

THE BUREAU OF LAND MANAGEMENT:  
A LEGISLATIVE HISTORY

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Bachelor of Arts

University of Arkansas at Little Rock

Little Rock, Arkansas

1972

Submitted to the Faculty of the Graduate College  
of the Oklahoma State University  
in partial fulfillment of the requirements  
for the Degree of  
MASTER OF ARTS  
December, 1974

MAR 28 1975

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## PREFACE

Much has been written about land use in the United States. Studies of the mining interests, the cattlemen, and the conservationists have been incorporated into hundreds of books and articles. However, there has been no attempt to show the history of the national domain from the inception of the public land policy to present. In particular there has been no thorough study of the Bureau of Land Management which, since 1946, has administered the grazing lands in the public domain. Experiments in land management first were attempted in the nineteenth century and have continued to bring change in national policy. Politics, the influence of interest groups, and the slowness with which the country adapts to change have retarded reform and hence hindered more efficient operations of the public lands. Yet there have been significant advances, for the Taylor Grazing Act of 1934 and more recently the creation of the Bureau of Land Management have been steps in the direction of conservation and effective use.

This thesis is a study of the early management of the public domain, the Taylor Grazing Act of 1934, the creation of the Bureau of Land Management in 1946, and the operations of that important agency to the present. The primary purpose of this study is to determine the actual significance of the Bureau of Land Management and its effect on the land policy of the United States. To relate completely the story of the BLM it has been necessary to detail carefully the history of the Federal land policy until the establishment of the BLM, and to demon-

strate clearly why and how the new agency was established in 1946.

To complete this study I have investigated Congressional debates over establishing the Taylor Grazing Act and the BLM, perused newspapers for additional information, and read carefully specific academic journals in the fields of cattle growing, mining, and conservation. Moreover, biographies and autobiographies of government administrators, as well as general histories of each era have been examined. It is hoped that through this study a better understanding of the public land policy of the country--specifically the establishment of the BLM--will be gained.

The author wishes to thank Dr. Joseph A. Stout, Jr., who directed, encouraged, and assisted my efforts throughout this study. Gratitude is extended also to Dr. Odie B. Faulk and Dr. Norbert R. Mahnken, the other members of my committee. Further credit is due Dr. Michael M. Smith for his critical comments on both content and style. In addition, I would like to express my appreciation to Dr. William A. Owings and Dr. Thomas H. Baker for urging me to enter graduate school.

A very special note of love and thanks is given to my wife, Betty, who typed all of the rough drafts and the final copy as well. Without her loving devotion, gentle encouragement, and thoughtful support, this study would never have been completed.

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## CHAPTER I

### INTRODUCTION

The creation of a vast area of public domain in the United States initially resulted from a compromise to win ratification of the Articles of Confederation; the first legal union between the original thirteen states. The land in the area roughly between the Appalachian Mountains and the Mississippi River, which previously had been claimed by seven states under the terms of their original colonial charters, was ceded to the United States between 1780 and 1802. Throughout the history of the country several additions have been made to the public lands in the continental United States by purchase, treaty, or conquest. Foremost among these were the Louisiana Purchase of 1803, the Oregon Treaty in 1846, and the Mexican Cession of 1848. Problems encountered in establishing a workable policy for the disposal of the vast area of land in the public domain have through the years consumed the energies and efforts of many dedicated public servants.

For more than a century public lands and natural resources were shamelessly exploited by a population whose only interest in them was profit. The struggle to end this squandering of what at first seemed an inexhaustible supply of public lands was hampered by poorly written laws and numerous large scale frauds. By the turn of the twentieth century, or even more recently in some cases, Americans recognized the deplorable conditions of the remaining public lands and began to work

for a policy of restoration and conservation. This significant shift in public opinion made possible the establishment of an efficient, well coordinated, long-range United States land policy.

The evolution of a national land policy was a long and difficult process. Through the years several divergent policies were used to facilitate the disposal of the public domain. Since 1784 five basic approaches to land use and disposal have been implemented. The initial and accepted theory in the period from 1784 to 1841 was that the land was a valuable asset which should be used as a source of revenue for the national government. From 1841 to 1862 the public domain primarily was used to promote the westward expansion of the United States through preemption laws and land grants for the construction of internal improvements such as roads, canals, and railroads. Then in 1862, the policy of securing revenue from the public lands was reversed completely in favor of providing cheap or free land for settlers. The Homestead Act of 1862 and its subsequent modifications controlled land disbursement until 1885. In that year a few farsighted Americans began working for a policy of conservation. These early efforts at conservation were continued sporadically from 1885 until 1934, when the passage of the Taylor Grazing Act revolutionized the land policy of the United States. From 1934 to the present every aspect of the public domain has been closely supervised for the benefit of the entire nation--not just a few large corporations or special interest groups.

In each of these distinct periods the basic policies were implemented in response to public demands for national legislation. Thus, this chapter is a brief but detailed discussion of factors leading to the major legislation in each period, implementation of those acts, and

their effectiveness in creating a workable land policy for the United States.

Early in 1784 two methods of land disposal were discussed. One proposal was to use the land for westward expansion; the other was to dispose of the public land for revenue.<sup>1</sup> A decision to sell the land came quickly, for there was no other means of raising money in the Confederation Period.<sup>2</sup> Due to this decision the emphasis for several years would be on land disposal, rather than on conservation and management of land as a natural resource.<sup>3</sup>

In the spring of 1784, a committee, headed by Thomas Jefferson, was appointed to devise the best method for disposing of the western lands. The committee report of May 7, 1784, called for a combination of the methods of land disposal previously used by the New England and Southern states. The New England system entailed surveying the land into townships and sections for transfer to groups of settlers. However, the Southern system allowed individuals to purchase large sections of land. Although the committee report was not accepted, the best features of each method of land disposal were combined as the basis for the Land Ordinance of 1785.<sup>4</sup> Retaining considerable New England influence, this act provided that the public domain be surveyed into "townships" of thirty-six square miles. Each township was then subdivided into thirty-six "sections" of one square mile (640 acres). In addition, the law stipulated that the sections would be sold at a minimum price of one dollar per acre. There were some defects in this first attempt to establish a national land policy. The speculator was benefited at the expense of the settler, for no limit was placed on the amount of land that could be purchased. Also, only a few farmers needed



or could afford an entire section of land. Therefore, speculators would buy the land and parcel it out in smaller proportions. Despite its defects, the Ordinance of 1785 did provide a system whereby land could be transferred to settlers. For this reason, the act was one of the wisest in the Revolutionary Period.<sup>5</sup>

The Ordinance of 1787 was important because it established a system whereby the territories could become states. Three stages of development provided for territorial admission to the Union on an equal basis with the original thirteen states. In addition, a bill of rights was included to protect the basic liberties of those living in the territories, and a section of land in each township was set aside to support schools. The ordinances of 1785 and 1787 formed the basis for the American public-land policy.<sup>7</sup>

No other significant land legislation was passed until the end of President George Washington's second term. Public land sales diminished during this time because Indian raids were severe. Many Americans momentarily lost interest in the Northwest. Also, the tracts of land being offered for sale were too large for most farmers to purchase. Thus, during this period Congress asked Alexander Hamilton to study the matter and offer suggestions for disposing of lands in the public domain.<sup>8</sup> In his report of July 22, 1790, Hamilton proposed to obtain revenue for the Federal Treasury from the sale of public land. Congress ignored this report, and few people expressed immediate interest in the public land question.

However, Congress was ready to implement Hamilton's proposals by 1796 because the Treasury was nearly empty. Congress passed the Act of 1796 which retained the 640 acre minimum, but raised the price of land

to two dollars an acre. Half of the purchase price was to be paid at once and the other half in one year.<sup>9</sup> The law of 1796 was a failure because the minimum amount of land which could be purchased was still too large and the credit terms were too harsh for the small buyer.

Congress passed a more liberal land act on May 10, 1800. The new act provided for a reduction in the minimum amount of land which could be purchased from 640 to 320 acres. Local land offices were to be opened in the West for the first time to facilitate land sales. More important was the liberalized credit system, which required that one-fourth of the purchase price be paid within forty days. The remainder was to be paid in equal installments over a period of four years. The minimum price was set at two dollars an acre.<sup>10</sup> While realizing that this act was not a panacea for land problems, Roy M. Robins, a prominent land historian, has written that the Land Act of 1800 was "one of the most important measures in the history of the public domain."<sup>11</sup>

The land policy was altered again in 1804 by reducing the amount of land that settlers could purchase. A hopeful land owner now could buy 160 acres when made available at auction for a minimum price of \$1.64 per acre.<sup>12</sup> Government officials expected land sales to rise sharply. However, the credit system remained unchanged and little land was sold. Many settlers who contracted for land found themselves unable to meet payments. Therefore, after 1806 the government chose to extend credit payments by passing relief bills rather than forcing the settlers to abandon their lands.

Easy credit for land speculation, provided by poor banking policies, began America's first real land speculation craze in 1816. The failure of Congress to recharter the Bank of the United States in 1811

had also exacerbated the problem.<sup>13</sup> Moreover, many new rich land areas in the middle-west were made available for settlement. While more than one million acres of public land were sold in 1814; three and one-half million were sold by 1818.<sup>14</sup> The Panic of 1819 ended this period of speculation and ruined many speculators. About one-third of the westerners had purchased land on credit and were unable to meet their payments. However, Congress assisted these individuals by passing the Land Act of 1820, which reduced the minimal bid price of land to \$1.25 an acre, allowed settlers to purchase land in eighty-acre tracts, and abolished the credit system.<sup>15</sup>

The Act of 1832 further reduced the minimum amount of land which could be purchased. This act provided that settlers could purchase land in forty-acre blocks. The minimum price remained \$1.25 per acre. By reducing the minimum amount of land that any settler could buy, the National government hoped to end speculation.

Although these acts reduced the amount of land that could be purchased and aided the small farmers, speculators could still purchase large tracts of land from the government. This situation allowed speculators to continue investing heavily in land and by 1835, poor banking policies again encouraged almost unlimited credit for land speculation. Paul W. Gates, a well-known land historian, has written that, "Between 1835 and 1837, 38,000,000 acres of public land were sold, 29,000,000 of which were acquired for speculation."<sup>16</sup>

President Andrew Jackson issued his famous Specie Circular in 1836 to check the inflationary spiral and reduce purchases by speculators. This measure required that all land transactions be carried out in gold or silver. The move was too late, however, and the Panic of 1837

quickly ended the second major phase of land speculation in America.

The need to provide revenue for the national government through the sale of public lands declined slowly throughout this period and many desired preemption. Preemption was the theory that a settler could have the first chance to buy land upon which he had settled for the minimum government price. Government officials hoped that this measure would stop land speculation by removing the possibility that the squatters could be evicted. Thus, most westerners were interested in land for settlement--not speculation. They desired cheap, easily obtainable land.<sup>17</sup>

By 1840, some progress toward a "cheap and easy" land policy had been made.<sup>18</sup> In December, Senator Thomas Hart Benton of Missouri, always a champion of free land for homesteaders, introduced a bill which would allow any family head, widow, or single man over eighteen to preempt a quarter section of public land in specific areas. The only requirements were that the settler must reside on the land and make a few improvements.<sup>19</sup> He would then have the first chance to purchase the land at \$1.25 an acre.

The Preemption bill became entangled with other land issues such as Henry Clay's program for distribution to the states of the proceeds from public land sales. Clay combined his measure with Benton's bill to ensure the passage of the Preemption-Distribution Act of 1841. The preemption act and its subsequent amendments were instrumental in further weakening the revenue principle of public land disposal.

From 1841 to 1862, the United States granted large tracts of land to encourage settlement in the West. Public land legislation was one of the most important factors in this expansion.<sup>20</sup> The major emphasis

in this period was the stimulation of effective occupation in isolated areas for national strength and security. Throughout the 1840's and well into the 1850's, various land donations attracted people to the distant territories of Florida, Oregon, Washington, and New Mexico. Officials hoped that the nation would reap the benefits of this settlement through increased land values and taxation.

Congress passed the first of these donation acts on August 4, 1842, to encourage settlement in Florida for national defense. The act provided that the head of a family or a single man eighteen years of age or older could obtain 160 acres of land by establishing residence on his claim.<sup>21</sup> The 200,000 acres of land offered in this measure were quickly settled and many Americans clamored for the extension of this privilege to Oregon.

In 1850, Senator George Badger of North Carolina supported a similar bill for land donations in the territory of Oregon. Congress passed the Oregon Donation Act in that year, granting 320 acres to each single man and 640 acres to each married man.<sup>22</sup> However, the requirement of four years continued residence proved unsatisfactory. In 1853, the original act was amended to require only a two year residence. The donation acts proved unsatisfactory, for the donations were not solely restricted to settlers. Speculators obtained much of this land and the third land boom in the United States began. As in 1819 and in 1831, the results were disastrous.

Encouraging this period of speculation was the passage of a price graduation act in 1854 which provided for the sale of forty million acres of land at less than \$1.25 per acre. Between 1854 and 1858, the peak years of speculation, approximately sixty-five million acres of

the public domain were disposed of through donation and price graduation. An even larger amount of land was granted to the states in the 1850's to encourage the construction of internal improvements such as railroads, canals, and roads.<sup>23</sup> In 1850, Illinois Senator Stephen A. Douglas had persuaded Congress to grant the Illinois Central Railroad six alternate sections of land along the right of way for each mile of track it would construct. Thus a precedent was set, and through the next two decades railroads received approximately 129 million acres of public land.<sup>24</sup>

Railroad lines soon extended into many new areas, facilitating more expansion and settlement. However, shortly thereafter the economy was overextended again and the Panic of 1857 halted the greatest wave of land speculation in American history.<sup>25</sup> The failure of these earlier acts to prevent wild land speculation contributed to the movement for free homesteads.<sup>26</sup> The large land grants given to the railroads in the 1850's promoted a growing public sentiment for free land.<sup>27</sup> Although this idea was premature in 1840, many interested individuals worked toward that goal. Senator Thomas Hart Benton of Missouri had fought for free lands in the 1820's. President Andrew Jackson had supported a similar measure during his first administration. Both Stephen A. Douglas of Illinois and Andrew Johnson of Tennessee unsuccessfully had worked for the cause of free homesteads in the 1840's and 1850's. Yet, according to an article by Thomas LeDuc in Howard W. Ottoson's Land Use Policy and Problems in the United States, public sentiment for homestead legislation increased during the land boom of the 1850's and "set the stage for the eventual enactment of the homestead law."<sup>28</sup>

In 1860, the Republican Congress passed a homestead bill, but it

was quickly vetoed by President Buchanan. Opponents of free land had argued that a homestead bill would be unconstitutional, that it would cause a hazardous loss of revenue, that immigration would quickly get out of control, and that the people would become thriftless. Others said the land was not a gift since five years of work were required, and that giving land to the poor would fulfill the American dream. Very little else was done to promote homestead legislation until the election of Abraham Lincoln caused a shift in opinion. Most of the opposition vanished with Lincoln's accession to the presidency and Southern secession.

The passage of the Homestead Act on May 20, 1862, signified the complete reversal of the Hamiltonian ideas concerning public lands and the beginning of the third basic period of land policy development. From 1862 until 1885, the desire for free or cheap public lands dominated any discussion of a change in national land policy. Land was no longer a major source of national revenue, and in private hands, it would be taxable.<sup>29</sup> In addition, sufficient revenue was being obtained from a high tariff. The idea behind the Act of 1862 was similar to that of the donation acts--that the interests of the government would best be served by providing free land for settlement. Compensation could be obtained through the increased property values. The act provided that any family head, widow, or single man over eighteen could homestead up to 160 acres of the public domain. The land was to be free, except for a small filing fee on the claim.<sup>30</sup> The homesteaders had to live on the land for five years and make minimal improvements.

However, soon after the Homestead Act was implemented it became evident that several modifications were necessary. Loopholes in the

law allowed land speculators to obtain large tracts of the public domain. In addition, the General Land Office was so poorly staffed, underpaid, and apathetic that the law was not enforced properly. Moreover, the Homestead Act had been designed to fit the condition of the mid-west--not the arid climate of the Great Plains.<sup>31</sup> Congress passed many modifying amendments to the Homestead Act in this period in an attempt to adapt the measure to the arid West. Some westerners viewed the bill as another way to exploit the public domain. Indeed, a major result was that cattlemen used the Homestead law to acquire large amounts of grazing land.

Many cattlemen became wealthy during the period, for they benefited greatly from a land system that made possible the creation of vast estates and open range cattle grazing. Even before large scale fencing of the public domain began, it was not uncommon for cattle companies to make false entries to obtain larger areas for grazing. The cattle-feeder industry and thus the use of unclaimed land for grazing flourished in the northwest and on the Great Plains after the boom in railroad construction facilitated marketing. This abuse of the public domain and the demand for beef in eastern states made the cattle industry profitable.

The widespread misuse of the public domain eventually led to a cry for land reform in the 1870's. Congress responded by passing the Timber Culture Act on March 3, 1873. While not a modification of the original homestead act, the Timber Culture Act was a variation of it.<sup>32</sup> This law encouraged the planting of trees on the Great Plains. At this time some government officials believed that trees could be grown easily on the prairie merely by planting seeds. Therefore, this act provided



that any person could receive title to 160 acres of land by planting forty acres of timber and maintaining it for ten years. An amendment to the original act on June 14, 1878, reduced the amount to be planted from forty to ten acres.<sup>33</sup> However, growing trees on the prairie required expensive irrigation which the average settler could not afford. Although the Timber Culture Act was an attempt to adapt the Homestead Act to the Great Plains, it fell short of its goal. Not only were few trees planted, but the measure gave cattle barons and speculators another chance to enlarge their holdings.

The government searched for other solutions to the land problems in this period since the Timber Culture Act proved unsatisfactory for encouraging settlement in the arid regions of the West. Congress passed the Desert Land Act on March 3, 1877, to encourage settlement in the eleven states and territories west of the one-hundredth meridian. Walter Prescott Webb, the author of The Great Plains, has written that this was the "first serious modification of the land law in the interest of the Great Plains."<sup>34</sup> This act was designed to encourage settlement and irrigation in the West. Settlers were permitted 640 acres of land if they promised to irrigate a portion of it within three years. The act required the settler to make payment of twenty-five cents per acre when filing an application for land. After supplying proof that the land had been irrigated, the applicant paid an additional one dollar per acre before he was given title to the land.<sup>35</sup> In effect, the settler was paying for this desert land at the old rate of \$1.25 an acre, and had to irrigate a portion of it as well. However, a section of land proved too large for irrigation and too small for western needs; further legislation was needed.

The government modified the land laws again in 1878 by enacting the so-called "Timber and Stone Act" which provided for the sale of 160 acres of land for not less than \$2.50 an acre that was "valuable chiefly for timber and stone."<sup>36</sup> Although apparently successful for a few years, the act ultimately allowed large corporations and timber speculators to gain control of large areas of timber land. This transfer of public land to private investors resulted in the destruction of large areas of valuable timber resources.

By 1885 greedy exploitation of natural resources was widely evident. The magnitude of destruction on public lands was appalling. In addition, congressional neglect of the Land Office led to poor management of national resources.<sup>37</sup> Land Office pleas for a larger, well-paid staff and adequate office space were ignored until 1890. Moreover, the land laws passed in the generation prior to the official closing of the frontier proved ineffective in providing land for the actual settler. Many land problems were caused by poorly written legislation, congressional apathy to the needs of the settlers, loopholes in the land laws, and the greed of many speculators.

