

8-1996

# A case study the effects of a powerful committee chair on the passage of the wilderness bill

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A CASE STUDY THE EFFECTS OF A POWERFUL COMMITTEE CHAIR ON  
THE PASSAGE OF THE WILDERNESS BILL

by

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B.A. Davis and Elkins College, 1991

A Thesis

Submitted to the Graduate Faculty

of the University of Richmond

in Candidacy

for the degree of

MASTER OF ARTS

in

Political Science

August, 1996

Richmond, Virginia

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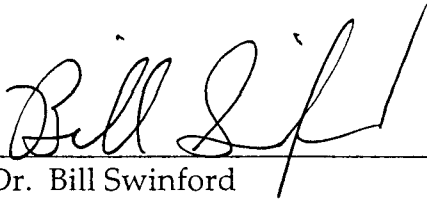
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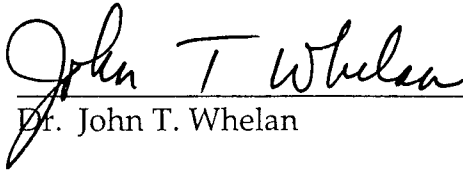
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## Abstract

The case of the Wilderness Bill reveals several important insights into the process, policy and politics of wilderness legislation in the late 1950s and early 1960's. The process generally conformed well with the expectations of a strong committee chair model that characterized Congress during the late 1950s and early 1960s. To be sure, the politics involved accommodation of competing interests and was facilitated by a president eager to pass a pro-wilderness bill. Above all, the compromise which ultimately led to the passage of the Wilderness Bill was influenced by the powerful committee chairman of the Interior and Insular Affairs Committee - Wayne Aspinall (D-CO). Indeed, the central lesson of this case study is that a single committee chair, with the support of his committee could use his power to obstruct the legislative process and to prevent a popular bill from passing the House until he was fully satisfied. Thus in the end the effort to protect the wilderness made a small step forward; a major advance was prohibited by Aspinall, who sided with the forces that favored industry and commerce in the western lands.

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## I. Introduction

The concept of wilderness is not new in the United States. However, the issue became more salient in the 1950's and 1960's as political and economic pressures caused greater amounts of national forest to be logged, mined, and developed for water resources, and conservation groups began to question whether administrative protection of public lands would alone be sufficient to preserve the natural state of these lands over time.<sup>1</sup> This question was especially important during this period of intense economic growth and increased need for forest related products. Thus wilderness advocates sought legislative protection to prevent changes in national forest use in order to avoid the permanent loss of wilderness areas.<sup>2</sup>

The purpose of this thesis is to explain in detail the compromise which led to the passage of the Wilderness Act. (For major legislative provisions of the Wilderness Act, see Appendix I.) While party leaders, the president, and members of Congress played significant roles in the process, the House and Senate committees were widely recognized as the primary deliberative bodies. Committees had a good deal of autonomy from their respective chambers. The members specialized in the committee's subject matter and hence each committee was the repository of legislative expertise within its jurisdiction. Committee decisions were usually accepted and ratified by the other members of the chamber. The institutional context of the 1950s and 1960s allowed committee chairs to dominate committee proceedings and shape policy to their liking. Committee chairmen often wielded a great deal of influence over agenda setting, policy formation, deliberation, and resources on their committees.<sup>3</sup>

Still, important bicameral differences existed in Congress. The movement of the Wilderness Bill through the House and Senate took different paths largely because of the ways in which the committees of the two chambers handled the legislation and because of the extent to which the preferences of committee members corresponded with the preferences of their respective chambers. Senate committees may be less important as a source of chamber influence, more likely to mirror the preferences of the chamber as a whole, less autonomous within the chamber, less personally expert, less strongly led, and more individualistic in decision making than the House committees. In the Senate, once a bill is through the subcommittee it goes through full committee without much change. The main difference between the House and the Senate committee is that the Senate committees are less deliberate and less thorough than the House committee.<sup>4</sup> Each of these characteristics are present in the case of the Wilderness Bill.

The House committee played a more active role in the passage of the wilderness bill than the Senate committee. The House Interior and Insular Affairs Committee was led by a powerful Chairman, Wayne Aspinall (D-CO), who dominated all aspects of his committee's activity. Aspinall fixed priorities and subcommittee agendas and decided when a bill would move from the hearing phase to mark up phase. He was effective at slowing down the Wilderness Bill and was supported by a majority of his committee who were loyal to its chairman.

Examining the legislative history of the Wilderness Act, will show how the Senate Interior and Insular Affairs Committee was able to reconcile differences between pro-use and pro-wilderness and thereby represent the preferences of the



chamber. In contrast, the House Interior and Insular Affairs Committee delayed the bill's progress. Aspinall pushed to delay consideration by stacking committee hearings with pro-use groups, attempted to manipulate House rules to protect the committee bill and avoid amendment on the floor, and even walked away from the process when he could not get his way. Aspinall's power was supported by the preferences of the members of the House committee which were more pro-use than the House as a whole. The bill would pass only after a long period of time, after a series of compromises brought the Wilderness Bill in line with committee preferences, after a final push from the executive.

## II. Background

A critical first step toward understanding the passage and legislative process of the Wilderness Bill is to understand the two dominant schools of thought on wilderness preservation. Clientele groups representing commodity oriented industry opposed wilderness legislation and favored the utilization of resources from the forest. Industrial leaders accustomed to having their way with the public's land suddenly felt threatened by wilderness advocates and decided to lobby government officials to defeat the Wilderness Bill.<sup>5</sup> On the other side, preservationist groups, such as the Wilderness Society and the Sierra Club, favor the conservation of natural resources. These two opposing philosophies represent the dichotomy in American thinking about the environment. Historically, this conflict has made it difficult to carry on productive discussions of wilderness preservation and to develop a compromise acceptable to both sides.<sup>6</sup>

Proponents and opponents of wilderness legislation have differed philosophically about the ability of wilderness to survive under the existing administrative machinery of the United States Forest Service and the National Parks Service. After World War II, proponents of a wilderness system maintained that management by the Forest Service and the Park Service had reached a critical point. They believed that if agencies continued to allow industry to remove wilderness resources, there no longer would be any areas left to preserve.<sup>7</sup>

In 1947, Howard Zahniser, the president of the Wilderness Society and other preservationists began to advocate the establishment of wilderness protected by statute. In 1949, the Sierra Club began to hold what would become a series of biennial meetings that brought preservation organizations together to work towards this goal.<sup>8</sup> In 1955 a draft bill was prepared under the direction of Zahniser, in cooperation with the Sierra Club, the National Parks Association, the National Wildlife Federation, the Wildlife Management Institute, the Citizens Committee on Natural Resources, and the Federation of Western Outdoors Clubs. On February 29, 1956, Senator Hubert Humphrey (D-MN) publicly stated his intention to submit as soon as possible, wilderness legislation along the lines of the Zahniser proposal.<sup>9</sup>

Wilderness advocates felt it was the right time to introduce the Wilderness Bill after the defeat of the dam at Echo Park in 1955.<sup>10</sup> The proposed dam created a sea of protest from citizens across the country. For the conservation groups who were drawn together to preserve Echo Park, the bill marked a moment of unprecedented solidarity.<sup>11</sup> Speaker Rayburn said that Congress had received more mail in protest of the dam than for any other subject they were debating.<sup>12</sup>

The conservationists won the battle at Echo Park and in doing so they demonstrated that the American people had begun to embrace the idea of conservation. The victory at Echo Park propelled wilderness advocates with the momentum to pursue wilderness legislation before Congress. The time had come for action to be taken on the Wilderness Bill.<sup>13</sup>

### III. Legislative History of the Wilderness Bill

#### A. The First Wilderness Bill

On June 7, 1956, Senator Hubert Humphrey introduced the nation's first Wilderness Bill (S. 4013) in the 84th Congress. Humphrey's first bill was a strong preservationist document that contained the following major provisions:

- Create a National Wilderness Preservation System consisting of relatively untouched areas of federal land in national forests, national monuments, wildlife refuges, and Indian reservations.
- Ban commercial enterprise, road construction, and infrastructure development. However some nonconforming uses (motorboats and aircraft to control herds) would be allowed to continue where they were already established.
- Extend uniform statutory protection to 165 specifically designated areas that were already under some form of federal supervision.
- Provide congressional review of agency decisions to open previously restricted wilderness preserves. The bill further provided, "any proposed addition to, modification of, or elimination from the National Wilderness Preservation System, otherwise than by Act of Congress", would be accomplished by executive recommendation to the Congress. This recommendation would become effective if, after 120 days during a single session of Congress, neither house of Congress had passed a resolution of opposition to the proposed change.
- Establish a National Wilderness Preservation Council, a fifteen member council which would consist of specified governmental officials, presidential appointees, and interested laymen. The council would coordinate wilderness policy developments between all agencies that administer the National Forest. The council would establish an institutional base for developing and defining the concept of wilderness, giving the council privileged status within the national government.<sup>14</sup>

Humphrey emphasized that the bill would not rearrange agency jurisdiction of wilderness areas, nor would it require new expenditures, extend to areas that were then outside of federal control, or interfere with established mining and grazing operations.

Four days after S. 4013 was introduced to the Senate, an identical bill (H.R. 11703) was introduced into the House by Congressman John Saylor (R-PA 22nd district). These two actions represented a unified effort on the behalf of the preservationists. The Humphrey -Saylor bill deviated in two significant ways from the status quo. First, it gave statutory protection to areas previously protected only by administrative order. Second, it forbade mining and prospecting on protected land, thereby removing these protected areas from the jurisdiction of the 1872 mining law. Both were important policy changes that circumscribed administrative agency control and industry flexibility.

The proposed legislation focused on the land holdings under Forest Service jurisdiction. It specifically listed portions from 80 of the 149 National Forests, covering 14 million of the Forest Service's 181 million acres. Of the 80 National Forest sites, 52 were considered primitive areas.<sup>15</sup> The National Parks Service and the Forest Service opposed the Humphrey-Saylor bill because it affected their ability to classify or declassify areas at their discretion.<sup>16</sup> The idea of legitimizing wilderness through legislation was also aggressively opposed by commodity industries such as logging, mining, and grazing.

Neither the House nor the Senate reported a Wilderness Bill in 1956. By the time the bill had been introduced into Congress, it was too late for a committee to act. However, for advocates of preservation, it had been a positive step to have the Wilderness Bill introduced before Congress. S. 4013 was drafted

with the aid of conservation groups (Wilderness Society, National Parks Association, Isaak Walton League, the Council of Conservationists, the Wildlife Management Institute, the Citizens Committee on Natural Resources and the Federation of Outdoor Clubs). A relationship had been developed between Senators and these conservationist clientele groups.

#### B. The Second Wilderness Bill

In 1957, Humphrey and Saylor re-introduced their bill early in the 85th Congress. Humphrey's second bill (S. 1176) had undergone a few changes from its predecessor (S. 4013), the most significant of which was the immediate inclusion of all Forest Service primitive areas in the wilderness system. This arrangement would give all primitive areas full protection of the law pending review by the Secretary of Agriculture.<sup>17</sup>

This second bill (S.1176) was the first Wilderness Bill to be granted hearings. When Senator James Murray (D-MT), Chairman of the Interior and Insular Affairs Committee, signed on as a co-sponsor of the bill, hearings were virtually assured. Senator Murray was an advocate of the Wilderness Bill and as chairman of the committee had the ability to call hearings on the bill. As Table 1 shows, the hearings reflected the chairman's position on the bill, as 29 groups testified in favor of a Wilderness Bill while 13 witnesses testified against a Wilderness Bill.<sup>18</sup> With the support of the Chairman of the Interior and Insular Affairs Committee, the bill should have moved quickly to passage. However, this was not the case. The Senate committee was not strongly led by its chairman. In his eighties, Chairman Murray frequently gave leadership of the committee to the second ranking Democrat Clinton Anderson (D-NM).<sup>19</sup>

Table 1: Distribution of Groups Testifying at the Senate Interior and Insular Affairs Committee Hearings, 1957-1963.

