left unsaid about the wilderness bill. The members of the committee know the details intimately. The legislative history of this proposal is a model of reasonableness and commonsense. In my opinion, this committee should report the wilderness bill to the Senate floor promptly and without lengthy deliberations. I pledge my complete support for S. 4 when it comes before the entire Senate for its approval.

In fact, I predict that the 88th Congress will send the wilderness bill to President Kennedy for his signature.

Mr. Chairman, I ask that one of my recent floor statements relating to the wilderness bill be included with this statement in order to provide additional evidence of my support for this bill.

Senator METCALF. Without objection, it will go in.

(The statement referred to follows:)

[From the Congressional Record, Sept. 28, 1962]

THE WILDERNESS BILL

Mr. HUMPHREY. Mr. President, the first anniversary of the Senate's passage of the Wilderness Act has now passed. After 5 years of consideration, controversy, and compromise, the wilderness bill was overwhelmingly approved by the Senate on September 6, 1961, by a vote of 78 to 8.

This achievement was a tribute to the leadership and reasonableness of the distinguished Senator from New Mexico (Mr. Anderson). As chairman of the Committee on Interior and Insular Affairs, he sponsored S. 174 in this 87th

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Congress. He also saw it through the Interior Committee and secured the modifications required to accommodate it adequately to the many groups affected by this legislation. The Senator from New Mexico nevertheless managed to do this in a form adequate for the purposes of the legislation. The distinguished Senator has been widely and rightly commended for this accomplishment.

A recent editorial in the Living Wilderness commented:

"Wilderness proponents realize that the Senate act goes too far in some respects in permitting nonconforming uses of wilderness and includes some procedural inconsistencies, but they also recognize that in general it is a sound and constructive measure which can greatly improve present conditions and establish a sound national policy and program."

Mr. President, it is regrettable to see wilderness proponents who are now defending this Senate act, with its many compromises, described as extremists who have demonstrated that they have no desire to compromise, and to see the proponents of wilderness preservation charged with refusing to debate the question of accommodating competing uses.

To emphasize the extent to which the proposals of wilderness proponents had been modified, let me recall some of the features of our original revised proposal for establishing a national wilderness preservation policy, but which were greatly changed—and with our concurrence, as we willingly and eagerly sought a consensus that would be truly national.

We proposed, for example, the establishment of a permanent national wilderness preservation council. This has been dropped entirely.

We proposed a national wilderness preservation system that would include at once all the wilderness, wild, primitive, and canoe areas in the national forests; all the national parks and monuments with roadless areas as large as 5,000 acres; all the wildlife refuges and ranges with roadless areas as large as 5,000 acres; and also areas within Indian reservations and within various kinds of Federal lands that might be designated by their administrators in prescribed circumstances.

Mr. President, the Wilderness Act as passed by the Senate provided for establishment within the wilderness system of only the national forest, national park system, and wildlife areas. Furthermore, for all the park and wildlife areas and for the primitive areas within the forests the act, as passed, set up a 10-year review program for permanent establishment of the system. And for any other areas to be set up as wilderness, a separate act of Congress would be required.

Our original proposal set up strict requirements for protecting areas as wilderness. These also were greatly modified with regard for users of the areas for commodity purposes as seemed justified. For example, we originally proposed to prohibit mining entirely; the act as passed permitted prospecting that would not destroy the wilderness and mining that might be permitted by the President on his determination that it would be in the national interest.

Thus, in many ways that I could further point out, the proponents of wilderness preservation compromised, modified, and clarified their proposed wilderness legislation to accommodate their own concepts to those of others. The result was the outstandingly reasonable measure for which I have so many times commended the distinguished Senator from New Mexico, Mr. Anderson, for sponsoring and seeing through the committee and the Senate—with some further accommodating amendments, I may add.

In the opinion of 78 Senators the measure, thus carefully developed, will adequately protect user interests, as well as serve the national interest in having a wilderness system. It did not entirely represent what reasonable conservation groups would like. The proposal differs substantially from that which I originally introduced. It is truly a measure of democratic compromise, yet one that still maintains its original principles and purposes.

President Kennedy has supported this act and has urged its passage. Earlier this year he declared:

"We must protect and preserve our Nation's remaining wilderness areas. This key element of our conservation program should have priority attention. I therefore strongly urge the Congress to enact legislation establishing a National Wilderness Preservation System along the lines of S. 174, introduced by Senator Anderson."

I am sure the Committee on Interior and Insular Affairs in the other body also has given earnest consideration to this proposal. It has obtained testi-

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mony in hearings, both here and in the West. It has debated it in subcommittee and committee sessions. However, when its substitute version of the wilderness bill was ordered reported, it failed to reflect the fundamental objectives expressed in the Senate act. Accompanying this substitute measure was a resolution calling for the bill to be brought to the floor under suspension of the rules, thus limiting floor debate and amendment.

Let me describe briefly the wilderness provisions of the House committee's substitute bill. It dropped entirely the Senate concept of a National Wilderness Preservation System. It gives protection at once to only the "wilderness," "wild," and "canoe" areas of the national forests. It requires a separate act of Congress to establish any other area as wilderness. It permits mining to continue in the wilderness which would be protected, permits it to continue for 25 years. It requires any wilderness areas that would be established to be reviewed every 25 years.

A notable feature of this substitute bill is its including as title I a separate piece of legislation dealing with the broad land withdrawal policies of Congress. This title I has not been considered by the Senate in connection with the wilderness legislation. The added title has been strongly opposed by the Departments of Agriculture and the Interior.

Mr. President, the Speaker of the House did not permit a suspension of the rules, for the purpose of bringing this substitute bill to the House floor under the circumstances in which the Members would not have an opportunity to debate or amend it. The Speaker has advised the Interior Committee chairman, the distinguished gentleman from Colorado, that the best procedure under the circumstances would be to go before the Rules Committee and request a rule for floor consideration.

Since that decision, the House Interior Committee has not convened; and I am informed that no meetings are now scheduled. Also pending in the House Interior Committee are a number of noncontroversial measures, such as S. 77, establishing the Chesapeake and Ohio Canal National Historical Park; S. 1988, promoting the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, lower Klamath and upper Klamath national wildlife refuges in Oregon and California; S. 3117, establishing the Bureau of Outdoor Recreation in the Department of the Interior and S. 513 providing for shoreline area studies.

Mr. President, I sincerely hope that action can be secured on the wilderness bill and these other conservation measures before Congress adjourns. I have followed for many years the attempts to preserve the remaining wilderness areas of our Nation. I have been one of the strong proponents of the need to protect this rapidly dwindling resource for future generations.

Mr. President, I think I can honestly say that for many years I took the lead in connection with this matter, and I realize how much criticism it can bring upon one. This job has been very difficult. We have come many miles in this battle, and I urge our colleagues in the other body to appreciate the high desirability for action this session.

Mr. President, I ask unanimous consent that an article from the St. Louis Post-Dispatch, for September 16, 1962, entitled "Fate of the Wilderness Bill," be printed in the Record at this point. I also ask unanimous consent that an editorial from the Living Wilderness be printed in the Record.

(There being no objection, the article and the editorial were ordered to be printed in the Record, as follows:)

[From the St. Louis Post-Dispatch, Sept. 16, 1962]

FATE OF WILDERNESS BILL

(By William K. Wyant, Jr.)

WASHINGTON, September 15.—The difficulty of persuading the Nation to leave some small part of its scenery unspoiled so posterity can enjoy it is illustrated by the fate of the so-called wilderness bill, which the House will consider next week.

After years of work, conservative-minded Americans led by Senator Clinton P. Anderson, Democrat, of New Mexico, got a bill through the Senate last September to safeguard 61,275,011 acres in a national wilderness preservation system. But the House Interior Committee, of which Representatives Wayne N. Aspinall, Democrat, of Colorado, is chairman, is expected to bring before the House Monday a bill that conservationists consider a travesty—worse than nothing at all.

"It is a bill to protect miners, lumbermen, and other enterprising patriots from rampant conservationists who are trying to give the country back to the Indians," Howard Zahniser, executive secretary of the Wilderness Society, told the Post-Dispatch sarcastically.

WOULD AVOID DEBATE

The Aspinall committee voted to request that its rewritten version of the Senate bill be brought to the floor with no chance for debate or amendment. Conservationists were working frantically this week to block this procedure. They think they can defeat it.

In the controversy over the measure, 22 national conservation groups and 58 State and local organizations are pitted against lumber, mining, grazing, and other commercial interests that have striven to bend Congress will in their favor.

The quarrel is not over whether new land, not now in Government hands, shall be denied for a while to the ax, the shovel, and the bulldozer. It concerns, remote back country already in the national forests, the national park group, and the national wildlife refuge system.

What conservationists wanted to do was to throw up protections now, while there is still time, for more than 140 wilderness areas that are still largely out of reach of exploitation. Much of it is high, mountainous country in the West and in Alaska.

The conservationists say that they were not trying to change the situation but to pin it down, providing national guarantees against commercial depredation.

CONSERVATIONISTS' GOAL

"Our basic thesis," said Zahniser, who also is vice chairman of the Citizens Committee on Natural Resources, "is that only those areas will be preserved as wilderness in our culture that are designated positively for use as wilderness—and protected as such by law.

"It is not just the greed of miners, which was being lampooned 60 years ago. It is the expansion of our population, the growth of roads, and mechanization. Our culture is such that all these areas are destined to have some kind of value that will result in their exploitation and destruction."

The territory the conservationists want to protect, or keep the way it is, includes 6,822,400 acres of "wilderness," "wild," and "canoe" areas and 7,852,958 acres of primitive area in the national forests.

It includes a potential of more than 22 million acres of roadless country in the national park system—not formally designated as wilderness at present—and possibly more than 24 million acres in wildlife refuges and game ranges.