While land speculators are usually blamed for much of the waste and devastation that occurred on the public lands, they were definitely not responsible for all of the problems that emerged. Occasionally they were even beneficial to the West, for their promotional work often facilitated the rapid settlement of many remote communities. Moreover, speculators proved to be helpful when settlers could not easily purchase the large amount of land offered for sale under the provisions of the Land Ordinance of 1785. Speculators would purchase sections of land and divide them into portions the farmers could afford. In addition, a

few speculators were true investors in western lands who provided credit for purchases in the absence of government loans. However, in some cases, speculative conspiracies and gigantic frauds prevented small farmers from buying the land they needed.<sup>38</sup> Speculative efforts made land ownership difficult in the mid-west and many settlers could not purchase farms. This resulted in an undesirable system of land tenancy in the United States.<sup>39</sup>

Land sales were not always a profitable business despite tales of large speculative profits in western lands. In fact, so many attempted speculation that the occasional bonanza in land profits was the exception rather than the rule.<sup>40</sup> Yet, prior to the emergence of the modern corporation, there was little opportunity for investment elsewhere.<sup>41</sup> For better or for worse, the speculator was ever present on the frontier.

Dissatisfaction with the land system caused many to seek reforms in the closing years of the nineteenth century. Although the principle of free homesteads was continued in those years, the United States land policy was based on a growing desire for conserving of our natural resources. The ruthless exploitation of the public domain between 1862 and 1885 had accentuated the need for national land policy reforms. Many railroad companies were forced to give up lands because they had not fulfilled the provision of their grant by constructing railroad lines. In addition, fraudulent surveys flourished after 1865 and served as a source of constant revenue loss to the government. Illegal manipulations of the land system by large lumber and cattle companies were also common.

In 1879, Congress appointed a Public Land Commission to study

conditions of the public domain. The Commission recommended that all lands be classified to facilitate the passage of specific laws and regulations for each category.<sup>42</sup> However, the proposals of the Public Land Commission were doomed since the public was not interested in conservation. For example, during the weekend before Grover Cleveland's inauguration, President Chester A. Arthur instructed the Secretary of Interior, Henry M. Teller, to hire additional clerks for the preparation of patents on more than one million acres of land which was held illegally by the New Orleans, Baton Rouge, and Vicksburg Railroad Company.<sup>43</sup> This land subsequently was sold to the New Orleans Pacific Company. Patents were issued for 680,000 acres of this land before Cleveland took office.

While Governor of New York, Cleveland had revealed his position on conservation. In 1884 he signed a sizable appropriations bill creating a state park at Niagara Falls. Upon assuming the presidency, Cleveland was concerned that one of our richest treasures, the public domain, was being despoiled--often with the aid of governmental officials.<sup>44</sup> He later wrote:

The history of the department, and especially that of the General Land Office, as it has been communicated to the President, has been that of a contest waged on the one hand by wealth, represented by the most capable and accomplished lawyers, overflowing with precedents and arguments and an overcrowded office almost buried under accumulated work and ill-supplied with men to bring the delayed cases to conclusion.<sup>45</sup>

Cleveland very quickly sought to rectify some of the evil in the land system. With the aid of the Secretary of Interior, L.Q.C. Lamar, and Land Commissioner William A.J. Sparks, Cleveland changed the policy of land use. The government suspended land sales briefly after March 10, 1885, and ordered the investigation of three-thousand cases of

suspected fraud. This task alone kept forty-two special agents busy for a year. In August 1885, Congress prohibited the enclosure of the public domain. This action came in response to complaints by settlers that cattle barons illegally had fenced large areas of public land.<sup>46</sup> Cattlemen ignored this fencing bill until 1886, when Cleveland ordered the removal of all enclosures from public lands and waterways. By 1890, the range again was open for use by all citizens.

In 1887, the Land Commission reported that schemes to obtain gigantic segments of the public domain had been found in every state and territory.<sup>47</sup> Civil and criminal prosecutions purged the surveying rings and stopped the illegal use of public timber lands. Other efforts caused the railroad companies to return much of the public land they held illegally. By the end of Cleveland's first term, eighty-one million acres of this land had been returned to the public domain for settlement.<sup>48</sup>

In 1887, strong public agitation for the right to settle on part of the Indian reservation lands caused government officials to contemplate a policy change. A study of the problem indicated that reservation holdings could be reduced greatly if each Indian was given a farm of 160 acres. Cleveland favored opening some of this land for settlement, but he feared that this policy might lead to the exploitation of all reservation lands. He sought to ensure that every Indian man, woman, and child would receive from 40 to 160 acres before opening the land to settlers. Congress then enacted the Dawes Act of 1887 providing for white settlement on parts of the Indian lands.

Little significant land legislation was passed between 1889 and 1893 while Cleveland was out of office. However, Congress repealed the

outdated Preemption Act and the unsatisfactory Timber Culture Act. More important was the passage of the Forest Reserve Act in 1891, which supported the principle of conservation for the first time.<sup>49</sup>

Cleveland continued his policy of conservation during his second term. In 1893, the Second Irrigation Congress met and proposed that the arid lands of the West be ceded to the states to encourage irrigation programs. Congress passed the Carey Act in 1894 to encourage private irrigation. Although some states did not take advantage of this measure, others benefitted greatly.<sup>50</sup> In 1895, concern for the nation's forest prompted Hoke Smith, the Secretary of Interior, to appoint Charles S. Sargent of Harvard University to make a study of forest conditions. In his report to Congress on May 1, 1897, Sargent stated the need for serious modifications of existing land laws. In his opinion, the timber lands could not be protected effectively until some changes were made. According to Sargent's report:

...because the sentiment of a majority of the people in the public land states with regard to the public domain, which they consider the exclusive property of the people of those States and Territories, does not sustain the Government in its efforts to protect its own property, juries, when rare indictments can be obtained, fail to convict....<sup>51</sup>

The Sargent report also recommended the creation of additional forest reserves. In 1897, Cleveland created thirteen new forest reserves which contained over twenty-one million acres of land. Although the program Cleveland championed during his two terms as president was not conservation in the modern sense, it served as a good substitute.

Little was done in the last few years of the nineteenth century to change significantly the land policy of the United States. While Cleveland had made some progress, much remained to be done. By 1900, there were still 557,643,120 acres in the public domain that were open

for settlement.<sup>52</sup> However, much of the land situated west of the one-hundredth meridian was unsuitable for farming without expensive irrigation. Overgrazing on the public domain was a serious problem that emerged after the federal range was opened in 1885. In addition, the land classification system remained inadequate, and the usual frauds, illegal surveys, false entries, and speculative efforts were ever present. One noted land historian remarked that, "No nation in world history has so wasted its natural resources or opened up its national treasure to unbridled exploitation as has the United States of America."<sup>53</sup> Yet, by 1900, Americans finally had begun to realize the need for conservation.<sup>54</sup>

The main power behind the conservation movement at the turn of the century was President Theodore Roosevelt. During his two administrations, Roosevelt fought monopolies and vested interests. He also combated special interest groups who were trying to control the nation's valuable resources. Roosevelt's dedication to conservation was so strong that upon taking office, land reclamations became his first task.<sup>55</sup> Roosevelt worked with his assistants to create a workable policy of conservation, where only a beginning previously had existed. Roosevelt's interest in conservation was linked directly to his friendship with Gifford Pinchot and Frederick H. Newell. As Director of the Division of Forestry, Pinchot was interested in saving our forests. Frederick Newell was a member of the Inland Waterways Commission and a government expert on water supply and irrigation. He supported reclamation of the non-agricultural lands of the West.

President Roosevelt knew how difficult his task would be. In his autobiography Roosevelt outlined conditions at the time he took office:

The idea that our natural resources were inexhaustible still obtained, and there was yet no real knowledge of their extent and condition. The relation of the conservation of natural resources to the problems of national welfare and national efficiency had not yet dawned on the public mind. The reclamation of arid public lands in the West was still a matter for private enterprise alone; and our magnificent river system, with its superb possibilities for public usefulness, was dealt with by the National Government not as a unit, but as a disconnected series of pork-barrel problems, whose only real interest was in their effect on the re-election or defeat of a congressman here and there.<sup>56</sup>

In his first message to Congress on December 3, 1901, Roosevelt outlined his policy for the conservation of natural resources; he thereby laid the foundation for the work that would be done during the next seven-and-a-half years.<sup>57</sup>

During Roosevelt's first term, Congress enacted the Newlands Bill, commonly known as the Reclamation Act of June 17, 1902. This significant measure created the Reclamation Bureau, with Newell at its head, and authorized thirty Federal irrigation projects. The act provided that the proceeds from the disposal of public lands would be used to promote irrigation in the waste areas of the West.<sup>58</sup> Many westerners opposed the Reclamation Act because they saw it as an attempt by the federal government to interfere in state matters. However, so much of this land was reclaimed during Roosevelt's first term that the decision was made to leave the rest for homesteaders.<sup>59</sup>

In 1903, the Public Land Commission studied the land laws to see if the existing system could be improved. The report presented to Congress in 1904 indicated that all of the land laws needed revision, modification, or repeal. The Commission also reported the deplorable condition of the federal range. As a result, Congress supported a homesteading experiment in the semi-arid country of western Nebraska. Seeing that the enlarged homestead experiment would be successful, Congress passed



the Kinkaid Homestead Act in 1904. This act permitted settlers to homestead 640 acres of land previously passed over by preemptors and homesteaders.<sup>60</sup> This method of reclamation proved so successful that there was a general demand for its extension to other states. Thus, the enactment of the enlarged Homestead Act of 1909 extended this system to the remainder of the public domain. Under this law a westerner could claim 320 acres of non-irrigable public land if he would live on it for five years and cultivate one-fourth of the land.<sup>61</sup>

The Three Year Homestead Act of 1912 reduced the residency requirements to three years. This change further encouraged settlement on the Great Plains. No longer would the official land policy be, as Benjamin J. Hibbard described it, "a wager in which the United States stakes a quarter-section of land that a man cannot live on it for five consecutive years."<sup>62</sup>

At the beginning of his second term, Roosevelt appointed a public land commission to report on the nation's resources. The commission exposed so many abuses of the National Forest Reserves that President Roosevelt transferred them from the Department of Interior's Land Office to the Department of Agriculture's Forest Service, which recently had been created. Thus, the Forest Reserves came under the control of Gifford Pinchot, a professional forester. Pinchot believed that the public's right to the national resources was more important than private concerns and that private interests should pay for what they obtained from the use of the public domain. However, since Pinchot was not opposed to the opening of the national forests for regulated use, the parts of the forest reserves, valuable chiefly for agriculture, were opened for settlement under the provision of the Forest Homestead Act

of June 11, 1906.<sup>63</sup> By 1909, nearly one-half million acres of forest lands had been opened for settlement.

Roosevelt expanded the conservation movement in 1906 by withdrawing from public entry 66,000,000 acres of rich coal lands. In his special message to Congress on December 17, 1906, President Roosevelt said that he would move to stop the exploitation of the public domain.<sup>64</sup> He proposed a well-regulated system for leasing coal, oil, and gas rights. On February 13, 1907, Roosevelt expressed his belief in national ownership of fuel resources by saying that they would be used to benefit all of the people.<sup>65</sup>

The climax of the fight for conservation came in 1907 when a group of anti-conservationists, led by Oregon Senator C.W. Fulton, managed to repeal the Forest Reserve Act of 1891. Henceforth, an act of Congress would be required to create additional forest reserves. However, Roosevelt created twenty-one new forest reserves in six northwestern states before he signed Fulton's bill. This action increased the area of national forests by sixteen million acres. Public sentiment for conservation increased thereafter, and Congress corrected many of the inadequacies in the existing land legislation. In 1908, Roosevelt summoned a governors' conference in Washington to discuss conservation. One significant result of the conference was the establishment of a National Conservation Commission with Pinchot as chairman. The commission quickly prepared an inventory of all available natural resources. While this report made no specific recommendations, it was unique for its thoroughness.<sup>66</sup>

When Theodore Roosevelt left office on March 4, 1909, the public-land policy had been improved greatly and a workable policy of conser-

vation was in effect. The conservation effort had expanded the policy on forests to include reclamation projects, fuel resources, waterways, and wildlife protection. The area in the national forests had increased from 43,000,000 to 194,000,000 acres, and about 68,000,000 acres of coal lands had been withdrawn from entry. The staff of the General Land Office had increased from five hundred to more than three thousand. Vital to this progress, though, were the efforts of Roosevelt's dedicated staff and the positive attitude of the majority of the public for a policy of conservation.

The conservation movement seemed to lose its momentum after Roosevelt left office. Many westerners remained adamantly against any more land withdrawals and President Taft avoided the issue. However, he did include oil lands and water-power sites in the growing conservation program. Significantly, the idea of federal involvement in land management was well established by this time.

President Woodrow Wilson did not actively support conservation, much to the relief of many westerners who opposed any discussion of government regulation. However, many federal land questions were settled in 1916, when the United States Government sued the Utah Power and Light Company for illegally using government land. The Supreme Court ruled in favor of the government, thereby demonstrating that illegal use of the public domain would not be tolerated. This decision convinced many westerners that a land leasing agreement for the use of the public-range would be more desirable than a law suit. The attitude of the westerners changed after this, and representatives of the eleven western states attended a conservation congress in June of 1913 to discuss their problems. Although this conference accomplished little, the

issues were debated thoroughly. Soon cattlemen and conservationists were discussing the issues of public grazing and government land leasing. In 1920, Congress passed a bill for leasing public lands. Opposition to leasing vanished rapidly thereafter, for the westerners realized the value of such a system.

The conservation movement suffered serious setbacks in the years of Republican ascendancy (1921-1933). A general reaction against conservation developed in the 1920's and reached even greater extremes before it subsided in the early 1930's. The Teapot Dome scandal, during Warren G. Harding's administration, indicated the extent of abuse and scandal. In addition, the federal reclamation program was decentralized in these years, allowing private interests to gain control of many federal projects. Yet, some progress was made in the Forest Service when Congress passed the Clarke-McNary Act of 1924. Roy M. Robbins, in his careful study of land legislation, stated that this act effectively put the government "into the business of land management and the growing and marketing of timber on a large scale."<sup>67</sup> The reforestation part of the Clarke-McNary Act was beneficial, for it encouraged the planting of trees on previously denuded areas.

Shortly after Herbert Hoover became president in 1929, he appointed a commission to study the possibility of transferring the unreserved public lands to the states in which they were located, reserving only the mineral rights for the federal government.<sup>68</sup> The reaction to Hoover's Public Domain bill was unfavorable, even in some areas of the West. It soon became evident that the attempt would fail because it would have made a return to speculation and waste all too easy. The Democrats ignored Hoover's proposal when they gained control of the

House of Representatives in December 1931. Thus, this attempt to cede the remainder of the public domain to the states ended while Congress struggled with the problems of depression.

When Franklin D. Roosevelt became President in March 1933, he faced many depression-related problems. Yet, his determination to make the country prosperous again did not submerge his lifelong interest in conservation. With the aid of Secretary of the Interior, Harold Ickes, Roosevelt formulated a new conservation program. The long-range objectives of conservation wisely were combined with the immediate needs for depression relief. Three hundred thousand young men of the Civilian Conservation Corps worked to plant trees and halt erosion.<sup>69</sup> In addition, the principle of national ownership of all public lands and resources was again reiterated. The objectives of building water-power sites and halting soil erosion were combined in the creation of the Tennessee Valley Authority in 1933.

Yet, according to Robbins, "perhaps the greatest contribution of the New Deal administration to the history of the old public domain was the passage of the Taylor Grazing Act."<sup>70</sup> Thus, the Taylor Grazing Act marked a significant change in the land policy of the West. Therefore, the theory behind this act, the debates prior to its passage, and the effect of the measure on the land policy of the United States merit further consideration.

#### FOOTNOTES

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<sup>2</sup>Benjamin H. Hibbard, A History of the Public Land Policies (New York: The MacMillian Co., 1924), p. 33.

<sup>3</sup>Thomas LeDuc, "History and Appraisal of U.S. Land Policy to 1862," in Land Use Policy and Problems in the United States, ed. by Howard W. Ottoson (Lincoln, Nebraska: University of Nebraska Press, 1963), p. 6.

<sup>4</sup>Hibbard, History of Policies, p. 35.

<sup>5</sup>Roy M. Robbins, Our Landed Heritage (New York: Peter Smith, 1950), p. 8.

<sup>6</sup>Hibbard, History of Policies, p. 40.

<sup>7</sup>Robbins, Landed Heritage, p. 8.

<sup>8</sup>Walter Prescott Webb, The Great Plains (New York: Ginn and Co., 1931), p. 400.

<sup>9</sup>LeDuc, "History and Appraisal," in Ottoson, Land Use Policy, p. 7.

<sup>10</sup>Webb, Great Plains, p. 401.

<sup>11</sup>Robbins, Landed Heritage, p. 18.

<sup>12</sup>Ibid., p. 25.

<sup>13</sup>Paul W. Gates, Landlords and Tenants on the Prairie Frontier (Ithaca, New York: Cornell University Press, 1973), p. 50.

<sup>14</sup>Robbins, Landed Heritage, p. 29.

<sup>15</sup>Webb, Great Plains, p. 402.

<sup>16</sup>Gates, Landlords and Tenants, p. 56.

<sup>17</sup>Glyndon G. VanDeusen, The Jacksonian Era, 1828-1848 (New York: Harper and Brothers, 1959), p. 129.

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- <sup>19</sup>Elbert B. Smith, Magnificent Missourian: The Life of Thomas Hart Benton (New York: J.B. Lippincott Co., 1957), p. 176.
- <sup>20</sup>Robbins, Landed Heritage, p. 150.
- <sup>21</sup>Ibid., pp. 153-54.
- <sup>22</sup>Ibid., p. 154.
- <sup>23</sup>Gates, Landlords and Tenants, p. 63.
- <sup>24</sup>Robbins, Landed Heritage, p. 163.
- <sup>25</sup>Hibbard, History of Policies, p. 223.
- <sup>26</sup>LeDuc, "History and Appraisal," in Ottoson, Land Use Policy, p. 26.
- <sup>27</sup>Hibbard, History of Policies, p. 142.
- <sup>28</sup>LeDuc, "History and Appraisal," in Ottoson, Land Use Policy, p. 26.
- <sup>29</sup>Hibbard, History of Policies, p. 384.
- <sup>30</sup>Ibid., p. 385.
- <sup>31</sup>Paul W. Gates, "The Homestead Act: Free Land Policy in Operation, 1862-1935," in Ottoson, Land Use Policy, p. 36.
- <sup>32</sup>Webb, Great Plains, p. 412.
- <sup>33</sup>Robbins, Landed Heritage, pp. 218-19.
- <sup>34</sup>Webb, Great Plains, p. 412.
- <sup>35</sup>Ibid., p. 414.
- <sup>36</sup>Hibbard, History of Policies, p. 465.
- <sup>37</sup>Harold H. Dunham, "Some Crucial Years of the General Land Office, 1875-1890," in Carstensen, Public Lands, p. 190.
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- <sup>40</sup>Allan G. Bogue and Margaret B. Bogue, "Profits and the Frontier Land Speculator," in Carstensen, Public Lands, p. 373.
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<sup>42</sup>Louise E. Peffer, The Closing of the Public Domain: Disposal and Reservation Policies, 1900-1950 (Stanford, California: Stanford University Press, 1951), p. 12.

<sup>43</sup>Allan Nevins, Grover Cleveland: A Study in Courage (New York: Dodd, Mead, & Co., 1934), p. 226.

<sup>44</sup>Ibid., p. 225.

<sup>45</sup>New York Times, Feb. 23, 1889, p. 4.

