

Background and Status of
Wilderness Legislation
Including Reference List

(Prepared by Wilderness Study Committee)

The wilderness debate has been stewing for many years. There is little argument over the desirability of wilderness areas, but rather how much, what kind, where located, how administered, and the need for protection by national law.

Maintaining wilderness and roadless areas has been a policy of the National Park Service for 40 years and of the Forest Service for 30 years. The original "primitive" areas were set aside by the Forest Service--with boundaries loosely drawn--at a time when such areas were mainly remote and inaccessible, and pressures for commercial utilization of timber, minerals and water (dams) were lacking.

Recently the Forest Service has sought to redraw the boundaries in light of present and future economic needs, and also to exclude certain areas not of an essential wilderness character. This program has been met with strong resistance from a small but vocal minority of citizens in a number of lay conservation organizations and outdoor groups.

Specific wilderness legislation has been promoted by pressure groups for many years. A bill to create The Superior National Forest Wilderness Canoe Area, long planned by the Forest Service, was introduced to and passed by Congress in 1956. The "Humphrey Bill" (S.4013) was introduced by Senator Humphrey of Minnesota to the 84th Congress in 1956 but failed to pass. This bill--to create a National Wilderness Preservation System--received strong support from popular conservation groups, but was vigorously opposed by the American Forestry Ass'n on the grounds that it would tend to "develop a legislative history in a direction of a single and exclusive use on a perpetual basis", and hence was inconsistent with the principle of multiple use. (See American Forests, Aug. 1956.) The AFA stressed that it was not opposed to the principle of wilderness, but was opposed to any bill that would tend to hamper the flexibility of management on public lands by career professionals.

Several bills were introduced in the 85th Congress, but the one by Senator Humphrey (S.1176) received the most attention. It also failed to pass despite united support from "conservation" groups. Support and opposition were based on the same general principles as with the previous bill. There were mainly two schools of conflictive thought among conservation organizations. One consisted of that represented by some 14 different organizations supporting the bill, such as the Wilderness Society, the Izaak Walton League, National Wildlife Federation, Sierra Club, Nat'l Council of State Garden Clubs, etc. The other was represented by the American Forestry Association which opposed the bill. Also, Dr. R. E. McArdle, Chief, Forest Service, speaking for the Dep't of Agriculture, asked that the bill not be passed. (See American Forests, Aug. 1957, for full discussion.)

In June, 1958, Senator Humphrey introduced a revised bill (S.4028) to the 85th Congress. Senators Neuberger and Douglas were co-sponsors. There were several similar bills introduced to the House.

S.4028 would have established a National Wilderness Preservation System and a National Wilderness Preservation Council. The proponents suggested setting aside, initially, about 50 million acres of federal lands in this preservation system. Such lands would include areas of 5,000 acres or more which still retain their primitive characteristics, have unusual, wild scenic values, and are roadless or can be made roadless. These areas would then be preserved as roadless wilderness, with mechanical transportation excluded, accessible only to hikers and packers. Resource use other

than recreational and scenic enjoyment, and scientific study of natural conditions, would be prohibited. Any timber, minerals, gas and oil, grazing, and water development would be permanently banned except that, under very urgent demand, Presidential or Congressional approval could be obtained to allow certain development.

Involved in this proposed wilderness would be areas in our national forests, parks, and monuments, as well as in Indian reservations, public domain, and game refuges and ranges.

S.4028 was referred to the Committee on Interior and Insular Affairs which held a public hearing in Washington, D.C. on July 23, 1958. Again the bill received increased support from the same general organizations, with stronger and more outspoken opposition, not only from the AFA and Forest Service, but from industry and professional people. As a result of appeals made at the Washington, D.C. hearing, the Committee decided to hold further hearings in the West closer to the people most directly affected by the wilderness areas; these were held during November, 1958, in Bend, San Francisco, Salt Lake City, and Albuquerque.

A large number of testimonies from a varied cross-section of individuals and organizations was presented at these western hearings. With the exception of the San Francisco hearing, the preponderance of statements were in opposition to S.4028.

At the Salt Lake hearing (which was probably representative of the others) those supporting the bill generally represented wildlife, sportsmen's, outdoor, garden club and similar groups. A few journalism and ecology students and one or two professors from the University of Utah spoke in favor of the bill. A fish and game commission officer also supported the bill. Those opposing the bill generally represented forest product, livestock, mining, Chamber of Commerce and similar interests. One garden club representative spoke against the bill.