Zahniser said that none of the land that conservationists presumed to be wilderness is open to timber operations at present. The same is not true of mining, which is permitted, generally speaking, under laws dating from 1872.

"The opposition of the lumbermen proved one thing," said Zahniser. "You do need the legislation. The lumber interests said we didn't need it, but this proves they did have designs on it."

He pointed to the testimony of Joe Hughes, who has a logging and sawmill business at Foresthill, Calif. Hughes appeared last November when the subcommittee headed by Representative Gracie Pfost, Democrat, of Idaho, held hearings at Sacramento.

JOBLESS ISSUE RAISED

Mrs. Pfost asked Hughes why he thought passage of the conservationist-backed Senate bill would cause unemployment, in view of the fact that no timber cutting was allowed in the wilderness areas in question.

"I had in mind an estimated billions of feet of timberland that would be included in the wilderness area, according to the reading I have done on it," said Hughes.

Mrs. Pfost then asked Hughes whether he had in mind that lumber operators might at some future time be able to get into some of the present national forest wilderness or primitive areas, now closed to them.

"Yes," said Hughes. "I think the lumbermen as a whole would like to think we can harvest that timber before it dies or is lost to us."

Under the House substitute bill, which conservationists say "substitutes exploitation for preservation," mining could continue for 25 years. Moreover, wilderness areas would be reviewed every 25 years by 10 Federal agencies to determine whether their status should be changed.

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The substitute bill would designate less than 7 million acres as wilderness—just the wilderness, wild, and canoe areas in the national forests. Other lands would require separate acts of Congress.

In the Senate bill, a wilderness system would be established including the 14,675,358 acres of wilderness-type areas in national forests. It would permit the President to consider for preservation about 61 million acres, subject to rejection by Congress.

REVIEW IS DISTASTEFUL

The 25-year review is distasteful from the conservationist viewpoint because it would mean that each quarter century the wilderness would have to run the gauntlet. Governors of States and county politicians would have to be consulted. Pressures would be endless.

"This proposed review is as dubious in a wilderness act as it would be in a marriage vow," said Zahniser. "The House bill includes hazards that do not exist now."

Zahniser and other conservationists believe that they stand for the majority of Americans against a small but effective minority of commercial interests. This week they sent each Member of Congress a reprint of an article by Senator Anderson supporting his Senate bill.

"The main point," Zahniser slad, "is that time is short." The lovely Three Sisters primitive area in Oregon contained no marketable timber when it was established in 1937. In the 1950's the Forest Service moved to reclassify it as wilderness, but in doing so took out 53,000 acres of timber for logging.

"There was a great controversy in which the late Senator Richard Neuberger, Democrat, of Oregon, took the side of right and justice," Zahniser said, "but in the end the decision went to the powersaw." Time had run out in the Three Sisters.

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[From the Living Wilderness, spring to summer 1962]

WILDERNESS BILL CRISIS

When the Committee on Interior and Insular Affairs of the House of Representatives on August 30 not only voted to report favorably on a substitute wilderness bill, instead of a measure that could be approved by wilderness advocates, but also adopted a resolution instructing the chairman to try to get the rules suspended so as to prevent debate or amendment by the House of a measure so much in need of amendment, the committee created the latest and greatest of the numerous crises with which the 6-year struggle for congressional action for wilderness preservation has been punctuated.

It is a crisis to which many conservation leaders responded at once with protests to Speaker of the House John W. McCormack and urgings that he not permit suspension of the rules for this purpose but rather help see that the wilderness bill is brought before the House with provision for adequate consideration and amendment as the Members of Congress may see fit after debate.

By midafternoon of the day of the committee's action, Spencer M. Smith, secretary and full-time representative of the Citizens Committee on Natural Resources, the conservationists' "task force" for legislation, wired Speaker McCormack strong protests.

"Shocked," said Dr. Smith's telegram as reported to us—"shocked at the action of the House Interior Committee in reporting out the substitute wilderness bill in unacceptable form. Bill represents sad distortion of the measure passed by the Senate and urged by President Kennedy. Committee's further action in requesting that measure be brought to the floor with no chance for debate and amendment is further shocking. Urgently hope the leadership can deny this unreasonable request in order that this measure can receive full House consideration."

Ira N. Gabrielson, chairman of the citizens committee, president of the Wild-Life Management Institute, widely known as Mr. Conservation, in another wire that same afternoon told the Speaker that the committee's "request to bring up the substitute wilderness bill under suspension of rules is unacceptable to the Nation's conservationists."

"The committee's substitute is grossly inadequate," said Dr. Gabrielson. "Eliminating the opportunity for floor debate and amendment is unfair to all interested House Members," he charged.

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Admittedly the committee had not only done violence to the legislation but also by delay and the rules-suspension procedural maneuver had created serious difficulties for wilderness advocates so late in a congressional session. Yet the conservation leaders who so long and earnestly had worked through many other difficulties were quick to rally. Undoubtedly their supporters throughout the country will likewise rally with protests and urgings to their Congressmen, and the end result may well be a strengthening of the wilderness legislation's prospects.

"We have just entered the arena in the House in which we can fight," Representative John Saylor, of Pennsylvania, told a reporter for the National Wildlife Federation's Conservation Report soon after the committee had adjourned. "Under the committee system," said Congressman Saylor, pioneer champion of the wilderness bill, himself minority leader of the Interior Committee, "with an adverse committee, we can do nothing until we have a bill reported. Now we have one. It is far from what we want. But we are not through. We have just begun to fight where we do have a chance."

Perhaps—who knows—the surprise attempt to prevent debate and amendment will rather by the very shock of the maneuver and its reverberations only insure earnest debate and encourage amendment.

In fact, there arises the strong conviction on the part of many that the soundest procedure from the viewpoint of by far the great majority of the Members of the House would be a restoration of the Senate-passed Wilderness Act, S. 174, and its passage. Wilderness proponents realize that the Senate act goes too far in some respects in permitting nonconforming uses of wilderness and includes some procedural inconsistencies, but they also recognize that in general it is a sound and constructive measure which can greatly improve present conditions and establish a sound national policy and program, while the tone of the substitute bill, as Ernest Dickerman of the Smoky Mountains Hiking Club has said in a detailed analysis, "is consistently negative with respect to the preservation of wilderness."

The many conservationists in the House of Representatives, and their constituents throughout the Nation, who wish to see a sound and enduring national wilderness preservation system do face a crisis. There is little time. There is none to lose. Yet the opportunity for worthy action is still alive. And the prospects are challenging.

Senator METCALF. Thank you, Senator Humphrey. Our last witness is Senator Ribicoff, of Connecticut, another coauthor of S. 4.

Senator Ribicoff.

## STATEMENT OF HON. ABRAHAM A. RIBICOFF, U.S. SENATOR FROM THE STATE OF CONNECTICUT

Senator RIBICOFF. Mr. Chairman, I appreciate the opportunity to testify in support of S. 4, a bill to establish a national wilderness preservation system. This legislation to provide congressional authorization for the permanent preservation of remnants of our American wilderness is one of special interest to the people of the State of Connecticut and myself. I am proud to be a cosponsor of this farsighted conservation legislation introduced by Senator Anderson, of New Mexico, who has long championed the cause of wilderness preservation.

We in New England have little wilderness area to draw on for the enjoyment of our millions of people. This makes us acutely conscious of its importance both in the present and in the future. We are intensely concerned that what little we still possess elsewhere in the United States be preserved by the Federal Government as wilderness. It must be held inviolate for future generations.

There are less than 70,000 acres set aside in wilderness reserves in New England which could potentially be affected by S. 4. These are included in three areas of Federal lands, 41,634 acres in Maine within

the Acadia National Park, 22,565 acres in Maine within the Moosehorn National Wildlife Refuge, and 5,400 in New Hampshire within the Great Gulf Wild Area in the White Mountain National Forest. The comparative size of these remnants of wilderness, less than one-tenth of 1 percent of the State of New Hampshire, and about three-tenths of 1 percent of the State of Maine, speak louder than words in emphasizing what can also quickly happen to the remaining available wilderness areas located on our public lands in the West. They can rapidly be dissipated forever unless action is taken to preserve them now.

The scarcity of true wilderness area in New England today is eloquent testimony in support of S. 4, and should be an object lesson to all who have been drawn into the wilderness issue. The people in the great public land States of the West would surely be distressed if they were to awaken one day and find that one of their greatest attractions and inspirations, primeval wilderness, had been compressed into a meager 70,000 acres.

I have heard it argued that this legislation would lock up areas; that it violates the multiple-use of resources principle; that it surrenders prerogatives due only to Congress. This isn't so. This is a national legislative measure designed to keep areas in wilderness open to the pleasure, enjoyment, and education of all the American people in perpetuity. It prevents the few from destroying and taking areas now in wilderness away from the whole people. It in no way violates the multiple-use principle but applies it. Nor does it surrender congressional prerogatives. To the contrary it asserts the prerogatives of the Congress.

This proposed legislation would damage no other interest or use program. It would involve no new land-management agencies but would fit into existing patterns of public land multiple-use programs. I would include provisions for change if found necessary in the national interest. It would preserve the wilderness character of lands that are now and can continue to serve a variety of consistent resources conservation purposes. It would safeguard these areas, areas already in public ownership and in use as wilderness for the permanent good of the whole people. It would not serve to facilitate any special interest or single use. Nor would it act to serve the selfish interest of any individual group. This is not a partisan, not a geographic or sectional proposal, but one with dominant concern for the national interest. The lands which are to be given permanent wilderness protection by S. 4 already belong to all the people.

It is my obligation to the people of my State and to the people in the country-at-large to examine legislative proposals on the basis of whether or not they will serve the public interest, and how they may best serve the interests of the public as a whole. Let there be no mistaking it—S. 4 is a legislative proposal of ultimate interest to all Americans present and future. I urge enactment of this bill.

