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## THE WEST AND ITS PUBLIC LANDS: AID OR OBSTACLE TO PROGRESS?†

STEWART L. UDALL\*

Two years ago this month in an unguarded moment I decided to attempt a book about the land-and-people story of our continent. At odd and interspersed times I did the reading and the writing that resulted in a volume I chose to call *The Quiet Crisis*.<sup>1</sup>

The writing was a splendid misery, but the reading was a revelation. After the first few weeks I realized how ignorant I was of my own job and how little I really knew the conservation history of the American land. Near the end, when the task seemed almost too large to finish, I knew that finished or not the further education of Stewart Udall had made the whole effort worthwhile.

No Secretary of the Interior can read or write with detachment about conservation history. Every decision or plan or program proposed in the past throws fresh light on the questions awaiting decision on his own desk. Half-forgotten names like Hetch Hetchy,<sup>2</sup> Teapot Dome,<sup>3</sup> and Muscle Shoals<sup>4</sup> become the landmarks that help chart a course through the pressures and controversies of the present.

Three-fourths of my years have been spent in and about the West. Yet I must confess that preparing to write *The Quiet Crisis* furnished insights into the land-and-people history of my own region

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† This article was originally delivered as a John Field Simms Lecture on February 9, 1964, at the University of New Mexico.

\* Secretary of the Interior.

1. Udall, *The Quiet Crisis* (1963).

2. The Sixty-Third Congress authorized the construction of aqueducts to transport water to San Francisco, California. At the same time, Congress carved the Hetch Hetchy Valley out of Yellowstone National Park for dam sites and electric plants. See 38 Stat. 242 (1913).

3. See *Mammoth Oil Co. v. United States*, 275 U.S. 13 (1927).

4. The Tennessee Valley Authority Act of 1933, 48 Stat. 58, was enacted to improve navigability and provide flood control of the Tennessee River at or near Muscle Shoals, Alabama. For the current law see 16 U.S.C. §§ 831-31cc (1958).

that I had lacked. As student, citizen, lawyer, and Congressman I had puzzled over, but largely taken for granted, the public land policies of the West. As Secretary of the Interior, in the process of asking the why of things, I have been often compelled to search for the deeper answers.

Are the public lands of the West—and by “public lands” I mean the national forest, park, wildlife, and grazing lands owned by the federal government—an aid or an obstacle to progress? I think the time has come for us to discuss this question with a thoroughness and respect for the essential facts which will yield up honest and clear-cut answers.

The time is late. These historic policies are now under an oblique, but damaging, attack by a rising tide of anti-federalism that is undermining the very foundations of our conservation action program.

One should not be surprised, I suppose, that men of our region are leading coiners and reciters of anti-Washington slogans. After all, it was the late Bernard De Voto who often reminded us that the eddies of politics in the Far West always seemed to spawn spokesmen he called “Westerners against the West.”<sup>5</sup>

It is easy in 1964 to explain the anti-federalist sentiment of the South. That region is in the throes of a social revolution which is the outgrowth of demands for new *national* unity and a single *national* standard of citizenship.

However, it is more difficult to explain the anti-federal government movement in the West, for our region has always had a special—and uniquely profitable—relationship with the government in Washington. One might say that Lewis and Clark—the outriders sent by Thomas Jefferson<sup>6</sup>—were the first federal “presence” in the West. The cavalrymen, Indian agents, forest rangers, and reclamation engineers who followed were the visible symbols of the federal involvement in western development.

The “new wave” anti-federalists of the West, I fear, have misread the political history of their region and have failed to grasp the

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5. Bernard De Voto, a writer and scholar known for his works depicting continental expansion, is an authority on Samuel Clemens (Mark Twain) and has written about life during Twain's time. See, *e.g.*, De Voto, *The Course of Empire* (1952); De Voto, *Across the Wide Missouri* (1947); De Voto, *Year of Decision 1846* (1943); De Voto, *Mark Twain's America* (1932).

6. See Jefferson, *Messages From the President of the United States, Communicating Discoveries* (1806); *The Original Journals of the Lewis and Clark Expedition* (Thwaites ed. 1905).

central significance of the conservation policies hammered out by Powell,<sup>7</sup> Pinchot,<sup>8</sup> and the two Roosevelts.

