

REDESIGNATE THE DEPARTMENT OF THE INTERIOR
AS THE DEPARTMENT OF NATURAL RESOURCES

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COMMITTEE ON
GOVERNMENT OPERATIONS
UNITED STATES SENATE

NINETIETH CONGRESS

FIRST SESSION

ON

S. 886

A BILL TO REDESIGNATE THE DEPARTMENT OF THE INTERIOR
AS THE DEPARTMENT OF NATURAL RESOURCES AND TO TRANS-
FER CERTAIN AGENCIES TO AND FROM SUCH DEPARTMENT

OCTOBER 17, 19 AND 20, 1967

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II

WITNESSES

Hon. Wilbur J. Cohen, Under Secretary, Department of Health, Education, and Welfare; accompanied by Richard A. Prindle, M.R., Director, Bureau of Disease Prevention and Environmental Control Public Health Service	Page
Hon. Frank E. Moss, a U.S. Senator from the State of Utah	32
Hon. Stanley R. Resor, Secretary of the Army; accompanied by Alfred B. Pitt, special assistant to the Secretary of the Army for Civil Works	12
Hon. Stewart L. Udall, Secretary of the Interior	43
	105

EXHIBITS

No.	
1. A bill to redesignate the Department of the Interior as the Department of Natural Resources and to transfer certain agencies to and from such Department, S. 886, 90th Congress, first session, introduced by Senator Moss	1
2. Memorandum concerning S. 886, prepared by Wallace D. Bowman, specialist in conservation and natural resources, Natural Resources Division of the Legislative Reference Service, the Library of Congress, October 12, 1967	4
3. Analysis of natural resource spending, the budget of the U.S. Government for fiscal year 1968	7
4. A bill to preserve the Nation's estuarine areas and their natural resources, S. 2365, 90th Cong., first session, introduced by Senator Ribicoff	26
5. Statement of Hon. Gale McGee, a U.S. Senator from the State of Wyoming, submitted for the record	40
6. Article from the New York Times, "Army Admits Role in Lake Pollution," October 11, 1967	50
7. Joint statement by the Departments of the Interior and the Army regarding the issue of dredging on the Great Lakes, submitted	

19.	Letter from Hon. Orville Freeman, Secretary of Agriculture, to Senator Ribicoff including a joint statement concerning arrangements for handling recreation programs at reservoir sites, October 24, 1967-----	146
20.	Letter from Col. George E. Pickett, director, Department of Water and Air Resources, State of North Carolina, to Senator Ervin, submitted to Senator Ribicoff for the record by Senators Ervin and Jordan, October 25, 1967-----	149
21.	Letter from Dale Twachtman, executive director, Southwest Florida Water Management District, to Senator Ribicoff, including a statement of Mr. Edward Medard, chairman, governing board, Southwest Florida Water Management District, October 26, 1967-----	151
22.	Letter from Riley S. Miles, executive director and general manager, Water Users Association of Florida, Inc., to Senator Ribicoff, commenting on S. 886, November 2, 1967-----	153
	Mexico School of Law, volume 1, No. 2, November 1961-----	157

2

DEPARTMENT OF NATURAL RESOURCES

(b) Clause (8) of section 5314 of title 5 of the United States Code is amended to read as follows:

"(8) Under Secretary of Natural Resources for Water and Under Secretary of Natural Resources for Lands."

TRANSFERS FROM THE DEPARTMENT OF THE INTERIOR

Sec. 5. (a)(1) The Bureau of Indian Affairs in the Department of the In-

A BILL To redesignate the Department of the Interior as the Department of Natural Resources and to transfer certain agencies to and from such Department

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Department of Natural Resources Act of 1967".

SEC. 5. The Under Secretary of the Interior authorized under the Act entitled "An Act making appropriations for the Department of the Interior for

1

DEPARTMENT OF NATURAL RESOURCES

3

(1) the functions transferred under subsection (a) of this section to the Secretary of the Army, and

(2) such personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds as he determines are used with respect to such functions to the Department of the Army. At the end of the war or the period of national emergency the President shall transfer such functions back to the Secretary of Natural Resources, and he shall transfer such personnel, property, records, obligations, commitments, and unexpended appropriations, allocations, and other functions back to the Department of Natural Resources.

TRANSFERS FROM THE DEPARTMENT OF THE NAVY; OCEANOGRAPHIC FUNCTIONS

SEC. 8. The National Oceanographic Data Center in the Department of the Navy together with such nonmilitary personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds as are determined by the Director of the Bureau of Oceanography

(b) All personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds, which the Director of the Bureau of the Budget determines are used primarily with respect to any function transferred under the provisions of this section, are transferred to the Department of Natural Resources.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE; AIR POLLUTION CONTROL FUNCTIONS

SEC. 10. (a) The functions of the Secretary of Health, Education, and Welfare under the Clean Air Act, as amended (42 U.S.C. 1857 et seq.), the Solid Waste Disposal Act (42 U.S.C. 3251), and all other air pollution control functions of

partment of the Army and all such functions of the Secretary of the Army with respect to or being administered through such Corps are transferred to the Secretary of Natural Resources.

(b) All nonmilitary personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds, which the Director of the Bureau of the Budget determines are used primarily with respect to any function transferred under the provisions of this section, are transferred to the Department of Natural Resources.

(c) In time of war or such other national emergency as the President determines, he may transfer—

4

DEPARTMENT OF NATURAL RESOURCES

ANNUAL REPORT

SEC. 13. The Secretary shall, as soon as practicable after the end of each calendar year, make a report to the President for submission to the Congress on the activities of the Department during the preceding calendar year.

EFFECTIVE DATE

SEC. 14. The provisions of this Act shall be effective after ninety days following its date of enactment.

EXHIBIT 2

S. 886—To REDESIGNATE THE DEPARTMENT OF THE INTERIOR AS THE DEPARTMENT OF NATURAL RESOURCES AND To TRANSFER CERTAIN AGENCIES TO AND FROM SUCH DEPARTMENT

(By Wallace D. Bowman, Specialist in Conservation and Natural Resources, Natural Resources Division, October 12, 1967)

S. 886, introduced by Senator Frank E. Moss on February 7, 1967, would establish in one executive department various federal agencies, bureaus and commissions dealing with renewable and nonrenewable resources.

Senator Moss made his case for unification in citing the lack of any federal plan for the development, management and protection of the Nation's resource endowment. He also pointed out that every resource agency is surrounded by competing

(3) Permit the Government to acquire minerals and land for its own material requirements of our industries;

(4) Provide coordinated administration of farflung resource programs,

bility at Interior, the bulk of construction is assigned the Corps of Engineers in the Department of Defense. In addition, the Federal Power Commission is authorized to grant licenses for the construction of hydroelectric dams on rivers. If ocean resources are included in this resource category, three other agencies of government must be added to the list.

Typical conflicts of interest arising in the case of river basin planning would find the Corps of Engineers (Defense) concerned with many aspects of flood control and waterway development; the Soil Conservation Service (Agriculture) concerned with upland watershed protection; the Bureau of Sport Fisheries and Wildlife (Interior) concerned with fish habitat and recreation; and the Federal Power Commission granting licenses for the construction of hydroelectric facilities.

Earlier Proposals

Several earlier proposals contained provisions similar to S. 886.

Secretary Ickes in 1938 suggested that the Interior Department be changed into a Department of Conservation.

In 1949, a task force of the first Hoover Commission defined the functions of a proposed Department of Natural Resources, the establishment of which President Truman supported until 1951.

President Eisenhower in his last budget message suggested that the water func-

S. 886 would create a national Department of Natural Resources, absorbing the present Department of the Interior—but exclude a number of Interior functions that fall outside the natural resources category—and include a number of resource-related agencies and functions of other Departments.

The Secretary of Interior, to be redesignated Secretary of Natural Resources, would be assisted by a Deputy Secretary and two Under Secretaries for Water and Lands. All would be appointed by the President with Senate confirmation.

The proposed agency and functional changes in resources administration are shown below.

To Department of Natural Resources from Department of Agriculture:

1. Forest Service.
2. Watershed Protection and Flood Protection (16 U.S.C. 1001-1008).
3. Construction of certain public works on rivers and harbors for flood control, and for other purposes (58 Stat. 887).

To Department of Natural Resources from Department of Defense: Civil work functions of the Corps of Engineers.¹

To Department of Natural Resources from Department of Navy: Functions relating to National Oceanographic Data Center.

To Department of Natural Resources from National Science Foundation: Functions relating to sea grant programs (title II of Marine Resources and Engineering Development Act, 80 Stat. 998).

To Department of Natural Resources from Department of Health, Education, and Welfare:

1. Functions under the Clean Air Act (42 U.S.C. 1857, et seq.).
2. Functions under the Solid Waste Disposal Act (42 U.S.C. 3251).

3. All other air pollution control functions.

In addition to the above, the Federal Power Act would be amended to include the following:

16 USC 797(e)

- establishment of resources policy through legislation
- establishment of resources policy through administrative regulations
- dissemination of a vast range of information to assist agriculture and other resource industries
- many kinds of research and development

Next to expenditures for national defense and for the costs of past wars, the FCST found that activities concerned with natural resources are the largest category in the Federal budget. Although the study conducted by FCST was concerned primarily with Federal research and development activities, its focus on budgetary and manpower aspects resulted in a detailed analysis of overall Federal effort in the natural resources field.

Research and development activities are carried out by eight Departments (Agriculture; Commerce; Defense; Health, Education and Welfare; Transportation; Housing and Urban Development; Interior and State). An even larger number of independent commissions and councils are also involved including the Atomic Energy Commission; Federal Aviation Agency; Federal Power Commission; National Science Foundation; Tennessee Valley Authority; Marine Resources and Engineering Development Council; Office of Science and Technology; Water Resources Council; Council of Economic Advisers; Bureau of Budget; Smithsonian Institution; National Academy of Sciences; Appalachian Regional Commission and Delaware River Basin Commission.

Departments and commissions, or segments thereof, identified by the FCST as having research and development functions, which have apparently been excluded from transfer under S. 886, are outlined below.²

Energy Resources (p. 34, FCST report)

Department of Defense

Smithsonian Institution

Mineral Resources (p. 76, *ibid*)

Department of Defense

Department of Agriculture

Atomic Energy Commission

Department of Commerce (BS)

National Science Foundation

Department of Transportation

Tennessee Valley Authority

¹ *Research and Development on Natural Resources*, Office of Science and Technology, Executive Office of the President, May 1963. (A separate task force report on water resources was issued on March 25, 1963, as a Senate Interior Committee print entitled "Federal Water Resources Research Activities").

² Slightly modified to account for reorganization of federal activities since 1963.

Air Resources (p. 87, *ibid*)

Department of Agriculture
 Department of Commerce (BS, ES)
 Department of Defense (AF, A, N)
 Department of Health, Education and Welfare
 Atomic Energy Commission
 Federal Aviation Agency
 National Science Foundation

Water Resources (p. 182, Senate Committee Print)

Department of Agriculture (CSESS, ERS, SCS)
 Department of Commerce
 Department of Defense

treaties.

S. 886 makes no specific reference to these aspects of resource policy and administration.

FEDERAL SPENDING FOR NATURAL RESOURCES

Senator RIBICOFF. Federal expenditures in the field of natural resources totaled \$3.2 billion in fiscal 1966, and are estimated at \$3.5 billion for fiscal 1968.

We will also include at this point the analysis of natural resource spending from the 1968 budget.

(The excerpt from "The Budget for Fiscal Year 1968" follows:)

EXHIBIT 3

NATURAL RESOURCES

The needs of a growing population and an expanding economy demand careful development and prudent use of our natural resources. The budget recommendations for 1968 are aimed at meeting these demands. They provide for selected increases in those programs most important for preserving our natural heritage and promoting the Nation's economic growth. Payments to the public for the conservation and development of natural resources are estimated at \$3.5 billion in fiscal year 1968, an increase of \$288 million over 1967.

Administrative budget funds:				
Land and water resources:				
Corps of Engineers.....	\$1,250	\$1,260	\$1,330	\$1,289
Department of the Interior:				
Bureau of Reclamation.....	367	327	320	316
Power marketing agencies:				
Present programs.....	79	128	137	151
Proposed legislation for revolving funds.....		-74	-78	-53
Federal Water Pollution Control Administration.....	117	126	229	306
Office of Saline Water:				
Present programs.....	13	15	24	23
Proposed legislation for desalting plant.....			4	8
Office of Water Resources Research.....	6	7	11	13
Bureau of Indian Affairs:				
Present programs.....	122	111	120	118
Proposed program improvements.....			15	30
Bureau of Land Management and other.....	77	84	73	76
Tennessee Valley Authority.....	54	78	111	62
Soil Conservation Service—watershed projects.....	102	102	104	102
International Boundary and Water Commission.....	33	36	23	18
Federal Power Commission and other.....	14	17	20	19
Subtotal, land and water resources.....	2,235	2,218	2,443	2,479
Forest resources:				
Forest Service.....	386	442	424	487
Bureau of Land Management.....	20	21	24	25
Recreational resources:				
Bureau of Outdoor Recreation.....	17	62	106	146
National Park Service and other.....	135	137	140	134
Fish and wildlife resources.....	130	134	139	143
Mineral resources:				
Bureau of Land Management.....	47	48	49	49

investment in the development of the Nation's water and power resources. In order to provide for future needs, new water resources projects are to be started in 1968 and advance planning is to begin for projects to be started in later years. However, in an effort to help prevent inflationary pressures in the economy, ongoing Federal construction projects have been slowed down in the current fiscal year. A small number of new starts is being recommended for 1968.

The budget for 1968 includes \$7 million in new obligational authority for the Corps of Engineers to start construction of nine water resources projects costing an estimated \$150 million in total. Advance planning will be started on 24 projects. In addition, \$3 million is included to begin land acquisition for the Tocks Island Dam and Reservoir project in New Jersey, Pennsylvania, and New York. The budget also provides for programs which improve our basic knowledge about flood hazards and enhance the effectiveness of our flood control efforts.

New obligational authority of \$8 million is included for the Bureau of Reclamation to start two projects and to provide loans to finance two new small reclamation projects. Studies and investigations by the Bureau will include special emphasis on weather modification research. A thorough review is being made of

alternative solutions to the water problems faced by the States in the Colorado River Basin. When this review is completed, recommendations will be made to the Congress.

Legislation previously proposed will again be recommended to allow the Bonneville, Southeastern, and Southwestern Power Administrations to use revenues from the sale of power to finance capital outlays and operating costs. Enactment of this legislation would place these power marketing agencies on a basis consistent with other business enterprise activities of the Federal Government while retaining continued control through the appropriation process. Revenues from the sale of such power are currently deposited in miscellaneous receipts of the Treasury.

The Tennessee Valley Authority is continuing toward attacking the problems of pollution in entire river basins. During fiscal year 1968, much of the agency's effort will be devoted to reviewing and approving standards developed by the States under the Water Quality Act of 1965. The budget includes grants of \$203 million in 1968 to assist municipalities in construction of waste treatment plants. Additional funds are recommended for research and demonstration activities authorized by the Clean Water Restoration Act of 1966.

Legislation will be proposed to permit the Department of the Interior to participate with the Atomic Energy Commission and the Metropolitan Water District of Southern California in the construction of a large prototype desalting plant.

Public domain and Indian lands.—The Bureau of Land Management manages 457 million acres of public domain land containing valuable mineral, forest, range, watershed, recreation, and fish and wildlife resources. In 1968, the Bureau expects to spend \$70 million on the development and use of the resources of these lands. Total receipts from the management of all public lands are estimated to be \$626 million in 1968, including \$430 million from mineral leases (primarily oil and gas) on the Outer Continental Shelf, which the Department of the Interior also administers.

Programs to aid American Indians in 1968 will provide for improved schools, irrigation facilities and roads on Indian reservations, and for expansion of industrial activities and housing facilities. New obligational authority of \$118 million is recommended for 1968, including \$31 million for construction of 15 new schools for Indian children. An additional \$30 million is proposed to further improve programs for the Indians.

Forest resources.—National forest lands will provide outdoor recreational activities for an estimated 199 million visitors in 1968. In addition, the Forest Service expects to harvest 12.7 billion board feet of timber. The management of alternative programs will provide a basis for comparing expenditures for reforestation and timber stand improvement with other Federal programs which enhance timber supply.

Recreational resources.—In fiscal year 1968, the Bureau of Outdoor Recreation expects to complete the first Nationwide Outdoor Recreation Plan, which will provide a general guide for all outdoor recreational programs in the country.

Receipts of \$110 million are estimated to become available to the Land and Water Conservation Fund in fiscal year 1968, and an advance appropriation of \$32 million is recommended to augment the Fund. Together, these funds will enable Federal agencies and States to expand their recreation programs to provide additional outdoor recreation opportunities. Grants of \$65 million will be made from the Fund to the States for this purpose and \$74 million will be available for acquisition of recreation lands by the National Park Service, Forest Service, and the Bureau of Sport Fisheries and Wildlife.

Because of rising land prices, the budget proposes that all of the \$32 million advance appropriation to the Land and Water Conservation Fund be used by Federal agencies to accelerate land acquisition.

The 89th Congress enacted legislation to authorize a number of national seashores and other recreation areas. Additional areas are needed, however, in order to meet the growing recreational requirements of our people. Proposals are under study and recommendations will be made at a later date for the development of the North Cascades area in the State of Washington. Proposals are also under study to make the Potomac Valley a model of scenic and recreation values for the through resource conservation, improved production technology, capably, and marketing assistance, and programs to modernize the American fishing fleet. A significant advance will be made toward the solution of protein-deficient diets throughout the world with the construction in 1968 of a pilot plant for manufacturing fish protein concentrate.

Mineral resources.—The Bureau of Mines will continue research to expand mineral production and utilization, with increased attention to problems of air pollution and oil shale research. A new research program directed toward major improvements in tunneling technology will be initiated. If successful, this effort will be of major benefit to mining, urban transportation, water supply, and other public services.

Congressional approval will be sought, within the authority of the Helium Act Amendments of 1960, for the Secretary of the Interior to enter into long-term contracts in 1968 for the purchase of an additional 24 billion cubic feet of helium. This unique resource would otherwise be wasted as a component of natural gas being marketed as fuel.

Moss, of Utah, who introduced S. 886, and Senator Edward M. Kennedy of Massachusetts, one of the cosponsors.

We also have a statement prepared by Senator Gale McGee, of Wyoming, which will be inserted at the conclusion of today's hearing.

RIBICOFF COMMENDS MOSS' COMMITMENT TO CONSERVATION

We are very delighted to have you, Senator Moss. All of us in the Senate have the highest respect and regard for you, not only as a distinguished Senator but as a man very knowledgeable and very dedicated to the whole field of conservation and natural resources.

Frankly, were it not for you, these hearings would not be held. Over the past 2 years, I have been deeply impressed with your dedication toward this cause and this objective.

~~matter, and I would hope that I could be here at least most of the time.~~

I appreciate it, too, because I recognize that this is sort of a beginning and informational phase of building a record on which the committee can then work its will, and I would hope that a full record could

DEPARTMENT OF NATURAL RESOURCES

13

Reorganization. I hope these hearings signal the beginning of a comprehensive congressional examination of our natural resource needs.

NATURAL RESOURCES ARE DISAPPEARING

Despite much public understanding and concern, however, it is Our cities are in desperate need of recreation space. Citizens travel hundreds of miles to escape the noise and concrete of the city. Attendance at our national parks continues to break records. The once empty forests of Yosemite National Park are now filled with so many people on some weekends that every campsite is filled. And the smoke from their campfires throws a layer of smog over this beautiful park.

But pollution abatement, and conservation in general, are only part of the problem. We must have more land and more water for use at the same time that we are preventing their despoilation.

two centuries ago, but the effects of this technological revolution on the natural environment of the United States is, of course, what makes essential the passage of a bill such as S. 886 which would provide coordination of the activities of the many Federal agencies having responsibilities in the natural resource field.

The tremendous pressure which technological progress has exerted on our environment is widely recognized. Just one aspect—pollution of water, air and land—has been the subject of numerous books, magazine articles, television programs, editorials and speeches. I believe it is correct to say that Congress has passed more constructive water legislation in the past 5 years than at any time in our history. Concern for our natural heritage gave impetus to the program to preserve and restore natural beauty which has received so much attention both from the White House and the Congress.

The scheduling of these hearings at a time when the Committee on Government Operations has a heavy load of other work demonstrates your recognition of the importance of this problem. I personally appreciate the action on the part of the Subcommittee on Executive

management that are both efficient and economical. In closing, let me discuss briefly our existing Federal organization.

Water resource development is the area of most critical need. In this field, we have three major departments with primary responsibility; the Department of Defense; the Department of Agriculture; and the Department of the Interior. Until recently, there was a fourth—Health, Education, and Welfare, but last year the President transferred the Water Pollution Control Administration from HEW to Interior.

SEVERAL AGENCIES DEAL WITH WATER RESOURCES

The functions of these agencies in the water resource field were initiated to provide answers to specific problems. The Army Corps of Engineers began with an appropriation of \$75,000 to remove sandbars and "sawyers, planters, and snags" from the Mississippi and Ohio Rivers to aid navigation. The Bureau of Reclamation was created in 1902 to reclaim the land of 17 States for agriculture. Their beginnings came in earlier days of the technological revolution of which I have spoken, when it appeared unnecessary to pay much heed to resource destruction. With the passage of the years, and our increase in population and wealth, their tasks have necessarily grown in both scope and complexity. Today they perform many similar or identical tasks.

The need for coordination in water planning has long been recog-

relate to all land—such matters as soil conservation practices, strip mining activities, use of the land and water conservation fund, and the open spaces program under HUD. Involving the Federal Government more completely is another category—the management of the public domain. Although located predominately in the West, there is public domain acreage in every State. It includes national forests, the lands managed by the Bureau of Land Management—some of which are forested—wildlife refuges, and units of the national park system. The national forests and BLM lands are managed for a multiplicity of purposes, and the wildlife refuges are used for timber harvesting, oil and gas extraction, and recreation, in addition to their primary purpose.

There are two large agencies engaged in the management of the public domain—the Bureau of Land Management in the Department of the Interior, and the Forest Service in the Department of Agriculture.

OVERLAP OF LAND MANAGEMENT FUNCTIONS

For reasons which I will not go into at this time, their separation was deliberate. Since the emergence of the modern concept of a national land reserve, however, their functions have become almost identical. The Secretary should have responsibility for all major Federal land management functions, and for the submission of Federal policy recommendations to the President and the Congress.

Parenthetically, it should be noted that coordination is also needed between land management and water management, since water production is to a great degree dependent upon land condition. The headwaters of many eastern streams are located on the national forests. The water supply of the West is produced almost entirely on the public domain, more than half of it on national forest land.

OUTDOOR RECREATION PROGRAM

Most agencies engaged in water development or land management are engaged also in outdoor recreation. In accordance with the recommendations of the Outdoor Recreation Resources Review Commission, Congress established the Bureau of Outdoor Recreation to promote as well as coordinate outdoor recreation resource development. BOR is in the Department of the Interior. Yet, two non-Interior agencies, the

more recreation seekers than does any agency in the Department of the Interior.

It is perhaps in the field of land management that the citizen is confronted with the greatest inconvenience resulting from two or more agencies. In the West, many timber operators and livestock men find themselves negotiating and contracting with both. Often, policies differ and almost always the differences in the regulations of the two complicate the operations and waste the time of citizens dealing with them.

BALANCE NEEDS BY COORDINATING ACTIVITIES

The Engineers have built massive levees to contain runoff from Lake Okeechobee and constructed 1,400 miles of drainage canals in the name of flood control. Park Service officials complain bitterly that the Engineers have drained Everglades National Park almost dry in their efforts to halt wetlands flooding and reclaim glade country for agriculture.

Flood control advocates have said that reclamation is for people and Everglades Park is "for the birds." But I do not believe that is the question. The park is for people and the farms are for people. The real question is how shall priorities be established for the best use of limited resources.

SOME AREAS OF CONSERVATION HAVE BEEN OVERLOOKED

One detrimental effect of the multiplicity of agencies is that some important areas have been permitted to fall between the cracks, so to speak. An instructive example of this is our mounting concern for the wetlands. The distinguished chairman of the subcommittee has this year introduced a bill aimed at the preservation of the Nation's estuarian areas and the natural resources of these areas. The estuaries furnish environment for unique and valuable forms of aquatic life and are particularly subject to destruction. They are peculiarly subject to percent of the coastal marshes had been destroyed by 1965. It is my belief that, had a natural resources department been in operation, much more would already have been done to save this unique resource.

¹ See exhibit 4, pp. 26-31.

persons from water pollution and decay of coastal marshes. Catches of 18 species along the coast were said to have dropped nearly 50 percent from 1960 to 1965.

In the field of oceanography—as with the estuaries—proposals have been made leading to better resource management. But a department with responsibility for natural resources would in all probability have prevented much of the deterioration of the fish life of the Continental Shelf.

NEW DEPARTMENT WOULD HANDLE MAJOR RESOURCE PROGRAMS

Turning briefly to the provisions of S. 886, the bill in essence sets up a Department of Natural Resources and assigns to it all major Federal responsibilities having to do with water, power, land management, wildlife, outdoor recreation, minerals and fuels, ocean resources, and clean air.

The bill provides for a Secretary of Natural Resources and a Deputy Secretary. It provides for two Under Secretaries, one for water and one for land.

The jurisdiction of the Under Secretary for Water includes: the functions exercised by the Bureau of Reclamation; the civil works office might also be created to coordinate efforts of our other mineral resource agencies in development of the minerals in and under the ocean.

While I have not provided for further administrative division in the bill, it would appear logical to divide the responsibility of the Under Secretary for Land into four branches, each headed by an Assistant Secretary.

The Forest Service and the Bureau of Land Management could report to an Assistant Secretary for Land Resources. The National Park Service, the Fish and Wildlife Service, and the Bureau of Outdoor Recreation could report to an Assistant Secretary for Recreation and Wildlife. The Bureau of Mines, Geological Survey, the Office of Coal Research, and the several other agencies in the Department of the Interior with responsibility in the fields of minerals and fuels could report to an Assistant Secretary for Minerals and Fuels. The fourth Assistant Secretary would supervise our air pollution abatement program.

RESOURCE ACTIVITIES HAVE OUTGROWN PRESENT ORGANIZATION

My advocacy of a Department of Natural Resources does not constitute severe criticism of the performance of existing departments, although it is often interpreted as doing so. Given their limitations and their overlapping of responsibility, our agencies have done a commendable job. But our needs in resource development and conservation have simply outrun our agency structure.

For example, a century ago, water management meant the construction of dams, pipelines, and sewer systems. Later, it included treating municipal water supplies to kill disease germs. Meanwhile, rivers were improved for navigation, and dams constructed for electric power production. Subsequently, there came the building of flood control works. For the future, water management must mean the conservation of all uses, preservation of water and related land resources, and provision of enough water for constantly expanding needs.

LONG-RANGE PLANNING COULD RESULT FROM REORGANIZATION

Were I asked to list concrete beneficial effects that might be expected from the creation of a Department of Natural Resources, I would put first the opportunity to improve long-range planning.

There exists nowhere a comprehensive plan that states our resource requirements and delineates a program for meeting them.

A first priority of the Department of Natural Resources should be the preparation of such a plan. The plan should set forth the national goals, projected alternative programs for reaching those goals, and the costs involved.

This will furnish to the President and the Congress, the facts upon which wise decisions can be made.

This, in general, is the method utilized so successfully by great industrial enterprises. It combines maximum efficiency with maximum flexibility.

STRICT DEPARTMENT COULD IMPROVE INTERGOVERNMENTAL RELATIONS should be done," the problem of water supply was "first of all, a great responsibility of our local governments."

provide assistance and cooperation to our city, county, and State governments more effectively and at less cost. What the bill will do is to enable one executive department to coordinate, at the levels of Under Secretary and Secretary, the activities of all agencies dealing with natural resources. It will enable the President, the Congress, and the executive department effectively to evaluate the Nation's resource requirements and the investment needed to meet them. It will provide the data and the management structure on which long-range planning can be based. It will enable us to consider with sufficient leadtime the raw material requirements of our industries. It will make it easier for the States, counties, and source programs. It will carry out their expanding responsibilities in the natural resource field.

Mr. J. J. [unclear] may lead the way to significant action in an area which vitally affects our Nation's future.

OPEN-SPACE PROGRAM FOR URBAN AREAS WOULD BE INCLUDED

Senator Ribicoff. Thank you very much, Senator Moss. I think you and your colleagues who introduced this measure have rendered a distinct public service. It would seem to me that sometime in the near future it is inevitable that we will create a Department of Natural Resources. Whether we are ready for it now is another question. Most people in talking about conservation and natural resources think of States like yours, the wide-open spaces of Utah, and of Colorado, California, and the national parks. Yet one of the most critical questions facing the future of this country is how we develop our cities, our towns, our rural areas so the large numbers of people in this country who live in urban areas have the advantage of a full range of opportunity.