Senator METCALF. Thank you, Senator Ribicoff.

That concludes my list of witnesses.

The committee has a number of statements prepared for this hearing which have been submitted and will be included in the record, if there is no objection, at the close of the testimony.

In addition to those submitted as statements for the hearing, there are a considerable number of communications which have been selected

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and are submitted by Members of the Senate for inclusion. Without objection, the staff will include them in the hearing transcripts.

We have several hundred letters from individuals, couples, and frequently a group of people as individuals which will not be printed, but will be on file at the committee offices for members to inspect. They will be available when this measure is considered in executive session.

Without objection, the statements, telegrams and communications for inclusion will appear in the record at the close of this session.

If there is nothing else to come before the committee, the hearing is adjourned.

Whereupon, at 3:35 p.m., the committee adjourned, subject to the call of the Chair.

(Additional statements and documents admitted to the record under authority granted during its hearings follow:)

REDLANDS, CALIF., *February 27, 1963.*

Senator CLINTON P. ANDERSON,
*Senate Office Building, Washington, D.C.:*

The Grayback Council, Boy Scouts of America, by unanimous vote wishes to express our support of the wilderness bill S. 4 and opposition to any amendments which would exclude the San Gorgonio area from its protection. We strongly urge you to reserve this wilderness area for our Scouts and citizens use.

JAMES LEE CLARK,
*Council President.*

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ADIRONDACK MOUNTAIN CLUB, INC.,
*Schenectady, N.Y., February 26, 1963.*

Hon. CLINTON P. ANDERSON,
*Chairman, Senate Committee on Interior and Insular Affairs,*
*Senate Office Building, Washington, D.C.*

DEAR SENATOR ANDERSON: On several previous occasions, the Adirondack Mountain Club has supported the passage of the Wilderness Act, S. 174, which was passed by the Senate in 1961 but failed of passage in the House of Representatives in 1962. We note that a new wilderness bill, S. 4, identical to that passed by the Senate in 1961, has been introduced. We regard this measure as having the greatest importance to the public good and hope that your committee will report it out favorably.

The Adirondack Mountain Club is composed of some 2,500 members residing in nearly every county of New York State and in neighboring States. The club has been vitally interested in wilderness protection, both within New York State and nationally, ever since it was founded in 1922. Many of our members have had an opportunity to enjoy wilderness experiences in various national parks and national forests and to understand the importance of our wilderness system to the people of the country. We believe that establishment of a National Wilderness Preservation System and policy as provided by the wilderness bill is absolutely essential, if present and future needs of the people of the United States for wilderness recreation and experience are to have any possibility of attainment.

Respectfully yours,

DAVID L. NEWHOUSE,
*Chairman, Conservation Committee.*

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STATEMENT OF WILLIAM I. POWELL, ATTORNEY, INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA

My name is William I. Powell, and I am attorney for the Independent Petroleum Association of America (IPAA).

The Independent Petroleum Association of America is a national trade association of some 6,000 independent producers of crude oil and natural gas, including land and royalty owners with membership in every oil-producing area in the

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United States. The primary interest of the members of the association is the production of oil and gas within the borders of the United States.

The very substantial development of the resources of the public lands States is persuasive evidence of the wisdom of the historical policy of Congress in advocating the multiple-use concept. Based upon this experience, we wish to urge that any violation of this historical policy through withdrawals of large acreages for special single-purpose use should be permitted only as an exception to the general multiple-use policy. Further, that an exception only be permitted where it can be clearly shown that such single purpose use is (1) essential, and (2) incompatible with other uses.

We feel that, if it be deemed appropriate for any withdrawal for a single-purpose use, such action should only be taken after a careful land-use study, including public hearings and that any such withdrawal of substantial acreages be accomplished only through affirmative action of Congress.

Experience of the petroleum industry has demonstrated that its operations can be made compatible with other activities within the multiple-use concept. Oil and gas operations have been conducted on the public domain, under proper governmental regulation, without being in conflict with recreational, wildlife, or other multiple-use goals. Over the years, oil and gas operations have been carried on in harmony with the farmer, rancher, national forest service, private estates, city and county municipalities and many, many other owners of the property being drilled.

In our opinion, if this legislation should become law, it would deal a serious blow to the multiple-use policy which has worked so well over the years in the development of our national land reserve, and would retard development of oil and gas operations in the various public land States.

The development of the large acreages in the United States under the jurisdiction of the Federal Government and finding of large reserves on these lands has proven to be in the overall interest of all its citizens from the standpoint of peacetime economic growth and also national defense.

The large areas in the national forest and national park lands involved in S. 4 contain acreages potentially productive of oil and gas. For example, the South Absaroka National Forest east of Yellowstone in an area covered by non-petroleum-bearing igneous rock overlaying sedimentary formations which are potentially petroleum bearing. There has been considerable interest in this area on the part of the petroleum industry in recent years. Despite the fact, however, that the national forest and national park lands involved in this bill are not at present of general interest to petroleum prospectors, we believe the procedure of wholesale withdrawal from multiple use as provided in S. 4 is inadvisable because it would not follow what appears to us to be the more appropriate procedures as outlined above.

As to wildlife refuge and game rangelands, we believe it would be extremely inadvisable to bar them from multiple-use development, including petroleum exploration and development, as proposed in S. 4. It is known that much of these lands contain geological structures favorable to the existence of petroleum and considerable acreage within the game rangelands are now actively being explored today; and in some instances, production is being obtained.

In conclusion, we recommend that this legislation be amended as follows:

(1) Set forth in the preamble that a wilderness system can be adequately and effectively established in harmony with multiple-use development.

(2) Wilderness areas can only be created by affirmative congressional action.

(3) Wildlife refuges and game ranges be eliminated from the bill.

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SOUTH BETHLEHEM, N.Y., *February 27, 1963.*

Senator CLINTON ANDERSON,
*Senate Office Building, Washington, D.C.:*

By resolution of the Eastern New York Chapter of Nature Conservancy whose members are dedicated to the preservation of natural areas of scientific and esthetic worth, I urge your committee take favorable and expeditious action on the wilderness bill, S. 4, so worded as to conform as nearly as may be to the Senate version of the last session. Americans want assurances that their official custodians of public tracts will not betray, by inadvertence or under pressure, the wilderness value so desperately needed by a society under increasing physical pressure and unbearable tension.

ROBERT RIENOW, *Chairman.*

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DULUTH, MINN., *February 25, 1963.*

Hon. CLINTON P. ANDERSON,
*Chairman, Committee on Interior and Insular Affairs,*
*Senate Office Building, Washington, D.C.*

DEAR SENATOR ANDERSON: Friends of the Wilderness, a nationwide organization of which the undersigned, of Duluth, Minn., is the nonsalaried secretary, and which was organized to come to the rescue of our unique and incomparable wilderness canoe country of the Superior National Forest in northern Minnesota, when it was threatened with destruction by commercial use in 1949, asks respectfully that the following brief statement be made a part of the testimony at the hearing on the wilderness bill, S. 4, now before your committee, and that it be included in the record.

Our detailed viewpoint on this vital bill to provide statutory protection of our priceless wilderness areas was presented before the previous Congress, and will be found in the printed record of both the Senate and the House. At this time we wish only to restate very briefly, but with all possible emphasis at our command, our very urgent conviction that our wilderness areas require the statutory protection of the Congress and that without it our best and most accessible wilderness areas are doomed as surely as if the Congress massed specific reverse legislation to put them on the market for sale to the highest bidder.

We have perhaps the most accessible and exceptionally large public wilderness in our country; our wilderness canoe area in the Superior Forest of Minnesota is the outstanding example of what tremendous and unremitting pressures for exploitation are brought against such an area. We have had to fight almost constantly for more than a generation, ofttimes desperately with our backs to the wall, in order to save this unique canoe wilderness with its many-sided, exceptional natural values. And we have succeeded only because the Congress, beginning far back in July 1930, and several times since, has come to our aid; and because the Federal courts have always upheld the simple justice of our cause; and because the people of this Nation, and of our State, have been overwhelmingly behind us.

Many of us have grown old and gray in the struggle to preserve this single wilderness, and still the attacks come. We can say to you, out of our own sad experience, that no choice public wilderness area can be regarded as safe, can be regarded as safely preserved for our future generations, unless you give these choice wildernesses your explicit protection. There is no strong reason why they should not have this statutory protection, in addition to the administrative authorization they now have. There is every good reason why they should have it.

The savage and often distorted and vindictive attacks on the wilderness bill in the House of Representatives at the last session foreshadow what these wilderness areas may confidently expect in the future if they do not get the specific protection of the Congress now. Many of them will be destroyed. Gentlemen, we must not let that happen, we cannot let that happen.

Our country, without the slightest question, needs these natural areas. They must be preserved. They must be preserved now. As our experience in our own wilderness canoe country has demonstrated, tomorrow will be too late. We never can restore a wilderness, once it is gone.

Thanking you, and the members of your committee, for this privilege of being heard.

May the wilderness canoe country live unspoiled forever and forever.

WILLIAM H. MAGIE, *Executive Secretary.*

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STATEMENT OF MAURICE LEON, JR., STORY, WYO.

WILDERNESS PRESERVATION AND USE

The current boom in 50-mile hikes, the celebrated marathons that are taking place everywhere in the country, illustrates two points: Americans are still game for new ideas and a good many of them may be getting tired of sedentary lives and accumulating fat. It has not always been quite this way. Indeed, until the Kennedy administration's incumbency and interest in physical hardihood as a beneficial factor in national life, walking was the purview of such elders as President Truman and Dr. White. That a craze for walking has

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swept the country from end to end can be viewed as a fad of the same category as the famous dance marathons of the twenties: more propertly, I believe, it is evidence of a certain restlessness within many of us who are not at ease amid the growing subordination of nature by material culture.