<sup>46</sup>Hibbard, History of Policies, p. 478.

<sup>47</sup>Robbins, Landed Heritage, pp. 293-94.

<sup>48</sup>Nevins, Grover Cleveland, p. 361.

<sup>49</sup>Gates, Landlords and Tenants, p. 24.

<sup>50</sup>Peffer, Closing of Public Domain, p. 20.

<sup>51</sup>Ibid., p. 16.

<sup>52</sup>Ibid., p. 8.

<sup>53</sup>Robbins, Landed Heritage, p. 335.

<sup>54</sup>Hibbard, History of Policies, pp. 491-92.

<sup>55</sup>Theodore Roosevelt, The Autobiography of Theodore Roosevelt (New York: Charles Scribner's Sons, 1958), p. 210.

<sup>56</sup>Ibid., p. 211.

<sup>57</sup>Noel F. Busch, The Story of Theodore Roosevelt and His Influence on Our Times (New York: Reynal and Company, 1963), p. 196.

<sup>58</sup>Roosevelt, Autobiography, p. 212.

<sup>59</sup>Peffer, Closing of Public Domain, p. 62.

<sup>60</sup>Hibbard, History of Policies, p. 392.

<sup>61</sup>Ibid., p. 393.

<sup>62</sup>Ibid., p. 395.

<sup>63</sup>Ibid., p. 394.

<sup>64</sup>Peffer, Closing of Public Domain, p. 69.

<sup>65</sup>Ibid., p. 69.



<sup>66</sup>Roosevelt, Autobiography, p. 219.

<sup>67</sup>Robbins, Landed Heritage, p. 409.

<sup>68</sup>Ibid., p. 413.

<sup>69</sup>Stuart Chase, Rich Land, Poor Land (New York: McGraw Hill Book Co., Inc., 1936), pp. 314-15.

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## CHAPTER II

### REGULATION, CONSERVATION, AND REORGANIZATION

Prior to 1934, use of the grazing lands in the public domain was wholly unrestrained.<sup>1</sup> Governmental attempts to institute a policy of conservation for this land had resulted in a series of inconsistent and unenforceable acts. Thus, the condition of the Federal range deteriorated in the 1920's and 1930's, prompting higher production costs and less profits for stockmen. The productivity of the public domain had been reduced almost 50 per cent by 1934.<sup>2</sup> During this era stockmen were forced to adapt their operations to the arid climate of the Great Plains.<sup>3</sup> Many ranchmen illegally fenced in large areas of the public domain for their exclusive use, and agreements among the large graziers forced a majority of the small ranchers out of business.<sup>4</sup> Over-grazing occurred as more and more cattle were crowded onto the range to compensate for high losses. These methods destroyed the protective grass cover causing soil erosion to become severe in many western areas.<sup>5</sup>

By 1931, much of the public domain had become a desert--totally void of vegetation and plagued with frequent dust storms. Therefore, conservationists renewed their efforts for effective Federal control of the public domain. They hoped that the grazing lands would be regulated by the Forest Service, which already wisely regulated seventy-four per cent of all public forest land in the West.<sup>6</sup> Other interested parties wanted to transfer the grazing lands to the states for sale and regula-

tion. Yet, despite the differing opinions over the means of administering the grazing lands, nearly everyone agreed that some form of control was necessary.

Although there previously had been several attempts to give the public domain to the states, another legislative effort to cede these lands was embodied in the Evans Bill of 1932. The conservationists quickly organized strong opposition to the bill, and with the help of conservationists in several western states, managed to defeat the measure. The conservationists then clamored for effective federal regulation of the public domain.

In 1932, Representative Don B. Colton of Utah, a conservationist, introduced a bill in the House of Representatives to provide federal control of the grazing lands. If passed, the Colton Bill, as it came to be known, would have established federal grazing districts in the West. The Secretary of Interior would have been empowered to make all necessary rules and regulations for administering these districts. Grazing permits were to be issued for ten-year periods with options for renewal. Colton successfully guided his bill through strong opposition in the House. However, Senators John B. Kendrick of Wyoming, David L. Walsh of Massachusetts, and Sam G. Bratton of New Mexico opposed the bill so vigorously that no action was taken in the Senate.<sup>7</sup> Representative Edward T. Taylor of Colorado reintroduced the Colton Bill a year later. The House passed the measure on February 17, 1933, and sent it over to the Senate. However, once again the bill was rejected because of strong opposition from most western stockmen and strong states' rights advocates.

Early in 1934, in response to a nation-wide demand for conservation,

Congressman Taylor introduced H.R. 6462, the bill which was to bear his name. The stated purpose of the Taylor Grazing bill was "to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for the orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range...."<sup>8</sup> Although this measure was only a modification of the Colton Bill, the Taylor bill omitted section thirteen of the original measure, which would have allowed the states to veto the establishment of grazing districts within their boundaries. Thus, before Congress passed the Taylor Grazing bill a few months later, states' rights advocates, western stockmen, conservationists, and other special interest groups expressed their views in a series of heated debates.

President Franklin D. Roosevelt immediately recognized the long-range significance of the Taylor Grazing bill and informed Secretary of the Interior, Harold L. Ickes, that the administration fully would support the measure.<sup>9</sup> As strong conservationists, Ickes and the Secretary of Agriculture, Henry A. Wallace, added their support. Forest Service officials also favored governmental control, but expressed hope that the grazing lands would be administered by the Department of Interior. Henry I. Harriman, President of the United States Chamber of Commerce, supported the Taylor bill because in 1920 he had witnessed a successful grazing experiment conducted by the government in the Mizpah-Pumpkin region of Wyoming. President Roosevelt further supported the Taylor bill by writing to many members of Congress. Moreover, he addressed a joint session of Congress in June 1934, seeking support for his entire conservation program. The conservationists were optimistic at having gained the support of the administration and waged

a strong fight for the passage of the Taylor bill in forestry journals and weekly periodicals.<sup>10</sup>

Most of the stock growers' associations in the eleven public-land states of the West voiced strong opposition to the proposed legislation. According to Virgil Hurlburt, an economist, such opposition was to be expected since the stockmen were being asked to pay for a privilege they previously had enjoyed at no cost.<sup>11</sup> In addition, many stockmen feared that governmental control would disrupt the already unstable livestock industry, resulting in severe financial losses. Others believed the states should control the public lands to provide for effective local supervision of the range. Thus, the stockmen also utilized their trade journals to express their opinions about the Taylor Grazing bill.

As early as February 1932, the National Wool Grower, the official publication of the National Wool Growers' Association, had supported the idea of turning the public domain over to the states.<sup>12</sup> Arizona sheepmen added their support for cession of the grazing lands to the states at their forty-seventh annual convention in August 1933.<sup>13</sup> More significantly, the powerful conference of the American National Livestock Association held in September 1933, at Denver, Colorado, officially favored the immediate transfer of public lands to the states, giving preference to the present users of the range.<sup>14</sup> Wyoming's stock growers met later that year and expressed similar opposition to federal control. As expected, opposition to federal regulation of the grazing lands increased sharply with the introduction of the Taylor bill in 1934. The Public Lands Committee of the Arizona Cattle Growers' Association met in Phoenix, Arizona, on January 22, 1934, and strongly opposed

the Taylor bill.<sup>15</sup>

While most of the stock growers' associations opposed the Taylor bill, unanimity was not achieved. S.M. Jorgensen, President of the Utah Wool Growers' Association, endorsed the proposed legislation, and S.W. McClure, a prominent member of the Idaho Wool Growers' Association, said his entire state opposed cession. In addition, only after a bitter struggle was the Western Cattlemen's Association of the American National Livestock Association able officially to oppose federal control of the grazing lands.<sup>16</sup> This organization previously had advocated some form of regulation or government control like that embodied in the Taylor Grazing bill. Moreover, the sixty-ninth annual convention of the National Wool Growers' Association became embroiled in a three-way controversy over the disposition of the public lands. Some of the members desired federal regulation, others wanted state ownership, while a third group held that no action whatsoever should be taken. Finally, this association also favored some type of regulation, but did not specify whether the control was to be administered by the states or the federal government.<sup>17</sup>

By mid-1934, some stockmen, believing that the Taylor bill was certain to gain legislative approval, began to work for amendments that would aid the stock industry. In May of that year, the National Wool Grower had stated that the lack of regulation "would be much more dangerous than any bill that has been discussed."<sup>18</sup> Therefore, the National Wool Growers' Association, desiring to avoid the disruption of the stock industry, worked for an amendment to ensure that no grazing fees would be collected for five years. In June 1934, the American Cattle Producer stated that since the bill "seems certain of passage"

the rights of the small stockmen should be protected also.<sup>19</sup> However, the stock growers soon realized that they could not amend the measure to their complete satisfaction, and resigned themselves to the passage of the Taylor Grazing Act.

While most of the stock growers' associations in the West voiced strong opposition to the Taylor Grazing bill through their trade journals, very few of their members appeared at legislative hearings to express their wishes. Instead, some ranchers apparently supported the bill. Dan H. Hughes, a representative of the Colorado Wool Growers' Association, recalled that his organization had leased grazing lands from the Forest Service for twenty-eight years and that the experience was beneficial to all.<sup>20</sup> Additional support for regulation came from F.R. Carpenter of the northwest Colorado stockmen. He believed that federal control of the grazing lands was the stockmen's "only chance against being completely wiped out of existence."<sup>21</sup> In addition, Seth Gordon, President of the American Game Association, emphasized at the hearings the need for some sort of regulation to save the West from ruin.<sup>22</sup> Moreover, G.H. Collingwood, representative of the American Forestry Association, stated that his organization had waited twenty years for such a bill, and asked that the legislative committee report it out favorably.<sup>23</sup>

On April 10, 1934, Louis Rene DeRouen, a Republican from Arkansas, who had served as chairman of the House Committee on Public Lands, brought the Taylor Grazing bill before the House of Representatives for debate. As the first speaker for the bill, DeRouen proudly mentioned the achievements of the Forest Service in regulating the grazing areas in the forest lands, and expressed his belief that similar restrictions

were needed on the remainder of the public domain.<sup>24</sup> Representative Fletcher B. Swank of Oklahoma voiced his support for the passage of the Taylor bill in order to prevent some 173,000,000 acres of grazing land from falling into the hands of the big cattlemen and sheepmen. He stated that, if allowed to, the wealthy graziers would take all of this land and "the man with a half dozen milk cows would not have any rights at all."<sup>25</sup>

Even staunch states' rights politicians, such as Roy E. Ayers of Montana, decided the Taylor bill was the best solution for the nation's public land problems. Ayers related that he thought the land should be state owned, but if not, then he was for passage of the grazing bill.<sup>26</sup>

Walter M. Pierce, Representative from Oregon, gave perhaps the most significant speech in favor of the Taylor Grazing bill when he said that it was a crime to allow large graziers to destroy the range. In his address to the members of the House, Pierce said:

Every speech that has been made in opposition to this bill, whether by my colleague from Oregon or other members, could have been made in opposition 30 years ago to the forest-reserve policy, and still our forest reserves have been carefully and wisely handled, and there is scarcely a man today in my state who is opposed to the Federal forest administration.<sup>27</sup>

Representative Taylor made a final plea for his bill by graphically describing the condition of the range upon which "the only order or restraint was the law of the jungle."<sup>28</sup>

Representative Vincent M. Carter, a Wyoming Republican, led the fight against the bill on the House floor. Carter believed the Taylor bill to be a political measure that would destroy the livestock industry. He said the title of the bill should read: "A bill to take away from the livestock industry of the West the free use of 173,000,000



acres of public domain, abolish the 640-acre homestead and desert entry laws, and retard the political and economic growth of the West."<sup>29</sup> Moreover, Representative Carter said the bill practically would give the Secretary of Interior dictatorial powers over the livestock industry comparable to those enjoyed by the dictatorship in Russia. Representative Harry L. Englebright of California, a supporter of mining and therefore states' rights, also feared that federal controls would be too strong. He said, "Under a system of fees and leases for the use of the grazing districts and penalties of fines and imprisonment for violation of regulations, it gives complete federal bureaucratic control over the great livestock industry of the West and over the lives of the people and resources of a vast area of the Western states."<sup>30</sup>

When the House debates ended, many congressmen introduced amendments in an attempt to cripple the conservation provisions of the Grazing Act. However, although numerous changes in wording were allowed, the conservationists succeeded in defeating all amendments that would have changed the original purpose of the bill. Therefore, the House passed the Taylor Grazing bill on April 11, 1934, by a vote of 265 to 92.

The Senate hearings contrasted greatly with those held in the House because several representatives of the stockmen's associations appeared in person to plead their cases. A.A. Johns, President of the Arizona Wool Growers' Association, met with the Senate Committee and stated emphatically that lands in the West were not overgrazed.<sup>31</sup> J.B. Wilson, Secretary of the Wyoming Wool Growers' Association, said the soil had not been depleted by overgrazing, but that the arid climate caused the sparse vegetation.<sup>32</sup> Both J. Elmer Brock of Wyoming, the representative

of the American Livestock Association, and Howard J. Smith, a member of the Arizona State land commission, supported the idea of land cession to the states.<sup>33</sup> Those appearing before the Senate committee in support of the Taylor bill were Burton C. Mossman of the Arizona Wool Growers' Association, and Oliver M. Lee of the New Mexico Cattle Raisers Association. Their main interest was to protect the present users of the range.<sup>34</sup> While some amendments were added during the Senate hearings, the conservation measures of the bill remained unchanged on June 12, 1934, when the debates on the Senate floor began.

Taking the lead in support of the Taylor Grazing bill was Senator Blanchard A. Adams of Colorado. He reiterated the familiar arguments heard in the House debates that very little of the remaining public land was suitable for homesteading, and that overgrazing of the range had led to severe erosion.<sup>35</sup> Senator Joseph C. O'Mahoney agreed with this position, believing that the bill would be good for the livestock industry and beneficial for all of the people.<sup>36</sup> Senator Robert D. Cary of Wyoming previously had supported state control, but after seeing the careful work that went into the Taylor bill, he said, "If one believes in a leasing bill, this bill is a particularly good bill."<sup>37</sup>

Many of the objections to the Taylor Grazing bill in the Senate were debated and the act was amended slightly. However, the essential character of the bill did not change drastically. Although some of the amendments gave current users preferential rights, the principles of conservation remained unaltered when the Senate passed the Taylor Grazing Act on June 12, 1934. President Roosevelt signed the bill into law on July 28, and remarked that "the passage of this act marks the culmination of years of effort to obtain from Congress express authority

for federal regulation of grazing on the public domain."<sup>38</sup>

Conservationists quickly echoed Roosevelt's optimism, for they saw the act as a means to stop the destruction of almost 180,000,000 acres of public land. However, some concerned individuals noted that the Senate amendments had "clouded the meaning of several sections" of the bill and that the scope of the measure had been limited to allow only 80,000,000 acres to be established for grazing--the rest would still be unregulated.<sup>39</sup> Forest Service officials believed the amendments had weakened the bill too much, giving less authority to the Secretary of Interior.<sup>40</sup> Secretary Ickes realized that the bill was not wholly satisfactory, but hoped that the advantages of the act would soon be apparent to everyone.<sup>41</sup> Yet, stockmen adopted a wait-and-see attitude, since only time could tell how important and far-reaching the law would be in actual practice.

While it was expected that the Taylor Grazing Act quickly would be put into effect, the Department of Interior did not issue any rules or regulations for administering the grazing lands until November. In the meantime, work was underway to establish the grazing districts. The Grazing Act went into effect in November 1934, when the first six grazing districts were created.<sup>42</sup> Yet, the issuance of the ten-year permits was not expected until further study of range conditions could be made. Later that month, the National Wool Grower analyzed the Grazing Act and its subsequent regulations. The study suggested that the bill contained much "specific language" to protect the rights of stockmen using the grazing lands.<sup>43</sup>

On November 28, in a surprise move, President Roosevelt signed an executive order withdrawing from entry virtually all the remaining

unappropriated public lands. A second executive order on February 9, 1935, completed the land withdrawals virtually ending all homesteading. This appeared an attempt to hasten the establishment of grazing districts and to extend the provisions of the Taylor Act to all of the West.<sup>44</sup>

In January 1935, an editorial in American Forests criticized the Grazing Act for having "numerous ambiguities and contradictory provisions."<sup>45</sup> These were attributed to the haste with which the bill had been passed. In addition, there were no provisions for the protection of wildlife. Despite these defects, the governmental Division of Grazing Control planned to make the Taylor Act effective. Later in January, the United States Civil Service advertised for men to fill the positions of assistant Directors of Grazing. These men, hopefully former ranchers, would assist the Director of Grazing in preventing further abuses of the public range.

In February 1935, Secretary Ickes told members of the Denver Land Conference that fifty grazing districts would be created by April, that permanent advisory committees of stockmen would be formed in July, and that temporary permits would be issued as early as October.<sup>46</sup> Yet, the work of organizing the Grazing Service momentarily was delayed in March, when several amendments to the Taylor Act were introduced in the House of Representatives. The amendments embodied in H.R. 3019 included a provision to remove the eighty-million acre limitation imposed on the amount of land to be used for grazing districts, but other undesirable additions threatened to nullify the conservation purposes of the Taylor Grazing Act.<sup>47</sup>

Secretary Ickes, Henry S. Graves, President of the American

Forestry Association, and other conservationists immediately urged President Roosevelt to veto the measure to prevent the public lands from being controlled by the states and the large livestock interests. Early in September Roosevelt vetoed the bill, and therefore the Taylor Act remained the same as when it was signed into law on June 28, 1934. The conservationists were jubilant, but the stockmen were worried that, because the acreage had not been increased, the creation of several additional grazing districts might be held up.

In the meantime, F.R. Carpenter had been appointed as Director of Grazing, and the rules and regulations for the grazing districts had been established. In addition, twenty-eight grazing districts encompassing more than the authorized acreage had been created by the Secretary of the Interior. In November 1934, temporary one-year licenses finally were issued in the organized districts for grazing 6,916,090 sheep and 1,485,481 cattle.<sup>48</sup> However, the grazing officials did not indicate when the ten-year permits would be issued or what would be done with the new districts since the Taylor Act amendments had failed.