Senate Committee Hearings:	Pro Wilderness	Anti Wilderness
June 19-20, 1957	70% (29)	31% (13)
July 23, 1958	38% (7)	61% (11)
November 7,10,12,14, 1958	41% (62)	59% (88)
March 30-31-April 2, 1959	26% (13)	74% (37)
February 27-28, 1961	56% (22)	44% (17)
February 28-March 1, 1963	48% (16)	52% (17)

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Source: Compiled From Senate Hearings, 1957-1963.

The hearings on S. 1176 allowed preservationists to evaluate the position and strength of their opponents. Preservationists expected strong opposition from timber, livestock grazing, and mining interests. What they did not expect was the strong opposition from water resource engineers who wanted to use wilderness areas for hydroelectric projects.<sup>20</sup> Water resource engineers felt they had to take a strong stand against the Wilderness Bill since the dam at Echo Park was recently defeated.

Commodity groups took similar approaches in their opposition toward the Wilderness Bill and exhibited several recurring themes. First, these opponents denied a need for wilderness legislation. The National Reclamation Association best summed up this argument when it stated: "There are plenty of areas in the West which will always remain primitive and underdeveloped without the necessity of the restrictions proposed in the legislation".<sup>21</sup> A second argument claimed the nation's wilderness areas were already under the administrative protection of the Forest Service and the Park Service. Opponents felt there was no additional need for this legislation.

A third theme of opposition was that proponents of the Wilderness Bill were not in proportion to the land they were trying to save. Opponents claimed that the small groups of wilderness advocates in our society were determined to "lock up" a disproportionate amount of the nation's critical natural resources for their own limited use. The group's opposition was bolstered by Forest Service officials who supplied data on the use of national forests. Richard McArdle Chief of the Forest Service testified in 1956 that only 1 percent of the 53 million recreational visits to the national forests involved the use of wilderness areas, although those areas comprised 8 percent of the total national forest lands.<sup>22</sup>

Economic development was a fourth theme the opposition used to criticize the bill. Opponents questioned whether economic development could be denied in order to gratify the aesthetic sense of a few people. They claimed our economy is deprived of tax dollars when areas are "locked up". These tax dollars would come from the companies who would use the forest as well as the workers who were employed by these companies. They also believed their local economies would be devastated by the loss of jobs which would result in decreased spending at local businesses. They believed the price for forest related products would also increase as the amount of production decreased. They favored the concept of wilderness as long as it did not conflict with any areas that had the potential for economic development. Opponents to wilderness believed the land should be used for the highest economic benefit.<sup>23</sup>

This economic issue tied in nicely with a major issue of the 1950's, national defense. Opponents argued the principle that any curb of economic development affected the nation's ability to defend itself.<sup>24</sup> Preservationists logically concluded that Congress would surely allow for the exploitation of

these areas if such a circumstance arose. In the meantime, the Wilderness Bill would protect these lands under less extraordinary circumstances.

A fifth argument was related to the principle of flexibility and multiple use. Multiple use means managing all of the various renewable resources of the national forest so they are used in combination to best meet the needs of the American people. For opponents of wilderness legislation preservation is ranked quite low on a hierarchy of wilderness uses.

Multiple use demands flexibility in making administrative decisions to meet the changing circumstances. Flexibility would enable the Forest Service to remove more forest-related resources from timber harvesting, mining or grazing without added conflict. Chief of the Forest Service, Richard McArdle, indicated the Forest Service would be pleased with a bill that gave statutory protection to wilderness preservation as a legitimate use of the national forests, as long as it did not remove the actual decision from the Forest Service. Although sympathetic to the general objective of the bill, McArdle said, "We can not recommend it be enacted."<sup>25</sup>

While members of Congress who supported the bill and preservationist organizations applauded the Forest Service for accepting the idea of statutory protection for wilderness, they did not agree with the claim that the Forest Service should be able to make the decisions about how to use these lands. To illustrate their position, preservationist organizations were quick to point out the elimination of 53,000 acres from the Three Sisters Wilderness area in Oregon. McArdle personally declassified this land for timber interests despite protests from three of Oregon's four Congressmen and both of the state's Senators.<sup>26</sup>



Wilderness proponents argued that administrative discretion was not sufficient to protect wilderness resources.

In 1957, the debate over modifications were just beginning. President of the Wilderness Society, Howard Zahniser, prepared comments on the testimony of the Forest Service and the National Parks Service. These comments included a new draft bill that provided the foundation for Committee Print No. 1.

The Zahniser draft bill reduced citizen representation on the National Wilderness Preservation Council from six to three. It directed the Secretary of Agriculture to administer the national forest in accordance with the multiple use concept, specifically recognizing wilderness preservation as a supplementary use of the national forest.<sup>27</sup> This draft made a substantial concession towards placating public agencies and gave the president the power to authorize, "Prospecting, mining or the establishment or maintenance of when such use ...will better serve the interests of the U.S. than will its denial."<sup>28</sup>

Further discussions on Committee Print No. 1 led to Senator Neuberger's (D-OR) Committee Print No. 2, assigned number S. 3619, which contained additional concessions to executive agencies. It changed the way additions to wilderness areas could be made.<sup>29</sup> While earlier drafts would have allowed agencies to make those additions subject to veto by either house, S. 3619 required a concurrent resolution by Congress to overrule such an administrative action.<sup>30</sup>

In 1957, the fight over mollification's were just beginning. The designers of the bill made it quite clear they were willing to make the necessary concessions to get their legislation passed. The most substantial of these concessions directed the Secretary of Agriculture to administer the national forest in accordance with the multiple-use concept applicable to the forest as a whole.

This concession specifically recognized wilderness preservation as a supplementary national forest use.<sup>31</sup>

### C. The Third Wilderness Bill

On June 18, 1958, Senator Hubert Humphrey introduced his third Wilderness Bill, S. 4028. While significantly different from his second bill S. 1176, it contained little change from Neuberger's Committee Print No. 2 (S. 3619). The main purpose for S. 4028 was to give the Senate Committee on Interior and Insular Affairs an opportunity to report out a clean Wilderness Bill. Humphrey, along with his co-sponsors Neuberger (D-OR) and Douglas (D-IL), expressed the view that the bill had been perfected and should therefore be reported and passed.<sup>32</sup>

On July 23, 1958, Chairman of the Senate Committee on Interior and Insular Affairs, Senator Murray, opened Senate hearings on S. 4028. The major revisions aimed at land management agencies were the most significant part of the hearings. One of the main purposes of the hearings was to consider whether the revisions to previous bills had met the objections of opponents. S. 4028 brought both the Department of Interior and the Department of Agriculture out of the opponent's camp and cautiously in favor of the legislation. Both departments recommended against a National Wilderness Preservation Council. However, neither department advised against passage of the bill.<sup>33</sup>

This was a major triumph for proponents of the bill. In the past, opposition from these executive departments had furnished opponents a great deal of ammunition against its passage. In 1957, opponents often quoted the Forest Service Chief's statement that, "the bill would strike at the heart of the

multiple-use policy"<sup>34</sup> This argument lost strength without the opposition from the Forest Service, the institutional embodiment of the policy.

It became clear that preservationists were beginning to make appropriate concessions to agency officials bringing them closer than they had ever been to supporting and favoring wilderness legislation. The new bill directed the Secretary of Agriculture to administer the national forest in accordance with a multiple use concept. It gave the President the power to authorize prospecting and mining when it would best serve the interests of the United States. Changing the manner in which additions to the system could be made also pleased executive agencies. Preservationists believed that if they could win the support of the agencies they could ultimately overpower commodity interests and win approval for their legislation.<sup>35</sup>

#### D. Strategies for Delay in the Senate.

In 1958, opponents of wilderness legislation began to focus more on delay than defeat. They called for hearings to take place in the West (Bend, Oregon; San Francisco, California; Salt Lake City, Utah; and Albuquerque, New Mexico). They then asked for the postponement of these hearings until 1961 when the Outdoor Recreation Resources Review Commission (ORRRC) would report its findings. (The ORRRC had been given the task of assessing outdoor recreation potential and the need for it in 1976 and the year 2000.) However, proponents of S. 4028 (the bills sponsors and co-sponsors and conservationist groups) were not going to tolerate further delay of their measure and refused to wait three years for the results of the commission.

Western hearings were held in November of 1958 and contributed nothing new to the wilderness debate. What they did provide was a forum that gave local communities an opportunity to address their grievances. Most of the testimony given was in opposition to wilderness legislation. Of the 150 witnesses who testified 88, or 59 percent, opposed the Wilderness Bill (see Table 1). After hearings concluded, preservationists realized that the opposition was prepared to be intransigent and would exert itself to defeat the wilderness measure in spite of all concessions made by the bill's sponsors. As the 85th Congress expired so did the opportunity for S. 4028 to be voted on.

On February 19, 1959, Senator Humphrey introduced S. 1123 in the Senate with 17 co-sponsors. Although seven Wilderness bills had been introduced in the House, only Congressman Saylor's bill was identical to Humphrey's. This bill continued to represent the interests of the preservationist community.<sup>36</sup>

The Humphrey-Saylor bill contained a number of changes that were aimed at soothing land management agencies rather than commodity interests. These concessions successfully won the support of the Forest Service and the Park Service. The Humphrey-Saylor bill granted the Secretary of Agriculture the authority to control insects and disease, watershed, soil, fire, and game overpopulation. It also gave the Secretary of Agriculture an additional 10 years to reclassify primitive areas, bringing the total time to 20 years. Both the Secretary of Agriculture and the Secretary of Interior were authorized to designate a subordinate to serve in their place on the National Wilderness Preservation Council.<sup>37</sup>

Adding further to the delay of the bill was the ailing health of Senator Joseph O'Mahoney (D-WY), a member of the Senate Interior and Insular Affairs

Committee, who suffered a stroke in June of 1959. On August 14, the Senate had begun to mark up the bill. Two weeks later, consideration of the bill had been postponed until the second session at the request of Senator O'Mahoney, who was still unable to resume his duties.<sup>38</sup> On February 16, 1960 O'Mahoney had overcome his health problems and was able to offer amendments to S. 1123. These amendments would restrict statutory protection to fewer than 6 million acres already classified by the Forest Service as wild, wilderness or roadless. On April 20, 1960, O'Mahoney joined Senator Gordon Allott (R-CO) and introduced these amendments in the form of a substitute bill.

The O'Mahoney-Allott amendments, as well as numerous others that severely limited the protection of wild, wilderness, or roadless areas to levels unacceptable to a committee that favored the Wilderness Bill, only added to the delay. Personnel changes also complicated and delayed action on the bill.<sup>39</sup> Senator Richard Neuberger, a champion of wilderness preservation and a member of the Interior and Insular Affairs Committee, died on March 8, 1960.<sup>40</sup> A month later Senator Murray, also a strong advocate of the Wilderness Bill, announced that he would retire at the end of his term (January 3, 1963). In a brief period of time, preservationists suffered the loss of two crucial supporters.

A third factor contributed to the delay of the bill. Since the introduction of S. 1123 in Congress, the Multiple-Use bill of 1960 successfully made its way through both houses of Congress and was signed into law. This statute formalized the long-standing policy of Forest Service with respect to National Forest lands. In the process of reaffirming the Multiple-Use policy, the Multiple-Use Sustainable Yield Act gave the first general statutory sanction to wilderness

preservation of forests. The Multiple-Use Act established as congressional policy that the administration of national forests include the five basic uses:

- Outdoor Recreation
- Range
- Watershed
- Timber
- Fish and Wildlife Management

Both supporters and opponents of the Wilderness Bill favored the Multiple-Use Act. The former stressed that it gave legislative sanction to what the Forest Service had already done and that it complemented the Wilderness Bill. The latter stressed that it gave wilderness no statutory protection.<sup>41</sup> These opponents claimed the bill would set forth specific priority uses for the forests and would not solely protect wilderness areas.

