Public Land Policy

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I welcome this opportunity to get together with folks whose work ties them closely to the problems of the rangelands of the West for a discussion of public land policy. This is a subject of vital importance, not only to members of the American Society of Range Management, but to citizens in all parts of the Nation. Unfortunately, it is a subject not well understood by a large proportion of our people.

In fact, my ears are still a little sensitive from an editorial tongue lashing we received recently in good old-fashioned journalistic style from a western newspaper editor. He was indignant because the Government had informed Congress that it couldn’t tell down to the last exact acre exactly how much land it owns.

“THE fact that the Government doesn't know how much land it has,” wrote the irate editor, “is an indication that it had no business controlling that much in the first place.”

Well, let’s go back to the first place—back to the beginning of Federal land controls. That takes us back to the time when the Founding Fathers established a Republic in which the private ownership of land was recognized as a basic, essential feature. Also recognized at that time was the historic sovereignty of the Government over all land. Title to undeveloped land not privately owned therefore was vested in the Federal Government.

The Thirteen Original States exceeded about 237 million acres of undeveloped land to the Federal Government and thereby established what has become known as the public domain. It was clearly understood, however, that the Government was to act as trustee for this land and it would be transferred as rapidly as possible to private ownership. In fact, Congress, even under the Confederation, began making provision for survey and disposal of the land.

Then, as the frontiersmen pushed west, the public domain grew. The Louisiana Purchase, the Mexican and Spanish cessions, the Oregon Compromise and the Gadsden Purchase expanded it until finally the original public domain in the 48 States embraced 1,462,000,000 acres.

Today, from border to border, there are 1,934,000,000 acres of public and privately owned land and water in the United States.

In the beginning less than one-tenth of this land was privately owned.

Today more than three-fourths of the land in this Nation is privately owned. But the Federal Government still retains title to the remainder, or about 456 million acres.

During the first century and a half of the Nation’s growth, a billion acres of public land was disposed of or, as some might say, was given away. Of course, the land was given away in many instances. About 285 million acres was “given away” to homesteaders. But what a price in blood, toil, sweat and tears was exacted for these gifts. One condition was development—development of the land and the Nation. And many a man failed, and lost his “give away” holdings and his savings as well because the conditions were too hard. And many a man lost his life to savages, disease, or hunger and thirst. But when one brave man fell, or a timid one turned back, another rough and ready frontiersman took his place on the land.

Lands granted—or “given away”—to the States to finance and support schools, institutions, roads and other public undertakings, totaled some 225 million acres.

Veterans have been “given” 61 million acres in the form of military bounties.

The railroads were given grants to 91 million acres of land to push their tracks into the wilderness where no markets or cities existed.

The Government then was rich in land and short on dollars. It financed its domestic mutual assistance pacts with acres. And as the land moved into private ownership and its resources were developed, it poured dollars back into the economic lifestream of the Nation, and the Government prospered and grew strong.

Now, it is easy to look back on those rough and ready days and deplore the excesses of the pioneers. Careful planning and good management would have avoided many of the excesses, perhaps. The development of most of the continent and the evolution of a social and political system that is the envy of the

1 Address presented at the Eighth Annual Meeting of the American Society of Range Management at San Jose, California, January 26, 1955.
civilized world, however, required more than heavy thinking. It took vision and daring—and it took guts. Who can really say how the job could have been accomplished better in such a relatively short time?

Men with vision and courage like Theodore Roosevelt and Gifford Pinchot were on hand at the turn of the century to introduce a new public land policy after the old openhanded policies had served their purpose. They laid the foundations for the programs of reclamation and conservation of our lands and their resources which the Department of the Interior is following today.

Secretary McKay has directed that these time-tested foundations be used as the solid base for a long overdue reappraisal of Federal public land policy. This reappraisal, now nearing its final stages, has been undertaken through interdepartmental studies conducted by Assistant Secretary Peterson, of the Department of Agriculture, and myself, as his counterpart in the Department of the Interior.

Out of this study, I feel sure, will come policy redeterminations and clarifications which will help all those who have an interest in the public lands, and most particularly, those who work on, and with them, to understand more clearly where this Government stands with respect to the original plan of the Founding Fathers to transfer public lands to private or State ownership.

As this study got underway, the vital importance of the western range to the economic strength of the whole Nation was firmly established. There can be no dispute over the need of future generations for large, unbroken grazing areas for their herds and flocks. In fact, the demands of an ever-increasing population for the foods, fibers and other products which the great livestock industry supplies from the range may pose problems of grave concern for the future.

It is imperative, therefore, that the decisions reached now on public land policy be based, not alone upon a realistic approach to current problems but upon an equally realistic appraisal of future needs as well.

I mentioned earlier that the Federal Government holds title to some 456 million acres of land in the continental United States. Undoubtedly, one out of every four acres in the entire country is too much land for the Federal Government to own. Yet, it is equally clear, that much of this land will always remain under Federal administration.