In your proposal, where would the open-space program of HUD, as well as the problems of urban development, fit in? Senator Moss. Well, it would come under the jurisdiction of the Under Secretary for Land Management.

Open space the acquiring of

out in States like mine who have only one or two urban areas, and who are not provided by the standards of some that we have of a State. I have never had the privilege of being in the distinguished Senator from Tennessee's State to see what the TVA has done. You agree that achievements were accomplished without a Department of Natural Resources.

What do you think, today, the Department of Natural Resources can do for Tennessee or Oklahoma or Connecticut that is not being done at the present time?

LONG-RANGE PLANNING COULD ELIMINATE PATCHWORK DEVELOPMENT

Senator Moss. Well, first, let me say that I would point to the TVA as one of the great landmark developments of an area that had become run down and was poverty stricken and subject to flood and all this sort of thing. And the building of the great complex of the TVA is certainly a bright chapter in resource development—harnessing the water and preserving it, and utilizing the power and the navigation that is available there.

But, nevertheless, it was a piecemeal thing, that is, the needs were so great in the Tennessee Valley that we just picked that out nationally and said "Here, we will go in and build." And this was fine, there was from destruction the resources that this wholly essential other maybe.

So, I would say that if we had this Department and it embarked on this long-range plan, it would not be just confined to Connecticut, but in "Well, now"—and it would be looking at Connecticut and saying, this area of the country—these are the resources, this is what we need to do, projecting this development a long time into the future—the same for Oklahoma, and the same for Utah, the same for all parts of the country.

We have kind of just a patchwork now, and, as I say, each in its own case has been all right, like the TVA was fine when it came along, but we have just moved on to the point where we can no longer afford, it seems to me, to work with just patchwork authority and no centralized planning.

COORDINATION OF ACTIVITIES AT STATE LEVEL

Senator Ribicoff. How do the activities of various State and local affect the proposed Department?

the State of New Jersey proposed that all water be in one agency. If this the State of New Jersey be in one agency functions their natural resources support or reduce the need for

ould influence State,

valley of a river, the Tennessee River—

Senator Moss. Yes.

Senator BAKER (continuing). Quite apart from State lines or county lines or other geopolitical lines.

If this bill were to become law, would the regional development concept, carried forward in the Appalachia Regional Commission and the Four Corners Regional Commission and the other various regional development commissions which have grown out of the so-called Appalachian Development Act, Mr. Chairman, I do not want to unnecessarily belabor my following of these questions—

Senator RIBICOFF. Go ahead.

Senator BAKER (continuing). But I am really quite distressed at the prospect of the function or planning functions of the TVA being altered or changed in any respect. And while I do not want to prejudge the merits of S. 886, I must say that I would react quite unfavorably to that aspect of such a proposal at this time.

and examination of this it might be possible.

And I cite the fact that the President moved in this direction a little bit—as a matter of fact, when I had my bill drafted, before I had the Department of Pollution Control, which was in HEW, as one that would go over to the Department of National Resources.

Well, the President accomplished that by executive order, which was a movement in this direction, and it indicated to me that the executive department thought there ought to be some more orderly arrangement in the water field of resources.

So, I have introduced the bill, and I am hopeful that now is the time that we can probably get this done, even though it has failed in previous efforts.

NATURAL RESOURCES ADVISORY COUNCIL

Senator RIBICOFF. Now, Mr. Smith advocated a Natural Resources Advisory Council which would have the same role in the resources field as the Council of Economic Advisers now has in the economic field.

tion and resource development, responsible for all federal planning and action in the field, might still work if it could be achieved by waving a magic wand. It simply cannot be achieved, however, without a bloody, bone-shattering fight, which would leave the landscape so scarred that the conservation cause would be lost in the critical years immediately ahead.

I do not know if our distinguished colleague read this book.

Senator BAKER. I have not.

Senator RIBICOFF. Would you want to comment on Frank Smith's statement?

Senator Moss. Well, first of all, let me say that I have no illusions that there will not be a great deal of resistance to rearranging the functions of natural resources into a department. The history of this proposal would indicate it goes clear back to Harold Ickes. It was proposed by him, and, of course, the Hoover Commission proposed it.

It has come up various times and never been accomplished because of certain departments or agencies which functions would be taken into the department resisting it, thinking they could function better

CONFUSION IS LIABILITY OF COMPETING AGENCIES

Senator Moss. Well, although I do not reject the idea that there is always some element of advantage perhaps in competition, I think it adds up really to more confusion than competition.

We are talking here about the sovereign, managing, planning for the management of all the resources of the country. And to have competing agencies with different regulations simply adds to the confusion, I think, of the consumer on the other side.

Now, it was mentioned in the quote you read that BLM and the Forest Service sell timber in a different manner under different

Senator RIBICOFF. Senator Harris?

Senator HARRIS. I do not have any questions, Mr. Chairman.

Senator RIBICOFF. Senator Hansen?

Senator HANSEN. I have no questions.

Senator RIBICOFF. Senator Baker?

Senator BAKER. Mr. Chairman, I would like to ask just one or two additional questions, and I am mindful of the fact that Senator Kennedy is anxious to testify, and I do not want to unduly prolong the hearings.

But let me make a point or two at the outset, Senator Moss.

I have no desire to be antagonistic or in opposition to this proposal.

Senator Moss. I understand.

Now, would you agree with me, Senator Moss, that there must be some sort of regional totality in the effort to plan and conserve our natural resources?

Senator Moss. Oh, I agree. As a matter of fact, we have a river basin planning act now where the Congress has said that each river basin should do its planning within the river basin, and this is a logical thing when you come to water and land.

I would agree with you, Senator, that regions vary. Some of them have peculiarities of one kind and some another, and they ought to be managed in accordance with whatever the physical and natural features are in a given area.

Here, again, I would mesh the whole thing into what our national picture is.

Senator BAKER. I would hope that this would lead you to agreement that a structure as unique and vital and effective as the Tennessee Valley Authority might be excluded from this program.

Senator Moss. I would appreciate that very much.

Senator BAKER. Thank you.

Senator RIBICOFF. Thank you very much.

CHANGES IN HEARING SCHEDULE

If there are no further questions, we appreciate your being here, and I hope, Senator Moss, that you would feel free to take your seat with the rest of us during the remainder of these hearings.

I have postponed the Wednesday hearing because of a conflict with the Finance Committee, of which both Senator Harris and myself are members. I think that the nature of the testimony tomorrow requires our presence there.

The Department of the Interior and the Bureau of the Budget will testify on Friday instead.

I am sorry if this inconveniences anyone, but we will go ahead with our Thursday hearing as scheduled.

Senator Moss. Thank you, Mr. Chairman. I appreciate it.

I would hope that the chairman would permit the record to be open for some time after these hearings are concluded, because I think, out of questions such as have been raised by Senator Baker and

[From the Congressional Record, Aug. 30, 1967]

EXHIBIT 4

sponsored the Kennedy bill and whose committee will consider these proposals.

Estuaries form where rivers run into the sea. They create and attract vital biological, scientific, recreational, and economic resources. Cities are built near most estuaries, intensifying land use and the consequent pollution and destruction risks. My bill tries to take account of the unique nature of our estuaries and to find the proper balance between their protection and restoration and their use and development for the largest number of people.

These sea and land complexes create rich marine resources. At least 65 percent of our Nation's commercial fish and shellfish resources inhabit the estuarine areas during all or part of their life cycles. Many of our valuable waterfowl use these areas as nesting and wintering sites. People use them too, for swimming, boating, bird watching, hiking, or for an opportunity to enjoy the beauty of natural resources along coastal areas. Scientists study and expand our knowledge of the wonderful variety of animal and plant life around the estuaries.

It is not only the coastal States, like Connecticut, which will benefit from this proposal. For our seashores are a national trust for all to use and enjoy.

Many of our priceless shore resources have already been lost. Others can be saved if we act soon, as this bill proposes. In my own State, nearly 50 percent of Connecticut's coastal marshes had been destroyed by 1965. At the existing rate of destruction, by the year 2000 there would be no tidal marshes left.

The principal causes of this manmade destruction are careless filling, usually from dredging and waste disposal. Both of these hazards will be controlled under this legislation.

This bill will help determine the state of our natural estuarine resources as a first step to preserving what is left. After this survey by the Secretary of the Interior, a more detailed study will see what can be done to preserve and enhance

These provisions would . . .
They would insure that an authority charged with the protection and development of natural resources reviewed such projects before they are undertaken.

My legislation encourages States to protect their own estuarine resources and water quality by establishing or improving plans to regulate dredging and related activities, when the plans are approved by the Interior Department. In such States there would be no direct Federal control of these activities.

Federal responsibility must be exercised, for presently most States do not have effective controls to protect their estuaries. The Interior Department estimates that only three or four States have effective plans now in operation.

Dumping refuse of all kinds—except oil and sewage which are covered now by law—in our estuaries would be subject to regulation by the Interior Department or by States with adequate protection plans to guard these waters from further pollution.

Finally, Mr. President, this bill requires the Interior Department and the Army Corps of Engineers to work together to authorize dredging, excavation,

filling and other work along our shores, under the principles cited above, to eliminate duplication and to insure that a balance is maintained between legitimate conservation and development interests.

The principles involved in this legislation are sound. They seek a more fruitful protection and development of our shore resources. By encouraging communities and States to consider their own estuarine resources and to cooperate in their protection and improvement, I believe we have found the proper balance between conservation and growth and between local initiative and Federal responsibility to insure that our natural resources are devoted to the greatest benefit of the Nation.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress finds and declares that the Nation's estuarine areas are endowed with a variety of natural resources of recreational, commercial, esthetic and scientific value to the present and future generations of Americans, and that any modification of these areas directly and indirectly affects their natural values; that many of these areas have been irreversibly altered or destroyed; and that it is the policy of Congress to protect, preserve, restore, develop and make these estuarine areas accessible for multiple compatible uses, which give priority to maximum benefits for the widest number of people and which can be continued without destruction, or undue alteration or diminution of their natural resources.

SEC. 2. For the purposes of this Act—

“(a) The term ‘Secretary’ means the Secretary of the Interior;

“(b) The term ‘person’ means any individual, partnership, corporation, association, or political subdivision of a State;

“(c) The term ‘estuary’ or ‘estuaries’ means part or all of the tidal portion of the navigable waters in the United States up to the mean high water line, including, but not limited to, any bay, sound, lagoon, or channel, and the lands underlying all such waters;

“(d) The term ‘national estuarine area’ means an environmental system composed of an estuary or estuaries and adjacent lands which together is determined by the Secretary to constitute a manageable unit and which has national significance; and

“(e) The term ‘national resources’ includes, but is not limited to, sport and commercial fishes and other aquatic life, wildlife, esthetic, and recreational values.

“(f) The Secretary shall develop and carry out the most effective means for preserving these areas and for orderly development within them, if he determines such development consistent with the goals listed in the first section of this Act. The Secretary shall also take cognizance of the results of the study authorized by section 5 (g) of the Federal Water Pollution Control Act, as amended, the nationwide recreation plan, plans developed pursuant to the Water Resources Planning Act and river basin planning, statewide outdoor recreation plans prepared pursuant to the Land and Water Conservation Fund Act of 1965, and other applicable studies.

“(b) The Secretary shall give particular attention to whether any estuary

without Federal land acquisition or

"(c) The Secretary shall submit annually to the Congress through the President a report of the inventory conducted pursuant to this section, including recommendations with respect to the designation of any estuary and adjacent areas as a national estuarine area to be acquired by him. Each recommendation of the Secretary for such designation shall become effective only if so provided by subsequent Act of Congress. Recommendations made by the Secretary shall be developed in consultation with the States, municipalities, and other interested Federal agencies. Each such recommendation shall be accompanied by (1) expressions of any views which the States, municipalities, and other Federal agencies may submit within ninety days after having been notified of the proposed recommendation, (2) a statement setting forth the probable effect of the recommended action on any comprehensive river basin plan that may have been adopted by Congress or that is serving as a guide for coordinating Federal programs in the basin wherein each estuary is located, (3) in the absence of such a plan, a statement indicating the probable effect of the recommended action on alternative beneficial users of the resources of the proposed national estuarine area, and (4) a discussion of the major economic, social, and ecological trends occurring in such area.

"(d) There is authorized to be appropriated not to exceed \$500,000 for the first fiscal year beginning after enactment of this Act and for four succeeding fiscal years not to exceed \$1,000,000 annually to carry out the provisions of this section.

"SEC. 4. (a) The Secretary may acquire lands and waters or interests therein, including land use easements, within any national estuarine area, approved by Congress or established pursuant to section 5 of this Act, by purchase with

or donated funds, donation, or exchange. He shall not acquire (b) Notwithstanding any other provision of this Act, the Secretary may acquire by condemnation any land or interests therein within any national estuarine area if such land is being used primarily for hunting, sport fishing, or other purposes which are compatible with the purposes of this Act. The Secretary may exclude from the provisions of this subsection any beach or waters, together with so much of the land adjoining such beach or waters for public access thereto as he deems necessary to carry out the purposes of this Act.

"(c) Any lands, waters, or interests therein within a national estuarine area which are acquired by the Secretary under this section or administered under section 5 of this Act, shall be managed and developed primarily for the purposes of sport and commercial fishing, wildlife conservation, outdoor recreation, and scenic beauty, and for such other purposes as the Secretary determines are compatible with the purposes of this Act.

"(d) Any Federal land located within any national estuarine area may, with the consent of the head of the agency having jurisdiction thereof, be transferred to the Secretary for administration as part of said area.

"SEC. 5. (a) The Secretary may enter into an agreement, containing such terms and conditions as are mutually acceptable, with any State or political subdivision or agency thereof for the permanent management, development, and administration of any land or interests therein within the area of an estuary and adjacent lands which are owned or thereafter acquired by a State or by any political subdivision thereof. Such agreement shall, among other things, provide that the State or a political subdivision or agency thereof and the Secretary shall share equally in the cost of managing, administering, and developing such areas. State hunting and fishing laws and regulations shall apply to such areas to the extent they are now applicable.

any area covered by an agreement entered into pursuant to this section shall be deemed a national estuarine area for the purposes of this Act.

"(c) In furtherance of the effective administration of any area covered by an agreement entered into under this section, the Secretary may acquire in accordance with the provisions of section 4(a) of this Act not to exceed one thousand acres within the boundaries of said area and such acquired land shall be subject to said agreement.

"SEC. 6. In order to carry out the purposes of this Act, the Secretary may—
"(a) construct, operate, install, and maintain buildings, devices, structures, recreational facilities, access roads, and other improvements on property acquired by him or covered by an agreement entered into pursuant to this Act, and

"(b) enter into agreements with any person or public or private agency or organization through negotiation for the provision of public accommodations.

"SEC. 7. (a) The Secretary shall permit hunting and fishing in any area covered by an agreement entered into under this section, except that no person shall knowingly violate any regulation of the Secretary relating to the public use of any national estuarine area, or injure, remove, or destroy any property or improvement of the United States therein.

"(c) Any person authorized by the Secretary to enforce the provisions of this section may, without a warrant, arrest any person violating this section in his presence or view, and may execute any warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of this section, and may, with a search warrant, search for and seize any property taken, used, or possessed in violation of this section. Any property seized, with or without a search warrant, shall be held by such person or by the United States marshal pending disposition thereof by the court.

"(d) Any person who violates the provisions of this section or any regulation issued thereunder shall be fined not more than \$500 or be imprisoned not more than six months, or both.

"SEC. 8. (a) Except as provided in section 9 of this Act, before any person conducts any dredging, filling, or excavation work within any estuary such person shall file with the Secretary prior to initiating such work a notice of intention to conduct such work together with such plans, specifications, and other information relative to such work as the Secretary may require by regulation. No such work shall be commenced until authorized by the Secretary. After receipt of such notice the Secretary shall, within a reasonable time, authorize such person to commence the work in accordance with such terms and conditions as the Secretary deems desirable, unless he determines, in his discretion, (1) that such work will unreasonably impair the natural resources of the estuary, or (2) that such work will reduce the quality of the waters of the estuary below applicable water quality standards, except that, notwithstanding the adverse effect that such work may have on any estuary, such regulations shall be designed to conserve and protect the natural resources in such estuaries, and to prevent the pollution therein, including pollution by leaching from dumping in adjacent areas.

or threatened violation.

"(e) Any person who knowingly violates any provision of this section or any regulations issued thereunder or any condition in any notice issued thereunder shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$2,500, or imprisoned for not more than one year, or both.

"(f) In accordance with the policy established by Congress in the Act of August 31, 1951 (63 Stat. 290), the Secretary shall, to the greatest extent practicable, recover from persons seeking to conduct any dredging, filling, or excavation work in any estuary all reasonable costs incurred by him in administering this section, and all sums received to cover such costs shall be credited to the appropriation from which payments for the administration of this section were made.

"(g) Nothing in this section shall be construed as affecting the authority of the Secretary of the Army to issue permits for dredging, filling, or excavation work in any estuary under any other provisions of law. The Secretary of the Interior and the Secretary of the Army shall, prior to the effective date of this section, enter into such agreements as may be appropriate to avoid duplication of effort and to insure the expeditious handling of requests for dredging, filling, and excavation work.

"(h) The Secretary shall provide, by regulation, that the provisions of subsection (a) of this section shall not apply in the case of any work to be initiated by the owner of a single-family residence if such work relates solely to the use and enjoyment of said residence by such owner or his tenant.

"(i) The provisions of this section and regulations issued pursuant to this section shall become effective on the date of the approval of the State plan for the protection and conservation of estuaries. The State plan shall:

"(1) require any person, before conducting any dredging, filling or excavation work within any estuary, to file with the appropriate State authority a notice of intention to conduct such work together with such plans, specifications, and other information relative to such work as the State authority may require by regulation, and provide that no such work shall be commenced until authorized by such State authority in accordance with such terms and conditions as the State authority deems necessary to assure that such work will not unreasonably impair the natural resources of the estuary or will not reduce the quality of the waters of the estuary below applicable water quality standards, except that notwithstanding the adverse effect such work will have on natural resources, the State authority may permit such work whenever it determines that it is necessary in the public interest;

"(2) provide, for the purposes set forth in section 8(b), for the regulation of the dumping of dredgings, earth, garbage, or other refuse materials of every kind or description, except refuse materials flowing from streets or sewers in a liquid state, or oil as defined in the Oil Pollution Act, 1924, into any estuary in such State or into any other waters in such State which would have a detrimental effect on any estuary in or outside of such State;

resources, and all project plans and reports submitted to the Congress shall contain a discussion by the Secretary of such areas and such resources and the effects of the project on them and his recommendations thereon.

"Sec. 12. The Secretary shall encourage States and local subdivisions thereof to consider, in their comprehensive planning and proposals for financial assistance under the Federal Aid in Wildlife Restoration Act (50 Stat. 917), as amended (16 U.S.C. 669 et seq.), the Federal Aid in Fish Restoration Act (64 Stat. 430), as amended (16 U.S.C. 777 et seq.), the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), the Commercial Fisheries Research and Development Act of 1964 (78 Stat. 197), and the Anadromous Fish Conservation Act of October 30, 1965 (79 Stat. 1125), the needs and opportunities for protecting and restoring estuaries in accordance with the purposes of this Act. In approving grants made pursuant to said laws for the acquisition of all or part of an area surrounding an estuary by a State, the Secretary shall establish such terms and conditions as he deems desirable to insure the permanent protection of such area, including a provision that the lands or interests therein shall not be disposed of by sale, lease, donation, or exchange without the prior approval of the Secretary.

such shall be exercised in accordance with a plan that is mutually acceptable to the Secretary of the Army and the Secretary of the Interior and that is consistent with the purposes of this Act."

Senator RIBICOFF. Senator Kennedy.

DEPARTMENT OF NATURAL RESOURCES

33

a fractured administrative organization within the executive branch of the Federal Government.

RESULTS OF CONFLICTING RESOURCE POLICIES

In a special message to the Congress on natural resources, delivered on February 23, 1961, President Kennedy took note of this fractured organization and of some of its results:

This statement is designed to bring together in one message the widely scattered resource policies of the Federal Government. In the past, these policies have overlapped and often conflicted. Funds were wasted on competing efforts. Widely differing standards were applied to measure the Federal lands and game areas whose preservation is encouraged by another agency—conflicts between private land owners and sportsmen—uncertain responsibility for the watershed and antipollution programs that are vital to our fish and wildlife opportunities.

and our static natural resources has been... whether it be waters made foul with effluents, air... Roosevelt and Gifford Pinchot, in the early days of this century, saved vast areas of wilderness by placing them in national parks, thus saving them for future generations by making them a national responsibility. In the 1930's, Hugh Bennett and Ira Gabrielson continued the pioneering work of President Roosevelt and Secretary Pinchot, and laid the base of information needed for subsequent actions by the Congress. The aggressive and able leadership of Secretary Stewart Udall has continued this determined effort to leave for our children some large part of the natural resources we inherited, unspoiled, and I am certain that history will place Secretary Udall alongside Gifford Pinchot as an architect of constructive natural resource management policy and action.

The calendar of natural resource preservation efforts, while illuminated by the strong personalities I have just mentioned, is marked all too often by contrasting and duplicating policies, the result of

With the creation of subsequent executive departments and agencies, the role of the Department of the Interior changed, during the more than 100 years of its existence, from that of general housekeeper for the Federal Government to that of custodian of the Nation's natural resources.

Changing the name to the Department of Natural Resources will give recognition to the actual status of the Department, reflecting the changes that have occurred in its functions since 1849.

TRANSFERS OF EXISTING PROGRAMS PROPOSED

The transfer of operating programs between Federal departments is the heart of this bill. It is also the most controversial aspect of it.

The two programs presently administered by Interior most directly concerned with the health and welfare of individuals—the Bureau of Indian Affairs and the Office of Territories—would be transferred to the Department of Health, Education, and Welfare. This comports with the general mission of HEW as described in the Government

These responsibilities, operated almost entirely by an organization in Massachusetts, it seems that the transfer of these functions is highly desirable.

OCEANOGRAPHIC ACTIVITIES WOULD BE BROUGHT TOGETHER

Oceanographic functions presently lodged in the Department of the Navy and the National Science Foundation would be transferred to the new Department, to be woven within the oceanographic programs—research and operational—now being operated by Interior. This would raise the level of coordination and focus of action presently being spurred by the temporary Cabinet-level National Council on Marine Sciences.

Once again, this has a very interesting relationship to those States which border on the sea, where much of the food on which the fish feed is located in estuaries. The kind of research being done in this particular area has considerable significance, as we discover from the experience at Woods Hole. The scientists there have been doing comprehensive work on oceanography, fishing, and other types of conservation of our fish resources. The importance of having these efforts coordinated and consolidated cannot be overstressed. The fact that this would be coordinated by the new Department would be extremely advantageous in carrying out other area-wide activities. Closely allied with this is the logic of subjecting certain applications for Federal Power Commission licenses to the new Department; many projects for which FPC licenses are sought have profound effect on comprehensive river basin development, and the officials charged with an overall natural resource development program should be given an opportunity to comment.

I think the distinguished chairman is familiar, for example, with a number of different programs that exist for sewage treatment. I believe there are four different programs, for which different communities are eligible. This, obviously, has a very direct relationship which does not have to be explained to the members of this committee, and par-

PLANNING TO PRESERVE RESOURCES FOR THE FUTURE

In short, the reorganization of Federal functions in the natural resource field to be effected by this bill would have a major impact on the national effort to use what resources we have left in a way best suited to the needs of the future—the needs for consumption and the needs for preservation.

It is a bit chilling, in this regard, to consider the implications of two statistical items:

The U.S. has about 6 percent of the world's population; yet it consumes 50 percent of the non-renewable resources used every year;

One hundred twenty-one million visits were recorded at National Parks in 1965; yet experts placed an efficient capacity of only 50 million visits on these parks.

The Cape Cod National Seashore Park is another example. Even though it has been in existence only a relative short period of time, the tremendous increase in the numbers of visitors taking advantage of it is indicative of the need for coordinate resource planning. We I favor change for change's sake, but we must be in these and other men who administer the programs involved in the transfers contemplated by this bill are, I am certain, public servants dedicated to high ideals, and I think the reorganizations would be of great help to them in the pursuit of their jobs.

I am in favor of the bill because I think it will make their individual tasks easier, by bringing together under one administrative roof the related tasks; it will make the overall programs less expensive, by introducing comprehensive planning and programing to the entire natural resource effort; and it will make the tasks of the Congress more simple, by giving one department the responsibilities presently vested in many departments.

A sensitive area of any reorganization legislation involves the jurisdiction of congressional committees. It would seem to me that in this area, the various committees and staff have developed an expertise, and that legislative authority should remain where it is, relying upon effective administration of the programs to provide essential coordination.

KENNEDY STRONGLY ENDORSES S. 886

Children in school are taught a song about the land, which, in part

ago in a speech in Boston. I think Senator Moss, in introducing the legislation to do it, deserves the gratitude of all of us. Similarly, the distinguished chairman of this subcommittee, by giving the bill a public hearing, has done much to foster an informed public discussion of the need for it.

It is plain that many technical questions . . .
I believe one of the most thrilling parts of government and the philosophy of the American people in the last half dozen years is the revival of interest and dedication to conservation of natural resources.

There is a realization that this is a national problem. We are all dedicated to trying to beautify America and preserve what we have, especially when we realize the fantastic growth and urbanization of this Nation with a population anticipated at 300 million by the year 2000.

I am grateful to Senator Moss and his position on the Interior Committee when he proposed the Connecticut River Park and Recreation Area that you are such an ardent advocate of, too, Senator Kennedy. The western Senators understand the need of developing our resources in the East as well as in the West.

HEARINGS OPEN NATIONAL DIALOG ON CONTROVERSIAL PROPOSAL

There is no question that the creation of this department is probably as controversial as any reorganization proposal that could be advanced. It is going to take a lot of debate and discussion and much controversy, but I do believe that all of us—the Government and the people—are better off by having had these hearings. We want to open as you pointed out, there is an increasing interest among the States of the East, and in New England particularly, for preservation. I am mindful of the fact that only in the last 2 or 3 years have we had State action to preserve estuaries in Massachusetts, and also to preserve the wet lands. It was with this in mind that for the last 2 years I have introduced legislation to preserve our estuaries all across the country. In the last few years we have also seen, in my own State, the passage of a law to provide tax incentives for those who bequeath or donate undeveloped land to the State. This is a rather unusual

States.

So, as you point out, there is a great deal of interest in this question of conservation and preservation of natural resources in our urban areas. I think that the whole structure and scope of this bill, the purpose of it, to consolidate this and to preserve it, will be of extraordinary value not only to friends in the West but also to those of us in the East.

Senator RIBICOFF. Senator Harris?

Senator HARRIS. I have no questions, Mr. Chairman.

Senator RIBICOFF. Senator Hansen?

Senator HANSEN. I have no questions, Mr. Chairman.

Senator RIBICOFF. Senator Baker?

Senator BAKER. Mr. Chairman, I have no questions except to reiterate that, in general, I share the sentiments expressed by Senator Kennedy and Senator Moss to the effect that this heightened awareness to the necessity for conservation might better be served by improved organization.

However, I would once again underscore my belief that centralization of planning does not always produce uniformly good results, and I once again espouse my concern for one of the primary examples in this field, the TVA. distance of our population centers. That, once again, relates to something in my own State, in part at least. The Great Smoky Mountain National Park may not be the most spectacular national park in America—I happen to think it is—but it is the most visited, simply because it is in the East where the population is located, and I think there must be a coordination of effort in this direction as well. But I caution against, for my part, the destruction of those things good that have been created by way of regional agencies, such as TVA, the Appalachian Regional Commission, and others who have the responsibility, not only for natural resources development, but human development and economic development at the same time; and these are inextricably interwoven.

Senator RIBICOFF. Senator Moss?

Senator MOSS. I wish to express my appreciation to Senator Kennedy for his very fine statement and his understanding of the problem and the objective.

I think you stated it very well, and we would count on you to continue to expound this as the dialog continues on this.

I expressed my appreciation to the chairman of the subcommittee for setting this down and getting this underway.

I wanted to point out one thing, that it seems to me, was in your

which it—its functions have grown into building levees and building reservoirs, and it is into the recreation area now. The Corps of Engineers has more recreational days that is spent on its waters than any other water agency in the Federal Government, you see, and yet we think of it sitting over there in the Department of the Army, something which was not supposed to be for recreation I do not believe. It has grown into a full-bloom water agency, and this is proper, because water can be used for many things, not just for transportation and not just to control floods, but to supply cities, and so on.