By edict of nature, nearly all of the West was, and always will be, different from the rest of our country. Daniel Webster called it a "wasteland," but from the first the West was destined to write a special chapter in our history.<sup>9</sup> The Plains Indians, the vast prairies, the mighty massif of the Rocky Mountains, and the parched deserts were all formidable barriers to settlement and migration. Its searing winds, harsh climate, uncertain rainfall, and thin soils made settlement a struggle and resource planning a necessity. Moreover, the West's remoteness from eastern markets, sparse patterns of settlement, lack of transportation, and inadequate local capital made it susceptible to domination by outside entrepreneurs—and made investments of development capital by the national government an absolute necessity if orderly growth was to occur.

Despite all of this, the anti-federalists in our midst have identified the growing national government of a growing nation as the paramount threat to our way of life. ("Fear Washington more than Moscow" some of them say.) To hear these men tell it, government action and individual freedom are irreconcilable opposites. Nor are they deterred by the historical circumstance that nearly all of the programs and policies formulated by Presidents and Congresses since 1932 have been designed to cope with a great depression, to win a great way, and to carry the leadership burdens of a free world coalition.

It is not my intention to analyze all of the root causes of these symptoms. Suffice it to say that "states' rights" and other anti-federal slogans have taken the same form in the West as in the South. The federal government's role as proprietor of the public estate is attacked as forcefully by some western spokesmen as the federal government's role as the protector of civil rights is attacked by the southern segregationists. To remind these westerners that the federal activities and appropriations have underwritten much of the West's progress is about as fruitless as to remind the South that only as all Americans enjoy civil rights can we realize our full potential

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7. Powell, Report on the Lands of the Arid Region (Stenger ed. 1962). For a biography of Powell see Stenger, *Beyond the Hundredth Meridian* (1954).

8. Pinchot, *Breaking New Ground* (1947); see also Dana, *Forest and Range Policy* (1956).

9. See Powell, *op. cit. supra* note 7; Long, *The American Desert* (Hafen & Fuller eds. 1957); Kraenzel, *The Great Plains in Transition* (1955); Sears, *Deserts on the March* (1935).

as an equal-opportunity society that revitalizes American each generation.

The current crop of anti-federalists begin any discussion of resource policies in the West by arraigning federal stewardship of the public estate. One hears of federal land grabs, of a federal "lock up" of resources, or of the insidious encroachments of the agents of big bureaucracy. Those who espouse the most extreme anti-government views were given their "comeuppance" recently by Dr. Joe Frantz of the University of Texas at the 1963 meeting of the American Historical Association in these words:

Is the tradition of a West where men stood alone against their environment, asking no help from anyone, and least of all their government—is that tradition tenable? When that long-legged son-of-a-gun stands up in a Cattleman's Club in Cheyenne, or in a Chamber of Commerce banquet in Tucson, or at a governor's conference in Helena—and when he issues a blast at an all-consuming federal encroachment in words more blistering than all the winds that blow from Spokane to San Antonio, is he historically sound, or has he swallowed a whole hunk of home-manufactured, self-illuminated halo without chewing it first?

Let us begin with the essential facts. It is indeed a fact that half the land of the eleven westernmost contiguous states is in federal ownership.<sup>10</sup> It is also a fact that in these eleven states, three quarters of these 400 odd million federal acres are managed by the Forest Service and the Bureau of Land Management for mineral, forage, timber, and outdoor recreation values.<sup>11</sup> The other quarter contributes to the national welfare as areas reserved for national parks, military reservations, and Indian reservations.<sup>12</sup>

It is also a fact, which some of our citizens conveniently forget, that under our system the federal "ownership" means ownership by all.<sup>13</sup> Whether one regards the present national government as being too large or too small, I daresay few citizens of New Mexico regard the federal government as a faceless bureaucracy. I daresay the everyday faces most of you in New Mexico associate with the national government are those of park and forest rangers, public land

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10. Bureau of Land Management, *Public Land Statistics* (1962).