By 1936, many cattlemen still disliked regulation, and criticisms of the act were common. In February, three of the western stockmen's associations expressed views on the Taylor Act in their state conventions. Although Montana favored the administration of the act, Idaho's stockmen said that regulation of the public range in that state was not necessary. The members of the Utah state convention disliked the governmental classification of property and opposed paying fees until the ten-year permits were issued.<sup>49</sup> Another source of discontent emerged in February, when the National Wool Grower estimated that the cost of administering the Taylor Act for the fiscal year ending June 30, 1936,

would be approximately \$412,000--a much higher amount than the \$150,000 figure indicated by Secretary Ickes.<sup>50</sup> In addition, Nature Magazine stated that the act had created "confusion, duplication, and red-tape", while accomplishing practically nothing for the stockmen or the public domain.<sup>51</sup> This article recommended that all Federal lands be placed under the Department of Agriculture, which had the experience to administer them. In June 1936, the Kleberg bill proposed such a measure to consolidate control of all government grazing lands into a bureau of grazing within the Department of Agriculture, but Congress took no action on the measure.<sup>52</sup>

In the two-year period between 1934 and 1936, the Taylor Act did not prove as effective or satisfactory as originally hoped for by the western stockmen. Too much area had been brought under control at once, making regulation more difficult than previously expected. This situation encouraged the formation of grazing monopolies and the continued abuse of the public domain.<sup>53</sup> In addition, many areas were still being overgrazed, and the carrying capacity of the federal range had been reduced to fifty per cent of normal. In 1936, at a stockmen's meeting in Albuquerque, New Mexico, John D.M. Hamilton, a conservationist, expressed concern over the deterioration of the forage on the public domain. He stated that, while the public grasslands initially were able to carry 22,500,000 animal units, they could carry only 10,800,000 by 1936. Hamilton also indicated that further depletion of the range was inevitable since 17,300,000 animal units were still grazed annually. He concluded that "a third of the area of the United States, once known erroneously as the 'Great American Desert', will soon be properly so described."<sup>54</sup>

Thus, by late 1936, stockmen and conservationists alike realized that some changes were needed to make the Taylor Grazing Act effective. In December, an editorial in American Forests, a conservation journal, expressed the belief that the re-election of President Roosevelt meant that the people liked his conservation program. Yet, this same editorial stated the need for continuity in conservation, and called for a comprehensive program to coordinate all of the conservation activities in one department rather than allowing them to be "scattered through many departments and bureaus."<sup>55</sup>

The Taylor Grazing Act continued to be plagued with difficulties in 1937, since many failed to recognize its positive accomplishments. The use of advisory boards made up of local stockmen had proved useful in the creation and regulation of the grazing districts. In addition, the Grazing Service gathered information on the carrying capacity of the range, seasons of use, and needed improvements; prior to 1934, no such information had existed.<sup>56</sup> And, for the first time in history, the range was contributing to its own betterment; twenty-five per cent of the grazing fees were used to improve the conditions of the range. Significantly, range conservation was a part of Roosevelt's "New Deal" for national recovery, for the Civil Conservation Corps did much of the work of range improvement in this period.

The cost of administering the Grazing Service rose and in June, 1937, Director F.R. Carpenter was forced to ask for a budget increase of \$150,000. This brought the yearly appropriation for the act to \$550,000. Many concerned individuals believed the high cost of administering the Taylor Act emphasized the inefficiency of allowing the conservation activities of the government to be scattered throughout

many departments. Therefore, a movement began to consolidate the various governmental programs.

On August 10, 1937, a bill was introduced into the House of Representatives to provide for a reorganization of the conservation activities of the Federal government. The conservation programs were to be consolidated in a new Department of Conservation under the control of the Department of Interior. This bill, H.R. 8202, passed the House of Representatives on August 13, after only three hours of debate, and was sent over to the Senate.<sup>57</sup> The conservationists, especially the Forest Service officials, vigorously opposed the federal reorganization plan. Gifford Pinchot, the Chief Forester of the United States, and Henry S. Graves, Dean of the Forestry school at Yale, stated that the Forest Service was one of the most efficient of all governmental organizations, and that the shift of controls would be harmful.<sup>58</sup> Most of the prominent conservationists of the day expressed similar opposition to the plan, causing a delay in congressional action.

In late November, Secretary Ickes called a stockmen's meeting in Washington to discuss the development of a uniform range code. He asked that one sheepman and one cattleman from each of the local advisory boards attend. However, when the meeting began on November 29, Ickes sought support for establishing a Conservation Department. A series of heated arguments resulted and nothing was accomplished.<sup>59</sup>

By 1938, the groundwork for the Division of Grazing was completed. A capable and conscientious staff had been recruited, and the administrative rules and regulations of the Taylor Act were in effect. Yet, frequent changes in these policies hindered the operation of the Grazing Service.<sup>60</sup> Many stockmen still disliked grazing regulations, and the



condition of the range had not improved greatly under the Taylor Act.

In November, R.H. Rutledge, formerly of the U.S. Forest Service, succeeded Carpenter as the Director of Grazing. He set as his goals the standardization of the grazing rules and the issuance of the permanent ten-year permits. Yet, by May of 1939, no permits had been issued. In that month statistics presented by the National Wool Grower showed that twelve new grazing districts had been created in 1938, bringing the total to fifty, and significantly the number of stock being grazed on the Taylor districts had increased to 11,032,642.<sup>61</sup> Although the issuance of the permanent grazing permits remained one of the most pressing needs of the stockmen, little action was taken to alleviate the problem.

In 1941, the Department of Interior brought suit against a group of stockmen who had refused to pay grazing fees while under the temporary one-year permits. Federal Judge Norcross of the District of Nevada dismissed the case in June because, in his opinion, the government first needed to appraise the value of the forage on the range and announce a proper fee for each licensee before the fees could be collected.<sup>62</sup> Although surprised at the decision, the government immediately began the work of appraising the value of the forage. Mont H. Saunderson, an economist, agreed with the decision rendered by Judge Norcross and called for the improvement of the existing tax structure for grazing lands.<sup>63</sup> He stated that economic information should be used to determine the value of the range forage each month and that a sliding scale of grazing fees should be set up to compensate for the variance of range conditions.

The results of the federal range survey were disclosed on August

25, 1941, in a highly technical report. It determined a fair and equitable grazing fee for each state, ranging from 1.5 cents per animal unit in New Mexico to 3.7 cents in Colorado.<sup>64</sup> However, the National Wool Grower states that this was a "great increase over the present one cent per head a month."<sup>65</sup> As a result, the number of stock grazed on the public lands decreased slightly by December.

The cost of administering the Taylor Grazing Act increased steadily between 1942 and 1946, causing further criticisms. The controversy between the stockmen and the Grazing Service was revived in 1945, when Secretary Ickes proposed to triple the grazing fees. C.L. Forsling, the new Director of Grazing, believed the increase was justified. He estimated that the grasslands were worth six million dollars yearly, and that the stockmen were currently paying only one million.<sup>66</sup> The new rates would increase the earnings to three million dollars, one half of which would be used for range improvements. The other half would be used to offset the growing cost of administering the grazing lands, which had reached a staggering \$900,000. Instead of the old rate of approximately five cents per animal unit month, a new graduated scale would be implemented with fees of from fourteen cents per animal unit month in Nevada to eighteen cents in Colorado. The stockmen were angry because Secretary Ickes had promised that no increase in fees would be made until World War II ended.

This situation prompted Senator Robertson of Wyoming to introduce a bill in the Senate on March 14, 1946, for the purpose of transferring to the states the control of all unreserved public lands, including those administered by the Taylor Grazing Act. According to Bernard DeVoto, a journalist, this was another attempt by a few groups of

western interests to gain control of the land. He believed that if passed, Senator Robertson's bill "would liquidate the public lands and end our sixty years of conservation of the national resources."<sup>67</sup> It is true that this bill, S. 1945, was reminiscent of Hoover's Public Domain bill and other attempts to give the public lands to the states. Yet, as those actions had resulted in the enactment of the Taylor Act in 1934 for federal control, Robertson's bill would increase the desire for consolidation of the government's conservation programs under one department.

On May 16, 1946, President Harry S. Truman issued three plans for a sweeping reorganization of governmental agencies. Reorganization Plan No. 3 proposed to merge the Grazing Service and the General Land Office into one Bureau of Land Management. As post-war studies of governmental procedures had revealed the compelling need for such a consolidation, Truman's action was the best course for the government to follow. Thus, under Plan No. 3, approximately 400,000,000 acres of public land in the West would be combined under one department eliminating duplication and red-tape. The duties of the Bureau of Land Management would range from the original survey of the land to its use and development.

Under the provisions of the Reorganization Act of 1945, if Congress did not pass legislation contrary to Truman's plans within two months, reorganization would become effective on July 16, 1946. In the meantime conservationists, stockmen, and governmental officials debated the three reorganization plans.

FOOTNOTES

<sup>1</sup>Theodore A. Walter, "Use and Abuse of Public Range," American Cattle Producer, XVIII (February, 1937), 10.

<sup>2</sup>R.G. Tugwell, "Our New National Domain," Scribner's Magazine, XCIX (March, 1936), p. 165.

<sup>3</sup>Bernard DeVoto, Forays and Rebuttals (Boston: Little, Brown, and Company, 1936), p. 64.

<sup>4</sup>Mont H. Saunderson, Western Stock Ranching (Minneapolis, Minnesota: The University of Minnesota Press, 1950), p. 211.

<sup>5</sup>Arthur M. Schlesinger, Jr., The Age of Roosevelt: The Coming of the New Deal, II (Boston: Houghton Mifflin Company, 1958), p. 345.

<sup>6</sup>H.H. Chapman, "Public Ownership of Forest Land," American Forests, XXXVIII (January, 1932), 7.

<sup>7</sup>"Colton Bill Fails," National Wool Grower, XXIII (March, 1933), 7.

<sup>8</sup>Congressional Record, 73rd Cong., 2nd Sess., LXXVIII (1934), pp. 167-68.

<sup>9</sup>Franklin D. Roosevelt to Harold L. Ickes. Washington, D.C., February 21, 1934, in Edgar B. Nixon, Roosevelt and Conservation, I, p. 258.

<sup>10</sup>Percival S. Ridsdale, ed., "Roosevelt and Conservation," Nature Magazine, XXIII (June, 1933), p. 269.

<sup>11</sup>Virgil Hurlbut, "Land Resources: The Taylor Grazing Act," Journal of Land and Public Utility Economics, XI (May, 1935), 204.

<sup>12</sup>"The Platform and Program of the National Wool Growers' Association," National Wool Grower, XXII (February, 1932), 16.

<sup>13</sup>F.R. Marshall, ed., "Arizona's Forty-Seventh Annual Convention," National Wool Grower, XXIII (August, 1933), 19.

<sup>14</sup>"The Denver Conference," The Producer: The National Livestock Monthly, XV (September, 1933) 8-9.

<sup>15</sup>"National Wool Growers' Convention," The Producer: The National Livestock Monthly, XV (February, 1934), 33.

<sup>16</sup>"Cattlemen's Convention," National Wool Grower, XXIV (February, 1934), 35.

<sup>17</sup>"The Program of the Sixty-Ninth Annual Convention of the National Wool Growers' Association," National Wool Grower, XXIV (February, 1934), 11-13.

<sup>18</sup>"The Taylor Bill," National Wool Grower, XXIV (May, 1934), 5.

<sup>19</sup>"What the Government is Doing," American Cattle Producer, XVI (June, 1934), 18.

<sup>20</sup>U.S. Congress, House, Committee on the Public Lands, "To Provide for the Orderly Use, Improvement, and Development on the Public Range," House Hearings, 73rd Cong., 1st Sess. (1934), pp. 94-95.

<sup>21</sup>Ibid., p. 141.

<sup>22</sup>Ibid., p. 145.

<sup>23</sup>Ibid., p. 152.

<sup>24</sup>Congressional Record, 73rd Cong., 2nd Sess., LXXXVIII (1934), pp. 6346-47.

<sup>25</sup>Ibid., pp. 6352-53.

<sup>26</sup>Ibid., p. 6358.

<sup>27</sup>Ibid., p. 6359.

<sup>28</sup>Ibid., p. 6364.

<sup>29</sup>Ibid., pp. 6348-49.

<sup>30</sup>Ibid., p. 6361.

<sup>31</sup>United States Congress, Senate, Subcommittee of the Committee on Public Lands and Surveys, "To Provide for the Orderly Use, Improvement, and Development of the Public Range," Senate Hearings, 73rd Cong., 2nd Sess. (1934), on H.R. 6462, p. 129.

<sup>32</sup>Ibid., p. 115.

<sup>33</sup>Ibid., pp. 137 and 166.

<sup>34</sup>Ibid., pp. 151 and 184.

<sup>35</sup>Congressional Record, 73rd Cong., 2nd Sess., LXXVIII (1934), p. 11140.

<sup>36</sup>Ibid., p. 11144.

<sup>37</sup>Ibid., p. 11142.

<sup>38</sup>Statement by Roosevelt on signing the Taylor Grazing Act, Washington, D.C., (June 28, 1934), in Nixon, Roosevelt and Conservation, I, p. 313.

<sup>39</sup>"Taylor Grazing Act," American Forests, XL (August, 1934), 353.

<sup>40</sup>"Administration of the Taylor Public Domain Act," National Wool Grower, XXIV (July, 1934), 8.

<sup>41</sup>"The Taylor Bill," American Cattle Producer, XVI (July, 1934) 14-15.

<sup>42</sup>New York Times (November 19, 1934), p. 5:1.

<sup>43</sup>"Organizing Grazing Districts," National Wool Grower, XXIV (November, 1934), 9.

<sup>44</sup>"Ickes Outlines Grazing Policy Following President's Withdrawal of Public Domain From Entry," American Forests, XLI (March, 1935), 129.

<sup>45</sup>"The Issue of the Grazing Act," American Forests, XLI (January, 1935), 17.

<sup>46</sup>"The Denver Land Conference," National Wool Grower, XXV (February, 1935), 16.

<sup>47</sup>"President Vetoes Amendments to Taylor Grazing Act," American Forests, XLI (October, 1935), 600.

<sup>48</sup>"Recent Weeks Active in Affairs of Taylor Act Administration," National Wool Grower, XXV (December, 1935), 16.

<sup>49</sup>"Official Acts of the Five State Conventions," National Wool Grower, XXVI (February, 1936), 16.

<sup>50</sup>"Fees for Public Domain Grazing," National Wool Grower, XXVI (February, 1936), 25.

<sup>51</sup>Arthur N. Pack, "The Public Domain - Uncle Sam's Stepchild," Nature Magazine, XXVII (February, 1936), p. 107.

<sup>52</sup>"Editorial Comment on Sheep and Wool Affairs," National Wool Grower, XXVI (June, 1936), 5.

<sup>53</sup>"Taylor Grazing Act Affairs," National Wool Grower, XXVI (July, 1936), 8.

<sup>54</sup>"Hamilton, Desert Maker," Nation, CXLIII (August, 1936), p. 229.

<sup>55</sup>"Conservation's Challenge to the President," American Forests, XLII (December, 1936), 555.

<sup>56</sup>Walters, "Use and Abuse," American Cattle Producer, XVIII (February, 1937), 11.

<sup>57</sup>"Government Reorganization Passes House and Goes to Senate," American Forests, XLIII (September, 1937), 454.

<sup>58</sup>"About the Reorganization Plan to Group Conservation Activities of the Federal Government in Old Interior Department Under New Name," American Forests, XLIII (November, 1937), 524.

<sup>59</sup>"Taylor Act Advisory Committeemen at Washington," National Wool Grower, XVII (December, 1937), 7.

<sup>60</sup>"Rutledge Succeeds Carpenter," National Wool Grower, XXVIII (November, 1938), 7.

<sup>61</sup>"Stock Grazed on Taylor Districts," National Wool Grower, XXIX (May, 1939), 7.

<sup>62</sup>"Fees for Taylor Act Licenses," National Wool Grower, XXXI (June, 1941), 6.

<sup>63</sup>Mont H. Saunderson, "A Basis for Taxation of Grazing Lands," National Wool Grower, XXXI (June, 1941), 19-21.

<sup>64</sup>The term "animal unit" refers to one cow, one horse, or five sheep or goats.

<sup>65</sup>"Taylor Grazing Fees," National Wool Grower, XXXI (September, 1941), 6.

<sup>66</sup>"Heat on the Range: Plan to Boost Rates for Stockmen's Use of Public Lands," Business Week (February 3, 1945), p. 38.

<sup>67</sup>Bernard DeVoto, "The West Against Itself," Harper's Magazine, CLXIV (January, 1947), p. 12.

## CHAPTER III

### ESTABLISHING THE BUREAU OF LAND MANAGEMENT

On April 12, 1945, Harry S. Truman became the thirty-second president of the United States. Truman immediately faced the double burden of settling world difficulties while converting the nation from war to peace. Vital to this change was the need to abolish many unnecessary wartime bureaus that duplicated effort and caused conflicting control. Truman wrote that: "High on my list of priorities in the reconversion program was organizing the machinery of government to meet the new needs and responsibilities that had arisen."<sup>1</sup> Although Truman's approach to conservation was indirect, he supported conservation practices and improved them through a reorganization of the cumbersome executive departments in the government--including the Department of Interior which administered the Taylor lands. Therefore, in his first years as president, Truman's main concern was to make the government operate more efficiently and economically.

Yet, the President was unable effectively to reorganize the executive agencies of the government under the existing authority. The Reorganization Act of 1939 had provided the means whereby a president could introduce plans for reorganization, which would become effective in sixty days unless both houses of Congress disapproved the plan. However, the Act of 1939 did not provide enough power really for effective reorganization. The First War Powers Act of 1941 had empowered



the executive to make war-time adjustments in the organization of the executive branch, but this act expired automatically six months after the war ended.

Seeing that stronger legislation was needed for reorganization, President Truman sent a message to Congress on May 24, 1945, calling for permanent reorganization of the executive branch.<sup>2</sup> President Franklin Roosevelt previously had asked for similar powers and Congress had refused his request. However, the need for reorganization was now more clearly evident. Senator Harry F. Byrd, Chairman of the Joint Economic Committee, supported Truman's plan for reorganization hoping that it would restore efficiency and economy to the government. Senator Byrd also said that "the nearly 1,200 main governmental departments and bureaus present a colossal problem."<sup>3</sup> Additional support for reorganization came from James F. Byrnes, a journalist, who said that the President should be given all of the power necessary to trim waste and inefficiency in the executive agencies.<sup>4</sup> When the House opened hearings on the reorganization bill, Lindsay C. Warren, Comptroller General of the United States, was one of the first to testify. He said that the proliferation of bureaus and agencies must end, and the appropriations for these would be terminated.<sup>5</sup>

In June 1945, Congressional leaders advised Truman that his proposal for a reorganization act would be delayed until Congress reconvened in the fall. President Truman took this opportunity to gain support for his measure. On September 6, 1945, Truman delivered a message to Congress indicating the urgent need for increased presidential authority over the executive agencies. The reorganization bill, H.R. 4129, was sent to a conference committee on November 20. On

December 12, the committee reported out an amended version of the bill.<sup>6</sup> Congress passed the compromise bill the following day, and President Truman signed it as Public Law 263 on December 20, 1945.

The purposes of the Reorganization Act of 1945, as outlined in sections five and six of that law, were "to reduce the numbers of agencies by consolidating those having similar functions under a single head" and "to eliminate overlapping and duplication of effort."<sup>7</sup> In addition, the Reorganization Act provided that each plan for reorganization had to be approved or rejected as a whole; component parts of a plan could not be acted upon separately.<sup>8</sup> Moreover, it was hoped that expenditures could be cut by twenty-five per cent in each department being reorganized.

Immediate support for the Reorganization Act came from Representative John J. Cochran of Missouri who believed that the bill would give the president "all of the power he needs to reorganize the executive branch of the government."<sup>9</sup> However, by this time Truman already had used the authority of First War Powers Act of 1941 to abolish some of the unnecessary war-time agencies, and he saw no need to rush into reorganization.

On February 5, 1946, Representative Leon H. Gavin of Pennsylvania mentioned to his colleagues in the House of Representatives the President's inactivity concerning reorganization. Gavin read an editorial which had appeared in the Bristol, Pennsylvania Courier on January 31, 1946, that was critical of Truman's lethargy.<sup>10</sup> The article stated that the President had no intention of reorganizing the executive branch of government, and had made no attempt to economize. It indicated that the new budget was four times higher than in the years just prior to

World War II, and federal employment also had risen steadily. The article also stated that five billion dollars could be saved each year by abolishing unnecessary federal agencies.