While the Wilderness Bill was stalled by its critics in committee, neither house was willing to pass the Wilderness Bill in the form that would be inconsistent with the Multiple-Use Act. S. 1123 required technical amendments to address the Multiple-Use Act. Along with the multitude of major and minor amendments considered by the committee in executive session, these amendments demonstrated a need to rewrite the Wilderness Bill.

On July 2, 1960, Senator Murray introduced a new Wilderness Bill designated S. 3809.<sup>42</sup> This new bill incorporated nearly 30 changes so it would not interfere with the Multiple-Use Act. Three of these were significant. First, all mention of wilderness on Indian reservations was dropped from the bill. Second, the National Wilderness Preservation Council was dropped. Third, the new bill stipulated that additions to the wilderness system could be made "only by an Act of Congress", after a 15 year period during which the executive branch could make alterations in the wilderness system subject to congressional veto.<sup>43</sup>

Even as he was introducing S. 3809, Senator Murray admitted that, "the prospects for finding adequate time for final consideration by the committee have become very discouraging".<sup>44</sup> Indeed, the 86th Congress expired with no final report on S. 3809.

Many opponents of wilderness legislation attempted to delay hearings on the bill until the ORRRC had reported its finding in 1961. This attempt failed as testimony was heard in four western cities. In 1959, supporters believed they could pass the bill if they could win the support from executive agencies and began to make the appropriate concessions in order to win their approval. In 1960 preservationists came to the realization that even if they won the approval from the Department of Agriculture and Interior they were up against more powerful opponents. These opponents were the individual members of the House Interior and Insular Affairs Committee. The members who created the most opposition resided in western states and believed that the Wilderness Bill would damage the growth of the economy in their state. As a result of their activities, Congress for the fourth straight year was unable to pass a Wilderness Bill before the session ended.

#### E. Initial Passage in the Senate

The opening of the 87th Congress marked a new beginning for wilderness advocates. In 1960, President John Kennedy was elected. Within the first month in office, he addressed Congress on his natural resources policy and endorsed the Wilderness Bill.<sup>45</sup> For the first time, support for wilderness preservation came from an elected president's program. This support from the executive branch would positively affect passage of the bill. The new Agriculture and Interior

secretaries also reflected the new president's commitment to wilderness policy.<sup>46</sup> With Kennedy in office, the opponents of Wilderness legislation in the Congress needed to reconsider a strategy of obstruction and work instead to write a bill that would meet some of the demands for conservation and at the same time accommodate the economic interests that dominated congressional committees.

The chairmanship of the Senate Committee on Interior and Insular Affairs had been officially passed from Senator Murray to Senator Clinton Anderson (D-NM) a prominent supporter of wilderness legislation. Anderson introduced a new Senate bill, S. 174 on January 5, 1961, along with 13 co-sponsors, including Senator Humphrey.<sup>47</sup> S. 174 was the same bill as its predecessor (S. 3809) although it was arranged differently.<sup>48</sup> On the day following the president's state of the union address, Senator Anderson announced hearings on S. 174.<sup>49</sup> Anderson wanted to hold early hearings to build momentum in the Senate for the bill. This early action would allow enough time for the House to debate the bill.

Based upon testimony given during previous hearings, the testimony given during these hearings went along predictable lines. However, there were a few general changes in the tone of the testimony. In contrast to previous presidential administrations, the secretaries of Agriculture and the Interior for the first time were heard arguing in support of the president's commitment to wilderness preservation and strongly recommended passage of the bill. Stewart Udall, Secretary of the Interior re-emphasized his strong continued support for this legislation stating, "In our judgment it is a highly significant proposal."<sup>50</sup> While Secretary Freeman of the Agriculture Department said of S. 174, "We strongly believe the bill be enacted".<sup>51</sup>



One possible piece of evidence, of the executive activity and support for the Wilderness Bill is found in the number of executive officials who testified before the committee. As Table 2 shows, five key executive branch leaders testified in 1961 compared with just two in 1957, 1958, 1962, and 1963.

Table 2: Executive Officials Testifying at the Senate Interior and Insular Affairs Committee Hearings on the Wilderness Bill, from 1957-1963.

June 19-20, 1957 (N=2)

Richard McArdle, Chief of the United States Forest Service  
Conrad Wirth, Director of the National Park Service

July 23, 1958 (N=2)

George W. Abbott, Assistant to the Secretary of Agriculture  
Edward Crafts, Assistant to the Chief of the United States Forest Service

February 27-28, 1961 (N=5)

Stewart Udall, Secretary of the Interior  
Richard McArdle, Chief of the United States Forest Service  
Orville Freeman, Secretary of the United States Department of Agriculture  
Edward Crafts, Assistant to the Chief of the United States Forest Service  
Reynold Florance, Director Division of Legis Reporting Liaison to the  
United States Department of Agriculture

May 7-11, 1962 (N=2)

Stewart Udall, Secretary of the Interior  
Orville Freeman, Secretary of the United States Department of Agriculture

February 28-March 1, 1963 (N=2)

Stewart Udall, Secretary of the Interior  
Cliff Edward, Chief United States Forest Service

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Source: Complete Senate Hearings: 1957-1963.

On July 27, 1961, the Senate committee reported favorably on the Wilderness Bill. This occurred after the committee agreed to several amendments sponsored by Senator Frank Church (D-ID) that would give Congress more control over the designation of wilderness areas. The bill would require the Secretary of Agriculture to report to the president on which primitive areas were to be included into the wilderness system within 10 years of passage

of the Act. Presidential recommendation based on these reports would be subject to veto by either house of Congress. Other amendments made minor concessions to commodity interests that would allow limited prospecting in wilderness areas.

Senator Allott (R-CO) continued to be the bill's most persistent opponent. Allott offered three significant amendments on the Senate floor.<sup>52</sup> The first [No. 186] required the approval of both houses for the inclusion of primitive areas. The amendment was defeated by a vote of 53 to 32.<sup>53</sup> The second [No. 187] was a proposal to allow the Secretary of Agriculture, rather than the president, to grant exemptions to the bill's mining restriction. It was similarly defeated 51 to 35.<sup>54</sup> The third amendment [No. 188] stated that the bill would not limit the authority of the Federal Power Commission to grant licenses for hydroelectric projects in national forest areas. This proposal was accepted because Senators believed it would not harm the Wilderness Bill. It had the blessing of the bill's floor manager Senator Church.<sup>55</sup>

Allott's amendments provided an opportunity to analyze the patterns of support for pro-wilderness legislation on the committee and in the Senate as a whole. A vote to reject Allott's first two amendments [No. 186 and 187] would be a pro-wilderness vote. A comparison of the votes of the committee members shows that the preferences of the committee closely correspond with the preferences of the chamber. As Table 3 shows, 63 percent of the committee voted for the pro-wilderness position on both amendments, while 59% of the Senate voted for the pro-use position. Thus the committee reflected the preferences of the body as a whole, making it possible for the committee to work the will of the Senate.

Table 3: Comparison of Senate Interior and Insular Affairs Committee Preferences on the Wilderness Bill with the Whole Senate.

Amendment No.		Committee	Non Committee	Difference
1961	186	63% (N=16)	62% (N=69)	1%
	187	63% (N=16)	59 % (N=70)	4%
1963	41	54% (N=13)	71% (N=69)	15%
	42	57% (N=14)	78% (N=68)	19%
	43	62 % (N=13)	57% (N=71)	5%

Source: The Congressional Record, 1961-1963.

Debate on the passage of the Wilderness Bill concluded on September 6, 1961 and the Senate passed S. 174 by a decisive 78 to 8 vote.<sup>56</sup> As anticipated, preservationists had the votes to pass the bill on the Senate floor and now S. 174 went on the House.

Senator Anderson played a crucial role in the passage of the bill. He deserved credit for breaking the five year log jam in the Senate. Anderson's careful redrafting of earlier versions of the bill, his insistence on bringing all sides together for strategy discussion, and his move towards a vote only after careful deliberation, accounted for the bill's success in the Senate.<sup>57</sup> In 1956, preservationists believed they could win approval for legislation if they, rather than the commodity interests, could capture the support of the Department of Agriculture and the Department of Interior.

President Kennedy's commitment to wilderness legislation made a difference. The Agriculture and Interior Departments became all out enthusiasts for a strong Wilderness Bill in 1961.<sup>58</sup> Kennedy delivered the first major conservation message to Congress in over 50 years. Departing from Eisenhower's doctrine of local initiative for development of the nation's land and

water resources, the President committed himself to an aggressive program under the progressive principals of national leadership (backed by state and local governments).<sup>59</sup> For the first time the Wilderness Bill had the support from the executive branch and for the first time it passed the Senate.

#### F. Strategies for Delay in the House

The preservationists were now concerned with the effect individual members of Congress could have on the bill, who would be the biggest obstacle to the bill's passage during this period. The bill's most persistent opponents were Senator Allott (R-CO) and Chairman of the House Interior and Insular Affairs Committee, Wayne Aspinall (D-CO). Since 1958, opponents of a strong Wilderness Bill in the House of Representatives repeatedly urged a delay to await the forthcoming reports of the Outdoor Recreation Resources Review Commission. This report was likely to determine whether House Interior Chairman Aspinall would keep his commitment to move ahead with consideration of the stalled bill. A weak or contradictory study would provide Aspinall with foothold for which to base additional investigations which would only lead to further delay. A strong report favoring wilderness preservation would push the chairman to take action.

When the commission announced its findings in 1962, the results stunned the opposition. The commission concluded that the nation was unprepared to meet the likely recreation demands for the year 2000. Included in the ORRRC report was a recommendation for wilderness legislation. The Congressional Record reported Congressman Saylor (R-PA) as saying,

"There is widespread feeling which the commission shares, that the Congress should take action to assure the permanent

preservation of suitable areas of National Forest, National Parks, Wildlife Refuges, and other lands in federal ownership."<sup>60</sup>

Equally significant were the conclusions and recommendations of the Commission's Study Report No. 3 on "Wilderness and Recreation". The report recommended, "Congressional legislation which specifically authorizes establishment of wilderness areas within Federal Agency jurisdictions, and management activities to perpetuate wilderness conditions. This should include restrictions on mineral entry, mining and water development, limiting these activities to those clearly in the national interest".<sup>61</sup> The report concluded by stating that new legislation was critical to preserving wilderness in the National Forest and National Parks System.<sup>62</sup>

The commission's reports were a damaging tactical blow to opponents of wilderness legislation. Opponents had argued that no Wilderness Bill should be passed as long as the commission's work was in progress. When the report recommended a Wilderness Bill, opponents to the bill were almost forced to act. Earlier in the session Aspinall said he would act on the bill after the ORRRC had reported its findings.

Still, it is worth noting that it took six years after a bill was first introduced by Saylor for Aspinall to hold hearings on wilderness legislation. On April 6, Chairman Aspinall of the House Interior and Insular Affairs Committee announced hearings on the bill would finally begin on May 7. The committee leadership was firmly opposed to wilderness legislation. However, after a bill had passed the Senate and the ORRRC, the committee was prompted to deliberate over the Wilderness Bill. As we shall, see the House as a whole also favored the Wilderness Bill.

The House Subcommittee on Public Lands hearings were held under the direction of Congresswomen Gracie Pfof (D-ID). The hearings provided a forum for witnesses from all sides of the wilderness issue. But, unlike the Senate committee hearings which initially reflected a pro-wilderness bias, the House committee hearings were stacked with anti-wilderness groups (see Table 4). The imbalance between pro and anti-wilderness groups testifying at the hearings indicates the House committee preferences against a Wilderness Bill.