11. *Ibid.*

12. *Ibid.*

13. See Engelbert, *Federalism and Water Resources Development*, 22 *Law & Contemp. Prob.* 325 (1957).

FIGURE 1  
FEDERAL LANDOWNERSHIP IN THE ELEVEN  
WESTERMOST CONTIGUOUS STATES

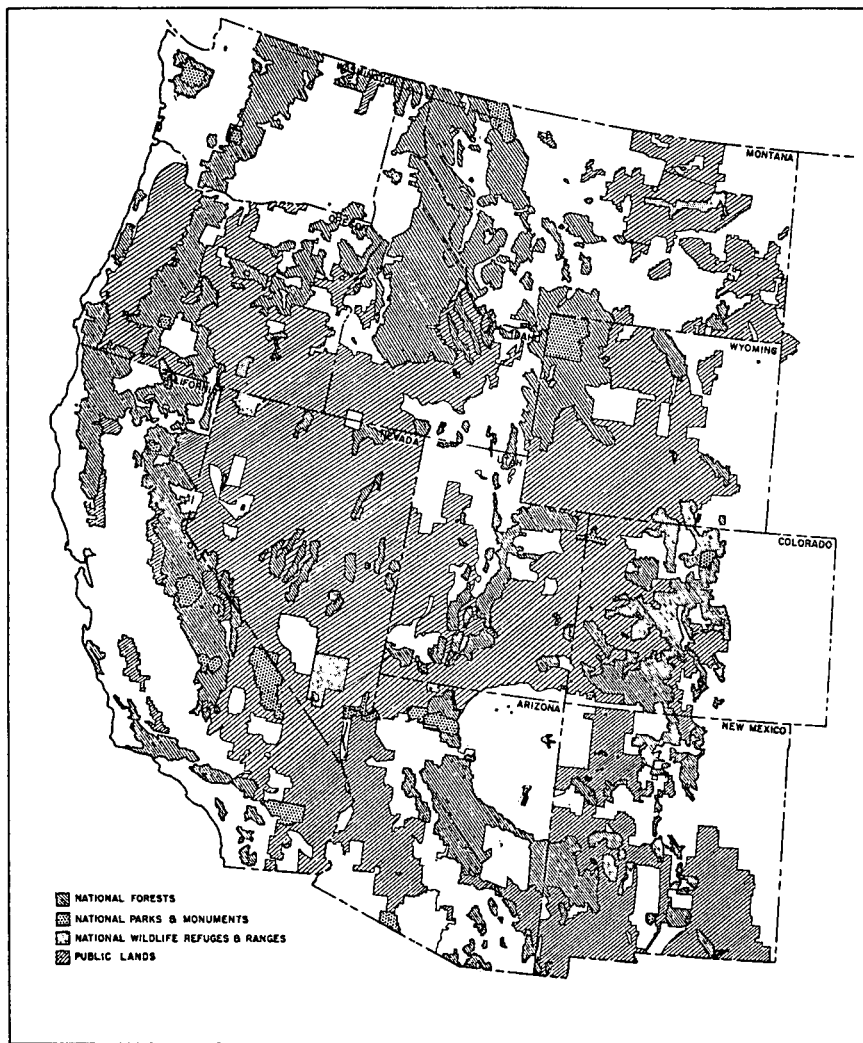
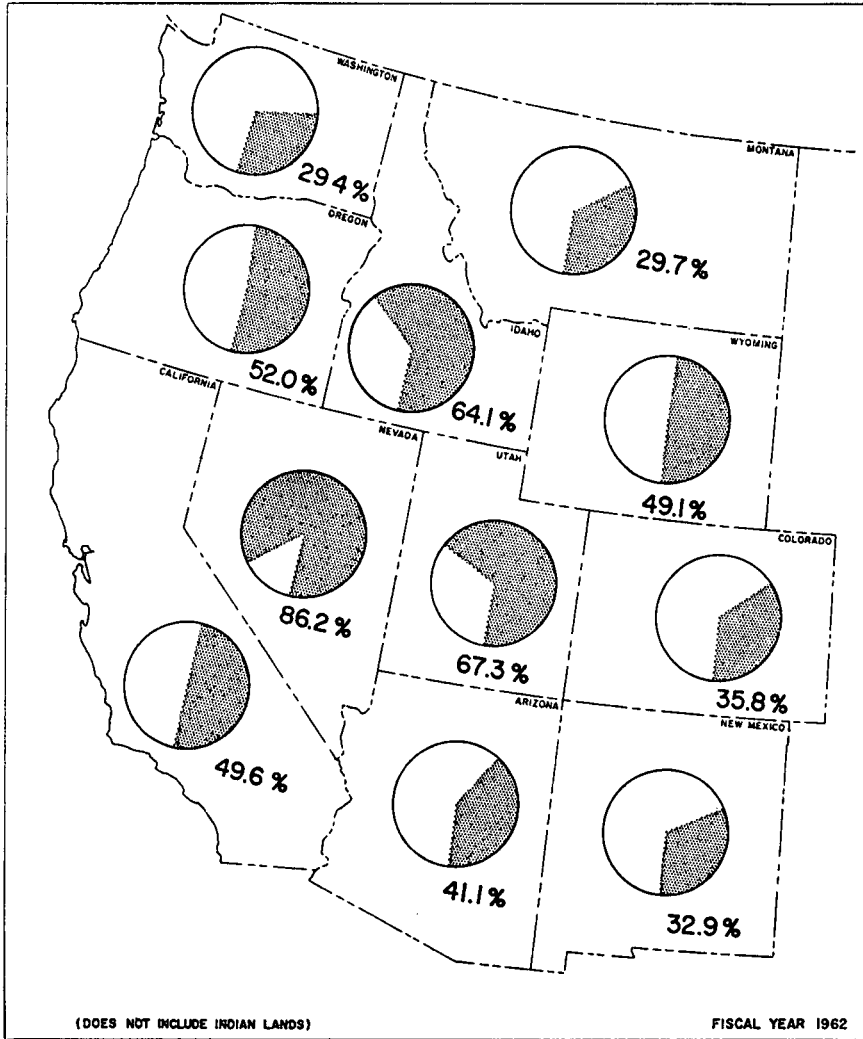