Truman did not attempt to avoid reorganization; rather he was working with his staff to present effective and workable plans for the consolidation or transfer of many governmental bureaus. However, other problems occupied Truman's time in the next few months. One significant event was the resignation of Harold Ickes, Secretary of Interior. Although some people believed that Ickes "had been waiting for an excuse to quit," his resignation came after a clash with President Truman over testimony given by Ickes before the Senate Naval Affairs Committee.<sup>11</sup>

In January 1946, Truman had appointed Edwin W. Pauley as Under Secretary of the Navy. When Ickes was called to testify in connection with Pauley's appointment, he stated that Pauley may have been involved in a deal with President Roosevelt to keep tide land oil deposits from being added to the public domain. Truman immediately stated that Ickes might have been mistaken.<sup>12</sup> This prompted Ickes to resign on February 13, 1946. On February 15, Ickes stated in an interview that Pauley should be disqualified because he had lied under oath to a Senate Committee.<sup>13</sup> On another occasion, Ickes stated that he resigned as a matter of conscience because he could not lie for his party. "A man has to live with himself," he said.<sup>14</sup> The President accepted Ickes' resignation and on February 26, he named Julius A. Krug as the new Secretary of the Interior.

This rapid turn of events left mixed reactions over what would come next. Ickes represented the last of an older generation of governmental

officials who symbolized the New Deal; his departure signified the return of machine politics.<sup>15</sup> Ickes had promised that there would be no increase in grazing fees for 1946, but the stockmen were worried that Krug, an easterner, would not be sensitive to their problems. Senator Joseph O'Mahoney of Wyoming and other westerners hoped for a relaxation of the rigid conservation policies Ickes championed.<sup>16</sup>

On May 16, 1946, Truman sent three reorganization plans to Congress. Section 403 of Reorganization Plan No. 3, dealt mainly with intra-organizational matters, including the consolidation of the General Land Office and the Grazing Service of the Department of Interior into one Bureau of Land Management. This was deemed necessary since the two organizations divided the responsibility for the major portion of the multiple-use federally-owned lands held by the Department of Interior.<sup>17</sup> Since the two agencies were comparable in character and in operation, consolidation for the development of uniform policies, and to prevent overlap, was a move toward efficiency and economy.

In addition to providing for the creation of a Bureau of Land Management, Section 403 of Reorganization Plan No. 3 stated that the Secretary of Interior should appoint a Director of the Bureau of Land Management under the provisions of the classified Civil Service System. There was also to be an Associate Director and as many assistant Directors as the Secretary of Interior deemed necessary. In addition, subsection 'd' of this plan provided for abolishing the positions of the Commissioner and Assistant Commissioners of the General Land Office, the Director and Assistant Directors of the Grazing Service, the Registers of the District Land Offices, and the Supervisors of the Survey together with the Field-Surveying Service.<sup>18</sup> Under the provision

of the Reorganization Act of 1945, Congress had sixty days to act before this plan would become effective.

While discussion of the three reorganization plans was underway, other significant and related actions occurred. In May 1946, the House Appropriations Committee criticized the Grazing Service for not adhering to the promise made by Secretary Ickes that the Taylor Act would cost only \$150,000 a year, and for failing to raise grazing fees high enough to offset operating costs.

After considering a request from the Grazing Service for an annual budget of \$1,700,000, the House Appropriations Committee, on May 16, 1946, sharply cut the appropriation for that organization to \$425,000.<sup>19</sup> However, at the same time the Subcommittee Investigating the Administration and Use of the Public Lands reported to the Senate Committee on Public Lands and Surveys that the livestock industry was unstable and "not prepared to absorb higher grazing fees."<sup>20</sup> Yet, there was little hope that the Senate would raise the allotment anywhere near the amount asked for because the Grazing Service might soon be abolished or consolidated in another bureau.

By June the situation of the Grazing Service was clear. The total appropriation for the grazing districts was \$550,000--less than one-third of the amount requested.<sup>21</sup> Thus, the permanent staff was cut by about sixty per cent, or from 275 to 100 employees. Since the future of the Grazing Service was still in doubt, Secretary Krug asked his special assistant, Rex Nicholson to investigate grazing district operations. Nicholson reported that the stockmen vigorously opposed another large hike in grazing fees at that time.<sup>22</sup> Yet, he recommended a small increase in fees as a source of revenue for the Grazing Service.

While the Grazing Service sought to find solutions for its problems, the initial reactions to Truman's Reorganization Plan No. 3 were recorded. The Audubon Magazine, a conservation journal, opposed the fifty per cent cut in funds for the Department of Interior and stated that:

While we favor governmental economy and the elimination, or drastic reduction, of activities of wartime created agencies, we feel that it is shortsighted and against the public interest to drastically cut operating expenditures of minor agencies of long standing, dealing primarily with the conservation of natural resources.<sup>23</sup>

Stockmen had recognized the need for reorganization as early as April 1942, when the National Wool Growers' Association agreed to work for coordination of the grazing agencies.<sup>24</sup> Frederick P. Champ, a prominent Utah banker and member of the United States Chamber of Commerce, shared this desire for the coordination of governmental agencies. In March 1946, in a speech to the Idaho Wool Growers' Association, Champ indicated the achievements of the Grazing Service and asked the stockmen to support federal regulations in the interest of conservation.<sup>25</sup> Additional support for the president's reorganization plan came from the stockmen of Gila County, Arizona, who desired better regulations for the use of grazing lands in the Forest Service.<sup>26</sup> Even the National Wool Growers' Association recognized the predicament of the Grazing Service and agreed to work toward a permanent program for public lands.<sup>27</sup>

Although most opposition to reorganization came after the plan was in effect, there were some early indications of dissatisfaction. The sheep growers disliked the fact that support prices for wool and mutton would not be maintained under the new bureau. The number of sheep grazed on the public domain had decreased by twenty-five per cent

between 1942 and 1946, because international competition had caused a depression in the American wool market. In February 1946, the fifty-ninth Annual Convention of the American National Livestock Association met in Denver, Colorado, the members of that association adopted a resolution to oppose any increase in grazing fees. Also, they asked Congress to "use every effort" to bring about the final disposition of the public lands to private ownership.<sup>28</sup>

Between June 4 and June 13, 1946, the House of Representatives held hearings in the Committee on Expenditures in the Executive Departments on each of the reorganization plans, and on three House Concurrent Resolutions disapproving those plans. House Concurrent Resolution 154 proposed the rejection of Reorganization Plan No. 3. Most of the 341 pages of hearings in the House related to Reorganization Plans 1 and 2, on which there was more opposition and debate. In addition, most of the testimony concerning Reorganization Plan No. 3 dealt with sections other than 403, which would provide for the creation of the Bureau of Land Management. The main thrust of the opposition was directed toward Part 1, sections 101-104, of the plan which permanently would transfer the Bureau of Marine Inspection and Navigation from the Department of Commerce to the Coast Guard.<sup>29</sup> Yet, despite this, the general discussions of reorganization lend an insight into the nature of the testimony being given.

Immediately after Carter Manasco, the chairman of the Committee on Expenditures, opened the hearings on June 4, 1946, Harold D. Smith, the Director of the Bureau of the Budget, made an opening statement in favor of reorganization. He indicated that the Reorganization Act of 1945 provided "one of the best vehicles that has been devised for deal-

ing with administrative problems."<sup>30</sup> Although Smith believed that the reorganization plans would promote economy and efficiency, he stated that the reduction of twenty-five per cent of the expenditures in each agency hoped for, might not be achieved. Representative George H. Bender of Ohio asked what the reorganization plans were about if not to reduce expenditures. Smith retorted that the plans would provide increased efficiency and economy, but that he would not commit himself "to any particular percentage."<sup>31</sup>

Chairman Manasco said that many people were disturbed about losing their jobs if the proposed consolidations and transfers occurred. He asked, "I am wondering how you can reduce administrative expense without cutting off jobs?" Smith replied that it could be done.

On the following day, June 5, 1946, George T. Washington, acting assistant Solicitor General of the Department of Justice, appeared before the committee to explain any legal questions concerning the percentage of savings that were to be achieved through reorganization. He indicated that the wording of the Reorganization Act of 1945 seemed to state rather optimistically that a twenty-five per cent savings could be achieved.<sup>32</sup> Therefore, the matter was not considered as a legal question.

Significantly, the only discussion of Reorganization Plan No. 3 came on June 13, the last day of the hearings. Representative William A. Pittenger of Minnesota, spoke against Part 1 of the plan, having to do with the transfer of the Bureau of Marine Inspection.<sup>33</sup> The fact that there was no discussion of section 403 of this plan in the House hearings apparently indicated little concern at this time by westerners over the proposed consolidation of the General Land Office and the



Grazing Service.

On June 24, 1946, the House Committee on Expenditures favorably reported out House Concurrent Resolutions 151, 154, and 155, which stated opposition to the three presidential reorganization plans.<sup>34</sup> Since Congressman Pittenger had introduced House Concurrent Resolution 154, against the adoption of Reorganization Plan No. 3, he led the fight against that measure. However, as the debate on the House floor had been limited to three hours, the Congressmen had no real chance to understand the particulars of each plan. Thus, on June 28, 1946, the House passed the three Concurrent Resolutions. Any in-depth analysis of the plans would have to await Senate action.

Meanwhile, on May 29, 1946, Senator Pat McCarran of Nevada, had submitted Senate Concurrent Resolution 66, which stated that Congress did not favor Reorganization Plan No. 3 which had been transmitted by the President on May 16, 1946.<sup>35</sup> All told, three Senate Concurrent Resolutions (64, 65, and 66) were referred to the Committee on the Judiciary for study.

Senator McCarran, Chairman of the Committee on the Judiciary, announced that hearings would be held beginning on Friday, June 14, 1946, to hear testimony on the three reorganization plans and the three concurrent resolutions, disapproving the President's plans. Harold Smith, of the Bureau of the Budget, also appeared before the Senate hearings to urge passage of the three reorganization plans. He explained that Reorganization Plan No. 3 was, in a major part, concerned with "intra-agency organizational adjustments" such as the transfer of the functions of the Bureau of Marine Inspection and Navigation to the Coast Guard, simply continuing in force an adjustment made during the

war, and to consolidate the General Land Office and the Grazing Service forming a Bureau of Land Management in the Department of Interior.<sup>36</sup> Other support for reorganization came from Captain A.C. Richmond of the United States Coast Guard, Stephen J. Spingarm, Assistant General Counsel of the Treasury Department, and Mrs. Harold A. Stone, the first Vice-President of the National League of Women Voters.

On June 27, 1946, the last day of the Senate hearings, John W. Snyder, the Secretary of the Treasury, spoke generally about the reorganization plans. He said, "In any transfer or consolidation of functions, an agency that is losing a function, or an agency that is losing its identity and its independent position under the President is bound to object. That is natural."<sup>37</sup> In addition, Snyder stated that consolidations such as that of the General Land Office and the Grazing Service in the Department of Interior would result in improved service to the public as well as increased efficiency and economy.<sup>38</sup>

On that same day Frederick J. Lawton, Administrative Assistant to the Director of the Bureau of the Budget, appeared before the Committee on the Judiciary to answer questions concerning the reorganization plans. J.G. Sourwine, Counsel for the Committee on the Judiciary, noting that section 403 of Plan No. 3 eliminated the positions of Registers of the District Land Offices and the Supervisors of the Survey, inquired whether those functions would continue to be performed in the future. Mr. Lawton replied that the work would be performed in the same manner by the employees of the Bureau of Land Management according to the directions of the Secretary of Interior.<sup>39</sup> He further indicated that in many cases the same people would be retained to perform those functions, whether or not their title changed. J.G. Sourwine asked if

those functions would be removed from the field and segregated in Washington. Frederick J. Lawton replied that they would not because the tasks essentially were field programs. Sourwine then asked if the statutory provisions of the Grazing Service automatically would become applicable to the lands under the control of the General Land Office. Although Lawton could not answer the question at that time, he later filed a statement to the effect that Plan No. 3 "would not make applicable to the Grazing Service lands the laws now applicable to the General Land Office holdings or visa versa."<sup>40</sup> In other words, the lands probably would have to be segregated even though they were in one agency.

Following the debates on Reorganization Plan No. 3, in the text of the hearings, there was a long list of the communications received for and against that plan. While some of them were in reference to specific parts of the plan, others were general. Yet, none of the cards, letters, or telegrams, referred to Section 403 of Plan No. 3. The fact that little can be found in the hearings of either house of Congress concerning Section 403, might indicate that those interested saw the need for reorganization, and believed that it would not adversely affect their situation.

It is true that the hearings were conducted rapidly but all who wanted to testify were heard. Representatives of the Bureau of the Budget, the General Accounting Office, and other agencies gave testimony to the Committee on the Judiciary.

The hearings in the Senate primarily were held to determine if Truman had violated the principles of the Reorganization Act of 1945, and whether the three plans were in the best interests of the government.

In the case of Reorganization Plan No. 3, the Committee voted 9 to 7 to issue a report disapproving Senate Concurrent Resolution 66.<sup>41</sup> Thus, the Committee approved of Plan No. 3. The Senate hearings closed at 3:15 p.m. on June 27, 1946.

On July 12, 1946, Senator McCarran moved to consider Senate Concurrent Resolution 66 which had been reported out adversely by the Committee on the Judiciary. The debate on the Senate floor began the following day. At the outset, the decision was made to allow only ten hours of debate on each plan, divided equally between those favoring and those opposing reorganization. Senator McCarran controlled the five hours of debate in favor of Plan No. 3. The urgency for limiting debates was that all of the plans were scheduled to become law at midnight July 15, 1946, unless some congressional action of disapproval was taken. If the plans went into effect they would be considered as Government Executive orders, going into effect without Congress passing on them.

As, according to McCarran, there was less objection in the Senate to Reorganization Plan No. 3, it would be discussed first.<sup>42</sup> McCarran had been the Chairman of the Committee on the Judiciary, and therefore led the fight for reorganization in the Senate. The five hours of debate he controlled allowed him to inject at almost any point his views and comments into the discussion of Plan No. 3. Guy Cordon, a western Senator, began the debate on Plan No. 3 by stating:

I am particularly interested in having the Senator's views (McCarran) with respect to that portion of the Plan which provides for the creation in the Department of the Interior of a division to be known as the Bureau of Land Management, and in connection with which the General Land Office, probably one of the oldest statutory bureaus of the United States Government, is to be entirely abolished.<sup>43</sup>

Moreover, Senator Cordon insisted that for some one hundred and thirty years the General Land Office had handled "all matters pertaining to the patenting or transfer of title of public lands." Cordon believed that the proposal to abolish the General Land Office and transfer its duties to the new Bureau of Land Management would result in confusion. He stated that, "the very title of the new bureau raises a very big question mark in my mind."<sup>44</sup> Again he asked for McCarran's views on the matter.

Senator McCarran was eager to state his support for reorganization. He said, "There is no Senator on this floor who is more interested in that subject than am I because, coming from a state in which eighty-four per cent of all the land within the confines of the state belongs to the Federal government, naturally I am very much concerned."<sup>45</sup> McCarran pointed out that he had expressed his views in the report of the Committee on the Judiciary. In addition, he disliked the name of the new agency and believed that the word "bureau" would be subject to much public criticism.

Although the provisions to create the Bureau of Land Management had caused some concern among members of the public-land states, McCarran stated that "no concrete or specific objections have been raised to this proposal." The Senator further believed that the plan did not have any obvious faults. Finally, Senator McCarran said, "The President's proposal might well operate to remove an appreciable part of the dissatisfaction with Government public-lands policy which users of the public domain have for many years continuously and increasingly expressed."<sup>46</sup> McCarran believed that government witnesses had cleared up the matter over the work of the Registers of the Land Office, which

previously had been a matter of great concern to many Senators from the public-land states.

Senator Cordon thanked McCarran for his views and continued his opening remarks. He said, "Land management, as a function of government and the administration of laws having to do with the alienation of title--and that includes not only legal but equitable title under the general mining laws--are, in my opinion, as far apart as any two administrative duties could be."<sup>47</sup> He stressed the point that one involved management for conservation while the other dealt with records and the proper application of the law through the judicial process. "I am unable to see any reason," he said, "why these two functions should be joined under any land management scheme."<sup>48</sup> He also expressed the fear that the administrators would become too powerful as the activities of the agencies were multiplied. He feared they would begin to believe that the land belonged to the bureau--not the people. However, at this point Senator McCarran commented that reorganization was necessary since the present administration was cumbersome, dilatory, slow to react, and as a result "not satisfactory".<sup>49</sup>

Senator Abe Murdock of Utah also supported the reorganization of the Grazing Service and the General Land Office. In reference to Cordon's fear that the new bureau would become too powerful, Murdock said that if the right kind of man was placed at the head of the land-management service he could "weed out the bad and continue the good."<sup>50</sup> He also stated that enough comparison of the practices of two functions had been made so that they could be combined effectively.

Forrest C. Donnell, a Senator from Missouri, brought up another significant point concerning Plan No. 3. He said that under present

law, the President would appoint the Commissioner of the General Land Office with the advice and consent of the Senate. Yet, he stated, under the terms of Section 403 of that plan, the Director of the Bureau of Land Management would be appointed by the Secretary of Interior under the classified Civil Service system. Donnell also believed that the annual salary of \$10,000 being offered for the position of Director of the Bureau of Land Management indicated the significance and importance of the job. Therefore, he stated that such an important position should have the safeguard of Senate approval.<sup>51</sup> Although Senator McCarran remarked that such confirmations generally were of little value in the final analysis, and that not very much would be lost in that instance since the classification service would handle the selection, Donnell maintained that the advise and consent clause was good and that "its elimination from Reorganization Plan No. 3 is by all means a defect in the plan."<sup>52</sup>

Senator Homer Ferguson of Michigan also expressed opposition to reorganization because, under the Reorganization Act of 1945 (Public Law 263), "Congress expected all transfers, consolidations, coordinations, and abolitions to result in an overall reduction of twenty-five per cent in the administrative cost of the agency affected."<sup>53</sup> Yet, President Truman had not sent to Congress any evidence of purported savings under Reorganization Plan No. 3. Therefore, Ferguson believed that if the plan went into effect, "the President could make 10, 15, or 20 reorganizations. They could all become law, not only without a saving, but with an extra cost."<sup>54</sup> Ferguson insisted that such was not the intention of Congress. He said, "As I view it, if the purpose of the plan is not to accomplish one of the purposes set forth, it does

not come within the act and would be illegal."<sup>55</sup> Thus, Ferguson said the plan should be defeated since no evidence of savings was presented in the hearings and because the Director of the Bureau of the Budget "was unable or unwilling to give us the facts."<sup>56</sup> However, Ferguson stated his support for reorganization despite these objections, but said that Congress should be allowed to guide the selection of the important officials in the Bureau of Land Management.

At this point, Senator John H. Overton rose to make a speech for reorganization. He said that he would approve all land reorganizations submitted by the President and indicated that Senator McCarran's comments had persuaded him to do so. In addition, Senator Overton said that "the President's proposals should not be lightly rejected "simply because of minor opposition to particular sections of the plan."<sup>57</sup> He reminded his colleagues that Congress had vested in the President authority for reorganization, and that the plans must be passed or rejected as a whole. Overton said that he would vote for the plans because they were good, and that he would not support any plan that was impractical.

In the closing stages of the debate on the Senate floor, Senator Ferguson stated that there had not been enough time or adequate facts presented to pass Plan No. 3. He believed that it should be sent back, or passed over to the next session of Congress. Senator Donnell agreed with Ferguson and pointed out that it was July 3, 1946, before printed copies of the hearings were made available. This gave the Senators only nine days to consider the plan. Donnell further stated that "it would be the part of un-wisdom and folly" to approve the plan without further study.<sup>58</sup> Senator Wayne Morse of Oregon said that there was



danger in such "time-clock" limitations on passing laws since it gave the President too much power.<sup>59</sup> Mr. Cordon joined in this discussion, indicating the importance of the measure and indicating that the brief time for debate had not allowed enough analysis by the Senate. In addition, he said that the hearings were printed so quickly that no index was included to facilitate study of the testimony.

