Remarks of Assistant Secretary John A. Carver, Jr., Before the North-South Idaho Forestry Association Meeting in McCall, Idaho, November 17, 1964

The actions of the 88th Congress in the field of public land management were of historic dimensions, and there is about to begin in the United States an intensive consideration of how these lands are to be brought to their highest usefulness to meet the needs of a population which may reach the level of four hundred million in about fifty years.

Within the lifetime of the youngest of us here, the population of this country has increased by 50 percent or more. Within the lifetime of the oldest of us, it has increased by almost 100 percent. When our children have grown as old as we are now -- in another 25 years, another 50 percent increase will have occurred. By the year 2015, in 50 years, twice as many as our present 190 million people will be vying for living space, driving space and space to make a living within our boundaries -- three times as many as when I was born.

Within a 16-day period last September, the President gave final approval to five separate Congressional acts which are certain to have a major impact on the public lands and Federal land-use practices. While each of these five bills is a separate and distinct piece of legislation, they were in fact considered substantially simultaneously and constitute an integrated fabric of public policy toward our land resources.

Although I have no intention of reviewing each of these laws in detail, it will be useful for me to illustrate the broad spectrum of their coverage by enumerating them, as follows:

--- One created a system of wilderness areas, within existing Federal land holdings.

--- One established a Land and Water Conservation Fund as a mechanism for systematic investment in public outdoor recreation facilities.

These two are of signal importance, and of broad general interest. But they do not compare in immediacy with three measures which made up the public land package of bills -- the bill to authorize the creation of the Public Land Law Review Commission, the bill authorizing multiple use management of BLM lands, and the bill facilitating the sale of lands needed for the orderly growth of communities, and for industrial and commercial purposes. It is this package that I would like to speak of in more detail.

The latter two are interim measures, effective only until the Public Land Law Review Commission completes its work.
What is the Public Land Law Review Commission? It is a legislative-public commission of 19 members. Six Congressmen and six Senators are chosen by the Speaker of the House and the President of the Senate from the membership of the Interior committees, three majority and three minority members each. These twelve members have been named (although one member, Congressman Kyl of Iowa, a Republican, was defeated in the recent election). The other eleven include two Idahoans, Senator Jordan and Congressman White; two Coloradans, Senator Allott and Congressman Aspinall; and Senator Anderson and Senator Bible from New Mexico and Nevada; Senator Kuchel from California; Senator Jackson from Washington; and Congressman Burton from Utah -- a total of nine members from public land States. Congressman O'Brien from New York and Congressman Saylor from Pennsylvania are from non-public land States.

Six public members will be appointed by the President. And the eighteen will select a nineteenth to act as their chairman. The Commission has a four-year life. Its task is to study the laws and regulations governing the retention, management and disposition of the public lands; review the policies and practices of the federal agencies which administer the public lands; compile data necessary to understand and determine the various demands on the public lands, current and future; and to recommend changes in the laws, regulations and policies to see that the lands are either retained and managed, or disposed of, in a manner to provide the maximum benefit to the people of the United States.

The creation of a 25-member advisory council to represent both commercial and non-commercial users of the public lands is provided for, with statutory provision that the council include representation of State and local government, private organizations in the field of land management and recreation, and forestry interests, livestock interests, mining interests, oil and gas interests, fishing interests, etc.

If I may presume to paraphrase what Congress said in this highly important month of legislative decisions, it goes something like this:

"At one and the same time we must do two things: look to the adequacy of our public land laws in meeting the needs of 300 or more million people and act immediately to conserve and protect areas needed for public recreational use. Even while we study the basic public land law pattern, however, certain interim measures must be taken to meet the short-term needs of the Nation; specifically, a definite policy of positive management of the public lands along multiple use lines must be put into effect and broader authority to dispose of certain lands must be available."

Thus, we have a broad directive from Congress to devote increased attention to the public lands as a major natural resource to support a maturing Nation. I must confess that the assignment is something of a balancing
act -- to do several things at once that are in some respects contradistinctory. We must at the same time conserve, study, manage and dispose. This is a large task and one that cannot be accomplished by the land administrators and the Congress alone. It will require a large amount of understanding, assistance and cooperation from the public land users and others in the communities -- whose welfare depends upon sound decisions in this area.