The tenor of testimony in favor of the bill is that such legislation (including a National Wilderness Preservation Council) is essential to legally protect, preserve and extend wilderness areas. Opposing testimony contends that such legislation is unnecessary to protect wilderness areas in view of the capable record of the federal agencies which have carried this responsibility, and that the creation of a National Wilderness Preservation Council having three citizen members who need only be "informed regarding and interested in, the preservation of wilderness--" (S.4028, Sec. 4 (a)) would serve to hamper rather than help the administration and protection of wilderness. General fear is also expressed by opponents that wilderness boundaries, if established by law, would be too difficult, if not impossible, to change if the first location later proved unwise. A further consensus of opponents is that no action on wilderness legislation should be undertaken until after the 1961 report of the National Outdoor Recreation Review Commission. (See brief, attached.)

The American Forestry Association has raised six basic objects to S.4028, including strong opposition to the creation of a National Wilderness Preservation Council. (See American Forests, Sept., 1958, p.7) The Department of Agriculture and the Forest Service recommended three principle changes in S.4028, including omission of all provisions regarding a N.W.P.C. (See Am. Forests, Sept., 1958, p.7, and Journal of Forestry, Dec., 1958, p. 936 for details.)

An interesting and significant observation is that nearly all of the opponents to S.4028 have publically stated in effect that they are in favor of maintaining a system of wilderness areas reasonably consistent with recreational and economic needs.

S.4028 never came out of committee before adjournment of the 85th Congress. The 86th Congress is now in session. To date, seven new bills have been introduced to the House, but there has been no announcement of new or revised Senate bills. While

the text of the House bills is not known to us, reports indicate they are similar to S.4028 in that they would establish by law the wilderness areas now established by administrative action of the various federal agencies. Our understanding is that these bills also retain the concept of a National Wilderness Preservation Council. It is expected that a revised version of S.4028 will be introduced eventually. Information on further wilderness legislation will be forwarded to you when anything significant develops.

Many articles and letters have been published on the wilderness debate. Following is a partial reference list:

JOURNAL OF FORESTRY

- Aug., 1958, p.607. Comments on Wilderness Preservation Policy--
Chas. H. Stoddard.
- Sept., 1958, p.699. Multiple Use and the Forester--J. Herbert Stone.
- Sept., 1958, p.701. SAF Policy on Wilderness Preservation.
- Dec., 1958, p.931. SAF Panel Discussion of Wilderness Preservation,
Annual Meeting, Salt Lake City--James P. Gilligan, U. of Calif;
Kenneth B. Pomeroy, Am. Forestry Ass'n; Howard Zahniser, The
Wilderness Society; George B. Craig, Western Lbr. Mfg's., Inc.;
H. R. Glascock, Jr., Western Forestry & Cons. Ass'n. Also,
floor comments from E. C. Crafts, U.S. Forest Service; Emanuel
Fritz, and others.
- Dec., 1958, p.914. Comments on Wilderness Preservation Policy--
Philip G. Haddock, Univ. of British Columbia.

AMERICAN FORESTS

- April, 1957. Exclusive Use or Multiple Use? Debate between Kenneth
B. Pomeroy, AFA Chief Forester, and Howard Zahniser, Ex. Sec'ty,
Wilderness Society.
- May, 1957. The Wilderness Congress--John W. Spencer.
- July, 1957. Built-in Lobbies--Kenneth B. Pomeroy, Chief Forester,
Am. For. Ass'n.
- July, 1957. The Wilderness Bill and Foresters--Howard Zahniser, Ex.
Sec'ty, Am. Wilderness Society.
- Aug., 1957. The Battle of the Wilderness--James C. Craig.
- Jan., 1958. Our Social Responsibilities--Dr. Walter P. Cottam.
- Feb., 1958. What Wilderness Means to Me--Anson Bates.
- May, 1958. Whose Land Is It? --Dr. Fredrick Brown Harris. Also, The
Senate Chaplain Preaches Conservation--Reference to Dr. Frederick
B. Harris, Chaplain, U. S. Senate.
- Sept., 1958. Wilderness Bill Stymied in Senate--editorial by
James C. Craig.

Jan., 1959. The Cart Before the Horse--Virgil L. Fischer.

Jan., 1959. Wilderness--A Valid Land Use--James P. Gilligan

Our Wilderness System--Howard Zahniser, Executive Sec'y, The
Wilderness Society. Published by National Wildlife Federation,
232 Carroll St., N. W., Washington 12, D. C.

Analysis of the Wilderness Bill--Prepared by National Wildlife
Federation, 232 Carroll Street, N. W., Washington 12, D.C.