Perhaps one of the most significant and emotional speeches in favor of reorganization was made at this time by Senator Alben W. Barkley of Kentucky. He stated that there had never been a greater need for consolidation and elimination of duplication than at present. He also said:

We cannot stand on the floor of the Senate and denounce duplication, denounce expenses, denounce extravagance in the operation of the Government, and then reject the first plan sent to us designed to secure greater efficiency, eliminate duplication, and bring about some economy in the operation of the Government of the United States.<sup>60</sup>

Senator Barkley believed that there should always be haste in passing such measures, especially if the government could save money. Senator McCarran agreed with this viewpoint and stated that if the matter were brought up a year hence the same objections would be raised--that there had not been enough time.<sup>61</sup> Barkley agreed that the same objections would also be heard if the matter were debated for another five years.

It was nearly 3 a.m. on Saturday, July 14, 1946, when the disapproval resolutions on Plan No. 3 were brought up in the Senate for a vote. The Senate rejected the resolutions against Plan No. 3 by a vote of 37 to 30, with 29 abstentions, thus ensuring that it would go into effect the following Monday (July 16, 1946).<sup>62</sup> Later that same day, the Senate approved Reorganization Plan No. 2, and only Plan No. 1

remained for definitive action. However, the disapproval resolution on Plan No. 1 was sustained by a vote of 45 to 31.<sup>63</sup> Thus, Truman's first attempt at reorganization met with disapproval in the House of Representatives, and the Senate passed only two of the plans.<sup>64</sup>

Reaction to the President's third reorganization plan was reflected through the seventy-fourth annual meeting of the Wyoming Stock Growers' Association, always a powerful and vocal group as far as any cattle or land legislation was concerned, which had been held on June 4, 1946. The members of that organization voiced criticisms of governmental controls on grazing, reductions in the number of grazing permits issued, and increases in grazing fees.<sup>65</sup> The resolutions adopted at the convention included a pledge to work for improvement of the Taylor Grazing administration, and more significantly, a desire for turning the public lands over to private ownership.

In August 1946, the National Wool Grower noted the creation of the Bureau of Land Management with little opposition and expressed hope that the consolidation of the Grazing Service and the General Land Office would result in improved service to the public.<sup>66</sup> However, in that same issue, G.N. Winder stated that, although the Taylor Grazing Act had been a necessary step, the final goal of all stockmen should be for private ownership of the grazing lands.<sup>67</sup> Also, later that month, the Arizona Wool Growers' Association held its sixtieth annual convention in Flagstaff, Arizona. The Association went on record as favoring the return to state ownership of all public lands in Arizona.<sup>68</sup> There also was considerable concern over the delay of the Department of Interior in carrying out some of the provisions of the Taylor Act.

On August 16 of that year the Executive Committees of the National

Wool Growers' Association and the National Livestock Association met jointly at a Public Domain Conference in Salt Lake City, Utah. The committees discussed "the final disposition of the public domain into private ownership" and the need for changes "to strengthen the proper administration of the Taylor Act, pending final disposition of the public domain."<sup>69</sup> Senator Pat McCarran spoke to this group about the reorganization of the Taylor Grazing Service, in order to convince the stockmen that the action would result in more efficient grazing policies. After his speech the conference adopted a resolution to thank Senator McCarran for his part in passing Reorganization Plan No. 3.

During the next month, A.G. Hall, a writer for American Forests, adequately stated the feelings of many conservationists when he said that: "The abolition of the Grazing Service and its consolidation within the new Land Management Agency of the Department of Interior is a change about which many conservationists have difficulty forming an opinion."<sup>70</sup> He continued that while most people agreed that land-use policies needed some alteration, they did not agree that the abolition of the Grazing Service was a necessary or desirable action. He stated that many conservationists believed the drastic reduction in funds for the Grazing Service might be only "a first step in a program to reduce or abolish public administration of public grazing resources."<sup>71</sup> Hall said that if this were so, conservationists would have real cause for alarm, since many bills again would no doubt be introduced to transfer the public lands to the states.

In November 1946, the National Wool Grower called for all stockmen to unite with a single purpose--the final disposition of the public lands.<sup>72</sup> In that same article, it was noted that the National Wool

Growers' Association had gone on record against any increase in grazing fees until the results of the most recent grazing study were made available to the stockmen. Shortly thereafter, Senator McCarran spoke at the annual meeting of the Nevada State Cattle Association to gain more support for reorganization. He introduced Rex Nicholson, the Special Assistant to the Secretary of Interior, who was handling reorganization. The speeches of these two men apparently were effective because the Nevada stockmen voted to endorse reorganization of the Taylor Grazing Act.<sup>73</sup> On November 22, Secretary Krug announced that the "de-centralized and streamlined" Bureau of Land Management would ensure "greater speed and efficiency in the administration of approximately 400,000,000 acres of federal public land in the United States and Alaska."<sup>74</sup>

By December even more stockmen had changed their opinion about reorganization. F.E. Mollin, secretary of the American National Livestock Association, stated that although many thought all was lost after the sharp cut in the appropriation for the Taylor Grazing Service, the new management policy had worked out well for all concerned.<sup>75</sup> However, on January 8, 1947, the members of the fiftieth annual convention of the American National Livestock Association still opposed any increase in grazing fees and instead favored transferring the public lands to private ownership.<sup>76</sup>

Thus, the creation of the new Bureau of Land Management initially caused mixed reactions among the stockmen and the conservationists. Moreover, the new bureau accomplished very little in its first six months. As late as January 1947, the Secretary of Interior still had not chosen men for the positions of Director of the Bureau of Land

Management and Chief of the Branch of Range Management. Therefore, to determine the true significance of the Bureau of Land Management in relation to the conservation policy of the United States, a study of the operations of the bureau from 1947 to the present will be necessary.

#### FOOTNOTES

<sup>1</sup>Harry S. Truman, Memoirs: Year of Decisions, Vol. I (Garden City, New York: Doubleday and Company, Inc., 1955), p. 486.

<sup>2</sup>Harry S. Truman, "Transition From War to Peace," Vital Speeches, XI (July 1, 1945), p. 553.

<sup>3</sup>Lawrence Sullivan, "Why Bureaus Have Nine Lives," Nation's Business, XXXVIII (December, 1945), p. 102.

<sup>4</sup>James F. Byrnes, "Why We Must Give the President a Clear Road," American Magazine, CXL (August, 1945), p. 20.

<sup>5</sup>Lawrence Sullivan, "Nine Lives," Nation's Business, XXXVIII (December, 1945), p. 104.

<sup>6</sup>A.G. Hall, "Conservation In Congress," American Forests, LII (January, 1946), 6.

<sup>7</sup>Congressional Record, 79th Cong., 1st Sess., XCI (1945), p. 11961.

<sup>8</sup>Ibid., 79th Cong., 2nd Sess., XCII (1946), p. 8888.

<sup>9</sup>Ibid., 79th Cong., 1st Sess., XCI (1945), p. A499.

<sup>10</sup>Ibid., 79th Cong., 1st Sess., XCI (1945), p. 11964.

<sup>11</sup>Frank Gervasi, "Truman's Troubled Year," Collier's, CXVII (April 6, 1946), p. 11 and "New Secretary of the Interior," National Wool Grower, XXXVI (March, 1946), 7.

<sup>12</sup>Truman, Memoirs, p. 554.

<sup>13</sup>Helen Fuller, "Truman Minus Ickes," New Republic, CXIV (February 25, 1946), p. 273.

<sup>14</sup>Harold L. Ickes, "Why I Chose to Resign?" Vital Speeches, XII (March 15, 1946), p. 351.

<sup>15</sup>"Mr. Ickes Pulls Out," Commonweal, XLIII (March 1, 1946), pp. 491-92.

<sup>16</sup>"Eyes on the Interior," Business Week (February 23, 1946), p. 17.

<sup>17</sup>Congressional Record, 79th Cong., 2nd Sess., XCII (1946), p. 5153.

- <sup>18</sup>Ibid., p. 5155.
- <sup>19</sup>"The Grazing Fee Problem," National Wool Grower, XXXVI (June, 1946), 10.
- <sup>20</sup>"Senate Committee Report on Grazing Fees," National Wool Grower, XXXVI (June, 1946), 11.
- <sup>21</sup>"The Grazing Service," National Wool Grower, XXXVI (July, 1946), 5-6.
- <sup>22</sup>"A Report on Public Lands," National Wool Grower, XXXVI (May, 1946), 6.
- <sup>23</sup>J.H. Baker, "Appropriations Cut," Audubon Magazine, XLVIII (May, 1946), p. 188.
- <sup>24</sup>"Comments on Grazing Committee Report," National Wool Grower, XXXII (April, 1942), 28-29.
- <sup>25</sup>Frederick P. Champ, "Emerging Public Land Policies," National Wool Grower, XXXVI (March, 1946), 9.
- <sup>26</sup>"Gila County (Ariz.) Stockmen Favor Grazing Service," American Cattle Producer, XXVIII (January, 1946), 20.
- <sup>27</sup>"The Grazing Service," National Wool Grower, XXXVI (July, 1946), 6.
- <sup>28</sup>"American National Livestock Association Holds 59th Annual Convention in Denver," The Cattlemen, XXXII (February, 1946), 104.
- <sup>29</sup>Congressional Record, 79th Cong., 2nd Sess., XCII (1946), p. 7888.
- <sup>30</sup>U.S. Congress, House, Committee on Expenditures in the Executive Departments, House Hearings, 79th Cong., 2nd Sess., (1946), p. 56.
- <sup>31</sup>Ibid., p. 59.
- <sup>32</sup>Ibid., p. 89.
- <sup>33</sup>Ibid., p. 308.
- <sup>34</sup>Congressional Record, 79th Cong., 2nd Sess., XCII (1946), p. 7419.
- <sup>35</sup>Ibid., p. 5882.
- <sup>36</sup>U.S. Congress, Senate, Committee on the Judiciary, Senate Hearings, 79th Cong., 2nd Sess., (1946), p. 28.
- <sup>37</sup>Ibid., p. 313.
- <sup>38</sup>Ibid., p. 317.

<sup>39</sup>Ibid., p. 340.

<sup>40</sup>Ibid., p. 342.

<sup>41</sup>Congressional Record, 79th Cong., 2nd Sess., XCII (1946), p. 8887.

<sup>42</sup>Ibid.

<sup>43</sup>Ibid., p. 8888.

<sup>44</sup>Ibid.

<sup>45</sup>Ibid.

<sup>46</sup>Ibid.

<sup>47</sup>Ibid., p. 8889.

<sup>48</sup>Ibid.

<sup>49</sup>Ibid.

<sup>50</sup>Ibid.

<sup>51</sup>Ibid., p. 8891.

<sup>52</sup>Ibid.

<sup>53</sup>Ibid., p. 8892.

<sup>54</sup>Ibid.

<sup>55</sup>Ibid.

<sup>56</sup>Ibid.

<sup>57</sup>Ibid., p. 8894.

<sup>58</sup>Ibid., p. 8899.

<sup>59</sup>Ibid., p. 8898.

<sup>60</sup>Ibid., p. 8904.

<sup>61</sup>Ibid., p. 8905.

<sup>62</sup>Ibid., p. 8994.

<sup>63</sup>Ibid.

<sup>64</sup>Hillier Krieghbaum, "Peacetime Pattern for Government," Survey Graphics, XXXV (September, 1946), p. 314.



- <sup>65</sup>"Wyoming," American Cattle Producer, XXVIII (July, 1946), 16.
- <sup>66</sup>"New Land Bureau," National Wool Grower, XXXVI (August, 1946), 9.
- <sup>67</sup>G.N. Winder, "The Grazing Land Problem; What's the Solution?" National Wool Grower, XXXVI (August, 1946), 10.
- <sup>68</sup>"Arizona's 60th Convention," National Wool Grower, XXXVI (August, 1946), 25.
- <sup>69</sup>"Public Domain Conference," National Wool Grower, XXXVI (September, 1946), 8.
- <sup>70</sup>A.G. Hall, "Conservation in Congress," American Forests, LIII (September, 1946), 436.
- <sup>71</sup>Ibid.
- <sup>72</sup>"A Report on Public Lands," National Wool Grower, XXXVI (November, 1946), 5.
- <sup>73</sup>"Nevada Meeting," American Cattle Producer, XXVIII (December, 1946), p. 22.
- <sup>74</sup>"Public Land Affairs," National Wool Grower, XXXVI (December, 1946), 7.
- <sup>75</sup>"Mollin Challenges the Forest Service," American Cattle Producer, XXVIII (December, 1946), 57.
- <sup>76</sup>"The Resolutions," American Cattle Producer, XXIX (February, 1947), 5-6.

## CHAPTER IV

### THE BLM: 1947 TO PRESENT

Throughout 1947 the Bureau of Land Management attempted to overcome many of the difficulties which had plagued its predecessor, the Grazing Service. Funding continued to be a problem since the new agency had no political support in Congress. In addition, the Bureau still did not have a Director to guide its actions and policies.

Despite these problems, the Bureau of Land Management worked to establish the new agency as specified under the provisions of Section 403 of Reorganization Plan No. 3. Since the Bureau controlled more than 450 million acres of public land, located primarily in the eleven western states, the control of this vast area was divided into six major branches. These divisions were Range Management, Forestry, Engineering, Land Planning, Adjudication, and Administration.<sup>1</sup> Moreover, the Bureau of Land Management (hereafter referred to as the BLM) also relied on District Advisory Boards of stockmen for advice in formulating grazing policies. Significantly, the statutory provisions of the Grazing Service and the General Land Office applied directly to the lands the BLM controlled. This facilitated the transfer of power to the new Bureau, and the merger seemed to be simple to implement. However, according to Wesley Calef, a noted public land historian, the consolidation of the two agencies produced some unintended effects.<sup>2</sup> Calef stated that the creation of the BLM resulted in "de-emphasizing the

relative importance of grazing administration" and further decentralizing control of the public lands. He predicted that in the years to come the BLM would emphasize the leasing of mineral and timber rights, rather than grazing.

The New Bureau was unable to discharge adequately its functions in the early months of 1947, for funds were nonexistent. The Grazing Service budget had been cut so severely in June 1946, that insufficient monies remained for the new agency. By April 1947, many interested individuals feared that the range would return to pre-Taylor Act conditions if Congress delayed further in passing a deficiency appropriation for the Department of Interior. However, on April 21, 1947, in a surprise move, the House Appropriations Committee reduced the budget for the Interior Department by forty-seven per cent.<sup>3</sup> President Truman's request of \$295,420,420 for that department had been cut \$138,880,907 in the name of economy. Conservationists feared that such a drastic reduction in funds would postpone important reclamation and irrigation projects in the western states, and they hoped that the Senate would restore by amendment the original budget request. However, the Senate passed with no significant changes the appropriations bill of 1947 for the Department of Interior. The largest reductions were in reclamation, irrigation, and water-power projects located primarily in the West.<sup>4</sup>

Truman condemned the severe reduction in funds for the Department of Interior, warning that the action would set conservation back a decade. He also said:

We are fast becoming a 'have not' nation with respect to many important materials. We are short of some basic materials essential to an economy of full production and full employment. We are short of copper, of steel, of lead; and of many other critical materials. We are faced with the

danger of a shortage of petroleum products. The United States is now using more oil each day than the entire world before the war. Shortages of fuel oil have already appeared in parts of the Middle West.<sup>5</sup>

While waiting for Congress to respond to Truman's speech, Secretary Julius A. Krug prepared to dismiss a large number of his staff if necessary. This was a difficult time for employees of the BLM. They had no measure of job security, and promotions were non-existent.

The major issue did not seem to be whether or not the Department of Interior and its agencies would use the money wisely, but rather if the grazing lands would be managed in strict conformance with the views of the powerful livestock interests in the West. The members of the State and National Grazing District Advisory Boards, and the major livestock associations, lobbied successfully for more control over grazing policies. Temporarily the Bureau of Land Management would administer the Taylor grazing lands "in conformance with the views of the industry it was supposed to regulate."<sup>6</sup> After the principle of control by the western livestock interests had been established, Congress passed a deficiency appropriation for the BLM, and operations returned to normal.

Having succeeded in gaining some control over the grazing lands, the stockmen then urged Congress to pass legislation authorizing the sale of the remaining 450 million acres of the public domain at from nine cents to \$2.50 an acre, and allowing forty-five years to pay for purchases. Conservationists recalled that Senator McCarran's bill had been defeated in 1946, but doubted that they would be able to withstand the new pressures of the powerful livestock interests. However, they believed that the sale of the public domain to irresponsible stockmen

would turn the West into a desert.<sup>7</sup> Richard L. Neuberger, a prominent conservationist in Oregon, said that the stockmen were "looters of the public domain." He agreed with a statement made earlier by President Truman that, "there are always plenty of hogs trying to get our natural resources for their own benefit."<sup>8</sup> Neuberger believed that only the influential stockmen were involved in the attempt to obtain the public lands, yet he feared that they might actually get public lands. The greediness of the stockmen had caused a reaction among the conservationists, and these protectors of the public domain organized to oppose any attempt to sell public lands. Thus there was sufficient influence to halt any land disposal bills.

With the power of the stockmen's lobby somewhat weakened, the BLM managed, for the first time in years, to increase the grazing fees for 1947 from five to eight cents per month for each animal unit.<sup>9</sup> Congress and the Department of Interior believed the grazing fees were still too low, for the fees were based on the cost of administering the grazing districts. Therefore, many people knew that any increase in the grazing fees would also be a difficult problem for the BLM in the years ahead.

In the early months of 1948 the BLM appeared to have solved major operational problems. A growing cooperative effort between the advisory boards and the Government officials was evident, and there were few complaints against the Branch of Range Management in the BLM. In addition, while fees for grazing on Forest Service lands were increased in 1948, there was no increase in fees for the Taylor grazing lands. Another indication that better times lay ahead came in March, when Secretary Julius A. Krug named Marion Clawson as Director of the BLM.

Clawson was an able agricultural economist who previously had worked in the Department of Agriculture and in the Department of Interior as a Regional Director of the BLM. Clawson's prior experience proved helpful in formulating a grazing policy for the BLM.

Despite some initial successes in dealing with the problems of the BLM, a heated controversy soon arose over further proposed cuts in the number of grazing permits--a way to prevent overgrazing. The stockmen actually desired more grazing permits, and they constantly sought "vested rights" on the public lands. Although the number of cattle using public grazing lands had increased 14.8 per cent from 1946 to 1949, the number of sheep on the federal lands had declined 34.1 per cent.<sup>10</sup> Yet, this conflict would soon be centered in the Forest Service, since the number of livestock permitted to graze on Taylor district lands substantially had been maintained in recent years. The Forest Service greatly reduced the number of grazing permits, and enacted more stringent policies.<sup>11</sup>

Bernard DeVoto, a prominent conservationist writing for Harper's Magazine, stated that the latest attempt by the stockmen to gain control of the public lands had the support of "only a small fraction of the Western livestock industry," while claiming "to speak for the industry as a whole."<sup>12</sup> DeVoto believed that grazing fees had been too low in the past causing dangerous overgrazing of national forest lands. Therefore, he opposed any increase in the number of grazing permits to be issued. Once again the stockmen's wishes were denied.

The issue of who would control the public lands was revived again in 1948, when Governor Thomas E. Dewey of New York promised if elected president to appoint a westerner as Secretary of the Interior. Noting

that most of the former Secretaries had been from the East, Dewey said, "The grazing lands, irrigation, reclamation, most of the water power, navigation and fisheries have been under the control of carpet-baggers for too many years."<sup>13</sup> Other candidates followed Dewey's lead and made similar campaign promises.