Not very long ago the statement that the people of this country might take to hiking as part of a larger recreational plan would have been greeted as a silly notion. In the fall of 1960 this writer raised the idea at a regional meeting on land resources as the central concept of a plea for wilderness preservation. Reception was chilly. At that time wilderness preservation itself was considered a silly notion in certain quarters; there were those who could not imagine that there might be national benefit in giving the remnants of primordial America a lasting reprieve from exploitation. To those who were persuaded that the move for wilderness preservation was a plot to swindle Americans out of their birthright it could only seem that the evil was being transmogrified by the suggestion that a hiking program might be one means of giving wilderness areas a greater role to play in national life (while at the same time providing a firmer base for its preservation by giving more people a means of using it consistent with its integrity and permanence).

It was, then, premature to suggest in 1960 that the two concepts of wilderness preservation and a national hiking program might have an affinity. Today, perhaps, the suggestion may seem more to the point. Essentially, it seeks to come to grips with a formidable circumstance: current wilderness use, which involves extensive grazing by pack and saddle horses, has pushed many a wilderness area to the outer limits of its capacity to support such grazing. Those who believe that America's wilderness areas are so extensive as to be in no present danger of running into short supply may find it hard to believe that in many areas a crisis of space and resources already exists. Yet it is so, beyond doubt, and signs point ominously to the intensification of the problem with each passing year.

It is not suggested here that current use of saddle and pack horses by hunters and other wilderness users be curtailed. It is being suggested here that wilderness use is rapidly approaching a ceiling over the numbers who travel through it by traditional means, that if it is ever to have a broad rather than an esoteric meaning in national life, if, indeed, it is to be preserved, new ways will have to be devised to bring people to it. For wilderness preservation is as viable a concept as there are numbers that value it. Its significance in human affairs, and the understanding of its potential benefits, derive from familiarity with it. Anything which encourages more people to use it in ways which leave it unviolated aids both the preservation concept and the users.

Heretofore wilderness use has been limited to the reasonably affluent who can afford guides with horses and equipment, or to those in its proximity. Also, to the uninitiated the wilderness seems to raise formidable barriers, barriers which are more of the imagination than of fact. Nonetheless, despite obstacles wilderness areas which are managed as such by the Park and Forest Services get in most cases an intensive amount of use during summer and fall (there are, on the other hand, a few areas which get almost no use at all). It is reasonable to assume that use would increase markedly if certain encouragements were given.

A generation ago those who had pioneered skiing in this country foresaw clearly that it would soon become a national sport and planned accordingly. Their foresight is being harvested today. Today we can be certain that sooner or later vast numbers of Americans will turn their attention to wilderness preserves as they have already to ski slopes, lakes, and ocean littorals. To prepare the way for them, and to protect wilderness from last-minute programs that might lead to improper development the various services in whose hands wilderness management lies must be prompted to develop a plan for more extensive use. Now.

The first problem a plan for more extensive use must cope with is this: If horse transportation is now approaching its limits for lack of grazing resources in the mountainous wilderness areas (and most are mountainous) what is possible and practical as a substitute? Mechanical means of transport are, per se, inimical to wilderness. Aside from horseback, then, there is only one way to travel the wilderness and that, in that plain but durable phrase, is by shank's mare.

Having traveled on foot through some of America's more remote wilderness, carrying all food and equipment, this writer has become convinced that there are no obstacles save psychological ones to the development of wilderness areas as national hiking grounds in addition to their present uses. Some are by

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nature for the novice, others for the expert, but all are within reach of all but the handicapped or professionally lazy. What is required is no more than initial interest and momentum among those Americans who are potential or actual outdoorsmen, plus a cadre of trained personnel to patrol wilderness entrances and interiors for security reasons, and food dumps to make it possible for both fledgling and veteran hikers to venture into the wilderness without heavy packs if they so wish. If thousands of Americans can be stimulated into 50-mile walks to nowhere, sheer feats of time and distance, surely far more can be interested in in the far broader experience of wilderness travel on foot in which reacquaintance with habitat, not muscular endurance, is the chief purpose. In judging the feasibility of such a plan it is well to keep in mind that most wilderness areas are far from being vast, scattered as they are and often chopped into pieces. The hiker venturing into them is hardly submitting himself to the ultimate trial.

Neither an unobtrusive administrative personnel nor food caches, nor even shelter huts, are inconsistent with wilderness character and preservation. Wilderness preservation is an art as well as a science and managed by those who know and respect it it can be used by far larger numbers than use it now, in perfect safety from defilement. Indeed, the more who enjoy it the more sponsors and security it will have.

If the assumptions of this paper are correct, wilderness preservation and wilderness use are functions of each other. Greater use will eventually require of the user the willingness to consider hiking as his means of transportation into, through, and out of the wilderness. Under proper circumstances the prospect can be inviting rather than formidable. It is those circumstances which now require our thoughtful attention.

As for wilderness itself, many reasons for its preservation have been advanced by those familiar with it, most of them good and some of them compelling. Yet for those who believe in wilderness preservation moments come when they find it difficult to meet the objections of skeptics, particularly those skeptics who hugely exaggerate the extent of the material bounty contained in wilderness areas and have all too rudimentary a sense of its intangibles. Today as always exploitive-mindedness is not so much a derivation from native greed as from a failure to develop along those lines which lead to thought for consequences. Much of the opposition to wilderness preservation comes from sources traditionally associated with maximum use and minimum precautions where the Nation's resources are involved. Esthetics, scientific reflection, and sheer joy in what is the natural order, do not thrive in an atmosphere in which material gain is the sole preoccupation. What does it say about us as a people if we allow ourselves to be so fatally limited?

Those who are familiar with the wilderness have both an individual and a community of experience from it. It is this variety and commonality of experience that are essential to a free and developing people. This is a point which has been overlooked far too often in discussions of the substance of a free society. We talk endlessly about the communal duty when we are not expounding the individual prerogative, as if the individual's destiny were somehow separate from the milieu. They are not separate but reflections of each other, or should be. It is important to us that we add to rather than eliminate from the number of opportunities in which we can grow as persons while sharing a revelation of our unexceptionality. There are rare circumstances in which this is possible and the wilderness is one of them. This argues not only for wilderness preservation but for far wider acquaintance with it.

The case for wilderness preservation depends less upon words than deeds. Abstractions will not do the job. It will be men, women, and children actually in the wilderness who will make the case for it through their presence there, their enjoyment of it, and their desire to return to it as it is. There is nothing intrinsic in wilderness that makes it valuable to us, any more than there is anything intrinsic in gold that makes it precious. Value is in the eye of the beholder. It is our attitude toward the wilderness which infuses it with meaning (or, for lack of attitude, leaves it unendowed with any significance save that of material profits). Like the wine taster's palate, our appreciation for wilderness requires education. To hike in the wilderness is not merely to walk but to live in a certain way that involves dimensions unknown to us in our normal routine. Perhaps it can be argued that we are not impaired by what we are not aware of lacking. So complacent an argument leads the way to a catastrophic national insensitivity. As a demarche, we may ask if we are destined as persons and a nation for far less than full potential stature if our experience is to be com-

pressed into progressively smaller adventures because we have by design and inadvertance denied ourselves the space and solitude in which to flex our muscles of flesh and spirit. Only a chauvinist denies the virtues of modern civilization and its handmaiden of technology. But only the very reckless and insensate would claim that there is no place left in the scheme of things for areas, large areas, where nature alone holds dominion. Like all imperialisms technological imperialism is to be distrusted.

If we are not fully alert today to the need for wilderness preservation as part of a national effort to reconcile conflicting aspects of our civilization, we surely will be tomorrow. But tomorrow will be too late because as wilderness languishes in relative disuse its detractors proliferate, because the preservation of it will be an act of national restraint that has, as a category, an infrequent history and may not be possible again as circumstances change, and because the defense of the wilderness must lie ultimately in the hands of the many Americans who have been given the chance to see it, use it, and judge for themselves. Those Americans are not fictions. They are among the tens of thousands who use the summer campgrounds of forests and parks, State and national, a minority perhaps but a multitude nonetheless. They are waiting only for a word of encouragement and the knowledge of a tradition before heading out on the trails that lead away from pavement and crowds. These are the people who have the right to decide on the merit of wilderness and we cheat them if we fail to make their testimony possible. Let us take them to the wilderness and let them evaluate its significance. Of their decision I have no doubt.

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SALT LAKE CITY CHAMBER OF COMMERCE,
*Salt Lake City, Utah, February 26, 1963.*

Hon. HENRY M. JACKSON,
*Chairman, Senate Interior and Insular Affairs Committee,*
*Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON: The Salt Lake City Chamber of Commerce has a strong interest in wilderness legislation and would appreciate having this letter, expressing some of our views, included in the record of the hearings to be conducted on S. 4 on February 28, 1963.

We are sure that you appreciate the fact that the economic well-being and progress of the Western States are dependent in large measure upon the successful development and utilization of their natural resources. These resources in major proportion are found in the public lands within those States. To assure the States and the Nation of the maximum benefits from the resources on those lands, the public land laws and administrative practices implementing them must assure reasonable access and development opportunity.

We have noted with growing concern the exercise of regulatory power by the agencies which administer the public lands to a degree which in many cases has assumed legislative authority. It is pertinent in our opinion that, while considering wilderness legislation, the Congress should examine the extent to which the executive department and the administering agencies are assuming legislative authority through Executive orders and regulatory actions.

All the lands proposed for inclusion in a wilderness system, excepting national parks and certain national monuments, have been upgraded in classification by the agencies from lands previously classified by the Congress for much broader access and use. The access and use now permitted in such lands are much more restrictive than the Congress stipulated. These actions have, in many cases, adversely affected the economic health of western public land States.