FIGURE 2  
PER CENT OF FEDERALLY OWNED LANDS IN THE  
ELEVEN WESTERMOST CONTIGUOUS STATES



managers, Los Alamos scientists, and aiders of Indian welfare. The truth of the matter is that the federal government maintains, conserves, and develops these lands as a common estate that each of you, if you obey the rules, can use at will. In a very real sense we are all owners and proprietors of the public lands. Take it from one who is of late a fenced-in easterner, your ownership of and ready access to these spacious, scenic lands at your back door is a precious heritage that includes a special brand of personal freedom!

Let us, then, discuss the real issues that touch the public lands of the West. What, for example, has this land meant to the private sector of the economy, and to the states, counties, and municipalities? What kind of federal investments have been made, and what has been the result in terms of both local and national economies? Are local interests consulted and accommodated in carrying out resource policies? Do national parks contribute to the economies of the several states; if so, how much? Would it really be profitable for the states to have the federal lands transferred to state ownership? These are the hard questions we should ask—and answer—for ourselves and for our children.

Some western leaders periodically make the charge that their states have been discriminated against because the Eastern States "got all their land" while the Western States were "deprived" of theirs. Such persons fail to recognize that the minerals, timber, forage, water, and wildlife resources of the public lands are available for use by industry, by associations of water users, and by those who seek the simple pleasure of the out-of-doors.

To listen to some latter day orators, one might think that the federal government had had nothing to do with the development of the West.<sup>14</sup> That kind of talk, of course, does not reckon with the daring diplomacy of Thomas Jefferson, John Quincy Adams, and James K. Polk; each presided over an acquisition of territory now included in the Western States. Lewis and Clark and later army officers explored the West. Others reconnoitered the prospective railroad routes more than a century ago. Federal land grants made transcontinental railroads possible.<sup>15</sup> Government geologists King, Powell, and Hayden systematically reported the mineral wealth. Congress passed settlement laws, the Homestead Act,<sup>16</sup> the Desert

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14. See Morison & Commager, *The Growth of the American Republic* (3d ed. 1942).

15. See H.R. 14108, 57th Cong., 1st Sess. (1901), for a bill authorizing grants to railroads.

16. 12 Stat. 392 (1862), as amended, 43 U.S.C. §§ 161-302 (1958).



Land Act,<sup>17</sup> the Timber and Stone Act,<sup>18</sup> and the mining laws.<sup>19</sup> All of this legislation encouraged early settlement.

Judged by any standards, the West owes a big debt to Washington. The deeds, if not the words, of the western anti-federalists in Washington bear witness to this truth every week. Almost to a man, while decrying BIG federal government and BIG federal spending, they simultaneously advocate bigger federal allocations and bigger federal programs for their own states. The schizophrenic character of such discourse became clearly visible a few months ago when one prominent Western Senator advocated the sale of a successful federal interstate water project—the “socialistic TVA”—at the very moment he was sponsoring a 1.1 billion dollar *federal* water project for his own state.