Table 4: Distribution of Groups Testifying at the House Interior and Insular Affairs Committee Hearings.

House Committee Hearings:	Pro Wilderness	Anti Wilderness
October 30-31, 1961	35% (23)	65% (42)
November 1, 1961	37% (12)	63% (20)
November 6, 1961	44% (15)	56% (19)
May 7-11, 1962	50% (19)	50% (19)

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Source: House Committee Hearings, 1961-1962.

Proponents stressed the concessions that had already been made in S. 174 as well as the full range of preservationist themes that had been brought before the Senate committee. Opponents also repeated their arguments and demands for more concessions. Many opponents including members of Congress proposed amendments that would dilute the bill. These ranged from specific exemptions for their own interest to revisions that would leave the wilderness less protected than if the bill were simply defeated. Aspinall intervened at critical points to advocate proposed amendments that would dilute the Senate version of the House bill. This action confirmed Anderson's pessimism that Chairman Aspinall had no intention of clearing a bill that was similar to the one the Senate passed in September.<sup>63</sup>

Proponents remained optimistic that some sort of bill would pass. As the hearings progressed, there was less talk of defeating the bill and more praise from the secretaries of Agriculture and Interior for both the bill and the concept of wilderness.<sup>64</sup> Additionally, there was greater acceptance of wilderness preservation where no commodity interests were at stake. Still, mining, timber, grazing, and petroleum interests such as the Independent Petroleum Assoc., National Lumber Manufacturers, Western Colorado Cattlemen's Committee, American Mining Congress insisted on free rein to carry out their activities everywhere. They were able to pinpoint areas of economic value to them. The concessions made by the bill's proponents may have won over some legislators, but they did not blunt the attacks of major organizations such as the Western Resources Conservation Council, who still vigorously opposed the bill.

Congressman Aspinall, Chairman of the House Committee on Interior and Insular Affairs, promised action of the bill in 1962. He stated, "We'll get a wilderness bill of some kind out of committee and we expect it to go through the house this year".<sup>65</sup> The Wilderness Bill was considered on June 29, 1962, at which time Aspinall offered a substitute bill by way of an amendment to H.R. 776.<sup>66</sup> This substitute which bore scant resemblance to the original H.R. 776 was adopted. On August 9, the subcommittee approved H.R. 776 as amended and sent it to full committee.

H.R. 776 was introduced early in the 87th Congress by John Saylor. The newly amended version of H. R. 776 provided that only areas classified as wilderness, wild, and canoe were to be preserved.<sup>67</sup> It called for the removal of all 39 "primitive areas" encompassing 8 million of the 14.6 million acres included in the Senate Act. The addition of any primitive areas of other land not carrying

a formal designation as wilderness would require affirmative congressional action. Some commercial activity was to be permitted. Mining would be allowed to continue for an additional ten years. Furthermore, the wilderness classification of every area so designated would be reviewed every 25 years to determine its appropriateness.<sup>68</sup> These amendments clearly benefited commodity interests and aggravated, irritated and insulted wilderness advocates.

On August 30, the full committee voted to report the bill to the full House. Then in an unusual action it adopted a resolution introduced by Congressman Westland, (R-WA), "binding" in Aspinall's words, " the Chairman to bring the measure before the House in accordance with the procedures provided by Rule XXVII the suspension of rules."<sup>69</sup> The suspension of rules is a legislative shortcut which may be used for both important and minor public bills, resolutions, and conference reports. In the House a suspension of rules bars amendments on the floor, limits debate to forty minutes per side, and requires a two thirds vote to pass. The procedure was used to guard against the floor amendments which might restore the bill to its original form. This was an unusual course for this Wilderness Bill to take because it would not come close to the two thirds votes necessary for its passage. This indicates that Aspinall only wanted a Wilderness Bill on his terms. Unlike the Senate committee, the House committee could not count on the support of the chamber as a whole.

Speaker John McCormick (D-MA) was sympathetic to President Kennedy's natural resources policy and refused to permit Aspinall's tactics to succeed. In an unprecedented rebuff to a committee chairman, the speaker insisted that the bill be considered on its merits with an opportunity for the full



debate and amendments.<sup>70</sup> Aspinall declined to convene his committee and opted to address the full House. He denounced supporters of wilderness preservation, calling his bill an attempt at compromise. He said,

"the extremists have now demonstrated that they have no desire to compromise, and in their recklessness and ruthless demand to rule have created an atmosphere which makes [im]possible the enactment of any wilderness legislation during this congress."<sup>71</sup>

Aspinall suggested that wilderness proponents had waited until the bill reached the floor so that they could substitute the Senate bill and subvert the committee system. In response to Aspinall, Congressman Saylor presented a different picture of the events that took place during the previous weeks. Saylor suggested that chairman Aspinall had contrived the entire affair for his own purposes. He concluded by stating,

"Mr. Speaker, the chairman's explanation of the House Interior Committee action just will not wash. The failure to bring the wilderness bill to the floor for full consideration is the responsibility of the committee leadership. Their refusal is due to the fear that when the House has their opportunity to work its will, the result will not be of their choosing."<sup>72</sup>

In response, Aspinall packed his bags and left town, blocking any further action of the measure for the remainder of the 87th Congress. As was previously noted, the new challenge for wilderness advocates was how to deal with the activities of the individual members of Congress and in particular a powerful committee chairman. Aspinall's actions demonstrated this point. As the Chairman of the House Interior and Insular Affairs Committee he had tremendous power over the destiny of the bill and he was able to kill the Wilderness Bill in the 87th Congress. The pace and direction he chose to take the bill negatively affected the possibility of passage by the House. When he left Washington he destroyed any chance that the bill would be passed in 1962.

Chairman of the House Interior Committee acted like a textbook strong committee chairman of the early 1960s. Aspinall was very successful at delaying consideration of and manipulating the Wilderness Bill. Aspinall promised he would pass some sort of wilderness legislation, so he amended H.R. 776 until it bore scant resemblance to its original bill. Then in an attempt to get his amended bill passed he tried to subvert the committee system by seeking floor consideration under a suspension of rules. When his attempt failed, Aspinall retreated back home to Colorado and the bill's chances for passage ended along with the 87th Congress. This illustrates the power a committee chairman has. Almost single handedly, Aspinall defeated the Wilderness Bill. Typical of the respect a chairman had at that time, his committee remained adjourned and did not attempt to act on the Wilderness Bill. Aspinall knew a Wilderness Bill would eventually be passed by his committee and when it did he would make sure that it address the concerns of western economic interests.<sup>73</sup>

#### G. Passage in the Senate

On January 14, 1963, Chairman Anderson introduced a bill (S. 4) identical to S. 174 which the Senate passed in 1961.<sup>74</sup> Anderson was eager to pass the bill early in the session. He wanted to allow the House an extended period of time to act without being threatened by the expiration of Congress.

Three minor changes to the bill were introduced by Senator Peter H. Dominick (R-CO). The first amendment extended the applicability of mining and mineral leasing laws through 1977. A second amendment provided that any primitive area not reclassified after 10 years would lose its protected status. The third amendment gave the appropriate departmental secretary authority to

approve nonconforming uses of wilderness areas, rather than investing this power in the president. The Senate Committee on Interior and Insular Affairs was acting in favor of a pro-wilderness fashion when it defeated Dominick's amendments by a vote of 11 to 5.<sup>75</sup> On April 3, the Senate Committee on Interior and Insular Affairs reported out S. 4 to the full Senate with five minor amendments.<sup>76</sup>

Senator Dominick offered an amendment that would require congressional action on each executive recommendation. This supported the view that Congress should reassert its constitutional right to control the disposition and use of the public lands. The amendment would have required affirmative congressional action on each executive recommendation in order for the at recommendation to take effect. The Dominick amendment was defeated and the Senate proceeded to pass S.4 by a vote of 73 to 12.<sup>77</sup>

In 1963 the balance between the committee and Senate chamber tilted somewhat as a result of turnover, the preferences of the committee were not as pro-wilderness as they had been in the previous Congress. In the 88th Congress there were seven new members of the Senate Interior and Insular affairs committee.

Of the seven new members four--Dominick (R-CO), Hayden (D-AZ), Jordan (R-ID) and Mechem (R-NM)-- voted against the pro-wilderness position on all three of Dominick's amendments. Senators Nelson (D-WI) and, Metcalf (D-MT) voted in favor of pro-wilderness on those amendments, while Senator Simpson (R-WY) did not vote. This accounts for the differences in Table 3 between committee and non committee members in the Senate on Amendments No. 41 and No. 42. The committee's preferences still roughly coincided with

those of non-committee members: a majority of committee members voted along with a majority of non-committee members in the Senate. Furthermore on final passage of the Senate bill 70 percent of committee members and 75 percent of non committee members voted in favor of the Wilderness Bill.

#### H. Passage in the House

A number of Wilderness Bills were introduced in 1963 in the House. One group included S4 and a number of similar bills introduced by longtime supporters of wilderness legislation. Congressman Saylor's bill H.R. 930 was the prototype for this group of measures. Congressman Walter S. Baring (D-NV), Chairman of the Public Lands Subcommittee, refused to schedule hearings on the bill and Aspinall agreed. Baring had promised the American Mining Congress that there would be no Wilderness Bill unless, "proponents are willing to move in the direction of the compromise offered by the House Committee last year".<sup>78</sup> Baring's remarks resulted in several new bills. The sponsors of these new bills had gone further than before towards placating the foes of wilderness preservation. These scaled down bills were the price for hearings in the House.

In 1963, Congressman Saylor was first to introduce a new bill, H.R. 9070.<sup>79</sup> Saylor sought to test the validity of the congressional control issue raised by the Aspinall substitute (H.R. 776). Saylor had always maintained that congressional control over the federal lands was not the real issue for opponents. On June 27, 1963, he told the House:

"Now some of the same people who 7 years ago opposed the wilderness bills for usurping bureau prerogatives are saying that it is giving the bureaus authority and surrendering congressional prerogatives. Such may seem to be inconsistent. Actually they are very consistent-consistently opposed to proposals that will preserve wilderness."<sup>80</sup>

He went on to promise:

"Any proposal that provides for more positive congressional action will have our support if they likewise insure the protection as wilderness of the areas provided for in the act until Congress does take further positive action."<sup>81</sup>

Saylor's new proposal combined a strong Wilderness Bill with complete congressional control. It incorporated as much area into the wilderness system as did the Aspinall substitute. The proposal provided for maintenance of the status quo on all areas until Congress made a decision to incorporate an area into the wilderness system.<sup>82</sup>

H.R. 9162, introduced by Congressman John Dingell (D-MI), went further in meeting the demands of wilderness foes. Like Saylor's bill, H.R. 9162 also required an act of Congress for any addition to the wilderness system beyond wilderness, wild and canoe areas. H.R. 9162 also extended the applicability of the mining laws to December 31, 1973.<sup>83</sup> Unlike H.R. 9070, it did not protect the status quo of primitive, park, and refuge areas beyond the 10 year review period following the bill's passage.

The Saylor bill (H.R. 9070), Dingell bill (H.R. 9162) and Anderson bill (S.4), differed widely in their potential consequences (see Appendix III). It was apparent in the preceding Congress that the major issue was how far preservationist would have to compromise their bill to gain approval from Aspinall's committee. Both the Saylor and Dingell bills were attempts to meet committee objections.

It was expected that Dingell's bill would be considered the basis for that committee's consideration. This bill was negotiated directly with Representative Aspinall, Chairman of the House Interior and Insular Affairs Committee. Dingell

also consulted with the Departments of Agriculture and Interior. In an attempt to appease these departments, Dingell subsequently amended his bill to preserve the status quo in the administration of the primitive areas. The Saylor bill (H.R. 9070) had been developed with cooperation from the Wilderness Society.