We had an instance of this very recently, of the conflict that arises, in my own State.

The Bureau of Reclamation is building the central Utah project out there, to bring water from the Colorado basin into the great basin. For a number of years, the city of Salt Lake has talked about a reservoir in the mountains above the city for flood control, one, but really more important for water supply.

Well, the Corps of Engineers got in on that one, because of the flood control part of it.

So, when they made the announcement of the proposal to build the dam there to control the floods and to bring water to the city, the Bureau of Reclamation came up and said, "We do not want to do that." ~~because of the Department of Natural Resources~~ sometime far back before it ever got that far along, obviously.

Now, that is just one little minute element of conflict. I think you can find it all through the thing.

One other thing you mentioned, about the structure of the committees of Congress on this thing.

It is a fact that we have been treating the Forest Service appropriations in with Interior for a long time in the Appropriations Committee, even though they are in two separate departments, because they are on the same subject matter, and therefore we have been a little more logical than the executive department here in the Congress in our structure.

I certainly appreciate your testimony, Senator.

Senator RIBICOFF. Thank you very much, Senator Kennedy.

Senator KENNEDY. Thank you very much, Mr. Chairman.

(At Senator Ribicoff's previous instruction, the prepared statement submitted by Senator Gale McGee is incorporated into the record at this point and is as follows:)

STATEMENT OF SENATOR GALE MCGEE (D-WYO.)

Mr. Chairman, the testimony I offer this morning is to favor a vital piece of legislation introduced by Senator Moss, myself, and others to redesignate the Department of the Interior as the Department of Natural Resources and to transfer certain agencies to and from such Department.

Legislation which takes such a broad, but absolutely compelling step undoubtedly means there will be cries of pain from two types of protesters. The first of these types will be those who go into shocked anguish when a *name* is changed. The second type is that person who views any change as a threat to what he views as his own fixed and God-given order of things.

In regard to the first type, those who quiver at changing words, it is thus that changing the name of the Department of the Interior to the Department of Natural Resources over a long period of time as a necessary step in changing the natural and must be, one must once again point to the fundamental fact of life—the fact of change—which means that from time to time that the administration of the consequences of change must also change.

There isn't a person in Congress and the government who isn't aware of the hodge-podge of agencies that deal with natural resources. At times indeed the competing and contending activities of the agencies and bureaus within the various departments charged with the care of our natural resources boggles one's reason. By the same token, one cannot help but be impressed by the skill and dedication of the employees in all of these agencies and departments. Yet we are faced with incredible complexities in administering our natural resources; and the murky conglomeration of agencies and bureaus, too many times contending with one another for jurisdiction, do not make the problem any easier. For example, the development of our water resources is made unduly difficult, if we are concerned with the entire river basin concept, as long as independent bureaus with traditional loyalties and jealous clientele carve up the development and management of tasks.

This Nation faces a two-fold task in developing overall river basin planning. First, this country must find and find quickly increased supplies of clean water; and second, we must manage with far more wisdom than we have used thus far the water supplies we now have. The total management of water resources involves a variety of functions. Among others are watershed protection and management, flood control, river and harbor improvements, irrigation, fish and wildlife, recreation, desalinization, and pollution. This whole package must be tied together. We must plan for entire river basins from their sources to their mouths.

Even should authorities be successfully established for every river basin, how-
determines water quality, sediment transport, desalination, pollution and water
not to mention the vital role that the Department of Housing and Urban Development should play. Below the departmental level, a Pandora's box opens. In Interior alone we have this array of agencies—the Bureau of Reclamation, three

uses to which we have put our natural resources, but by the way in which we view those natural resources. The distinction between use and view is an important distinction. Such a distinction is not meant to suggest that use and view are polarities. Indeed, they are closely interrelated.

Those who first came to the North American continent must have been struck by the magnificence and abundance of our natural resources—the timber, the game, the water, the very spaciousness led inevitably to the view that the cornucopia was endlessly full. Indeed, this sense of abundance was manifested in many of the landscape paintings and diaries of early settlers and travelers.

The point is, Mr. Chairman, that for a long time in America's history most Americans had little, if any, awareness that our natural resources would, or even could, have a limit. Thus, during the time of our national expansion, or found little attention being paid to the wholesale devastation of our landscape, of our minerals, of our water, and, sad to say, in some cases, of our human resources. But as we became more adept at recognizing the role of government in helping to solve problems, the more we saw government reflecting the complexities of the times.

The present departments of government came about because problems were recognized. This is most particularly true of the Department of the Interior, the Department of Agriculture, and the Department of Commerce.

The Department of the Interior, established in 1849, came about as a result of the long-established recognition that we had untold acres of land which required orderly development. The settling of the West was due in no small way to the fact that the Federal Government took a direct hand in that settlement.

In 1889 we established the Department of Agriculture because we had long since become aware that the practice of mining farm lands no longer had the easy out of abandonment for new vistas. Thus, one of the chief functions of the Department of Agriculture was the pursuit of scientific farming.

During the Progressive Era, more and more Americans became aware of the irrational pillage which our natural resources were undergoing. One of the answers to such pillage was the establishment of the Department of Commerce in 1903. The effort to regulate commerce was as much an effort to save our natural resources as it was to regulate the excesses of business.

REDESIGNATE THE DEPARTMENT OF THE INTERIOR AS THE DEPARTMENT OF NATURAL RESOURCES

THURSDAY, OCTOBER 19, 1967

U.S. SENATE,
SUBCOMMITTEE ON EXECUTIVE REORGANIZATION,
COMMITTEE ON GOVERNMENTAL OPERATIONS

rather than to operate. One of the absolute requirements of wise planning in the use of resources is the recognition of the fact that if we run out of raw material for our productive machine, we will have no more productive machine. But what of man's psychic requirements? The necessity that the spirit requires something good must happen to the eye. The redwoods, the mountains, the wilderness areas, the lakes, the uninterrupted vistas, these are all our heritage as much as steel plants and highways—indeed, not only a heritage, but a necessity.

A Department of Natural Resources should be as much concerned with the psychic income from our natural resources as it would be with the material income from our natural resources.

In conclusion, Mr. Chairman, my remarks should be construed in no way as an attack on the Departments presently involved. Indeed, it is a plea that they be allowed to operate more vigorously and effectively. We need the talent and dedication of these departments in a new and reordered way which would allow us the wise use of natural resources. This wise use should be the result of the government's activity, not in spite of it.

Surely, when the private sector of our affairs increasingly incorporates the total systems approach, then the public sector should benefit from the same kind

The balance of my remarks this morning go to that aspect of the means suggested—removing the civil works program from the Army Corps of Engineers—would contribute to the objective sought, and even if it did, whether that contribution would be worth the sacrifice of the benefits, national security and other, inherent in the present arrangement.

When it began in 1824 the civil works program was aimed only at improving navigability of the Nation's rivers. Over the intervening 143 years many functions have been added by Congress: flood protection, the development of water power; the provision of municipal and industrial water supplies; shore protection; pollution abatement; assistance to State and local governments in managing flood plain and assistance to communities stricken by floods, earthquakes,

COMPLEMENTARY NATURE OF TWO OPERATIONS

The Corps of Engineers at the present time carries on two inter-related programs: One for military construction, which has aggregated \$11.5 billion in the past decade, and the other for civil works, which has involved \$10.7 billion in the same period. This conjunction of responsibilities permits the two programs to be run on a complementary basis, with one overhead of technical and administrative personnel rather than two. Throughout the country the military construction activities of the Corps of Engineers, including the important work it does for the Air Force and NASA, are carried out through the same district and division offices that are responsible for the civil works program. Military construction requirements would demand that a substantial part of this organization continue even if civil works responsibilities were eliminated. Yet in such a case many of the same jobs and functions which now use one set of employees and funds is in the other direction as the civil works program becomes the main activity. The overall program of the corps, therefore, is at the same time flexible and stable, with advantages in efficiency and economy which would be lost if the programs were to be separated.

CORPS' CIVIL PROGRAM STRENGTHENS MILITARY CAPABILITY

In addition, enactment of S. 886 in its present form could adversely affect the military capability of the Army. In part, the success of the Army Engineers in the military field may be credited to the fact that the corps has, for a period of 143 years, also been responsible for the civil works program. A trained organization in being and capable of taking immediate action has been of inestimable value in military as well as natural disaster emergencies. The 1965 report of the Army's Civil Works Study Board concluded that conduct of the civil program by the corps "strengthens the Army's competence to support

they should. The goals of our society are many, and those which clash must be examined and balanced against each other in seeking to maximize every resource brought to the Congress. This does, of course, lengthen the decisionmaking process on difficult issues, but the additional step may be at a small price to pay for the assurance that full public consideration has been given to all viewpoints, objectives and alternatives, and that plans are truly comprehensive and balanced.

INTEGRATION OF WATER RESOURCES POLICIES

Finally, Congress already has moved to improve interagency coordination by enacting the Water Resources Planning Act of 1965. This landmark legislation provided coordinating machinery by establishing as interdepartmental bodies the Water Resources Council and River Basin Commissions. These bodies have not yet had sufficient time to prove their effectiveness. In addition, useful recommendations as to future water resource policy can be expected from the National Water Commission, to be established in legislation already passed by both Houses of Congress. In these circumstances a sweeping alteration of civil works responsibilities within the executive branch appears at best premature.

For these reasons, the Department of Defense opposes the transfer of its functions as called for in S. 886. However, I will be delighted to find out what the Army will follow me you wish.

General JOHNSON. I have made some slight alterations, Mr. Chairman. I would prefer to read it, if I may.

Senator RIBICOFF. Certainly.

STATEMENT OF GEN. HAROLD K. JOHNSON, CHIEF OF STAFF, U.S. ARMY; ACCOMPANIED BY LT. GEN. WILLIAM CASSIDY, CHIEF OF ENGINEERS, AND BRIG. GEN. HARRY G. WOODBURY, DIRECTOR OF CIVIL WORKS, CORPS OF ENGINEERS, DEPARTMENT OF THE ARMY

General JOHNSON. Mr. Chairman, as Chief of Staff of the Army, I oppose enactment of that part of S. 886 that would transfer the civil works functions of the Army Engineers to a Department of Natural Resources. I believe the transfer would be ~~definitely~~ ^{definitely} ~~and~~ ^{and} ~~con-~~ ^{con-} ~~trary~~ ^{trary} ~~to~~ ^{to} ~~the~~ ^{the} ~~needs~~ ^{needs} ~~of~~ ^{of} ~~the~~ ^{the} ~~Army~~ ^{Army} ~~in~~ ⁱⁿ ~~the~~ ^{the} ~~combat~~ ^{combat} ~~zones,~~ ^{zones,} ~~in~~ ⁱⁿ ~~the~~ ^{the} ~~communications~~ ^{communications} ~~areas,~~ ^{areas,} ~~and~~ ^{and} ~~in~~ ⁱⁿ ~~the~~ ^{the} ~~mobilization~~ ^{mobilization} ~~support~~ ^{support} ~~areas~~ ^{areas} ~~in~~ ⁱⁿ ~~the~~ ^{the} ~~United~~ ^{United} ~~States~~ ^{States} ~~are~~ ^{are} ~~critical~~ ^{critical} ~~to~~ ^{to} ~~the~~ ^{the} ~~Army's~~ ^{Army's} ~~effective~~ ^{effective} ~~performance.~~ ^{performance.}

Our mobilization rate is dependent in part on qualified engineers, trained, organized and in being, with experience as a part of the military team, who are prepared to expand our posts and training facilities, and to man our combat and combat-support units.

It is important that construction support be available when it is needed. It must be large enough and flexible enough to meet a wide range of conditions. It is upon the Corps of Engineers that the Army relies to provide that support. The Army Engineers are an essential part of the military team that is necessary to meet our needs in the United States and in those external areas where the United States has commitments.

ADVANTAGES OF ARMY'S CIVIL WORKS PROGRAM

The total Army Engineers capability in the United States is divided roughly into 75 percent civil activities and 25 percent military activities. The total organization operates under the control of the Army, is experienced in Army procedures, and is ~~thus~~ ^{thus} ~~responsible~~ ^{responsible} ~~to~~ ^{to} ~~the~~ ^{the} ~~Department~~ ^{Department} ~~of~~ ^{of} ~~the~~ ^{the} ~~Army~~ ^{Army} ~~in~~ ⁱⁿ ~~the~~ ^{the} ~~United~~ ^{United} ~~States~~ ^{States} ~~and~~ ^{and} ~~in~~ ⁱⁿ ~~those~~ ^{those} ~~external~~ ^{external} ~~areas~~ ^{areas} ~~where~~ ^{where} ~~the~~ ^{the} ~~United~~ ^{United} ~~States~~ ^{States} ~~has~~ ^{has} ~~commitments.~~ ^{commitments.}

Provides an inducement for attracting and retaining highly qualified professional engineers and related skills for the Army, both military and civil service personnel, who would not be attracted by a less diversified organization;

Provides an opportunity for the experience and training of engineer and logistics officers in planning, constructing and managing large and complex projects that would not otherwise be available in the normal peacetime situation; 75 percent of the engineers commanding battalions and larger units today in Vietnam have had the benefit of experience gained in Engineer district assignments; 62 percent of the Regular Army field grade officers—that is, officers in the grade of major and above—are likewise so trained;

Provides close ties with the engineering profession and the engineering and construction industries, keeping the military up-to-date on civilian engineering, construction, and scientific techniques and developments;

Provides, conversely, for an easier flow of the results of military engineering research and development techniques and developments to the civilian engineering community; and

Provides tangible and visible evidence at the country's grass-roots must be available to the Army at all times and particularly during the critical mobilization planning phase required to cope with an actual state of emergency.

The time available to respond to emergency conditions is now more compressed than ever. The difficulties and delays inherent in the re-transfer of a separate civilian agency would so increase the time required to put the necessary engineering and construction resources into an effective operation that its usefulness in the mobilization phase could be seriously impaired. And there is no assurance that the civil works elements lost to the Army would remain in an organizational form in the new department that would be suitable for military needs when retransferred.

LIABILITIES OF TRANSFER OF CIVIL WORKS ACTIVITIES

If civil works responsibilities were taken from the Army—

Our cost of construction would go up;

The technical quality of our personnel and the capability of our Army units would be reduced; and

~~Our engineering responsibility is perhaps better than I.~~
Thank you, Mr. Chairman.
Senator RIBICOFF. You are welcome.

COORDINATION BEGINS EARLY IN PROJECT DEVELOPMENT

Mr. Secretary, it has been said that various Federal agencies each tend to operate in a vacuum with little coordination in developing projects.

At what stage of project development and to what degree does the Corps of Engineers coordinate with other Federal agencies?

Secretary RESOR. I have here with me Mr. Fitt, who is my Special Assistant for Civil Functions, who has spent most of his time while he was General Counsel of the Army, at least a significant portion of his time, on engineering matters, and I am going to ask him to assist in answering some of these questions.

I would like him to respond to that one.

Senator RIBICOFF. Perfectly all right.

Mr. FITT. Well, of course, coordination takes place at the very outset of any project which has its inception as a gleam in somebody's eye.

The way in which the system operates is that whenever we find an area in which coordination begins.

CONFLICTS WITH OTHER FEDERAL AGENCIES

Senator RIBICOFF. But you do run into some conflicts. You might be putting up a dam or building some projections out into a harbor or bay, and you certainly run into problems with the Department of the Interior in protection of wildlife, and so forth.

I notice here an item from the New York Times: "Army Admits Role in Lake Pollution."

There is a story here about the Army Corps of Engineers problem in Lake Michigan. So, you do run into conflicts.

(The article referred to follows:)

EXHIBIT 6

ARMY ADMITS ROLE IN LAKE POLLUTION

HOUSE PANEL HEARS GENERAL AT LAKE MICHIGAN INQUIRY

WASHINGTON, October 10 (AP).—The Army Corps of Engineers admitted today that it was helping to pollute Lake Michigan, and said that it would probably have to continue doing so at least through 1970.

But Brig. Gen. H. G. Woodbury Jr., the corps' director of civil works, told a House subcommittee that the pollution material, harbor dredgings dumped into the lake, was small compared with that from industry and cities.

The corps must dredge in order to maintain 108 Great Lakes harbors, General Woodbury said, and must dump dredgings into the lakes until Federal and local agencies are willing to spend some \$500-million for inland disposal pits.

He testified at a hearing requested by Chicago's Metropolitan Sanitary District after the corps announced it must dump 200,000 cubic yards of dredging from Indiana Harbor into Lake Michigan.

The sanitary district asked a Congressional investigation aimed at ending are dumping is small in comparison to other pollutants being introduced into the lake."

Representative Roman C. Pucinski, Democrat of Illinois, said the amount of pollution dumped by the corps was not the point.

"The problem," he said, "is that you really can't crack down on private industry when you have a Federal agency doing any kind of polluting."

General Woodbury said the corps was not likely to get sufficient money to end the dumping before 1970, when a \$6-million study on effects of the dumping will be completed. He said an interim report was expected next summer.

Senator Ribicoff. What I am curious about is this: When do you sit down and how often do you sit down with the Department of the Interior or HEW on water pollution, or the Department of Agriculture?

When do you sit down with any of them?

Do you?

Mr. Fitt. Oh, yes, sir. There is a constant course of dealings.

CORPS WORKS TO COOPERATE WITH OTHER AGENCIES

For example, in the case of the really serious difficulties in the Great Lakes area that were mentioned in the New York Times, the Army Corps of Engineers has been working directly with the Federal Water Pollution Control Administration, both at its regional office in

Department of the Army, and the Federal Water Pollution Control Administration (FWPCA) for the Department of the Interior.

By acts of Congress the Corps of Engineers is responsible for improvement and maintenance of the waterways of the United States in the interest of navigation. These waterways are life-lines of America's growth, industrial might and prosperity, and their proper maintenance is an exceedingly important responsibility of the Corps. The Corps of Engineers recognizes that considerable time will be required before complete treatment of municipal and industrial wastes will prevent the introduction of pollutants to the waterways. During this time a means must be found to keep the waterways open. Doing so involves dredging of polluted material. The Corps is therefore studying alternate procedures for the disposal of the polluted dredging resulting from these industrial and municipal wastes.

The Department of Interior (FWPCA) by Congressional acts has the responsibility to enhance quality and value of all water resources and to carry out, in cooperation with State and local governments, a national program aimed at the prevention, control and abatement of water pollution. Additionally by Executive Order No. 11288, the Department of the Interior shall provide technical advice and assistance to heads of other Departments, who are to provide leadership in the nationwide effort to improve water quality through prevention, control and abatement of water pollution from Federal Government activities.

The two agencies agree that joint effort is required for the development of acceptable alternative disposal means with the ultimate objective of providing leadership in the nationwide effort to improve water quality through prevention, control and abatement of water pollution by Federal water resources projects.

In order to maintain...

DEPARTMENT OF NATURAL RESOURCES

53

ESTIMATED DREDGING REQUIREMENTS—CALENDAR YEAR 1967

Projects

Lake Ontario

Rochester Harbor, N.Y.
Oswego Harbor, N.Y.
Great Sodus Bay Harbor, N.Y.
Little Sodus Bay Harbor, N.Y.

Lake Superior

Duluth-Superior Harbor, Minn. and Wis.
Toledo Harbor, Ohio
Lorain Harbor, Ohio
Sandusky Harbor, Ohio
Fairport Harbor, Ohio
Ashtabula Harbor, Ohio
Black Rock Harbor, Ohio

Lake Michigan

Calumet Harbor and River, Ill. and Ind.
Indiana Harbor, Ind.
Green Bay Harbor, Wis.
Two Rivers Harbor, Wis.
Kenosha Harbor, Wis.
Muskegon Harbor, Mich.
Menominee Harbor, Michigan and Wis.
Holland Harbor, Mich.
New Buffalo Harbor, Mich.
Racine Harbor, Wis.
Port Washington Harbor, Wis.
Kewaunee Harbor, Wis.
Milwaukee Harbor, Wis.

into the lake from such areas, as well as comming the solids.
When acceptable alternate methods of dredge disposal have been agreed upon, and at the earliest possible time, the Corps will take appropriate budgetary action to secure the necessary funds. This may require substantial funds programmed over a period of several years.

The Federal Water Pollution Control Administration will contribute to the pilot study effort by providing leadership in the development and implementation of an effective program for measuring the pollutional effects of the materials to be dredged. Skilled personnel as well as fixed and mobile laboratory facilities of that agency will be made available to analyze these materials for chemical, biological, physical and other characteristics and thus determine the effectiveness of the various methods proposed.

~~The Corps is sponsoring the nation-wide Federal-State-local program to prevent, to prevent an example of what the Federal Government must do in the Department, the incomparable values of the Great Lakes water resources.~~

going to solve these problems through the development of comprehensive plans in which all viewpoints have been considered.

I believe that is the process which is taking place now. It is not a perfect process, and improvements are constantly being made. But the old charges against the corps as an authoritarian organization indifferent to the values of beauty and preserving wild rivers, for example, or lands in a pristine condition, those charges simply are not accurate.

Senator RUBINOFF. Well, how often do you sit down with other agencies to discuss the problems of potential conflict in the conservation of natural resources?

I am just curious.

Mr. FIRT. Let me refer that to General Cassidy.

CONSULTATION BEGINS EARLY IN STUDY

General CASSIDY. In all of our studies, right at the beginning of the study. For instance, one of the projections we must make immediately is: How is the particular area going to grow? And here we go to the

Engineers. Having been Governor during those years and having called on the corps for assistance, I recall that your aid was given so rapidly and so effectively that we, in Connecticut, have always had a great affection for the corps and all the men that compose it.

CORPS IS INVOLVED IN RECREATION PROGRAMS

But I am curious about whether you are aware, actively and positively aware, of the problems of the erosion of our natural resources and the need to do everything possible to see that they are preserved. Just in the planning stage of how these projects are executed, it seems to me that much more can be done, although I think, today, in building most of your dams, you take into account the problems of recreation. Now, who runs those recreation areas? Do you or does the Department of the Interior?

General CASSIDY. We run most of the recreation areas at our reservoirs and on the rivers where we have developments. If there is a national forest in that area, the Forest Service will run the recreation in the national forest areas.

Senator RIBICOFF. Let me just take a field like this:

You build a dam and you try to plan recreation areas but should have the largest of the recreation agencies.

Senator RIBICOFF. Why should the Army be in the recreation business?

Let's say that you build the dams, and the recreation areas are an important byproduct and a great asset, and I like what you are doing, but once you build a dam and do the engineering work why should not the recreation areas be turned over to the National Park Service?

I mean, what do you want it for?

General CASSIDY. At one time, this effort was made, and the Park Service turned it down.

(The following additional information was subsequently furnished for the record:)

General CASSIDY. Now, we try to turn the areas over to the States or to the counties or to local interests to operate them in accordance with national policy expressed in the Federal Water Project Recreation Act (Public Law 89-72). We make a definite effort to get someone else to operate the recreational side; however, we do have to operate the reservoir itself in its fluctuation, in taking care of the water surface and the shore surface. So, it is hard to separate reservoir regulation for its many purposes from recreational use and its management.

Senator RIBICOFF. It becomes very obvious that there is not much chance of the Corps of the Army Engineers being turned over to a Department of Natural Resources, but that does not mean that we cannot see what you should be doing and what you should not be doing.

PARK SERVICE COULD HANDLE RECREATION AREAS

stand that when you are in a theater of war you are given to the National areas, but you certainly do not want to run recreational areas in 50 States with all the headaches and problems that this entails.

General CASSIDY. We are doing it very competently now, sir, but if the Park Service wanted it and if the Congress decided to do so, we would have no objection.

Senator RIBICOFF. In other words, irrespective of what happens to this measure, if there could be, either through Executive order or a reorganization plan, some way worked out between you and Secretary Udall—why, this is something you are not going to fight for, if Interior would like to take it over?

General CASSIDY. We are already doing this to some extent in the reservoir at Tock's Island. The Park Service is to operate it; going to operate the entire area. So, we have no basic objection there, sir.

Senator RIBICOFF. I have a few questions here from Senator Moss who could not be here today, and I will ask them for Senator Moss. The first question is:

AREA CONTROLLED BY ARMY ENGINEERS

"How many acres of water and land are controlled by the Civil

Senator RIBICOFF. How many military and civilian employees are presently assigned to the Civil Works Division? How many military and how many civilian?

General CASSIDY. There are about 32,000 civilians and, at the present time, 127 military.

Senator RIBICOFF. 127,000?

General CASSIDY. 127,000.

Senator RIBICOFF. One hundred twenty-seven military?

General CASSIDY. Yes, sir.

Senator RIBICOFF. And 32,000 civilian?

General CASSIDY. Yes, sir.

This is as the result of the Vietnamese war. It is the same thing that happens in any war.

(The following additional information was subsequently furnished for the record:)

The total civilian capability of the Corps of Engineers for Military Construction and Civil Works encompasses a work force of over 47,000 employees. Of these, approximately 13,000 are categorized as professional personnel and are in the personnel management career program. Civil natural resources are limited. Should we not make every possible effort to effect the best management techniques with regard to land, water, and mineral resources?

General CASSIDY. Yes. And I believe, over the years, Congress has considered this and has finally evolved a system in the Water Resources Council.

(The following additional information was subsequently furnished for the record:)

The Water Resources Council as presently constituted is well structured to accomplish the missions assigned to it and more. The agencies are working increasingly well together and we all benefit from the increased coordination and communication. This is a significant accomplishment and perhaps the main objective of the Act. Tangible results of this interagency coordination can be expected with increasing frequency as time goes by.

FLOOD CONTROL IN FLORIDA EVERGLADES

Senator RIBICOFF. Should the Florida Everglades be drained at one point under the flood control justification thus causing a loss of wildlife resources? Isn't there a better way?

General CASSIDY. I cannot answer that question, because it is stated in a rather strange fashion.

The Engineers have built massive levees to contain runoff from Lake Okeechobee and constructed 1,400 miles of drainage canals in the name of flood control. Park Service officials complain bitterly that the Engineers have drained Everglades National Park almost dry in their efforts to halt wetlands flooding and reclaim glade country for agriculture.

Flood control advocates have said that reclamation is for people and Everglades Park is "for the birds." But I do not believe that is the question. The Park is for people and the farms are for people. The real question is how shall priorities be cut off by the local Florida landowners draining the Everglades. The Corps project has been underway 20 years. The construction has gone on and we are about 50 percent complete. We have looked at this problem for many years. It is a problem of water use, and part of the problem must be solved by working with the State of Florida which really has authority in the use of the waters of Florida.

PLANS TO CONTROL DROUGHT AND FLOOD CYCLES

In the last several years, we have been working on a plan to provide additional water to the Everglades. It is not a question of draining the Everglades. It is a question of adequate rainfall supplemented by a flow of water down into the Everglades from the north.

The glades are now getting twice as much water south of the Tamiami Trail per inch of rainfall as they have had before, and we are working toward a system which will enable us to continue and make a more reliable supply of water.

There is a great deal of talk about what is happening there. The glades used to go through a periodic cycle of drought and wet. There were losses in the glades at that time. This is the natural cycle. And, really, what they are looking for now is an even ecological cycle, a cycle that will prevent historic droughts. We think

DEPARTMENT OF THE INTERIOR-NATIONAL PARK SERVICE
DEPARTMENT OF THE ARMY-CORPS OF ENGINEERS

Joint Fact Sheet on:

WATER SITUATION AT EVERGLADES NATIONAL PARK

The Everglades National Park is primarily an aquatic area. The park has for several recent years experienced drought periods that have been extremely

critical to its well being. If it is to survive in the natural state which justified its establishment by Congress as a national park, it must continue to be nourished with sufficient water to provide the environment necessary for the production and maintenance of aquatic plant and animal populations.

The pronounced arid conditions which resulted from this deficiency of supply were alleviated, at least temporarily, by the late-starting rainy season of last fall. Hurricane Betsy, with 6 to 10 inches of rainfall directly on the park, and other rains, have raised the water levels to the point that, at the end of 1965, they were about equal to levels at the end of 1964. The question as to how soon, or if, the animal and plant life that has been so severely damaged in the dry period can recover remains to be seen. ~~It is estimated that~~ ^{and property damage, the} Corps of Engineers starting in 1928 constructed the Okeechobee waterway involving the existing St. Lucie Canal, the lake, and the Caloosahatchee River and enlarged the existing levees around much of the lake.

In 1947, the Everglades National Park was established. At that time, and subsequent thereto, there was some overland flow of water into the park from the north.

In 1948, the Congress authorized the construction and operation of the Central and Southern Florida flood control project. Considerable detail as to purposes of the project are contained in House Document No. 643, 80th Congress, 2nd Session. This document also contained assurances that "the plan of improvement has also been developed in full recognition of the importance of the Everglades National Park * * *. Releases of water from conservation storage will assist in restoring and maintaining natural conditions within the national park area, by reducing damage from drought and fire which have threatened the preservation of lands, vegetation and wildlife."