I reiterate that such men have misread the history of their region. They suffer from what might be called a “Zane Grey syndrome.” Their oversimplified world—a world of individualistic “good men” pitted against bureaucratic “bad men”—ignores the central fact of western history: the circumstance that settlement succeeded best where governments and associations of individuals worked together for the common good.

To be sure, the bold entrepreneurs who established copper, timber, and railroad empires played a big role in the beginning, but I would suggest that no less significant is the role of the ordinary men who organized irrigation districts, water conservancy boards, grazing districts, rural electric cooperatives, soil conservation districts, and the other resource action groups which have done so much to build a solid base for economic growth. The grassroots leaders of action by free association have succeeded because they believed in the conservation policy and were willing to work with the federal, state, and local governments to develop the West’s resources.

My concern today is that the myths and misconceptions of the anti-federalists will win widespread acceptance in the West and disrupt the pattern of partnership between the West and Washington. The Clinton Andersons, Carl Haydens, Aspinalls, Jacksons, and Kuchels are still regarded as the authentic voices of the West in Washington. But if the anti-federalists ever are regarded as our spokesmen, lasting damage will be done to the cooperative partner-

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17. 19 Stat. 377 (1877), as amended, 43 U.S.C. §§ 321-39 (1958).

18. 20 Stat. 89 (1878). See also 20 Stat. 90 (1878), as amended, 18 U.S.C. § 1852 (1958).

19. See generally title 30 of the United States Code.

ship in conservation begun sixty years ago by Theodore Roosevelt.

The first articulated western public land policies were the end product of a century of trial and error in land management. The constitution gave Congress power to "dispose of" federal property.<sup>20</sup> A century ago, beginnings were made to exercise this power on sound principles by the first laws which contemplated permanent ownership by all of the people.

However, the first premanagement phase in our national land policy began during President Washington's first term, and continued until the time of Theodore Roosevelt. It might be called the period of land distribution.<sup>21</sup>

The General Land Office was then the biggest land broker in the history of the world.<sup>22</sup> Land was in such a state of surplus that even Thomas Jefferson could not see any need to reserve tracts for public purposes. There was enough land in the United States, he said, for descendants "to the thousandth and thousandth generation." Yet, within three generations the Census Bureau had declared the disappearance of the frontier.

The sellaway-giveaway of the public lands moved forward at a "land office" pace. Vast tracts were given to the states, small tracts were granted or sold to individual citizens, speculators bought up choice areas at bargain prices, and railroad and canal companies wangled from Congress both provident and improvident grants amounting to millions of assorted acres.<sup>23</sup>

With the notable exception of its administration of the Homestead Act,<sup>24</sup> the General Land Office could not escape being a part of the political spoils system. It was not prepared to manage lands; alienation of title was its single-minded purpose.

The second phase, beginning with the Yellowstone National Park Establishment Act of 1872<sup>25</sup> and the Forest Reservation Act of 1891,<sup>26</sup> came to full flower under Theodore Roosevelt and Gifford Pinchot, whose conservation policies took into account the peculiar land stewardship problems of the West. These men drew heavily upon the doctrines of the West's John the Baptist—Major John

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20. U.S. Const. art. I, § 8(18).

21. See Martz, *Cases and Materials on Natural Resources* 3-12 (1951); Mead, *Irrigation Institutions* 13 (1910).

22. Mead, *op. cit. supra* note 21, at 13.

23. *Ibid.*

24. See note 16 *supra* and accompanying text.

25. 17 Stat. 32 (1872).

26. 26 Stat. 1093 (1891).

Wesley Powell of the Geological Survey. In his *Arid Lands Report* of 1877,<sup>27</sup> Powell pointed out that colonization could not result in permanent prosperity unless all thinking began, and ended, with a recognition that wise water planning was the sine qua non of western growth. The land, he wrote, was almost worthless unless every ranch had a water hole and every farm a water right. By 1900,<sup>28</sup> ranch-homesteaders had claimed the choicest lands around the best water holes in the grassland country, and farm-homesteaders had settled the river valleys where some kind of water supply seemed assured.

But it became obvious, even then, that the farmers' homemade dams and irrigation systems were not enough. Furthermore, the ranch-homesteaders were showing little concern for management of the public grasslands which they used in common. Timber operators (who could legally acquire only limited woodlands due to the land reform provisions of the Homestead<sup>29</sup> and Timber Culture<sup>30</sup> Acts) were hard at work on the most accessible stands of public timber. Miners were locating their claims by the thousands. But sustained growth remained dependent on the availability of water and transportation.

