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National Wilderness Preservation System

SPEECH
OF

HON. CLINTON P. ANDERSON

OF NEW MEXICO

IN THE SENATE OF THE UNITED STATES

Friday, January 6, 1961

Mr. ANDERSON. Mr. President, I introduce, for appropriate reference, a bill to authorize the establishment of a national wilderness preservation system, and for other purposes. I ask unanimous consent that the text of the bill together with the attached statement regarding wildernesses be printed in full in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the RECORD.

The bill (S. 174) to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes, introduced by Mr. ANDERSON, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 174

A bill to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act."

WILDERNESS SYSTEM ESTABLISHED

Statement of policy

SEC. 2. (a) The Congress recognizes that an increasing population, accompanied by expanding settlement and growing mechanization, is destined to occur and modify all areas within the United States and its possessions except those that are designated for preservation and protection in their natural condition. It is accordingly declared to be the policy of the Congress of the United States to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a national wilderness preservation system to be composed of federally owned areas in the United States and its possessions to be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and

enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness.

Definition of wilderness

(b) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive, and unconfined type of recreation; (3) is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain scientific, educational, scenic, or historical value.

NATIONAL WILDERNESS PRESERVATION SYSTEM

Extent of system

SEC. 3. (a) The national wilderness preservation system (hereafter referred to in this Act as the "wilderness system") shall comprise (subject to existing private rights) such federally owned areas as are established as part of such system under the provisions of this Act.

National forest areas

(b) (1) The wilderness system shall include all areas within the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as wilderness, wild, primitive, or canoe: *Provided*, That the areas classified as primitive shall be subject to review as hereinafter provided. Following enactment of this Act, the Secretary of Agriculture shall, within fifteen years, review, in accordance with paragraph C, section 251.20, of the Code of Federal Regulations, title 36, effective January 1, 1959, the suitability of each primitive area in the national forests for preservation as wilderness and shall report his findings to the President. Before the convening of Congress each year, the President shall advise the United States Senate and the House of Representatives of his recommendation with respect to the continued inclusion within the wilderness system, of each area on which review has been completed in the preceding year, together with maps and definition of boundaries: *Provided*, That the President may, as part of such recommendations, alter the bound-

aries existing on the date of this Act for any primitive area included, to exclude portions not predominantly of wilderness value or to add any adjacent area of national forest lands that are predominantly of wilderness value. The recommendation of the President with respect to each area shall become effective subject to the provisions of subsection (f) of this section.

(2) The purposes of this Act are hereby declared to be within and supplemental to but not in interference with the purposes for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11) and the Multiple Use-Sustained Yield Act of June 12, 1960, Public Law 86-517 (74 Stat. 215).

National park system areas

(c) (1) There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, each portion of each park, monument, or other unit in the national park system which on the effective date of this Act embraces a continuous area of five thousand acres or more without roads. Within ten years after the effective date of this Act, the Secretary of the Interior shall review the units of the national park system and shall report his recommendations for the incorporation of each such portion into the wilderness system to the President. Before the convening of Congress each year, the President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the incorporation into the wilderness system of each such portion for which review has been completed in the preceding year, together with maps and definitions of boundaries. The recommendation of the President with respect to each such portion shall become effective subject to the provisions of subsection (f) of this section.

(2) The Secretary of the Interior shall include, as part of his recommendations to the President under the provisions of this subsection, a description of the parts of each park monument or other unit submitted which should be reserved for roads, motor trails, buildings, accommodations for visitors, and administrative installations. Such parts shall be determined in accordance with the procedures for rule making under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), except that the public notice required under such section shall be at least ninety days prior to the determination proceedings. No designation of an area for roads, motor trails, buildings, accommodations for visitors, or administrative installations shall modify or affect the application to that area of the provisions of the Act approved August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes" (39 Stat. 535, 16 U.S.C. 1 and following). The accommodations and installations in such designated areas shall be

erations the benefits of an enduring resource."

For this purpose the bill would establish "a National Wilderness Preservation System to be composed of federally owned areas" to be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and the gathering and dissemination of information regarding their use and enjoyment as wilderness."

It is a key declaration of the measure, at the outset of its section on the use of wilderness, that "nothing in this act shall be interpreted as interfering with the purposes stated in the establishment of, or pertaining to, any park, monument, or other unit of the national park system, or any national forest, national wildlife refuge, or other area involved, except that any agency administering any area within the wilderness system shall be responsible for preserving the wilderness character of the area.