With specific reference to the Everglades National Park, the Central and Southern Florida flood control project works include construction of three conservation areas north of the park for storage and release of water for beneficial use. Conservation Area 3, directly north of the park, is the main storage facility designed to hold water which can be released into the park. As a part of this conservation area there was constructed in 1962 a levee (L-29) for approximately 10 miles along the northern edge of the park. This levee contains five sets of gates through which water can be released from the conservation area into the park.

At present, several factors make supply of water to the park difficult. The southward flow of water released into Conservation Area 3 from Lake Okechobee and Conservation Area 2 is limited.

Tests conducted in 1965 indicate that the release capacity of the existing system for the benefit of the park can be improved by the use of project pumps. Funds for this purpose have not heretofore been available. However, even using maximum pumping capability, it may be necessary, in an emergency, to discharge excess water via the St. Lucie Canal and Caloosahatchee River to safeguard life and property when heavy rainfall is encountered and the hurricane season is imminent.

under existing and expanded authority. A diagonal levee, L-67C) within Conservation Area 3 was started in September 1965. This will reduce seepage losses to the east and thereby increase surface water for distribution to the park. Additional work (L-67 extension) consisting of a levee and canal along the east boundary of the park to distribute water to the park will be placed under way during the spring of 1966.

A further interim plan has been developed for the transfer of water from Lake Okeechobee to the park during periods when the lake levels will permit. With the cooperation and assistance of the Central and Southern Florida Flood Control District and the State of Florida, this work can proceed, in part, under existing authorities and in part under additional authority now being sought.

The plan consists of enlargement and extension of the North New River Canal downstream from the agricultural area to a junction with the Miami Canal and the Borrow Canal for L-67, enlargement of the Miami Canal downstream from the agricultural area to the same point, and the enlargement of the L-67 Borrow Canal from the Miami Canal to the park boundary. This work can be done under existing authority with the participation of the State. To this the State has agreed. The construction costs total about \$3,000,000 (\$2,400,000-Federal; \$600,000-State). Funds to accomplish the North New River Canal enlargement, estimated at \$265,000, are available, and it is proposed to place this work under way as quickly as possible.

Senator RIBICOFF. Now, this is what I was wondering about. How much consultation is there with the National Park Service?

Let's take the Everglades as an example, because you do have a complicated problem here.

Now, how do you plan with the National Park Service on a problem of this nature?

General CASSIDY. We work with the Park Service constantly, sir, and with the State of Florida, to try to reach solutions to problems.

But we have to reach solutions that are agreeable to the State and to the Park Service, and this has been rather difficult until just recently.

COOPERATION WITH BUREAU OF RECLAMATION

Senator RIBICOFF. Here is a final question from Senator Moss: "General Cassidy, you stress coordination with the Bureau of Reclamation in the West. Have the Bureau's views on a proposed project ever prevailed over the views of the Army?"

General CASSIDY. Yes, sir; quite often I would say.

STATEMENT OF HON. ORVILLE L. FREEMAN, SECRETARY OF AGRICULTURE

Secretary FREEMAN. Mr. Chairman and members of the subcommittee, the Department of Agriculture naturally is interested in this bill because it would transfer all of our functions administered through

handle much better, I do not know why we continue the old method.

General CASSIDY. Right, sir.

Senator RIBICOFF. Thank you very much, gentlemen. We do appreciate your coming here this morning.

Secretary Freeman, please.

We welcome you today, Mr. Secretary. It just goes to show how diverse the problems and the duties of a Secretary are.

Yesterday you were in front of the Finance Committee on trade, and here you are testifying today on the Department of Natural Resources. You certainly have to know how to be a switch hitter in this business.

Secretary FREEMAN. Nice to be here, Mr. Chairman, and to see you again.

Senator RIBICOFF. Why don't you proceed as you will?

Secretary FREEMAN. All right, sir.

88-889 O-68-5

DEPARTMENT OF NATURAL RESOURCES

63

SOIL CONSERVATION IS CONNECTED TO PRIVATE LANDS

The Soil Conservation Service began as the Soil Erosion Service, an emergency program under the Public Works Administration. The Soil Erosion Service was established to conduct emergency demonstrations and to provide labor for the unemployed at a time when the very earth of the Great Plains was vanishing in devastating duststorms, destructive floods were washing away the heartland of America, and the Nation was gripped in the Great Depression.

It soon became apparent that this fledgling service was of such value it should be given permanent status and everyone, including then Secretary of Interior Harold Ickes, who administered it under PWA, recognized that it ought to be established within the Department of Agriculture. Why? Because it was a program associated with private lands and could not be separated from agriculture, all of which is in private ownership.

OTHER PROGRAMS ADMINISTERED BY AGRICULTURE

The Department has first Federal responsibility with respect to the water that falls on this nearly 81 percent of the Nation's land. We have extensive programs of controlling, conserving, and developing this water resource where it falls—in the forests and on the private lands in agricultural and other uses.

Forest Service, and the Department of Agriculture made that concept a reality, and today it is accepted by both public and private timber management.

And Roosevelt, Pinchot, and the Department made another concept a reality, too. I speak of the concept of multiple use of our national forests. The same national forest that yields timber for human use can also provide recreation, can graze cattle and wildlife, can support

To create such a revitalized rural America will require all the tools agencies—federal, state, and local—providing a maximum amount of local leadership, a part of the warp and woof of local development, decisionmaking, and administration in the use of renewable resources.

As such, these two agencies must play an ever-increasing role in the revitalization of rural America so necessary to the restoration of rural-urban balance.

These agencies are indigenous to rural America. Small watersheds coupled with essential land treatment; private, relatively small, farm forestry; national forest management, including grazing and water management—all are as much a part of farmland and town and country as skyscrapers are of megalopolis.

Three-fourths of this Nation's land is in privately owned tracts in rural America. Of the privately owned forest and, nearly 80 percent is owned in small parcels by private owners who have no connection with large forest industry. The owners of these tracts in rural America—farm and forest—must carry the main burden of meeting our growing resource needs. Most of them are farmers who traditionally have cooperated with the USDA in a wide range of other programs.

GROWING RESOURCE NEEDS ARE HANDLED EFFICIENTLY

For over 100 years, the Department of Agriculture has been geared for growth.

This relationship is like a delicate instrument, the product of trial and error over many years, balancing National, State and local interests and management participation in an effective manner.

Similarly, the watershed and flood prevention activities of the Soil Conservation Service are operated by and for local people in time-tested programs of assistance to Soil and Water Conservation Districts and numerous other sponsoring local organizations. These involve intimate contact with local farmers and such other agencies of the USDA as the Agricultural Stabilization and Conservation Service with its commodity and conservation programs. These, too, are integral parts of our Department's efforts to advance the social, cultural, and economic well-being of Countryside, U.S.A.

PROGRAMS AIM AT CREATING VIABLE RURAL COMMUNITIES

Today, one of our most pressing needs is to build economically viable rural communities. Consistent and integrated land and water resource management systems are needed to make multiple use of resources effective and to expand the opportunities for rural development. The small watershed program under Public Law 566 from the rest of the land treatment programs of the Department—and, figuratively, to separate the woods a farmer owns from the rest of his farm enterprise—is poor organization.

The ties that weave the research, cooperative forestry, and public land management of the Forest Service, and the soil-conserving and watershed and flood prevention activities of the Soil Conservation Service into the overall programs and responsibilities of the USDA, we are convinced, are much more significant, much more binding, than they would be to a Department of Natural Resources such as that proposed by S. 886.

AGRICULTURE'S PROGRAMS DECENTRALIZED TO MEET LOCAL NEEDS

I most emphatically do not mean to minimize in any way the importance of Interior's programs. But historically, and as a practical matter of day-to-day working, they are not linked as closely to local communities, farms and small towns—or with the local decision-makers—as the programs of the Department of Agriculture.

In the way Interior has traditionally operated, it is organized so as to focus its major attention on regional and national problems more

By contrast, the Department of Agriculture has traditionally been decentralized so as to be acutely sensitive to local and private needs as well as those which are regional and national in scope.

Therefore, if the Congress decides it will be beneficial to group natural resource functions in one complex, then let me suggest that the economic and social rural counterpart to metropolitan America.

REORGANIZATION OF AGENCIES IS NOT NEEDED

Let me make it clear, however, that I do not recommend that agencies in the Department of the Interior be transferred to the Department of Agriculture. On the contrary, it is my considered judgment that it would not be wise to reshuffle agencies in either direction.

I base this judgment on some practical experience as an administrator, both as the Governor of a great State and for almost 7 years as the administrator of a department with multiple programs in every county of the United States and more than 50 countries around the world.

From the standpoint of effective public administration, efficiency, and maximum use of the talent and funds available, I am convinced nothing would be gained by regrouping resource agencies. On the contrary, the aggregation of such agencies, as proposed in S. 886, would, in my judgment, result in an enormous concentration of authority and responsibilities in one Department. Such a concentration of widely varied functions would be so enormous in its scope as to make management extremely difficult. Further, I am convinced it would place an

Today, the Departments of the Interior, Army (Corps of Engineers), and Agriculture enjoy, and benefit from, a very satisfactory working relationship. This was brought home to me again just last month when I visited Bend, Oreg., and saw dramatic examples of how the combined efforts of Federal resource agencies, working closely with local groups, could restore economic vitality to a once severely depressed area.

For the most part, today's competition between the Department of the Interior and the Department of the Agriculture is healthy. Most of

this competition takes place in the area of recreation, where the National Park Service and the Forest Service vie with one another to provide more imaginative, innovative, and effective service to the recreation seekers of this land.

Such sensible competition stimulates greater effort and more effective performance, without the waste of extremes. It should be continued. It is in the national interest.

Mr. Chairman, the needs of the times demand nothing less than our best performance at the Federal level.

Aside from your testimony, I want to commend you for your speeches and efforts in developing rural America. I have been following them with great interest, and I think they are most important. There is a big job to do, to keep people from pouring into the cities the way they are. They certainly are galloping into the cities. And I want to take this opportunity to commend you for your constructive pioneer work in this field.

Secretary FREEMAN. Thank you, sir.

COORDINATION BETWEEN AGRICULTURE AND INTERIOR

Senator RIBICOFF. I am just curious as to what coordinating arrangements now exist between the Department of Agriculture and the Department of the Interior in dealing with natural resource problems. Do you think there can be any improvement or strengthening in your coordinating efforts?

Secretary FREEMAN. Well, I am sure that we have not reached a state of perfection by any means. Any of these questions come down to comparing alternatives.

Actually, there is a great deal of coordination and cooperation, and I think it is improving very sharply, primarily through the Water

Senator RIBICOFF. Senator McClellan wanted to be here, but he has a conflict in committees and could not be with us today.

He has sent to me a series of questions that he would like for me to propound.

So, Mr. Secretary, the next 11 questions are being asked of you in behalf of Senator McClellan:

Secretary FREEMAN. Absolutely critical importance. There is very little use to a Public Law 566 structure and watershed control program without the work to retain soil in place and the proper land management in the areas surrounding that particular water impoundment; otherwise, erosion will destroy it very rapidly, and the whole purpose of building the structure will be quickly lost. You simply cannot separate the land treatment measures and the planned program which is involved in the water impoundment itself.

Senator RIBICOFF. "Mr. Secretary, it is my understanding that the Bureau of Reclamation installs project-type irrigation facilities which carry the water to the individual farms, but does not provide for the on-farm distribution systems and other needed conservation measures. How do you think this approach compares with the procedure used by the Department of Agriculture?"

Secretary FREEMAN. In the Department of Agriculture, this is done as an integrated whole. The question would be not only to deliver the water to the farm but the method of its handling and its distribution consistent with maximum return and sound conservation principles.

DUPLICATION WOULD RESULT FROM PROPOSED REORGANIZATION to provide the services that are needed on farm planning, and if you separated the development of the water impoundment from the farm land program planning, why, you would inevitably begin to duplicate those same services.

So, this would run directly counter, and is, I think, a rather sharp and good example of how the proposal currently before the committee would result not in eliminating duplication but in magnifying it at considerably increased cost and less efficiency.

LOCAL DISTRICTS' EFFICIENCY WOULD BE LOST

Senator RIBICOFF. "The action programs of the Department of Agriculture are implemented through local organizations such as soil and water conservation districts and other subdivisions of State and county government. Would the transfer of the watershed activity to another department inhibit their effectiveness in carrying out local responsibilities for resource development?"

Secretary FREEMAN. Yes, I think, inevitably, it would affect working relationship between the elected soil conservation committees, and I would point out, Mr. Chairman, that these are people that are

ected in their local areas. They have the overall policy-performing responsibility in the given locality. They, of course, are closely related to the professional and technical personnel that make up the staff in each county in the United States, and all of this is an integral part of a whole and, as such, cannot be split apart without, I think, a great loss of efficiency and effectiveness.

BALANCE BETWEEN SUPPLY AND DEMAND OF CROPS WOULD BE IMPAIRED

Senator RIBICOFF. "Mr. Secretary, since you have a responsibility or assistance in bringing any land into production, any new land into production, in surplus crops. This is a kind of integrated operation that I think is necessary for effective administration, and we would not have it if the transfer in question took place.

COORDINATION OF RIVER BASIN PROJECTS WOULD BE MORE DIFFICULT

Senator RIBICOFF. "The Department of Agriculture is one of the three major water resource development agencies. It is my understanding that your Department is heavily involved in the current comprehensive river basin planning program. Is this correct?"

Secretary FREEMAN. That is correct. Across the board—I have forgotten the precise number, but it is more than 50—water planning efforts are currently underway in cooperation with other departments of government under local leadership, largely through the new Water Resources Council.

Senator RIBICOFF. "I understand that 25 of these river basin studies are being carried out as a joint effort of the Federal and State agencies concerned with water resource development. And the other 27 are being made by the Department of Agriculture in cooperation with one or more State or Federal agencies. As I have tried to point out, instead of being an elimination of the concentration of functions in fewer hands, it would end up, in my judgment, in more, and we would have a growing number of new efforts to coordinate which would exceed our current efforts in that direction.

Secretary FREEMAN. Yes, Mr. Chairman, it certainly would. By Presidential order, the Secretary of Agriculture is directed to try and coordinate in rural America the various Federal programs and to perform an outreach service so that we can use personnel we have located in local areas to help other departments that have no one there so their programs will reach the countryside. The current machinery is what we call technical action panels. There are at least four programs in every county in the United States administered by the Department of Agriculture. All Department programs meet together in what we describe as technical action panels. Other Federal programs and State and local programs join in coordinating, in planning, and integrating all our programs with local efforts and in stimulating local efforts and providing leadership where it is absent.

The Forest Service and the watershed functions of the Soil Conservation Service that would be moved by this bill are an integral part of this process, and, as such, it would represent a severe setback to the new and vigorous efforts we are making to revitalize rural coordination efforts, and I believe it is bringing very real possibilities of preserving the local relationships and the decentralized administration that the Department of Agriculture, for example, has built up over the years. And at the same time, in the process, giving proper representation to interests that might well be swallowed up in the large and monolithic department, and, by the same token, accomplishing very effective, at least potentially so, integration and forward planning in the whole water field primarily, but in soil and land use as well. This Council has just begun, but I would say that its actions to date are most encouraging and represent a real step forward.

Senator RIBICOFF. And the final question from Senator McClellan: "Mr. Secretary, the Department of Agriculture is engaged jointly with the Departments of the Army and the Interior in comprehensive river basin planning. Don't you think that a more efficient job could be done if the efforts of these three departments were concentrated within one department?"

live and work and to run our vast industrial complex, the way in which we produce and package a multitude of manufactured goods, and, among other things, the ways in which we dispose of our trash and garbage.

The impact of these problems touches every segment of our society. Their adverse effects on human health are felt by people of all ages. The economic burden they impose on society is shared by all of us, whether we realize it or not. Farmers, businessmen, consumers, and tax-

Mr. Chairman and members of the subcommittee, I appreciate this opportunity to present the views of the Department of Health, Education, and Welfare on S. 886. We welcome the opportunity to discuss reorganization and reassignment of governmental activities with you because we know how important you believe it is to keep governmental functions adjusted to changing conditions. Under your chairmanship this subcommittee is performing a vital function.

One of the provisions of S. 886 would transfer the air pollution and solid waste programs from this Department to the Department of the Interior, which would be redesignated the Department of Natural Resources. For reasons, which I will discuss, we do not recommend enactment of this provision.

In many respects, air pollution and solid waste disposal are typical of the entire range of environmental contamination problems of our technologically advanced and predominantly urban society. Air pollution and solid waste disposal are primarily health problems, but like most other problems of environmental contamination, they have far-reaching economic, social, and technological ramifications. They are deeply rooted in the way we build our cities, the ways in which we provide transportation for ourselves and our goods, the ways in which we provide the energy needed to heat and light all the places where we

in this effort."

Federal legislation in both the air pollution and solid waste disposal fields reflects the paramount importance of public health and welfare considerations as the motivation for national efforts to deal with these problems. In the preamble to the Clean Air Act, the Congress declared "that the growth in the amount and complexity of air pollution brought about by urbanization, industrial development, and the increasing use of motor vehicles, has resulted in mounting dangers to the public health and welfare, including injury to agricultural crops and livestock, damage to and the deterioration of property, and hazards to ground and air transportation." A similar declaration of findings appears in the Solid Waste Disposal Act.

This concern for public health and welfare is reflected in precisely the same words in the proposed Air Quality Act of 1967, which has been passed by the Senate is now under consideration in the House. In addition, by making the development and publication of air quality criteria an integral part of the procedures leading up to the adoption of State air quality standards, the proposed new legislation would underscore, as never before, the importance of controlling air pollution in accordance with scientific knowledge of its adverse effects on health and property.

Economic and technological considerations are by no means overlooked in the proposed legislation. Under this legislation, the Department of Health, Education, and Welfare would be responsible for the development and publication of detailed data on the status and cost of those techniques which can be employed to achieve air quality levels consistent with the Department's air quality criteria. The Department also

pollution and inadequate waste disposal practices can better be handled by a department or agency which is concerned first and foremost with the protection of public health and welfare. Even though it is essential that economic and technological factors be given full consideration, they should be considered not in abstract, but rather in the light of the Nation's principal objective in seeking solutions to these problems—the objective of safeguarding human health and welfare.

In view of its commitment to safeguarding the public health and welfare, its background of experience in research and control activities in the area of environmental contamination, and its established machinery for cooperation with State and local governments in all parts of the country, we believe the Department of Health, Education, and Welfare should retain its current responsibilities

are the immediate costs involved in research and control efforts. But they will surely materialize, not only in the form of a reduction in the economic losses associated with air pollution and obsolete waste disposal practices, but also in such forms as more efficient use of fuels, recovery of usable materials that are now wasted, and greater efficiency in transportation and in the production of a vast array of manufactured goods.

In both the air pollution and solid waste programs, the Department is placing equal emphasis on the development of new scientific and technical knowledge and on the application of existing knowledge. The air pollution program includes research on both the effects and control of air pollutants; training activities; grants to local, State, and regional governmental agencies to assist them in the creation and maintenance of effective control programs; abatement of interstate and intrastate air pollution problems; the development and application of national standards for the control of motor vehicle pollution; and numerous other activities.

The proposed transfer of responsibility for the air pollution and solid waste programs to the Department of the Interior might well create more problems than it would solve. To be sure, air and water pollution, in particular, are often talked about as though they were twin problems, but are they really so much alike? The fact is that they are not, even though they have many things in common; indeed, among all our natural resources, including air, water, soil, and mineral resources, the air is unique in many respects. The air is not a commodity available for sale, as minerals and even land are. The air does not always travel in the same channels, as water does; airsheds cannot be defined with anything like the degree of precision possible with watersheds. We are not free to decide how we will use the air, nor can we decide to use part of it for one purpose and part of it for another. Neither do we have the option of storing any portion of the atmosphere for future use. To one degree or another, all these choices are made in respect to the management of water, soil, and mineral resources.

The threat to health constitutes the primary and most powerful impulse for effective control of environmental contamination problems in this country. Those groups who seek to slow down such control efforts invariable do so on the ground that the health hazards have not been proved or are not really serious; conversely, many groups whose activities are most directly affected by the application of control measures will take whatever action is necessary if dangers to human health can be demonstrated. Any action at the Federal level which would make public health considerations a secondary factor would clearly slow down the Nation's progress toward effective control of air pollution and efficient management of solid waste disposal problems.

S. 886 also provides for the transfer of the Bureau of Indian Affairs to the Department of Health, Education, and Welfare.

The problem of the most appropriate location of the Bureau of Indian Affairs in the Federal Government has been considered over many years. The Indian affairs program is comprehensive and covers nearly every aspect of Indian life.

1. Several functions of the Bureau are completely foreign to this Department. They include the building and operation of irrigation projects, the regulation of tribal government, the authorization and regulation of tribal and individual economic enterprise, the overseeing of law and order on Indian reservations, the management of forest lands, and the building and maintenance of public roads on Indian reservations. The effect the transfer would have on these important functions should be carefully weighed.

2. The Indians themselves have generally opposed transfer of the Bureau from the Department of the Interior. Since the transfer would affect them, there should be consultation with the Indian people before any decision is reached.

We believe further attention should be given to these matters before this transfer is made.

Further, S. 886 provides for the transfer of the Office of Territories to the Department of Health, Education, and Welfare.

The transfer of the Office would bring to this Department an organization whose functions go beyond the current scope of the functions the Department administers. The Office is concerned not only with the social advancement of the Territories but with their economic and political development. Involvement in Territorial affairs would present the Department with issues concerning which it has no present experience or expertise. Further study should be undertaken before any commitment for transfer of the Office to the Department is made.

A word should be said about the provision in the bill for the transfer of personnel and property. The provisions providing for the transfer of personnel and property, cited in Section 5(h) and 10(h) of the bill, are as follows: Secretary Cohen:)

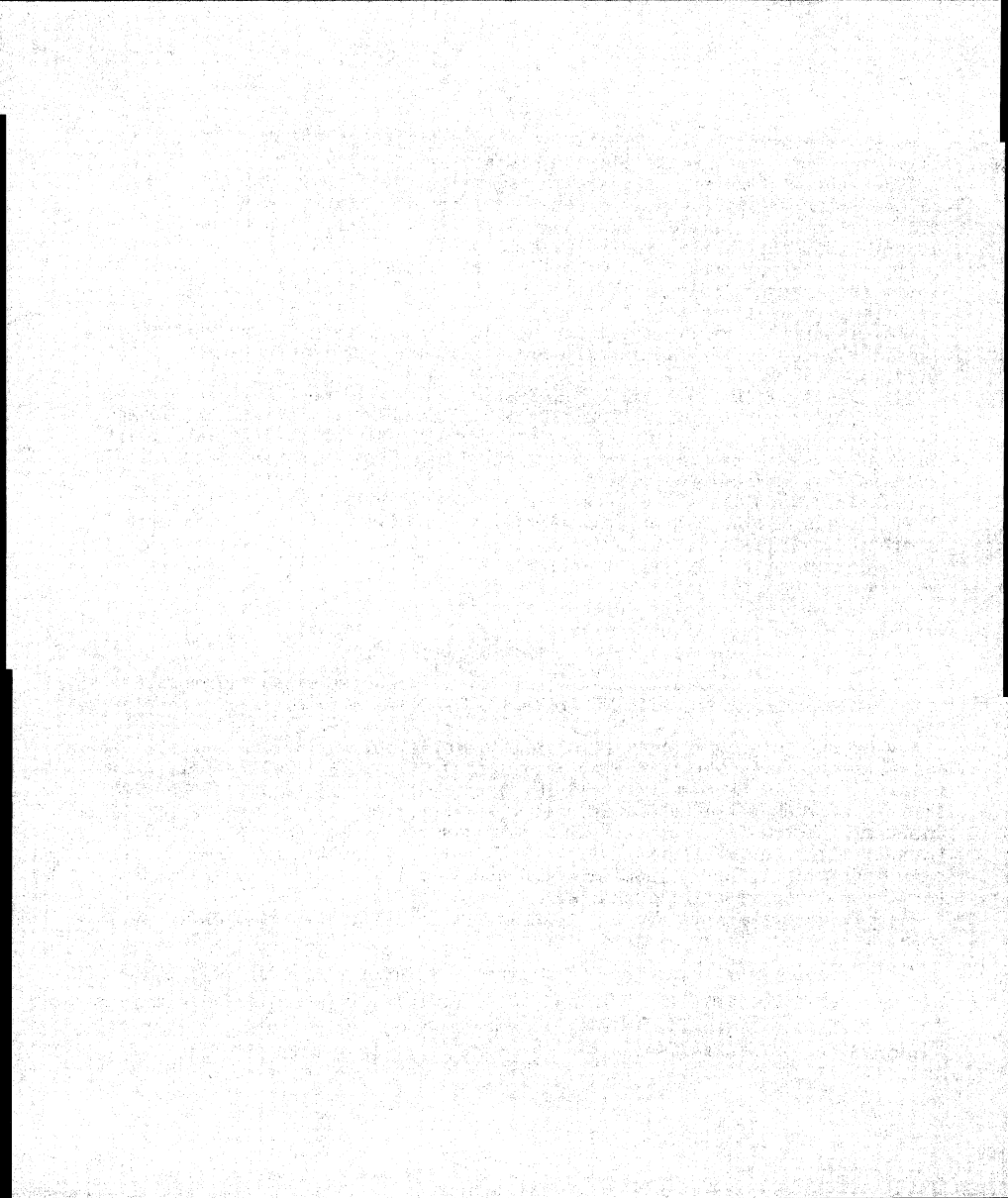


EXHIBIT 9

90th Congress }
1st Session }

COMMITTEE PRINT

PREPARED FOR THE
SUBCOMMITTEE ON EDUCATION
OF THE
COMMITTEE ON LABOR AND PUBLIC
WELFARE
UNITED STATES SENATE



Public Welfare

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II

FOREWORD

The following report was requested by the Education Subcommittee of the Senate Committee on Labor and Public Welfare during the 1967 hearings on amendments to Public Law 89-10, the Elementary and Secondary Education Act of 1965, from both the Department of Health, Education, and Welfare and the Department of the Interior.

The report will be reviewed by the subcommittee in connection with hearings on S. 1125, the Elementary and Secondary Amendments Act of 1967, as the subcommittee considers the further inclusion within Public Law 89-10 of provisions relating to grants to schools servicing the needs of our Indian children.

It is our hope that the report will also be of interest to Senators and to members of the educational community. On behalf of the subcommittee, I express to the Cochairmen of the Interdepartmental Committee, Mr. Robert E. Vaughn, Deputy Assistant Secretary for Public Land Management, U.S. Department of Interior, and Dr. Joseph C.

1. The first part of the report is a summary of the work done during the year. It includes a list of the projects completed and a brief description of the results. The second part is a detailed account of the work done on each project. It includes a description of the methods used, the results obtained, and a discussion of the significance of the work. The third part is a list of the publications resulting from the work. The fourth part is a list of the names of the people who have worked on the projects. The fifth part is a list of the names of the people who have supervised the work. The sixth part is a list of the names of the people who have assisted in the work. The seventh part is a list of the names of the people who have been consulted in the work. The eighth part is a list of the names of the people who have been interviewed in the work. The ninth part is a list of the names of the people who have been interviewed in the work. The tenth part is a list of the names of the people who have been interviewed in the work.

