

Normally Congress makes all reasonable effort to protect the public interest, but an unfortunate recent case indicates how overzealous advocates of a project, urging undue haste, can cause serious repercussions. I refer to the case of the amendment to S. 1446 in the 89th Congress on January 18, 1966, to include the Shenandoah and Cacapon Rivers in West Virginia in the wild river system. This bill had been carefully written to protect the local interests along the rivers, primarily western ones, which were originally included. Hearings were held in 1965 in the affected areas and changes were made as needed, but since the Shenandoah and Cacapon were not on the list, no hearings were held in West Virginia, and almost no mention was made on the subject in that area.

But on January 6, 1966, the interim report of the Federal Interdepartmental Task Force on the Potomac was sent to the President. It contained simple one-paragraph recommendations that the Shenandoah and Cacapon Rivers in West Virginia be given wild river status.

Senator Robert C. Byrd of West Virginia later told a group of members of the Potomac Basin Federation that the Interior Department—and I was with him—then asked him to move that these rivers be included in the system, and that the people of the area were in favor of it. Not having any reason to doubt this, he made the motion and the rivers were duly included in the bill as passed by the Senate. Only later did he find that there was large-scale opposition by almost all farm and home owners on the Shenandoah, a great many on the Cacapon, and very substantial other elements in the population. There was no large-scale support for the project in the local areas affected.

The example of authorizing legislation passed by the Congress which was apparently passed without the knowledge and approval of local residents, was the Seneca Rocks provision passed in the 89th Congress. Although the House committee report on the bill states that the witnesses at the hearings were unanimous in the proposal to establish this, and the committee knows of no opposition to the acquisition, I understand that there is widespread local opposition to the project among residents who had no knowledge of it in time to testify against the proposed legislation.

I have talked to these people in the last month or two. I talked to Phil McGantz in Senator Randolph's office, and he said they had had correspondence from people in the area whose land is affected who are upset over this.

This bill authorized condemnation of a large number of homes and farms for recreational and related purposes. It didn't get passed yet. The project has not been carried out, since the House did not act on the bill in the 89th Congress. In the 90th Congress the bill has been changed, due in large part to the intervention of Senators Byrd and Randolph, to eliminate these rivers. But it could very well happen that such a proposal would be approved without the affected citizens having knowledge of it, and if the Interior Department could make use of previously appropriated funds for immediate condemnation there would be very serious problems created.

I want to digress to mention a couple of aspects that weren't in the original draft I drew here.