After eight long years of inaction, preservationists realized the realities of congressional power were against them.<sup>84</sup> They acknowledged it was time to compromise and get some form of wilderness protection rather than have none at all. It was apparent that both legislators and organizations such as the Sierra Club, the Wilderness Society, the National Parks Association, the Wildlife Management Institute, the Citizens Committee on Natural Resources and the Federation of Western Outdoors Clubs were in a compromising mood. These groups were satisfied that the gap between previous bills has been closed and it was time to compromise.<sup>85</sup>

The Departments of Agriculture and the Interior reiterated their strong support of the Dingell bill providing it would be amended to preserve the status quo in the primitive areas in the event that Congress failed to reclassify them during the 10 year review period. Without such an amendment, the Wilderness Bill could become the vehicle for the elimination of nearly 40 percent of the areas to which the Forest Service had given administrative protection.<sup>86</sup> Congressman Dingell himself urged the amendment of his new bill to preserve the status quo in the administration of primitive areas. He presented this view in a letter to Chairman Aspinall and in an appearance before the committee.

Conservation organizations would have preferred the Saylor bill (H.R. 9070) or Senator Anderson's bill (S. 4) over Congressman Dingell's (H.R. 9162). Saylor's bill H.R. 9070 would be acceptable, provided the primitive areas were

protected in their present state of administration.<sup>87</sup> Opponents of wilderness legislation also seemed to settle on the Dingell bill (H.R. 9162), but would have accepted the Saylor bill (H.R. 9070) on the grounds that a bill needed to be passed to prevent further designation of wilderness by executive order.<sup>88</sup> The fate of the Wilderness Bill in the House rested in the hands of Chairman Aspinall. The threat of an executive order which would designate wilderness by executive order coupled with the death of Howard Zahniser who had been the guiding force behind the Wilderness Bill Aspinall sounded conciliatory. In a tribute to Zahniser on the House floor, Aspinall indicated that his committee would produce an acceptable Wilderness Bill.

"As frequently happens, Howard did not live to see the fulfillment of one of his prime projects: The legislative establishment of a National Wilderness Preservation System. However, he knew that his main battle had been won and when he and I talked just last Thursday he spoke with great feeling and utmost concern lest some outside disruptive forces might upset the conciliatory attitude pointing toward compromise legislation that was in evidence in the hearings conducted throughout last week by the Subcommittee on Public Lands or our Interior and Insular Affairs Committee."<sup>89</sup>

The subcommittee on Public Lands met on June 1, 1964 to mark up a bill. On June 2nd, most observers were surprised when the subcommittee reported an amended version of Saylor's bill (H.R. 9070) over the Dingell bill which was drawn up with the help of Representative Aspinall, chairman of the Interior and Insular Affairs Committee, and the Departments of Agriculture and the Interior.<sup>90</sup>

Yet it is not quite as surprising when one considers that the amended bill H.R. 9070 clearly benedited economic interests. Mining would be allowed to continue for an additional 25 years. The Secretary of Agriculture ordered to classify approximately 3,5000 acres for additional ski development in the San

Gorgonio Wild Area.<sup>91</sup> It also called for an amendment that would allow the executive branch to declassify areas classified as primitive. This classification would be subject to congressional veto within 60 days in cases where a large acreage was involved.<sup>92</sup> This would benefit commodity interests who favored giving the chief executive the power to remove lands. They believed when a president sympathetic to their needs was elected, he could remove areas without congressional interference. Thus, as amended, H.R. 9070 was similar to H.R. 1962 and reflected the desires of Chairman Aspinall.

When the bill reached the House floor, most of the work done by the Committee was substantially undone. A Saylor proposal to restore the San Gorgonio Wild Area to the wilderness system was passed 73 to 39.<sup>93</sup> This amendment was adopted by a vote of 67 to 38.<sup>94</sup> The authority granted to the executive branch to declassify administratively portions of the primitive areas not suitable for preservation as wilderness was eliminated by this amendment.<sup>95</sup> Wilderness advocates applauded the restoration of the San Gorgonio Wild Area to the wilderness system. They likewise approved of the elimination of the chief executive's ability to declassify lands. Ideally we would like to analyze the votes as we did for the Senate but, such votes are not available. However, it is still safe to say knowing what we do about the House committee that there was a difference in preferences between the committee members and the House as a whole.

The Wilderness Bill, a controversial measure, and for years the victim of powerful committees who had the ability to delay legislation, was finally adopted in the House by a vote of 374 to 1.<sup>96</sup> Following its adoption, it was renamed S. 4 and returned to the Senate.



## I. The Wilderness Bill Becomes Law

The Senate refused to accept the House version. Both the House and the Senate appointed members to a conference committee to resolve their differences. Senator Anderson became the committee's chairman and began attempts at compromise. The committee reduced the period in which prospecting would be allowed from 25 years to 19. The House version had placed a 5,000 acre minimum limit on individual wilderness areas. The conferees, however, agreed to eliminate specific acreage in lieu of a statement of intent that a tract should be of sufficient size to make practicable its preservation and use in an unimpaired condition.<sup>97</sup> The conferees also deleted the provision of the House version that would have required the president to identify specific values in an area that would justify its preservation as wilderness.

On the final day of the congressional session, Anderson and Aspinall carried the conferee's handiwork back to their respective chambers. Both emphasized the bill's benefits and urged members to set aside their short term concerns and focus on the considerations of the future generations. On August 20, 1964, both the houses quickly adopted the conference report. On September 3, 1964 President Lyndon Johnson signed the Wilderness Act into law.

## IV. Conclusion

This thesis examined the legislative background and history of the Wilderness Act through a chronological progression from its introduction through several attempts at compromise to its final passage. It demonstrates how the bill followed different paths in the House and Senate and was largely shaped by preferences of the Interior and Insular Affairs Committees.

Arguments presented in the late 1950s and early 1960s by supporters and opponents of wilderness legislation reflected the basic dichotomy in thinking about wilderness. Preservationists felt a strong commitment to preserve as much of the landscape as possible for future generations, while commodity interests viewed wilderness as a necessary and vital component of economic growth. The passage of an act which gave statutory protection to wilderness required a compromise between these groups.

Chairman Wayne Aspinall of the Interior and Insular Affairs Committee was a powerful force in the House. He was involved in every aspect of his committee's activities from subcommittee hearings to passage of the bill. Aspinall, in textbook fashion, was an expert on the legislation that passed through his committee and was well respected by the committee members. Since he did not have the support of the members on the floor, he used as many means as he could to obstruct the process until he could report out a bill that would protect the interests of pro-use advocates. This was clear when he offered a substitute bill by way of an amendment to H.R. 776 which was considered under a suspension of rules. Aspinall knew that he did not have the necessary support for the bill on the floor. He pursued this rare and unusual tactic which ultimately killed the bill when the Speaker denied his request. Aspinall left Washington until the term expired.

By 1964, the process had produced a bill that symbolically favored wilderness preservation but accommodated Aspinall's interests. We cannot say for sure why Aspinall got behind the Saylor bill when he did, but we do know that after eight years of debate and no statutory protection for wilderness areas, preservationists were willing to get some sort of legislation rather than none at

all. Preservationists accepted the fact that at present the House Interior and Insular Affairs Committee, would not be in their favor. Preservationists worked under the premise, "if you can't get a whole loaf take a half, if you can't get half take a slice and if you can't get a slice take a crumb..."<sup>98</sup> Preservationists who were seeking protection for wilderness areas conceded that after years of struggle it was better to get some legislative protection for wilderness areas than none at all. Early in 1964 wilderness advocates believed it was time to make the necessary compromises in order to get a bill passed.

Late in 1964, preservationists realized they were not alone in their willingness to compromise. Aspinall too was pushed by executive pressure when the president threatened to designate wilderness areas by executive order if the Congress failed to pass wilderness legislation. On the floor of the House in a tribute to the memory of Howard Zahniser, Congressman Aspinall sounded conciliatory about the passage of the bill. He recalled a conversation that he had with Zahniser in which both men discussed their concerns about how some outside force could disrupt the conciliatory attitude which was developing in the committee. Aspinall was not necessarily opposed to a Wilderness Bill, he just wanted to make sure the bill protected western economic interests which were valued by many members on the House Interior committee.

This case study illustrates the power a strong chairman had over the progress of a bill. Aspinall, Chairman of the Interior and Insular Affairs Committee single handily slowed down the progress of the bill to serve his policy interests. He was more concerned with protecting the narrow interests he represented than he was with letting the chamber work its will. Aspinall was aware the whole chamber would pass a wilderness bill if given the chance. The

fact that he continued to delay the bill knowing full well that the House chamber would pass a Wilderness Bill was clearly an abuse of power.

The signing of the Wilderness Act was an important first step for advocates of wilderness preservation. The compromise necessary to allow passage in the House and Senate yielded legislation that was only a beginning for wilderness preservation. Even though the Wilderness Bill was originally intended to settle the conflicts over wilderness preservation, these conflicts continued in spite of existing legislation. The Wilderness Act did not create a diversified wilderness system. It did provide statutory protection for very small areas of highly remote and relatively non-controversial lands. It gave wilderness supporters the opportunity to debate in the national legislature the relative merits of each area.

Preservation is an ongoing process. The passage of the Wilderness Act was not a single event that solved present and future preservation issues. The achievement of this goal will require constant vigilance on the part of those interested in preserving the wilderness. Initially only 9.1 million acres were designated for wilderness. If the wilderness system is to continue to grow, Congress must find a way to fulfill its on going obligation to secure resources of wilderness for future generations to enjoy. Preservationist must continue their efforts to champion their cause to secure the benefits of natural, wild, and undeveloped lands for the future.

## Appendix I: Major Aspects Of The Wilderness Act

The Wilderness Act, passed in 1964, established a National Wilderness Preservation System for the purpose of securing the resource of wilderness for future generations to enjoy. Wilderness, as described by the act, is an area of undeveloped federal land that retains its primeval character and influence without permanent improvements resulting from human habitation. Wilderness is to be protected and managed in order to preserve these natural conditions. (The Wilderness Act, Section 2)

Designated wilderness areas are those areas within the national forests that have been classified as wilderness, wild or canoe at least 30 days prior to the passage of the act. The Secretary of Agriculture is to file maps locating these areas within one year of passage of the act. In addition, the Secretary of Agriculture is to review for purposes of classifications as wilderness, all national forest areas. This review is to be done within ten years. The report of the findings is to go to the president. The Secretary of the Interior is to make reports on suitable lands within the national parks, monuments and other units of the park system, islands, wildlife refuges, and game ranges which may be appropriate for inclusion into the system. (The Wilderness Act, Section 3)

Special uses for supplemental purposes, such as mining and prospecting, may also be allowed. These should not be in derogation of the purposes of the act or detrimental to the nature of the area and should not be inconsistent with the forest, park, refuge or other purposes. Commercial enterprises and roads are prohibited except as necessary to meet minimum administrative requirements. Except where prior rights have been established, the use of aircraft and motor boats is restricted. However reasonable regulations may be made for ingress to

the areas, i.e., the transmission of power. Water and power projects may be authorized by the president and commercial services may be authorized to the extent necessary to realize recreational or other wilderness purposes of the areas. (The Wilderness Act, Section 4)

State and privately owned land within wilderness areas is to be protected and rights of ingress and egress granted. Where necessary, the Secretary of Agriculture may acquire private lands within the perimeter of areas classified as wilderness (The Wilderness Act, Section 5). Private contributions can be accepted for use under the act, and status reports giving all pertinent information are to be made to the president for transmission to Congress. (The Wilderness Act, Sections 6 and 7)

## Appendix II:

### Organizations Represented at the National Wilderness Preservation Hearings:

June 19- 20 , 1957:

Senate Interior and Insular Affairs Committee Hearings on S. 1176. Of the witnesses testifying, 29 were pro-wilderness while 13 groups were anti-wilderness.