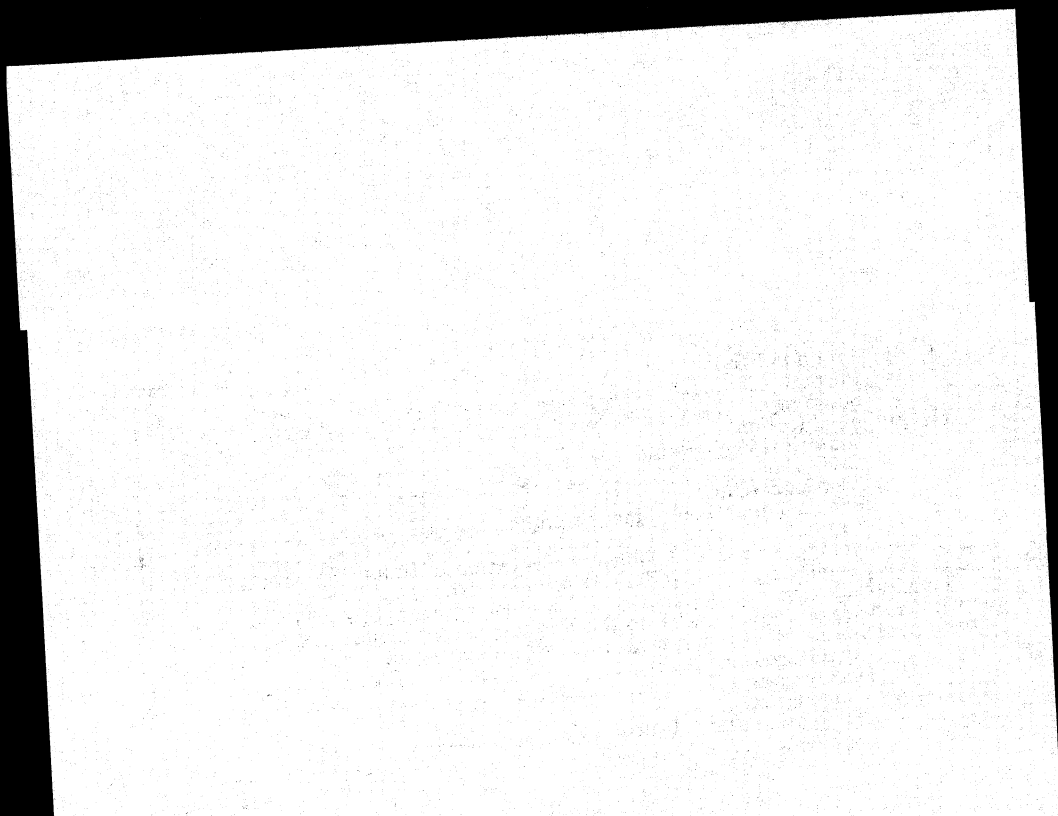
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the question would be conducted.
We are pleased to transmit herewith for your consideration a report
of our findings and conclusions.

(81)

CONTENTS

I. Background of report:	
Purpose.....	Page 1
Summary.....	6
Disadvantages.....	7
VIII. Recommendations:	
Policy and administration.....	7
Legislation.....	9



INTERDEPARTMENTAL REPORT ON ORGANIZATIONAL LOCATION FOR QUALITY EDUCATION OF AMERICAN INDIANS

I. BACKGROUND OF REPORT

PURPOSE

The fundamental question of this report—whether the responsibility for American Indian education should be transferred from the Bureau of Indian Affairs to the U.S. Office of Education—was raised in April 1966 at a hearing of the Senate Subcommittee on Elementary and Secondary Education Act of 1965 (Public Law 89-10) to the Secretaries of the Department of the Interior. A request was made to

SUMMARY

Because education is inextricably linked to the other human service functions and because transfer of the education function would result in further fragmentation of the total spectrum of services now afforded American Indians by the Federal Government, the Departments recommend that the Bureau of Indian Affairs should retain the education function at this time, working in close cooperation with the Office of Education to develop a high quality program of Indian education. This recommendation also reflects prevailing Indian opinion.

Wherever the locus of responsibility resides, the Departments believe that the federally run Indian education program should be an exemplary system directed at providing the highest quality education to meet the special needs of Indian people. All resources required to achieve the desired goals should be made available. Accordingly, the Departments have carefully and deliberately compiled, with the assistance of Indian leaders and other knowledgeable persons and groups, a set of recommendations which should be given consideration in any serious effort to improve Indian education.

of this role through the years, and the present status of Indian education. Perhaps the most descriptive and valid generalization concerning the history of Indian education is that the aims and efforts made to only limited responsibility for Indian education until 1870. The national policy toward Indians during this period was one of suppression and isolation on reservations while efforts were exerted by religious groups to Christianize Indians and to teach them farming, homemaking, and the three R's. Because the great majority of Indians did not accept education during this period, these efforts had little impact.

The year 1870 is often cited as the beginning of the reservation period, which has been characterized by varying degrees of Federal paternalism. With the exception of the religious emphasis, the growing role of the Government in Indian education after 1870 was directed toward the same goals as those prevailing during the previous period and with about the same success. The new policy statements of 1889 included the intention to "absorb Indians into our national life." This intent was manifest in education through the practice of separating Indian children from their families and sending them to attend boarding schools.

The appearance of the Meriam report, a survey of Indian social and economic conditions conducted during 1926-28, contributed to a change of attitude toward Indians. Greater emphasis was placed on self-government for Indian tribes, on an improved system of education, and on the cooperation of State and local agencies in Indian affairs.

SINCE 1960

During the period since 1960, Indians have been the beneficiaries of many new Federal programs which have come into being as a result of the increased national awareness of the problems of disadvantaged citizens. Among the agencies administering such programs are the Office of Economic Opportunity, the Economic Development Administration, and the Housing Assistance Administration.

The major thrust of the Bureau's educational program is to provide a high quality education which will prepare Indian children for life in the 20th century. This includes the teaching of communication skills,

vocational training, and the providing of guidance and counseling for cultural adjustment. The Bureau is attempting to attain a goal which would result by the 1970's in most Indian youth graduating from high school and continuing their formal training in colleges or vocational and technical schools. Transfer of responsibility for the administration of these programs is being made to assist in the planning and implementation of programs and projects under Public Law 89-10, as well as to advise on all matters pertaining to the education of Indians.

The newly established educational objectives of the BIA are as follows:

1. As many children as possible should be moved out of boarding schools, particularly off-reservation boarding schools, and placed in community schools on the reservation. This is based on the theory that the most effective education takes place when children are educated in their local community and when their parents are involved in educational policy decisions and implementation. In such circumstances, adult and community education take place simultaneously. Furthermore, in a community school setting financial benefits of a school accrue locally. However, it would not be beneficial to make such a move until the local school is prepared to offer education of at least equal quality.

2. Quality education must be stressed in any federally run program. Indian education should be an exemplary system of instruction. All of the teaching technologies available should be brought to bear on the instruction of Indian children.

3. The community action concept should be applied to Indian education. The Indian population in the United States, estimated to have been more than 800,000 at the end of the 15th century, gradually decreased to about 240,000 at the end of the 19th century. The population has been growing rapidly since that time, and in 1960 there were 524,000 Indians, and an additional 29,000 Eskimos and Aleuts in Alaska, bringing the total to 552,000. At least 380,000 receive some services from the Bureau of Indian Affairs and the Division of Indian Health (HEW's Public Health Service).

Due to the high birth rate during the 1950-60 decade, the number of Indian children of school age has greatly increased. Furthermore, a determined effort has been made during recent years to make educa-

tional opportunities available to the Indian enrollment of Indians is higher than ever before; yet, despite the large number of students that have been transferred to local school districts, the number of students attending Bureau schools has grown from 42,000 in 1961 to nearly 50,000 during the current school year. The Bureau now operates 254 schools, 31 fewer than the high of 285 schools in 1959.

BIA FUNDING

For fiscal year 1967, \$84.4 million was appropriated for the educational activities of the Bureau of Indian Affairs, and nearly \$40 million for construction of schools and related facilities. Of the \$84.4 million, \$72.2 million is earmarked for Federal school operations. Under the authority of the Johnson-O'Malley Act, \$9.5 million is allocated for assistance to public schools: \$1.6 million to pay full cost for 2,355 Navajo students in eight "border town" schools; and \$7.9 million to assist public schools enrolling some 50,000 Indian students in 17 States. In addition, \$2 million is available to provide grants-in-aid to eligible Indian students enrolled in colleges and universities, while \$0.7 million has been set aside for adult education activities.

tion, and PUBLIC LAW 81-874 PROGRAMS AND INITIATIVES IN INDIAN education. Local school districts annually receive about \$14 million of Public Law 81-874 funds and around \$3 million of Public Law 81-815 funds based on their enrollment of reservation Indian youngsters.

Under titles I, II, and III of the Elementary and Secondary Education Act of 1965 (Public Law 89-10) as amended in 1966, Bureau of Indian Affairs schools have obtained about \$5.4 million for fiscal year 1967.

Most U.S. Office of Education programs involve grants to State and local educational agencies. It is assumed that large numbers of Indian children in public schools have benefited from services provided through Federal programs such as titles I, II, and III of the Elementary and Secondary Education Act. The U.S. Office of Education has recently undertaken a thorough examination of its resources to identify and to help solve the special problems encountered in the education of Indian children.

In the area of research, the U.S. Office of Education has funded nine research projects concerned with Indian education, seven completed and two in progress. The Bureau of Research is exploring the possibility of funding research and development in selected Indian schools. Also, several regional educational laboratories, which identify

aimed at improvement of education of Indians and other minority groups.

In the area of teacher training, some of the teachers of Indian children have already been involved in summer institutes funded under the National Defense Education Act. Many more opportunities for such training will soon be available.

A data base for reservation education should be located within the Federal Government. Lists of those attending these meetings are attached.

Attending the first meeting were 18 Indian tribal chairmen and members of tribal education committees, representing 76 percent of the total enrollment in Bureau of Indian Affairs schools and 60 percent of the entire reservation population.

Indian representatives expressed concern about the transfer of education from BIA to the Office of Education. Fearful of "termination" of Federal activities in their behalf, they are generally opposed to the disruption of the traditional relationships which has existed with the Government. They indicated distrust of the fragmentation of Indian services within the Federal Establishment and felt that their welfare would suffer if these functions were further divided between agencies rather than remaining concentrated in the Bureau of Indian Affairs.

Attending the second meeting were college and university faculty who have conducted research on Indian problems, teachers of Indian children from both BIA and public schools, and others who have been involved in the educational aspects of community action programs. This group agreed that major responsibility for Indian education should remain within the BIA, provided that the BIA educational with the assistance of Indian groups, non-Indian groups, and State and Federal officials; and that Governors of the States involved should call attention to the need for improvement of educational opportunities for Indians in public schools.

The consensus at both meetings was that the BIA should be given time to carry out its new educational program before serious consideration is given to a transfer of the education function from one agency to another.

education. Much of the discussion centered on the assistance to help accomplish these objectives because of the limited financial resources of local school districts in many Indian areas. There was no consensus among these representatives concerning the proposed transfer of the education function from BIA to the Office of Education and many stated they did not feel sufficiently informed to express a firm opinion.

VI. TRANSFER OF INDIAN HEALTH TO THE PUBLIC HEALTH SERVICE

In an attempt to gain further insight into the possible effects of transferring Indian education, members of the Public Health Service were consulted regarding the transfer of Indian health from the Bureau of Indian Affairs to that agency in 1955. In reconstructing that ^{there are} ~~there are~~ ^{viewed that the decision was made quite suddenly, and} surrounding Indian health and Indian education, ^{there is significant} ~~there is significant~~ part in health to the existing system of State-supported education with well-established relationships between these systems and the U.S. Office of Education. Further, the Public Health Service is experienced in the operation and control of hospitals and other medical facilities, whereas the Office of Education has never operated schools or school systems.

VII. ANTICIPATED EFFECTS OF TRANSFERRING INDIAN EDUCATION

The effects of transferring responsibility for Indian education from the BIA to the Office of Education must be analyzed in the context of providing improved quality of educational opportunities for Indian children. The committee identified the following significant advantages and disadvantages:

ADVANTAGES OF TRANSFER

1. The quality of Indian education might be expected to increase as a result of the augmentation of significant professional expertise, research capability, and financial resources.
2. A more positive public image of Indian education could result from greater identification with the education profession.

influence to insure that resources become and continue to be available for Indian children enrolled in public schools and should urge States to give the same emphasis to Indian children.

4. Education must be viewed as a single, continuing process which ranges from preschool through adulthood. Beginning with preschool ^{filler the research and development} ~~filler the research and development~~

additional resources are made available. The second section includes those items which require additional legislation.

POLICY AND ADMINISTRATION

1. The Bureau of Indian Affairs should retain the education function at this time, working in close cooperation with the Office of Education to develop a high quality program of Indian education.
2. As long as the Federal Government operates schools, the principal official responsible for education should be in a role comparable to that of a superintendent of a major school system, i.e., with full responsibility for the total educational enterprise, including school construction, operation, and maintenance.
3. The Office of Education in HEW should review all its programs to determine how to make these available to the greatest extent possible for the benefit of Indian children enrolled in federally operated schools. In its own programs the Office of Education should exert

DEPARTMENT OF NATURAL RESOURCES

93

8. A review of vocational education opportunities for Indian children enrolled in BIA schools, in accordance with the BIA's policy of movement toward the public school system.

10. The U.S. Office of Education and the BIA should stimulate local school districts to take a more active part in bringing Indian children into their schools. Such a program will require in each community, planning meetings involving Indians, their non-Indian neighbors, local school officials, and representatives of State and Federal Governments. Integrated education should be encouraged. In many cases, however, this will be impossible because of extreme physical isolation.

11. A comprehensive study of the educational needs of Indians and the effectiveness of present programs—Federal, State, and local—in meeting these needs should be undertaken.

12. Ways should be explored to encourage development of junior or community colleges on or near the larger reservations to facilitate opportunities for Indian children.

gory which are
staff committed to working with the Indian child. Programs such as
Teacher Corps and VISTA should be fully utilized. The roles of teacher
and dormitory aids and other supportive personnel should receive
appropriate consideration, particularly as a means of involving the
community.

DEPARTMENT OF NATURAL RESOURCES

as that provided under Public Law 81-874 for impact areas. Closer
coordination of all these programs should increase efficiency and
effectiveness.

Respectfully submitted,
Department of the Interior:

ROBERT E. VAUGHAN,
Deputy Assistant Secretary.

JAMES E. OFFICER,
Associate Commissioner, Bureau of Indian Affairs.

DR. CARL L. MARBURGER,
*Assistant Commissioner of Education,
Bureau of Indian Affairs.*

Department of Health, Education, and Welfare:

JOSEPH G. COLMEN,
Deputy Assistant Secretary for Education.

WALTER E. MYLECRAINE,
Bonito, Wesley, education committee, Apache Tribe, Box 301,
Colmen, Joseph G., Deputy Assistant Secretary for Education, Department of
Health, Education, and Welfare, Washington, D.C.
Coombs, Madison, Deputy Assistant Commissioner for Education, Bureau of
Indian Affairs, Washington, D.C.

Cooper, Samuel, Tribal Council, Mescalero Apache, Mescalero, N. Mex.
Deloria, Vine, Jr., executive director, National Congress of American Indians,
1452 Pennsylvania, Denver, Colo.

Ducheneaux, Frank, chairman, Cheyenne River Sioux Tribe, Eagle Butte, S. Dak.
Education, U.S. Office of Educa-

Thom, Melvin D., chairman, Walker River Paiute Tribe, box 118, Schurz, Nev.
 Valandra, Cato W., president, Rosebud Sioux Tribe, Rosebud, S. Dak.
 Vaughan, Robert E., Deputy Assistant Secretary for Public Land Management,
 Department of the Interior, Washington, D.C.
 Walker, Tillie, executive director, United Scholarship Service, 1452 Pennsylvania,
 Denver, Colo.

NOVEMBER 11-12, 1966

Aberle, Sophie D., coordinator of research, Psychiatric Department, University
 of New Mexico, Albuquerque, N. Mex.
 Colmen, Joseph G., Deputy Assistant Secretary for Education, Department of
 Health, Education, and Welfare, Washington, D.C.
 Deloria, Vine, Jr., executive director, National Congress of American Indians,
 1452 Pennsylvania, Denver, Colo.
 Denny, Benjamin, Jr., 833 Ponderosa Avenue NW., Albuquerque, N. Mex.
 Dozier, Edward P., professor of anthropology, University of Arizona, Tucson,
 Ariz.
 Ducheneaux, Frank, chairman, Cheyenne River Sioux Tribe, Eagle Butte, S. Dak.
 Echelberger, Winifred T., Pierre Indian School, 808 North Central, Pierre, S. Dak.
 Fitzgerald, R. E., superintendent, Seneca School, Wyandotte, Okla.
 Gaasland, John, 840 Fourth Street, Wapeton, N. Dak.
 Geboe, Charles G., director, Indian community action project, University of
 South Dakota, box 85, Vermillion, S. Dak.
 Gentry, Robert J., director, child development programs, University of South
 Dakota, Vermillion, S. Dak.
 Moore, Josiah, Papago Tribe, post office box 277, Sells, Ariz.
 Myleraine, Walter, Assistant to Deputy Commissioner, U.S. Office of Education,
 Washington, D.C.
 Officer, James, Associate Commissioner, Bureau of Indian Affairs, Washington,
 D.C.
 Otte, Arland, U.S. Office of Education, Washington, D.C.
 Owens, Charles S., director of Indian education, State department of education,
 Santa Fe, N. Mex.
 Parmeter, Adrian T., Bureau of Research, U.S. Office of Education, Washington,
 D.C.
 Rock, Howard, editor, Tundra Times, box 1287, Fairbanks, Alaska.
 Roessel, Bob, Rough Rock Demonstration School, Chinle, Ariz.
 Snider, Glenn, professor of education, University of Oklahoma, Norman, Okla.
 Thomas, Hadley A., box 35, Tuba City, Ariz.
 Tilson, David, National Institutes of Health, Washington, D.C.
 Tyler, S. Lyman, director, bureau of Indian services, University of Utah, Salt
 Lake City, Utah.
 Vaughan, Robert E., Deputy Assistant Secretary for Public Land Management,
 Department of Interior, Washington, D.C.
 Victor, Wilma L., superintendent, Intermountain School, Brigham City, Utah.
 Ward, Phillip, Jr., director of instructional services, department of public
 instruction, Helena, Mont.
 Wilson, Jim, Director, Indian Branch, Office of Economic Opportunity, Wash-
 ington, D.C.
 Yazhe, Ethel, Hunters Point School, St. Michaels, Ariz.
 Zintz, Miles V., professor of education, University of New Mexico, Albuquerque,
 N. Mex.

Mr. COHEN. First, Mr. Chairman, let me say that we welcome your hearings on this subject, because we know the important interest that you have in keeping governmental functions adjusted to changing conditions. Regardless of our particular views on this bill, Secretary Gardner and I feel that the subcommittee performs a vital function of the interior would have a central allocation of responsibilities on the American public in recognizing the need for conservation of our natural resources and perhaps, even, it would be a better name to call it the Department of Conservation of Natural Resources. In view of the tremendous problem we are going to have in the future with the growing population, we must give very careful consideration to the conservation of our natural resources.

HEALTH ORIENTATION OF AIR POLLUTION AND SOLID WASTE PROGRAMS

In my statement I presented the reasons why we believe the air pollution activities and the solid waste programs that are now in the Department of Health, Education, and Welfare should continue to remain in the Department of Health, Education, and Welfare.

There are two basis points that should be made.

First, this is a matter of great importance to the public health of the Nation.

It will become increasingly more important as time goes on. We believe this is a health function and should remain in a health-oriented agency.

Secondly, at the State level, air pollution activities are largely concentrated in State health departments and there is a normal Federal- with the utilization of natural resources, there is a tendency toward, at least a tension if not a conflict, between the producers of coal and oil and other natural resources on the one hand, and, of course, the health function on the other. And I think it would not be, in the long run, of public interest to have these two functions administered in the same department when there is that difference in objectives.

As a matter of fact, I would maintain, Senator Ribicoff, that even if the function were transferred from the Secretary of Health, Education, and Welfare, the preservation of the public health would

RESOURCES 97

still have to be administered by our Department and, thus, the fragmentation of functions would probably be an even more difficult coordination problem than at the present time.

BUREAU OF INDIAN AFFAIRS SHOULD NOT BE PUT IN HEW

Now, with regard to the second aspect in this bill that affects our Department, there is a more difficult problem, and that is the one for the transfer of the Bureau of Indian Affairs to our Department. This is a problem which I know you have given a lot of thought to, and it has been discussed in the Federal Government for a long period of time. I have no doubt in saying that the transfer of the public health function that was formerly vested in the Bureau of Indian Affairs to the Public Health Service some years ago has resulted in a material improvement in the health of the American Indian, and I would have to say, in all honesty, that if the education function in the Bureau of Indian Affairs were transferred to the Office of Education, I think it would likewise result in an improvement in the education of the American Indian.

discussions with the representatives of the Indians, they have indicated that they are quite opposed to the transfer of these functions to the Department of Health, Education, and Welfare.

Senator RIBICOFF. Education too?

INDIANS FEAR CHANGE IN POLICY WOULD RESULT

Mr. COHEN. Yes, sir. It is my understanding, on the basis of Secretary Gardner's meeting with various Indian groups in Kansas City in February, that while they do not take a position of the sort of being specifically against the movement of one function, they look upon any movement or change as having a long impact in changing the whole philosophy of the Federal Government's responsibility with respect to Indians.

So, I would say that you have a very difficult problem in that the main constituents that you are interested in dealing with are, at least vigorously, I would say, opposed to it. It would certainly be an important factor, and requires further consultation with them before any such change in part or in whole is made.

Senator RIBICOFF. I am just curious.

The Indians probably admit, do they not, that having transferred

Do they consider that, if they transferred education, the education of the Indian could be improved, too?

Mr. COHEN. I believe that their position is that they look upon this as the Federal Government withdrawing from its financial responsibility for the total support of Indian activities. In other words, they

Mr. COHEN. Well, I would hope that that ~~could be expressed~~ them. I think it would require some time. I would have to add that there is one big philosophical question that has never been totally reconciled in the educational field, and that is whether it is desired that there be complete integration of the Indians into the cultural life of the white man or the maintenance of a kind of separation of their activities in separate schools. And there is a very strong difference of opinion on that matter, about how you regard the future of the American Indians, and I think perhaps that element in the difference of opinion is a factor for not getting a complete agreement.

Senator RIBICOFF. What do the Indians want?

Do they want their separate schools, or do they want to be integrated into the overall school system?

Mr. COHEN. Miss George has been working with the Indian groups, and she might be able to tell you what their view is. I am not certain.

DESIRE FOR INTEGRATION IS INCREASING AMONG INDIANS

Miss GEORGE. One of the problems about the segregation aspect is the fact that Indian children attending Federal schools usually reside in isolated areas, so that under any jurisdiction they would not be in best of opportunities. Do you think that isolation would be policies that puts education in the Department of the Interior?

REPORT STRESSES IMPROVEMENT OF INDIAN EDUCATION

Mr. COHEN. I would say, Senator, at least from this report that we made, that quality education for the American Indian has not yet been achieved, and I think that there is a lot more that can and should be done to improve education for the Indians.

Senator RIBICOFF. Well, what does that report recommend?

Mr. COHEN. That report represented an attempt to discuss with the Indians what these problems are and what might be done, and it lists on page 5 a series of meetings held in 1966 in Denver with the Indian leaders about their concern, and I will read you just a part about it.

Indian representatives stressed concern about the transfer of education from the Bureau of Indian Affairs to the Office of Education. Fearful of 'termination' of federal activities in their behalf, they are generally opposed to the disruption of the traditional relationship which has existed with the Governors' offices and should consider the readiness of local or State systems to provide quality educational services. They recommended further that local studies be undertaken, with the assistance of Indian groups, non-Indian groups, and State and Federal officials; and that Governors of the States involved should call attention to the need for improvement of the educational opportunities for Indians in public schools.

The consensus of both meetings was that the Bureau of Indian Affairs should be given time to carry out its new educational program before serious consideration is given to transfer of the education function from one agency to another.

INTERIOR AND HEW MEET WITH INDIANS

Senator RIBICOFF. What are you doing now?

Have you stopped the dialog between the Indians and Interior and yourself?

Mr. COHEN. No, the dialog has continued during this period of time. Our Deputy Assistant Secretary, Mr. Colmen, who is responsible for continuing this dialog, has been meeting with the groups. In fact, he is not here today, because he is out in the West continuing those meetings.

But I must say that, from what I know as of now, there has not been any singular change in the attitude of the Indian leaders with regard to this question.

INDIANS HAVE BEEN NEGLECTED

to pursue these efforts, because I know what was achieved in the field of health when the transfer was made, and my thinking is that this could be achieved in education, too, if the transfer was made to the Department of Education.

I think, with patience in explanation and communication, this could be pointed out and plans made to show how changes would be made

the Department on the grounds that this is a matter of public health which is located in the Department whose primary concern is health. Yet a change was made in water. How do the air and water programs differ?

Mr. COHEN. Well, let me read you from my paper which I think attempts to answer that question.

If you will turn to page 11 of my statement—

Senator RIBICOFF. What page, sir?

Mr. COHEN. Page 11, sir.

AIR POLLUTION AFFECTS PUBLIC HEALTH

I say:

The proposed transfer of responsibility for the air pollution and solid waste programs to the Department of the Interior might well create more problems than it would solve. To be sure, air and water pollution, in particular, are often talked about as though they were twin problems, but are they really so much alike? The fact is that they are not, even though they have many things in common. We must breathe the air as it comes to us—polluted or not. The same deal has been written and said about the capacity of the atmosphere to dilute and disperse the pollutants released into it, the fact is that despite daily and seasonal variations and despite geographical differences, the air in all parts of the country has only a very limited capacity to purge itself of pollution. It follows, then, that the techniques applicable to the management of other natural resources are only slightly, if at all, applicable to the protection of the air resource. This dichotomy certainly would not be eliminated by assigning the responsibility for air pollution research and control activities to a Department of Natural Resources.

Senator RIBICOFF. Well, do you figure that the public health would suffer if air pollution were transferred to a Department of Natural Resources?

POLICY AND ADMINISTRATIVE REASONS

Mr. COHEN. Well, I think the primary problem, as I see it, is, first, a matter of policy and, secondly, a matter of administration.

On policy, I think that in putting this in the Department of—what is now—the Interior where you have the Bureau of Mines and where you have major concern for the producers of coal and oil, which are part of the great sources of pollution, you are putting the regulator and the regulated, in a sense, together in the same basket, and I think

You are aware that the Department has asked for increased funds and support for the air pollution program. We anticipate building a rather major activity in research and development along these lines, specifically with respect to the emissions of sulphur oxides.

In this particular case, we have launched a major activity of research and development involving industry as well as the Federal

...related problems submitted a report to Secretary Gardner setting forth 10 action goals for the Department. The Chairman would like Dr. Prindle, who is the Director of the Bureau of Disease Prevention and Environmental Control, to answer that question.

Dr. PRINDLE. Mr. Chairman, we have reviewed these goals which were set by the so-called Linton committee. We feel that many of these are highly desirable goals, and we concur with their general principles. They were reviewed not only by us but by a number of other departments and other outside groups as to the feasibility of specifics, that is, as to the setting of, say, 90 percent as a desirable goal in a certain period of time. I think, in truth, many of these goals can be reached in the time periods that are stated.

I think there is a serious question as to the economic impact of taking such action so rapidly, as far as gaining this through a Federal operation. I believe, however, that in setting some of these specifics, this can be solved and we intend to.

REDESIGNATE THE DEPARTMENT OF THE INTERIOR AS THE DEPARTMENT OF NATURAL RESOURCES

FRIDAY, OCTOBER 20, 1967

U.S. SENATE,
SUBCOMMITTEE ON EXECUTIVE REORGANIZATION,
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:05 a.m., in room 3302, New Senate Office Building. Senator Abraham Ribicoff presided.

EXHIBIT 10

SUPPLEMENTAL STATEMENT OF LT. GEN. WM. F. CASSIDY, CHIEF OF ENGINEERS

A suggestion was made in the hearings on Thursday that recreation at Corps projects should be administered by the National Park Service. I would be pleased to explore fully the possibilities.

The management of our project properties, like Forest Service properties, are for multiple purpose use. Not only do we administer public recreation areas in conjunction with State and local administrations, our land areas include wildlife preserves, thousands of leased private cottage sites, scout camps and church camps and hundreds of thousands of acres in agricultural leases—75% of the National Recreation Areas. The Corps is in consideration for their loss at the projects concerned. This requires that the Corps maintain a work force at the project. This work force is concerned not only with pool regulation and the physical maintenance and operation of plant, but also is engaged in such activities as debris and mosquito control and fire protection. There is over-all efficiency in having this work force also handle recreational management not integrated into State and local programs. And in the sense that recreation is a continually developing activity, it involves plan revision and continuing construction which is not alien to the responsibilities of the Corps at the projects concerned.

Recreation use of areas and facilities is common to a great many Federal programs. Large areas have been developed and are being administered by the agency responsible for the programs. For example, the Forest Service has developed unusual recreation potential by acquiring and managing vast areas of National Forest lands under a multiple purpose concept. Where lands adjacent to a Corps reservoir are within a National Forest, the Corps and the Forest Service work out a plan under which the Forest Service develops and administers the recreational areas. The TVA, Bureau of Land Management, Air Force, Army and Navy and others all contribute to the recreational resources of this country. The management of these resources is coordinated by the President's Council for Recreation and Natural Beauty. Thus the recreational potential of the country is a coordinated multi-agency endeavor.

We would be glad to undertake with the Park Service, the Forest Service and the Bureau of Outdoor Recreation, a joint study of the administration of the national resources. In doing so we should of course keep in mind the national

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

Secretary UDALL. Thank you very much, Mr. Chairman, and please accept my apologies. My intentions were good but the traffic patterns were bad this morning, if I may excuse myself.