The principles of conservation evolved by Newell, Pinchot, and Theodore Roosevelt proceeded from four major premises:

1. that water development and conservation was the first priority of the West, which only a federal program could realize in full;
2. that the West's arid climate dictated continued federal ownership and management of a large portion of the public domain;
3. that the farms and businesses would be private, not public; and
4. that land monopoly or a monopoly of basic resources was intolerable.

To these premises, certain elemental conservation concepts were considered to be the prerequisites of any action plan:

- (a) to protect vital watersheds, and to insure the orderly harvesting of timber and forage, the forested mountain country should be reserved as "national forests," to be managed according to sustained-yield conservation principles;
- (b) the river basins had to be the setting for water use planning;
- (c) federal funds for irrigation projects would be repaid interest-free by the small farmers who benefited by such projects;

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27. Powell, *op. cit. supra* note 7.

28. See Turner, *The Frontier in American History* (1920).

29. 12 Stat. 392 (1862), as amended, 43 U.S.C. §§ 161-302 (1958).

30. 17 Stat. 605 (1873), as amended, 29 Stat. 43 (1896).

(d) the finest scenic areas should be reserved and managed as "national parks" for the enjoyment of all the people;

(e) areas required for the protection of migratory waterfowl and wildlife should also be kept in federal ownership;

(f) most of the grasslands should remain under the federal stewardship but open to homesteading and mining; and

(g) those who extracted products from the public domain or used public lands for private gain should pay for the privilege.

The action plan had begun, as I stated, in 1872 with the act creating Yellowstone Park.<sup>31</sup> Beginning in 1891, the great decisions concerning the public lands of the West took form by executive and congressional action.<sup>32</sup> These provided the framework of the land conservation plan of the West. Those decisions, and the funds and follow-up laws implementing them, have built up the West and strengthened the nation. Six of the most important pieces of federal legislation are:

1. *The Forest Reservation Act of 1891*<sup>33</sup> empowered Presidents to create national forests out of the public domain. Some 148 million acres in the West were set aside by Presidents Harrison, McKinley, Cleveland, and Theodore Roosevelt pursuant to this historic act.

2. *The Reclamation Act of 1902*<sup>34</sup> established a special "reclamation fund" and set forth a plan for western water conservation. This made it possible through a pioneering venture of united action between the federal, state, and local governments to develop irrigation in the fertile valleys of the West. The land reform provisions of this act also extended the Homestead Act by limiting participation to small farmers.<sup>35</sup> This was an act designed to promote the development of a single region—the area west of the 100th meridian.

3. *The Antiquities Act of 1906*<sup>36</sup> gave Presidents the power to establish "national monuments" in the public domain. This has enormously aided the growth of the National Park System.

4. *The Mineral Leasing Act of 1920*<sup>37</sup> established a system, with

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31. 17 Stat. 32 (1872).

32. See notes 33-39 *infra* and accompanying text.

33. 26 Stat. 1095 (1891).

34. 32 Stat. 388 (1902). See *Ivanhoe Irr. Dist. v. All Parties and Persons*, 47 Cal. 2d 597, 306 P.2d 824 (1957), *rev'd*, *Ivanhoe Irr. Dist. v. McCracken*, 357 U.S. 275 (1958); Taylor, *Destruction of Federal Reclamation Policy? The Ivanhoe Case*, 10 Stan. L. Rev. 76 (1957); see also Note, 10 Colum. L. Rev. 506, 514 (1910).

35. 32 Stat. 390 (1902). The Homestead Act originally provided that all subsequent homestead entries were subject to the conditions imposed by the Reclamation Act.

36. 34 Stat. 225 (1906). See Martz, *op. cit. supra* note 21, at 996.

37. 41 Stat. 437 (1920). See Martz, *op. cit. supra* note 21, at 469.

appropriate fees and royalties, for the private leasing of oil, gas, coal, phosphate, and other minerals found on public lands.