Although its budget for 1948 was modest, the BLM decentralized its functions by establishing more regional offices in the West, and by relaxing grazing regulations. More efficient methods were implemented in leasing section 15 lands which the BLM controlled. These grazing areas lay outside the established grazing districts, and therefore were not administered under the rules governing the Taylor Act lands. Government officials in 75 field offices henceforth had the authority to issue leases for the 16 million acres of section 15 lands, rather than referring the prospective applicant to the BLM headquarters in Washington, D.C.<sup>14</sup> Since the Forest Service did not follow the BLM's example, the House Committee on Public Lands released a report in September criticizing that organization's strict grazing policies which were believed to have led to the insecurity and instability of the livestock industry.<sup>15</sup>

In 1949, the appropriation for the BLM was \$3,000,000, and therefore government officials and the National Advisory Board Council decided that there would be no increase in grazing fees for that year. Yet, as grazing fees were based on the cost of administering the Taylor Act lands, an increase would in time be mandatory.

On February 18, Herbert Hoover, as chairman of the Commission on the Organization of the Executive Branch of the government, submitted to Congress the results of a two year study on government operations.

Among other things, the report recommended that the BLM be transferred to the Department of Agriculture in order to check waste and to prevent duplication of effort.<sup>16</sup> The BLM and the Forest Service would be combined into a new agency called the Forest and Range Service. The Hoover Commission stated that the transfer would facilitate the development of a uniform policy for all of the grazing lands. Many ranchers who grazed livestock on the Taylor lands during part of the year and on forest lands for the rest of the year had to deal with two agencies having different rules and regulations; therefore, since many of the Taylor Act lands were adjacent to National forest grazing lands, the consolidation would be quite easy. While officials expected that the stockmen would support the merger, they erred, for stockgrowers vigorously opposed the measure because they feared Forest Service controls would be too strict. Strong resistance to this measure caused Congress to delay any action in 1949. Senator Harry P. Cain of Washington introduced S. 2833 in February 1950, to make the transfer the Hoover Commission proposed, but the issue was then still too controversial to pass. Yet, the desire for uniform grazing rules remained.

On December 6, 1949, the National Wool Growers' Association had held its eighty-fifth annual convention in Denver, Colorado. The Association voted to commend the BLM for its effort to promote good citizen-government cooperation, and for decentralizing at the district level the administration of the Taylor grazing lands.<sup>17</sup> The wool growers also noted that Congress had not appropriated funds for administering the grazing lands in 1950. The meeting passed a resolution urging Congress to solve the matter quickly. Although the total appropriation for the BLM was six-million dollars for 1950, the sum



was insufficient to allow adequate supervision, management, and improvement of the public range.<sup>18</sup>

By 1950, the concept of multiple use of forest and associated lands was common. Multiple use indicates the intensive management of land to secure as many purposes as possible, rather than regulating the land for a single or primary purpose such as grazing livestock. Congress had recognized the benefits of multiple-use management earlier, when a committee outlined major uses of the forest lands. These were: wood production, use as watersheds, grazing by livestock, wildlife protection, and outdoor recreation. In January, the President commented that he too approved of the multiple-use theory.<sup>19</sup> Yet, no multiple-use legislation was passed until 1960. By that time Americans in general had become conservation conscious, and some natural resources were scarce. Thus, the theory of intensive management for multiple-use benefits became increasingly important.

On March 13, 1950, Truman sent to Congress twenty-one plans for reorganization.<sup>20</sup> The reorganization plans affected six departments, including the Department of Interior, and more than a dozen commissions. This move came after analysis of the Hoover Commission report. Plan No. 15 transferred Alaska and the Virgin Islands to the Department of Interior. Other minor shifts in the organizational structure of the Interior Department were proposed in Plans 1-6. Although Congress deleted the first five plans, the other sixteen went into effect sixty days after they were submitted to Congress.

With the President's reorganization plans, S. 1149 was introduced into the Senate to implement the recommendation of the Hoover Commission, that the BLM should be transferred to the Department of Agricul-

ture. However, this proposal still was controversial. Oscar L. Chapman, the new Secretary of Interior, and the officials of the BLM opposed the transfer.<sup>21</sup> Stockmen by that time fully endorsed the Hoover Commission report, and they urged all possible consolidation of government agencies. Thus, the stockmen still were interested in uniform grazing rules, and private ownership of the grazing lands.

In April 1951, the stockmen again sought permanent grazing permits on national forest lands which could be bought and sold as land. This gave the livestock owners vested rights on the land. The livestock interests also desired a law that allowed grazing fees to be raised only by an act of Congress.<sup>22</sup> This primarily was a protest against the grazing fee increase of May 1, which had raised the cost of grazing to ten cents per month for each animal unit on Taylor Act lands.

The main issue underlying all of the above problems was that of public versus private ownership of the federal lands. The federal government owned fifty-three per cent of the eleven western states.<sup>23</sup> In some states the percentage of federal land was even higher. Therefore, the stockmen as usual wanted the government to sell some or all of the land. This struggle hampered efforts of the BLM to formulate a long-range policy for managing the grazing lands. In addition, even though the budget for the BLM had increased steadily between 1946 and 1951, the agency still had only 1,220 employees. This situation partially was due to the low salaries the Bureau was authorized to offer for beginning grades of employment.<sup>24</sup>

On March 21, 1952, the House Appropriations Committee reduced the money bill for the Department of Interior to seventy-nine per cent of the amount the President had requested.<sup>25</sup> The House approved this

action on March 27, and federal spending for such projects as the Tennessee Valley Authority also suffered reduction. While the budget for the BLM substantially was maintained, the bureau was denied a badly needed increase in funds. One justification given for the budget reduction was that a sharp increase in arms spending was necessary.

Problems concerning the public domain continued to be important in 1952, and became significant issues in the elections of that year. The livestock interests inserted a plank in the Republican platform calling for the sale of the public domain or, at least, a more flexible grazing policy on Forest Service lands. The first sentence of the plank stated: "We favor restoration of the traditional Republican lands policy, which provided opportunity for ownership by citizens to promote the highest land use."<sup>26</sup> Bernard DeVoto wrote that the plank referred to grazing lands, and that the stockmen had pulled "a fast one" on General Eisenhower. He believed that this was part of the attempt to turn the public domain over to the states for sale to livestock interests. Writing for American Forests, G.H. Collingwood commented on DeVoto's article; he indicated that the Republicans had proposed the original legislation for the protection of the national forests, and that the "traditional Republican land policy" had been to protect the public domain--not to destroy it.<sup>27</sup>

The Republicans won the election of 1952, and assumed national power for the first time in twenty years. Many concerned individuals anticipated sweeping changes in public land management. According to Wesley Calef, "It was predicted that there would be a sharp increase in the rate of disposal of the federal lands and a general relaxation in regulations and controls."<sup>28</sup> Many individuals had interpreted the

election as a catalyst for transferring our national assets to the states. Surprisingly, the Republicans offered no new or drastically different legislation. The BLM continued to operate under the existing land laws, and yet the organizational structure for public land management slowly was altered. Yet, one objective of the new Republican administration was to decentralize thoroughly land management administration. A second objective was to re-emphasize the role of the states in public land management. The seven regional offices of the BLM were consolidated into three area offices in Denver, Colorado, Portland, Oregon, and Salt Lake City, Utah. New state offices were then established in the eleven western states to exercise authority over all of the state BLM offices, which included the land offices, grazing district offices, and district forestry offices.<sup>29</sup>

Many people believed that President Dwight D. Eisenhower would propose legislation transferring the BLM to the Department of Agriculture. This rumor spread rapidly in the early months of Eisenhower's first administration. On March 25, 1953, President Eisenhower sent to Congress a plan for reorganizing the Department of Agriculture.<sup>30</sup> However, his plan did not include the expected proposal to transfer the BLM.

While the President was considering his plan for reorganization, fear that the BLM would be transferred to the Department of Agriculture prompted Representative Wesley A. D'Ewart of Montana, on March 17, 1953, to introduce H.R. 4023, a measure known as the Uniform Federal Grazing Bill.<sup>31</sup> An identical bill, S. 1491, was introduced in the Senate on March 27, by Senators Frank A. Barret of Wyoming and Hugh Butler of Nebraska. Congressman D'Ewart explained that his bill would correct

the problem of management of the public domain by several agencies having different rules and regulations without transferring the BLM to the Department of Agriculture. He indicated that his proposal for a uniform system of management would not reduce the powers of the Secretary of Interior in any way, and that the provisions of the bill would not create any "right, title or interest in the lands."<sup>32</sup>

The National Wool Growers' Association, meeting in 1953, favored the Uniform Grazing bill, since it opposed transferring the BLM. Senator Pat McCarran also opposed such a transfer and sponsored a letter signed by fifty-five Senators and Representatives from the western states stating the views of the livestock industry.<sup>33</sup> Meanwhile, the stockmen worked for passage of the Uniform Grazing bill.

Some opposition to the Uniform Grazing bill undoubtedly was due to a general dislike of Republican land policies. Conservationists believed that Eisenhower's federal land policy would transfer the remainder of the public domain to the states. They also thought that the Barret-D'Ewart bill would give stockmen vested rights on the public lands through the issuance of permanent grazing permits. Adding to their fears, President Eisenhower was, at that very time, considering a proposal to return offshore oil rights to the states.<sup>34</sup> Conservationists opposed any such action believing that it would open the way for public sales of timber, grazing lands, and mineral rights.

Robert W. Sawyer, a prominent member of the American Forestry Association, strongly opposed the D'Ewart bill. He believed that the Uniform Grazing bill would create a stockmen's monopoly in the use of forest grazing lands.<sup>35</sup> The Barret-D'Ewart bill thereafter became known widely as the "stockmen's bill". An article in American Forests

during this time stated that the stockmen's constant effort to gain control of the public lands had "created a vast amount of ill-will."<sup>36</sup> The article then urged the public to stop private groups from gaining vested rights on the public domain. Bernard DeVoto, always a champion of conservation, supported this view, and commented on the radio broadcast tactics the livestock interests used to confuse the public.<sup>37</sup> He said that the stockmen employed scare tactics such as equating federal land ownership with socialism, and gave endless statistics on the percentage of land the government owned in various states.

Realizing that the controversial Uniform Grazing bill would not pass in its present form, Senator George D. Aiken of Vermont, Chairman of the Senate Committee on Agriculture and Forestry, introduced a new grazing bill on August 1, 1953. The purpose of the new bill, S. 2548, was "to facilitate the administration of the National forests and other lands under the jurisdiction of the Secretary of Agriculture; to provide for the orderly use, improvement, and development thereof; to stabilize the livestock industry dependent thereon; and for other purposes."<sup>38</sup> Section twelve of the Aiken bill indicated that the Secretary of Interior should consider all possible uses of the forest lands in formulating a policy for their management. This demonstrated the desire for a confirmation of the principle of multiple use. On the same day Representative Clifford R. Hope of Kansas introduced an identical bill in the House.

With the introduction of the Hope-Aiken grazing bill, Democrats renewed their charges that the Republicans planned to give the nation's resources away. Douglas McKay, the new Secretary of Interior, denied the charge and insisted that his predecessors had called for more and

more federal control of the nation's resources, necessitating a change to bring the land-management policy "in line with laws inspired by Theodore Roosevelt and other Republican presidents."<sup>39</sup> McKay also said that the new policy gave state and local governments "a voice in the development of national resources in partnership with the federal government."

In December 1953, the tidelands oil controversy ended with Congress giving the coastal states clear title to the submerged lands to the historic three mile limit.<sup>40</sup> This intensified the conflict with the Republicans over land policy. The Democrats used the issue of "give-aways" in the political campaigns of the next few years. Harry Levine, a journalist for Nation, stated in 1954 that in twelve months the Eisenhower administration had "succeeded in giving away more of the country's national resources, and of the taxpayer's money than any other administration in history."<sup>41</sup> Senator Wayne Morse of Oregon estimated that Eisenhower had given away \$1,500,000,000--an amount that in comparison made the "Teapot dome" scandal look insignificant. However, even if those claims were true there had not yet been any "give-aways" on the grazing and forest lands.

The final revised budget of the Department of Interior for the fiscal year 1953 passed in the House, but suffered a twenty per cent reduction from the amount the President originally had requested.<sup>42</sup> Significantly, the largest cuts were in reclamations, irrigation, hydro-electric power and other multiple-purpose projects. The Department of Interior was forced to dismiss 2,098 employees in the fund-starved Bureau of Reclamation--the hardest hit in the economy move. Yet, the budget for the BLM was \$11,000,000.

On March 8, 1954, the Senate passed the Hope-Aiken grazing bill, with strong support from the livestock interests. Although some of the conservationists distrusted the bill because of the stockmen's support for it, they realized that amendments and revisions had changed the original bill completely. The clause "to stabilize the livestock industry dependent thereon" had been deleted, and other revisions made the bill a broad declaration of Congressional policy for the administration of all national forest lands. Hugh B. Woodward, a conservationist, said that section twelve of the bill delineated the multiple use doctrine of the forest lands for the first time.<sup>43</sup> These uses included grazing, mining, recreation, timber, watershed conservation, and wildlife protection. Also, section eleven of the bill provided for the appointment of multiple use advisory councils. The main objections to the bill were that it was unnecessary because Congress had already recognized grazing as an important use of the public lands; moreover, it was significant that future amendments to the bill might allow the stockmen to acquire grazing permits for non-conservation purposes.

In November 1954, Charles H. Stoddard reported the defeat of S. 2548 in American Forests. He said that Woodward had spoken for only a "tiny fraction" of the conservationists.<sup>44</sup> Others recognized that the Hope-Aiken grazing bill contained many features of the Taylor Grazing Act, which had been unable effectively to improve the depleted condition of the Western ranges. Stoddard said the bill would have led "to the detriment of the national forests;" he indicated that:

It is unfortunately true that those who benefit the most financially from conservation programs seldom take the lead in promoting those measures which are the greatest benefit to the public, but rather seem only to be concerned with those which will increase their own already well-established prosperity.<sup>45</sup>



In the annual report of 1955, Secretary of Interior, Douglas McKay, announced that a new formula for determining grazing fees would soon be employed. The new formula provided for charging grazing fees equal to the average price per pound of cattle and sheep at western markets.<sup>46</sup> This provided for a fee increase to fifteen cents per animal unit during 1955 and 1956 on Taylor District lands. In 1957, the grazing fee would be seventeen cents. The livestock interests quickly contested the validity of the new formula for assessing grazing fees. In March 1955, a group of stockmen in Nevada, who had been billed for fees under the new formula, obtained a temporary restraining order against the collection of any grazing fees until the new formula was declared valid. The Executive Committee of the National Wool Growers' Association met at Yakima, Washington in June 1955, and unanimously adopted a resolution opposing any BLM increase in grazing fees based on the new formula of 'value of forage' rather than the 'cost-of-administration' basis used since the inception of the Taylor Grazing Act.<sup>47</sup> Thus, the application of the new formula would be delayed until 1958.

In September 1955, Senator Wayne Morse accused Secretary McKay of promoting a private utility system that would lead to "perpetual economic malnutrition" in the Pacific Northwest.<sup>48</sup> Moreover, he stated that McKay was "the worst Secretary of the Interior since Albert Bacon Fall." Secretary McKay responded to this attack by resigning in 1956 to oppose Mr. Morse for his Senate position.<sup>49</sup> Eisenhower accepted McKay's resignation on May 30, and placed the Under-Secretary in charge until a new Secretary of Interior could be selected. However, a long delay was expected because Eisenhower hoped to avoid an election-year fight over any new appointment.<sup>50</sup>

The Democrats used the "give away" slogan for the campaign of 1956.<sup>51</sup> During this election, the Democrats were strong enough to challenge the Republican land management policy. Thus, the election of 1956 among other things became a power struggle over control of the natural resources. Eisenhower won re-election for a second term, which lessened resistance to the G.O.P. land policy in the next few years.

In this less hostile environment the BLM increased its operations. On January 24, 1958, Fred A. Seaton, Eisenhower's Secretary of Interior, finally instituted the new formula for assessing grazing fees. The implementation of this sliding scale formula, based on the market price of livestock, had been delayed since 1955. The grazing fees on Taylor Act lands were increased to nineteen cents per animal unit month in 1958, and current price trends indicated that an annual increase in fees might be expected during the next few years.<sup>52</sup> The Taylor grazing fees were increased to twenty-two cents in 1959, and fees for grazing on the unorganized section fifteen lands also were raised. Although there was very little opposition to the fee increases, the livestock interests vigorously opposed any further cuts in the number of grazing permits. Both the BLM and the Forest Service were considering such a move to establish several wilderness areas for their esthetic value and for the protection of wildlife.

In a special message to Congress on May 12, 1959, President Eisenhower submitted a reorganization plan to transfer the management of forest and mineral lands from the Department of Interior to the Department of Agriculture.<sup>53</sup> This would give the Secretary of Agriculture greater authority over those resources, which would promote simplicity and economy. However, opposition to the measure in the House led to

its defeat on July 8, by a vote of 266 to 124.<sup>54</sup>

In late 1959 and early 1960, the BLM began a large-scale program of reseeding and rehabilitation work to restore the run-down rangelands. In addition, Edward Woolley, Director of the BLM, announced that a concentrated effort would be made to assure that access routes would be opened for sportsmen and recreation-conscious Americans, who desired to use the public domain "for hunting, fishing, camping, and other lawful purposes."<sup>55</sup> This proved to be a source of conflict between grazing interests and other users of the public domain. Yet, multiple-use management was considered necessary to obtain the highest use of the land. Moreover, several amendments to the Federal Range Code were being considered at this time.

On December 10, 1959, Congressman John E. Moss of California, Chairman of the Special Investigative Subcommittee of the House Committee on Government Operations, requested that the Department of Interior suspend all land transfer actions involving BLM appraisals. Moss stated that weaknesses in the land appraisal techniques of the BLM would soon result in "public land give-aways of major proportions" through the Private Exchange Law and the Public Sale Act--the primary statutory provisions for the sale or exchange of public lands.<sup>56</sup> The Secretary of Interior immediately suspended all land sales and requested that a study be made of the techniques of land appraisal used by the BLM.

By 1960 the BLM had made several significant changes in its rules and regulations to facilitate better control of the grazing lands. The BLM's conservation activities were increasing each year. However, Wesley Calef, in his work Private Grazing and Public Lands, published in that year, stated that "the BLM does not exert sufficient control

over range grazing use to insure conservation of the federal lands. This lack of control is traceable to the political weakness of the BLM and the partially selective character of their personnel recruitment program."<sup>57</sup> Calef recommended stricter control of range use, strengthening the BLM politically, broadening the staff recruitment base, increasing federal range fees, and inspecting the grazing lands more closely.