About 179 million of these acres are in national forests, national parks and wildlife reservations and, for the most part, there they will remain. It cannot seriously be proposed that any disposal be made of them except in rare instances where it is clear that the purpose originally intended to be served, could better be accomplished by the disposition of some minor portions.

Some 25 million acres are being used by the Department of Defense. Whether these holdings will shrink or expand in the future depends upon circumstances we cannot foresee.

The Bureau of Reclamation has almost 10 million acres set aside in its important program and much of this is slated for eventual transfer to eager homesteaders.

The 57 million acres within Indian reservations are not, strictly speaking, Federal lands.

It seems clear, therefore, that our immediate problem is concerned principally with the 180 million acres of land that comprise what is now called the vacant, unappropriated, unreserved public domain.

This land is administered by the Bureau of Land Management, one of the five bureaus of the Department under my jurisdiction. I think it is a misnomer to call the lands of the unreserved public domain, vacant lands. This conjures up a picture of idle wastelands. As a matter of fact, all but about 10 million of the 180 million acres are producing revenue in one form or another.

The Bureau of Land Management expects its revenues from oil and gas leases, mineral leases, timber sales, grazing fees, land leases and sales and other sources to approximate a record-breaking $230,000,000 in the current fiscal year.

The Bureau’s budget for the management and development of the public lands this year is some $12 million.

This feat of lifting $218 million of the tax burden from the shoulders of our citizens in a single year is one result of this administration’s practical application of the well-known doctrine of “the greatest good for the greatest number, for the longest time” to its public land policy.

The biggest item of this revenue—some $140 million—came from leasing a relatively small portion of the submerged lands of the Outer Continental Shelf. This payment was in the nature of a bonus for the rights to start drilling for oil in the submerged lands. The Government does not guarantee that oil will be found. But if oil is found, the Government will collect royalties each year on every barrel produced.

Wise use of the public lands and their resources is sound conservation policy and sound public policy. No resource, completely and absolutely locked up, is of any value whatsoever. Our great national parks, for instance, would mean little or nothing if people were not allowed to see them—to walk in them, or even fly over them. We can all agree that such a waste of their grandeur would be tragic.

The doctrine of utilization of our resources for the greatest good for the longest time becomes meaningful only when full use is made of the energy, the vision and the ability of people who have access to these resources. It would be tragic to lock
them up forever. It would be just as tragic and wasteful if the greedy were allowed to exploit them to the utmost without regard to sound principles of conservation.

But between those two extremes is a solid middle ground which permits development of our resources and the use and improvement of our lands for the benefit of this, and succeeding generations.

Conservation of land resources does not mean that the entire job must be done by the Federal Government. Fortunately, conservation is not a Federal monopoly. Private individuals own three times as much land as the Government and, by and large, they do a better conservation job on their own land than the Government does on its holdings.

For the past two years the administration's land policy has remained firmly on the solid ground between the two extremes of all Federal ownership or all private ownership of the remaining public lands. Neither camp has found favor or preference in the Department of the Interior.

Our policy is, and has been, to recognize the existence of the laws which the Congress had adopted and reaffirmed over the years to govern mineral leasing and all the other tract disposal, mining, grazing, homesteads, desert land entry, small farmsteads, and school land grants made by the Government when they were admitted to statehood.

We have not attempted, nor do we intend to do so, through inaction or other subterfuge to thwart the operation of the laws that have been adopted by the Congress. It is the responsibility of that branch of the Government to make these laws. They have done so. It is the Department's responsibility to administer them, and in so doing it has been, and will continue to be, our endeavor to carry out the purposes set forth in each law without showing partiality toward advocates of either Federal or private ownership. In this respect, only when the laws are changed will we change in our administration of them.

This kind of above-board administration has done much to overcome the impression gained by many in the past that the Bureau of Land Management was more concerned with finding reasons to deny or delay action on applications filed with it than it was in granting them.

The recent reorganization of the Bureau placed operating authority in State and local offices where there are men familiar with the lands. It has paid dividends in faster service to the public and more efficient operations for the Government. Range, mineral, forestry and land cases are now being handled at the rate of 100,000 a year; before reorganization the rate was 40,000.

Another important step toward more efficient operation is the current program to consolidate the Bureau's land holdings in compact, more easily managed areas.

A crazy-quilt pattern of Federal land holdings was left behind by the early settlers when they bypassed areas that were unsuited for their purposes. These public lands became relatively small islands in a sea of private holdings. Their isolation from larger areas of public lands made management by the Bureau difficult and uneconomical.

Simplification of the land ownership pattern is being accomplished through exchanges of lands with the States, restoration of public lands from restrictive withdrawals, land sales, private land exchanges and selective disposals where the land is classified for a higher use.

Cadastral surveys of the unsurveyed areas of the public domain have been stepped up to the end that States may take title to the lands which belong to them under the school land grants made by the Government when they were admitted to statehood.