5. *Land Grants* were made at various times by Congress to each of the eleven Western States and to various railroads as a contribution toward the support of public institutions and as a stimulus to economic development. These generous grants added up to 18½ per cent of the total land area—9½ per cent went to the states, and 9 per cent to the railroads.<sup>38</sup>

6. *The Taylor Grazing Act of 1934*<sup>39</sup> ended unrestricted free-choice homesteading on the public domain except in Alaska. It substituted land classification and established a belated program for the multiple use and conservation management of our public grasslands. By this act and the executive orders which were later congressionally ratified, the policy of headlong alienation of public lands was ended.

Implicit in this land-use action plan was the idea that the federal government would manage as well as own, would plan conservation, would provide development funds, and would contribute to the general economy of the West. Under these decisions, the region's development was "favored" in the sense that the national government undertook to shoulder more responsibility than would otherwise have been the case.

Once the basic guidelines of the plan were established, the Congressmen and Senators of the West did a remarkable job in securing the appropriations required, and in securing enactment of a whole series of statutes to insure that federal ownership of the public lands would encourage sound patterns of growth. The vigilance and vision of these leaders enabled the grand plan of development to move forward in an orderly fashion. Considering the alert and effective work of these Western Congressmen, any dispassionate historian would express dismay at the anti-federalist doctrine that the federal management of the public lands has retarded the growth of the region.

It has been my job, and that of my colleagues, for the past three years to act as trustee and land manager of most of the western public land. I have also had an opportunity to observe land and people problems in other parts of the United States, and in other countries on other continents. As a westerner, I want to record a personal judgment—the judgment that the conservation plan of the West is a high-water mark in world resource stewardship. Whether one measures western development by the new forms of human cooperation it

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38. Mead, *op. cit. supra* note 21, at 13.

39. 48 Stat. 1269 (1934). See Martz, *op. cit. supra* note 21, at 471.

has developed, by the wise investments of national wealth, by the equity of arrangements for the sharing of benefits and burdens by the region and by the nation, or by the way of life developed in the region itself, one can only conclude that this public-private partnership in conservation is a singular success.

Let us enumerate some of the benefits which have accrued to the West and write them large so that he who runs may read:

1. The Reclamation Program is regarded as a model today in all parts of the world. Under it the federal government has spent 4.5 billion dollars in building the dams, canals, and irrigation works needed to provide the assured supply of water that has made 8.5 million acres of land permanently productive. Over ninety per cent of the money advanced by the federal government for construction has been repaid. The Reclamation Fund set up by Congress to help finance construction receives money from public land sales, mineral leases, project operations, and repayments of project obligations. Accruals to this fund, continually being reinvested, have reached the two billion dollars mark. The working relationship of the Department of the Interior's Bureau of Reclamation with local water users and state water officials is an outstanding example of pluralistic American government in action.

2. Since the close of the Second World War, the federal government has spent more than 375 million dollars developing, operating, and maintaining the units of the National Park System, chiefly in the West. These investments have been a major factor in development of a tourism industry that is now an economic mainstay of the Western States.

3. The wildlife habitat on public lands provides the best outdoor recreation in the West. The states and the tourist industry reap large economic benefits. A comparatively minor benefit, for example, is the thirty-four million dollars in receipts realized by the states in 1961 from the sale of hunting and fishing licenses.

4. On the Taylor Act lands, grazing fees are paid by range users. Part of those receipts are paid in cash to the states. As westerners know, the Taylor lands are by no means valuable only for grazing. They have important watershed values and are rapidly gaining recognition as wildlife habitats and outdoor recreation areas. The new movement to protect, rehabilitate, and conserve these lands is an outstanding example of community cooperation.

5. Oil, gas, and several other minerals on the various public lands

are managed by the federal government under a mineral leasing system. Again, however, alert Western Congressmen have put the plowback principle into law, and in our states only 10 per cent of the total revenues realized from mineral leasing on public domain lands are returned to the General Fund of the United States Treasury. Of the remaining 90 per cent the Reclamation Fund gets 52½ per cent and the states 37½ per cent.

6. As for the Indian lands and the Indian people, at an expense that in fiscal year 1964 will total more than 228 million dollars, the federal government provides health, education, welfare, and development funds for the Indian people and their resources. Again, the benefits to the Western States far outweigh the burdens. If the Indian lands were "put on the tax rolls" and the states provided the same level of public service, all of the "Indian States" would need new taxes to carry this extra load. (For instance, in my own Arizona, federal expenditures on behalf of the Indian tribes in fiscal year 1963 added up to almost sixty-four million dollars. If Arizona assumed the responsibility for these services, it would entail nearly a twenty per cent increase in its current budget.)