A RELATIVELY SMALL PART OF OUR LAND

The reasonableness of such a policy and program is further emphasized by an understanding of the relatively small part of our land area that is thus affected. All the lands that could possibly be now thus dedicated to wilderness use and protection—and they would be within already established national forests, refuges, parks or similar Federal areas—would make up only about one-fifth of our land.

Only about 5 percent of our Federal estate would be thus preserved, and for the most part it would be in the high country of the national forests, the back country of the national parks, in areas not now open to exploitation. Only by act of Congress would new areas beyond those provided for in this act be established. At such little cost we can attain such great ends.

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THE SOURCES OF OUR SPIRITUAL WELFARE

It is my purpose now to conclude these remarks with the observation that while we must deal here in the Congress with these matters as subjects of carefully designed programs and policies determined in the light of economic and other governmental realities, we should likewise recognize that we are dealing with the sources of our spiritual welfare also, with the esthetics of our common life, not with bread alone, but with our inheritance of a great outdoors resource.

For some 3 years now our Outdoor Recreation Resources Review Commission has been studying these resources and our needs. We are approaching the time of our recommendations. The enactment of this wilderness legislation will help this Commission in its work. It will provide procedures by which the recommendations of the Commission with reference to wilderness can effectively be carried out, and the existence of these procedures can indeed facilitate the very formulation of such recommendations.

This legislation will establish a policy and program regarding wilderness which will give shape and orderliness to the Outdoor Recreation Commission's considerations relating to wilderness. To all our concerns with the preservation of all the great values of wilderness the measure here presented will contribute the advantages of a carefully considered, sound, and enduring orderly policy and program—a practical way of dealing with both idealism and reality, which here come close together.

WE HAVE AN OBLIGATION

Six years ago last September it was my privilege to dedicate a memorial erected by The Wilderness Society in cooperation with the Forest Service in honor of my early mentor, Aldo Leopold, at a beautiful windswept New Mexico site "overlooking," in the words of the bronze tablet itself "overlooking the Gila Wilderness, which he helped establish—first national forest area so designated—dedicated as a tribute to him for the national

wilderness preservation system he helped create." I said then:

"The work of Aldo Leopold has been done. We now become trustees of his inheritance. Those of us who may visit within the wilderness and who are able to rest and be restored in our peace of mind and body by the quiet that it will always possess have nonetheless an obligation to see that the work of one generation shall not be sacrificed by those that come after. We have an obligation to make sure that this area (and others like it) may remain untouched for generations and perhaps centuries to come. We cannot take our burdens as trustees lightly if we are to keep faith with those who struggled so mightily to achieve these precious spots within the confines of a busy continent. The erection of this memorial—reminds each of us that our lives as well can contribute to the things that mean beauty for the eye and rest for the spirit. We, too, can preserve the wilderness."

These words of 6 years ago at a memorial for one of our pioneers I am glad today to recall and iterate with regard for all of those who through the years have contributed to the opportunity we now face and cherish. We can preserve wilderness, and I commend to you this wilderness bill as a sound, reasonable, considerate, but effective charter for doing so.

Mr. ANDERSON subsequently said: Mr. President, earlier I introduced a so-called wilderness bill. I find that the junior Senator from Washington [Mr. JACKSON] desires to be a cosponsor of the bill; and there may be other cosponsors. I ask unanimous consent that the bill remain at the desk for 2 days, so that the names of additional sponsors may be added to the bill, if that is desired.

The PRESIDING OFFICER (Mr. Moss in the chair). Without objection, it is so ordered.

incident to the conservation and use and enjoyment of the scenery and the natural and historical objects and flora and fauna of the park monument, or other natural condition. Further, the inclusion of any area of any monument, or other natural condition, in the national park system within the wilderness system pursuant to this Act shall in no manner lower the standards evolved for the selection and preservation of such areas in accordance with such Act of August 1909, the said Act of August 1909, or any other Act, and shall not constitute any authority under which the area was included in any other Act, and shall not constitute any authority to or affect such area, including but not limited to, the Act of June 9, 1906 (34 Stat. 225; 16 U.S.C. 666), the Act of March 3, 1907 (34 Stat. 225; 16 U.S.C. 666), section 3 (3) of the Federal Power Act of 1916 (39 Stat. 796; 16 U.S.C. 450), the Act of 1933 (49 Stat. 666; 16 U.S.C. 461 and 462), and the Act of 1934 (48 Stat. 1163; 16 U.S.C. 462).