Meanwhile, the pressure of our increasing population; technological advances in tapping underground sources of water; development of new metals such as uranium; and the constant search for new sources of oil and gas are intensifying the demands of the people for more and more of the undeveloped public land.

These pressures for land collide with the requirements of the livestock industry for more forage to enable it to meet the public demand for more food and fiber.

Under such circumstances, the land classification responsibilities imposed by law upon the Department grow increasingly difficult and important. The Taylor Grazing Act requires the Bureau of Land Management to classify the lands of the Federal range so that they are put to their highest use.

In fulfilling the requirements of the law, the Department will be ever mindful of the category of high use which an unbroken range serves in the Nation's economy. Applications for key tracts in such a range will be weighed against the broad detrimental effects a new classification might have on a wide area. Determinations will not be based upon a narrow acre by acre evaluation.

Right now the range management job is the biggest the Department has ever had. It is bigger because the Federal range has grown.

These 180 million acres administered by the Bureau of Land Management make a vital contribution to the Nation's economy. Some 12 million animals producing food and wool graze on them. Grazing privileges are held by almost 30,000 livestock operators.

But grazing is not the only contribution these lands make. There are over 80,000 outstanding mineral leases on the range, principally for oil and gas, which must be reconciled with grazing use.

The most recent wildlife census shows that about 830,000 big game animals are dependent for at least
a part of their annual forage requirements on these lands.

On the range are public domain woodlands protecting watersheds and, under good conservation practices, yielding supplies of timber.

The Department's program for multiple use of the public lands has proven that the range can make even greater contributions to the national economy than it does now. But contributions must be made to improvement of the range before the extra dividends the land promises can be collected.

In the budget just sent to Congress by the President, there is a provision for expenditure of an additional $1 million in the next fiscal year for soil and moisture conservation on the public lands. This is the start of a 20-year program of soil conservation work. The total job will cost about $250 million. Many times this amount will be recovered which has been wasted through depletion of the resources of the range in the past.

The Department's soil and moisture conservation program is a cooperative endeavor. Much of the work will be done on a watershed basis. It is geared for close integration with work authorized under the new Watershed and Flood Prevention Act which will be administered by the Department of Agriculture.

Already a large number of local groups and individuals dependent upon public lands in their livestock operations have proposed joint public-private development of watershed conservation programs. We welcome this partnership approach and have provided an atmosphere in which it can thrive.

The Federal Range Code for Grazing Districts is undergoing revision. We expect it to be approved this spring. Its language will be simplified; procedures will more nearly conform to the Administrative Procedures Act; it will provide for more effective administration of grazing under the new organization structure of the Bureau of Land Management; and, it will protect investments made for conservation.

The adjustment of grazing fees recently announced is another step toward more efficient, more realistic management of the range. It will provide additional funds for range improvement and, when firmly adjusted to the average price the operator is paid for his livestock, will permit more efficient planning and economical operation.

Revision of the old grazing fee system was long overdue. The concept of basing fees on costs of range management administration was unrealistic and unfair to the Government. The new system which relates the cost of forage to the price the producer receives for his livestock is fairer to all concerned. The Bureau of Land Management and the National Advisory Board Council worked together as partners to develop the system. The Council squarely faced all the issues involved in this difficult problem and performed a real public service in developing, with the Bureau, the recommendations which the Secretary has approved.

The condition of the range as a result of the serious drought to which it has been subjected in the past few years is a matter of serious concern in the Department, as it is to all of you. Reseeding of unproductive areas will be intensified. Present plans call for reseeding 125,000 acres this year, as compared with 100,000 last year. Control measures which have been applied to 350,000 acres since 1952 in our attack on the poisonous range weed halogetan will continue.

The public lands with which we work are not easy lands to master. That's one reason why they have remained so long in the public domain. They demand, from those who manage them, an abundance of courage, patience and everlasting hard work. The rewards the lands offer are often bountiful; but the risks are great.

Any policy to meet the challenge of the unreserved public lands must, if it is to be successful, have its foundations deep in the wells of free enterprise on which America thrives. No matter who holds the titles, it will be the work of individual private citizens on the lands which, in the long run, will develop them to their highest use.

The American Society of Range Management has contributed importantly to a clearer understanding of the problems involved in management of the public lands. I know that you will continue to make a worthwhile contribution to that effort.

The Department, in meeting the challenge of the last frontier of the public domain, will continue to welcome the cooperation and counsel of those who are close to the land.

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**CALL FOR PAPERS FOR 1956 ANNUAL MEETING**

Members who wish to present papers at the annual meeting of the American Society of Range Management at Denver, Colorado, in January, 1956, are invited to offer titles now. Approximately 200-word abstracts should reach the Program Chairman not later than July 15 to permit consideration of the Program Committee in completing a well-balanced program.—Evan L. Flory, Chairman, Program Committee, Bureau of Indian Affairs, Washington 25, D. C.