Department of Water Resources, Smoky Mts. Hiking Club, National Wildlife Fedn., Sierra Club, Defenders of Fur bearers, Fedn. of Western Outdoors Clubs, Seattle Audobon Society, Cascades Conservation Council, Nature Conservancy, Upper Colorado Rivers Commission, Bureau of Sport Fisheries and Wildlife Interior Department, Industrial Forestry Assn., American National Cattlemen's Assn., Idaho Wildlife Fedn., Navajo Tribal Council, Outdoor Boating Club of America, Chief of the Forest Service, Western Forestry and Conservation Assn., American Pulpwood Assn., Wilderness Society, NY State Conservation Council, National Lumber Mfrs. Assn., League of MD Sportsmen, National Parks Assn., Izaak Walton League, American Planning and Civic Assn., Independent Timbermens Committee Assn., Princeton Theological Seminary, Army Foresters Assn., Editor Outdoor News Bulletin, Wildlife Management Institute, Fedn. of Women's Clubs, National Assn. of Engine and Boat Mfrs., National Council of State Garden Clubs, Citizens of Natural Resources, Appalachian Mountain Club, Citizens Natural Resources Assn. of Wis., Fedn of Garden Clubs, Uranium Inst. of America, National Reclamation Assn., National Park Service, Bur of Land Management, Interior Department,

July 23, 1958:

Senate Interior and Insular Affairs Committee Hearings on S. 4028. Of the witnesses testifying, 7 were pro-wilderness while 11 were anti wilderness.

Interior Department, National Wildlife Fedn., Independent Petroleum Assn., Fedn. of Women's Clubs, Forest Service, American Forestry Assn., Minn. Citizen's Committee, Industrial Forestry Assn., Assn. on American Indian Affairs, American National Cattlemen's Assn., American Pulpwood Assn., National Lumber Mfrs. Assn., Izaak Walton League, American Forestry Assn., Wildlife Management Institute, AFL-CIO, National Reclamation League, Wilderness Society

Nov. 7,10,12,14 1958:

Senate Interior and Insular Affairs Committee Hearings. Of the witnesses testifying, 62 were pro-wilderness while 88 were anti-wilderness.

Utah Land Bd., UT Wildlife Fedn., Tulelake Irrigation Dist., Oregon Wool Growers Assn., N Dakota Oil & Gas Assn., N Mexico Farm and Livestock Bur., Dude Ranchers Assn., High School Izaak Walton League, Rep of Calif., Montana Wildlife Fedn., N Mexico Wildlife Conservation Assn., Utah Fedn of Western Outdoor Clubs, Utah Water and Power Bd., Southern Calf Members of Fedn of Western Outdoor Clubs, California Mining Bd., N Mexico Oil & Gas Assn., Idaho Wool Growers Assn., Montana Stock growers Assn., Utah Wool Growers Assn., National Wildlife Fedn., Colorado Mt. Club, California Roadside Council, N Mexico Field Archery Assn., California Cattlemen's Assn., Conservation of Natural Resources, General Fedn of Women's Clubs, Oregon Wildlife Fedn., Colorado Assn. of Soil Conservation Dists., Dir. Idaho Bur of Mines and Geology Lyle Cook, rep California Wool Grower Assn., Montana Fish and Game Commission, Forest, Idaho Reclamation Assn., Welder Wildlife Fedn., Potlatch Forest; representing North Idaho Forestry Assn., Arizona Motor Hotel, Western Lumber FRS Inc., New Mexico Mining Assn., CIO California Industrial Union Council, Idaho Wildlife Fedn., Fedn. of Western Outdoors Clubs; representing California Fedn of Western Outdoors Clubs, Arizona Park Assn.; conservation Chm. Arizona Fedn of Garden Clubs, Mt. States Assn., Associated Sportsmen of Calif., Public Lands Committee, Interstate Oil Compact Commission Nature Conservancy, New Mexico Cattle Growers Assn., WA States Wool Growers Assn., Fedn. of Western Outdoors Clubs, National Forest Multiple Use Assn., Oregon Forest Practice Committee, Oregon Audobon Society, American Pulpwood Assn., Colville Business Council, Montana Stock growers Assn., Trails Club of Oregon, Pecos Livestock Assn., Nevada Mining Assn., Nevada Fish and Game Commission, Idaho Resource Development Council, Industrial Forestry Assn., Forest Practices Committee, California Alpine Club, Colorado Water Congress, New Mexico Mt Club, Wyoming Stock growers Assn., Colorado Department of Fish and Game, , Western Council of Lumber and Sawmill Workers, International Woodworkers of America, Alaska Mining Assn., Southern Idaho Forestry Assn., Idaho Resource Development Council, Alaska Commissioner of Mines, Washington State Sportmen Council, Oregon Cattlemen's Assn., Utah Cattlemen's Assn., Fend. of Western Outdoors Clubs, California Farm Bureau Fedn., Inland Empire Waterways Assn., Irrigation Dist Assn. of California, National Forest use Assn., Navajo Tribal Council, Colorado Cattlemen's Assn., Colorado Forestry & Horticulture Assn., Independent Petroleum Assn., Southwestern Livestock Assn., Southwestern Cowbells, Western Forest Industries Assn., Oregon Farm Bureau Fedn., Arizona Department of Mineral Resources, Izaak Walton League, Washington State Forest Protection Assn., Rocky Mt. Oil & Gas Assn., New Mexico Wool Growers Assn., Colorado Wildlife Fedn., Assn. of Oregon Counties, Northwest League of Sportsmen, California Forest Practice Committee, Western Pine Assn., Audobon Society, Arizona cattle Growers Assn., Colorado Wool Growers Assn., Montana Wilderness Assn., Upper Gallatin Conservation Assn., Izaak Walton League, Assn.. of Soil Conservation Dist of Idaho, Honolulu Oil Corp.,



National Forest Recreation Act, Wildlife Mngt. Institute, Metropolitan Wildlife Fedn., Wyoming Fedn. of Sportsmen's Clubs, Northwest Mining Council, White Mt Apache Tribal Council, Utah Park and Recreation Commission, Lewis-Clark Production Credit Assn., Oregon Audobon Society, Olympic Park Assn., Pacific Logging Congress, Confederated Tribes of Warm Springs Reservation, Wyoming United Mine Workers, California Garden Club, Western Forestry and Conservation Assn., National Wildlife Fedn., Washington State Wildlife Assn., New Mexico Interstate Stream Commission, Colorado Assn. of Soil Conservation Dists., California Bd. of Forestry, New Mexico AFL-CIO, Utah Mining Assn., Salt Lake City Chamber of Commerce, American Nature Club, California Protective Assn., Utah Farm Bureau Fedn., Dude Ranchers Assn., Southwest Pine Assn., New Mexico Institute of Mining and Technology, Utah Farmers Union, Colorado Wildlife Fedn., Society of American Foresters, Wyoming Natural Resources Bd., Wenatchee Alpine Roamers, California Chamber of Commerce, Wyoming Farm Bureau Fedr., Sierra Club, Idaho Cattlemen's Assn., New Mexico Council of Machinists, Arizona New Mexico Forest Practice Committee, Montana Farm Bureau, Small Mine Operators Assn., Oregon Mining Assn, Nevada Mining Assn., Southern Idaho Timber Protective Assn., Colorado Chamber of Commerce, Washington State Fedn. of Garden Clubs, Washington State Cattlemen's Assn.

March 30, 31, April 2, 1959:

Senate Interior and Insular Affairs Committee Hearings on S. 1123. Of the witnesses testifying, 13 were pro wilderness while 37 were anti-wilderness.

Olympic Park Assocs., Oregon Dept. of Geology and Mineral Industries, Washington State Department of Natural Resources, Washington State Department of Commerce and Economic Development., North Cascades conservation Council, Western Washington State Farm Forestry Assn., Washington Audobon Society, Western oil & Gas Assn., Peninsula Plywood Corp., Western Pine Assn., Simpson Logging Co., Washington State Forestry ., National Conservation Corps Committee, US plywood Corps, Idaho Bureau of mines and Geology, Idaho Reclamation Assn., Weyerhaeuser Timber Co., Pacific Logging Congress, Industrial Forestry Assn., Washington States Cattlemen's Assn., Oregon Farm Bureau Fedn., Colorado Water Congress, Colorado Assn. of soil Conservation Dists., Fedn. of Western Outdoors Clubs, Arizona Cattle Growers' Assn., Arizona Interstate Stream Commission, Inspiration Consolidated Copper Co., Arizona Game Protective Assn., Arizona Game Protective Assn., Southwest Pine Assn., Western Pine Assn., Arizona Wildlife Fedn., Honolulu Oil Co., Richfield Oil Corp., Fen. of Western Outdoors Clubs., Phoenix National Farm Loan Assn., Desert Protective Council, N Mexico Cattle Growers Assn., Colorado Cattlemen's Assn., Signal Oil & Gas Co., Arizona Water Resources Committee, Arizona Cotton Growers Assn., Kennecott Copper Corp., Salt River Valley Users' Assn., Arizona Small Mine operators Assn., Arizona

Reclamation Assn., Citizens Committee on Natural Resources, Dude Ranchers Assn., Arizona Farm Bureau Fedn., Fremont Mining Co., N Mexico Wildlife and Conservation Assn., Arizona Department of Mineral Resources

February 27-28, 1961:

Senate Interior and Insular Affairs Committee Hearings on S. 174. Of the witnesses testifying 22 were pro-wilderness while 17 were anti-wilderness.

Department of the Interior, United States Forest, United States Department of Agriculture, FPC, American Farm Bureau Fedn., National Reclamation Assn., National Wildlife Fedn., National Lumbers Mfrs. Assn., National Reclamation Assn., Industrial Forestry Assn., Izaak Walton League, American mining Congress, Northwest Mining Assn., Idaho Mining Assn., Wilderness Society, National Wildlands News, National Audobon Society, National Parks Assn., Western Forestry and Conservation Assn., National Assn. Forestry Assn., National Ass. of Mfrs., US Chamber of Commerce, Tacoma Chamber of Commerce, Idaho Chamber of Commerce, American Pulp Assn., Citizens of Committee on Natural Resources, Trustees for Conservation, Independent Petroleum Assn. of America, Rock Mt. Oil & Gas Assn., Northern Pacific Railway Co., Attorney General Colorado, Idaho Wildlife Fedn., Conservation Council of Colorado, Montana Wildlife Fedn., Wyoming Natural Resources Bd., Fremont Mining Co., Washington States Sportsmen's Council, NY State Conservation Council, Sierra Club

October 30-31, 1961:

House Interior and Insular Affairs Committee Hearings on S. 174, and H.R. 776. Of the witnesses testifying 23 were pro-wilderness while 42 were anti-wilderness.