But this is only a part of the picture. Transfer of the public lands "to the tax rolls" would automatically alter the liberal highway-fund matching concessions which these states now enjoy. In fiscal year 1963 allocations of federal-aid highway funds, for example, the eleven Western States obtained their allocations with 145 million dollars less state matching money than would have been required had these states had no Indian and public domain lands within their boundaries.

There are other special federal road financing benefits as well. There were expenditures of seventy-four million dollars in the eleven Western States in fiscal year 1963 for forest roads. An additional thirty million dollars of unmatched federal funds were expended on highways and roads within the national parks and monuments, on Indian reservations, and on other federal lands. States do not pay for public land taken for rights-of-way. The total financial benefit to the eleven Western States from highway and road expenditures in fiscal year 1963, because of federal land ownership, was at least 245 million dollars.

In rough terms, and as near as my experts can estimate it, well over half of the total revenues, receipts, and royalties from the public lands today are either reinvested directly in the West or are shared with state and local governmental units—notwithstanding

the fact that practically all of the land management costs are borne by the national government.

Over the years, the flow of funds westward from Washington has been heavier proportionately than to any other region of the United States. The new brigade of anti-federalists may choose to ignore this fact or to explain away the connection between tourism and the outdoor estate which all of us own.

Finally, there are the intangible benefits of the public lands. To those who prize the outdoors, these are the most tangible of advantages. I refer, of course, to the unique freedom men have who live next door to great parks, forest lands, and open spaces. Each man can use this resource at will. Those who live in congested areas of our country where "No Trespassing" and "Do Not Enter" signs dominate the landscape know the real worth of an adequate public lands estate.

The vast public domain has other uses too, as the West discovered after 1941 when the military services and defense industries who needed space located disproportionately in the West. Such vital "wasteland" installations as White Sands, Los Alamos, Hanford, and Yucca Flat illustrate this advantage which the public lands have conferred on the states of the West.

I voice no complaint against any man who lodges constructive criticism against obsolete laws, inefficient administration, or arbitrary bureaucracy or who demands that the national government strive to be more sensitive to local needs and local judgments on public affairs. We need vigorous-minded citizens ready to speak out against the erosion of due process or the chance intrusions of officious government agents. However, if the experience of the last two generations has proven anything, it is that western individualism is compatible with the requirements of modern government.

I must leave you with no misconceptions. There is always room for criticism of the federal management of our public lands. There is much that we must and will do to make our procedures more efficient and responsive. Many of the difficulties are grounded in archaic laws. Congress is considering Representative Aspinall's proposal to establish a Public Land Law Review Commission.<sup>40</sup> Such a commission, properly chartered, properly supported, and properly led, could help us to bring our land laws up to date, and to eliminate unnecessary sources of friction between citizens and government or between the states and the federal government.

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40. H.R. 8070, 88th Cong., 1st Sess. (1963).



To encourage other desirable policy changes, I have directed the Bureau of Land Management to analyze and classify the public lands in an effort to distinguish more precisely those areas that will be needed for local suburban, industrial, or open-space use from those remote areas requiring intensive protection and conservation measures under multiple use management. Every effort will be made to enlist the participation of local governmental representatives and planning agencies in determining what lands belong in the first category. Modern techniques of land classification which have been used in other areas can be adapted for use in making this basic classification of the public lands.

The lesson of the history of public land administration denies us the comfort of assuming that there are final and complete answers. The population explosion, the "westward tilt" of our continent, the mobility and leisure and affluence of our people, and the completion of a revolutionary super-highway net, challenge the quality of our planning for recreation. Changes in agricultural technology equally test us. And minerals, fuels, and hydrology are dynamic beyond description.

So management becomes our watchword. We must assure that the public domain *continues* to be an aid to progress, just as I trust I have demonstrated it has been for the past two centuries.

To sum up, I submit that whether one measures it by the conservation objectives achieved, by living values attained, by the economic consequences of our federal-state-people program of cooperation, or by the future opportunity the West has not only to grow but to *grow right*, the federal government has been a creative partner this century in the development of the West.

There is much unfinished work, and we cannot afford the luxury of anti-federalism. It is my hope that in the years ahead the people of the West will reject the sterile doctrines of anti-federalism and build a bright future based on the patterns of action and cooperation of the past.