Early in 1960, the BLM adopted a broad program of safeguards against speculation in land sales. Secretary Seaton approved the measures on February 20, and withdrew the order suspending all land sales. He insisted, "it is our intention that it be virtually impossible for land speculation activity to take place under the provisions of the Private Exchange Law or the Public Sale Act."<sup>58</sup>

In April, several identical bills were introduced in Congress, including H.R. 10572, "which would give legal recognition to the multiple-use principle of national forest lands."<sup>59</sup> While these multiple-use bills worked their way through Congress, the general principles of multiple-use management were debated thoroughly. Howard Stagner, a journalist, said that the multiple-use concept could not be used effectively to operate an individual land unit.<sup>60</sup> Duane L. Green, Deputy State Forester of North Dakota, disagreed with Stagner.<sup>61</sup> He said multiple-use was a necessary part of land management and that the expanded economy of those times would not permit lands to lie idle. Green agreed that most lands had a primary purpose, but pointed out that this did not mean all other uses had to be disallowed. Conservationists indicated that the benefits of multiple use were considerable for such a program overcame the problem of scarcity, promoted balance in resource

use, impeded the ascendancy of single-interest pressures, offered balance between materialistic and non-materialistic values, and the lands can contribute their utmost to society.<sup>62</sup>

In June 1960, Congress passed a measure known as the "Multiple Use-Sustained Yield Act", which directed that the renewable resources of the federally owned land of the national forests should be managed according to the principles of multiple use while maintaining output.<sup>63</sup> Eisenhower signed the bill into law on June 12. This was definitely an indication of how the forests would be managed in the future. As yet, however, there was no application of these principles to the management of the Taylor grazing lands.

The election of 1960 returned a Democratic administration to power. President John F. Kennedy revealed an interest in conservation early in 1961, when he sent a special message to Congress calling for a review of fees and user charges for publicly-owned land and resources.<sup>64</sup> To strengthen his position on conservation, Kennedy chose Stewart L. Udall, a strong conservationist, for Secretary of the Interior.

On March 20, President Kennedy asked for a two to three million dollar increase in funds for the BLM.<sup>65</sup> Between 1946 and 1961 the BLM was paying interprise, for its receipts were six times that of its appropriations.<sup>66</sup> Despite the difficulty in obtaining funds, the BLM had done a commendable job of conservation. However, much of the public grazing land still remained in a poor condition. The need for additional funds and quick action was imminent.

Secretary Udall reorganized his department thoroughly during 1961 and 1962 hoping to promote efficiency and economy. He declared an eighteen month moratorium on land sales and instructed the BLM to

undertake a large-scale inventory program to classify some land for disposal under a competitive-bid basis.<sup>67</sup> The new system was implemented to decrease the possibility that unethical land promoters could obtain large amounts of land by filing non-mineral applications. Thus, Secretary Udall's efforts to revitalize the BLM were carried out through reorganization and an intensified management of the public lands. Yet, the operations of the Department of Interior and its agencies were still virtually unknown to the average citizen.<sup>68</sup>

Udall also expanded the stockmen's National Advisory Board Council to thirty-nine men, to include representatives of mining, conservation, recreation, and other interests. This action came in response to a public desire for more recreational lands and stricter rules for conservation. The stockmen using the lands of the BLM and the Forest Service were becoming increasingly concerned with each reduction of grazing permits. They attacked "the bureaucratic control of the livestock industry" and talked of government "lies".<sup>69</sup> Conservationists charged that the livestock industry enjoyed "a huge subsidy on public forest and other ranges."<sup>70</sup> They urged Congress to increase grazing fees on federal lands to the fair market value of similar private lands. This conflict of opinion was accentuated further in the months to come.

On January 5, 1961, Senator Clinton Anderson had introduced S. 174, a bill to establish permanent wilderness areas involving millions of acres of public land.<sup>71</sup> The next month President Kennedy urged Congress to pass the measure. The Senate passed the wilderness bill on September 6, 1961, and sent it to the House. In early May 1962, the House of Representatives held hearings on the "Wilderness Bill". Most of the stockmen who testified at the hearings opposed S. 174 (H.R. 776), and

also were against any change that would result in increased grazing fees. They proposed instead that perpetual grazing permits be issued, which could be bought or sold on a free market. The livestock interests argued that this would stabilize the livestock industry by removing the fear that further cuts in grazing permits could be forthcoming. The conservationists quickly insisted that this would give the stockmen vested rights on the grazing lands. In December 1962, representatives of the BLM and the Department of Interior met with the National Advisory Board Council. The government officials informed the livestock interests that there would be no change in the present method of assessing grazing fees.<sup>72</sup>

In February 1963, Secretary Udall proposed a fifty per cent increase in grazing fees to be used to restore the forage on the Taylor Grazing lands. Senator Alan M. Bible of Nevada vigorously opposed the fee hike, and mobilized a strong effort against its implementation. Conservationists indicated that thirty cents per animal unit was still far below the amount the Forest Service charged. The opposing livestock interests stated that the forage on lands the Forest Service controlled was much better. Scientists who joined in the debate were for range improvements, but indicated that such a comparison of forest lands and BLM lands would be incorrect, for there were great differences between the climate and land quality of the two areas.<sup>73</sup> The forest lands generally lay in the higher elevations where vegetation grew easily and the BLM administered the "poorest, low elevation, desert lands" where forage was more sparse. At any rate, Karl M. Landstrom, Director of the BLM, believed that the time had come for the stockman to adjust his way of thinking concerning the use of the public lands.

He said, "The stockman can no longer consider the federal range he uses for grazing as 'his' land."<sup>74</sup> After much heated debate, the increase went into effect on March 1, 1963.

In June, Secretary Udall asked Congress to introduce legislation similar to that of the Forest Service which would provide for the Taylor Act lands to be managed according to the principles of multiple use and sustained yield. By August, H.R. 5159 was introduced, providing that lands administered by the Department of Interior be managed "under principles of multiple use" to "produce a sustained yield of products and services."<sup>75</sup> During the next month, the Public Lands Subcommittee of the House Interior Committee began lengthy hearings on the bill. Members of the National Wool Growers' Association gave testimony at the hearings, indicating support for the multiple use bill if certain clarifying amendments were added.<sup>76</sup>

During the remainder of the 88th Congress a volume of natural resources legislation was enacted, including some of the measures previously discussed. Upon signing the Wilderness System Act, and the Land and Water Conservation Fund Act on September 3, 1964, President Lyndon B. Johnson said that a third historic era of intensive conservation in the nation's history had begun.<sup>77</sup> (The others were under the two Roosevelts.) Nine million acres of public land would be established into wilderness and canoe areas under the Wilderness Act. The Land and Water Conservation Fund Act provided that user fees could be charged on federal recreation lands, and that matching funds would be made available to the states for the development of recreational areas. More significant was the passage of the Classification and Multiple Use Act, and the Public Sale Act in 1964.<sup>78</sup> These measures would affect



the management and disposal of public lands during the next few years. However, perhaps the most important single piece of legislation passed in 1964 was H.R. 8070, a measure to unsnarl the legal pattern of the public land laws. Representative Wayne N. Aspinall introduced the bill to create a Public Land Law Review Commission.<sup>79</sup> The Commission would make a four year study of the more than 4,000 land laws, and suggest necessary changes.

Therefore, in only four years under the Kennedy-Johnson administrations, the land policy of the United States was greatly altered. The Republican ideas of decentralization and joint development of the public domain were supplanted in favor of stricter controls and a reaffirmation of government ownership. This change was described by President Johnson in his annual message to Congress in 1965. He insisted that "our conservation must be not just the classic conservation of protection and development, but a creative conservation of restoration. Its concern is not with nature alone, but with the total relation between man and the world around him. Its object is not just man's welfare, but the dignity of man's spirit."<sup>80</sup>

Although the BLM had advanced significantly during the Kennedy-Johnson years, it remained a neglected agency, in need of security and encouragement. Frequent changes and political pressures combined to weaken and to demoralize the BLM--the youngest of the federal land agencies.<sup>81</sup> Other problems included modest appropriations, a comparatively small 3,400 person staff, complex land laws, and difficulties in land classification. Yet, the BLM still struggled to administer the public lands to benefit all of the people, not just a few special interest groups.

Despite problems, the BLM implemented new conservation practices such as "rest rotation" to improve the forage on the Taylor grazing lands. This method of reseeding and rotational grazing proved effective in restoring range forage in only a couple of years. A very successful test using this practice, carried out on the Vale District in Oregon, demonstrated how successfully the BLM could develop the multiple use resources of the public land. But funds, know-how, and cooperation would be needed to expand this system to other areas of the public domain. Although the debate over grazing fees and permits emerged now and then, no changes were made in the methods for assessing fees until 1968. In addition, grazing continued an important part of multiple-use management despite the expansion of the parks and recreation program. Moreover, new rules were adopted to stop the abuses on some sixteen million acres of section fifteen lands.

In December 1967, Senator John E. Moss of California introduced a bill to "redesignate the Department of Interior as the Department of Natural Resources and to transfer certain agencies to and from such Department."<sup>83</sup> Orville L. Freeman, the Secretary of Agriculture opposed this measure, S. 886, stating that the transfer would accomplish little. Increased opposition to the proposal from other groups caused Congress to delay the measure indefinitely. However, the idea of a Department of Natural Resources appeared again during the next administration.

The election of Richard M. Nixon as President in 1968 brought a Republican administration to power once more. This again signaled a change in land policy. Realizing this, Orville L. Freeman and Stewart L. Udall, the outgoing Secretaries of Agriculture and the Interior respectively, proposed a radical change in the method for determining

grazing fees. The common base for the fee increase would be \$1.23 per animal unit--four times the present level. As expected, there was much opposition to the fee hike. W.E. Overton, President of the National Wool Growers' Association, spoke for the entire livestock industry when he called the increase "shocking and capricious".<sup>84</sup> In the end, the increase was postponed.

In an effort to balance his party politically and to win the confidence of the western states, President Nixon appointed Walter J. Hickel, a westerner, as Secretary of Interior.<sup>85</sup> The appointment proved to be controversial, for many believed Hickel's business orientation would slow down conservation efforts. Despite these problems, the Senate confirmed Hickel's appointment on January 23, 1969.

On June 23, 1970, the Public Land Law Review Commission presented to Congress and the President its long awaited study of the land laws.<sup>86</sup> The lengthy report of 342 pages contained 387 recommendations. One of the recommendations proposed that the Homestead Law and all other disposal statutes be abolished. Another significant recommendation proposed the transfer of the Forest Service to the Department of Interior and that its name be changed to the Department of Natural Resources. Significantly, federal ownership of most public lands was considered necessary.

Another proposal indicated that the multiple-use concept should be maintained, but that the BLM should classify some of the forests as dominant use areas.<sup>87</sup> This sparked a debate over the value of multiple-use management. E.M. Sterling, a conservationist, stated that logging and recreation were incompatible, and that the theory of multiple use was no longer "the magic elixir" to solve all problems.<sup>88</sup> Sterling

believed that the concept had destroyed more than it had conserved. Yet, others still believed that the theory of multiple use was the only viable alternative for obtaining the highest use of the public lands.

In December 1970, Secretary Hickel was relieved from his position for speaking against the oil companies, who were despoiling the coastal waters, and for stating in a letter that Nixon had alienated the youth in America and had ignored his cabinet members. However, many interpreted this action as an anti-conservation move. President Nixon quickly appointed Rogers C.B. Morton as Secretary of Interior. Morton was confirmed by the Senate and sworn in on January 29, 1971.<sup>89</sup>

After only two months as Secretary of the Interior, Morton announced President Nixon's plan for reorganizing the Department of Interior to make it more responsive to administration policies. The ultimate aim was to create a Department of Natural Resources which would control all of the public lands. By late 1972, President Nixon planned to streamline the executive branch of government and prepared to push his reorganization plan through Congress. As an initial move for economy, the President dismissed eight top echelon officials in the Department of Interior. At the same time, he announced that Secretary Morton would serve in his second administration. The new Department of Natural Resources would take over the functions of the Department of Interior and consolidate many natural resource functions divided among a dozen or more agencies. However, the reorganization plan was defeated.

Thus, from the creation of the BLM to the present, political manipulations continually have precluded good land management operations. Also, frequent changes of personnel in key administrative positions of

the Department of Interior and the BLM have impeded efforts to improve rangeland conditions and to formulate a uniform grazing policy.

Throughout its history, the BLM has remained as an obscure agency in the Department of Interior, underfinanced, inadequately staffed, and slow to adopt modern management practices. Although it continues to lease grazing lands to the stockmen, the BLM ignores some of its other responsibilities.

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<sup>2</sup>Wesley Calef, Private Grazing and Public Lands (Chicago, Illinois: The University of Chicago Press, 1960), p. 79.

<sup>3</sup>New York Times, April 22, 1947, p. 1:4.

<sup>4</sup>Ibid., April 26, 1947, p. 1:6.

<sup>5</sup>Ibid., June 8, 1947, p. 2:2.

<sup>6</sup>Calef, Private Grazing, p. 78.

<sup>7</sup>"Great Land Grab," New Republic, CXVI (May 5, 1947), p. 38.

<sup>8</sup>Richard L. Neuberger, "Save the Public Domain," Nation, CLXV (December 20, 1947), p. 673.

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<sup>10</sup>John F. Timmons and William G. Murray, Land Problems and Policies (Ames, Iowa: The Iowa State College Press, 1950), pp. 109-11.

<sup>11</sup>Ibid., p. 112.

<sup>12</sup>Bernard DeVoto, "Sacred Cows and Public Lands," Harper's Magazine, CXCVII (July, 1948), p. 45.

<sup>13</sup>New York Times, May 7, 1948, p. 1:7.

<sup>14</sup>"New Grazing Lease Rule Approved," National Wool Grower, XXXVIII (December, 1948), 38.

<sup>15</sup>"House Public Land Committee's Report," National Wool Grower, XXXVIII (September, 1948), 27.

<sup>16</sup>"Hoover Commission Recommends Transfer of B.L.M. to Agriculture," National Wool Grower, XXXIX (March, 1949), 20.

<sup>17</sup>"1950 Platform and Program of the National Wool Growers' Association," National Wool Grower, XL (January, 1950), 61.

<sup>18</sup>Calef, Private Grazing, p. 79.

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- <sup>20</sup>New York Times, March 14, 1950, p. 1:8.
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- <sup>23</sup>R.L. Neuberger, "Again a Land Battle in the West," New York Times Magazine, (April 2, 1950), p. 74.
- <sup>24</sup>Calef, Private Grazing, p. 80.
- <sup>25</sup>New York Times, March 22, 1952, p. 5:6.
- <sup>26</sup>Bernard DeVoto, "The Easy Chair; an Old Steal Refurbished," Harper's Magazine, CCV (October, 1952), p. 66.
- <sup>27</sup>G.H. Collingwood, "Traditional GOP Land Policies," American Forests, LIX (February, 1953), 14.
- <sup>28</sup>Calef, Private Grazing, p. 79.
- <sup>29</sup>United States Department of Interior, Annual Report, 1954, p. 262 as cited in Calef, Private Grazing, p. 80.
- <sup>30</sup>"President's Plan for U.S.D.A. Reorganization," National Wool Grower, XLIII (April, 1953), 7.
- <sup>31</sup>"Uniform Federal Grazing Bill Reaches Congress," National Wool Grower, XLIII (April, 1953), 8.
- <sup>32</sup>Wesley A. D'Ewart, "What the Grazing Bill Proposes," National Wool Grower, XLIII (June, 1953) 31-32.
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- <sup>61</sup>Duane L. Green, "More on Multiple Use," American Forests, LXVI (April, 1960), 2.
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<sup>79</sup>"BLM on the Move," American Forests, LXX (May, 1964), 9.

<sup>80</sup>Hamilton K. Pyles, What's Ahead for Our Public Lands? (Washington, D.C.: Natural Resources Council of America, 1970), p. 137.

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<sup>82</sup>Russell E. Getty, "New Hope for Public Land Watersheds," American Forests, LXX (December, 1964), 19.

<sup>83</sup>James B. Craig, "Mr. Freeman's Response to Reorganization," American Forests, LXXIII (December, 1967), 11.

<sup>84</sup>"Grazing Fee Hike Astounds Industry," National Wool Grower, LVIII (December, 1968), 22.

<sup>85</sup>New York Times, December 12, 1968, p. 39:2.

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<sup>87</sup>Pyles, What's Ahead, p. 10.

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## CHAPTER V

### CONCLUSION

Prior to the creation of the BLM in 1946, the land policies of the United States encouraged fraud, speculation, and waste on the public domain. Since its organization the BLM constantly has worked to halt abuses on the public lands and has attempted to preserve natural resources for the benefit of all citizens. Although the present system of land management has faults, on the whole it is a good framework upon which to introduce further improvements for meeting the most pressing needs of the future--space for living and leisure. As natural resources become more scarce in the years to come, the BLM will, no doubt, become one of the most important agencies of the government. The future survival of the United States may depend on how well the BLM administers the 458,000,000 acres of public land under its control.

In the past the BLM constantly struggled to overcome many problems that hampered its operations, some of which were never solved. One of the difficulties facing the BLM in its initial stage of operations was that of appropriations. In many instances the appropriation for the Department of Interior was insufficient to allow the BLM to discharge its functions properly, while the funds for other executive departments were increased. Significantly, congressmen and the general public had not yet fully realized the importance of the public domain and how its preservation could directly affect them. Special interest groups took

advantage of poor policies, they maintained strong lobbies in Congress to work for laws that would be beneficial to them. This emphasized yet another problem the BLM had to overcome--that of being weak politically. This problem clearly had been demonstrated in congressional debates regarding the creation of the BLM, and thereafter in attempts to change significantly the policy of land management. The BLM simply had very little political support at the congressional level.

Generally, the congressional debates used in this study fell into two opposing views. One of these was the states' rights view championed by representatives of the stock industry, the mining interests, and the timber-cutting concerns. These groups believed the public lands should be given to the states wherein they lay for sale to private individuals. The second, and usually less effective viewpoint was held by the conservationists, who opposed selling the public domain, and instead supported federal control of the public lands for use by all citizens. As a result, the states' rights groups always seemed able to enlist strong congressional support in disagreements with the BLM, the youngest of the federal land agencies. This especially was true of the grazing interests, who occasionally found support even among high officials of the Department of Interior. Moreover, many eastern congressmen were interested in land management only where budget matters were involved.

The budget problems allowed the BLM to retain only a small staff in comparison with its sister agencies. As the BLM was understaffed, it was forced in many instances to take a soft line with the ranchers concerning grazing policies. Also, the political difficulties of the BLM led to numerous changes in personnel, which then caused frequent changes in administrative policies. The stockmen vigorously opposed

these frequent policy changes and demanded uniform grazing rules to stabilize the livestock industry. Therefore, the absence of a long-range plan for land management made the BLM less effective and slow to react when new methods were proposed. In addition, the BLM did very little to strengthen or stabilize the livestock industry. Thus, land management policy of the BLM was a disappointment to the livestock interests. Moreover, the BLM's policies concerning the retention or disposal of the public domain have satisfied no one completely. Perhaps even more important is the fact that the BLM remains an obscure agency in the Department of Interior. This low-profile has kept the BLM underfinanced and inadequately staffed.

Despite its problems, the BLM has accomplished much for conservation since 1946. The condition of the range was improved considerably, the system of land classification was revised, and the principle of federal ownership of the grazing lands became an accepted fact for almost everyone. Many of the stockmen even recognized the need for effective management of the public lands to keep powerful special interest groups from ruining the public domain. All Americans can take pride in a rapidly expanding system of parks, forest reserves, game refuges, reclamation and water-power projects. If Americans have learned any lesson from history that can be used to shape our future land policy it must be to conserve carefully and manage wisely our natural resources.

As early as December 1973, many congressmen of the Senate Interior Committee realized for the first time the importance of the BLM, and they began to work for measures that would modernize and strengthen that organization. They proposed a complete inventory of the lands

administered by the BLM so that the potential uses of each area could be charted. This reorganized, revitalized Bureau of Land Management would also have numerous safeguards against the influence of special interests. Thus, the BLM may yet become a well-known and powerful arm of the government. Therefore, whether the BLM is reorganized or consolidated under another department with a new title, land management will continue to be increasingly important.

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