First Fed Savings and Loan, Sunshine Mining Co., North Idaho Forestry Assn., Associated Industries of Idaho, Idaho State Legislator, Mining and Resources Assn., Bear creek Mining Co., Idaho Bureau of Mines and Geology, Inland Empire Multiple Use Committee, Idaho Wildlife Fedn., Richfield Public Schools, Idaho Hotel Assn., Tony Galdos, Gem Chamber of Commerce, Mountaineers Club of Seattle, Oregon Wildlife Fedn., Chm. Pacific Northwest Chapter Sierra Club of Seattle, Prairie Railroad, Idaho State Chamber of Commerce, Cascadians, Boise Chamber of Commerce, Potlatch Forests Inc., Idaho Wildlife Fedn., N. Cascades Conservation Council, Mgr. Idaho Pine Co Inland Empire Section, Society of American Foresters, CDA Wildlife Fedn., Fedn. of Western Outdoors Clubs, Idaho Mining Assn., Lumber & Saw Mill Workers Union, Chm. Public Land Counties, Idaho State Representatives, Grangeville Chamber of Commerce, Public Accountant, Southeast Idaho Rod & Gun Club, Cascade Idaho Chamber of Commerce, Chm, Village Bd. of Trustees, Bd. of dirs., Idaho Farm Bureau Fedn., National Wildlife Fend, Coll. of ID, Southern Idaho Forestry Assn., Representative Idaho States Legislature, Idaho

Mining Assn., Editor Field and Stream, Idaho Cattlemen's Assn., Idapine Mills Inc., Idaho Wool Growers Assn., Montana Farm Bur Fedn., Washington State Fedn. of Women's Clubs, Brown's Tie & Lumber Co., United Brotherhood of Carpenters and Joiners, Prospector, G.M. Brandborg, Western Montana Wildlife Fedn., Saw Mill Worker CDA Idaho, Idaho State Reclamation Assn., Crollard Ford, Idaho Fish and Game Commission, Idaho Outfitters and Guides, Idaho Aviation Trades Assn., City Council, Kamiah, Idaho, Lumber and Sawmill Workers Union 2796, Spirit Lake Sportsman Assn., Carpenters and Joiner Union, Rancher, Ada County Fish and Game League, Attorney for Day Mines Inc., Bunker Hill CO., Northwest Mining Assn., News Editor KWAL, West Side Soil Conservation Dist., Wildlife Mgmt. Inst., N Idaho Citizens Committee for Wilderness, VP Chamber of Commerce Kamiah Idaho, Lewiston Idaho Chamber of Commerce

November 1, 1961:

House subcommittee on Public Lands Hearings on S. 174, and H.R. 776. Of the witnesses testifying 12 were pro-wilderness while 20 were anti-wilderness.

Colorado River Water Conservation Dist., Denver Botanical Gardens, Garden Club of Denver, American Motor Scooter Assn., Colorado Cattlemen's Assn., Kannah Creek Cowbells, Delta, Colorado Mountain Club and Staff, Denver Museum of Natural History, Western Slope, Colorado Assn. of Soil Conservation Dist., N Mexico Mining Assn., Colorado Farm Bureau, Bear Creek Mining Co., Colorado State Representatives, Rocky Mountain Oil & Gas Assn., Conservation Council of Colorado, Colorado Wool Growers Assn., Tri County Water Conservancy Dist., Wyoming Natural Resources Bd., Izaak Walton League, Fish and Wildlife Committee, Wyoming Stock Growers Assn., Park City Wyoming Commissioners, Ranchers, N Mexico Wildlife and conservation Assn., Mt. States Assn., Colorado Water Conservation Bd., Colorado State Chamber of Commerce, Colorado-Ute Electric Assn., Utah Mining Assn., Denver Bd. of Water Commissioners. Assn., State of Colorado Assn. of Soil Conservation Dists., Glenwood Medical Assn., National Wool Growers Assn., Assn., of Soil, Conservation Dists., Weidman Mill, Colorado Department of Fish and Game, San Miguel Water Conservancy Dist..

November 6, 1961:

House Subcommittee on Public Lands Hearings on S. 174 and H.R. 776. Of the witnesses testifying 15 were pro-wilderness while 19 were anti wilderness.

Conservation Chm. California Fedn. of Women's Clubs, Editor, Pioneer Camping Committee, Camp Fire Girls, Fedn. of Western Outdoor Clubs, The American Rivers Assn., Sierra Club, New Verde Mines, Associate Sportsmen of California, Trustees for Conservation, Madra City Chamber of Commerce, American National Cattlemen's Assn., Committee for the Preservation of Tule Elk, US Pumice Supply

Co., Alaska Miners Assn., Carmichael Garden Club, Public Lands Committee, Western Oil & Gas Assn., Nevada Mining Assn., California Alpine Club, Western Lumber Mfr., Ariz., Department of Mineral Resources, Kogap Lumber Co., Washington State Forest Protection Assn., Sacramento Audobon Soc., American Institute of Architects, Madera City Bd. of Supervisors, Sequoia Forest Industries, Desomount Club, Tamalpais Conservation Club, California Society of Children of American Revolution, Editor Lake City examiner, Prof.. of Physics University of Nevada, Central Committee of the State Grazing Board of Nevada, California Chamber of Commerce, S California Chapter of the Nature Conservancy, California Cattlemen's Assn., Bear Creek mining Co., California Fed. of Women's Clubs, Resources Agency of California, Mineral Assn. of Northern Calif, Range Improvement Committee,

May 7-11, 1962:

House Subcommittee on Public Land Hearings on S. 174, and H.R. 776. Of the agencies and groups testifying 19 were pro-wilderness and 19 were anti-wilderness.

Secretary of the Interior, Secretary of Agriculture, Gen. Council FPC, Wilderness Society, AFL-CIO, NY State Conservation Council, Rancher, Committee on Conservation, National Speleological Society, National Assn., of City Officials, National Audobon Society, Citizens Committee on Natural Resources, Field and Stream Magazine, Idaho Rod & Gun Club, Minn. Emergency Conservation Committee, Sierra Club, Smoky Mountains Hiking Club, Carolina Mountain Club, GA Appalachian Trail Club, National Wildlife Fedn., Defenders of Wildlife, Seattle Physicians Committee for a N Cascades National Park, National Parks Assn., Trustees for Conservation, American Camping Assn., Far West Ski Assn., and Ski Writers Assn., Western Colorado Cattlemen's Committee, Saint Criox Paper Co., Idaho Resource Council, American Petroleum Inst., Rocky Mt. Oil & Gas Assn., American Forestry Assn., Colorado Water Congress, Fort Peck Game Range Committee, Mining and Metallurgical Society of America, American Mining Congress, Tite Knot Pine mill, National Assn. of Mfrs., Western Forestry and Conservation Assn., Washington State Department of Natural Resources, Inland Empire Multiple Use Committee, National Reclamation Assn., Colorado Water Conservation, American Pulpwood Assn., Society of American Foresters, Industrial Forestry Assn., Independent Petroleum Assn., National Lumber Mfrs. Assn.

February 28-March 1, 1963:

Senate Interior and Insular Affairs Committee Hearings on S. 174, S. 4, and H.R. 776. Of the groups testifying 16 were pro-wilderness while 17 were anti wilderness.

Nature Conservancy, American Mining Congress, Natural Resource Bd., National Audobon Society, N Mexico Wildlife & Conservation Assn., National Assn. of Mfrs.,

National Assn. of Counties, United States Department of Agriculture Forest Service, Rocky t. Gas & Oil Assn., National Wool Growers Assn., Idaho Wildlife Fedn., Izaak Walton League, Western Forestry and Conservation Assn., Wildlife Mgmt Institute, Industrial Forestry Assn., American Pulpwood Assn., American Camping Assn., National Lumber Mfrs. Assn., Society of American Foresters, Citizens Committee for the ORRRC, Independent Petroleum Assn., Utah Mining Assn., Citizens Committee on Natural Resources, American Farm Bureau, Secretary of Interior, National Reclamation Assn., Pacific Logging Congress, American National Cattlemen's Assn., Wilderness Society, Sierra Club

## Appendix III: Comparisons of S.4, H.R. 9162 and H.R. 9070

Topic	S.4	H.R. 9162	H.R. 9070
<b>National Forests Wilderness, Wild and Canoe Areas</b>	Incorporated into the wilderness system immediately.	Incorporated into the wilderness system immediately.	Incorporated into wilderness system immediately.
<b>Primitive areas</b>	Reviewed by the Secretary of Agriculture over a 10-year period. Presidential recommendation for incorporation of areas into wilderness system would become effective unless either house of Congress passed resolution of opposition	*Reviewed by Secretary of Agriculture over 10-year period, with recommendations submitted to the President and Congress. Affirmative action of Congress required to incorporate primitive areas into wilderness system.	Reviewed by Secretary of Agriculture over five-year period, with recommendations submitted to the President and Congress. Affirmative action of Congress required to incorporate primitive areas into wilderness system.
<b>National Parks Systems</b>	Reviewed by Secretary of Interior over 10-year period. Presidential recommendation for incorporation of areas into wilderness system would become effective unless either house of Congress passed resolution of opposition.	*Similar to procedure for Primitive areas, except that review would be done by Secretary of the Interior.	Reviewed by Secretary of Agriculture over five-year period, with recommendations submitted to the President and Congress. Affirmative action of Congress required to incorporate primitive areas into wilderness system.
<b>Wildlife Refuges and Game Ranges</b>	Similar to procedure for National Parks.	*Similar to procedure for National Parks.	Similar to procedures for National Parks.
<b>Mining and Mineral Leasing</b>	Prospecting permitted if not incompatible with wilderness preservation. The President could authorize prospecting and mining if he determined that such activities would serve the interest of the United States.	After Dec. 31, 1973, mining and mineral leasing laws no longer applicable in wilderness areas designated in the bill. Existing laws would apply until then, except that patent would give title to mineral deposits only, together with right to cut necessary  timber. Effective January 1, 1974, minerals would be withdrawn from all forms of appropriation.	Prospecting and gathering of information about mineral resources permitted if carried on a manner compatible with the preservation of a wilderness environment. No new mining allowed in wilderness areas, but mining activities could continue in  Primitive areas pending action by Congress.

\* Amendments suggested by Dingell would continue areas in their existing status until Congress has acted to include them in, or exclude them from the wilderness system.

## Appendix IV: Breakdown of Amendment Votes.

### Amendments to S. 174.

#### Amendments Accepted

An amendment offered by Senator Moss would make clear that only those wildlife refuges and game ranges established prior to the effective date of the Act be eligible for the inclusion as wilderness areas and bar any increase in their acreage. It was accepted on a voice vote.

An amendment offered by Senator Moss would require that at the beginning of each year the Secretaries of Agriculture and Interior make a joint report to Congress on the status of the Wilderness System. It was accepted on a voice vote.

An amendment offered by Senator Allott would insure that any activity including prospecting designed to gather information about mineral or water resources and the subsurface use of any wilderness area would be permitted within the system provided the activity or use was not incompatible with the preservation of the wilderness environment. It was accepted by a voice vote.

An amendment offered by Senator Allott would review that any recommendations submitted to the president and Congress regarding changes in the wilderness system include the views of the governor of the state of the area involved. It was accepted on a voice vote.

An amendment offered by Senator Church would limit the boundary changes which the Secretaries of Agriculture and Interior could make in the Wilderness System to minor ones. It was accepted on a voice vote.

An amendment offered by Senator Church would extend to all wilderness areas, rather than to only those created out of national forests, primitive use of aircraft and motorboats provided their use was an established practice prior to the time the area was included in the system. It was accepted on a voice vote.

An amendment offered by Senator Allott would specify that nothing in the Act affected the Federal Power Commission's authority to license certain power activities. It was accepted on a voice vote.

An amendment offered by Senator Miller would require that any resolution opposing a recommendation by the president be given a hearing within 30 days after its introduction. It was accepted on a voice vote.

An amendment offered by Senator Bennett provided that state owned land completely surrounded by wilderness must either be made accessible or

exchanged for other lands within the state of equal value. It was accepted on a voice vote.

#### Amendments Rejected

An amendment [No. 186] offered by senator Allott which would require the approval of both Houses for the inclusion of primitive areas. It was defeated 32 to 53.

An amendment [No. 187] offered by senator Allott which would allow the Secretary of Agriculture, rather than the president, to grant exemptions to the bill's mining restrictions. It was defeated 35 to 51.

#### Amendments to S. 4

##### Amendments Accepted

An amendment offered by Senator Dominick for Senator Allott. Clarifying the language respecting regulation by the appropriate Secretary of continued livestock grazing on wilderness lands was accepted on a voice vote.

An amendment offered by Senator Miller which would clarify language respecting regulation of continued use of aircraft and motorboats was accepted on a voice vote.