I think the real significance of these developments is that we are moving into a period of great fluidity. Traditional concepts have already been, to some extent, rejected; others are being subjected to close scrutiny. What comes out of this will depend entirely on what we put into it.

Our goal in adhering to the policies established by the Congress must be twofold: to meet the needs of our expanding society -- the national interest -- in a manner which serves best the welfare of the Western community -- the local or regional interest.

In this general context, let us turn our attention to the part of that legislative package which is going to have the most immediate impact on public land use -- the interim measure for classification of lands under BLM management while the Public Land Law Review Commission is carrying out its work.

Congress in public law 88-607, commonly called the multiple use act, seeks, in the broadest terms, to require public land management to be brought forth from the dusty recesses of bureaucratic offices, and carried on in the broad light of day.

For thirty years or so, the Secretary of the Interior has had authority under various laws to classify lands. Almost all of the public domain was withdrawn from entry by executive orders in the mid 30's, and classification is the process of determining that these lands shall be released from this withdrawal, for exchange, for homestead entry, for recreation and public purpose disposition, or for small tracts.

But the standards for such classification have never been spelled out, and the process has been discretionary in the Secretary, and therefore difficult to review.

In the meantime, of course, the pressures have mounted astronomically for some of the lands, and there has been a great deal of unrest about the process of classification itself.

The recent enactment is a model of good legislative sense. Consistent with, and supplemental to such basic charter acts as the Taylor Grazing Act, and pending the implementation of the recommendations of the Public Land Law Review Commission, the Secretary of the Interior is directed to "develop and promulgate regulations containing criteria" which will be applicable to the classification of lands. These regulations must be the
subject of public hearings, with thirty days notice thereof, and do not become effective until thirty days have passed after the hearing. No lands can be given a designation or classification unless such designation or classification is authorized by statute, or defined in regulations adopted in the specified manner.

The criteria must be for two statutorily specified alternative: disposition, or retention and management.

The purposes for which disposition classification can be made are set forth in the law: because they are (1) required for the orderly growth and development of a community; (2) chiefly valuable for residential, commercial, agricultural (exclusive of grazing and forage agriculture), industrial, or public uses or development.

The purposes for which retention (interim, until the Commission reports) and management classification can be made are ten, in this statute:

1. domestic livestock grazing
2. fish and wildlife development and utilization
3. industrial development
4. mineral production
5. occupancy
6. outdoor recreation
7. timber production
8. watershed protection
9. wilderness preservation
10. preservation of public values that would be lost if the land passed from Federal ownership

Multiple use is defined as follows:

"Multiple use' means the management of the various surface and subsurface resources so that they are utilized in the combination that will best meet the present and future needs of the American people; 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 adjustment in use to conform to changing needs and conditions; the use of some land 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 the various resources, and not necessarily the combination of uses that will give the greatest dollar return or the greatest unit output."

The Department has begun the tasks assigned to it by this act -- beginning with the development of criteria for the classification of public lands for disposition, or retention and management.
These criteria will be subject to public scrutiny, but I hope that the process will be better than that — I hope that we will have cooperative action at every stage of this important task.

There is much reassurance to industries like livestock and timber in the approach which is now under way to reviewing public land policy. The integrity of established timber operations as against the disruption of exchange is just one aspect of this.

Under our constitutional system, the responsibility for management and disposal of the public lands and their resources is expressly assigned to the Congress. For more than a hundred and seventy years, the Congress has grappled with a broad spectrum of policy issues in this field. Over that period, our public land base has swollen through purchase, annexations and treaty settlements — and it has dwindled through the process of settlement, grants and reservation for special purposes.

In a cyclic pattern, public land policy issues have emerged and subsided as the critical area of political controversy. Major landmarks were created as the result of these debates. The Northwest Ordinance, the Homestead Law, the national forest system, the Reclamation Act and the Taylor Grazing Act contain the path of this long history.

In 1964 Congress has again turned its attention to the broad question of public land policy, this time in the environment of an increasingly complex society which seeks ever more insistent demands on a national land base. For those of us gathered here today, therefore, the establishment of a Public Land Law Review Commission may well prove to have been the most significant action taken by a momentarily productive 88th Congress.