With respect to wilderness legislation, we urge the committee to adopt the principle that any and all proposals for withdrawals of 5,000 acres or more be subject to the review of the Congress in normal legislative process, and to provide that all such tracts not previously examined and specifically classified for exclusive wilderness use by the Congress be subject to such review and approval. This would apply to all lands proposed for inclusion in a wilderness system other than those lands which are situated in a national park or a national monument established by direct congressional action.

Under such provisions, the affected States, communities, and citizens could have reasonable opportunity to express their views regarding the disposition and use of public lands situated in their respective areas—lands which are vital to their economic life.

Yours very truly,

GUS P. BACKMAN, *Secretary.*

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SALT LAKE CITY, UTAH, *February 28, 1963.*

HENRY M. JACKSON,
*Chairman, Senate Interior Committee,*
*Senate Office Building, Washington, D.C.:*

The 35th Utah Legislature has this day passed and Governor George D. Clyde has signed Senate Concurrent Resolution 2, relating to the designation of wilderness areas. Full text of this resolution follows and we respectfully request that it be made a part of the record of the hearing on S. 4, which we are informed is scheduled for February 28, 1963. Text of the Senate Concurrent Resolution 2 of the 35th Utah Legislature follows:

"*Be it resolved by the Legislature of the State of Utah, the Governor concurring therein:*

"Whereas not more than 5 percent of Utah's land surface area is arable, the remaining 95 percent comprising mountains and deserts; and

"Whereas, Utah cannot support its present population, much less support the steadily growing population which is reflected in recent census counts and which the most responsible analysts expect to continue at the present or even at an accelerating rate, on an agricultural economy, but must develop to the fullest possible extent its natural resources, including mineral and grazing resources, in order to maintain a healthy and growing economy; and

"Whereas, the State of Utah must develop, husband, conserve, and put to the fullest and most efficient use its limited supply of usable water 80 percent of which falls as snow on the 20 percent of our land area which lies 7,000 feet and higher above sea level, giving the management of this remote, high-mountain area special importance to this State: and

"Whereas almost three-fourths of the land area of the State of Utah is in Federal ownership and management, thus severely limiting revenues available for support of public schools and other operations of State government; and

"Whereas lands in the public domain and in the national forests do produce at least some revenue to the State and its schools, while lands withdrawn for the purposes of wilderness areas, national parks and monuments, military and Indian reservations and other similarly restrictive purposes produce no revenue whatever to the State; and

"Whereas Utah recognizes the esthetic and recreational values inherent in its high mountain fastnesses and its many spectacularly scenic semidesert and desert areas; and

"Whereas, most of these areas can best be developed on established principles of multiple use, providing for maximum development of both tangible and intangible resources which they may contain: Now, therefore, be it

"*Resolved by the 35th Legislature of the State of Utah, the Governor concurring therein,* That we respectfully urge the Congress of the United States in its consideration of legislation to establish a wilderness system, to limit the total area to be encompassed in such system to the minimum necessary to achieve the legitimate objectives of the program, and leaving the maximum area open to multiple-use development of both tangible and intangible resources for the suppport of the basic economy of this and our sister States; and be it further

"*Resolved,* That we respectfully urge the Congress and the executive departments of the Federal Government to give all possible consideration to the principles outlined above in the creation and administration of all national parks and monuments, military reservations, Indian reservations, and other Federal withdrawals of lands within the respective States which remove such lands from development of whatever resources they may contain by the States and/or by private enterprise; and be it further

"*Resolved,* That copies of this concurrent resolution be forwarded to the Congress of the United States; to the executive departments of the Federal Government, to the Members, individually, of the congressional delegations of Utah and of all the western public lands States; to the Governors of the Western States and to the legislatures of such Western States as may now be in session; and to the council of State governments, as an official expression of the sentiment of the State of Utah on these vital issues."

GEORGE D. CLYDE,
*Governor of Utah.*

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WASHINGTON, D.C., *February 28, 1963.*

Hon. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,*
*New Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON: The American Recreation Society wishes to be on your official committee records as favorable to the enactment of S. 4 which would establish a natural wilderness preservation system.

We strongly supported this measure when it was introduced in past in the Senate with 78-to-8 vote in the 87th Congress. We continue to emphasize the immediate need for a system which can clearly plan for and strongly control encroachment and impairments of wilderness areas in the Federal land holdings. We further would highlight the need for a program of gathering and disseminating information that would help the user enjoy this wilderness resource in our Nation.

This message is amplified through official resolution by our 4,000 members who are professionally engaged in serving the recreation needs of people on many fronts in local, county, State, and National levels and in public community, private voluntary, hospital, military, park, church, and school settings. We all have a strong common interest in conserving outdoor recreation resources in order to condition a more enjoyable future for our growing American populace.

Respectfully submitted.

RAY R. BUTLER,
*Executive Director,*
*American Recreation Society.*

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WEST COAST MINERAL ASSOCIATION,
*Seattle, Wash., February 21, 1963.*

Hon. HENRY M. JACKSON,
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR JACKSON: The West Coast Mineral Association at its February 11 meeting, unanimously passed the enclosed resolution concerning proposed legislation on wilderness areas. The members of the association urge you to give this careful consideration since it is a matter of vital importance to the mineral industry and economy of the country.

As portrayed in the popular press, the wilderness bill has brought out two violently opposed groups. Ardent supporters of the bill are shown as a group that would entirely close the wilderness to any activity. Opponents are shown to be individuals and companies that are bent on the destruction of our beautiful national forests. As in most cases with two extremes, it is apparent that there is a middle-of-the-road policy that more clearly represents a true picture.

The mining industry has no quarrel with the establishment of wilderness areas, provided prospecting and mining may be carried out in a law-abiding manner and under adequate restrictions as they now exist. Although this may seem like a protection of wasted interests, it is only meant as a statement of the maintenance of historical rights; rights that have enabled industry to produce raw materials on a scale that has fostered an accelerated national growth.

For those who are unfamiliar and antagonistic toward the mining industry, a picture is shown of hydraulic mining in the early placer days in California. Such operations indeed left scars on the face of the earth and these practices are neither endorsed nor used today by legitimate mining operators in the Western United States.

Another complaint frequently voiced is that waste products from a concentrator will pollute streams. With such a complaint we have no objection and any proposed mining in a wilderness area should be made to conform to existing laws and provide adequate waste storage and filtration systems. Under existing laws no one has the right to pollute a stream.

The Holden Mine near Lake Chelan operated for many years and returned a wealth of revenue to workers, company, county, State, and Federal governments. This mine left a waste dump that will soon be overgrown with Cascade foliage. The workings are underground and leave very little evidence of their existence. In short, the mine has returned to nature after yielding a treasure to many citizens. We believe that this is an example of an intelligent controlled use of a vital natural resource.

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We urge you to support the proposed amendment to Wilderness Act S. 4 which will keep available vital mineral resources while still maintaining true wilderness areas.

Very truly yours,

DONALD ANDERSON, *President.*

RESOLUTION CALLING FOR AMENDMENT OF WILDERNESS ACT, S. 4

The members of the West Coast Mineral Association of Seattle, Wash., have had access to the careful and comprehensive study which was made by the Mining and Metallurgical Society of America on the Wilderness Act, S. 4. This study was presented to the House of Representatives, Committee on Interior and Insular Affairs, at hearings in Washington on May 7, 8, 9, 1962, and the following pertinent facts were brought out:

The prohibitions of S. 4 deny the right of mineral production from lands that may be included in the National Wilderness Preservation System, and thereby, some 66 million acres having a high potential for mineral deposits would be sterilized as far as mineral production is concerned. Such impairment to productivity has foreboding implications, reaching deep into our economic structure that are contradictory to the demands on this Nation, as the bulwark of Western civilization, to maintain maximum economic strength and maximum military might.

This undesirable circumstance is proposed by S. 4 in spite of the insignificant interference mineral production would have with the objetcive of wilderness preservation. Actual experience records show that the acreage required for mineral production would be less than 1 percent of the wilderness area. Therefore, a conflict of interests does not exist between the mineral industry and the proponents of wilderness preservation, in fact they should be completely agreeable to stand side by side in the belief that this Nation can retain its full capacity for mineral production and still preserve more than 99 percent of its wilderness.

After due consideration the West Coast Mineral Association now unanimously endorses the resolution of the Mining and Metallurgical Society of America which reads as follows:

"*Now, therefore, be it resolved,* That the following amendment to Senate bill 4 (Wilderness Act) be added as subparagraph (8) to section C, subsection (c);

"'(8) Anything in this act to the contrary notwithstanding lands within the wilderness system shall continue to be open to prospecting and subject to location and entry in the same manner and to the same extent as under existing mineral laws of the United States and the rules and regulations applying thereto.'"

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WYOMING FARM BUREAU FEDERATION,
*Laramie, Wyo., March 6, 1963.*

Hon. MILWARD SIMPSON,
*U.S. Senator,*
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR MILWARD: It is my understanding that the wilderness legislation is once again being jostled about. I would like to take this opportunity to review briefly the stand of our organization regarding this bill.

We have, in the past, and shall continue to favor multiple use of Federal lands. We feel that the designation of areas which would restrict multiple use would not be in the best interests of Wyoming and the Nation.

We do, however, feel that the designation of approximately 6 million acres which is now classified as wilderness, wild, or roadless areas might well be placed in a wilderness system. Any additions to this system would be made by positive action of Congress and not by the recommendations of administrators subject to the veto of Congress.

We would certainly appreciate any efforts that you could make to cause these feelings to be incorporated into a wilderness bill.

Thanks very much for your consideration of this matter.

Best personal regards.