Senator RIBICOFF. Were they on roads supervision? I often had it in my mind to write you a note, but I would hope that you would have somebody from your Department just take a look at that spot as you come off Key Bridge heading toward Washington.

Secretary UDALL. Senator, my Assistant Secretary just whispered in my ear that he has had the very same reaction and that the Park Service is already looking at the problem.

Senator RIBICOFF. It would mean cutting the sharp corner, just widening it a little bit. That is all—really a minor job. But I often come off that road, and I am amazed that there are not many more serious accidents right at that point.

STATEMENT OF SECRETARY UDALL

Secretary UDALL. Senator, I have a prepared statement which I should like to have appear in full. I am not going to read all of it. In fact, I think it might help more to get right to the heart of the matter if I summarized the highlights of it—

Senator RIBICOFF. All right.

Secretary UDALL (continuing). As well as maybe express some of my own personal feelings that I am sure will be drawn out in questioning if I do not express them myself. In the country, I think some of the changes and developments have been very significant. My own personal feeling is that my Department is today a department of natural resources, in fact. And I have been fascinated, Mr. Chairman, as I have gone about the world and as I have dealt with other nations to see how they organize in terms of governmental departments; Canada, Japan, Mexico, the countries of Western Europe are the ones that I am familiar with. The one thing that fascinates you when you look at the way governments

you have a true department of natural resources—nothing being in place as you would put it in an ideal world. My own Department is more of a natural resources department—I mean there are more natural resources functions—than in any department in any other country that I am familiar with today. I think certainly the idea that is behind Senator Moss' legislation, that there should be a Department of Natural Resources, is sound. In fact, I think we have one in everything except name.

DEVELOPMENT OF INTERIOR DEPARTMENT

The Department of the Interior got its name in 1849 at the time the two biggest functions it had was the Indian Bureau and what was then called the General Land Office. In 1849 the California gold rush was on, the settlement of the West, the breaking of the frontier, was just beginning, and the word "Interior" was a pretty good description of the Department at that time, although it was a catch-all department. We had what was then the Veterans Bureau and the Office of Education, such as it was, and other housekeeping functions.

So "Interior" described the Department at that time. Over the years and until rather recently the Department was also thought of as the department for public lands and Indians and the

There are three or four major developments that have occurred while I have been Secretary.

In the first place, as a result of the outdoor recreation study that was carried out beginning in 1958 with a report by the group that Laurence Rockefeller headed in 1961, we established a Bureau of Outdoor Recreation. And to give it a further action focus, we established a Land and Water Conservation Fund.

This Bureau is working today with all 50 States in terms of planning their outdoor recreation needs. We have a national master outdoor recreational program that we did not have before. My Department runs it, supervises it.

In that sense, my Department is much more national than it was before.

FEDERAL WATER RESOURCES COUNCIL ESTABLISHED

The second very significant development was the enactment of the Water Resources Planning Act of 1965. Previous to that time, planning was compartmentalized to a high degree. The Bureau of Reclamation, the Corps of Engineers, were the two main resource, or water planning agencies.

the Federal water planning policies are really made. We do not make them in my Department. The Corps of Engineers does not make them. The Federal Water Resources Council is the real water planning agency.

It is functioning well. It started off slowly, but they are working over there every day. My Department and the Corps of Engineers, for example, both find that neither of us can act independently any more. We have to work much more closely together. And the Water Resources Council is going to be calling the shots more increasingly in terms of important national policy.

This is a second very important development.

I am Chairman of that Council. I also serve as the Federal member on the Delaware River Basin Commission. I was designated by the President to represent the Federal Government in this area. And this apparently is going to be an increasing function.

REORGANIZATION OF WATER POLLUTION CONTROL PROGRAMS

The third very important development, perhaps the most vital of all in terms of any department, and this committee—and the chairman of this subcommittee—management functions of the Federal Government were centered in a single department. I think this was a very wise decision. This, more than anything else, made my Department national because we are dealing in this program with all the water of the Nation, with all 50 States, with all of the cities. This was a very vital step.

Now, Mr. Chairman, we get down to the problem of what action should be taken if the Department of Interior is, in truth, as close to a Department of Natural Resources as exists in the Western World, if I may put it that way. Of course, you could proceed by simply changing the name to describe what the department is, in fact, doing.

DEPARTMENT OPERATES AS DEPARTMENT OF NATURAL RESOURCES

I think my Department has a sense of mission today that it did not have 7 years ago in that it is no longer a loose aggregation of bureaus that are carrying on various functions. We feel that our mission is the conservation of the Nation's resources, developing a concept of steward-

ship for the management of those resources. We preach this every day. We think it all the time. We, I think, have a very harmonious attitude within the Department as a whole. I think the trouble with some of the reorganization proposals in the past has been that—I am not critical in the sense that I think that type of thinking should not be done—any time that you propose to do things with one fell swoop you then unite all of the opposition and nothing is done.

The Hoover Commission report was a good example, because they proposed—and I think quite wisely—that a Department of Natural Resources be created, but they proposed it in such a sweeping fashion that nothing actually was done. And yet what I am trying to point out, Mr. Chairman, is that in a very quiet pragmatic, piece-by-piece way, in the last 7 years very significant things have been done to make to do this, let us tidy up. If we are ~~Natural Resources~~ ^{Natural Resources}. I think it is, to tidy up, so we will take the Indian Bureau out of the Department; and we will take the Office of Territories out of the Department. It is usually laid down as the price for changing the name of the Department.

OPPOSITION TO TRANSFER OF INDIAN BUREAU

Well, to me, we do not have a clear-cut concept here, and we do not live in an ideal world either. My Department has had as one of its first missions its relationship with the Indian people and with their resources. After all, the Indian people of this country own over 2 percent of the land. They have resources. The management of those resources is one of our important functions.

The Indian people also have a close emotional tie with my Department, as Secretary Gardner and I found when we talked with some of the Indian leaders last winter about this whole problem and reorganization of the Indian Bureau.

If you were to say today—to me as an administrator—that you would change the name of the Department, at least take that one step, but as the price for doing that you would insist that the Indian Bureau and the Office of Territories—we have administered historically these things quite successfully—that they be

management problem. This is the reason for the program to go to a Department of Natural Resources. This to me was the best argument for doing that.

As times change, as thinking changes, we will probably see the movement of activities in and out of the Department, but I think this will be done on a pragmatic, piece-by-piece basis.

The Congress last year—and this subcommittee was involved—created a new Department of Transportation. ~~yet this was not a new~~ and we have a status quo situation. It certainly has not been any status quo business as far as my Department is concerned in the last few years. It has been a very dynamic situation. Whether we change the name or not, I think my Department, as I said at the outset, is more a Department of Natural Resources than any government that I am familiar with has today. And I think that this process will continue. How it evolves will depend on the judgment of this committee, on the feelings of the people of the country, and on what kind of organization we want our Government to have.

Having said that and exposed some vulnerable points, Mr. Chairman, I think I will rest my initial statement on that.

PUBLIC DISCUSSIONS ARE ESSENTIAL

Senator RIBICOFF. I followed your argument, Mr. Secretary, and I gather that you like the idea of Department of Natural Resources. I also gather, since everybody is against you and you cannot get the approval of the President and the Bureau of the Budget, that you feel you might as well do the best you can with an unhappy situation, as far as you personally are concerned. This is what I sense from what you said.

However, be that as it may, I think it is essential that we have

I think we should look at this, and I was interested in that they proposed it.

Senator RIBICOFF. One of the values of a hearing such as this is that pieces of services come out in greater focus.

Now, basically, the Corps of Engineers does an outstanding job. I

I gathered from the testimony of the Engineers yesterday that they were doing the best they could. They were not enthusiastic about having this mission, but it was there and they would undertake it.

I think it was indicated by General Cassidy that at one time—the date was not stated, whether it was with you or your predecessor—the Corps of Army Engineers wanted to give their jurisdiction over their recreation areas to the Park Service but the Park Service turned it down.

Was that while you were Secretary, or was that prior to your time?

Secretary UDALL. No, I think it was probably prior to that, Senator. And I think there is a very strong case for it.

You see, the National Park Service manages national parks, national park areas, and some recreation areas. The Bureau of Reclamation or the Corps of Engineers as the agency which built the facility manages the works after they are completed, and, also, carries out the recreational aspect. I have never gone into this in detail. I think it deserves. But this is something that I cannot give you a very good answer because, quite frankly, we have not, while I have been Secretary, had a serious discussion of this with the corps. I think the corps central mission always has been that they are a construction agency. They carry out all kinds of construction projects in this country. They have from the beginning of the country. This has been their main mission. It is quite true that outdoor recreation does not fit in with that as a main concept. I think the corps has done a good job. I am not critical of them, but I can understand them feeling that maybe the recreational aspects should be carried out by a department that has that as a main mission.

then, but I do not think that anybody could have done a good job. And this was a wise decision.

There is no subject that I am interested in more; there is no area where I think we have got to improve our performance more today of orienting people than in education.

The new Assistant Commissioner for Education, who just went on the job a few days ago, I deliberately picked out of the Office of Education in HEW, one of their top people and a very able person.

I told Secretary Gardner and Commissioner Harold Howe that I wanted one of their men. I wanted us to have the very closest cooperation with them.

We found, a year or two ago, when there was a serious discussion

the Indians even if it remains with you?
Secretary UDALL. I would like to comment on this, because this is a subject on which I have very mixed feelings myself. I am being probably more candid than I should in discussing it in this fashion.

HEW WOULD HAVE TO RUN INDIAN EDUCATION SYSTEM

There is no question at all. You are absolutely right, that Congress made a very wise decision in 1954 when it transferred the respon-

DEPARTMENT OF NATURAL RESOURCES

113

EDUCATION IS TIED TO OTHER INDIAN RESOURCE PROGRAMS

Secretary UDALL. Well, Senator, I want to present the other facet, because I said I had very mixed feelings on this subject. There are two main functions, really, so far as the Indian Bureau is concerned: land and people. These people own land. They have resources. They have 2 percent of the land. We left them what we thought was the worst land in this country, but they have 2 percent of it, nevertheless.

The feeling of the Indian Bureau people was, if you transferred education, that this is such a large segment, and it is linked to the resources program, so you ought to transfer the whole thing.

Senator RIBICOFF. What is your education budget?

Secretary UDALL. If you have someone on your staff here, they could call up, call over to the Department and find out.

And also how many employees do you have in the Interior whose work is in education or connected with education?

Secretary UDALL. Well, the Indian Bureau has 11,000 to 12,000, in that range, employees, and more than half of them are school people, substantially more than half. I would again say about two-thirds.

(Subsequently, the following information was received for the record:)

me about bureaucracy that I learned from agencies and departments in education, and if any segment of HEW is afraid to take this on, I think they have quite a lot of nerve to tell everybody else how to run their own affairs if they have fear in tackling a tough problem.

championing and ignoring the development of natural resources short end of the stick in a very bad way in terms of resources.

Senator RIBICOFF. I do not think that either Senator Moss or I, or anyone else, is advocating taking the Indian Bureau out of Interior. I think the only concern that I have—I do not know about Senator Moss or Senator Hansen—is the education function. I would never want to see the Indian Bureau taken away from Interior or the Department of Natural Resources. I am just thinking of trying to upgrade education as we did health. That is what I have in mind.

Secretary UDALL. The point I am trying to make is that, when it comes to Indian resources, for example, when it comes to water rights, and so on, my Department is the Department that has the primary responsibilities. Water for development purpose is oftentimes extremely vital. In having someone who will champion them in court and in the battles with others who want water in some parts of the country, it is absolutely vital that you have someone who is there and who is going to see that the Indians are not last but that they are first in terms of what is done. This is the way that we conceive of our responsibilities today.

Well, having said that, Senator, I did want to make my own personal views, on the basis of my own experience, clear with regard to

Senator HANSEN. Well, first, let me compliment you, Mr. Secretary, on your observations here.

I have not yet had a chance to read your prepared statement. I certainly have been most interested in what you have said here in

over, so to speak, and trailing with that we will have all within one new Department, then Congress must give very careful and detailed study to such a process.

HANSEN RECOMMENDS AGAINST TRANSFER OF CIVIL WORKS FUNCTIONS

I would like to point out, too, if I may, that much of what has been discussed here this morning, Mr. Chairman, is a recognition, I think, as you put it, of the fact that the Department of the Army, through the Corps of Engineers, does have a great number of visitors, but in my judgment that is not of itself sufficient reason to transfer that agency from the Army to a new department. I say this, because I am aware that in the West we have two very effective loosely knit organizations, and I refer to the Columbia Basin Interagency Committee and the Missouri Basin Interagency Committee. I am certain that Senator Moss knows considerably about these two groups. But what they do do is to afford a forum and an opportunity for all of the agencies, Fish and Wildlife, for example—I think you have had quite a hand, incidentally, in furthering along the good work that has resulted from this informal meeting—getting together with the various interested resource agencies from time to time and discussing the total aspects of a job. I think that makes the case very well for trying to recognize an important use of a facility and taking that as justification for transferring that function to a new department.

I would like also to agree most wholeheartedly with you, Mr. Secretary, insofar as Indians are concerned.

INDIAN BUREAU SHOULD REMAIN IN INTERIOR

Now, as I read the bill, I think that section 5 does indeed propose to transfer the Bureau of Indian Affairs to the Department of Health, Education, and Welfare. I think that there are some good reasons why that should not be done.

First, in my own State of Wyoming, our biggest minority group, as the Secretary and as Senator Moss know, is our American Indian. We have two tribes out there. We have two and a half times as many

Indians in Wyoming as we have Negroes. The Spanish-Americans, to which an allusion was earlier made, are a minority group in Wyoming also. But I think if we were to separate the different functions that are performed now by the Bureau of Indian Affairs, we would have a proliferation of activities. We would have an overlapping. We would inject into the operation an endless amount of redtape.

COORDINATION OF INDUSTRIAL PROGRAM FOR WYOMING

We are trying, with the support and active consideration of the Secretary, to develop some industrial programs in Wyoming. We are thinking about building a sawmill, and we would hope to somehow combine the functions that could be separated by carrying on a work-training program, by making use of a resource, by developing jobs, by developing an industry and an economy, and I can see some awfully good reasons, why one single agency can do a far better job and do it far more expeditiously than could be done if we were to take the job

Now, just in conclusion—I have been overy long, ~~and I am~~ let me say that I think the Department has made some real progress, and that the measure of our progress, I think, will be determined more by the end results than by nomenclature, and I suggest what has been done during your tenure, has been helpful. You have pioneered in a number of important areas in what has been done in facing up to important problems that were not recognized some years ago. And I would suggest that, as has already been indicated, if we try to set up a new Department, immediately a lot of people—and I know Senator Moss and I would agree on this—will oppose the idea simply because it is a change, and any time anyone suggests a change, that always comes into the picture.

So, I am simply saying that I believe we ought to take a long hard look at it and be more concerned with actually what is accomplished by the Department than to concern ourselves now with this.

I want to compliment you, Senator Moss, on giving a lot of good hard thought to a problem that certainly is of real concern to us, and I am sure of your honest desire to try to make our natural resources service better than it is.

Thank you, Mr. Chairman.

Senator RIBICOFF. Senator Moss?

" discussion about the problem, and I think all of us—and I believe that the Secretary agrees—know that we have a number of organizational problems that deserve some attention and correction, if we can provide that.

REASONS FOR MOSS' BILL

I think maybe first I ought to exonerate the Secretary. He did not put me up to this, to suggest a Department of Natural Resources, nor did he suggest in any way that I introduce legislation of this sort. In fact, I do not think I ever mentioned it to him until the bill was in and he had noticed that the bill was in. That was the first time we ever had a conversation about it.

The idea of introducing this bill has grown from the fact that for about 10 years now I have been working in the resource field in the Senate—I devote the major part of my effort in the Senate in this area—and I can see all kinds of conflicts and overlaps and inefficiencies that I think we ought to give some attention to.

And, as I indicated the other day—and I think this accords with what the Secretary said—we get along remarkably well with a rather untidy organization. The degree of cooperation and coordination between the departments and their agencies in two departments—the Park Service and the Forest Service—assigned to this same reservoir with recreation functions. Both agencies have done an excellent job. They have been cooperating with one another, and it is really remarkable that they have got along so well. But it finally became apparent that this was inefficient, and had built into it the seeds of conflict, and that we ought to make a decision, and give the authority for the management of the reservoir to one department or the other. The bill before us yesterday was the one that proposed that all recreation functions go to the Forest Service in this instance.

I think that little facet is representative of the basic idea behind this bill. And there are many other examples.

DUPLICATION OF AIR POLLUTION CONTROL PROGRAMS

I read an article—in fact, this was in the Washington Daily News day before yesterday, I believe—in which Senator Kuchel was making

a speech out in California, and he was talking about air pollution. But what he said is the sort of thing that is the background here for talking about other resources.

He said, and this is quoting the article:

The Government has tackled the air pollution with too-little, too-late, and the result is an increasing patchwork quilt of overlapping air pollution programs full of duplication and full of holes.

And then two paragraphs later it says:

Currently air pollution control programs are being run by the Environmental Science Service Administration, Atomic Energy Commission, Bureau of Mines, Air Pollution Control Division, Tennessee Valley Authority, Environmental Health Services Center, and Solid Waste Office.

Then, Senator Kuchel goes on talking about the subject.

But this, it seems to me, is what we get into very often and what I think we have got into in many areas of the resource field. And as a

Secretary UDALL. Well, Senator, I think I made it very plain. As you know, one can say what is in a name and maybe names are not important, but I think names are important, among other reasons, so that people clearly understand what the functions are and what the missions are.

The name "Interior" does not mean anything to the country today, except in the sense that people identify and know, in fact, what the Department does.

I went to the Middle East last February, and Cairo Radio kept telling the Arab world that I had come out—because "Interior" means "police" in most parts of the world—to help reorganize the police in those countries with which the United Arab Republic did not happen to be friendly at that time.

It is this type of thing that gnaws at me and bothers me.

I think the best way, Senator, to get a Department, a true Department of Natural Resources, an ideal Department of Natural Resources, is at least to give it the right name. Therefore, if nothing else were to come of this except that, I would not consider it a small step. I would consider it an important step.

Would you settle for that, Senator Moss?

very clearly to the American people in 1960—that resources do not fit in compartments. Nature is one system, and, therefore, the case for a Department of Natural Resources is much stronger today than it was previously.

I still get back to the fact that I think the best way we help produce a Department of Natural Resources is to have it evolve, and the best way to have it evolve is to have people understand, as you are trying to help them understand, what the rationale and the logic is in terms of governmental organization.

Secretary UDALL. NO, Senator. I was indicating that, if the Corps of Engineers people feel that perhaps we should carry on the recreational function, I think we ought to give serious consideration to this. Maybe this is a sound idea, but I have not gotten into this in any depth. Until I can sound my own people out—and I think I should—I would not want to give you a flip answer here in terms of what I think should be done.

Senator Moss. Well, as I understood it, this was more a suggestion by the Secretary of the Army, that they might well like to be rid of these functions in the recreation area, and I wanted to point out that we do not necessarily leave recreation management with those who construct the reservoir, because we are busily creating national recreation areas around our reservoirs.

Senator Hansen and I were sitting in on a hearing yesterday on that very subject. And if the National Park Service is organized so that it can operate a recreation area in Glen Canyon or Whiskeytown, or wherever else, I do not see why it would not be equipped to take on the recreation functions of the Corps' reservoirs.

Secretary UDALL. Well, my initial reaction is that we perhaps should do this. I am not negative on it at all, but I do not want to commit my Department until I have had a chance for everybody to be heard but I

has come up recently on the Little Dell project out of Salt Lake City?

Secretary UDALL. Senator, I have just followed it at a distance. I

we maybe should put the program in the Department of the Interior. You could say, "It is a health problem, put it in HEW." You could say "It is a resource problem, put it in Interior." And, in fact, part of the responsibility, some of the responsibility was put in my Department. It would not surprise me if this evolves, if we do what we ought to do. These are really not wastes. It is inefficiency. And we are going to be recycling and reusing these resources rather than dumping them. And if we do, we are recycling resources, and this might evolve to the point, like water pollution, where at some point the logic of having it come to my Department would be rather clear.

At this point—and I am not arguing that this is the time to do it—we have decided that it is a health problem and that primary responsibility should be in HEW, but this is something new. The Federal Government did not really get into this field—it, in my judgment, is getting into it late—until 2 or 3 years ago. But this is what I mean when I talk about things evolving.

Senator Moss. Planning, yes. The Council, yes; the planning.

Secretary Udall. Well, I think the Council is still on trial. I think it is working very well, and I think it gives us a very good focus for a type of overall thinking, in having the Federal Government have one mind when it approaches water problems, and have the big decisions made by a council of this kind. I think this is very vital, and I think it is going to work increasingly well as we go along.

It always seemed to me that this was a pretty logical approach to the problem. This is one approach to the problem. But, as I say, part of this, in my judgment, is already being done through the Water Resources Council in terms of a certain aspect of the planning, as far as coordinating the national water planning effort and goals.

Senator Moss. You are still dealing with the same old problem.

of the planning functions in one department, even if we should leave the actual construction work in other departments at the present time—that is, we are talking about sort of a halfway house?

WATER RESOURCES COUNCIL AIMS AT COORDINATED PLANNING

Secretary UDALL. Well, Senator, in one sense, some of the most vital planning functions, the big policy planning functions, have already been moved to the Water Resources Council. I know Elmer Staats, who is now the Comptroller General and who was once Deputy Director of the Bureau of the Budget a few years ago—I know his idea of reorganization which he advanced—and he probably still holds that view—was that he would not put the Corps of Engineers in a Department of Natural Resources; he would leave it as a construction agency but would have the planning function done by the Department of Natural Resources.

DEPARTMENT OF NATURAL RESOURCES

123

At that is the result, that does not bother me.

Again, with my philosophy of evolution, if there is a time down the road when the Departments' philosophies and their objectives come into conflict the way they have had at times in the past, I think you are going to see a stronger and stronger argument made for saying: "Well, this is stupid. Let's put it all under one Department and under one management."

But I do not advocate that here today. I have not advocated it in the administration. I know there is a strong argument for it. I know there is a strong argument against it. I think Secretary Freeman and I have done a great deal, and the legislation you were working on yesterday is a good example. We had vigorous argument within our Departments as to who should administer the area, and we resolved it. We have decided to get things done and to move down the road and to not sit around spending a lot of our energies in fruitless disputes

and water resources. Their economic functions perhaps belong with the Small Business Administration or OEO or some place like this. If we could get to dealing with them in this manner, don't you think we might bring the Indians along to self-sufficiency sooner than keeping them as a ward of a particular Department to which they have an emotional attachment?

Secretary UDALL. Well, I hope, Senator, that you have misdescribed it a little bit. I would hope that the Indians—

I do not have any doubt in my mind that if the education function were transferred, probably HEW would do a better job. They would be on the spot, as Senator Ribicoff hinted, and I think they would have to do a better job than we are now doing, although we are trying we are putting great emphasis on education to do a much better job. I do not want to just put one specific in, that you are familiar with yourself, Senator. In the Navaho-Hopi Reservation in Arizona where they have large coal deposits and where the electric power companies are looking around for development—you are familiar with this, because it is something you and I have discussed—I could say to these electric power companies, "Look, I want you to develop this Indian coal. If you do, I will give you a water contract," because the Department has the right to contract for water out of Lake Powell. "And I will put this whole thing together, and we want these Indian resources developed."

Now, if a Secretary of the Interior just sat back, you will have what has happened everywhere else. You develop all the resources, and the Indians are just developed last. And this is what I mean when I say that if a Secretary is toughminded and if he is determined to put the Indians first in terms of development, there are many things that he can do.

Senator MOSS. Well, thank you, Mr. Secretary. I appreciate your clarifying these points that I have discussed with you. I would hope that out of the record that is made here there will be material on which to continue a dialogue here in the Congress and

much confusion. Well, there is some confusion of the things we might clear up if we could get the Government better organized so that the whole citizenry knows where to go to get an answer that is the Government's answer, and it is not going to be different down the hall or wherever else he goes.

Secretary UDALL. Well, Senator, you are absolutely right, in my judgment. You know, life is becoming more complex. That is the dynamism of modern life. That means Government has become complex. The only way we can combat this in terms of governmental organization is to constantly be organizing and to be simplifying. And I think that is the essence of your proposal. That is the essence of the work of this committee, and I am pleased that this President that I now serve has been very reorganization minded. I think he has done more than almost anyone in this century. There have been two new departments. He has been very positive in terms of reorganization. And I think this has been a morning very well spent, as far as I am concerned.

Senator MOSS. Thank you.

Thank you, Mr. Chairman.

Senator RIBICOFF. Thank you.

Thank you, Mr. Secretary.

works functions of the Army Corps of Engineers, Secretary Udall reads in under section 4(e) of the Federal Power Act of approving the plans for dams or other structures affecting navigation for which a license is sought from the Federal Power Commission; the Forest Service and the watershed protection and flood prevention functions of the Department of Agriculture; the National Oceanographic Data Center and all nonmilitary functions of the Secretary of the Navy which are being administered through the Center; the functions of the National Science Foundation under Title II of the Marine Resources and Engineering Development Act of 1966 relating to sea grant programs; and the functions of the Secretary of Health, Education, and Welfare under the Clean Air Act and the Solid Waste Disposal Act.

The bill would transfer from this Department to the Secretary of Health, Education, and Welfare the functions now handled by the Secretary of the Interior with respect to Indian Affairs and Territories.

The Department of the Interior has, from its creation in 1849, evolved from a sort of "Home Department" that was primarily interested in the care of our lands and territories in the West into a Department that has interests that are national and international in scope and reach into the everyday lives of all our citizens. The present responsibilities of the Department have led some of us to refer to the Department as the Department of Natural Resources because of the scope of activities now carried on by the Department.

We know that the dynamic strength of a forward-looking America depends upon the full and creative development of our Nation's natural resource base—our mineral wealth, our vast plains, our timber-laden forests, our rivers, streams, and lakes, our irreplaceable wildlife, and our scenic and recreational resources.

We have for over 300 years depended on these natural resources to furnish the bone, muscle, and lifeblood of the most highly developed industrial society in mankind's history. Our resources, however, are not inexhaustible, and predictions have been made that by the middle of the 21st century people will face a grim struggle for existence, with food and water in short supply and with reserves of many minerals depleted.

No one really knows whether such grim predictions will come to pass. Human resourcefulness, ingenuity, and invention—coupled with creative determination—can prevent this predicted calamity. We must work creatively, therefore, to provide for the development, conservation, and wise utilization of the Nation's natural resource base to meet the requirements of today's citizens and to pass along our resources to the generations of unborn.

The Department of the Interior, in cooperation with the other Departments and agencies of the Federal Government, with State and local governments, with private foundations, and with interested individuals, has worked to develop, utilize, conserve, and perpetuate for the future our natural resources.

Representatives of the Department of the Interior can estimate that the Nation's natural resources are worth \$1.5 billion annually.

We exercise Federal trust responsibilities for about 380,000 Indians, working constantly to improve both the natural and the human resources of the Indians.

We increase the mineral and fuel potential of our Nation by assisting technically—and in the case of strategic minerals, financially—in developing and improving mining methods and geologic knowledge, and by promotion of conservation through wise utilization of our mineral and fuel resources.

We protect and administer more than 230 national parks, monuments, and historic sites, and create new recreational areas at multipurpose water resource projects—as well as make public lands available for recreational needs to States and municipalities. The various recreational lands and areas of the Department are the scenes of some 200 million visitor days of use annually.

We promote the conservation and development of our vital fish and wildlife resources and protect these resources from unnecessary depletion and selfish use.

We finance and conduct research on the water and mineral resources of the Nation with an eye to the future. We provide for the basic geologic and topographic mapping of the Nation.

We administer laws and programs to solve water pollution problems of the Nation. We direct and coordinate the national effort to achieve the economical conversion of the waters of the oceans into fresh water for human use.

We are responsible for the administration, economic improvement, and social and political betterment of the few remaining territorial areas of the United States—Guam, American Samoa, the Virgin Islands, and the United Nations-mandated Trust Territory of the Pacific Islands.

We strengthen, through several of our offices and bureaus, by means of grants and other cooperative arrangements with colleges and universities, the scientific study of our natural resources.

of private land for the year-to-year production of crops. Responsibility for conservation of our soil is now shared by ourselves and the Department of Agriculture in the case of Federal land being used for resource value. The Department of Agriculture has sole responsibility in the case of private land used for the year-to-year production of crops. The consolidation of the management function over Federal land used for resource value would allow for the issuance of uniform regulations and might simplify management somewhat.