An amendment by Senator Church which would prohibit the motions to discharge a committee of a resolution opposing a presidential recommendation for additions to wilderness until the 30 days provided for committee hearings has elapsed was accepted on a voice vote.

##### Amendments Rejected

An amendment [No. 41] offered by Senator Dominick for Senator Allott, permit prospecting and mining under the mineral leasing and mining laws to continue in the wilderness system through 1977. It was rejected on a roll call 26-56.

An amendment [No. 42] offered by Senator Dominick for Senator Allott offered an amendment that would exclude "primitive "national forest areas from the wilderness system until they were reviewed and recommended for inclusion as provided in the bill. It was rejected on a roll call of 21-61.

An amendment offered by Senator Dominick for Senator Allott, which would give the appropriate Secretary, instead of the President, authority to permit prospecting, mining, water, and power facilities in wilderness areas if in the national interest. it was rejected on a voice vote.

An amendment [No. 43] Interior Committee offered by Senator Dominick which would require affirmative action by Congress before the President's recommendations on a permanent inclusion or exclusion of wilderness lands can take effect. It was rejected on a roll call vote of 35-49.



## Amendments to H.R. 9070

### Amendments Accepted

An amendment offered by Congressman Saylor would delete a provision excluding the San Gorgonio Wild Area from immediate incorporation into the wilderness system, and directing the Secretary of Agriculture to set aside approximately 3,500 acres for development of commercial ski facilities. It was accepted on a standing vote of 73-39.

An amendment offered by Congressman Saylor would delete a provision authorizing the Secretary of Agriculture to declassify "primitive" areas. It was accepted by a standing vote of 67-38.

### Amendments Rejected

An amendment offered by Congressman Duncan would delete the provision for the establishment of the San Gorgonio ski facilities and preserve the area as a "wild" areas for three years. It was defeated on a voice vote.

## Footnotes

1. Delbert V. Mercure and William M. Ross, The Wilderness Act a Product of Congressional Compromise, (Seattle:University of Washington Press, 1970).
2. Delbert V. Mercure and William M. Ross, The Wilderness Act a Product of Congressional Compromise, pp. 49-50. Craig W. Allin, The Politics of Wilderness Preservation, (Westport: Connecticut: Greenwood Press, 1982)pp. 104-5.
3. Richard F. Fenno, Congressmen in Committees, (Boston: Little Brown and Co. 1973) pp. 1-5. James A. Robinson. The House Rules Committee. (New York: Bobbs-Merrill Co. 1963) pp. 81-88. MacNeil, Neil. Forge of Democracy House of Representatives. (New York: McKay 1963) pp. 338-39,110.. James L. Sundquist, Politics and Policy : The Eisenhower, Kennedy and Johnson Years (Washington D.C.: Brookings Institution 1968) pp. 518-523. John E. Owens. Extreme Advocacy Leadership in the Pre-Reform House: Wright Patman and the House Banking and Currency Committee, British Journal of Political Science Vol. 15, April 1985. pp.187-205.
4. Richard F. Fenno, Congressmen in Committees, pp. 190-91.
5. *Ibid.*, p. 156.
6. Delbert V. Mercure and William M. Ross, The Wilderness Act a Product of Congressional Compromise, p. 48.
7. *Ibid.*, p. 50.
8. *Ibid.*, p. 53.
9. Craig W. Allin, The Politics of Wilderness Preservation, p. 109.
10. Congressional Quarterly Weekly Report, June 17, 1955, p. 706.
11. Richard Allen Baker, Conservation Politics, (Albuquerque:University of New Mexico Press, 1983).
12. James L. Sundquist, Politics and Policy : The Eisenhower, Kennedy and Johnson Years p. 367.
13. *Ibid.*, p. 367.
14. United States Congress, Congressional Record, (June 7, 1956) pp. 9775-76.
15. United States Congress, Congressional Record, (June 7, 1956) p. 9779.  
A primitive area is one with natural, wild, and undeveloped characteristics in which commercial users are allowed as long as they are compatible with the original purpose for which the area is designated.
16. Delbert V. Mercure and William M. Ross, The Wilderness Act a Product of Congressional Compromise, pp. 49-50,53.
17. Craig W. Allin, The Politics of Wilderness Preservation p.109.
18. For complete lists of groups who testified at House and Senate hearings see Appendix II.
19. Richard Allen Baker, Conservation Politics, pp. 116-21.  
Humphrey realized that in order to get his bill passed he would have to win the wider endorsement of his colleagues in the Senate. In order to get Senator Anderson to support and control the direction of the Wilderness Bill they made the following concessions: eliminate the National Wilderness Preservation Council and, prevent the expansion of wilderness areas without congressional consent.
20. James McClaathy, "Bill to Form Wilderness Area Proposal", Sacramento Bee February 19, 1957. Reprinted in the Senate Interior Committee Hearings on S. 1176, June 19-20, 1957, p. 394.
21. Craig W. Allin, The Politics of Wilderness Preservation, p. 109.
22. *Ibid.*, p. 109.
23. *Ibid.*, p. 113.
24. *Ibid.*, p. 113.

25. United States Senate, Senate Interior Committee Hearings on S. 1176, (June 19-20, 1957) p. 9.
26. *Ibid.*, p. 106
27. *Ibid.*, p.270.
28. *Ibid.*, p. 274.
29. United States Congress, The Congressional Record, (June 18, 1958) p. 11553.
30. *Ibid.*, p. 11553.
31. Senate Interior Committee, Hearings on S. 1176, (June 19-20, 1957) p. 106.  
S. 3619 was not meant to be a bill but the clerk assigned it a bill number as part of his routine duties. In order to end any confusion, Senator Neuberger received unanimous consent to have the bill S. 3619 indefinitely postponed.
32. United States Congress, The Congressional Record, (June 189, 1958) p. 11551-58.
33. United States Senate Committee on Interior and Insular Affairs, National Wilderness Preservation Act Hearings on S. 4028, (July 23, 1958) pp. 8,44-53.
34. United States Senate, Hearings on S. 1176 (July 19-20, 1957) p. 11.
35. Craig W. Allin, The Politics of Wilderness Preservation, p. 117.
36. United States Congress, The Congressional Record, (February 19, 1959) p. 2637.  
The 17 co-sponsors of the bill are Senators Byrd (D-WV), Clark (D-PA), Douglas(D-IL), Langer (R-ND), Lausche (D-OH), Mundt (R-SD), Mansfield (D-MT), Morse (D-OR), Proxmire (D-WI), Randolph (D-WV), Smith (R-ME), Wiley (R-WI), Williams (D-NJ), Scott (R-PA). Three Senators on the Interior and Insular Affairs Committee, [Neuberger (D-OR), Murray (D-MT), and Martin (R-IA)].
37. *Ibid.*, pp. 2639-42.
38. "Wilderness Bill", Congressional Quarterly Weekly Report, September 4, 1959, p. 1028.
39. Craig W. Allin, The Politics of Wilderness Preservation, p. 122.
40. United States Congress, The Congressional Record, (March 9, 1960) p. 5024-25.
41. United States Congress, The Congressional Record, (July 2, 1960) p. 15565.
42. *Ibid.*, p. 15567.
43. *Ibid.*, p. 15568.
44. *Ibid.*, p. 15565.
45. Richard Allen Baker, Conservation Politics, p. 128.
46. During the Eisenhower administration these executive agencies fought along side the commodity oriented industries against the wilderness preservationists who were trying to eliminate the control they had over the preservation of the forest.
47. United States Congress, The Congressional Record Index Vol. 107, p. 1000  
The 13 co-sponsors were Senators Jackson (D-WA), Kuchel (R-CA), Lausche (D-OH), Humphrey (D-MN), Neuberger (D-OR), Proxmire (D-WI), Randolph (D-WV), Scott (R-PA), Williams (D-NJ), Douglas (D-IL), Byrd (D-WV), Wiley (R-WI), Clark (R-PA).
48. United States Congress, The Congressional Record Vol. 107, pp. 189-93.
49. *Ibid.*, p. 2653.
50. House Subcommittee on Public Lands, Hearings on S. 174, May 7-11, 1962 p. 1063-65, 1068.
51. *Ibid.*, p. 1070.
52. For a complete listing of amendments see Appendix IV.
53. United States Congress, The Congressional Record, (September 6, 1961) p. 18376.
54. *Ibid.*, p. 18378.
55. *Ibid.*, p. 18380.
56. *Ibid.*, p. 18400.
57. Richard Allen Baker, Conservation Politics, pp. 96-126.
58. James L. Sundquist, Politics and Policy: The Eisenhower, Kennedy and Johnson Years p. 360.

59. Richard Allen Baker, Conservation Politics, p. 128
60. United States Congress, The Congressional Record, (May 1, 1962) p. 7842.
61. Craig W. Allin, The Politics of Wilderness Preservation, p. 126.
62. *Ibid.*, p. 126.
63. *Ibid.*, p. 126.
64. House Subcommittee Hearings on public Lands, Hearings on S. 174, pp. 1062-79.
65. "Recreation Legislation Moving Toward Enactment", Congressional Quarterly Weekly Report, (July 6, 1962) p. 1145.
66. United States Congress, The Congressional Record, (September 20, 1962) p. 20202.
67. Craig W. Allin, The Politics of Wilderness Preservation, p. 127.
68. "Wilderness System", Congressional Quarterly Weekly Report, (August 6, 1962) pp. 1369-70.
69. United States Congress, The Congressional Record, (September 20, 1962) p. 20202.
70. "McCormick Helps Bill on Wilderness", New York Times, 18, September 1962, p. 30L.
71. United States Congress, The Congressional Record, (September 20, 1962) p. 20202.
72. *Ibid.*, p. 20267.
73. James L. Sundquist, Politics and Policy: The Eisenhower, Kennedy and Johnson Years p. 360-61.
74. United States Congress, The Congressional Record, (January 14, 1963) p. 190.
75. "Wilderness System", Congressional Quarterly Weekly Report, April 12, 1963, p. 562..  
United States Congress, The Congressional Record, (April 3, 1963) pp. 5887-5932.
76. United States Senate, Report No. 9., (April 9, 1963) pp. 33-4.
77. United States Congress, Congressional Record, (April 9, 1963), p. 5940.
78. "The Wilderness Bill", A Speech Before the American Mining Congress. Reprinted in The Congressional Record, (November 7, 1963) p. 21430.
79. United States Congress, The Congressional Record, (November 7, 1963) p. 21430.
80. *Ibid.*, p. 21430.
81. *Ibid.*, p. 11930.
82. *Ibid.*, p. 21435.
83. United States House of Representatives, Committee on Interior and Insular Affairs Subcommittee on public Lands, Wilderness Preservation System, Hearings on H.R. 9070, H.R. 9162, and S. 4., (April 27-May-1, 1964) pp. 1058-62.
84. Delbert V. Mercure and William M. Ross, The Wilderness Act a Product of Congressional Compromise, p. 58.
85. Craig W. Allin, The Politics of Wilderness Preservation, p. 133.
86. *Ibid.*, p. 1139-43.
87. *Ibid.*, p. 180, 1228, 1236, and 1299.
88. *Ibid.*, p. 534.
89. United States Congress, The Congressional Record, (May 6, 1964) p. 10214.
90. Craig W. Allin, The Politics of Wilderness Preservation, p. 135
91. "Ski Facility Voted Into Wilderness Area", New York Times, 11 June, 1964, p. 33L.
92. "Wilderness Bill Backed in House", New York Times, 19 June, 1964, p. 12L.
93. United States Congress, The Congressional Record, (July 30, 1964) p. 17456-57.
94. *Ibid.*, p. 17458.
95. *Ibid.*, p. 17458.
96. *Ibid.*, p. 17458.
97. United States Congress, The Congressional Record, (August 20, 1964) p. 20269.
98. *Ibid.*, pp. 92.

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