Sincerely yours,

CRAIG L. THOMAS,
*Executive Secretary.*

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SPORTSMEN'S LEGISLATIVE ACTION COMMITTEE,
*Albuquerque, N. Mex., March 9, 1963.*

Hon. CLINTON P. ANDERSON,
*U.S. Senator,*
*Senate Office Building,*
*Washington, D.C.*

MY DEAR SENATOR ANDERSON: The Sportsmen's Legislative Action Committee and 25 affiliated sportsmens organizations of New Mexico feel that the wilderness bill as originally proposed is probably as important a piece of legislation as Congress will consider this session. It goes to the heart of the sort of national heritage we are going to pass on to our children and grandchildren.

In 1948, after Congress had ordered a study on the feasibility of wilderness legislation, the Director of the Legislative Reference Service warned "with the growing population and the resulting utilization of more and more previously unutilized land, it is becoming evident that before many years have passed there is a danger that the original wilderness which was met and conquered by our forefathers in building our country will have disappeared entirely. It will exist only in the history books. If, then, there is reason for preserving substantial portions of the remaining wilderness, it must be decided before it is too late."

Fifteen years later the rape and exploitation of North American resources continues, and at the present time out of 181 million acres of national forests, all that remains that can be preserved as wilderness is an area about as large as New York and Vermont. If this relatively small area is to serve the needs of our growing population with its growing leisure time, it will require all the wisdom that we are capable of exercising.

We believe that the wilderness bill is a welcome step in the right direction, provided it is not allowed to become a measure to protect mining, lumbering, any other commercial interest group, but provides to insure conservation of scenic, natural, and historic objects and the wildlife of this Nation.

We wish to thank you for the effort which you have put into this bill and offer our individual and collective support on the measure, which we believe serves best the interests of the citizens of our State and of the United States.

It is requested that this be made a part of the Senate record.

Respectfully yours,

ED YOUNG,
*President, Sportsmen's Legislative Action Committee.*

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NATIONAL AUDUBON SOCIETY,
*New York, March 1, 1963.*

Hon. HENRY M. JACKSON,
*Chairman, Senate Committee on Interior and Insular Affairs,*
*Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON: Since time did not permit our appearance at the committee hearing yesterday on the wilderness bill, S. 4, and since other commitments made it impossible for either Mr. Buchheister or me to stay over in Washington another day, I am enclosing for the record a brief statement by Mr. Buchheister for the National Audubon Society in support of the wilderness bill. We sincerely hope this important measure may soon be reported favorably by the committee without weakening amendments. We oppose the amendment proposed by Senator Allott.

In addition to the brief statement by Mr. Buchheister, president of the National Audubon Society, we submit for the record of the hearings a copy of an analysis of the wilderness bill as published by the society in the January 1, 1963, issue of Audubon Leader's Conservation Guide.

Sincerely yours,

CHARLES H. CALLISON,
*Assistant to the President.*

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STATEMENT OF CARL W. BUCHHEISTER, PRESIDENT, NATIONAL AUDUBON SOCIETY

My name is Carl W. Buchheister. I am president of the National Audubon Society, one of America's oldest and largest organizations of citizens interested in the conservation of wildlife, wilderness, and related natural resources. We

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have members in all the States and more than 300 local branches and affiliates. Our national headquarters are in New York City. I wish to reaffirm our enthusiastic support for the wilderness bill, and specifically for S. 4. In previous hearings on wilderness legislation, I explained in detail why enactment of this bill is important to the purposes of wildlife conservation. I shall not repeat this testimony. I do wish to emphasize that the need has not diminished, but has become more urgent, since 2 years ago when the Senate acted on S. 174. It is now more certain than ever that we shall not keep such highly valuable but endangered species as the whooping crane, the California condor, the cougar, and the grizzly bear among our living wildlife unless we protect and preserve some substantial areas of wilderness habitat, as is proposed in S. 4.

The last national convention of our 57-year-old organization was held November 10-13, 1962, in Corpus Christi, Tex. The attendance there was the largest in the history of the society, with more than 1,200 delegates and members present. This was more than twice the number present at our 1961 convention, which also was, to that time, the largest on record. At the Corpus Christi convention, at which State and local societies from 44 States were represented, the wilderness bill was proclaimed with enthusiasm to be the No. 1 conservation need and the No. 1 conservation goal for 1963. We urge a favorable report and passage by the Senate.

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[From the Audubon Leader's Conservation Guide, Jan. 1, 1963]

THE FACTS ABOUT THE WILDERNESS BILL

Opponents of wilderness legislation have spread misleading and false information about the bill that has been under consideration by Congress. Another of their tactics has been to tell the public and legislators that the bill is "very complicated" and "difficult to understand." It is really a simple measure. Conservationists should not be misled, and should set the truth before the public.

The reason the bill can be made to sound complicated is that many people have not learned to make clear distinctions between the different categories of Federal lands, such as national forests, national parks, wildlife refuges, and public domain.

As passed by the U.S. Senate in 1961 and as advocated by conservationists, the wilderness bill would affect only parts of three categories of Federal lands: (1) the national forests, which are administered by the U.S. Forest Service in the Department of Agriculture; (2) the national parks and monuments, which are administered by the National Park Service in the Department of the Interior; and (3) the national wildlife refuges (some are called national game ranges) which are administered by the U.S. Fish and Wildlife Service in the Department of the Interior.

The so-called public domain lands, which are also sometimes referred to as the "national land reserve," would in no way be affected. Public domain lands, totaling about 475 million acres, include all the Federal grazing districts which have been set up under the Taylor Grazing Act. They are administered by the Bureau of Land Management of the Department of the Interior.

*The national forest areas.*—Most of the unspoiled, unlogged, roadless areas now protected by Forest Service policy were called primitive areas when first set aside by executive action (not by act of Congress). Somewhat leisurely, through the years, the Forest Service has been reviewing these areas and reclassifying them as wild (if less than 100,000 acres) or wilderness (if larger than 100,000 acres). As of now, 45 areas totaling 6,108,762 acres have been given the designations intended to be permanent, wilderness or wild. There is also one special area of 1,034,852 acres, the Boundary Waters Canoe Area in Minnesota, which has the same status under the bill as the existing wilderness areas. The bill would simplify the terminology by calling them all wilderness areas.

There remain 38 primitive areas totaling 7,819,309 acres that have yet to be studied in detail and reclassified. Among these are many of the finest and most scenic expanses of true wilderness left in the United States. Under the wilderness bill, the Forest Service would have 10 years to complete the review and reclassification of the primitive areas—some would be reduced in size in the process, some might be enlarged slightly, some might be eliminated altogether—but in the meantime all would have the protection of the Wilderness Act.

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All of these areas, in the aggregate, constitute only about 8 percent of the 180 million acres in the national forests. The other 92 percent, some 166 million acres, would remain open as now for logging, roadbuilding, prospecting, and mining, and other commercial and development activities. The 166 million acres would not be affected by the wilderness bill.

Since the wilderness and wild areas and the one canoe area already have been carefully studied and their boundaries studiously fixed, all these would be put into the permanent Wilderness System by passage of the wilderness bill. As the primitive areas are reviewed during a 10-year period, they would be reclassified permanently as wilderness subject to approval in each case by Congress. The bill guarantees there will be public hearings in the review process.

*The national park areas.*—For purposes of the wilderness bill, there is no difference between areas called national parks, national monuments, and national seashores (all under the National Park Service). In 27 of the national parks and 20 national monuments, there are large, back-country tracts of unspoiled wilderness. Examples are the scenic, roadless expanses in Yellowstone National Park and Dinosaur National Monument. These 27 parks and 20 monuments contain about 22 million acres, not all of which would be suitable to go to the Wilderness System.

Two national seashores—Cape Hatteras in North Carolina and the new Padre Island area in Texas—also contain wilderness that deserve the protection of the bill.

It has been the policy of the National Park Service to keep such areas unspoiled. The wilderness bill would strengthen the hand of the Park Service in resisting the recurring pressures for roads, resort hotels, reservoirs, and other projects that continually arise as threats to the national park system.

After careful study and designation by the Park Service of the places where roads and visitor facilities are necessary to accommodate the millions who visit the national parks, the appropriate areas of true wilderness would be brought into the permanent wilderness system under a procedure like that prescribed for the primitive areas. Each such designation would be subject to review and possible rejection by Congress.

*The national wildlife areas.*—The areas designated national wildlife refuges and those called national game ranges would be subject to a process similar to the one set out for national parks. The Fish and Wildlife Service, acting through the Secretary of the Interior, would decided which parts of which refuges or game ranges should be preserved and protected as wilderness. The process of decisionmaking could go on over a 10-year period. In each instance, either House of Congress could pass a resolution keeping that particular area out of the wilderness system.

A preliminary study has indicated that of nearly 360 wildlife refuges and ranges, there are 23, containing a total of 24,841,860 acres, that protect significant areas of wilderness.

Most of the wildlife refuges are too small or too artificial to qualify as wilderness. Those established for waterfowl, for example, usually contain marshlands created or enlarged by diking, and are subject to artificial manipulation of water levels and vegetation. They serve their purpose admirably, but they are not wilderness.

## HOW THE BILL WILL PROTECT

1. It would set guidelines for administrators, Congressmen, and citizens by spelling out policy:

"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."

And by defining wilderness:

"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

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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 practical 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."

2. It would prohibit certain uses:

"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."

3. It would spell out prudent exceptions:

The bill would authorize the administering Secretary (Agriculture or Interior) to take "such measures * * * as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the appropriate Secretary deems desirable." "Such measures" could include the use of motorized equipment if necessary.

The use of aircraft or motorboats, and the grazing of livestock, where already "well established" within a wilderness area, could continue subject to regulation.

"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." This means hunting guide services, pack-trip outfitting, and similar services, in keeping with wilderness purposes, could be provided on a commercial basis.

Hunting could continue, subject to game conservation laws, in any of the wilderness areas where hunting is now permitted, as in the national forest areas. State jurisdiction with respect to hunting and fishing licenses and the management of fish and nonmigratory game would be protected.