When it comes to water resources, the proper way to handle management becomes more complicated. It could be argued that all water resource management should be consolidated in one place, but there are strong arguments against such consolidation. For example, when we study the potential of water we have to look at its navigational-transportation potential, which is quite separate and apart from its potential for power development and irrigation use. At the same time, one cannot plan a water storage site without considering the navigational aspect, along with the flood control and power potential of the site, and the effect the site will have on fish that use the waterway, just to name a few examples.

When we look at our pollution problems, both water and air, we again find complicating factors. It is difficult to say whether the same agency should be responsible for all pollution problems. Some would argue that the same things cause the pollution of our water and air, and that a unified program is needed to solve the problems caused by the pollution. At the same time, I doubt that the present Federal controls over the manufacture of motor vehicles should be placed in the Department of Natural Resources even though a great percentage of our air pollution is caused by motor vehicles.

The problems raised by how far one should go in consolidating the control of natural resources and the pollution problem are those raised by management of the Indians. We have made a concerted effort to improve the conditions of the Indians, and we look upon our responsibility as the development of a valuable human resource. The Indians have presented interesting and complicated problems for us to solve and we have, in cooperation with other Departments and agencies, including the Department of Health, Education, and Welfare, strived to solve those problems. We would regret losing these old friends. We should point out, moreover, that the movement of the Indian Bureau would serve to disperse some of the Department's functions, particularly those dealing with the management of federally owned lands, development of irrigation and power resources, mineral development, and others.

Likewise, we would not like to see the Office of Territories taken from us. We have, in the not-too-distant past, seen two of our territories become full-fledged members of the Union. We are now working with the Congress and the people of Guam and the Virgin Islands to move them one more step down the road to home rule through enactment of elected Governor bills. We have improved through the use of television the educational opportunities of the people

of American Samoa. We have cooperated in sending Peace Corps volunteers to the Trust Territory of the Pacific Islands to aid in the effort to bring those people into full participation in the 20th century. The overall management of the territories has been a longtime responsibility of this Department and it is one that we have been keenly aware of, one that we would regret losing.

It should be noted that the Indian program and the Territories program do not fit neatly into any one Department. The programs require the participation of many Federal agencies—Housing, Transportation, Small Business, Economic Opportunity, and Regional Development, to mention some. A transfer to the Department of Health, Education, and Welfare would not advance the purpose of this bill, which is to consolidate responsibility for natural resource management, and would conflict with that purpose by transferring important land management functions. Incidentally, the problem of Indian lands in multiple ownership—the so-called heirship problem—is one that most agencies would be reluctant to accept.

Most of my statement has been aimed at the effect this bill will have on the new Department that it creates and the additions that will be made to it. I am sure your Committee will also want to consider carefully the results of taking functions away from existing Departments and agencies.

In conclusion, let me say that the functions of the Departments and agencies of the executive branch and their relationship one to another are being constantly studied, and the results of these studies are the reorganization plans submitted to the Congress from time to time. We know that there is room for improvement. We hope that both the executive branch and the Congress will continue to consider all proposals that will result in better service to the public.

Senator RIBICOFF: Mr. Hughes, on the ground covered in the statement.

STATEMENT OF PHILLIP S. HUGHES, DEPUTY DIRECTOR, BUREAU OF THE BUDGET

Senator RIBICOFF: Your statement is an excellent history of Federal activities in the natural resources field. I will tell you what I do not understand about the statement, namely: what your position is.

Is the Bureau of the Budget for or against Senator Moss' proposal?

Mr. HUGHES: Mr. Chairman, on April 13 of this year, responsive to the subcommittee's request, we did submit a report on the bill indicating that we did not favor the legislation at this time.

Senator RIBICOFF: You are against it?

Mr. HUGHES: Yes.

(The report referred to by Mr. Hughes follows:)

EXHIBIT 12

EXECUTIVE OFFICE OF THE PRESIDENT,

BUREAU OF THE BUDGET,

Washington, D.C., April 13, 1967.

Hon. ABRAHAM RIBICOFF,
Chairman, Subcommittee on

Department of the Interior as the Department of Natural Resources and to transfer certain agencies to and from such Department."

In addition to providing for a Department of Natural Resources, the bill would transfer to it the civil works functions of the Army Corps of Engineers, including the function under section 4(e) of the Federal Power Act of approving the plans for dams or other structures affecting navigation for which a license is sought from the Federal Power Commission; the Forest Service and the Watershed protection and flood prevention functions of the Department of Agriculture; the National Oceanographic Data Center and all nonmilitary functions of the Department of Natural Resources. It would also simplify Federal cooperation with States and local governments, which have important natural resources responsibilities particularly with respect to water resources and related land-use functions.

On the other hand, the desirability of placing all natural resources programs in one department has been strongly challenged. Opponents argue: (1) that the diverse viewpoints and approaches of current programs are helpful in meeting a variety of needs and satisfying legitimate differing interests; (2) that any change in policies at this point could seriously disrupt established relationships with State or private interests and cause needless confusion; and (3) that essential coordination can be achieved by other means.

These and other matters involved require careful review.

Congress recognized the complexity of administrative problems in this area when it enacted the Water Resources Planning Act of 1965. That Act established the Water Resources Council, composed of the Federal agencies having the major water resources responsibilities, and authorized the establishment of Federal-State river basin planning commissions. It was designed to facilitate coordination and cooperation among Federal agencies and among all levels of government in carrying out their respective water resources functions, without altering existing organizational relationships.

In summary, while we believe that S. 886 merits serious consideration by the Congress, we are not yet prepared to recommend its enactment.

Sincerely,

(Signed) PHILLIP S. HUGHES,
Deputy Director.

Lacking any central responsibility at the Cabinet level for and management, the Bureau of the Budget is forced into the role of coordinator and arbiter between the various agencies. Probably in no other area of federal responsibility does the Budget Bureau exercise so strong an influence and leverage over programming.

The present role of the Budget Bureau exceeds its normal responsibilities.

I wonder what your reaction to that statement is, Mr. Hughes?

Mr. HUGHES. As I see it, Mr. Chairman, particularly with two devel-

and the river basin commissions that are evolving as the result of that act.

That is the first development that I wished to mention.

And the other consideration is the establishment within the Department of the Interior of the Bureau of Outdoor Recreation, and under rotating chairmanship, the President's Council on Recreation and Natural Beauty, which has coordinating functions in that area somewhat similar to those of the Water Resources Council in the water area.

NATURAL RESOURCES ADVISORY COUNCIL

Senator RIBICOFF. There have been many suggestions that we create a Natural Resources Advisory Council similar to the Council of Economic Advisers in this field. Have you ever given any thought to this? And if you have, what is the reaction of the Bureau of the Budget to a Natural Resources Advisory Council to the President? I have not dealt with it really in the context of our consideration of this legislation. I think it is worthy of some exploration. We would be happy to consider it. I think my offhand reaction would be favorable.

Senator RIBICOFF. Well, I wonder, in the days ahead when you have time, whether the Corps of Engineers, the Interior Department and the Budget Bureau would not explore—

Mr. HUGHES. We certainly will, Mr. Chairman.

Senator RIBICOFF (continuing). This thought.

Thank you, very much.

Senator Moss?

CONSOLIDATION OF LEGISLATION WOULD BE NEEDED

Senator Moss. Thank you, Mr. Chairman.

I have not read your statement very carefully, Mr. Hughes, but I have gone through it. You have a paragraph on page 14 that sounds pretty good to me, and I read it:

With a Department of Natural Resources, the President and the Congress could look to a single Department head, rather than the group of Department heads composing the Water Resources Council, for leadership and policy recommendations geared to the national interest and the conservation of the natural resources.

changed the name of the Department, setting it up as a Resources
will, and Corps of Engineers law, and of water priorities, of costing
practices, of engineering and planning practices, that come out of
both statute and tradition. Most of these differences could only be
eliminated through statutory changes which we would favor, but
which would be very difficult, as you can appreciate, to work out.
Senator Moss. It really comes along, though, all the time, does it
not?

The Corps of Engineers was first given the job of pulling snags
out of the Ohio and the Mississippi Rivers and that was generally
its functions. Now, it has evolved and grown to where it not only has
navigation and flood control but now water supply, recreation as we
were talking about. It is in the full scale water resource area now.

Now, the Bureau of Reclamation started out just to get some water
on the arid lands out West where they need some irrigation water,
and it, too, is in water supply to municipalities and recreation func-
tions, and all these other things. And so the evolution has been that
these two particularly—we happen to be talking about water right
now, and we could put in soil conservation and some others—have
grown up into this whole general field to where they are doing the
same sort of thing just on a little different patch of ground. Is that
a problem. The habits as well as the statutes of the past are not
easily resolved.

As we have tried to recognize, certainly in terms of clarifying lines
of authority, single departmental leadership would be helpful, but
there would remain a whole panorama of problems arising from

Mr. HUGHES. That is a tough question, Senator. Let me say this: I
think that a name change should best be saved to accompany some
change in the character of the organization itself. The name, "De-
partment of the Interior," with all the problems that name has—and
the Secretary vividly described at least one type of problem—has been

powers and authorities and responsibilities as set forth in the Department of Natural Resources which encompassed the whole scope of the Water Resources Council's area of oversight. I think it is quite clearly so.

Senator Moss. Well, I appreciate your talents very much, and, I think again, the function of these hearings and one reason they are good is to have pointed out the problems that we face. Obviously, you just cannot walk in and do this with a sweep of a bill or something of the sort. There are many intricacies to be worked out, and you have pointed out those for us, although, and I am happy that you think, the idea is pretty good.

Mr. HUGHES. Those are your words, Senator; not mine.

Senator RIBICOFF. One question, one final question.

It becomes very obvious that Secretary Udall devoutly desires to have the name of his Department changed from the Department of the Interior to the Department of Natural Resources. Do you object to changing the name?

DEPARTMENT OF NATURAL RESOURCES

135

program areas—water resources and land use in multiple-purpose development of these primary resources.

In the fiscal year 1966 Federal expenditures in these areas were well over \$3 billion. These expenditures were distributed among the various resource programs, as follows:

	Millions
Land and water resources.....	\$2, 235
Forest resources.....	406
Recreational resources.....	152
Fish and wildlife resources.....	130
Mineral resources.....	108
General resource surveys and administration.....	89
Total	3, 120

A table from the budget for the fiscal year 1968 is attached to my statement for the hearing record. That table gives a breakdown of expenditures by agency, and also shows how the major functions are distributed among Federal agencies.

developed strongly held views both for and against a Department of Natural Resources. Many administrative changes have occurred, however, since the organization of natural resources functions was last explored in depth; your exploration is therefore timely.

S. 886 would establish a Department having as its major purpose the development, utilization, and conservation of our natural resources. In addition to giving the Department of the Interior a new name, the bill would transfer to it the Forest Service and the watershed protection and flood prevention functions of the Secretary of Agriculture; the civil functions of the Army Corps of Engineers; the National Oceanographic Data Center and other functions of the Department of the Navy which are administered through the Center; the sea

to which agency would undertake a particular project has been based on a determination of the dominant project objective.

A similar evolution has occurred with respect to public lands and forests, which also are managed for multiple purposes.

The Forest Service was established by the Secretary of Agriculture in 1905, when the responsibility for administering the national forest reserves was transferred to him from the Secretary of the Interior. The transfer was made at the urging of conservationists, who believed that the Department of Agriculture would be more sympathetic with their conservation objectives. Interior, however, continued to be responsible for managing the national parks, other public lands, and the mineral resources of the national forests.

Both Forest Service and the Bureau of Land Management now manage lands used for commercial timber production, grazing, mineral production, and outdoor recreation. Both Forest Service and the National Park Service manage great public recreation areas, let contracts for necessary service facilities, and supervise the operations of concessionaires. All three agencies have common problems, such as fire protection and pest control, which require joint action in many local areas.

The relationships inherent in water resources and land management functions are well illustrated in Agriculture's watershed protection and flood prevention for water production, protection of improved land and forestry management, and also require increasing consideration in developing comprehensive plans for river basin development. States also have activities similar to those of Federal agencies in outdoor recreation, fish and wildlife, and forestry.

PAST REORGANIZATION EFFORTS

In the Federal Power Act of 1920 Congress attempted through legislation to

1933 to carry out all Federal functions essential to a unified program of resource development, use, and conservation. The Delaware River Basin Commission, established by Federal-State compact in 1961, has a broad delegation of Federal and State powers, but it does not replace existing agencies. Thus far it has not engaged in direct operations, but it has adopted a comprehensive river basin plan to which actions by Federal and State agencies must conform. Analysis of the accomplishments of those regional agencies should shed light on the potential benefits of consolidation at the national level.

Through the Federal-State river basin planning commissions authorized by the Act, State representatives are able, for the first time, to participate in comprehensive river basin planning as equal partners of the Federal representatives. The Act also established the Water Resources Council to perform certain Government-wide and nation-wide functions, which are designed to achieve a unified approach to water resources functions among the several Federal agencies.

River basin commissions are composed of a Chairman, appointed by the President, and representatives of interested Federal agencies and the participating States, appointed by agency heads and Governors respectively. This broad representation enables the commissions to approach the development of water and related land resources in a way that recognizes inherent land and water relationships and undertakes to explore all economically feasible uses. Their major functions are to prepare joint, coordinated, and comprehensive plans for Federal, State, interstate, local and private development of these resources and to recommend priorities for action. Each plan is to include an evaluation of all reasonable alternatives for achieving optimum development as well as the commission's recommendations.

Since the commissions are advisory only, the Act directs that their methods of operation be designed to achieve a consensus with respect to their recommendations. Failing consensus, each member is to be given full opportunity to present and report his views. A proposed plan will then be transmitted to each interested Federal agency, the Governor of each State, and any interstate agency or the U.S. section of any international commission that may be affected. With or without subsequent revision, completed plans, together with comments received, will be transmitted to the President through the Water Resources Council.

The Water Resources Council is composed of the Secretaries of the Interior, Agriculture, and Commerce, and the heads of the Federal agencies concerned with water resources and programs.

To provide for a unified approach among Federal agencies, the Act directs the Council to consult with other interested entities, Federal and non-Federal, and to establish, with the President's approval, principles, standards, and procedures for Federal participants in comprehensive regional or river basin planning and project formulation and evaluation.

the contribution the plan would make in achieving the Nation's economic and social goals. Based on the review, the Council is directed to make such recommendations as it deems desirable in the national interest. Its recommendations, together with copies of the plan and the comments of any Federal agency, Governor, interstate agencies, or U.S. Section of an international commission, will be transmitted to the President for distribution to Congress, and the Governors and legislatures of participating States.

Congress and State legislatures, of course, will retain their usual powers with respect to project authorizations and appropriations.

Arrangements made under the Water Resources Planning Act do not, in themselves, meet all of the coordination problems which arise when several Federal agencies have independent authority to do river basin surveys and planning. The budget process is also used to achieve agreements among the agencies which will permit an orderly approach to planning and funding. Beginning in 1963, the agencies have developed a coordinated schedule of river basin surveys for the succeeding fiscal year; have agreed among themselves on a lead agency for each survey; and have developed their budget requests on the basis of that agreement.

The Outdoor Recreation Act of 1963 also made a substantial contribution to better coordination among Federal agencies.

The Act authorized the Secretary of the Interior, in consultation with other Federal agencies, to inventory the nation's outdoor recreation needs and resources; to prepare a nation-wide plan for meeting national needs, taking into account the plans of other Federal agencies and State and local governments; and to take other actions to assist and promote adequate and coordinated

outdoor recreation programs. culture and interior in areas where the management of the Forest Service and the Bureau of Land Management to operate at less than full efficiency. Under that authority almost three million acres were exchanged to consolidate agency holdings and simplify overall Federal administration.

House Report No. 2960, published in 1956 by the Joint Committee on Federal Timber, stimulated an intensive effort to reconcile differences in the timber practices of the Forest Service, the Bureau of Land Management, and the Bureau of Indian Affairs. This long range effort was undertaken through the Inter-agency Committee on Timber Sales, which made a comprehensive report and recommendations in December, 1960. The Committee was continued in being to carry out the recommendations and to deal with other interagency matters as they arise. More recently BLM and Forest Service made a joint review of their timber sales policies and practices in relation to the policy on user charges.

Other operating problems common to Federal and State land management agencies, such as pest control, weed control, and research, are also handled through interagency committees.

RESULTS OF THESE NEW APPROACHES

It is too early to have a valid evaluation of these recent developments in terms of their implications for further reorganization of resources functions.

The Water Resources Planning Act is only two years old, and we have not achieved national consensus.

The Water Resources Council and the President's Council on Recreation and Natural Beauty provide mechanisms for continuous attention to coordination problems in these areas where coordination problems are most pressing. They have already relieved the President and the Executive Office of a substantial burden of day-to-day coordination.

CONCLUSION

In summary, while several agencies are responsible for major natural resource functions, we are optimistic that the new approaches to coordination will overcome many of the long-standing problems.

Both the Water Resources Planning Act and the Outdoor Recreation Act reflect the recent tendency to rely on comprehensive plans as the major instrument for coordination in program areas where Federal agencies, and often State Governments as well, have common, related, or complementary functions. There is general agreement that comprehensive river basin plans are essential to sound development of water and related resources, and some experts in the field believe it does not much matter what Federal agency subsequently carries out the plan so long as actions conform to it.

With a Department of Natural Resources, the President and the Congress could look to a single Department head, rather than the group of Department heads composing the Water Resources Council, for leadership and policy recommendations geared to the national interest and objectives. The possibility of overlapping and duplication of work could be eliminated, and the machinery for interagency and intergovernmental coordination could be streamlined.

The principal differences in approach to the management of natural resources that problems of interagency and intergovernmental coordination can only be reduced—they cannot be eliminated—by reorganization.

NATURAL RESOURCES
[Fiscal years. In millions]

Program or agency	Payments to the public			Recommended new obligational authority for 1968
	1966 actual	1967 estimate	1968 estimate	
Administrative budget funds:				
Land and water resources:				
Corps of Engineers.....	\$1,250	\$1,260	\$1,330	\$1,289
Department of the Interior:				
Bureau of Reclamation.....	367	327	320	316
Power marketing agencies:				
Present programs.....	79	128	137	151
Proposed legislation for revolving funds.....		-74	-78	-53
Federal Water Pollution Control Administration.....	117	126	229	306
Office of Saline Water:				
Present programs.....	13	15	24	23
Proposed legislation for desalting plant.....			4	8
Office of Water Resources Research.....	6	7	11	13
Bureau of Indian Affairs:				
Present programs.....	122	111	120	118
Proposed program improvements.....			15	30
Bureau of Land Management and other.....	77	84	73	76
Tennessee Valley Authority.....	54	78	111	62
Soil Conservation Service—watershed projects.....	102	102	104	102
International Boundary and Water Commission.....	33	36	23	18
Federal Power Commission and other.....	14	17	20	19
TRUST FUNDS (including Federal Reserve Bank of New York)				
Intragovernmental transactions and other adjustments (deduct).....	30	120	120	120
Total.....	3,229	3,250	3,538	

¹ Compares with new obligational authority for 1966 and 1967 as follows: Administrative budget funds: 1966, \$3,356,000,000; 1967, \$4,526,000,000. Trust funds: 1966, \$146,000,000; 1967, \$176,000,000.

Senator RIBICOFF. During the past few days I have received letters from many people asking that their statements or comments be included in the record. I will place them in the record at this point, and as I expect to receive similar requests in the near future, I will hold the record open for their inclusion.

EXHIBIT 13

RESOLUTION OF THE WARRIOR-TOMBIGBEE DEVELOPMENT ASSOCIATION

Whereas a Bill in United States Senate S. 886, proposes to create a Department of Natural Resources which, in substance, would be the Department of the Interior under another name, and

Whereas the new department would absorb most of the functions of the Department of the Interior, only a few being transferred to other departments, and proposes to transfer to the Department of Natural Resources certain functions of the Departments of Defense, Agriculture, Health, Education, and Welfare and two independent agencies of the government, and

Therefore, the changes proposed is the transfer of the civil functions of

...resources development in this nation with valid doubt that such change would be beneficial, particularly with respect to the civil works functions of the Corps of Engineers: Therefore be it

Resolved by Warrior-Tombigbee Development Association in Annual Meeting assembled in Mobile, Alabama, April 14, 1967, That the officers of this Association make its viewpoint known to Alabama's United States Senators and Representatives in the Congress of the United States and to Congressional Committees which may hold hearings on the Bill; and be it further

Resolved, That the officers of the Association be directed to alert the membership not in attendance at the meeting and to urge all members individually to express to Congressmen of their respective Districts and to Senators Lister Hill and John Sparkman, their desire that the civil works functions of the Corps of Engineers be retained under the authority of the Department of the Army.

Approved by unanimous vote of the members and of the Board of Directors present at the above mentioned Annual Meeting, April 14, 1967, Mobile, Ala.

(Signed) C. M. KILLIAN,

(For W. P. Engel, Secretary).

(Signed) R. A. PURYEAR, JR.,

Chairman-President.

EXHIBIT 14

U.S. DEPARTMENT OF JUSTICE,

Washington, D.C. July 3, 1967.

HON. ABRAHAM RIBICOFF,

Chairman, Subcommittee on Executive Reorganization, Committee on Labor and Human Resources, U.S. Senate, and Secretary of Health, Education, and Welfare, the National Science Foundation, and the Army Corps of Engineers would be transferred to the Secretary of Natural Resources.

Whether such transfers and changes should be made, and whether the manner proposed would be appropriate to accomplish the purposes of S. 886, are questions of policy as to which the Department of Justice defers to the departments and agencies that would be affected.

However, if such legislation is to be enacted, we would suggest that S. 886 follow more closely the legislation which recently created the Department of Housing and Urban Development and the Department of Transportation. To do so would require some minor changes of nomenclature and of language in the transfer of functions, personnel, and assets. A member of our Departmental staff would be glad to go over these suggestions in detail with the Committee staff.

We note that section 3 provides that the Deputy Secretary of Natural Resources "shall be compensated at the rate prescribed for level II of the Executive Schedule by section 5312 of title 5 of the United States Code." Level II of the Executive Schedule is section 5313 of title 5 but the Under Secretaries of all Departments other than the Department of State, officials of comparable rank to the Deputy Secretary, are compensated at level III, covered by section 5314.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

(S) RAMSEY CLARK,

Attorney General.

EXHIBIT 15

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
October 17, 1967.

HON. ABRAHAM RIBICOFF,

Chairman, Subcommittee on Executive Reorganization, Committee on Government Operations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in response to your request of March 6, 1967, for a report on S. 886, a bill, "To redesignate the Department of the Interior as the Department of Natural Resources and to transfer certain agencies to and from such Department."

This bill would have a substantial impact on this Department since it provides for the transfer of—

1. The functions of the Secretary of Health, Education, and Welfare under

In addition to these changes, the bill calls for the transfer of several other agencies and functions from other departments and agencies to the proposed Department of Natural Resources.

Air pollution control and solid waste disposal functions

The main purpose of the bill is to locate within the proposed Department of Natural Resources those functions administered by the Federal Government which are related to natural resources. This grouping of functions within one organization would logically provide for better administration of the functions if the underlying purpose of each of them were mainly the use and conservation of natural resources. We find this is not the case with the functions to be transferred from the Department.

While air pollution control and solid wastes disposal are related to natural resource management, they are much more directly concerned with the public health. The basic reason for studying and combatting them is because they jeopardize our very lives by polluting the environment in which we live. To combat them effectively we must determine how and why they affect our health and how we can alleviate the health hazards they create. This is mainly a public health problem which requires research in the health sciences and application of public health control measures. These efforts hold the key to our success or failure. The Public Health Service has been deeply involved in research, training, control activities, and other aspects of air pollution control. Transferring these important health functions from this Department would not enhance the Federal capability in this program, would seriously disrupt State and local program relationships, and would complicate the national health effort in this ~~therefore We believe it would be a wiser course to leave these functions with~~ ~~terring Indian affairs.~~

The transfer of the Bureau to this Department would have some logic since a considerable portion of the Bureau's budget is allocated to activities in the fields of education and welfare and since this Department already administers

time.
We are advised by the Bureau of the Budget that there is no objection to the presentation of this report from the standpoint of the Administration's program.
Sincerely,

JOHN W. GARDNER, *Secretary.*

EXHIBIT 16

AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION,
Denver, Colo., October 12, 1967.

HON. ABRAHAM RIBICOFF,
Chairman, Subcommittee on Executive Reorganization, Senate Committee on Government Operations, Senate Office Building Washington, D.C.

DEAR SENATOR RIBICOFF: It is our understanding that hearings are to be held before your subcommittee, October 17-19, on S. 886, which would set up a new Department of Natural Resources. The American National Cattlemen's Association is vitally interested in this measure and wishes to comment upon it in this letter which we respectfully request to be included in the hearing record.

Our interest in this legislation is prompted by two very important agencies now within the U.S. Department of Agriculture . . . the Forest Service and Soil Conservation Service. We work with these two agencies on matters of mutual concern frequently throughout the year. It is our considered judgment that they are properly located in the Department of Agriculture, so should remain there.
The Forest Service and Soil Conservation Service

DEPARTMENT OF NATURAL RESOURCES

145

sibilities conflicts with the overall water quality control program. The agency charged with irrigation responsibility will be under pressure to frustrate efforts for control of pollution from irrigation run-off; the power people will be under pressure to frustrate efforts for strict temperature standards; and the mineral resource people will place mining and drilling ahead of water quality control.

Transfer of the air pollution control function into an agency charged with the responsibility of the Department of Natural Resources environmental quality programs deserve special and singular attention. It may then be necessary to establish an independent agency to deal with these problems. However, until such time, I believe that wisdom dictates retention of the program in the Department of Health, Education and Welfare where a forward moving program is now getting under way. To move the program now would be to create disruption and delay in the national effort to preserve the quality of our environment and to secure clean air for all.

Mr. Chairman; I appreciate this opportunity to file a statement on S. 886, which would establish a Department of Natural Resources. This is important legislation that highlights the need to review the functions of many Federal agencies involved in resource development in order to determine whether their role might be more properly carried out in a single agency.

I support the concept that the development of this nation's natural resources should be charged with the responsibility of developing and managing this nation's natural resources. Flood control, recreation, navigation, hydroelectric power and irrigation are legitimate water resource management areas and might well fall within the jurisdiction of one Federal department.

However, I am convinced that environmental quality enjoys a unique posture within the administrative structure. On the surface it might be argued that air and water quality control is part of one overall resource management program. Although this is true, it must also be considered in relation to the other resource development programs within that agency in order to assure absence of conflicts of interest.

As an example I would like to cite the present situation in the Department of Interior. That Department has responsibility for irrigation, power marketing and mineral resource development. From time to time each of these respon-

Service, such as is contemplated under S. 2435, should consider the desirability of replacing the present Bureau of Sport Fisheries and Wildlife and Bureau of Commercial Fisheries by a new Bureau of Fishery Resources and a new Bureau of Wildlife Resources, the former new Bureau to concern itself with inland, estuarine, and marine fishes, and related matters, and the latter new Bureau to concern itself principally with mammalian and avian resources, and related matters, both without over reference to special user interests."

The "overt trade-oriented activities" of reference in the subject resolution include various activities in promoting utilization of fishery products as food, the development of fishing gear and exploratory fishing for exploitation of the fish resources, and the subsidization of fishing vessel construction, and related functions.

Thank you for the privilege of submitting this statement for the record before October 31, in lieu of opportunity for public testimony.

Sincerely yours,

RICHARD H. STROUD,
Executive Vice President.

EXHIBIT 19

DEPARTMENT OF AGRICULTURE,
Washington, D.C., October 24, 1967.

HON. ABRAHAM RIBICOFF,
Chairman, Subcommittee on Executive Reorganization, Committee on Government Operations, U.S. Senate.

Secretary, Department of Agriculture, Service of this Department and the U.S. Washington, D.C.

development, and management of lands under the control of the Departments of the Army and Agriculture in and about water resource projects of the Corps of Engineers within or partly within the National Forest System will be subject to the following overall policies:

1. The Corps of Engineers and the Forest Service will cooperatively plan the development, use and management of water resource projects as they relate to land resources. Such cooperative planning will start with the preauthorization plans and continue through the successive planning stages. This planning will be pointed toward achieving the maximum public benefits from each project and will delineate the procurement of necessary lands to assure meeting all foreseeable public needs for recreation, wildlife, and other uses compatible with the primary purposes of the water storage facility.

2. Water resource projects will be planned and operated to provide the greatest feasible public use for recreation, wildlife and fish propagation, conservation of scenic and esthetic values, and the harmonious use of timber and other commodities consistent with the other water control and use purposes. Programs of both agencies concerning land procurement, resource development and use, access facilities, roads and trails, on and adjacent to reservoirs and on the National Forest lands within the reservoir zones of influence will be correlated to the fullest possible extent.