National wildlife refuges and game ranges

(d) There shall be incorporated into the wilderness system, subject to the provisions of and at the time provided in this section, such portions of the wildlife refuges and game ranges under the jurisdiction of the Secretary of the Interior as he may recommend for such incorporation to the President within ten years following the effective date of this Act, and such portions of the wildlife refuges and game ranges added by his jurisdiction after such date but not later than fifteen years following such date as he may recommend for such incorporation to the President within ten years following the date on which such refuge or range was added to his jurisdiction. Before the completion of Congress each year the President shall advise the United States Senate and the House of Representatives of the recommendations with respect to the incorporation into the wilderness system of such areas recommended for such incorporation by the Secretary of the Interior during the preceding year, together with maps and definitions of boundaries. The recommendations of the President with respect to the incorporation of such areas shall be effective subject to the provisions of subsection (f) of this section.

(e) Any proposed modification or adjustment of the boundaries of any such wilderness system established in accordance with this Act shall be subject to the approval of the Secretary after public notice of such proposal by publication in a newspaper having general circulation in the vicinity of such boundaries and public hearing to be held at such location within thirty days after such notice if there is sufficient demand therefor each day of such hearing. The proposed modification or adjustment shall be recommended with map and description, and shall be submitted to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment. The recommendations shall become effective subject to the provisions of subsection (f) of this section.

Effective date of President's recommendations

(f) Any recommendation of the President with respect to the incorporation of any area into the wilderness system within this section shall take effect upon the day following the adjournment of the first complete session of the Congress following the date or dates on which such recommendation was received by the United States Senate and the House of Representatives, but only if such recommendation was not disapproved by the Congress. If the Congress disapproved such recommendation, any such recommendation shall be subject to the procedures provided under the provisions of the Act of August 1909. (Reorganization Act of 1949 (5 U.S.C. 1351-1353; 50 Stat. 1069; 54 Stat. 2374; 58 Stat. 1370; 62 Stat. 617; 66 Stat. 177; 70 Stat. 557; 74 Stat. 1434; 78 Stat. 1043; 80 Stat. 1434; 82 Stat. 1434; 84 Stat. 1434; 86 Stat. 1434; 88 Stat. 1434; 90 Stat. 1434; 92 Stat. 1434; 94 Stat. 1434; 96 Stat. 1434; 98 Stat. 1434; 100 Stat. 1434; 102 Stat. 1434; 104 Stat. 1434; 106 Stat. 1434; 108 Stat. 1434; 110 Stat. 1434; 112 Stat. 1434; 114 Stat. 1434; 116 Stat. 1434; 118 Stat. 1434; 120 Stat. 1434; 122 Stat. 1434; 124 Stat. 1434; 126 Stat. 1434; 128 Stat. 1434; 130 Stat. 1434; 132 Stat. 1434; 134 Stat. 1434; 136 Stat. 1434; 138 Stat. 1434; 140 Stat. 1434; 142 Stat. 1434; 144 Stat. 1434; 146 Stat. 1434; 148 Stat. 1434; 150 Stat. 1434; 152 Stat. 1434; 154 Stat. 1434; 156 Stat. 1434; 158 Stat. 1434; 160 Stat. 1434; 162 Stat. 1434; 164 Stat. 1434; 166 Stat. 1434; 168 Stat. 1434; 170 Stat. 1434; 172 Stat. 1434; 174 Stat. 1434; 176 Stat. 1434; 178 Stat. 1434; 180 Stat. 1434; 182 Stat. 1434; 184 Stat. 1434; 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Congress of the United States

JOINT COMMITTEE ON ATOMIC ENERGY

January 12, 1961

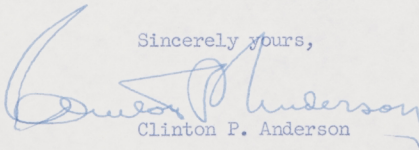
Mr. Eliot F. Porter
Rt. Box 33
Santa Fe, N.Mex.

Dear Mr. Porter:

As you know for the past several years Congress has tried without success to reach an agreement on a Wilderness Preservation Bill that would be fair to all interests concerned. I have done considerable work on a bill, and on January 5, 1961, I introduced Senate Bill 174 which will establish a Wilderness Preservation System. I hope this bill is fair to all.

I thought you might be interested in a copy of the bill, therefore I am enclosing a reprint from the Congressional Record carrying the text of the bill and the statement I made when it was introduced.

Sincerely yours,



Clinton P. Anderson