The President of the United States would be authorized by the Wilderness Act to permit prospecting and mining (including exploration for, and production of, oil and gas), and the establishment and maintenance of reservoirs, water conservation works, transmission lines, and other facilities in the public interest, including roads for such mining or water development, in any national forest wilderness area (but not in national parks or wildlife refuges). The President would make a determination on the basis that "such use * * * will better serve the interests of the United States and the people thereof than will its denial."

### OTHER KEYS TO THE LOCKS

Boundary changes in any area could be initiated anytime by the Secretary having jurisdiction. He would be required to publicize the proposed change and hold a public hearing, after which, if he still wished to do so, the Secretary would transmit the proposed change through the President to Congress. If neither House of Congress passed a resolution in opposition to the proposed change, it would go into effect.

Congress itself would keep the master key. Under its constitutional authority over Federal lands, Congress could abolish or change any wilderness area—in a national forest, national park, or national wildlife refuge—simply by passing an act to that effect.

The great safeguard is that Congress does not act except as a body responsible to the people who elect its Members, and in accordance with the legislative processes that include full publicity and public hearings.

### THINGS THE BILL WOULD NOT DO

It would not, as opponents have falsely asserted, close down any mine, stop any logging operation, cancel any grazing permit, or abrogate any valid mining claim. Any existing mines could continue to operate. No logging or lumbering is now going on in any of the areas that would be affected. There are vast timber reserves as yet unharvested in the 92 percent of the national forests that would be unaffected.

It would not put anyone out of work. On the contrary, it would boost the recreation and tourist business in States that could advertise wilderness attractions.

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It would not create any "new" areas of wilderness. Wilderness cannot be created. Once gone, it is gone for good.

It would not affect State water laws or private water rights.

It would not prohibit hunting in the national forests, nor permit hunting in the national parks.

WHAT'S AHEAD?

The wilderness bill, it will be recalled, was passed by the Senate, 78 to 8, in the last Congress but did not reach the floor of the House. In the new (88th) Congress that convenes this January, it must again be reported by the Interior Committees of both House and Senate and be passed by both bodies, and then signed by the President, to become law.

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SOUTHERN CALIFORNIA CONFERENCE OF SEVENTH-DAY ADVENTISTS,
*Glendale, Calif., March 4, 1963.*

Senator CLINTON P. ANDERSON,
*Chairman, Senate Committee on Interior and Insular Affairs,*
*Senate Office Building, Washington, D.C.*

DEAR SENATOR ANDERSON: As lovers of the out of doors in its natural state and workers with young people, we heartily support the wilderness bill (S. 4). We feel that it is essential for certain areas of our country to remain undisturbed so that people may escape to these areas from all of the distractions of our teeming metropolises.

As people who are living in southern California, however, we are greatly concerned over the fact that an amendment to this bill might exclude the San Gorgonio wilderness and thereby permit the development of industrial and ski establishments.

Since San Gorgonio is the one area in this part of the State which is still in its wilderness state, we urge that it be allowed to remain so.

Thank you for anything you can do to preserve San Gorgonio as a wilderness area. The youth of southern California need it.

Sincerely yours,

E. S. REILE, *Youth Director.*

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THE GARDEN CLUB OF AMERICA,
*New York, N.Y.*

GENTLEMEN: By now we hope that the members of this committee know that women all over the country who study conservation support the wilderness bill, S. 4.

We hope that our grandchildren and generations to come will be able to know that a section of our inheritance has been preserved for them.

We urge, once again, the early passage of this bill.

Mrs. ROGER EDDY, *Vice Chairman, Conservation Committee.*

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SALT LAKE CITY, UTAH, *February 20, 1963.*

Hon. FRANK E. MOSS,
*Senator from Utah,*
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR MOSS: This letter is written in my capacity as an active member of several conservation groups and, more importantly, as an actively avid hunter and fisherman. I am writing to you to express my views on the wilderness bill, S. 4, now under consideration by the Interior and Insular Affairs Committee of the Senate.

During the past 30 years I have visited and fished in many of the primitive areas in this country. Occasionaly I have run across both dead and active mining and other extractive operations, and I must say that I cannot agree that these detract from the usefulness and enjoyment of these areas by sportsmen, hikers, and most others. Actually, some of these operations lend an enchantment and a degree of interest to primitive area visits and also provide some element of emergency shelter.

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The abuse of primitive and similar areas seems to come from the inconsiderate sportsmen or campers who mess up remote campsites with garbage, beer cans, or other litter, and ordinarily not from the well-run business which uses national forest land.

For my part, I can see no logic in denying the use of our resources to individuals and companies who have the courage and means to try to develop them, and most of my sportsmen friends are emphatically opposed to any legislation which will so restrict national land that it cannot be used considerately by mining, lumbering, and related interests. Actually, such use of the land makes it easier for us sportsmen to enjoy these areas.

Moreover, a continuation of the present practice of allowing multiple use of Federal lands provide some income to our Government and avoids increasing the tax burden which the wilderness bill will most certainly cause.

I would appreciate it if the Interior and Insular Affairs Committee will make this protest against the wilderness bill a matter of record.

Very truly yours,

STANLEY D. MICHAELSON.

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MCGILL, NEV., *February 21, 1963.*

Hon. FRANK E. MOSS,
*U.S. Senate, Washington, D.C.*

DEAR SENATOR MOSS: This has reference to S. 4, the Wilderness Act, which is scheduled for hearings on February 28, 1963. As a citizen who has lived in the West all his life I wish to express strong opposition to this legislation. Our public lands are not being ruined and despoiled as some of the "uplift" societies would have the public think. As a westerner you are fully aware of the deterrent effect on our economy if such legislation is enacted.

It is sincerely hoped that you will vigorously oppose passage of S. 4. It is requested that this letter be made a part of the record.

Respectfully yours,

RALPH W. CROSSER.

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PHILADELPHIA CONSERVATIONISTS, INC.,
*Philadelphia, Pa., February 20, 1963.*

CHAIRMAN, SENATE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
*Senate Office Building, Washington, D.C.*

DEAR SIR: I understand that hearings on the wilderness bill (S. 4) are scheduled for February 28. I regret that I will be out of the country on that date and hence will not be able to represent Philadelphia Conservationists, Inc., in person at the hearings as I had hoped. However, on behalf of our organization I submit the following statement which I respectfully request be made a part of the record of the hearings.

The wilderness bill has been before Congress and before the public for 5 years. It has had the most extensive hearings and expert revisions and appropriate modification which could be afforded to any bill. It has solid public support. It is opposed only by the special interests. It was passed overwhelmingly (78 to 8) by the Senate in the last Congress. It was blocked in committee in the House by the parliamentary (a much too charitable word) tactics of a committee minority and not by a committee vote. The bill is as perfect as long consideration, extensive hearings, and hard work can make it. There is no need for continued hearings. Such hearings may be requested by opposing minority and special interests not for the purpose of constructive discussion but purely as a delaying tactic. Hearings should not be held for such a purpose nor should the valuable time of our Senators and Congressmen be so exploited nor should taxpayers' funds be so expended.

On behalf of our organization of over 750 members I respectfully urge that the wilderness bill be promptly and favoribly reported to the Senate floor without further hearings in accordance with the popular will. It is of the utmost importance that the Senate act quickly on this bill and send it to the House in order that its proponents in that body may have adequate time to overcome the delaying tactics which are sure to be again employed by the few but powerful members of the House Interior and Insular Affairs Committee.

Sincerely yours,

ALLSTON JENKINS, *President.*

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AMERICAN FEDERATION OF LABOR
AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,
*Washington, D.C., February 28, 1963.*

Hon. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,*
*Senate Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: The AFL-CIO continues its longstanding support for effective legislation to protect the primitive wilderness areas of national forest, parks, and wildlife preserves. Therefore we endorse and support S. 4, a bill to establish a National Wilderness Preservation System.

As you know, in the 87th Congress the AFL-CIO supported S. 174, a bill which was passed by the Senate in a form almost identical to S. 4 as introduced in the 88th Congress. We hope S. 4 will receive the same bipartisan support in the Senate in 1963 that S. 174 received in 1961.

I would appreciate your including this letter in the record of hearings by your committee on S. 4.

Sincerely,

ANDREW J. BIEMILLER,
*Director, Department of Legislation.*

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CHAMBER OF COMMERCE OF THE UNITED STATES,
*Washington, D.C., February 27, 1963.*

Hon. HENRY M. JACKSON,
*Chairman, Senate Committee on Interior and Insular Affairs,*
*Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON: The Chamber of Commerce of the United States supports the principle of designating outstanding areas of Federal lands within existing reservations, still in their primitive state, for wilderness recreation purposes.

Prior to Senate passage of S. 174 in the 87th Congress, the national chamber urged withholding of action until the Outdoor Recreation Resources Review Commission's report on outdoor recreation needs, including wilderness, had become available. This report was released in January 1962. It recommended, in part, that: "Congress should enact legislation providing for the establishment and management of certain primitive areas as 'wilderness areas.'"

In spite of the still unsettled issue in Congress as to the acceptable procedures for segregating wilderness lands, the U.S. Forest Service of the Department of Agriculture, through administrative action, has continued to make substantial boundary changes and has reclassified as "wilderness" two large "primitive" areas—Selway-Bitterroot and Anaconda-Pintlar in Idaho and Montana—totaling nearly 1½ million acres.

A third new Forest Service action has now been proposed—reclassification of the 192,000-acre Sawtooth Primitive Area in Idaho to wilderness status.

In view of these new developments since the passage of S. 174, we support enactment of wilderness legislation at this time. However, a bill such as S. 4, would not be in the public interest without the inclusion of certain basic principles now lacking.

We do not believe a wilderness bill warrants support unless it incorporates certain specific principles. These principles are:

1. Congress should assume the responsibility and authority for the specific approval of the designation of each wilderness area. This is in accordance with the constitutional requirement that authority over disposal of all public property is specifically vested in the Congress.