3. The Department of the Army will determine, consistent with the land acquisition policy of the Secretary of the Army, the lands required for the construction, operation and maintenance of water resource projects of that Department for the purposes authorized by Congress. The Department of the Army after consultation and agreement with the Department of Agriculture will request from the Department of the Interior the withdrawal from entry under the general mining and public land laws of the National Forest System lands and transfer to the Department of Agriculture lands under jurisdiction of the Department of the Army which are required for planning, developing and operation of water oriented recreation facilities or other resource management. The department of the Army will retain in any transfer of land the rights of use necessary for unrestricted operation and maintenance of the water resource project, including the right to construct facilities or structures or to remove any facilities or structures which are inimical to the operation of the project. The Department of Agriculture likewise will retain such rights of use and access as are necessary to provide for required other uses of National Forest lands and access for National Forest purposes. All Memoranda of Understanding and transfers relating to land will be consummated as soon as practicable. At all water resource development projects, necessary lands, as determined by the Chief, Corps of Engineers, in the vicinity of major structures including but not limited to the dam and its approaches upstream and downstream will be under the sole jurisdiction of the Chief of Engineers.

4. Management of land and the use and development of resources, including water oriented recreation, will be assigned between the agencies in accordance with the following guidelines:

- a. Where water storage projects are located within or substantially within the exterior boundaries of units of the National Forest System the

lands and resources will be a function of the Corps of Engineers or other agencies as it may determine and provide for unless the two Departments mutually agree otherwise.

c. Where water resource projects are not in the foregoing categories, development and management of project associated land and resources will be undertaken by the Forest Service on those reaches of land adjoining the reservoir in which it has the predominant federal interest and by the Corps of Engineers in those reaches of adjoining lands in which the Corps has the predominant federal interest; provided that the two agencies may agree that in the interest of efficient public property management one or the other will undertake management of all such land and resources.

In the determination of the predominant federal interest in adjoining reaches of lands and resources, the following factors, individually and in combination, will be taken into account:

the degree to which these programs and organizations can be carried out to the project area;

(6) The desirability of single agency administration to avoid duplication of federal programs or organizations on relatively limited areas of federal lands.

Both agencies will seek resolution of jurisdiction at District Engineer-Forest Supervisor level during project formulation (Corps Survey Reports) or, for projects already authorized, as early as possible in the project planning or construction stages. Agreements reached at field level will be forwarded to the Chiefs of Services involved for confirmation. If irreconcilable differences develop, basic data will be referred without delay to the Chief of Engineers and Chief of the Forest Service for decision.

5. The Department of the Army will be responsible for the clearing of the reservoir area and for the construction, maintenance and operation of the water resource project except as otherwise provided herein and will have full use and administration of necessary lands for these purposes. Jurisdiction of National Forest System lands for other purposes will remain with the Secretary of Agriculture, including the sale of timber therefrom prior to clearing activities by the Department of the Army. Receipts from the sale of timber or use of National Forest System lands withdrawn for or made available to the Department of the Army will be deposited into the National Forest Fund.

6. Improvements and structures of the Department of Agriculture which will be destroyed or rendered useless by reason of the water resource development and which are still needed by the Department of Agriculture will be removed or replaced by the Department of the Army at a location to be determined by the Department of Agriculture in such kind and quantity as will provide levels October 25, 1902, (1902) and to those existing prior to the project. ing document (i.e., survey reports), the Corps of Engineers has certain obligations and commitments with respect to land management, including principally recreational development and use. Where the Forest Service elects to accept

jurisdiction over land use and management of a water resource project under this agreement, it agrees to accept these obligations and commitments and to pursue them diligently in its programming and budgeting procedures with the general objective of meeting them to the same degree as they would have been met under corresponding programs of the Corps.

9. Memoranda of Understanding supplemental hereto will be entered into by the Chief of Engineers and Chief of the Forest Service for each water resource project within the purview of this Memorandum of Agreement for the purpose of implementing the principles and policies herein agreed to as they apply to the particular project. Action toward such supplement agreements will be initiated as part of the project preauthorization planning processes or, as to projects authorized but not completed, at the earliest practicable date.

Signed the 13th day of August, 1964.

STEPHEN AILES,
Secretary of the Army.
ORVILLE L. FREEMAN,
Secretary of Agriculture.

EXHIBIT 20

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,

sent to the following Special Counsel GEORGE M. FICKETT, Director, Department of Water and Air Resources, State of North Carolina, P. O. Box 9392, Raleigh, North Carolina 27603.

With kindest regards, I am,
Sincerely yours,

SAM J. ERVIN, Jr.

STATE OF NORTH CAROLINA,
DEPARTMENT OF WATER AND AIR RESOURCES,
Raleigh, N.C., October 5, 1967.

HON. SAM J. ERVIN, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ERVIN: I have been advised that public hearings for opponents of the Moss Bill (S. 886) will be held at some future date. This bill proposes to establish a Department of Natural Resources which would be assigned full responsibility for all resources development activities in the Federal Government. It would consolidate the resources development functions of other agencies, with the exception of the Tennessee Valley Authority, into the Department of the Interior, and redesignate it as the Department of Natural Resources.

The North Carolina Department of Water and Air Resources, which operates under the North Carolina Board of Water and Air Resources, is the State agency designated to coordinate and cooperate with Federal and State agencies in planning and developing water resource projects. Serving as the Director of this Department affords me the opportunity to discuss the development of natural resources with all agencies having such responsibility and to make certain that all interests receive full consideration. Federal water resource development

derived. The projects of each of these agencies are concerned with recreation, fish and wildlife, water supply, water quality control, and other aspects of water resource development. This is also healthy competition that provides a defense against arbitrary decisions, precludes domination by a single agency, and provides for a more balanced development of all water-related natural

measures have been taken to treat the polluting wastes at the source. Despite testimony to the contrary, there are indications that Federal recreation and fish and wildlife agencies are having to gloss over the adverse effects in North Carolina and Virginia to support the position of the Secretary of Interior in order that he might make a relatively minor improvement to the highly polluted water in West Virginia.

Governor Moore has just announced his views that the State's Department of Conservation and Development, which is concerned with natural resources, be split into three new and separate agencies in order that maximum potential development may be attained. I consider that this principle is as applicable to Federal programs as to those of the State of North Carolina.

I will appreciate your support in opposing the Moss Bill (S. 886) and would also appreciate your informing me of the schedule for the public hearings in opposition to this bill.

Sincerely,

GEORGE E. PICKETT.

NOVEMBER 20, 1967.

Hon. SAM J. ERVIN,
U.S. Senate, Washington, D.C.

DEAR SAM: Many thanks for your recent letter.

I will be pleased to make the letter from the Director of the Department of Water and Air Resources of the State of North Carolina, a part of the printed record of the Subcommittee's hearings on S. 886.

I have also placed Colonel Pickett's name on our mailing list.

With every good wish,
public hearings in opposition to the bill.

I understand that several days of hearings were held early in October on the proposal and I do not know whether the Government Operations Subcommittee on Executive Reorganization has scheduled any further hearings. I have called your statement and request to the attention of Senator Abraham A. Ribicoff, who is chairman of the subcommittee, and when I hear from him I will be in touch with you again.

Meanwhile, with all best regards,

Sincerely,

B. EVERETT JORDAN,
U.S. Senator.

Very truly yours,

DALE TWACHTMANN,
Executive Director.

STATEMENT OF EDWARD MEDARD, CHAIRMAN, GOVERNING BOARD, SOUTHWEST
FLORIDA WATER MANAGEMENT DISTRICT, BROOKSVILLE, FLA.

Mr. Chairman and gentlemen of the Committee, I am Mr. Edward Medard, Chairman of the Board of the Southwest Florida Water Management District, with headquarters in Brooksville, Florida. This district is a political subdivision of the State of Florida created by Act of the Florida Legislature in 1961. The district is responsible for fulfilling the requirements of local cooperation for the project "Four River Basins, Florida." The District embraces all or part of fifteen counties; the watersheds of the Oklawaha, the Peace, the Hillsborough and the Withlacoochee Rivers and includes within its boundaries a population of 1,150,000 persons, according to the 1960 census.

At a regular board meeting on October 11, 1967, the Governing Board adopted a resolution concerning the hearings of your Sub Committee on Executive Reorganization dealing with S. 886, better known as the "Moss Bill." A copy of the Board's resolution, which was adopted by unanimous vote, is attached to this statement.

This District was organized in 1961 and has been working cooperatively with the U.S. Army Corps of Engineers, the responsible federal agency designing and constructing the Four River Basins project. We also have had occasion to work cooperatively with the Soil Conservation Service of the Department of Agriculture in certain of the small watersheds.

Since the creation of the Bureau of Reclamation in 1903 during the Theodore Roosevelt administration, there have been numerous attempts by various Secretaries of Interior to extend their control over the Nation's water resources from the seventeen Western states to the entire Continental United States. Such all out efforts were made during the Herbert Hoover administration, the Franklin D. Roosevelt administration and most recently during the Harry Truman administration. Each such effort to absorb the Civil Works program of the Corps of Engineers into the Bureau of Reclamation has failed because of the broad public support for the Civil Works program of the Corps of Engineers.

The present effort in S. 886 would make the Secretary of Interior the administrative chief of all natural resources, including air and water, by transferring into the new Department of Natural Resources the following named agencies not now a part of the Department of Interior: U.S. Forest Service; the Soil Conservation Service; Civil Functions, U.S. Army Corps of Engineers; The National Oceanographic Data Center; the Sea Grant Program of the National Science Foundation and the programs of Solid Waste Disposal and Air Pollution Control now a part of the Department of Health, Education, and Welfare. Finally,

S. 886 would place the Federal Power Commission in a subservient position to the new Secretary of Natural Resources in the issuance of licenses for development of hydroelectric project by private power companies.

All of the above named agencies and their programs would be swallowed up in a giant Department of Interior—renamed Natural Resources—for no stated purpose. The benefits of the proposed reorganization are not mentioned in the text of the bill.

This District has a great and continuing interest in the "Four River Basins, Florida" project authorized by Congress as a part of the Flood Control Program assigned to the U.S. Army Corps of Engineers. This District has given assurances of fulfilling the requirements of local cooperation for the project as a part of the Army Civil Functions Program. We do not consider these assurances to be transferable to another agency or department of the Federal Government as proposed in S. 886.

This District opposes S. 886 and recommends against its enactment into law. Our reasons are:

1. No benefit of the proposed reorganization is cited.
2. The Corps of Engineers has performed its assigned task in an outstanding manner with great benefit to the entire country.
3. The same performance record has been established by the Soil Conservation Service, the Department of Agriculture, the State of Florida and the Nation as a whole. The Southwest Florida Water Management District Governing Board requests that no action be taken on S. 886 by the Subcommittee on Executive Reorganization of the U.S. Senate Committee on Government Organization.

EDWARD MEDARD, *Chairman.*

RESOLUTION No. 223, SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, REQUESTING THE SCHEDULING OF HEARINGS TO HEAR OPPONENTS OF S. 886, 90TH CONGRESS, 1ST SESSION

Whereas the Governing Board at its meeting on October 11, 1967, was informed that the U.S. Senate Government Operations Committee, Subcommittee on Executive Reorganization plans to hold hearings on the "Moss Bill", S. 886, on October 17, 18 and 19, 1967; and

Whereas the Board has been advised that the scheduled hearings are intended only for the taking of testimony from sponsors of the legislation and representatives of various Federal Agencies; and

Whereas the Southwest Florida Water Management District and many other political subdivisions of the State of Florida have a continuing interest in the orderly development and maximum beneficial use of the water resources of Florida; and

Whereas this District is presently cooperating with the Corps of Engineers in carrying forward the "Four River Basins, Florida" project in accordance with the will of Congress as expressed in the authorizing legislation in the Flood Control Act of 1962; and

Whereas the "Moss Bill" appears to be a controversial piece of legislation which

[SEAL]

SOUTHWEST FLORIDA WATER MANAGEMENT
DISTRICT, BY ITS GOVERNING BOARD.
EDWARD MEDARD, *Chairman*.

EXHIBIT 22

WATER USERS ASSOCIATION OF FLORIDA, INC.,
West Palm Beach, Fla., November 2, 1967.

Senator ABRAHAM RIBICOFF,
*Chairman, Committee on Executive Reorganization, Committee on Government
Operations, Washington, D.C.*

2. The Corps of Engineers, working with local and other agencies on public works projects affecting Florida's fresh water, has done an excellent job. Any transfer of this function of the Corps of Engineers would result in confusion, delay, and added costs.

3. There are large areas of the Corps' civil works functions not related to the national resources of the nation.

4. It is believed that the same adverse effects would apply to the soil conservation service of the Department of Agriculture now doing an excellent job on small water shed projects.

5. We do not believe that the creation of a department of such magnitude and power is in the best interests of the people of the United States. We can see no benefits accruing from the passage of this bill.

Respectfully submitted.

RILEY S. MILES,
Executive Director and General Manager.

DEPARTMENT OF NATURAL RESOURCES

155

On the proposal to transfer the civil functions of the Army Corps of Engineers, The American Waterways Operators, Inc., would like to be recorded as endorsing the statement made before your subcommittee in the course of hearings in late October by Secretary of the Army Stanley R. Resor who so well expressed the objections which this Association's members themselves have to the proposal.

We respectfully request that this letter be made a part of the record of the hearings held in October 1967; and, further, that if hearings are resumed at a future date to hear opponents of the legislation that we be given an opportunity to testify and expand our views on this matter.

Sincerely yours,

BRAXTON B. CARR, *President.*

EXHIBIT 24

THE PROPELLER CLUB OF THE UNITED STATES,
New York, N.Y. November 2, 1967

deserve.

The stated purpose of such a transfer would be to provide better coordination of competing policies as to use, for example, of water resources. In practice, the proposed coordination would tend to lead to resolution of conflicts between competing views at a level below and obscured from public scrutiny and knowledge. In many instances, such conflicts are too important to be settled without full public participation. Instead of suppressing them by coordination among minor officials, they should be exposed for informed and vigorous public review and debate. In this respect, therefore, The American Waterways Operators, Inc., is concerned that, under the proposed organization, the interest of the shipping public in water resource improvements for navigation be given adequate consideration in favor of all competing interests.

Coordination of water resources policy at a level at which competing views will not be lost to public sight can, on the other hand, be accomplished through the use of the organization recently established by the Congress for this very purpose—the Water Resources Council, established by the Act of July 2, 1965, after many years of consideration and effort. The Council should be given the opportunity to demonstrate what it can do before the authority and responsibility assignment to it are withdrawn.

In the debate which has taken place on S. 886, the viewpoint has been expressed that the Water Resources Council cannot be other than a weak arrangement because it is a committee rather than an individual and because it is made up of representatives of various departments of government. Under

By copy of this letter a copy of this Resolution will be furnished to the press.
Sincerely,

SWEP T. DAVIS,
Executive Director-Secretary.

RESOLUTION OF THE PAT HARRISON WATERWAY DISTRICT, OCTOBER 26, 1967

Whereas the Corps of Engineers has at all times manifested a great interest in promoting sanitary water supply and the preservation, conservation, storage and regulation of the waters of the Pascagoula River Basin for domestic, municipal and recreational uses, and is presently engaged in said work and interest for the basin to insure adequate flood control thereof; and

Whereas the United States Army Corps of Engineers is now operating under the Civil Works Program of the Department of the Army to achieve the foregoing goals of preservation, conservation, storage and regulation of the waters of the Pascagoula River Basin for domestic, municipal and recreational uses; and

Whereas the Corps of Engineers has an enviable record for safe and adequate

DEPARTMENT OF NATURAL RESOURCES

157

Government Operations be notified by a certified copy of this Resolution stating and setting forth the position of the Pat Harrison Waterway District and the interest of the general public of the Pascagoula River Basin and the interest of the Pat Harrison Waterway District, and the Executive Director of this District be directed to furnish a copy of this Resolution to the members of the above Committees, who are Senator Abraham A. Ribicoff, Chairman, Senator John L. McClellan, Senator Ernest Gruening, Senator Robert F. Kennedy, Senator Fred R. Harris, Senator Joseph M. Montoya, Senator Jacob K. Javits, Senator Clifford P. Hansen and Senator Howard Baker, and the said Resolution be placed as a part of the permanent records of the Pat Harrison Waterway District and a copy be furnished to the members of said Pat Harrison Waterway District in Minute Book 8 at pages 157-160.

WITNESS my signature on this, the 26th of October, A.D. 1967.

SWEP T. DAVIS, *Secretary*.

Senator RIBICOFF. I would also like to include in the record at this point an article from the Natural Resources Journal of the University of New Mexico Law School, entitled "The Case for a Department of Natural Resources."

(The article referred to follows:)

[Natural Resources Journal, vol. 1, No. 2, November 1961]

EXHIBIT 26

THE CASE FOR A DEPARTMENT OF NATURAL RESOURCES

The following article is offered to stimulate discussion of a controversial subject, and does not necessarily represent the views of the JOURNAL, or its councils. To guarantee that attention will be focused on the issues, and not on personalities, the author prefers to remain anonymous.

MISTER Z

Our growing population, our industrial demands for raw materials, and our commitments abroad all point to a need for a comprehensive policy in

I. THE PROBLEM

Present divisions and duplications of authority restrict true comprehensive development. They pit agency against agency in jurisdictional disputes and in

duplication is in the water resources involved: Interior; Defense (Army Corps of Engineers); Health, Education, and Welfare; and Agriculture. Each Department uses different methods of computing expected costs and benefits from projects; each Department stresses different aspects of water development; each Department views the others' activities with a suspicion that borders on the paranoid.

This list of conflicts could be extended indefinitely. The Soil Conservation Service (Agriculture) is promoting the draining of wetlands in the northern midwest while the Fish and Wildlife Service (Interior) is trying to maintain wetlands for waterfowl. The Corps of Engineers is advocating the development of the Potomac River in conflict with the plans of the Park Service for a national park in the area. Undoubtedly the reader can add many more examples to this dreary account of intramural feuds.

The good will and devotion of the agencies concerned is not to be questioned. There are no heroes or villains in this story. The major troubles with present resource policies stem from the administrative organization of federal activities.

The form in which resource conservation and development planning takes place affects the substance of the programs. Irrevocable decisions are made on major natural resource matters within the framework of laws which restrict the developing agency to certain purposes, on the basis of agency traditions, and on the basis of artificially generated political support. Rarely, if ever are these decisions based on informed judgment about over-all national needs and goals. The result is that present public policy towards resources is indefensible if evaluated by economic, political, or social criteria.

The present situation can be summarized in ten propositions. They are:

1. In nature, the resources of soil, water, forests, wildlife, and minerals are a closely interrelated whole. Conservation practices designed for their production and production may take place on the same land area, e.g., water and interrelated parts of the forest management. Many of these may take place simultaneously on the same land area. Each of them is related to the programs of some other agency in a different Department. Despite administrative divisions, resource management cannot be separated.

2. Natural resource programs of the Federal Government are dispersed and scattered among separate Departments and agencies, although primarily concentrated in Interior. Consider the following list:

Interior

Bureau of Land Management
National Park Service
Geological Survey
Bureau of Mines
Bureau of Reclamation
Bureau of Indian Affairs

Bureau of Sport Fisheries and Wildlife
Bureau of Commercial Fisheries
Bonneville Power Administration
Southwestern Power Administration
Southeastern Power Administration

Agriculture

Forest Service
Soil Conservation Service

Agricultural Conservation Program
Rural Electrification Administration

Executive Office Commission, The Tennessee Valley Authority.

3. The scattering of program responsibility among Departments has resulted in a welter of confusion and cross-purposes. This applies both to the development of consistent legislative policy and to program administration. This is especially important at the local level. This situation is spectacularly inefficient and actually dangerous to the public interest in our divided water programs. The present responsibilities of the Federal Government put great strains on the budget. Yet competition among agencies "to get business" contributes to inefficient water resource development and waste of public funds. Water resource development, instead of taking place within a framework of consideration of national objectives and resources, takes place as a result of "logrolling" and "pork-barrel" politics. This is tragic when one considers the expanding demands for water-derived products as well as for all other natural resources.

4. Many conflicts arise because of the special interests of the various agencies. A typical situation in water resource development would find the Corps of Engineers (Defense) concerned with river basin planning and flood control; Soil Conservation Service (Agriculture) concerned with watersheds; Bureau of Sport Fisheries and Wildlife (Interior) concerned with fish habitat and recreation.

Attempts to resolve these conflicts have been made. One popular device has been the establishment of interagency coordinating committees in Washington and on local levels. Nevertheless, lacking any central authority short of the President, the member Bureau and Department representatives on these permissive committees are unable to resolve basic conflicts of interest. Line-operating authority disputes cannot be reconciled by dissection. The President's explanation of his decision to offer a Special Message of Natural Resources revealed his concern with the problem of coordination. He said:

"This statement is designed to bring together in one message the widely scattered resource policies of the Federal Government. In the past, these policies have overlapped and often conflicted. Funds were wasted on competing efforts. Widely differing standards were applied to measure the Federal contribution to similar projects. Funds and attention devoted to annual appropriations or immediate pressures diverted energies away from long-range planning for national economic growth. Fees and user charges wholly inconsistent with each other, with value received and with public policy have been imposed at some Federal developments."³

The President pledged action in his Special Message to redefine resource responsibilities within the Executive Office, strengthen the Council of Economic

¹ Hoover Comm.—Report on Organization of the Executive Branch of the Government, 267 (1949).

² H.R. Doc. No. 255, 86th Cong., 2d Sess. (1960).

³ Address on Natural Resources, N.Y. Times, Feb. 24, 1961, p. 12, col. 1.

Advisers for this purpose, and establish a Presidential Advisory Committee on Natural Resources under the Council of Economic Advisers.

6. Present divisions have no logical justification. With respect to the land resource agencies now in the Department of Agriculture, the Forest Service and the Soil Conservation Service, the supposed justification for the former agency is that "trees are crops," and for the latter that farm lands suffer the most from erosion. Neither claim has validity in fact.

Most Forest Service activity is centered on the management of 180 million acres of public lands, the national forests; that which is directed towards private forestry assistance is kept completely separate from all regular farm crop programs and is not even integrated with Soil Conservation plans on the same ownership. At least half of the private forest lands on which assistance is given are held by non-farm landowners. Even the Forest Service research function is separate from the Agricultural Research Service.

The Soil Conservation Service program is also unrelated to other Agriculture Department efforts. It is concerned with practices for the protection of the basic soil resource, regardless of ownership. It is not integrated with other farm programs concerned primarily with production, marketing, price, and supply regulation. Some of the most serious erosion problems are connected with new highways and suburban developments and have no relationship to farm land. Rapidly developing new programs and old programs in conflict of many points with programs inaction will result in embarrassment to the Administration.

7. Lacking any central responsibility at the cabinet level for resources policy and management, the Bureau of the Budget is forced into the role of coordinator and arbiter between the various agencies. Probably in no other area of federal responsibility does the Budget Bureau exercise so strong an influence and leverage over programming.

The present role of the Budget Bureau exceeds its normal responsibilities. Given the present structure of Federal natural resource activities, it has been the only agency which has any interest in, or capability for, developing a truly national resource program. This is particularly important for the development of new programs. New needs require new activities. The evaluation of goals and means to meet these goals require specialized attention and expertise that cannot be provided by fiscal specialists in the Bureau of the Budget.

8. Natural resource agency appropriations are developed as a group by the Bureau of the Budget and (since 1954) the House and Senate Appropriations Subcommittees, regardless of the fact that functional agencies are scattered among many Departments. The legislative committees in the Congress continue to divide responsibilities along older but less consistent lines.

9. Federal organization of resource activities is in sharp contrast to the organization of those states with the most successful conservation programs. These States, *e.g.*, Michigan, New York, Wisconsin and Minnesota, have single departments which embrace all phases of resource management under central direction.

10. Federal organization of resource activities is also in sharp contrast to the organization of other major Federal programs. Every other sector of federal responsibility, *e.g.*, labor, agriculture, health, foreign affairs, is assigned to a single governmental Department, which is publicly understood to have central authority. This concentration of authority give citizens a sense of involvement

The most popular alternative suggestion is to create coordinating and advisory committees. The Congress recognizes the need for developing policy and programs related to national needs rather than to the traditions and prejudices of competing agencies. A distinguished group of Democratic Senators in both the 86th and 87th Congresses have sponsored legislation to establish a Council of Resource and Conservation Advisers in the Executive Office of the President in order to coordinate resource conservation on the basis of national goals.⁴

This change would go only part of the way towards providing the necessary coordination. The past history of trying to obtain unity through committees and advisory groups illustrates the futility of expecting much from these proposals. At present, only if the President himself operates as his own Secretary of Natural Resources (to the near exclusion of many other important programs, problem of administration history) it is imperative that our resource management programs be accelerated to provide for the increased productivity needed by an expanding population. A broad resource program involving the application of specialized techniques and investments of billions of dollars can be carried out only by a well designed and coordinated federal organization. It is clear that the present clumsy operation of the Government in the natural resources field will not only result in wasteful duplication, but fail to meet the goals set forth. Public disillusion will be inevitable. Nor are the alternatives thus far discussed adequate. A Department of Natural Resources is vital if the Federal Government is to meet its responsibilities for the conservation and development of natural resources.

Because of the present concentration of resource activities in the Department of the Interior, the easiest way to obtain a Department of Natural Resources would be to transfer other resource agencies to Interior. The major obstacle in the past to such a transfer has been the organized special interest clientele of the agencies involved. These groups fear that their relationships to the Government would be affected.

The most adamant group blocking the way to reorganization of federal water functions is the Rivers and Harbors Conference, backed by water development contractors who strongly support certain congressional relations of the Army Corps of Engineers. This, however, is only one example of a general condition. Many other agencies have special interest clientele groups which do not want their interests disturbed. Few agencies or clientele groups have a direct interest in the improved efficiency which could result from a reorganization.

On the other hand, public citizens' organizations such as the wildlife, park, forestry, and similar groups, the League of Women Voters, and the several farm groups, and development of basic land, water, and mineral resources, including primary extraction (except agricultural crops) and those which deal with product processing, economics, etc. It is the first phase with which a Department of Natural Resources would be primarily concerned.

On the other hand, resource programs which affect privately owned resources

⁴ S. 2549, 86th Cong., 1st Sess. (1959) ; S. 239, 87th Cong., 1st Sess. (1960) ; S. 1415, 87th Cong., 1st Sess. (1961).

are so similar in application as to make it more than to split authority. Further, the goals and objectives of the public and private programs are so intertwined that the programs should not be separated administratively.

III. HOW IT SHOULD BE DONE

How should reorganization of the federal natural resource agencies take place? Three possible choices present themselves for centralizing natural resources responsibilities:

1. *Minimum.*—Minimum transfer of principal resource agencies and programs now in other Departments to the Department of the Interior with the exception of the *construction* functions of the Army Corps of Engineers. (The planning and water research functions would, however, be transferred to a water development bureau in the Interior.)

This approach would be simply a recognition of the political power of the Corps of Engineers and a means of avoiding their bare-knuckled pressures. It would leave unresolved the problem of coordination of water management and development programs. Although the planning function would be transferred, the Corps would soon find a way to revive this power. In any case the division of responsibilities between the two Departments would continue to result in waste and friction, and inhibit realistic programming in this vital field.

2. *Coordinating committees.*—Another possibility is to have a Council of Resource Advisers and a River Basin Coordinating Council. These are attempts to obtain unification through compromise by establishing another "coordinating" layer between the President and his executive action agencies. Presumably, planning, research, and reconciliation of conflicts would be assigned to river

ment of Natural Resources. This would be similar to the Council of Economic The cleanest and most effective procedure would be to transfer all resource functions to Interior and then to concentrate all efforts to gain congressional acceptance. Offsetting the pressure groups opposed to this transfer will be several hundreds of conservation and other organizations which will support complete reorganization. This will take generalship, strategy, and an effective information effort during the 60-day period of grace during which Congress may deny the President's action.⁵

The attached organization chart sets forth the "model" or organization of the new Department of Natural Resources.⁷

The Reorganization Act of 1949⁸ gives the President power to transfer outside agencies to Interior by Executive Order. Legislative authority would be needed to change the name of Interior to Department of Natural Resources.

The organization of resource activities resulting from these proposed changes would centralize all responsibility for development and management of natural resource programs (except for the T.V.A.) in a Secretary of Natural Resources. The Secretary would have an Under Secretary and staff assistants for program coordination, public affairs, and so forth. There would also be an advisory board on natural resource policy with the Secretary as chairman. Regional or river

⁵ Reorganization Act of 1949, 1 U.S.C. § 133z (1949).

⁶ Note 5 supra, § 133z-4.

⁷ See chart appended.

⁸ Note 5 supra.

Senator RIBICOFF. The subcommittee will stand adjourned subject to the call of the Chair.
(Whereupon, at 11 :40 a.m., an adjournment was taken, subject to the call of the Chair.)

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