2. The proposed law should require before congressional action: (1) That a thorough inventory be made of the natural resources; and (2) that on the basis of such inventory, the Congress be furnished an evaluation of the proposed area's resources as to their contribution to present and future needs, including wilderness uses.

3. The proposed law should require that prior to congressional action the views of local, county and State governments be ascertained and supplied to the Congress together with a report of the probable impact of proposed designation at National, State, and local levels.

4. The legislation should provide administrative flexibility for the protection and management of wilderness. This is necessary to perpetuate de-

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sirable wilderness characteristics, to permit salvage of resources following catastrophe or to prevent such natural or manmade catastrophe, and to continue resource uses, presently permitted on eligible areas, under controlled conditions not impairing the overall wilderness characteristics.

The national chamber therefore recommends that S. 4 be revised to include these basic principles in order to meet the broad national needs, including recreational uses.

Sincerely,

THERON J. RICE,
*Legislative Action, General Manager.*

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THE CANOE CRUISERS' ASSOCIATION OF GREATER WASHINGTON,
*Greenbelt, Md., February 28, 1963.*

HOWARD ZAHNISER,
*Executive Director, the Wilderness Society,*
*Washington, D.C.*

DEAR HOWARD: This statement authorizes you or your duly appointed deputy to represent the Canoe Cruisers' Association of Greater Washington at the hearing on S. 4, the wilderness bill, at the New Senate Office Building by expressing our support of the detailed recommendations for improvements to this bill which you propose to make.

We hope that the work of readying and passing this bill will proceed expeditiously in view of the great amount of thought and work which has been expended prior to the current session of the Congress. The efforts of the Wilderness Society in behalf of the wilderness bill over the years deserve a success this year.

With best wishes, I am,

Sincerely yours,

JAMES W. JOHNSTON, Jr.,
*Chairman, Committee for the Conservation of Natural Resources.*

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THE WILDERNESS SOCIETY,
*Washington, D.C., March 11, 1963.*

Hon. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,*
*Senate Office Building, Washington, D.C.*

DEAR SENATOR JACKSON: I have been requested by Mrs. Emily Haig, president of the Federation of Western Outdoor Clubs, 2216 Federal Avenue East, Seattle 2, Wash., to register the opposition of that organization to the proposed San Gorgonio ski development.

May I ask that the opposition of the Federation of Western Outdoor Clubs to the proposed San Gorgonio ski development be made a part of the record of the hearing on the wilderness bill, S. 4, which were held on February 28, 1963.

Thank you.

Sincerely,

HOWARD ZAHNISER,
*Executive Director and Editor.*

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FEDERAL POWER COMMISSION,
*Washington, D.C., March 8, 1963.*

Re S. 4, 88th Congress, 1st session, to establish a National Wilderness Preservation System.

Hon. CLINTON P. ANDERSON,
*Chairman, Committee on Interior and Insular Affairs,*
*U.S. Senate, Washington, D.C.*

DEAR CHAIRMAN: Reference is made to the Commission's report on the subject bill, submitted to you by our letter dated February 26, 1963. The table on page 2 of the report indicates that an estimated 3,006,800 kilowatts of "other

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potential capacity" exists on lands classified by the Secretary of Agriculture as primitive areas. This figure was based on information with respect to lands within those areas made available by the Forest Service last year, and is reflected in the tabulation which appears on page 1242 of the hearings on S. 174, 87th Congress, held before the Public Lands Subcommittee of the House Interior and Insular Affairs Committee in May 1962. A copy of the tabulation is attached.

In the course of the testimony on behalf of the Department of Agriculture at the February 28, 1963, hearing on S. 4 it was brought out that the Secretary of Agriculture, by a decision dated January 11, 1963, had reclassified certain lands. By this decision the Secretary established the Selway-Bitterroot Wilderness Area largely from lands which were formerly within the Selway-Bitterroot Primitive Area. This decision transforms the Wolf Creek, Moose Creek, and Running Creek sites, totaling 393,000 kilowatts of potential capacity on the Selway River, from the primitive area to the new wilderness area. In addition, the upper part of the reservoir of the 292,000 kilowatts Penny Cliffs site would affect the new wilderness area, and the 46,000 kilowatts Jerry Johnson and the 105,000 kilowatts Wendover sites on the Lochsa River would affect the "Lochsa River face" which the decision states has wilderness value.

As a result of the Secretary's decision, 836,000 kilowatts of potential hydroelectric capacity previously affecting primitive areas now affect areas classified as wilderness. In addition, the Secretary's decision would eliminate from the primitive area and return to national forest status the White Cap site on the Selway River, having a potential capacity of 68,000 kilowatts. Because of the reclassification of this site, this 68,000 kilowatts of capacity should no longer be included in our tabulation, the total capacity shown in such tabulation should be 3,974,100 kilowatts instead of 4,042,100 as shown in our February 26 report.

In order to adjust the Commission's report to reflect the above-described reclassification of these lands by the Secretary of Agriculture, we request that the following paragraph be substituted for the last paragraph on page 2 of the Commission's report on S. 4:

Based upon available information concerning the areas classified as primitive and wilderness, the hyproelectric generating capacities of the sites, licensed and potential, which would be affected in those areas are as follows:

| | *Kilowatts* |
|---|---|
| Capacity under license: | |
| Existing (primitive) | 878,300 |
| Under Construction (primitive) | 157,500 |
| Other potential capacity: | |
| Primitive | 2,102,300 |
| Wilderness | 836,000 |
| Total | 3,974,100 |

These recent land reclassifications by the Secretary of Agriculture, considered in the light of recommendations by the Secretaries of the Interior and Agriculture that the savings clause in section 11 preserving the licensing jurisdiction of the Federal Power Commission be modified or deleted, serve to emphasize the difficulties inherent in making the licensing provisions of the Federal Power Act dependent upon whether potential powersites are located in areas which have a particular classification assigned at a particular point in time by the Secretary of Agriculture. S. 4 contains a satisfactory savings clause and for that reason our report did not go beyond a statement emphasizing the importance of such a clause. For a detailed description of the reasons in support of a savings clause we suggest that the committee refer to and incorporate by reference our testimony at the hearings on S. 174 on this subject during the 87th Congress (see hearings on February 27, 1961, before Senate Committee on Interior and Insular Affairs on S. 174, 87th Congress, pp. 68–76; also hearings on May 8, 1962, before Subcommittee on Public Lands of the House Committee on Interior and Insular Affairs on S. 174, 87th Cong., pp. 1229–1242).

Sincerely,

JOSEPH C. SWIDLER, *Chairman.*

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*Potential hydrosites affected by primitive areas*

| State | Name of plant or site | Basin and river | Capacity, kilowatts | National forest | Area affected | Remarks and references |
|---|---|---|---|---|---|---|
| Colorado | Emerald Lakes | Los Pinos (Pine) River (tributary of San Juan River). | 15,000 | San Juan | San Juan Primitive Area. | USBR Colorado River Report—March 1946, p. 144. |
| | Sweetwater-Dotsero | South Fork, White, Sweetwater Creek (tributary of Colorado River). | 150,000 | White River | Flat Tops Primitive Area. | Application for FPC license for project No. 2289. |
| Idaho | Crevice | Salmon River | 1,015,000 | Payette and Nezperce | Idaho and Selway-Bitterroot Primitive Area. | Review of H. Doc. 531, 81st Cong., division engineer's report, June 1958, vol. I, p. 269. |
| | Growler Rapids | do | 248,000 | do | do | H. Doc. 531, 81st Cong., app. I, table 1, pls. 1 and 44. |
| | Black Canyon | do | 238,000 | Payette and Bitterroot. | do | Do. |
| | Pinnacle Peak | do | 243,000 | Payette and Salmon | Idaho Primitive Area | Do. |
| | Lewis | Middle Fork, Salmon River. | 141,000 | do | do | Do. |
| | Aparejo | do | (1) | Salmon, Challis, Boise. | do | Do. |
| | Monumental | Big Creek-Middle Fork, Salmon. | 3,500 | Payette | do | USGS Water Supply Paper 657, p. 320—Preliminary studies. |
| | Pungo | Middle Fork, Salmon River. | 8,000 | do | do | Do. |
| | Risley | do | 5,300 | do | do | Do. |
| | Steelhead | do | 5,400 | do | do | Do. |
| | Penny Cliffs | Middle Fork, Clearwater, Lochsa, Selway. | 292,000 | Nezperce | Selway-Bitterroot Primitive Area. | Review of H. Doc. 531, 81st Cong., division engineer's report, June 1958, vol. I, p. 303. |
| | Jerry Johnson | Lochsa River | 46,000 | Lolo | do | H. Doc. 531, 81st Cong., app. I, table 1, pls. 1 and 44. |
| | Wendover | do | 105,000 | do | do | Do. |
| | Wolf Creek | Selway River | 103,000 | Nezperce | do | Do. |
| | Moose Creek | do | 240,000 | Bitterroot | do | Do. |
| | Running Creek | do | 50,000 | do | do | Do. |
| | White Cap | do | 68,000 | do | do | Do. |
| Utah | Moon Lake | Lake Fork | 4,000 | Ashley | High Uintas Primitive Area. | USBR Report on "Bonneville Basin" Apr. 24, 1946; USGS "Reservoirs in United States," March 1948. |
| | Upper West Fork | do | 4,600 | do | do | USGS Water Supply Paper Nos. 618 and 1039. |
| | Yellowstone | Yellowstone Creek | 14,000 | do | do | Do. |
| | Rock Creek | Rock Creek | 7,500 | do | do | Water Supply Paper No. 618 and USBR Report "Bonneville Basin," Apr. 24, 1946. |
| Total capacity affected | | | 3,006,300 | | | |

[1] Storage.